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BOX:

221

FOLDER:

2169

DESCRIPTION:

Skiffe, Frank B.

DATE:

05/10/86



2169

79

Counsel, *W. C. Allen*  
Filed *136 Court St.*  
188  
Pleads *W. C. Allen*

THE PEOPLE

vs.

*Frank B. Skiffie*

*Frank B. Skiffie*  
*Apr 20/07*

*April 20/07*  
*Frank B. Skiffie*  
RANDOLPH B. MARTINE,

PETIT LARCENY.  
[Sections 528, 529, Penal Code].

District Attorney,  
*April 20/07*  
*G. S. D.*

A True Bill.

*Pat. III*  
*April 20/07*  
*Frank B. Skiffie*

*W. C. Allen*

Foreman.

*Self. Amended. Key*  
*W. C. Allen*

*April 20/07*  
*Frank B. Skiffie*

Witnesses:

*William J. McKay*  
*William J. McKay*

*Frank B. Skiffie*  
*136 Court St. - Bklyn.*  
*Bklyn. N.Y.*  
*136 Court St. - Bklyn.*

COURT OF GENERAL SESSIONS.

PEOPLE

VS

FRANK B. *Schiff* SCHIFF.

MEM. FOR PROSECUTION.

1. *McKay*  
WILLIAM ~~MACKEY~~ WHO WAS STOCK CLERK IN THE  
EMPLOY OF THORNE, CARROLL & CO. AT NO. *372* BROADWAY, WILL TESTIFY  
✓ THAT ON OR ABOUT THE 23RD DAY OF APRIL 1886, THE DEFENDANT WAS  
ALSO IN THE EMPLOY OF T. C. & CO. AS ENTRY CLERK, PROCURED FROM  
MACKEY ONE DOZEN AND A HALF OF SILK HOSE OF THE VALUE OF \$27,  
BEING \$18 PER DOZEN, TOOK THE GOODS TOWARDS THE CASHIERS DESK,  
LEFT THEM ON THE COUNTER AT THE OUTER OFFICE, PASSED THROUGH THE  
OUTER OFFICE TO THE WINDOW OF THE CASHIER AND HELD A CONVERSA-  
TION WITH HIM, AND AS HE LEFT TOOK THE GOODS DOWN STAIRS, MACKEY  
SUPPOSING THAT SCHIFF HAD PAID FOR THEM.

HENRY GAYLOR NOW IN EMPLOY OF THORNE, CARROLL  
& CO. CAN TESTIFY THAT HE SAW DEFENDANT BRING GOODS FROM THE  
FRONT OF THE STORE AND PLACE THEM ON THE COUNTER IN THE OUTER  
OFFICE, AND PASS THROUGH THE OUTER OFFICE TO THE CASHIERS WINDOW  
AND ENTER INTO CONVERSATION WITH ONE OF THE BOOKKEEPERS AND SOON  
AFTER RETURNING FROM THE OFFICE TAKE THE GOODS DOWN STAIRS.  
AND ON SEVERAL OCCASIONS HAS SEEN DEFENDANT TAKE PACKAGES WITH  
HIM FROM THE STORE AT NIGHT NO. 372 BROADWAY.

FRED. BRAYTON ALSO IN THE EMPLOY OF THORNE,  
CARROLL & CO. HAS SEEN DEFENDANT ON SEVERAL OCCASIONS, DO UP  
PACKAGES IN THE ENTRY ROOM, AS THOUGH HE HAD PAID FOR THE GOODS.

CONF. OF GENEVY SESSIONS

*Gausman*  
CHARLES GAUSMAN, CASHIER OF T. C. & CO. WILL  
TESTIFY AS TO DEFENDANT NOT PAYING FOR GOODS TAKEN FROM PREMISES  
372 BROADWAY.

JOHN W. EAVES OF T. C. & CO. WILL TESTIFY THAT  
SCHIFF GOT UP A SUBSCRIPTION PAPER ON BEHALF OF DANIEL KEENAN  
A PORTER IN THE EMPLOY OF THORNE, CARROLL & CO. TO DEFRAY FUNERAL  
EXPENSES OF A CHILD WHOM KEENAN HAD LOST. THE SUBSCRIPTIONS TO  
WHICH AGGREGATED, \$30 WHICH WAS PAID TO SCHIFF, WHICH HE APPROPRIATED TO HIS OWN USE AND REFUSED TO HAND OVER TO KEENAN.

DANIEL KEENAN THE PORTER WILL TESTIFY THAT HE  
NEVER RECEIVED THE MONEY.

SUGGESTIONS FOR CROSS-EXAMINATION...

CHAS. LEIBNITTS WHO AT THE TIME WAS STOCK  
CLERK IN THE EMPLOY OF THORNE, CARROLL & CO. HAS BEEN SUBPOENED  
AS A WITNESS FOR DEFENDANT. IN CROSS EXAMINATION IT IS SUGGESTED  
THAT THIS WITNESS BE QUESTIONED REGARDING A MEMORANDA OF MER-  
CHANDISE CONSISTING OF MENS SHIRTS AND DRAWERS AND LADIES VESTS  
WHICH WAS FOUND IN HIS DESK, AND WHICH MERCHANDISE LEIBNITTS  
DELIVERED TO SCHIFF.

THE DEFENDANT WAS A CANVASSER FOR A PAPER  
CALLED "THE OFFICE" AND HAVING BOUGHT GOODS CONSISTING OF  
STATIONERY OF MR. PERTAIN OF NO. 47 EXCHANGE PLACE, AND NOT  
HAVING THE MONEY TO PAY THE BILL, OFFERED MR. PERTAIN AN ADVER-  
TISEMENT FREE IN "THE OFFICE" SHORTLY AFTERWARD "THE OFFICE"  
SENT MR. PERTAIN A BILL, WHEREUPON MR. PERTAIN EXPLAINED HOW  
THE ADVERTISEMENTS HAD BEEN GIVEN, WHEN TO THE SURPRISE OF MR.



**POOR QUALITY  
ORIGINAL**

0013

RESOLVED VS TO DEFENDANT NOT PAYING FOR GOODS TAKEN FROM PREMISES  
CHARGES GAVSWON\* CASHIER OF L. C. & CO. MFG

PERTAIN THEY PRODUCED AN ORDER THE BODY OF WHICH WAS IN THE HAND-  
WRITING OF SCHIFF, AND PURPORTING TO BE SIGNED BY MR. PERTAIN.  
G. W. PERTAIN AND E. R. KNAPP, BOTH OF NO. 47 EXCHANGE PLACE  
CAN TESTIFY TO THESE FACTS, AND IT IS SUGGESTED THAT THEY BE  
SUBPOENED.

People  
Shirley Skiff.  
Franklin

Witnesses

Testimony

Memorandum  
for Dictation  
J. H. R.

OFFICE OF  
J. R. ALLABEN,  
COUNSELLOR-AT-LAW,  
26 COURT STREET,

Brooklyn, April 21. 1887

The People } Indicted in charge  
apx } of Peter Lamy.  
Frank B. Stiff } In par 3 case of  
} Gen. Lammie.  
R. B. Martin & Co.

Sub. Atty

Dear Sir:

Deft. summoned  
yesterday and is now in jail.

I hope he may be tried soon and  
that you will give me ample notice  
of day case will be on calendar

Very truly

J. R. Allaben

Counsel for Stiff

POOR QUALITY  
ORIGINAL

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The People  
as  
Shiffe

OFFICE OF  
J. R. ALLABEN,  
COUNSELLOR-AT-LAW,  
26 COURT STREET.

The People.  
<sup>vs.</sup>  
Frank B. Skiffe

Brooklyn, Aug. 7, 1887.

James Fitzguald G.  
Dist. Dist. Atty.

Dear Sir:

The bearer of this note is  
Frank B. Skiffe the defendant.

You will remember trial was  
set down for about 13th. of Nov.

The defendant was ready to  
try but case could not be reached  
that day.

You inquired of me, when  
then was of it, & said what I  
then said what I now believe nothing.

You suggested the obtaining  
of some affidavits in the interest  
of Skiffe, from which I infer a

disposition to do common prosecution  
I have left <sup>sufficiently obvious</sup> at the Dist. atty. office  
suggested, written you, & have called  
to see you several times without success.  
Something must be done with the  
Indictment against Skiffe.

There is much to be said about  
it, & if a trial must take place  
the sooner it occurs the better.

I have instructed Skiffe not to  
leave this letter unless you are in, &  
then stay until he can get an answer.

Will you return something of an  
answer, & if nothing more for a time  
and please when I can see you personally.  
Very respt.

J. R. Allen

Counsel for Skiffe

DISTRICT ATTORNEY'S OFFICE,

New York, *Nov. 13*: 1886

The People

<sup>vs.</sup>  
Francis B. Skiff

*per Fitzgerald Esq.*

*last. sit. 10:30*

In accordance with your  
suggestion in the case  
of *Lawrence* on *Monday*, last,  
I call to see you in  
relation to this case, and  
finding <sup>that</sup> you I have some  
affairs.

I take <sup>it</sup> the case will be  
made, for there is nothing  
in it.

Now I ask you to give

the matter your immediate  
attention, & if possible de-  
termine it on Monday next.

If needed, I suppose it will  
be prepared to be in a  
suitable form, & I shall  
be happy to deposit, with  
him, in time of day,  
very truly,  
A. R. M. Allen

Amal for Skiff  
26 Chest Street  
150 W. 1st St.



OFFICE OF  
J. R. ALLABEN,  
COUNSELLOR-AT-LAW,  
26 COURT STREET,

The People  
vs  
Frank B. Skiffes

Brooklyn, Jan 17. 1887.

To the Chf. Clk.  
Dist. Ct. - office  
New York.

Dear Sir:

At the suggestion  
of Dist. (att.) Fitzgerald, I left  
several affidavits on the  
part of the defendant, with  
the person in charge of the  
office on the first floor  
of the building where you are,  
directed to Mr. Fitzgerald.

Mr. Fitzgerald does not ap-  
pear to have seen these pa-  
pers, and suggested, that they  
might be in your office.

The object of having the pa-  
pers appear to have failed,  
and we wish to withdraw  
them.

I will call on you for  
them tomorrow at 12  
M. and you will greatly  
oblige me, if you will in  
the mean time find them  
safe.

Very respy,

J. R. Allen  
Council for staff.

Skiff's trial is put down for Monday  
in part II but <sup>quite</sup> off <sup>of</sup> Sessions

The People James R. Allaben,  
as to Counsellor at Law,  
Frank B. Skiff & Co. 261 Fulton St.,  
Brooklyn, N. Y.

May 1<sup>st</sup> 1886

R. B. Martin &  
Sons City & Co. of New York

Dear Sir:

On 29. Oct.  
diff. on a charge of Petit Larceny  
preferred by one M. Kay, against an  
examination & made a deposit  
of \$500. in lieu of bond, to appear  
and answer any indictment to be  
found by the Grand Jury.

I am told it will be brought  
before the Grand Jury next week.

I am not a criminal pro-  
secution & decline it, except for  
regular clients, while the factum  
of young Skiff happens to be.

I assume you wish no indict-  
ment found & kept it is a clear

prima facie case.

I understand the facts to be as follows:

Mr. McKay Skiff men in the service of Thom, Carroll & Co., merchants of 372 Broadway.

McKay as salesman at Skiff's as a ~~transmission~~ getting clubs.

That McKay sold to Skiff 1 1/2 Doz. of silk ties, and for some cause they were not charged as they ought to have been. That the goods were taken with the knowledge & consent of McKay who had the right to sell and deliver. If this is so there was no larceny.

I assume the Complaint McKay will be returned before the Grand Jury.

Now, please permit me to ask that his examination be full and thorough - especially on the facts stated very respectfully.

J. E. Keane.

2,

James R. Allaben,  
Counsellor at Law,  
361 Fulton St.,

Brooklyn, N. Y., ..... 188

P. S. Smith writing the above  
the justice of young Skiff  
has entered my office.

He tells me that he hears  
that ~~Thom~~ <sup>one</sup> ~~Laurel & co.~~ <sup>are</sup> talking  
of other charges against his son.

I am assured that all the  
goods he has ever had from said  
firm were sold to him, either by  
Wm. de Kay, or ~~Wm. de Kay~~ or  
Mittels. If they are witnesses  
please let me ask that they  
also be examined as thoroughly as  
Wm. de Kay & on the same points  
My note J. R. A.

POOR QUALITY  
ORIGINAL

0026

The People  
vs  
Frank B. Skiff

Police Court— / District. 1

Affidavit—Larceny.

City and County }  
of New York, } ss.

William J McKay  
Street, aged 20 years,

of No. 372 Broadway  
occupation Stock Clerk being duly sworn

deposes and says, that on the 23 day of April 1886 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 dozen pair of silk stockings of the value of Eighteen dollars

the property of William H. Thorne, George O. Carroll & John W. Brooks copartners doing business at No 372 Broadway in the care and charge of deponent as Stock Clerk and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Frank B. Skiffe

Deponent says that said defendant came to deponent's department in said place and obtained said property. Deponent says that he is informed by William H. Thorne that said defendant has not charged or accounted for said property to him and his copartners and that said defendant has not returned said property to deponent.

