

0970

**BOX:**

311

**FOLDER:**

2962

**DESCRIPTION:**

Marks, Morris

**DATE:**

06/08/88



2962

0971

**BOX:**

311

**FOLDER:**

2962

**DESCRIPTION:**

Fells, Moses

**DATE:**

06/08/88



2962

0972

**BOX:**

311

**FOLDER:**

2962

**DESCRIPTION:**

Dickenberg, Henry

**DATE:**

06/08/88



2962

POOR QUALITY  
ORIGINAL

0973

39. *Edwards*

*W. C. Henry*

Counsel,  
Filed *18* day of *June* 188*8*

Pleaded *Not Guilty*

*THE PEOPLE*  
vs.  
*Morris Marks,*  
*Moses Tellems,*  
*Henry Dickenberg*

*JOHN R. FELLOWS,*  
*June 19/88* District Attorney.

*Chas. P. Leary*  
*Elmira Ref. P.B.M.*  
**A TRUE BILL.**

*Edmund Murray*

Foreman.

*Jan 19/88*

Witnesses:

*Frank Monahan*

*Mary Schott*

*Officer Campbell*

*Burglary in the second degree.*  
*Exhibit*  
[Section 497.50652875321]



0974

Police Court— District.

City and County } ss.:  
of New York, }of No. 246 East 4th Street, aged 52 years,occupation Housekeeper being duly sworndeposes and says, that the premises No. aforesaid Street, 1st Wardin the City and County aforesaid the said being a four story brickbuildingand which was occupied by deponent as a dwelling

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

were BURGLARIOUSLY entered by means of forcibly prying open  
the door of the rear of the 3rd floor  
said premises and entering therein  
with intent to commit a felony

on the 31 day of May 1888 in the day time, and the  
 following property feloniously taken, stolen, and carried away, viz:

One gentlemen sack Coat  
18 Pocket handkerchiefs—  
One Pocket Knife  
One ladies purse, One pair  
Cuffs Buttons all together of  
the value of twenty dollars  
(\$20.00)

the property of in deponents and custody  
 and deponent further says, that she has great cause to believe, and does believe, that the aforesaid  
 BURGLARY was committed and the aforesaid property taken, stolen and carried away by  
Morris Marks (nowhere) and Abraham  
and Henry Dickmeyer not yet arrested

for the reasons following, to wit: That deponent left her  
premises at the above number on  
the above date at about 2<sup>30</sup> o'clock  
PM; and before leaving securely  
located bolted and fastened  
all the doors and windows leading  
into said premises. That deponent  
returned to said premises about  
fifteen minutes thereafter and

When trying to open the rear room door of said premises discovered that it was locked or bolted from the inside and immediately thereafter defendant saw each of said defendants run out of the front room of said 3<sup>rd</sup> floor of said premises into the hallway and down the stairs.

Defendant is informed by Mary Schott of No 248 East 11<sup>th</sup> Street that she saw each of said defendants run down the stairs of said premises and she fully and positively identifies defendant Marks (now here) as being one of the persons she saw. Defendant is further informed by Officer Samuel J. Campbell of the 2<sup>nd</sup> Precinct that he arrested said Marks at about 11 O'clock PM at the corner of 3<sup>rd</sup> Ave and 7<sup>th</sup> Street and found concealed upon his person a portion of the above described property.

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

Police Court,	District,
THE PEOPLE, &c., on the complaint of	
vs.	
1	2
3	4
Dated	188
Magistrate.	Officer.
Clerk.	
Witness.	
No.	Street.
No.	Street.
No.	Street.
\$ to answer General Sessions.	

0976

CITY AND COUNTY }  
OF NEW YORK, } ss.aged 40 years, occupation Housekeeper of No. 246 East 74

Street, being duly sworn deposes and

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

Sworn to before me, this

day of June 1888Mary Schott  
markM. A. Smith  
Police Justice.CITY AND COUNTY }  
OF NEW YORK, } ss.aged 45 years, occupation Police Officer of No. 23 Puernot

Street, being duly sworn deposes and

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

Sworn to before me, this

day of June 1888S. J. CampbellM. A. Smith  
Police Justice.

0977

Sec. 198-200.

*H* District Police Court.CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Morris Marks*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *1024 Eldridge St. 13 months*

Question. What is your business or profession?

Answer. *Shipping Clerk*

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

Answer.

*I have nothing to say  
at present*

*Morris Marks*

Taken before me this

day of

188

Police Justice.



0978

BATED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street,  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street,  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street,  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street,  
No. 5, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street,

39  
Police Court-11 District. 834

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James M. Mearns  
246 East 74th St  
Morris Mearns  
2 more + 000 00  
Henry Dickinson  
Offence Burglary

Dated June 1 1888

Magistrate.

Officer.

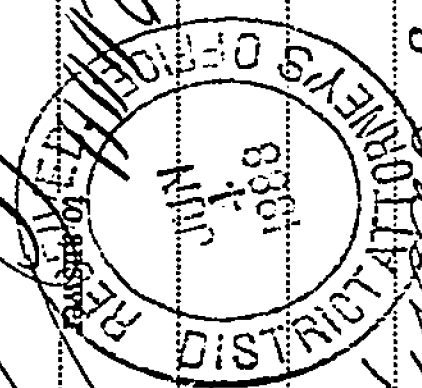
Precinct.

Witness.