Wherefore deponent charges said defendant with feloniously taking, stealing and carrying away said property as aforesaid. Deponent further says that said defendant—obtained from

Sworn to before me this 18th day of April 1886  
Police Justice.

his possession Six pair of odd stockings  
of the value of nine dollars the property  
of deponents employers which he said  
defendant has not accounted for  
and is returned as aforesaid

William J. Mc Kay  
Brought before me  
this 28th day of Apr 1886  
Samuel C. Ruddy, Police Justice



POOR QUALITY  
ORIGINAL

0029

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 52 years, occupation Merchant of No.

372 Broadway Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of William J. McKay

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

Sworn to before me, this 28  
day of Apr 1886

William H. Thorne

Sam'l C. Reilly  
Police Justice.

POOR QUALITY  
ORIGINAL

0030

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

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

Question. What is your name?

Answer. Frank TB Skiffe

Question. How old are you?

Answer. 19 years

Question. Where were you born?

Answer. Williamburg N. Y.

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

Answer. 108 Bushwick Ave Wm Burg 2 mos

Question. What is your business or profession?

Answer. Clerk

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

Answer. I have nothing to say and demand a trial by jury  
J. B. Skiffe

Taken before me this

29

day of

Sept

1886

Samuel M. Kelly Police Justice.

Sec. 151.

District Police Court.

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

Whereas, Complaint on oath, has been made before the undersigned, one of the Police  
Justices in and for the said City, by William Mc Kay

of No. 372 Broadway Sect. that on the 23 day of April  
1886 at the City of New York, in the County of New York, the following article to wit :

One dozen pair of silk stockings

o the value of Eighteen Dollars,  
the property of William B Home and Co partners  
w as taken, stolen, and carried away, and as the said complainant has cause to suspect, and does suspect and  
believe, by Frank B Skiffe

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

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

Dated at the City of New York, this 28 day of April, 1886  
Samuel C. Kelly POLICE JUSTICE.

POLICE COURT. DISTRICT.

THE PEOPLE, & C.,  
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

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

Magistrate

Hempson Officer

The Defendant

taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

Officer.

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

This Warrant may be executed on Sunday or at  
night.

Samuel C. Kelly Police Justice.

REMARKS.

Time of Arrest,

Native of

Age,

Sex

Complexion,

Color

Profession,

Married

Single,

Read,

Write,

Police Court-- 1648 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William & McKay  
372 Broadway  
Frank B. Steele

2  
8  
4

Offence, Larceny

Dated April 29 1886

D. A. Reilly Magistrate.

McGowan Wagoner Officer.

Delaware Street Clerk.

Witnesses, William D. Thorne

No. 372 Broadway Street,

John Keeler

Frank B. Steele

John W. Steele

William & McKay

372 Broadway

Frank B. Steele

John W. Steele

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 April 29 1886 Daniel C. Reilly Police Justice.

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

Dated April 30 1886 Daniel C. Reilly Police Justice.

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

Dated 1886 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

*Franka G. Stadler*

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

*Franka G. Stadler*

of the CRIME OF PETIT LARCENY, committed as follows:

The said *Franka G. Stadler*

late of the First Ward of the City of New York, in the County of New York aforesaid,  
on the *twenty third* day of *April*, — in the year of our Lord  
one thousand eight hundred and eighty — *nine* — , at the Ward, City and County  
aforesaid, with force and arms,

*Twelve pairs of stockings &c &c*

*value of one dollar and fifty*

*cents each pair.*

of the goods, chattels and personal property of one

*John W. Crocker.*

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.

*Randolph B. Smith,*  
*District Attorney*

0034

BOX:

221

FOLDER:

2169

DESCRIPTION:

Smith, Jennie

DATE:

05/17/86



2169

Witnesses:

*Charles Bauer*  
*Off. Charles Bauer*  
*10th Street*

According to the within affidavits  
it is impossible to secure the at-  
testance of *Charles Bauer*  
a material and necessary witness for  
the People and without whose evidence  
a conviction cannot be had. I there-  
fore respectfully recommend that the

defendant herein

be  
discharged on his own recognizance &  
without release from further delay  
N. Y. *att. d. 1887*

*Wm. J. M. Javis*  
District Attorney

Counsel,

Filed *17* day of *May* 188*6*

Pleads *Propriety*

THE PEOPLE

vs. *B*

*Jennie Smith*

KEEPING A HOUSE OF ILL FAME, ETC.  
(Sections 822 and 885, Penal Code.)

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

*William Van Buren*

Foreman

*May 11/87*  
*at New York*  
*Recy. of Secy. R.*

Sec. 198-200.

3rd

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

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

Question. What is your name?

Answer.

*Jennie Smith*

Question. How old are you?

Answer.

*34 years*

Question. Where were you born?

Answer.

*Putnam County, N. Y.*

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

Answer.

*105 Forsyth Street. about 8 months*

Question. What is your business or profession?

Answer.

*I keep a cigar store*

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

Answer.

*I am not guilty - I demand a trial by jury*  
*Jennie Smith*  
*mark*

Taken before me this

*11th*

day of *December* 188*8*

Police Justice.



Sec. 151.

Police Court

3

District.

CITY AND COUNTY,  
OF NEW YORK,

ss. In the name of the People of the State of New York; To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York, GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by

of No. 101, 305<sup>th</sup> Street, that on the 1 day of May

1886, at the City of New York, in the County of New York, James Doe has kept and maintain at the premises known as Number

Street, in said City, a house of prostitution and there unlawfully procure and permit as well men as women of evil name and fame, and of dishonest conversation

to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution, and there unlawfully and wilfully did permit said men and women of evil name and fame there to be and remain drinking, dancing, fighting, disturbing the peace, whoring and misbehaving themselves whereby the peace, comfort, and decency of persons inhabiting and residing in the neighborhood and there passing is habitually disturbed in violation of the statute in such case made and provided.

THESE ARE, THEREFORE, in the name of the People of the State of New York, to Command you, the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the body of the said

and all vile, disorderly and improper persons found upon the premises occupied by said

and forthwith bring them before me, at the DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 3 day of May 1886

*[Signature]*  
POLICE JUSTICE.

Police Court— District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Charles Bauer

vs.

Jimmie Smith

WARRANT—Keeping Disorderly House, &c.

Dated May 3<sup>rd</sup> 1886

H. M. S. Magistrate.

Geo. L. Arfken Officer.

10<sup>th</sup> Precinct.

The Defendant

Jimmie Smith

taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

Geo. L. Arfken Officer.

Dated May 3<sup>rd</sup> 1886

This Warrant may be executed on Sunday or  
at night.

Police Justice.

having been brought before me under this Warrant, is committed for examination to the  
WARDEN and KEEPER of the City Prison of the City of New York.

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

Police Justice.

The within named

BAILED, *Shes*  
No. 1, by *John Hines*  
Residence *17 Chryse* Street  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street  
*Stephen G.*  
*2 collect 6 the May*  
*affidavit 6 the May*  
*26*

Police Court *463 3* District *678*

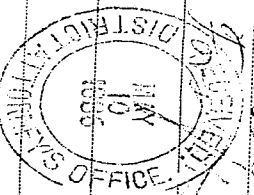
THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
*John Hines*  
*101 Fourth*  
*Jennie Smith*  
Offence *Keeping a*  
*brothel house*

Dated *May 4* 188*6*

*Magistrate*  
*Officer*

*Witness*  
*11 #4*  
*Prevent*

No. *100*  
Residence \_\_\_\_\_ Street



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

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

No. *588*  
to answer *38*  
Street

*Bailed*

*It appearing to me by the within deposition 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 *May 4* 188*6* *Police Justice.*  
I have admitted the above-named *defendant*  
to bail to answer by the undertaking hereto annexed.  
Dated *May 6* 188*6* *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.*

*Louisa Smith or Bloomer*  
B. COLES & CO.,  
PACKERS AND PROVISION DEALERS,  
100 & 102 FORSYTH STREET,

New York, May 27 1886

How Mr Martine  
Dulick Attorney  
Jii:-

A  
case of keeping disorderly  
house No. 105 Forsyth Street  
was recently before the  
Grand Jury. I am  
informed by the beaver  
that the juror who gave  
bail for the appearance  
of the woman who keeps  
the said house is utterly  
unreliable and intemperate  
and the bail bond is  
worthless. Can you  
use your endeavors to  
break up these infamous  
resorts? I was threatened  
at this trial by a man  
(a politician) because I once refused  
not to make a complaint against 101  
Forsyth Street when he asked me not to

do so -  
You have done  
so well in the cases  
of fraud by the  
Aldermen that you  
have received the  
commendations of  
the people generally.

Now try the breaking  
up root & branch of  
the disorderly houses  
Kophs under the  
screen of Cigar Sties.

Yours truly  
J. G. Gales

P.S. The bearer will give  
you information as he  
has given me -

Police Department of the City of New York.

Precinct No. 10

New York, June 8 1886

John M. Coman Esq

In reply to your  
communication of this date I have  
the honor to inform you that the  
premises #105 Forsyth St are now  
vacant, and have been so for the  
past two weeks.

Respectfully  
Anthony J. Allaire  
Captain

PART III.

THE COURT ROOM IS IN THE THIRD STORY.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To *B. M. Gales*  
of No. *100 Forsyth* Street,

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the County Court House, in the Park of the said City, on the day of *April* instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf against

*Jennie Smith*  
in a case of Felony, whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall in our said City, the first Monday of

*1887*, in the year of our Lord 1887.  
RANDOLPH B. MARTINE, *District Attorney*

Sec. 192.

2nd District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before Patrick G. Duffy a Police Justice ;  
of the City of New York, charging Jennie Smith Defendant with  
the offence of keeping in a disorderly house

and She having been brought before said Justice for an examination of said charge, and it having been made to  
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-  
ing thereof having been adjourned,

We, Jennie Smith Defendant of No. 105  
Therewith Street; by occupation a Cigar store keeper  
and Louie Suss of No. 27 Chrystie St  
Street, by occupation a Cigar store keeper Surety, hereby jointly and severally undertake that  
the above named Jennie Smith Defendant  
shall personally appear before the said Justice, at the 2nd District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York the sum of Five  
Hundred Dollars,

Taken and acknowledged before me, this 5th  
day of April 1886.

Patrick G. Duffy  
POLICE JUSTICE.

Jennie Smith  
Louie Suss



CITY AND COUNTY } ss.  
OF NEW YORK, }

*Louis Suss*

the within named Bail and Surety being duly sworn, says, that he is a resident and *house*  
holder within the said County and State, and is worth *Ten* Hundred Dollars,  
exclusive of property exempt from execution, and over and above the amount of all his debts and  
liabilities, and that his property consists of *Stock and fixtures*

*situated at No. 27 Chrystie St, valued at*  
*\$500, and furniture situated at Maxwellle*  
*Stuyt house, No. E. 13th St, valued at*  
*\$1500 dollars both free and clear, and*  
*also one bay horse and one buggy at*  
*stable in Chrystie St near Bebbie, valued*  
*at \$350 dollars free and clear.*

*Sworn to before me, this*  
*2nd day of May 1886*  
*Police Justice*

*2nd* District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Charles Bauer,*

*Jennie Smith*

Taken the *5th* day of *May* 188*6*

*Undertaking to appear*  
*during the Examination.*

Justice.

*In Witness*  
*Louis Suss*  
*1 clerk during the*  
*trial*

Sec. 322, Penal Code.

3 District Police Court.

CITY AND COUNTY OF NEW YORK. { ss.

Charles Bauer.  
of No 101. Forsyth Street, in said City, being duly sworn says  
that at the premises known as Number 105 Forsyth Street,  
in the City and County of New York, on the 15<sup>th</sup> day of May 1886, and on divers  
other days and times, between that day and the day of making this complaint

Jane Doe, her proper name being unknown  
did unlawfully keep and maintain and yet continue to keep and maintain a ~~house of~~  
~~prostitution~~ and did then, and on the said other days and times, there unlawfully procure  
and permit as well men as women of evil name and fame and of dishonest conversation to visit, frequent and come  
together for unlawful sexual intercourse, and for the purpose of prostitution and lewdness, and then and on the said  
other days and times, unlawfully and wilfully did permit and yet continues to permit said men and women of evil  
name and fame there to be and remain ~~drinking, dancing, fighting~~ disturbing the peace, whoring and misbehaving  
themselves, whereby the peace, comfort and decency of persons inhabiting and residing in the neighborhood, and  
there passing is habitually disturbed, in violation of the statute in such case made and provided.

Deponent therefore prays, that the said Jane Doe  
and all vile, disorderly and improper persons found upon the premises, occupied by said

Jane Doe  
may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me, this  
day of May 1886

Charles Bauer  
Police Justice.

*W X 3*  
Police Court— District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Charles Bauer*

*Bauer Dor*

AFFIDAVIT—Keeping Disorderly House, &c.

Dated *May 3* 188*6*

*John W. ...* Justice.

Officer.

Precinct.

WITNESSES :

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

POLICE COURT, <sup>3</sup> DISTRICT.

*George L. Arfken*  
of No. *the 10<sup>th</sup> Precinct Police* Street, being duly sworn, deposes and says,  
that on the *3<sup>rd</sup>* day of *May* 188 *6*  
at the City of New York, in the County of New York, *Reframed arrested*

*Jamie Smith (now here), who is the  
same person as Jane Roe mentioned  
in the annexed affidavit and Warrant*

*George L. Arfken.*

Sworn to before me, this *4<sup>th</sup>* day

of *May* 188

*John J. [Signature]*  
Police Justice.