Street.

Street.

Street.



Bill ordered  
James M. Mearns  
246 East 74th St  
Morris Mearns  
2 more + 000 00  
Henry Dickinson  
Offence Burglary  
3 not arrested

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 Morris Mearns

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

Dated June 1 1888 Police Justice.

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

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

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

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

*Morris Marder, Moses  
Teller & Henry Dindeneberg*

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

*Morris Marder, Moses Teller and  
Henry Dindeneberg* —

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

The said *Morris Marder, Moses Teller  
and Henry Dindeneberg, all* —

late of the *Nineteenth* Ward of the City of New York, in the County of New York  
aforesaid, on the *thirtieth* day of *May* —, in the year  
of our Lord one thousand eight hundred and eighty-*eight*, with force and arms, about the  
hour of *three* o'clock in the *day* time of the same day, at the Ward,  
City and County aforesaid, the dwelling house of one

*Samuel Montanier.* —

there situate, feloniously and burglariously did break into and enter, there being then and there  
some human being, ~~to wit:~~

within the said dwelling house, with intent to commit some crime therein, to wit: the goods  
chattels and personal property of the said *Samuel Montanier.* —

in the said dwelling house then and there being, then and there feloniously and burglariously to  
steal, take and carry away;

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



## SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment further accuse the said  
*Morris Markas, Moses Felds and*  
*Henry Dickenderg* —  
 of the CRIME OF *Petit* LARCENY, — committed as follows:

The said *Morris Markas, Moses Felds*  
*and Henry Dickenderg*, all —  
 late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
 at the Ward, City and County aforesaid, in the *day* time of the said day, with force and arms,  
*one coat of the value of ten*  
*dollars, eighteen handkerchiefs*  
*of the value of twenty cents*  
*each, one bridge of the value of*  
*twenty cents, one purse of the value*  
*of one dollar, and one pair of*  
*gold buttons of the value of five*  
*dollars,*

of the goods, chattels and personal property of one *Sarah Monheimer*, —

in the dwelling house of the said *Sarah Monheimer*, —

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

*John R. Collins,*  
*Attorney*

0981

**BOX:**

311

**FOLDER:**

2962

**DESCRIPTION:**

Martens, Sophia

**DATE:**

06/18/88



2962

161  
— *Wetters*

Witnesses:

*David Nachman*  
*Officer M. Gindley.*

Counsel,

Filed *18* day of *June* 188*8*  
Pleads, *Christy July 17(19)*

THE PEOPLE

vs.

*B*

*Sophia Martens*

KEEPING A HOUSE OF ILL FAME, ETC.  
[Sections 322 and 385, Penal Code]

JOHN R. FELLOWS,

District Attorney.

*Deft. as before.*

A True Bill.

*The complainant came out by  
Grand (See affd.) that defendant  
recommended, deft. dialing  
by disarmed, was recognized  
in Jan. 1888 - was recognized  
Oct. 10/88*

*Verma M. Davis*  
*Adst.*

*Edmund A. Murray*  
*Foreman.*  
*Indictment returned*

0983

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name.

Answer.

*Sophie Martin*

Question. How old are you?

Answer.

*52 years of age*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*56 Allen St. 3 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 of the charge, and if tried after examination I demand a trial by jury.*

*Sophie Martin*

Taken before me this

*29<sup>th</sup>*

day of

188

Police Justice.

0984

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

*David Nachauser*

of No. *127 Clinton* Street, being duly sworn, deposes and says,  
that *Sophie Martin* (now present) is the person of the name of  
*Mrs J. Randall* mentioned in deponent's affidavit of the *29<sup>th</sup>*  
day of *May* 188 *8*, hereunto annexed.

Sworn to before me, this *29<sup>th</sup>* day of *May* 188 *8* *David Nachauser*

*M. J. Platteron* POLICE JUSTICE.

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY } ss.  
OF NEW YORK,

An information having been laid before *Jacob M. Platteron* a Police Justice  
of the City of New York, charging *Sophie Martin* Defendant with  
the offence of *Keeping Disorderly House*

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, *Sophie Martin* Defendant of No. *16*  
*Allen* Street; by occupation a *Store Keeper*  
and *Abraham H. Jacobs* of No. *182 Church*  
Street, by occupation a *Drug Grocer* Surety, hereby jointly and severally undertake that  
the above named *Sophie Martin* Defendant  
shall personally appear before the said Justice, at the *8<sup>th</sup>* 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 *29*  
day of *May* 188 *8*

*M. J. Platteron* POLICE JUSTICE.

*Samuel Rogers*  
*Abraham H. Jacobs*



0985

WEST AND COUNTY } ss.  
NEW YORK,

day of May 1881  
Sworn to before me, this 29th day of May 1881  
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 Twenty 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

No 182 Christie Street over  
with Ten Thousand dollars  
over all liabilities

Abraham H. Jacobs

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear during the Examination.

Taken the day of 188

Justice.



0986

BAILED

No. 1,

Residence

*Abraham H. Fard*  
*182 E. 10th St.*

No. 2, by

Residence

*Street*

No. 3, by

Residence

*Street*

No. 4, by

Residence

*Street*

161  
1889  
Police Court  
District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*David Nachman*

*177 E. 10th St.*  
*Sophie Martin*

1  
2  
3  
4

Offence *Keeping a*  
*Disorderly House*

Dated *May 29* 188*8*

*W. M. Patterson* Magistrate.

*McKinley* Officer.

*11* Precinct.

Witnesses

No. *30* Street.

No. *29* Street.

No. *500* Street.

*to answer*

*Adeline*

*6 Broadway House*

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.....

*Sophie Martin*  
guilty thereof, I order that she be held to answer the same and she 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 30* 188*8* *W. M. Patterson* Police Justice.

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

Dated *May 30* 188*8* *W. M. Patterson* 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.

0987

Sec. 322, Penal Code.

CITY AND COUNTY  
OF NEW YORK. { ss.3<sup>rd</sup> District Police Court.

David Nachbauer  
of No. 127 Clinton Street, in said City, being duly sworn says  
that at the premises known as Number 86 Allen Street,  
in the City and County of New York, on the 13<sup>th</sup> day of May 1888, and on divers  
other days and times, between that day and the day of making this complaint

Mrs J. Randalls  
did unlawfully keep and maintain and yet continue to keep and maintain a segar store and  
home 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 Mrs Randalls  
and all vile, disorderly and improper persons found upon the premises, occupied by said  
Mrs Randalls  
may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me, this 29<sup>th</sup> day of May 1888 & David Nachbauer  
M. Patterson Police Justice.

Sec. 151.

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

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 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 David Nachbauer  
of No. 127 Clinton Street, that on the 13<sup>th</sup> day of May  
1888, at the City of New York, in the County of New York, Mrs J. Randall  
did keep and maintain at the premises known as Number 86 Allen  
Street, in said City, a segar store and home 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

Mrs J. Randall  
and all vile, disorderly and improper persons found upon the premises occupied by said Mrs J.  
Randall and forthwith bring them before me, at the Third 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 29<sup>th</sup> day of May 1888

M. Patterson POLICE JUSTICE.

00600

W  
Police Court— 3rd District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Maud Wickhamer  
vs.

Samuels

AFFIDAVIT—Keeping Disorderly House, &c.

Dated May 25 188 8

Paterson Justice.

McInley Officer.

11 Precinct.

WITNESSES:

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

Police Court— District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

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

WARRANT—Keeping Disorderly House, &c.

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

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

McInley Officer.

11 Precinct.

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.

\_\_\_\_\_  
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

## Court of General Sessions.

# THE PEOPLE

***v.s.***

Saphia Marten

**City and County of New York, ss :**

Abraham Marks being duly sworn, deposes and says: I reside at No. 435 Grand .

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 25 day of June 1888, I called at 127 Clinton st

the alleged Residence of David Warshaw  
the complainant herein, to serve him with the annexed subpoena, and was informed by Mrs

Arsons and the several tenants of the house that he moved away and they don't know where he moved to.

Sworn to before me, this 26<sup>th</sup> day  
of June 1888

of *James* 1888  
*William D. Tate*  
*comptroller*

Abraham Marks  
Submarina Server.

### Subpana Server

0990

TELEPHONE CALL, SPRING 319.

OFFICE OF

Dr. M. Markiewicz,

251 Broome Street,

Near Orchard Street,

Office Hours:

8 to 9 A. M.

2 to 3 P. M.

6 to 8 P. M.

New York, October 1<sup>st</sup> 1888

This is to certify that Sophia Martins  
86 Allen St. is under my care and that  
she is suffering from Redemaunt Moers on  
her legs, so that she is unable to leave  
her house

J. Markiewicz

DR. M. MARKIEWICZ,  
251 BROOME STREET,  
NEW YORK.



This is to Certify, that Mrs. Mantens  
of No 86 Allen St is sick in bed with  
bilious fever & rheumatism of r. knee;  
she is unable to leave the bed and therefore  
unable to leave the house

N. Y. September 6<sup>th</sup>, 1888

John P. Ermentrout, M.D.  
26, E. fourth St.



0992

**PART III.**

THE COURT ROOM IS IN THE FIRST 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 *David Nachauser*  
of No. *127* *Clinton* 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 Sessions Building, in the Park of the said City, on the *26* day of *June* instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf against

*Sophia Martens*  
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 *June*, in the year of our Lord, 1888.

JOHN R. FELLOWS, *District Attorney.*

**PART III.**

THE COURT ROOM IS IN THE FIRST STORY.  
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[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 *David Nachauser*  
of No. *127* *Clinton* Street,

GREETING :

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*Sophia Martens*  
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 *June*, in the year of our Lord, 1888.

JOHN R. FELLOWS, *District Attorney.*

0993

**PART III.**

THE COURT ROOM IS IN THE FIRST 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 *David Nachauser*  
 of No. *127* *Clinton* 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 Sessions Building, in the Park of the said City, on the *26* day of *June* instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf against

*Sophia Martens*  
 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 *June*, in the year of our Lord, 1888.

JOHN R. FELLOWS, *District Attorney.***PART III.**

THE COURT ROOM IS IN THE FIRST 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 *David Nachauser*  
 of No. *127* *Clinton* 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 Sessions Building, in the Park of the said City, on the *26* day of *June* instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf against

*Sophia Martens*  
 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 *June*, in the year of our Lord, 1888.

JOHN R. FELLOWS, *District Attorney.*

0994

Court of General Sessions.

THE PEOPLE

vs.