The People }  
vs  
Jennie Smith }

City and County of New York :-  
Barak G. Cole

being duly sworn says, that he  
is in business at No. 100  
Forsyth Street in the City of  
New York. That ~~he~~<sup>Charles Bauer</sup> made the  
complaint against the above  
named defendant Jennie Smith  
and that <sup>said</sup> Charles Bauer is  
a material and necessary  
witness on behalf of the People  
herein, from the fact that  
the said Bauer, was in the  
house and knew the inmates  
of it, and made the affidavit  
upon which the warrant was  
issued. That deponent has  
made diligent inquiry concerning  
the said house and finds that  
the nuisance has been abated  
and that it is now rented to  
and used by respectable people.

Deponent further says  
that the said Charles Bauer

has left his boarding house  
No. 101 Forsyth Street, and  
that his present address  
is unknown. Deponent  
further says that the complaint  
was made by the said Charles  
Baner at the request of this  
deponent.

Sworn to before me  
this 31<sup>st</sup> day of March 1887 } Per  
Rudolph R. Schaaf

COMMISSIONER OF DEEDS,  
N. Y. CITY & COUNTY.

David S. Coles

People

vs.

Jennie Smith

467

PART III.

THE COURT ROOM IS IN THE THIRD STORY.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To *Charles Bauer*  
of No. *101 Forsyth* Street,

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the County Court House, in the Park of the said City, on the day of *April* instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf against

*Jennie Smith*  
in a case of Felony, whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall in our said City, the first Monday of

, in the year of our Lord 1887.

RANDOLPH B. MARTINE, *District Attorney*

Court of General Sessions.

THE PEOPLE

vs.

ie Smith

nty of New York, ss.:

nd says: I reside at No.

15 City Hall Place

being duly

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 30<sup>th</sup> day of March 1887,

I called at No. 101 Forsyth Street

the alleged residence of Charles Bauer

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

keeper of boarding house at that address that no such person resided in his house and that he knows no one by that name or where the said Charles Bauer can be found. I also inquired of the tenants in the rear house but neither of them knew any one by the name of Charles Bauer or where he resides. I also inquired of Mr. Coles another witness herein and he does not know where the said Charles Bauer can be found

Sworn to before me, this 31 day

of March 1887

Rudolph L. Schaif

COMMISSIONER OF DEEDS,  
N. Y. CITY & COUNTY.

James H. Driscoll

Subpoena Server.

Sworn to before me, this day

188

on the day of

Subpoena, of which the within is a copy, upon

being duly sworn, deposes and says he

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

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.

Attorney's office.



Court of General Sessions.

THE PEOPLE, on the Complaint of

Chas. Bonner

vs.

James Smith

Offense:

RANDOLPH B. MARTINE,

District Attorney.

Affidavit of

James H. Dracoll

Subpoena Server.

Failure to Find Witness.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
*against*

*Jennie Smith*

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

*Jennie Smith* —

(Section 322,  
Penal Code.)

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND  
HOUSE OF ILL FAME, committed as follows:

The said *Jennie Smith*.

late of the *South* Ward of the City of New York, in the County of New York aforesaid,  
on the *first* — day of *May*, in the year of our Lord one  
thousand eight hundred and eighty-*six*, and on divers other days and times as well  
before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County  
aforesaid, a certain common bawdy house and house of ill fame, unlawfully and wickedly did  
keep and maintain; and in the said house divers evil-disposed persons, as well men as women,  
and common prostitutes, on the days and times aforesaid, as well in the night as in the day,  
there unlawfully and wickedly did receive and entertain; and in which said house the said evil-  
disposed persons and common prostitutes, by the consent and procurement of the said

*Jennie Smith* —

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers  
unlawful assemblies, disturbances and lewd offences on the days and times aforesaid, as well in  
the night as in the day, were there committed and perpetrated; to the great damage and  
common nuisance of all the good people of the said State there inhabiting and residing, in  
manifest destruction and subversion of, and against good morals and good manners, 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

*Jennie Smith* —

(Section 385,  
Penal Code.)

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said *Jennie Smith*.

late of the Ward, City and County aforesaid, afterwards, to wit: on the *first* —  
day of *May* — in the year of our Lord one thousand eight hundred

and eighty-~~two~~, — and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep and maintain a certain common, ill governed house, and in ~~the~~ said house, for ~~his~~ own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, then and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common nuisance of the said citizens, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

**THIRD COUNT.—**

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

*Gemie Smith* —

(Section 332,  
Penal Code.)

of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said *Gemie Smith*.

late of the Ward, City and County aforesaid, afterwards, to wit: on the ~~first~~ day of ~~May~~, in the year of our Lord one thousand eight hundred and eighty-~~two~~, — and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for ~~her~~ own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women, in ~~her~~ said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully, did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, 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.

**RANDOLPH B. MARTINE,**  
**District Attorney.**

0056

BOX:

221

FOLDER:

2169

DESCRIPTION:

Smith, John

DATE:

05/11/86



2169

0057

Max Frank

Counsel, *W. S. Allen*  
 Filed *11* day of *May* 1886  
 Pleads *Not Guilty* *W*

# THE PEOPLE

215.

21

John Smith

19th Feb. 1900

~~RANDOLPH B. MARTINE,~~

Per ~~Nov 7~~ 1886 District Attorney.

And Fencible, 16.

# A True Bill.

50 1/2 years.

Richard W. Harwood  
Foreman.

STENOGRAPHERS' MINUTES.

Board of General Session - P. 2-

File Review as  
against  
John Smith -  
and Lacey - 2 m. Degree

BEFORE

John Smith & Lacey  
and Lacey

June 4th 1886

WITNESSES.

DIRECT.

CROSS.

RE-DIRECT.

RE-CROSS.

Court of General Sessions. Part 2.

-----  
THE PEOPLE &c.

-against-

John Smith, Indicted for Grand  
Larceny in the Second Degree.

.....  
Before Hon. Rufus  
B. Cowing, and a Jury.  
.....

-----  
Tried June 7, 1886.

APPEARANCES.

Assistant District Attorney Davis, for the people;  
Mr. McFeeters, for the defence.

-----000-----

MARY STRAUB, the complainant, testified that she lived at 239 Sixth Street. On the 4th of May, 1886, between 8 and 9 o'clock in the morning, she saw the defendant in her rooms at number 239 Sixth Street. She occupied four rooms there. He knocked on the outer door of her room and she opened the door for him. There was another boy with him. The defendant asked for his parrot. He said it was on the window sill. She went with the other boy to the window and the defendant stood by the mantel-piece where her

husband's watch was. Her back was turned to the defendant; there was no parrot on the window sill. Then the defendant and his companion went away and when her husband returned from work the watch and chain were missing. The watch and chain belonged to her husband, Herman Straub, and it was in her care. It was valued at \$45; nobody else was in the room during the day, excepting the defendant, and his companion.

-----000-----

Officer JAMES FLEMING, of the 11th Precinct, being duly sworn, testified that he arrested the defendant on the 6th of May, in the afternoon, in Avenue C, in a car. In the station house, the defendant was searched, and a pair of lady's woolen stockings were found in his pocket; also two little pocket-books and some small pieces of gold jewelry. He gave his name as Henry or Charles Smith and said that he did not steal the watch and chain.

-----000-----

For the defence, John Smith, the defendant, being duly sworn, testified that he was not in the rooms of the complainant at all on the 4th of May, and knew nothing about the larceny. One of the pocket-books belonged to



3

him and the other he found. He had two scarf pins in his pockets also when he was arrested; one belonged to him and the other he found. The stockings were his. He slept in an hotel the night before - the Great Northern Hotel - and washed his stockings for himself. He was a button finisher by trade. He had never been convicted of any offence.

**POOR QUALITY  
ORIGINAL**

0062

Indictment filed May 1886.

*Beardsley*

*Thames*

*at*

*of the Court*

*of the Court*

STENOGRAPHERS' TRANSCRIPT.

1886.

34 District Police Court.

Affidavit—Larceny.

CITY AND COUNTY  
OF NEW YORK, } ss.

of No. 239 - sixth Street,

being duly sworn, deposes and says, that on the 4 day of May 1886  
at the \_\_\_\_\_ City of New York,

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

the following property, viz :

One gold watch and  
one gold chain of the value  
of forty dollars \$40.-

the property of Horace Strunk and  
in 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 John Smith (name here),

and another man who is not  
arrested, for the reason that  
the defendant and another man  
each to deponent's premises  
pretending that they looking  
for a Fall Parrot which was  
sitting at deponent's residence  
and while deponent was walking  
toward the residence the look

Sworn before me at

1887

Police Justice

for the said Parrot the defendant  
nowhere, remained in the room  
ever since about one hour after  
the defendants had left the  
room. The defendant missed  
the aforesaid property and deponent  
says that no other person or persons  
were in said room since the  
time that the defendants were  
in said room up to the time  
the defendant missed said property  
and for the further reason that  
the deponent was informed by  
Carl Ritzie that a certain man  
was arrested and would be brought  
to court this morning, the deponent  
thereupon came to court and then  
and there identified the defendant  
as being one of the persons  
who was in her rooms on the  
aforesaid day pretending to look  
for a Gold Parrot.  
Sworn to before me Marie Strahl  
this 7<sup>th</sup> day of April 1886  
J. H. Coffey  
Police Justice

District Police Court.

AFFIDAVIT—Larceny.  
THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Dated 188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

POOR QUALITY  
ORIGINAL

0065

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 29 years, occupation Business of No. 139 East 4 Street, being duly sworn deposes and

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

Sworn to before me, this 7

day of May 1886

Carl Pitzel

[Signature]  
Police Justice.

Sec. 198-200.

3d

District Police Court.

CITY AND COUNTY  
OF NEW YORK, { ss

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

Question. What is your name?

Answer.

*John Smith*

Question. How old are you?

Answer.

*19 years*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*192 East 4 street Eight years*

Question. What is your business or profession?

Answer.

*Butcher*

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

Answer.

*I am not guilty*

*John Smith*

Taken before me this

day of

*John Smith*  
1896

Police Justice.

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

Police Court - 3d District.  
3d 673

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
William J. Frank  
Prosecutor  
vs.  
John J. Smith  
Defendant  
RECEIVED  
MAY 10 1886  
DISTRICT ATTORNEY'S OFFICE  
Offence \_\_\_\_\_

Dated May 7 1886  
Magistrate  
Officer  
Precinct.  
Witnesses  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
\$ 500 to answer  
G. J.  
Done

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 May 7 1886 \_\_\_\_\_ 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

*John Dineen*

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

*John Dineen* -

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

The said *John Dineen*.

late of the First Ward of the City of New York, in the County of New York aforesaid on the *fourth* - day of *May*, - in the year of our Lord one thousand eight hundred and eighty-~~six~~ - , at the Ward, City and County aforesaid, with force and arms,

*one watch of the value of twenty*  
*five dollars, and one chain of*  
*the value of fifteen dollars,*

of the goods, chattels and personal property of one

*Norman Dineen*, -

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.

*Handy J. Mathis,*  
*District Attorney.*



0069

**BOX:**

221

**FOLDER:**

2169

**DESCRIPTION:**

Smith, Michael

**DATE:**

05/03/86



2169

Witnesses:

*Joseph Smith*

*off Andrew Smith*

*20th March*

*The defendant in this  
case is dead. See  
affidavit filed herewith.*

*May 5/92*

*V. M. Davis  
Cant.*

Counsel,  
Filed *May 5* 1886  
Pleads *Joseph Smith* (ot)

THE PEOPLE

vs.

*B*

*Michael Smith*

*W. D. S.*

ASSAULT IN THE FIRST DEGREE, ETC.  
(Sections 217 and 218, Penal Code).

RANDOLPH B. MARTINE,

*Post-3. May 5/92*  
*District Attorney.*

*Sept dead*  
*Michael's son*

A True Bill.

*John Van Lander*

Foreman.

*W. D. S.*  
*Advt*

City and County  
New York

Luke McCoy being duly sworn  
deposes and says that he knows  
that the Defendant Michael Smith  
is now dead about one (1) year and  
he attended the funeral and saw him  
buried.

Luke McCoy

Sworn to before me  
this fifth (5) day of  
May 1892

John J. Buckley  
Com of Dads N.Y. Co.

Police Court— 3<sup>rd</sup> District.

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

of No. 574 west 28<sup>th</sup> Street, aged 23 years,  
occupation married being duly sworn

deposes and says, that on 11<sup>th</sup> day of April 1886 at the City of New  
York, in the County of New York, on No. 574 west 28<sup>th</sup> Street

She was violently and feloniously ASSAULTED and BEATEN by Michael  
Smith (now here), who wilfully  
and maliciously cut deponent  
on the neck with the blade of a table knife  
which he the said Michael held  
in his hand. That deponent was  
assaulted as aforesaid by said  
defendant

with the felonious intent to take the life of deponent, or to do <sup>her</sup> ~~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 dealt with according to law.

Sworn before me, this 12 day  
of April 1886.

Sophie Smith  
[Signature] Police Justice.

Sec. 198—200.

54

District Police Court.

CITY AND COUNTY  
OF NEW YORK { ss

*Michael 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

*Michael Smith*

Question How old are you?

Answer

*47 years.*

Question Where were you born?

Answer

*Ireland.*

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

Answer

*574 West 28<sup>th</sup> Street, about 6 months*

Question What is your business or profession?

Answer

*House 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*

*M. Smyth*

Taken before me this

*12*

day of

*March*

*1888*

Police Justice.



COURT OF GENERAL SESSIONS, PART 3

(1706)

THE PEOPLE

vs.