Saphia Martens

City and County of New York, ss:

Patrick Mc Ginley being duly  
sworn, deposes and says: I reside at No. 44 Rutgers  
Street, in the City of New York. I am a ~~Subpoena server in the office of the District Attorney of the~~ Police Officer of the 11<sup>th</sup> Prec.  
City and County of New York. On the 25 day of June 188 8,  
I called at 127 Clinton

the alleged Residence of David Nachauser  
the complainant herein, to serve him with the annexed subpoena, and was informed by the

Lady that he boarded with that  
the said David Nachauser had moved  
away and that she don't know his  
present whereabouts

Sworn to before me, this

26<sup>th</sup> day

188 8

of June  
William H. Smith

Cornell University

Patrick Mc Ginley

Subpoena Server.

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Sophia Martens*

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

*Sophia Martens*

(Sec. 322,  
Penal Code.)

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

The said

*Sophia Martens*

late of the ~~South~~ Ward of the City of New York, in the County of New York aforesaid, on the *thirteenth* day of *May* in the year of our Lord one thousand eight hundred and eighty-eight, 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

*Sophia Martens*

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

*Sophia Martens*

(Section 385,  
Penal Code.)

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

The said

*Sophia Martens*

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



and eighty-*eight*, 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 *her* said house, for *her* 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

*Sophia Martens*

(Section 322 of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:  
Penal Code.)

The said

*Sophia Martens*

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

JOHN R. FELLOWS,

District Attorney.

0997

**BOX:**

311

**FOLDER:**

2962

**DESCRIPTION:**

Martin, John M

**DATE:**

06/25/88



2962



240 KAN -  
~~John R. Fellows~~  
J. J. Chase a  
Counsel,  
25 day of June 188  
Filed  
Pleads, ~~John R. Fellows~~

Witnesses:  
Hiram Mager

THE PEOPLE  
vs.  
John M. Martin  
Off. J. J. Chase 188

MURDER IN THE FIRST DEGREE  
[Section 188, Penal Code.]

JOHN R. FELLOWS  
Counsel,  
John R. Fellows  
District Attorney.  
John R. Fellows  
John R. Fellows

A True Bill.

Edmund Ashbury

Foreman,  
Apr 28 188 by city with  
Circuit 10 p. 11. 188

District Attorney's Office.  
City & County of  
New York.

People v. John M. Clark

Mary Mayburt (Colored woman)  
41 Mulberry -

I knew "Blch May" about  
2 years - she lived with  
an Italian named Rafael  
59 Mulberry -

I saw her Sunday  
night before she was killed &  
she took a glass of beer  
with me & that is the last  
I saw her - she came  
from the hospital -  
she asked for Driscoll -

I heard Martin say to her  
before she went to the hospital  
one night in the basement of  
59 1/2 Mulberry - coffee house that  
if she didnt for a live with  
him she would be even  
with her - I was down getting  
a cup of coffee -

I don't know if I can get it out

District Attorney's Office.  
City & County of  
New York.

Josephine Brizzi -  
30 Hamilton Street -  
wife of Frank Brizzi -

1. Will testify that Martin & wife about  
3 or 4 days before the murder had  
a fight in their rooms - which  
lasted all day long - breaking  
furniture &c. She could hear  
it from in her room across  
from Martin's room -
2. Several days after the fight  
whenever bought a slave from  
Mrs. Martin for <sup>25¢</sup> who stated that  
her husband had left her & she needed bread -
3. She saw a fight on the night of the murder  
in Martin's room which lasted fifteen or  
20 minutes - She saw a woman's face - I  
do not understand English so could not  
state what was said. This fight occurred  
between 7 & 8 o'clock - She heard some  
one knocking on the floor with their feet -  
She immediately sent for a policeman  
& in about 5 or 6 minutes he came and  
broke into the door -

DOOR QUALITY  
ORIGINAL

100

People's Motion



Mrs Felicia Piccolo - 156 West  
132 Ave -

Lived in front room 2<sup>nd</sup>  
story of 30th Street Apt 28/88.  
Frankham -

She knows Martin -  
I was in my room - Mike an  
Italian came to me - and that  
they were fighting -

This was about eight or  
9 o'clock -

I and brother in law went  
to the room of Martin - and  
heard moaning - The woman  
inside was calling "Italian,  
Ah - Italian Ah"

She knocked on the door  
tried the door - it was locked -  
A man's voice said "I am  
sleeping"

3 days before this he was  
beating his wife & we separated  
them - The wife called a police  
man and she left Martin

I saw the dead woman in  
the room after the policeman



Mrs. Martin. ~~132 Leonard Street~~,  
Wife of prisoner.

Before the murder she  
states that prisoner got some  
money from <sup>her door</sup> 132 Leonard Street

I left him Thursday night be-  
fore the murder - I gave him no  
money -

States that he had been drinking  
for 6 weeks straight along - very  
drunk -

States - I didn't see my husband  
between Thursday night & the time  
of the murder Saturday night -

~~The prisoner~~ It appears <sup>he</sup> left <sup>prisoner</sup> ~~the~~ Thursday  
night & he saw all the furniture -  
gave a stone to Italian woman  
named Mary for 2¢

Julia Piccinza 30 Hamilton Street.

About 7 o'clock I was in kitchen of my room - they are opposite to Martin's room - in the rear house - my windows & those of Martin's look out upon the yard - I heard twice exclamation from Martin's room. They were "Italian - Italian - he's killing me -"

The voice was loud - she spoke twice -

We had supper at 7 Pm. I heard the cries about 2 hours after this -

Mother sent me to call an officer. I went with Piccillo - who had charge of the building for his brother - who was lessee - I saw officer (Maguire) at Hamilton Street called him twice -

Louis Piccolo.

Lived in 30 Hamilton in  
April 1888 - lived with his brother  
on the 2<sup>nd</sup> story - in front part of the  
house -

About 8 o'clock the little girl  
Julia came to my room & called me  
& I went to Martin's room and  
listened at the door & heard a voice  
inside crying "Ah, Ah" and  
moaning -

Frank Beninzi. 30 Hamilton Street.

Husband of Josephine Beninzi.

I came home Saturday evening  
Apr 28<sup>th</sup> at 6.30 PM - Had my  
supper about 7 - I was in my  
room until about 8 o'clock -  
at 8 I went down to the water  
closet in the yard - I had to pass  
through the hall - in the hallway  
I met Martin, the prisoner, and a  
woman whom I never saw before -  
I knew his wife - This was not his  
wife - but some other woman - He said  
"Good evening Boss"  
Martin had a key in his hand  
he was ahead of the woman -

I remained in the yard 4 or  
5 minutes - Whilst there my wife  
called down from the window "Frank"  
Come up - there is so much noise  
going on in Martin's rooms that I  
am afraid they will set fire to the  
house - I went up and found the police-  
man - Major there - in front of door.

Michael Driscoll. 79 & 96 Mulberry St

Has known the deceased "Scotch Mary" some two or three years -  
Saw her April 28<sup>th</sup> the <sup>day</sup> ~~night~~ of  
the murder - about 4 o'clock at  
94 Park St Restaurant -

Driscoll had 4 \$1 bills and  
59¢ in silver when he met her  
Got it from Van Wapen & Williams  
on Cliff Street -

He gave her about 4  
o'clock three one dollar bills of  
this money -

Started from her about  
7.15 P.M., corner Oliver & Madison  
Streets - I went into a saloon - she  
stood outside & when I came  
out she was gone -

( Witness convicted of Larceny  
in 1884 - got two years & months



Officer James J. Mayo - Officer 7th Precinct

On the evening of April 28/88  
Standing on corner Hamilton & Cath-  
arine Street - about 9.15 PM -

Was called to No 30 Hamilton -  
Street - by Julia Ruzzo - a little  
girl - She stated there was a fight  
between a man and woman.

I went to 30 Hamilton Street to the  
rear house 1 flight of stairs up -  
Went to the door of Martin's room  
lighted and heard no noise - Heard a conversation  
knocked at the door and asked  
for admission - A man's <sup>the prisoner</sup> voice from  
inside said "Who's there", I replied  
"An officer" - I asked him what was  
the trouble in there - He said nothing  
only my wife is drunk - and  
quarreling -

I asked him where was his  
wife he said she was in here - lying drunk,  
I then told him to tell his wife to  
speak to me from the inside - She  
said she was asleep - drunk he would  
not wake her - I then demanded  
of him to open the door - He said  
"No" - I said Open the door or I will  
break it in - He said if I did  
so I'd do it - at my peril -

I then put my shoulder to the

with the same  
man inside  
and as a  
result of  
that conver-  
sation broke  
the door  
open - and  
saw prisoner  
in his shirt  
sleeves &  
no one else  
in the  
room

5

She said she went to rob him  
Sunday morning going to Court

He said he met her in the street  
brought her up there -

Said he had a couple of drinks  
with her - He said he would  
know who she was, but they  
called her "Leotie" -

That if I went to Mulberry  
St I could find out where  
she belonged -

Found nothing in there -

Did you take up from  
prisoner? Same

That's 2 of the same  
I was by her side at  
the woman that night

4-

I asked him why he didn't come  
in - He said he had some  
trouble - with some officer and  
he thought it was ~~to~~ him -

He said he didn't know who it  
was -

I also asked him where he was  
when I knocked at the door  
He said he didn't know he might  
have been out of her -

I took the ambulance, I took the  
driver to hurry to 30 Hamilton  
Street as the woman was either  
dead or dying -

The prison said <sup>that</sup> I hope she  
is dead if that he would go  
to State's prison for life for  
her -

Took him to the Madison Street  
Station - and read explanation of the  
case to Supt. Bell - and told him  
in presence of prison men that I didn't  
know whether she was dead or  
not - I left him in charge of  
Detective Leary -

Went back to 30 Hamilton Street  
got white shirt -

I returned to the station  
recharged him with the murder

3

Don't know - it may be in the  
~~shot on the mantle - Officer~~  
~~Came & went to room in an ambulance -~~  
Officer Powers came in - and  
 I gave the prisoner into his  
 charge - The prisoner remained  
 in the room -

I then began a search  
 for the knife - and found it on the  
 floor ~~near~~ under the end of the  
 mattress - about the side -

Knife covered with blood -  
 handled spotted -

I showed the knife to the  
 prisoner and asked him if that  
 was what he did it with. He said  
 he was too drunk - and did not  
 know - I searched the bedroom  
 & could find nobody -

I had put the knife on him  
 when I found the woman was  
 cut - The prisoner's shirt was covered  
 with blood - ~~when~~ <sup>when</sup> he changed his shirt he  
 told me I was going to  
 take him to the station & he asked  
 to be allowed to take his shirt  
 off - and put on a coat and hat -  
 I took afterwards took charge  
 of the shirt -