*Michael Smith*

INDICTMENT

For

To

*M. Luke M. Boy*

No. *330 West 16<sup>th</sup>* Street.

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *trial* at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House in the Park of the said City, on the *5* day of *May* instant, at eleven o'clock in the forenoon.

If the defendant is not produced at that time, your bond will be forfeited.

DE LANCEY NICOLL,

District Attorney.

**POOR QUALITY  
ORIGINAL**

0076

330-W-16



Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Michael Smith*

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

*- Michael Smith -*

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

The said *Michael Smith,*

late of the City of New York, in the County of New York aforesaid, on the  
*seventh* day of *April*, — in the year of our Lord  
one thousand eight hundred and eighty-*eight*, with force of arms, at the City and  
County aforesaid, in and upon the body of one *Sophie Smith*  
in the peace of the said People then and there being, feloniously did make an assault  
and *then* the said *Sophie Smith*,  
with a certain *knife* —

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

with intent *then* the said *Sophie Smith*, —  
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

*- Michael Smith -*

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

The said *Michael 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 one *Sophie Smith*. —  
in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make an assault, and *then* the said  
*Sophie Smith*, —  
with a certain *knife* —

which *he* the said *Michael Smith*, —  
in *his* — right hand then and there had and held, the same being a  
*instrument* likely to produce grievous bodily harm, then and  
there feloniously did wilfully and wrongfully beat, strike, stab, cut 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.

*Randolph B. Mathis*  
*District Attorney*

0078

**BOX:**

221

**FOLDER:**

2169

**DESCRIPTION:**

Smith, William

**DATE:**

05/18/86



2169

0079

BOX:

221

FOLDER:

2169

DESCRIPTION:

Moore, William

DATE:

05/18/86



2169

Thomas Joyce  
off Cornelia Lane  
2142 Grand

Filed (day of) 1886  
 Pleads, *May 16*  
*W. A.*

W.S.

William Smith

am

William Moore

BANDOLPH B. MARTINE.

May 27/96.  
District Attorney.

# A True Bill.

*Foreman.*

Handwritten signature: *Wm. D. Boy*

The People  
vs.  
William Smith and  
William Moore.

Court of General Sessions, Part I.  
Before Judge Gildersleeve.

Indictment for robbery in the first degree.

Thomas Joyce sworn and examined. I live at 72 Munroe Street in this city, on the 27th of last April I was in the passageway 41 Henry Street which is connected with my shop, I was at a pile of lumber between a quarter and half past four in the afternoon, I was getting out some stuff and was knocked down by the large fellow, Smith I understand; when I recovered from the stupor I was bleeding, both of them had me grabbed in the passageway, I was bleeding from the nose and mouth, it appeared to me to be a club or some blunt instrument with which I was hit in the face by Smith, I lost two of my teeth; they had me both embraced about the waist ransacking my pockets, I had fifteen dollars of silver in a package rolled up in paper.

My office is on the floor above, upstairs, I opened the package and took five dollars out of it about an hour or two before that and put the remainder in my pocket, I did not take it out during that hour, nobody came near me during that hour.

*my pocket. I could not tell which ransacked  
I found a hand pulling like that (illustrating)*

Cross Examined. This place where I was robbed was about a hundred feet deep from the street, they were midway back, fifty feet from the street, it is a large passageway, I do not know whether the men were drunk or sober. My son and I did all we could to lick them when we chased them out, I was not able to knock any one of them down.

The club I was knocked down by was not my club, I found a club around there but it was not mine. I chased them up

to East Broadway, I felt a tugging at my pocket but did not

feel any hand in it, I was standing up when they were rifling my pockets and gave the alarm. I am between fifty-one and fifty-two years old, I picked up a club that the smallest of the two had, my son got it from him and I chased him from Henry Street to East Broadway, it took from seven to ten minutes from the time they commenced to rob me until I chased them; after they had ransacked my pocket my son came down to my relief. Moore was near by when Smith knocked me down, I saw Smith coming towards me before I received the blow, I am a carpenter and builder and was in the passageway getting some lumber to take upstairs. The blow hurt my left shoulder, I was hit with the club along the face and Dr Conway dressed me; the prisoners did not say anything at the time they struck me. I first missed my money when I got up to East Broadway after the chase. I could not tell you when they were arrested, the detective can tell you, it happened on the 27th of April, I made the complaint right away to Dr Conway who called the detective to look after the matter, it appears the prisoners left the city, I went to the Police Station in reference to this when they were arrested.. My son and I ran after the prisoners, they went into a barber shop and the barber closed the door against me, or none of them when he got in closed the door, I went in after them and the barber says, don't mind them, I will take care of them, I know them. I said, I will stop here until a policeman comes, Smith opened the rear window at the barber-shop and says, come out of here. They went out before my face, the detective went in after them and could not find them, the detective came into the barber shop in about five minutes.

Maurice J. Joyce sworn. I am the son of the previous witness and remember the 27th of April, I heard a noise in the afternoon in our alleyway and I ran down to see what was the cause of the disturbance and found two parties, one holding my father by the arms behind and another party in front and saw my father bleeding from the side of his face and one of the parties had a short piece of bale stick in his hand and one of the parties dropped a piece of silver, I picked up a silver dollar, I would swear that most of the fifteen dollars my father had were in silver dollars. The smaller one of the two struck me with the stick and I saw him strike my father and knock his hat off, it scratched his face and cut him. I came down the back stairway, I saw the man in front of my father fumbling. People from the street cannot see in this alleyway.

John Silk sworn. I live 7 3 Munroe Street and was at 41 Henry Street on the 27th of April when Mr. Joyce was being attacked by these two men, I heard a noise down stairs and went down and saw the big prisoner had his arms around my uncle and the other fellow was punching him then my cousin came down and the young fellow ran out and he caught him at the door, there was no one in the shop and I went upstairs to mind it until I came back.

John J. Creed sworn. I am an officer of the 7th precinct and arrested the prisoners on the 14th of May, I got information of the assault on the afternoon of April 27, I was looking for Smith where he was in the habit of resorting but could not find him. I saw blood on Mr. Joyce's face on the afternoon of April 27, he pointed to

the hallway where he said the two prisoner had gone into, I went in and searched the building and could not find anybody, I arrested Moore in front of his own house.

Cornelius Leary sworn. I am an officer of the 7th precinct. Smith admitted that he assaulted Mr. Joyce but Moore said that he did not know Smith and did not know anything at all about him or Joyce and was not there at any assault.

Cross Examined. I was at the Police Court when the prisoners were examined. Did you hear them say the following to the Magistrate I am reading now from William Moore: "I was in the passageway of 41 Henry Street when the complainant and his son ordered us out, Mr Joyce the complainant, took a hold of me and that led to the fight, I deny that he was robbed by us." Do you recollect him making that statement? Yes, I do. I recollect William Smith making substantially the same statement.

**The Case for the Defence.**

Matilda Kenny sworn. I live 56 Henry Street and recollect the day of this occurrence, I saw Mr Joyce and his son, I saw a difficulty between them and the prisoners I went to look out of the window to call my children and on looking out I saw the two boys on the opposite side of the street coming from Market towards Catherine Street, the boys, the prisoners, seemed to be under the influence of liquor, noticed them pushing one another in and out on the sidewalk, they were fooling and they walked along until they came to 43, it was a grocery store, there was a lot of barrels outside the door and the taller boy



threw the smaller boy in amongst the barrels , he got up and he tripped the taller boy and he fell down and got up and put his hand on his head and went into the alleyway, we call it a stable and the other boy went right in after him; they were not in two minutes when they came out and Mr Joyce and his son each punching one another into the middle of the street under the horse's feet, I saw Mr Joyce's son with a stick in his hand and he chased them all, the way and then a boy found a large stone in the middle of the street and turned back and came toward Mr Joyce's son and went and fired a stone, I thought he struck the man, I was not sure and when he could not hit him with the stick he threw it at him and then the father came along running and the son says, father and he did not return but ran after the smaller boy, I lost sight of the taller boy and he chased him around Market Street up to East Broadway. I did not see these prisoners when they were assaulting Mr Joyce in the alleyway.

William Kenny sworn. I am the son of the last witness and saw part of this occurrence, I was standing with two more fellows down by 45 Henry Street talking and these two young men, the prisoners, came down and one of them pushed the little fellow over the barrel, and when he got up he tripped the other fellow and knocked him down, he got up and put his hand upon his head and went in the stable or alley and the little fellow walked in behind him saying something which I did not hear; so it was not quite two minutes when four of them came out fighting, young Joyce went in after a stick and came out with it in his hand and chased Moore who fell down, I saw Joyce

make a hit at him but I don't know whether he hit him or not because there was little children standing around; so he got up and ran away and come back with a stone and he fired it at him, Maurice Joyce put up his hand and the stone hit his hand, I know Mr Joyce quite a while, I never knew him to speak to though, he told me once in a while to stand aside, he would not let anybody stand around the alley. I don't know what occurred in the alleyway of 41 Henry Street, all I saw was after they got out of the alleyway was these boys running and the Joyces chasing them. I guess they were fighting on the sidewalk about five minutes.

Daniel O'Connor sworn. I live 91 Catherine Street with my mother and father, it is about a block and a half from Mr Joyce's, that is where I meet my friends, I was born in 34 Henry Street, New York about four houses from this place and have been around there all my life, I saw part of this occurrence, I saw these young men go in the alleyway, I did not see them while they were in the alleyway, I saw them going in and they were in about two minutes and a half, I saw the two young men coming out and Mr Joyce and his son following them and punching them; when they got out near the gutter they stood there fighting, I saw the young Mr Joyce run in for a stick and saw him coming out with it, I am sure it was a whip for I had it in my hand, I saw him strike the little fellow, he run around and struck him twice in the back of the head, I saw the little fellow run up Henry Street towards Market Street and Mr Joyce and his son stayed there and the little

fellow picked up a stone and fired it at Mr. Joyce and it did not hit him; so he ran away and young Joyce called to his father to stay back, his father would not do it and he ran after him and I went with them and they ran into the barber shop; back of the barber shop there is a window and it was open, so I went over and I met the two Mr. Joyces and the young man told me to hold his father. I did not see anything that happened in the alley between the Joyces and the prisoners.

William Gilchrist sworn. I am seventeen years old and work in the Associate Press Ship news office, I was not working on the day in question because I only work every second day, I live 110 Madison Street about a block away from this place, I live around in that neighborhood about ten years, I know Mr. Joyce to see him but not personally. I saw the two prisoners before they went in that alleyway, I did not see them while they were in there but when I saw them again they were about five or six feet from the street coming out fighting with the Joyces. Before they went in there I saw them fooling with each other the two boys came along and the taller one threw the other one amongst some barrels at a grocery store and the smaller boy got up and tripped the taller boy and threw him down and hurt his head and he got up and went in the stable, I do not know what for, the next I seen the boys and the Joyces were fighting coming out.

William Hager sworn. I am indicted here under the name of William Moore I live at 22 Henry Street and was not working on the day in question, I work at the Tract

House corner of Spruce and Nassau Streets for five or six months, I was taken away from the Tract House the night I was arrested coming home from work. I did not rob Mr. Joyce and my comrade did not rob him in my presence. On the afternoon of this day we were up in Essex Street and were having some fun drinking lager, we were on the road home and going down Henry Street, fooling with each other Smith pushed me into barrels and I got up and I fooled with him, I threw him, he got up and went like this (putting his hand on his head) he went up in the alley and rested his head on the lumber pile. I went up to apologize to him and while I was up there Mr. Joyce and his son came down and Mr. Joyce said, get out of here, I turned around in a polite manner and told him my friend's head got hurt and asked him to let him stay until he got better. He said, no, go out of here; he caught me by the arms and pushed me down, I got up and he followed me again pushing me out, I fell down three or four times; so when we got out on the sidewalk he followed me up; I commenced to hit him and as I did that his son came over and he got onto me and when Smith saw that he went over to protect me, he got into the fight and as he did the son turned back and ran up the alley and came out with a stick and ran to hit me, he hit me across the back and the head three or four times and I ran out in the street to get away from him and when I was running up the street he kept hitting me with the stick and I picked up a stone and threw it at him but it did not hit him, he fired the bale stick at me, I went to escape from him and ran into the barber shop, I sat down there a while and Mr. Joyce and his son came in.

We both had to protect ourselves.

Cross Examined. I have a brother in Philadelphia and I did not give my real name because I did not want to be disgraced. I never was arrested before in my life, I ran into the barber shop because I wanted to escape from him, I could have been arrested for assault because I hit the man. It is false what Mr Joyce said that he was knocked down by Smith and that both of us seized him and took fifteen dollars. Both father and son came down together to the lumber.

William Smith sworn and examined. I did not strike Mr Joyce first in the alleyway. Me and my friend Hager were going through Henry Street, we had been drinking some beer, I knocked him against barrels and he fell down and got up and then he threw me down and I got a cut on the side of my head and hurt myself, I went in the lumber yard and leaned my head on it and the first thing I saw was Mr Joyce and his son at my friend and when I came to my senses I says, why don't you let them fight, he says, what has it to do with you and he hit me! With that me and the son got fighting and the father and Moore got fighting, they punched us out into the street and the first thing I saw was the son with a club hitting Moore. Joyce struck first, I had no club in my hand when I went in, I never touched the gentleman at all, it was with the son I had dealings, the son struck me first, I was not going to be tramped on and so I took my place as good as I could.