On the way to the station I  
 also had conversation with him

Went to the  
 sink and  
 washed his  
 hands which  
 was blood  
 of them -

2

door and burst it open - A crowd of  
Italians stood behind me - they  
came in after me -

Before I spoke I saw Martin  
stooping over something on the  
floor with <sup>the end of a</sup> ~~a~~ quiet in his hand  
as if letting it drop - and then  
walked towards me. He had on  
a pair of pants, white shirt and  
~~socks - shoes -~~ no hat -

I asked him when his  
wife was - he said "three" minutes  
towards the body of Mary  
Connally -

I then walked over and  
pulled the quiet from off his  
head - upon her breast -

I saw a woman lying on her  
back - her throat, neck and face  
covered with blood - I saw a  
wound in her neck - I felt her  
forehead and it was cold -

I asked Martin what  
he had ~~cut his wife with~~ done  
that for. He replied he did not know  
he was drunk - He did not deny  
doing it -

I then asked him what  
where was the knife he had  
cut her with - He said Oh



Officer Lawrence P. Powers -

When Officer was looking for  
the knife - the Italians were  
also searching - I had chap of  
pro me. <sup>me</sup> After the Italian turned  
the matter over in the search  
towards the wall & in doing so  
Martin <sup>was present</sup> called him in  
a son of a bitch - spat in his  
face & said if he was free  
I would <sup>question</sup> ~~be~~ the same with  
you. "

Saw the knife found under  
same rags -

Martin was taken -

Saw bottle of whiskey in room  
half filled.

Said in cell next Murphy that  
she was known as Scotty -

Told me he was a paper folder -  
walked off & on at different  
offices - that he ~~was~~ hadn't  
been working at that time -  
hung out around the "Dunes"  
office waiting for jobs -

Said that he left the house  
Sunday morning and went he  
came home that evening she  
had said everything - cleaned  
the house up - that made him  
mad. Said she did it in a fit of  
the drinking & bringing no money  
home - said she had gone to  
Marion Street to her sister's  
was present when ~~undoubtedly~~  
was taken off her - it was  
saturated with blood.

He said that she didn't cut  
herself -

Saw him Corner Office next  
day -

affici

Detective Cornelius Leary:

Saw prisoner Martin  
at Mahan's house - left in  
my charge about - 9.30 Pm  
by affici Major.

I asked him where he  
met this woman - said in Cotte-  
-rune St. - said I think they  
call her "Mary" - ~~she~~ said  
she belonged around Park St. -  
Mulberry St. - said he didn't  
know her other name -

Said he had seen her a  
couple of times before -

After he met her they went  
to a saloon on Mulberry St,  
had a drink - and bought  
some liquor in a bottle and  
went to the room 30 Hamilton  
Street - (Found a bottle there  
etc) -

He said he had conversation  
with her & that because I  
would pay her she wanted  
to ~~come~~ <sup>stay</sup> with me - and I would  
let her & said we had a  
scuffle - on the bed -  
Said <sup>he</sup> doesn't know how she  
got the cut -

I then ran for ambulance -  
Dr McChamara of Governor  
Hosp. Michay - brought it  
there - And pronounced her  
dead - Her body was left there  
all night - ~~I was present at the~~  
~~Autopsy~~ On the 29<sup>th</sup> - A pl body  
was taken to the morgue -

I saw the prisoner Sunday morning  
Essex Market Court - he was cool

I then saw him in the Coroner's  
Office at 10 am Sunday -

Said Master you must have  
had connections with that  
woman Saturday Night - He  
said yes - said he had seen with  
her a couple of times -

He also told me that he picked  
the woman up in Catharine  
St. <sup>the night</sup> ~~the night~~ he was called Mary  
and his wife had left  
him a couple of days before  
toed all the things -

Asked me if I found a dollar  
in the room - said he had dropped it -

I stayed with the body until 12  
On Saturday night when officer  
Jimm relieved me -

Officer Richard J. Mulcahy -  
 Connected with 7<sup>th</sup> Precinct  
 About 8.30 a.m. 28/88  
 I was standing corner  
 Market & Hamilton  
 Street - saw crowd coming  
 towards me - they said a  
 woman was being killed at  
 No 30 Hamilton -

Went there and as I was  
 going up stairs I met Mayor  
 coming out with prisoners  
 He was not drunk -  
 Mayor said the woman was  
 dying - hurry in - I went into  
 the room - saw the body of a  
 woman lying on the bare floor -  
 Got a lamp - held the lamp  
 over her head - and looked  
 at her - she was then gasping  
 the blood was running out in  
 clots from a wound in  
 the neck -

Will describe <sup>her</sup> position  
 showing that he was after  
 having connection with  
 her -  
 Saw matters in middle of  
 floor covered with blood



District Attorney's Office.  
City & County of  
New York.

Oct 9 1888.

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- People v. No M. Martin  
 Officer Mulcahy 7<sup>th</sup> Precinct  
 Officer Powers - 7<sup>th</sup> Precinct  
 Officer James J. Major 7<sup>th</sup> Precinct  
 Frank Brizzi 30 Hamilton St  
 Julia " " "  
 Josephine Brizzi - wife of Frank Brizzi  
 Louis Piccolo 157 Mott St. or 96  
 Michael D'Agostino 79 Mulberry St.  
 Felicia Piccolo 136 West near 8 Ave  
 Mrs. Jacob L. Martin - N.Y.  
 Detective Leary 7<sup>th</sup> Precinct  
 Coroner (12<sup>th</sup>)  
 Physician  
 White Shirt } in possession of  
 Under Shirt } Officer Major  
 Officer John J. Kingston 6<sup>th</sup> Precinct  
 Mary Conway  
 (12<sup>th</sup>) Mary, colored woman  
 Dr. M. C. Namann with former men  
 Henry Van Helden, Jr. keeper - testify that  
 he had kept for 3 months - Mr. James  
 preceded me in having charge of the same

Dr. James Allen Vanara -

Summoned to go 30

Hamilton Apr 28/88 -

Got there about 10 PM -  
Before I got there met major &  
the prisoner -

I saw deceased - lying in  
a mattress - near the window  
with head towards wall -  
dirty blanket covered her en-  
tirely - the officer pulled it  
down from her face so I could  
see her <sup>I was there 3 or 4 minutes</sup> One of the officers had  
a light where I was examining  
her. I unbuttoned her at  
the neck - opened up her waist  
pulled off her corsets - and  
listened to her heart - life was  
extinct & body warm - no  
pulse - blood had not begun to  
coagulate - when I got there -

I examined the wound in the  
neck with my hands - the wound  
was ragged - cut in through  
the neck - cut all the  
layers vessels & I think  
severed the - I believe it severed  
the jugular - I saw the knife  
a common table knife - curved to

with blood - The body was  
covered with blood - face -  
neck & body - & the floor -  
the blood also covered the  
wall -

Prisoner was heavily drunk -

12

Oct. 12<sup>th</sup> 1887

Dear Sir:

Yours Truly,  
Jas. M. Gammon. M.D.  
Hudson Livingston.

Coroner's Office.

TESTIMONY.

me that 2 Officers were looking for me. I told my folks. - dressed myself came down to the officers; they asked me if I knew any body named "Scotch Mary" I said I knew a woman named Mary Conway who was called Scotch Mary. They asked me to go over to the Station House to see the Capt. I went there to the Station House where I told them I knew her. I saw her on Monday at the Morgue & identified her as Mary Conway. The woman whom I had accompanied on Saturday night when I gave her \$3.00 on Saturday night she got a shawl out of pawn for \$1.00 I paid the cents myself. I parted with her at 7.15 P.M. I only stopped to drink once at Cor. James & Madison. She did not go in with me. Before that I had a few drinks with her myself. She was 8 weeks in Charity Hosp. I had been out one & a week before her death. She used to lodge at 15 Bouverie with other women. I knew deceased to be a tobacco stripper at Straits & Storms. She & I knew of some persons living with her at 56 Catling St.

Taken before me

this 10 day of May 1888  
Michael H. H. H.  
John R. Muger

CORONER.



## Coroner's Office.

## TESTIMONY.

Michael Driscoll being sworn says:  
I reside at 79 Mulberry St. I  
am a laborer. I knew the  
deceased Mary Conway, I  
got acquainted with her in 1884  
I last saw her alive on the night  
she was murdered, at 7 PM. I  
met her in Mulberry St. after  
supper. She asked me to take a  
walk to Catherine St. as she  
wanted to engage or furnished  
room there. I went to James St.  
& I invited 2 young men in a  
saloon for some beer. She remained  
outside. ~~Then~~ I remained in  
the saloon sometime when the  
deceased called me out. I came  
out & we walked up Madison St  
as far as Oliver, I went into a store  
to buy tobacco. I told her to wait  
outside & when I came out I did  
not see her. I looked up & down the  
St. & said I would go home again.  
I walked as far as Catherine St.  
to 56 Catherine where deceased had  
rooms before. ~~I heard~~ aft I went  
home. I was in bed on Sunday AM  
when a young fellow came & told

Taken before me

this

day of

188

CORONER.

Coroner's Office.

TESTIMONY.

Louis Piccolo being sworn says;  
I reside at 30 Hamilton St.  
I am a laborer, I did not know  
the deceased, I never saw her, I  
was in my own apartment  
when a person named Mike  
told me they were fighting  
in the apartment occupied  
by the prisoner & to come up  
& see what was the matter,  
I went <sup>up</sup> stairs, & heard the woman  
crying <sup>as if in distress</sup> "I did not make an attempt  
to get in, I went down stairs to the  
St. & called the policeman, I  
accompanied the officer up  
stairs - The man refused to open  
the door, After they knocked at  
the door he burst it in, In  
about 5 minutes after that I went  
in & saw the dead woman. There  
was only the deceased & the prisoner  
there.

Louis <sup>his</sup> Piccolo  
Witness

Taken before me

this

day of

May 1888

John R. Mullen

CORONER.

Coroner's Office.

TESTIMONY.

Julia Binzzi being sworn says:  
I reside at 30 Hamilton St. I am bet.  
9 & 10 years old. I know the prisoner  
Martin, don't know his first name.  
I have known him 8 months. He lived  
on the same floor in same building  
I did not know the deceased. I never  
saw her. On the April 28th my  
father went to the water closet.  
It was dark, me + my mother + my  
brother + my sister were in the  
house, + we heard hollaring. After  
the hollaring the lady was calling  
the Italian, I told my mother  
+ she told my uncle to go call  
the Boss. Then me + the boss  
went + called the "Copper" The  
Copper ~~the~~, The "boss" is the lady  
<sup>Julia Binzzi</sup> who is lessee of the house, they  
would not let me see the body.  
I only heard the woman hollaring  
Italian! Italian! He's killing me!