Cross Examined. I saw no blood on Mr Joyce's face at all, I saw Hager run up toward Market Street and the

father and son were chasing him, the father had the club and the son was chasing after the father and calling him back. We went into the barber shop, the window was open in the yard and we did not want to get arrested and we knew there was a terrible gang of young men around that alleyway. One of the men who works for Joyce hit me twice on the side of the face and knocked me down about two minutes after the fight.

Thomas J Gibson sworn. I am foreman of the Card cutting establishment at 120 William Street, I know William Hager about fourteen years and his character for honesty is good. He and Smith roomed with me for a few weeks before this occurrence, Hager worked at the Tract House.

The Jury rendered a verdict of guilty of robbery in the first degree.

16

Testimony in the  
case of  
Wm. Moore & Son  
Smith

filed May  
1888

Police Department of the City of New York,

Precinct No. 7

~~New York, 188~~

This same William Smith has been arrested July 11.<sup>th</sup>/85. For assaulting Isaacil Gotthimer of 220 1/2 Broom. St. Found Guilty in Special Sessions and fined \$20.<sup>00</sup> By Judge Smith. on July 14.<sup>th</sup>/85.

Also

Arrested on May 4.<sup>th</sup>/85

For Breaking the show window of a Jewellery store 111 Division St. The people failed to indentify and was Discharged.

He has a General bad Character.

This William Moore. Alias-Hager. Sweeney Haggertz and Hagen is from Phila. and we dont know him.



Court of General Sessions of the Peace

The People vs  
agst.  
William Smith.

City and County of New York ss.

Thomas J. Gibson being  
duly sworn deposes and says, that he  
resides at No 22 Henry Street in the  
City of New York, and is employed as  
a card cutter, at 120 William St. in said City.

That he is well acquainted  
with the defendant herein. (Wm. Smith)  
whom he has known during the past  
14 months.

That the character of the  
said defendant has been ~~always~~ good,  
during that time and deponent has always found him  
to be a sober, honest and industrious  
young man.

Sworn to before me this  
10<sup>th</sup> day of June 1886.

Thomas J. Gibson  
Clerk of the Court.  
Commissioner of Deeds,  
N.Y. County.

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

The People ~~vs~~ }  
vs  
William Smith

City & County of New York, ss:  
Richard Kiwin  
being duly sworn deposes and says  
that he resides at Number 89 East  
Broadway in said City and that  
he is a Clothier.

That he has known the de-  
fendant (Smith) for the past 5  
years during which time he  
has always borne an excellent  
reputation for honesty and he  
always knew him to be an indus-  
trious young man and never  
knew him to be charged with  
any offence before.

Sworn to before me this  
10 day of June 1886.

Gilbert W. Blair  
Commissioner of Deeds  
N.Y. County

Richard Kiwin

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

The People vs  
William Smith

City and County of New York ss:

James Smith  
being duly sworn deposes and says:  
that he resides at Number 420 West  
51<sup>st</sup> Street in said City and that  
his business is that of a builder and  
Contractor.

That he is well acquainted  
with William Smith the defendant  
herein whom he has known for  
the past 18 years.

That the character of the  
defendant has always been good,  
and that deponent knows that  
the defendant always worked for  
a living and that he is an hon-  
est, industrious young man.

Sworn to before me this  
day of June 1886  
Gilbert W. H. H. H.

Commissioner of Deeds.  
N.Y. County.

James Smith

Court of General Session

The People &c

vs

William Smith

affidavits

C. E. Price

Deft Atty

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

The People vs

William Hager, who  
is indicted under the name of  
William Smith.

City and County of New York. ss:

William E. H. Beards  
being duly sworn deposes and says,  
that he resides at Number 235 Henry  
Street in said City and is a designer.

That he has known the  
defendant for the past 9 months, and  
always found him to be an honest  
industrious young man, and during  
such time he never knew him to  
be arrested.

Sworn before me this  
10 day of June 1886.  
Silberstein.

Commissioner of Deeds.  
N. Y. County.

William E. H. Beards

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

The People &c

vs  
William Hager, who is  
indicted under the name of  
William Moore

City and County of New York, ss:

John J. Jones, being  
 duly sworn, deposes and says that he  
resides at Number 22 Henry Street in  
said City.

That deponent is well acquainted  
with the defendant Hager and  
has known him for the past nine  
months he Hager lived in the same  
house with deponent for the above men-  
tioned time during which time he has  
known him to be an honest indus-  
trious young man, and never heard  
of his being charged with any crime  
before this.

Sworn to before me this  
10 day of June 1886.

Gilbert H. Sloan,

Commr of Deeds

N.Y. County.

John Jones

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

The People vs

William Hager who is  
indicted under the name of  
William Moore.

City and County of New York ss:

Thomas J. Gibson  
being duly sworn deposes and says that  
he resides at Number 22 Henry St  
in said City, and is a card cutter.

That deponent is well  
acquainted with the defendant  
Moore and has known him for the  
past ten years <sup>Moore</sup> he having worked in  
advertising in the City of Philadelphia  
during which time he has always  
known him to be an honest in-  
dustrious young man and  
never knew of his being arrested  
before.

Sworn to before me this  
10 day of June 1886  
Gilbert W. Alden,  
Clerk of Courts,  
N.Y.C.

Thomas J. Gibson

Court of General Sessions

The People

vs

William Leger, who  
is indicted under the  
name of

William, MORE

Affidavits

E. C. Free

Deputy Atty

General St

NY City



Police Court 3 District.

CITY AND COUNTY }  
OF NEW YORK, } ss

Thomas Joyce  
of No. 72 Monroe St. Street, Aged 51 Years  
Occupation Carpenter being duly sworn, deposes and says, that on the  
27 day of April 1886, at the 7th 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:

Fifteen dollars in silver  
coin of the United States (\$15)

of the value of Depo Fifteen 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 Smith, and William Moore  
(both now here)  
in the following manner: Between four  
and half past four p.m. on said  
date deponent was in a passage  
way at No 41 Henry St. having just  
left deponents office to go to the yard  
of said premises. Deponent was then  
and there assaulted by the defendants  
who knocked deponent down and beat  
deponent, breaking two of deponents  
teeth and bruising deponents face  
severely. The said money was taken  
out of the outside left pocket of

day of

Subscribed before me, this

Police Justice.

deponents pocket by the said Smith  
while deponent was at the same time  
held by the said Moore. Deponent  
has not seen the defendants since the  
occurrence until yesterday. Deponent  
therefore prays that the defendants  
may be dealt with as the law directs.

Given to before me the  
15th day of May  
1886 } Thomas Joyce  
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 1886  
Police Justice.

I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1886  
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 1886  
Police Justice.

Police Court, District.

THE PEOPLE, &c.,  
on the complaint of

Offence—ROBBERY.

vs.

1  
2  
3  
4

Dated

1886

Magistrate.

Officer.

Clerk.

Witnesses.

Street,

No.

Street,

No.

Street,

No.

\$ to answer General Sessions.

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss

9 District Police Court.

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

Question. What is your name?

Answer. William Moore

Question. How old are you?

Answer. 20 years

Question. Where were you born?

Answer. U. S. Philadelphia

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

Answer. 22 Henry St since September

Question. What is your business or profession?

Answer. Printer

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

Answer. I was in the passage way of 41 Henry Street when the complainant and his son ordered me out. He gave the complainant took hold of me and that led to a fight. I deny that he robbed by us

Wm Moore

Taken before me this

157

day of

John J. [Signature]

Police Justice,

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY {  
OF NEW YORK. } ss

*William 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 saw the complainant and his son attacking my friend William Moore. I interfered to protect Moore and there was a fight two against two. There was no money taken that I know of.

*William Smith*

Taken before me this

day of

*[Signature]*

Police Justice.

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

Police Court

District

THE PEOPLE &c.,  
ON THE COMPLAINT OF

James Force  
12th Avenue  
William Smith  
William Clark

Offence Robbery

Dated May 15 1886

Deputy Clerk  
Magistrate  
Officer

Witnesses  
James Force  
Street

No. 77 Monroe  
Street

No. 43 Henry  
Street  
Master John Hill

No. 42 Monroe  
Street  
James Force  
to answer

James

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

Defendants

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

Dated May 15 1886 James Force Police Justice.

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

Dated \_\_\_\_\_ 1886 \_\_\_\_\_ 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 \_\_\_\_\_ 1886 \_\_\_\_\_ 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

William Smith  
and  
William Moore

The Grand Jury of the City and County of New York, by this indictment, accuse William Smith and William Moore — of the CRIME OF ROBBERY in the *third* degree, committed as follows:

The said William Smith and William Moore, both —

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *Twenty-ninth* day of *August*, in the year of our Lord one thousand eight hundred and eighty-*five*, in the *day* time of the said day, at the Ward, City and County aforesaid, with force and arms, in and upon one *Thomas Gage*, — in the peace of the said People, then and there being, feloniously did make an assault, and

*divided silver coins, &c. a number, kind and denomination to the Grand Jury exposed unknown, &c. the value of fifteen dollars.*

of the goods, chattels and personal property of the said *Thomas Gage*, from the person of the said *Thomas Gage*, against the will, and by violence to the person of the said *Thomas Gage*, — then and there violently and feloniously did rob, steal, take and carry away, *(each of them the said William Smith and William Moore, being then and there aided by an accomplice actually present)* —

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.

*Charles J. Smith,*  
*District Attorney.*

0 107

BOX:

221

FOLDER:

2169

DESCRIPTION:

Smithwick, Alfred A.

DATE:

05/26/86



2169

Witnesses:

Henry J. Campbell

Henry J. Barrett

307  
Nov 26

Counsel

Filed

day of

1886

Pleads

Not guilty

THE PEOPLE

vs.

P

Alfred A. Smithwick

Grand Larceny in the second degree.  
(MONEY)  
(Sec. 528 and 531, Penal Code.)

RANDOLPH B. MARTINE,

Pr. del. 7. 1886. District Attorney.

Made guilty.  
Off term at dept. request  
Jan 1886

A True Bill.

Wm. H. Smithwick  
District Attorney  
Off for City Jail

John H. Smithwick  
District Attorney  
Off for City Jail

Nov 28 1886



0 109

LAW OFFICE  
OF  
F. J. WORCESTER,  
46 ASTOR HOUSE OFFICES.

NEW YORK

Sept. 7 1886

Chief Clerk Dist. Atty's Office

Dear Sir

Will your kindly

Deliver to bearer the certified copy Certificate  
of Incorporation of The Chelsea which is among  
the papers in People vs Smithwick which  
was on the Bedford's Case. to day - I  
left it at your office for evidence in that  
matter & it will not now be necessary  
to use it - I suppose no offender has  
pleaded guilty & been sentenced -

F. J. Worcester

Recd from John D. B. Counsel for Chelsea  
the above papers this date Acting Chief Clerk  
D. H. J. J. J.

People &  
Santander

See John Ruff  
before giving the  
papers.

State of New York  
City & County of New York } ss

William J. Huddless & William C. Spencer being  
each severally sworn depose & say  
that they reside in the City of New York  
~~residence~~ at The Chelsea 222 West-23<sup>rd</sup>  
Street in the City of New York and are  
both trustees of The Chelsea a cor-  
poration organized under the laws of  
the State of New York. That they  
are acquainted with Alfred A. Smithwick  
formerly Bookkeeper and Cashier in  
the employ of said Corporation. That said  
Smithwick was in such employment  
from about October 1<sup>st</sup> 1885 to the 4<sup>th</sup>  
day of May 1886. That as such Cashier  
he ~~was authorized~~ to receive monies which  
from time to time became due to said  
Corporation for rents. That it was his  
duty to enter such receipts on the books  
of the Corporation and deposit the same in  
the Garfield National Bank. That they  
have examined the books of said Corporation  
and found that the Cash Book shows false  
footings particularly on page 16 thereof  
the cash there entered as received from January  
20 to 27<sup>th</sup> 1886 is footed up \$1300.00

short of the proper amount. That on the 30<sup>th</sup> day of May 1886 Deponents had a conversation with said Smithwick at Police Headquarters in the City of New York. That said Smithwick was asked at that time if he remembered that on a certain page of the cash book there was a false footing of \$1300 and he said he did. That he was asked if he had taken that amount of the Corporation's money & he said he had. He was asked if he had taken it all at once and he said he had taken it at various times in various amounts and that he made such false footing in order to cover up monies that he had taken on several previous occasions. That he also stated to Deponents that he had taken moneys of said Corporation at various times to the amount he thought of between \$2300 & \$2400. That he had spent the money he had so taken for drinks

Sworn to before me this }  
30<sup>th</sup> day of June 1888 }  
J. H. Carter

W. C. Spencer

Notary Public N.Y.C.

State of New York }  
 City & County of New York } ss

Nicholas A. Lowe being duly sworn says that - he resides at 78 East 121 Street - in the City of New York and is in the employ of the Chelsea at 222 West 23<sup>rd</sup> Street - in the City of New York as bookkeeper and has been in such employment since May 12<sup>th</sup> 1886 That - he has made a careful examination of the books of account of said Corporation as the same were kept by Alfred A. Smithwick the former bookkeeper thereof. That the cash account upon said books show that - the said Smithwick received \$217.08 which he never accounted for on the books of said Corporation.

That on page 16 of the Cash Book there is a false footing of cash received between January 20<sup>th</sup> & 27<sup>th</sup> 1886 to the amount of \$1300. The footing being that - amount short of the proper amount - That this false footing is covered by a false footing of Interest account as appears in the ledger which foots up \$500 too much by a false footing of Repair account - on the ledger which foots up \$300 too much and that an item in Furniture & Fittings account was raised \$200 and

in the Restaurant - account - on which  
has been raised \$200 -

That - on the Books of said Corporation  
no entry is made of a payment - of  
rent - for the month of April 1886 due  
said Corporation from W. G. Abbot who  
resides in "the Chelsea" <sup>the</sup> amount - of  
\$100 - That - Dependent - has seen in the  
possession of said Abbot - a receipt -  
signed by said Smithwick for said  
Corporation for \$100 as the rent - for the  
said month of April

That - the same is true of April rent -  
due said Corporation from George Chase  
who resides in the Chelsea. and Dependent -  
has seen a receipt - therefor signed by said  
Smithwick in the possession of said Chase  
who informs Dependent - that - he paid the  
rent - \$100 to said Smithwick and received  
the same receipt - therefor

The same is true of rent - paid by

Koch & Weis	for May 1886	\$20
J. M. Kellogg	" " "	\$50
J. Merritt	" April "	\$100
Julia M. Otis	" " "	\$83.33
E. M. Roberts	" " "	\$50
J. C. Ziegler	" Mch. "	\$50
Miss C. Levelin	" Apr "	\$100

Deputy- has examined the Bank  
 Book and there is no record of  
 said Corporation showing the deposits  
 made in the Fairfield National  
 Bank and that - there are no  
 entries therein showing that the  
 above amounts have been deposited  
 by said Smithwick and there  
 are no entries or memoranda made  
 by him on the books of the Corporation  
 showing such receipt -

That - the persons above named as holding  
 receipts for rent - from Smithwick all  
 reside in - The Chelsea - ~~and~~ and  
 can be found there except - Mrs Roberts  
 who is about - departing for Europe

I sworn to before me this

3<sup>d</sup> day of June 1886

J. W. Wrenn

Notary Public

W. M. Lee

Nicholas A. Lowe

People or

us

Smithwells

affidavits

7 of Worcester  
Counsel for "The Children"  
46 Oak Street, Wrentham



0117

Sec. 151.

2 District Police Court.

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

Whereas, Complaint on oath, has been made before the undersigned, one of the Police  
Justices in and for the said City, by Andrew Campbell

of No. 553 West 83rd Street, that on the 5 day of April  
1886 at the City of New York, in the County of New York, the following article to wit:

Bank Bills of various denominations  
and and lawful money of the United States to the amount and

of the value of One hundred Dollars,  
the property of A Campbell being in possession of which Campbell is President  
w as taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and  
believe, by Alfred A Campbell

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

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

Dated at the City of New York, this 5 day of April 1886  
Alfred A Campbell POLICE JUSTICE.

POLICE COURT. 2 DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated May 15 1886

Alfred A Campbell Magistrate

Officer

The Defendant

taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

Officer.

Dated 188

This Warrant may be executed on Sunday or at  
night.

Alfred A Campbell Police Justice.

REMARKS.

Time of Arrest, .....

Native of .....

Age, .....

Sex, .....

Complexion, .....

Color, .....

Profession, .....

Married .....

Single, .....

Read, .....

Write, .....

0118

No. 143

NEW YORK,

Apr 5

1886

Received from

E. A. Kees

One Hundred

Dollars,

For Rent Apartment

Store

for month of

Apr

1886

"THE CHELSEA,"

Per

Lawrence

Cashier

POOR QUALITY  
ORIGINAL

0119

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 42 years, occupation Book-keeper of No. 222 West 28 Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Andrew Campbell and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 25 day of May 1888

Nicholas A. Lowe.

P. J. Duffy  
Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 43 years, occupation Clerk of No. 222 West 28th Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Andrew Campbell and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 25 day of May 1888

Henry J. Brevort.

P. J. Duffy  
Police Justice.

Police Court—2 District.

Affidavit—Larceny.

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

of No. 508 West 88th Street, aged 57 years,  
occupation Architectural Iron Manufacturer being duly sworn  
deposes and says, that on the 5th day of April 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:

Bank Bill of various denominations to the amount  
and of the value of one hundred dollars  
Good and lawful money of the United States

Sworn to before me, this 19th day of April 1888  
Police Justice.

the property of a company duly incorporated under the laws  
of the State of New York for the purpose of building and  
maintaining an apartment-house known as the "Shore"  
of which company deponent is the President 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 Alfred J. Matthews for the reason, that  
on the above mentioned date, the defendant was in  
the employ of the above named company as Cashier and  
book-keeper; and was authorized to receive any and  
all monies paid for rent or for any service of said  
company; and to keep the accounts of said company;  
and to deposit all monies so received in the First  
National Bank subject to the order of George Moore  
Treasurer of said company.  
That deponent is informed by Henry J. Foxworth  
Clerk in the employ of the above named company, that  
on the above mentioned date he received the above  
described money from Eugene E. Allen in payment  
for rent of a store located in the above mentioned building;  
that he gave the money so paid to the defendant and

0121

15 days of delay  
J. J. Campbell  
Volunteer

Police Court, 21 District,

Date, May 25 1886  
Wm. D. P. Deputy Magistrate.  
 Office

Clark,  
Witness, *Thomas A. Brown*  
Street,  
No. *292 West 4<sup>th</sup> St*  
*Richardson & ~~James~~ Stone*  
Street,  
No. *222 West 4<sup>th</sup> St*  
*Geo. Moore Smith*  
Street,  
No. *58 West 132<sup>nd</sup> St*  
*Wm. J. Handless* *222 West*  
Sessions,  
*Wm. C. Spencer* *23<sup>rd</sup> St.*

POOR QUALITY  
ORIGINAL

0122

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Alfred A. Smithwick*

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

*Alfred A. Smithwick*

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

The said *Alfred A. Smithwick*,

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the *21st* day of *April*, in the year of our Lord one thousand eight hundred and eighty-*six*, at the Ward, City and County aforesaid, with force and arms, in the *day* time of the same day, *due*

(#100.-)  
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 twenty dollars, and of the value of twenty 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 ten dollars, and of the value of ten 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 five dollars, and of the value of five dollars *each*; *thirty* 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*; *thirty* 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*; *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 twenty dollars *each*; *five* 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 ten dollars *each*; *ten* 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*; and divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of *fifty dollars*.

of the proper moneys, goods, chattels, and personal property of ~~one a certain corporation~~ *on the person of the said* *called "The Rhine"*, then and there being found, ~~from the person of the said~~ 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.

RANDOLPH B. MARTINÉ,

District Attorney.

0123

**BOX:**

221

**FOLDER:**

2169

**DESCRIPTION:**

Snowwhite, William

**DATE:**

05/12/86



2169

0 124

**BOX:**

221

**FOLDER:**

2169

**DESCRIPTION:**

Mylius, Louis

**DATE:**

05/12/86



2169



0 125

BOX:

221

FOLDER:

2169

DESCRIPTION:

Collenberg, Oscar

DATE:

05/12/86



2169

Witnesses:

Charles Davis  
James H. Martin  
1602 Broadway

The complainant & witnesses in  
this case cannot be found.  
The complainant has signed  
a withdrawal of the complaint.  
The employer of No. 142 is  
in court & gives them an  
excellent character. His  
name Jas. H. Moran, 1662 Broadway.

It is a matter of record  
I am giving a criminal of the indictment  
May 15, 1887.

Samuel M. Davis  
Asst.

Counsel, *Wm. Snowwhite*  
Filed *May 17* 1886  
Plead *Verdict*  
2 ch. 17

THE PEOPLE

vs.  
*Wm. Snowwhite*  
*Louis Mylius*  
*Oscar Collenberg*

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

*Chas. F. T. May 29 1887*  
*Richard H. Conner*  
*May 15 1887*  
*Foreman*  
*Chas. F. T.*  
*Twenty five*

Court of General Sessions

The People  
vs  
Louis Mylius

City and County of New York, ss:

Louis Mylius

bring first duly sworn deposes and says --  
I am the above named defendant and  
reside at No. 472 Eighth Avenue in said City.  
I have a wife and one child. I am by occupa-  
tion a Carver and decorator in plaster and  
am not and never have been directly or in-  
directly connected with any labor organiza-  
tion or trade-union. Since I came to this  
Country - in 1899 - I have frequently been in  
the employ of Ellin and Kitson, Architectural  
Sculptors and decorators. On and for some time  
previous to March 30<sup>th</sup> last I was employed  
by Moran and Goff of 1662 - Broadway.  
On said March 30<sup>th</sup> (Tuesday) I was at work  
for them in the building No. 833 Madison Av-  
enue. About eleven o'clock in the forenoon  
a brother of Oscar Collenbergh came in and  
asked me who I was working for: I told him  
Moran - and Goff: he said all their men  
are on strike and you must stop work too:  
I got excited and frightened and quit work

because I was afraid of violence. On the Thursday following - April 1<sup>st</sup> - I went back for my tools. I did not dare to work ~~till~~ while the strike trouble lasted. I got my tools and came away at once. My Knife was missing. On the Monday following at 7 o'clock in the morning I was arrested at my home, I did not know why. I did not know or hear of any damage done at No 833 Madison<sup>Avenue</sup> till I was charged with it at the 57<sup>th</sup> Street Police Court. I had nothing to do with the damage charged against me and for which I am indicted, directly or indirectly and do not know who committed it or was concerned in it.

Sworn to before me } *H. M. Gillies*  
this Ninth }  
day of July 1886. }

*J. M. Wells*  
Notary Public  
for the City & County of  
New York.

Court of General Sessions  
The People  
vs  
Jonis Mylius

City and County of New York ss:

Robert Ellin being duly sworn says he resides at 40th St. N.Y. City and is one of the firm of ~~Ellin & Kitson~~ Ellin & Kitson Architectural Sculptors 111 West 21st Street in said City. That Jonis Mylius defendant herein has been in the employ of defendants firm since 1879 whenever they had work for him to do and could secure his services. That he has always been the character of a sober steady man in his habits, attentive to his own business and quick and inoffensive in his nature and ways. Defendant believes him from defendant's experience and observation to be trustworthy in every respect. And of all the men in the employ of their firm would consider him least capable of committing such damage and injury to property as is set forth in the charge and indictment herein.

Sworn to before me  
July 1st 1886

Robert Ellin

Archibald A. Thompson  
1175 Attorney Public and Juvenile Court Commissioner  
Same Case  
City & County of New York ss.

John W. Kitson being duly sworn says he is the other member of the firm above described. That the allegations made in the foregoing affidavit of Robert Ellin are true of defendant Jonis Mylius and belief. John W. Kitson  
Sworn to before me July 1st 1886  
Archibald A. Thompson, Attorney Public and Juvenile Court Commissioner (1175)

Court of General Sessions  
The People  
vs  
Louis Mylius

City and County of New York ss:

Robert E. Ellin being duly sworn says he resides at Yorkers City, N.Y. and is one of the firm of ~~Ellin & Kitson~~ Architectural Sculptors No. 519 West 21<sup>st</sup> Street in said City. That Louis Mylius Defendant herein has been in the employ of defendant's firm since 1879 whenever they had work for him to do and could secure his services. That he has always been the character of a sober steady man in his habits, attentive to his own business and quick and inoffensive in his nature and ways. Defendant believes him from defendant's experience and observation to be trustworthy in every respect. And of all the men in the employ of their firm would consider him least capable of committing such damage and injury to property as is set forth in the Charge and indictment herein.

Sworn to before me  
July 1<sup>st</sup> 1886

Robert E. Ellin

Archibald A. Larmon  
1175 Albany Pabli's w<sup>th</sup> a conspiracy  
Same Case  
City & County of New York ss.

John W. Kitson being duly sworn says he is the other member of the firm above described. That the allegations made in the foregoing affidavit of Robert E. Ellin are true of defendant's knowledge, information and belief. John W. Kitson  
Sworn to before me July 1<sup>st</sup> 1886.  
Archibald A. Larmon, of New York Pabli's w<sup>th</sup> a conspiracy (175)

Indebted May 19 86

Court of Special Session

The People

vs

Louis Mylins

Affidavits of

defendant

Robert Ellin and

John W. Wikson

POOR QUALITY  
ORIGINAL

0132

CITY AND COUNTY  
OF NEW YORK, } ss

District Police Court.

New York General Sessions.

PEOPLE ON MY COMPLAINT,  
VERSUS

2  
Louis Truxis

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

*Wm. S. Beers*



POOR QUALITY  
ORIGINAL

0 133

George  
we  
Louis Mylano

Richard

POOR QUALITY  
ORIGINAL

0 134

District Attorney's Office.

PEOPLE

vs.

Snowwhite

Agnes Moore

833 Madison Ave.

De Sancy Nicole Esq  
Ass't Dist. Atty N.Y. City  
Dear Sir

As Owner of  
premises No 833 Madison Ave  
N.Y. City I approve of and request  
withdrawal of Charge and  
discharge of Indictment filed  
on or about May 12<sup>th</sup> last, agst  
Sonis Mylius for malicious  
mischief done to said premises.

Yours &c  
July 4<sup>th</sup> 1886. Geo. W. Moore

Court of General Sessions, Part *100*

THE PEOPLE

*vs*  
*Louis Mylins*

INDICTMENT

For

*Imp to Property*

To

*M*

*John W. Ketsen*

No.

*36 Gramercy Park*

Street.

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *Pleading* at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House, in the Park of the said City, on *Thursday* the *13* day of *May* instant, at eleven o'clock in the forenoon.

If the defendant is not produced at that time, your bond will be forfeited.

**RANDOLPH B. MARTINE,**

*District Attorney.*

**POOR QUALITY  
ORIGINAL**

0137

John W. Ketson  
36 Gramercy Pk.

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 11 DISTRICT.

*Charles S. Beers*

of No. *904 Eighth Avenue* Street, aged *37* years,  
occupation *Decorative Painter* being duly sworn deposes and says  
that on the *1st* day of *April* 188 *6*

at the City of New York, in the County of New York, *Robert Callenberg*;  
*William Snowwhite & Louis Mylius*;  
did wilfully & maliciously cut, stain  
& deface & destroy the decorations  
of fresco on the walls of premises  
833 Madison Avenue in said City,  
damaging said walls to the amount  
of about one hundred & fifty dollars.  
Therefore deponent asks that said *Call-*  
*enberg*; *Snowwhite & Mylius* be arrested  
& dealt with as the law in such  
cases made & provided may di-  
rect.  
*Charles S. Beers*

Sworn to before me, this  
of *April*  
*1886*  
*Wm. J. Smith*  
Police Justice.

POOR QUALITY  
ORIGINAL

0 139

Police Court, 4<sup>th</sup> District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles S. Burns

vs.

Ascor Callender

William Snowwhite

Laura Myrtles

AFFIDAVIT.

Mallory May 1886

Dated April 13 1886

White Magistrate.

Officer.

Witness, \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Disposition, \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**POOR QUALITY  
ORIGINAL**

0140

Sec. 151.

Police Court H District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*In the name of the People of the State of New York; To the Sheriff of the County  
of New York, or to any Marshal or Policeman of the City of New York, GREETING:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police  
Justices for the City of New York, by Charles D. Beers  
of No. 904 Eighth Avenue Street, that on the 1<sup>st</sup> day of April  
1886 at the City of New York, in the County of New York,

Acorn Callenberg; William Snowwhite;  
+ Louis Meyers did wilfully and  
maliciously cut & destroy the  
decorations of part of premises 833  
Madison Avenue in said  
City

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said  
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring them  
forthwith before me, at the 4 DISTRICT POLICE COURT, in the said City, or in case of my absence  
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to  
be dealt with according to law.

Dated at the City of New York, this

13 day of April 1886  
Charles D. Beers

POLICE JUSTICE.



POOR QUALITY  
ORIGINAL

0141

April 5  
Louis Mylius age 31 - German  
Res 472-8 Ave

April 7 -  
Oscar Kolbenberg age 21 - U.S.  
Res 305 E. 78 St

The within named

having been brought before me under this Warrant, is committed for examination to the  
WARDEN and KEEPER of the City Prison of the City of New York.

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

Police Justice.

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Warrant-General.

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

Magistrate

Police Officer.  
The Defendant William Sparrowhite

taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-

tained in this Warrant  
age 25 German Res 572 W. 50 St

Police Officer.

Dated April 4 1886

This Warrant may be executed on Sunday or at  
night.

Police Justice.

over

POOR QUALITY  
ORIGINAL

0142

CITY AND COUNTY { ss  
OF NEW YORK,

District Police Court.

*Oscar Collenberg* 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 *h* see fit to answer the charge and explain the facts alleged against *h*  
that *h* 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. *Oscar Collenberg*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *30 E 78 St*

Question. What is your business or profession?

Answer. *Painter*

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*  
*Oscar Collenberg*

Taken before me this  
day of *Apr*

*7*  
*Charles J. Sullivan*  
J. P.

POOR QUALITY  
ORIGINAL

0143

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

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

Question What is your name?

Answer *Louis Mylius*

Question. How old are you?

Answer *31 yrs*

Question. Where were you born?

Answer *Germany*

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

Answer *472 8th Ave 4 Months*

Question What is your business or profession?

Answer *Painter*

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*

*L. Mylius*

Taken before me this

3

day of

1885

Police Justice.

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss

District Police Court.

*William Snowwhite* being duly examined before the undersigned, 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

*William Snowwhite*

Question. How old are you?

Answer

*25 yrs*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*512 W. 50 St 7 months*

Question. What is your business or profession?

Answer

*Painter*

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 Snowwhite*

Taken before me this

*7*

day of

188

*Charles J. Smith*

Police Justice.

0.149

**Police Court** **District**

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Moses H. Davis  
god - <sup>son</sup> -  
William Brewster  
Davis mortuus  
Ocean City, N.J.  
4

Offence Making  
Mischief

Magistrate

1000  
1886  
Precinct.

Witnesses as MOORE

No. 070 Street.

No. 7 Street,

No. 10 Street,

to answer

*De*

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 300 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 Apr. 3 1886 Wm. J. McLeod Police Justice.

*I have admitted the above-named Shover*  
*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.

THE PEOPLE, &c.,

vs.

Oscar Colenberg  
William Smulder

The above entitled action, in which you were  
~~heretofore subpoenaed~~ <sup>said for</sup> to appear and testify as a  
witness on behalf of the people, on Tuesday Jan 24  
has been postponed without date. You need not  
obey the said subpoena heretofore served upon  
you, but await further notification in the action.

Respectfully,

JOHN R. FELLOWS,  
District Attorney.

Noted 203  
w/advise Colenberg  
To  
J. H. 7  
M. 6

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William Smadette,  
Savior Mufins and  
Oscar Hollendorn

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

William Smadette, Savior Mufins  
and Oscar Hollendorn

of the CRIME OF Indefinitely and indefinitely

injuring real property of another,

committed as follows:

The said William Smadette, Savior  
Mufins and Oscar Hollendorn, each

late of the 19th Ward of the City of New York, in the County of New York afore-

said, on the 21st day of April, in the year of our Lord

one thousand eight hundred and eighty-~~five~~, at the Ward, City and County aforesaid,

with force and arms, the matter and  
finding of a certain room in a certain  
building of one George W. Moore, there  
situate, the same being real property  
belonging to the said George W.  
Moore, and then and there feloniously  
rent and leased to the matter of the  
building aforesaid, and which said  
matter and finding had been and were  
then and there rented and decorated  
at great cost and expense, feloniously  
did indefinitely and indefinitely injure  
to the amount of the value of one  
hundred and fifty dollars, then then  
and there feloniously, indefinitely

and intemperately, claiming, defining  
and regarding the rights and decorations  
of the said walls and ceiling: 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 signatures

Randolph B. Martin,

District Attorney



0 149

BOX:

221

FOLDER:

2169

DESCRIPTION:

Sommers, Lawrence

DATE:

05/13/86



2169

120

Witnesses:

Off. Charles Weyman

16 Precinct

Counsel, J. B. Hildman

Filed 13 day of May, 1886

Pleads, M. B. Kelly

THE PEOPLE

vs. B

Lawrence Sommers

POOL SELLING.  
[Section 851, Penal Code].

RANDOLPH B. MARTINE,

District Attorney.

Proctor & Co.  
Pleas paid.

A True Bill.

Wm. Van Velschoor

Foreman.

Just suspended

POOR QUALITY  
ORIGINAL

0151

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, ss

District Police Court.

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

Question What is your name?

Answer

*Laurence Summers*

Question. How old are you?

Answer

*38 years*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*108 East 56<sup>th</sup> Street 2 years*

Question What is your business or profession?

Answer

*Clerk*

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

Answer.

*I Am Not guilty and I demand  
An examination*

*Laurence Summers*

Taken before me this

day of

1887

*and* *Police Justice.*

POOR QUALITY  
ORIGINAL

0152

Apr 27, 10 a M  
May 3 2 P M

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Street.

Street.

Street.

Street.

The Justice providing in  
this Court will hear and  
determine this case by  
reason of my absence  
Samuel H. Smith  
Police Justice

Police Court

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Michael J. Williams  
C. H. Best  
Eugene J. Williams  
Police Justice

OFFICE OF THE CLERK  
CITY OF NEW YORK  
OFFICE OF THE CLERK  
CITY OF NEW YORK

Dated

188

Witnesses

No.

Street.

No.

Street.

No.

Street.

No.

Street.

See Dr. Henry D. Williams  
May 3 10 a M  
on motion of atty. gen.

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

Lawrence Summers De Feudant  
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 May 3 188 Police Justice.

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

Dated May 3 188 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.

POOR QUALITY  
ORIGINAL

0 153

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before Samuel O'Reilly Esq a Police Justice  
of the City of New York, charging Lawrence Sommers Defendant with  
the offence of Pool Selling

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

We, Lawrence Sommers Defendant of No. 108

Car 56th Street; by occupation a  Clerk

and Joseph L. Hilton of No. 911 - 6th Avenue

Street, by occupation a Hotel Keeper Surety, hereby jointly and severally undertake that

the above named Lawrence Sommers Defendant

shall personally appear before the said Justice, at the 1st District Police Court in the City of New York,

during the said examination, or that we will pay to the People of the State of New York the sum of five  
Hundred Dollars.

Taken and acknowledged before me, this

day of

1886.

Samuel O'Reilly POLICE JUSTICE.

9th Lawrence Sommers.  
Joseph L. Hilton

POOR QUALITY  
ORIGINAL

0154

CITY AND COUNTY  
OF NEW YORK, } ss.

Sworn to before me this  
day of April 1886  
Samuel C. Hall, Police Justice.

the within named Bail and Surety being duly sworn, says, that he is a resident and  
holder within the said County and State, and is worth ten Hundred Dollars,  
exclusive of property exempt from execution, and over and above the amount of all his debts and  
liabilities, and that his property consists of house and lot

of land situated at and known  
as 218 West 25th Street and  
valued at Six Thousand Dollars  
free and clear.

Joseph L. Hilton

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

ss.

Undertaking to appear  
during the Examination.

Taken the

day of

188

Justice.

Sworn to by  
Councillor Hartman

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

POLICE COURT, 1st DISTRICT.

Michael Heyman

of No. One 16th Street, being duly sworn, deposes and says,

that on the 9th day of April 1886

at the City of New York, in the County of New York, Lawrence Summers

Nowhere I did unlawfully sell deponent for the sum of One dollar at premises No. 10 Chamber Street a pool ticket upon the prospect of a race or contest of speed between beasts viz; Horses & Mares at a race course or track situated in the City of New Orleans State of Louisiana that said defendant for said sum of money paid in hand and by him defendant received from deponent, issued to deponent the annexed Pool ticket on a horse called

Sworn to before me this

1886

Police Justice

Henriette by said defendant and marked  
1 for 1. P. B. 1798 Henriette April 9 1886. which  
is to run with divers other horses on said  
race track at the city of New Orleans State  
of Louisiana in a trial of speed  
Sworn to before me this (Michael Heymann)  
9th day of April 1886

POLICE COURT— DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated 188

Magistrate.

Officer.

Witness,

Disposition

Samuel C. Rully  
Police Justice



POOR QUALITY  
ORIGINAL

0 157

BB 798

///

*Alvin Karpis*

APR 8 1935  
APR 9 1935

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Lawrence Summers*

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

*— Lawrence Summers —*

of the CRIME OF RECORDING AND REGISTERING A BET AND WAGER, committed as follows :

The said *Lawrence Summers*,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *ninth* day of *April*, in the year of our Lord one thousand eight hundred and eighty-*five*, at the Ward, City and County aforesaid, with force and arms, did unlawfully record and register, and cause to be recorded and registered, a certain bet and wager, then and there made by and between *Michael*

*Shayman and a certain other person or persons to the Grand Jury unknown,*  
upon the result of a certain trial and contest of speed and power of endurance of and between *several horses called "Hennette," and other* horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at *the City of New Orleans,* in the County of *Orleans,* — in the State of *Louisiana,* and commonly called the *Race Track,* and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the said bet and wager so as aforesaid then and there made upon the same, is to the Grand Jury aforesaid unknown, and cannot now be given), 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 *Lawrence Summers* 7

of the CRIME OF RECORDING AND REGISTERING BETS AND WAGERS, committed as follows :

The said *Lawrence Summers*

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 did unlawfully record and register, and cause to be recorded and registered, divers bets and divers wagers then and there made by and between divers persons to the Grand Jury aforesaid unknown (a more particular description of which said bets and wagers is to the Grand Jury aforesaid unknown), upon the result of divers trials and contests of speed and power of endurance of and between divers horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at *The City of New Orleans* in the State of *Louisiana*, and commonly called the *Race Track*,

and which said trials and contests were had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trials and contests is to the Grand Jury aforesaid unknown), against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

**Third Count.**—And the Grand Jury aforesaid, by this indictment, further accuse the said *Lawrence Summers*

of the CRIME OF SELLING A POOL upon the result of a trial and contest of speed and power of endurance of horses, committed as follows:

The said *Lawrence Summers*

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, did unlawfully sell, and cause to be sold, to one *Michael Heyman*, and to *other persons to the Grand Jury unknown*,

a certain pool upon the result of a certain trial and contest of speed and power of endurance of and between *divers horses* (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at *The City of New Orleans*, in the State of *Louisiana*, and commonly called the *Race Track*,

and which said trial and contest was had, holden and run on the day and in the year aforesaid at the place and race track aforesaid (a more particular description of which said trial and contest, and of the pool upon the same so as aforesaid then and there sold, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

**Fourth Count.**—And the Grand Jury aforesaid, by this indictment, further accuse the said *Lawrence Summers* —

of the CRIME OF SELLING POOLS upon the result of trials and contests of speed and power of endurance of horses, committed as follows :

The said *Lawrence Summers* .

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, did unlawfully sell and cause to be sold to divers persons to the Grand Jury aforesaid unknown, divers pools upon the result of divers trials and contests of speed and power of endurance of and between divers horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown), thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at *The City of New York* in the County of *Queens* , — in the State of *Long Island* , and commonly called the *Race Track*

and which said trials and contests were had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trials and contests, and of the pools aforesaid upon the same, is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

**RANDOLPH B. MARTINE,**  
**District Attorney.**

0 16 1

BOX:

221

FOLDER:

2169

DESCRIPTION:

Spehner, Charles

DATE:

05/24/86



2169

81  
Daniel M. Van Cotten

174 E 125

Counsel,

Filed 24 day of May, 1886

Pleads *Not guilty* 125

THE PEOPLE

vs.

Charles Spelman

(2 cases)

[Section Penal Code]

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

*Victor Van Cotten*

Foreman  
22 June 17, 1886

Pleads guilty

Pen 6 and.

Witnesses:

*Anthony Lombard*

*Off. Wm. J. Gargan*

12 June 1886

84  
Daniel M. Van Cott

174 8/25

Counsel,

Filed 24 day of May 1886

Pleade

Charles Spelmer  
12-10-1886

THE PEOPLE

vs.

Charles Spelmer

(2-10-1886)

[Section Penal Code].

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Witnesses:

Chas. Spelmer

Off. Public S. Jackson

1/2 Pa. amt.

William Van Slander

Foreman

72 June 17, 1886

Pleade guilty

Pen 6 and.

Sec. 198-200.

5 District Police Court.

CITY AND COUNTY OF NEW YORK, ss

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

Question. What is your name?

Answer

*Charles Spehner*

Question. How old are you?

Answer

*21 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*142 East 86 Street 1 year*

Question. What is your business or profession?

Answer.

*Elevator Conductor*

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?

*I am not guilty and demand a trial by jury Charles Spehner*

Taken before me this

day

*April*

1886

*John J. Moore*  
Police Justice.



**Police Court, District.**

City and County } ss.  
of New York,

Anthony Courtick

of No. 150 Nassau Street, aged 42 years,  
occupation Sec'y & Chief Special Agent N.Y. Div. for the Dep't of Justice, being duly sworn, deposes and says,  
that on the 7th day of April 1886, at the City of New  
York, in the County of New York, Charles Spelmer here present

did unlawfully lend and show, and have in  
his possession for the purpose of lending and  
showing to some, a certain obscene, lewd  
and indecent paper and writing, entitled  
as follows, that is to say "In the Blackberry Catch"  
which said paper and writing is too obscene, lewd  
and indecent to spread upon the records, of  
the court, wherefore a more minute description  
is omitted, and not set out in this Complaint,  
against the peace and dignity of the People of  
the state of New York, to the evil example  
of others and against the form of its  
Statutes of the state of New York in  
such case made and provided, and  
particularly Section No 317 of  
The Penal Code of said State of New York.

Subscribed and sworn to before me,  
this 8th day of April 1886 } Anthony Courtick  
John J. Hoffman }  
Police Justice

BAILLED,  
No. 1, by Raymond B. Lawrence  
Residence 133 West 47<sup>th</sup> St.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

Police Court 5 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Anthony Courtland  
150 Madison St.  
Charles Spelman

Offence This document

Dated April 8 1886

Samuel Magistrate  
Patrol Officer Officer.  
12 Precinct.

Witnesses John Officer.

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

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

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

\$ 100 to answer

Ward Street.  
to answer for 40 days 11 a.m.

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

Charles Spelman

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

Dated April 8 1886 John J. Gorman Police Justice.

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

Dated April 9<sup>th</sup> 1886 John J. Gorman 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

Charles S. S. S.

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

Charles S. S. S.

of the CRIME OF *lending and showing an obscene and indecent paper and writing,*  
committed as follows:

The said Charles S. S. S.

late of the *First* Ward of the City of New York, in the County of New York afore-  
said, on the *Twenty* day of *April*, in the year of our Lord  
one thousand eight hundred and eighty-*five*, at the Ward, City and County aforesaid,

*did unlawfully lend and show to divers persons whose names are to the Grand Jury of aforesaid unknown, a certain obscene and indecent paper and writing, entitled "In the Blackberry Patch," which said obscene and indecent paper and writing is so obscene and indecent that the name would be offensive to the Court here, and in proper to be placed upon the records thereof, wherefore the Grand Jury of aforesaid do not set forth the name in this indictment, against the form of the Statute in such case made and provided, and against the force of the Peace of the State of New York, and their dignity.*

Second Round:

And the Grand Jury charged,  
That this indictment further accuse the  
said Charles Springer of the crime of  
Involuntary Deceit and indecent exposure and  
withholding his possession with intent to defraud  
and show the same, committed as follows.

She said Charles Springer, late of the Ward, City and County of Essex, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, did unlawfully have in his possession, a certain other obscene and indecent paper and writing, entitled "In the Blackberry Patch", with intent to lend and show the same, which said obscene and indecent paper and writing is so indecent and obscene that the same would be offensive to the Court here, and improper to be read upon the records thereof, wherefore the Respondents aforesaid do not rest forth the same in this indictment: 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 dignities

Randolph B. Mathis,

*David Atkinson*

80

Witnesses:

*Anthony J. ...*  
*Off. ...*

124 ...

Counsel, *D. M. ...*  
Filed *11* day of *May* 188*6*  
Pleads *Unlawfully*

*168* / THE PEOPLE  
vs. *B*  
*Charles Spomer*  
*(2 cases)*

[Section ... Penal Code]

RANDOLPH B. MARTINE,  
District Attorney.

A True Bill.

*William ...*  
*P. 2. June 17, 1886*  
*Pleas Guilty*  
*Saw suspended on*  
*rec of Dist Atty & Mr. ...*

Sec. 198—200.

CITY AND COUNTY {  
OF NEW YORK, } ss

51 District Police Court.

*Charles Spehner* being duly examined before the undersigned, 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 *Charles Spehner*

Question How old are you?

Answer *21 years*

Question Where were you born?

Answer *New York*

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

Answer *142 East 86 Street 1 year*

Question What is your business or profession?

Answer *Elevator Conductor*

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

Answer *I am not guilty and demand a trial by jury Charles Spehner*

Taken before me this

day of

April

1886

*John J. Sullivan*

Police Justice.

**Police Court, — District.**

City and County } ss.  
of New York,

Anthony Courtcock

of No. 150 Nassau Street, aged 42 years,  
occupation Secretary & Chief Clerk N.Y. Dist. Ct. being duly sworn, deposes and says,  
that on the 5<sup>th</sup> day of April 1886, at the City of New  
York, in the County of New York, Charles Spelman here present

did unlawfully lend and show, and have in his  
possession for the purpose of lending and showing  
the same, a certain obscene, lewd and indecent paper  
and writing, which said paper and writing was  
then and there entitled as follows, to wit "On  
the Delaware," which said paper and writing was  
then and there too obscene, lewd and indecent  
to spread upon the records of the court, wherefore  
the same is omitted from this Complaint;  
but the same being composed of obscene and  
indecent words, describing scenes of copulation,  
against the form of the Statutes of the  
State of New York in such case made and  
provided and particularly Section No. 317 of  
the Penal Code of the said State of New York.

Subscribed & Sworn to before me  
this 8<sup>th</sup> day of April 1886.  
John J. Gorman  
Police Justice

Anthony Courtcock

Police Court 5<sup>th</sup> District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Henry Hunter

150 Nassau

Charles Spelman

Offence Widowhood

BAILED,

No. 1, by William B. Thompson

Residence 133 West 47<sup>th</sup> St.

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Dated

April 8 188

William B. Thompson Magistrate

Patience Spelman Officer

12 Precinct.

Witnesses

Wm. B. Thompson

No. 1 Street.

No. 2 Street.

No. 3 Street.

No. 4 Street.

No. 5 Street.

No. 6 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

Charles Spelman

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 April 8 188 John J. Hoffman Police Justice.

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

Dated April 9<sup>th</sup> 188 John J. Hoffman Police Justice.

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

Dated April 9<sup>th</sup> 188 John J. Hoffman 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

*Charles S. S. S.*

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

*Charles S. S. S.*  
of the CRIME OF *Receiving and Storing an obscene*  
*and indecent paper and writing.*

committed as follows:

The said *Charles S. S. S.*,  
late of the *First* Ward of the City of New York, in the County of New York afore-  
said, on the *24th* day of *April* in the year of our Lord  
one thousand eight hundred and eighty-*four*, at the Ward, City and County aforesaid,

*did unlawfully send and show to*  
*divers persons whose names are*  
*to be found among the records*  
*a certain obscene and indecent paper*  
*and writing entitled "On the Delaware,"*  
*which said obscene and indecent*  
*paper and writing is so obscene and*  
*indecent that the name would be*  
*offensive to the Court here, and*  
*improper to be placed upon the*  
*records thereof, wherefore the Grand*  
*Jury aforesaid do not set forth*  
*the same in this indictment, 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 Point:

And the Respondent further  
by this Inducement further accuse  
the said Charles Springer of the  
crime of having an obscene and  
indecent paper and writing in his  
possession with intent to send and  
show the same, committed as follows:

The said Charles Springer, late  
of the Ward, City and County of New York,  
afterwards, to wit: on the day and  
in the year aforesaid, at the City and  
County aforesaid, with force and arms,  
did unlawfully have in his possession,  
a certain other obscene and indecent  
paper and writing, entitled "On the  
Delaware", with intent to send and  
show the same, which said obscene  
and indecent paper and writing is  
so indecent and obscene that the  
same would be offensive to the  
Public here, and improper to be placed  
upon the records thereof, wherefore  
the Respondent do not

not found the same in this instance,  
against the form of the statute in  
and case made and provided, and  
against the peace of the people of  
the State of New York, and their  
injury

Richard B. Martin,

Attorney at Law

0176

BOX:

221

FOLDER:

2169

DESCRIPTION:

Staudt, Peter

DATE:

05/28/86



2169

POOR QUALITY  
ORIGINAL

0177

346

Counsel,  
Filed, 28 day of May 1886  
Pleads, *forfeited*

THE PEOPLE  
*vs.*  
*Wm. B. Martin*  
*B*  
*Peter Standt*  
*306 E. Houston*  
*May 15/86*

VIOLATION OF EXCISE LAW.  
(Keeping Open on Sunday.)  
[III Rev. Stat. (7th Edition), page 1989, Sec. 5].

RANDOLPH B. MARTINE,

District Attorney.

*Proctor/86*

*Please jury*

A True Bill.

*James D.*

*Antonia Van Horn*

Foreman.

Witnesses:

*of Patrick Farrell*  
*11 Quincy*

POOR QUALITY  
ORIGINAL

0178

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY {  
OF NEW YORK, ss

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

Question. What is your name?

Answer

*Peter Staudt*

Question. How old are you?

Answer

*42 years*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*306 East Hamilton Street 3 years*

Question. What is your business or profession?

Answer.

*Bastarder*

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

Answer.

*I am not guilty and demand  
a trial by jury  
Peter Staudt*

Taken before me this

day of

*July*

1885

*John J. Mann*

Police Justice.

POOR QUALITY  
ORIGINAL

0179

BAILED,  
No. 1, by And. Steel  
Residence 309 65th Street  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Witnesses \_\_\_\_\_  
Street \_\_\_\_\_

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William Tamm

vs.

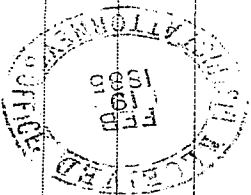
Al. Standa

Offence Viol. Ex. Law

Dated Feb 16 188

John H. ... Magistrate.  
Justice Officer.

11 Precinct.



No. \_\_\_\_\_  
Street \_\_\_\_\_  
to answer James H. ...

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 Al. Standa

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

Dated Feb 16 188 John H. ... Police Justice.

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

Dated Feb 16 188 John H. ... 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.

Excise Violation—Keeping Open on Sunday.

POLICE COURT— 3<sup>rd</sup> DISTRICT.

City and County } ss.  
of New York,

age 28 years Patrick Farrell  
of the 11<sup>th</sup> Precinct Police Street,

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 15<sup>th</sup> day  
of February 1885, in the City of New York, in the County of New York,

Peter Staudt (now here)  
being then and there in lawful charge of the premises No. 306 East Houston  
Street, a place duly licensed for the sale of strong and spirituous liquors, wines, ale and beer, to be  
drunk upon the premises DID NOT KEEP SAID PLACE CLOSED contrary to and in violation of  
the statute in such case made and provided.

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

Sworn to before me, this 16 day Patrick Farrell  
of February 1885  
John J. Moran 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

*Peter Standt*

The Grand Jury of the City and County of New York, by this indictment  
accuse *Peter Standt* —

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND  
SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *Peter Standt*.

late of the City of New York, in the County of New York aforesaid, on the *18th*  
day of *January*, in the year of our Lord one thousand eight hundred and  
eighty-*nine*, the same being the first day of the week, commonly called and known as  
Sunday, being then and there in charge of, and having the control of a certain place there  
situate which was then duly licensed as a place for the sale of strong and spirituous liquors,  
wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so  
licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said  
place so licensed as aforesaid, unlawfully did open, and cause and procure, and suffer and  
permit, to be open, and to remain open; 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.

**RANDOLPH B. MARTINE, District Attorney.**