Julia Binzzi

Taken before me

this

10 day of

May 1888

*John R. Nugent*

CORONER.

Coroner's Office.

TESTIMONY.

5

Frank ~~17~~ Brinzi being sworn says: I reside at 30 Hamilton St. I am a stone mason. I did not know the deceased Mary Connelly, I know the prisoner - he lived 8 months in the same house with me at 30 Hamilton St. On the night in question I was going down stairs to water closet, when I met the prisoner & the deceased, the prisoner said "Good evg. Boss" & I did not answer, It was on the evg. April 28/88 about 7.30 P.M. it occurred, I heard my wife hollowing to me that they were fighting at the next door & she was afraid they would set fire to the house & she called him to come up stairs. When I came up stairs I found the people of the house around the door, the police came & I saw nothing further. The prisoner & his wife & ~~two~~ children lived together in the same floor, I never saw the deceased before, I did not see the woman lying dead.

Police Officer

Taken before me

this

10

day of

May

1888

Wm Ruggent

CORONER.

4

Coroner's Office.

TESTIMONY.

the body with a quilt. The  
prisoner was lying on the floor  
with both legs slightly drawn up.  
Her clothing was thrown up, her  
limbs from her knees down were  
exposed. The prisoner's clothes were  
not disarranged. He had no coat  
on - he had a vest - pants &  
shirt on.

James J. Major

Taken before me

this 10 day of May 1888

John R. Hugen

CORONER.



Coroner's Office.

TESTIMONY.

Station when he killed her he said he did not know, he was too drunk. Then he made a remark after that she tried to rape him. I asked him where he was when I knocked at the door, He said he did not know, he might have been on top of her. I took his undershirt off & it was covered with blood. He had taken his white shirt off in the room & it was also covered with blood. It was an ordinary table knife I found in the room. I found the point pretty well saturated with blood, & spots here & there. I searched the clothes of deceased & found nothing. The prisoner was under the influence but not very drunk. The prisoner said "If I broke in the door I would do it at my peril" The wound was in the front of the throat. When I felt the body I thought she was dead but was not certain, I am not a medical expert, when I broke the door open the prisoner was in the act of covering

Taken before me

this

day of

188

CORONER.

## Coroner's Office.

## TESTIMONY.

I asked him where his wife was. <sup>he pointed to where the body lay saying "There"</sup>  
I threw the quilt off a woman's head  
and found it full of blood. I  
asked him what he cut her with.  
He said he was too drunk he did  
not know. I then asked him where  
the knife was. He said I don't know  
may be it's in the closet or on  
the mantel piece. Another  
Officer came then & I gave the  
prisoner in charge of him (Officer  
Powers) I then searched around  
the floor & found the knife on the  
floor. In the meantime another  
Officer (Mullcahy) came & he  
summoned an Ambulance.  
Previous to that I felt the body  
of the woman & found it was cold.  
~~I took the~~ On the way to the  
Station House with the prisoner  
I met the Ambulance coming.  
The driver stopped. I told him to hurry  
to 30 Hamilton St. as there was  
a woman either dead or dying.  
The prisoner made the remark that  
he hoped she was dead. That he  
would go to State's Prison for life  
for her. When asked at the

Taken before me

this

day of

188

CORONER.

Coroner's Office.

TESTIMONY.

Officer James J. Major Jth. Precinct being sworn says: On the evg. 28th April<sup>88</sup> About 9:15 PM I was called to 30 Hamilton St. by Julia Barenzo who said there was some trouble there — a man & woman fighting. I went up one flight of stairs in the rear building & knocked at the door, & asked to be admitted. A voice from the inside said "What's the matter I won't let you in" I said "What's the trouble?" He said "My wife is drunk — only having a little quarrel" I stated I was an officer & asked him to open the door. I asked him <sup>from the outside</sup> where his wife was and he said — "She was asleep drunk" I told him to wake her up & let her speak to me from the inside. He said he could not get her awake. I told him to open the door or I would burst it in. He said if I did so I'd do it at my peril. I put my shoulder to the door — broke it in. As I did so I discovered him covering something up on the floor with a quilt. He walked towards me

Taken before me

this

day of

188

CORONER.

# STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

## AN INQUISITION,

Taken at the house of Coroner's Office  
No. 67 Park Row Street in the 4<sup>th</sup> Ward of the City of  
New York, in the County of New York, this 10 day of May  
in the year of our Lord one thousand eight hundred and 88 before

John R. Hugent Coroner,  
of the City and County aforesaid, on view of the Body of Mary Conway  
lying dead as

Upon the Oaths and Affirmations of  
Three good and lawful men of the State of New York, duly chosen and  
sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said  
Mary Conway came to her death, do  
upon their Oaths and Affirmations, say: That the said Mary Conway  
came to her death by

Asphyxia due to Hemorrhage  
into Larynx and Trachea following wound of the throat inflicted  
with a knife in the hands of John Merritt Martin at No.  
30 Hamilton Street on April 28/88 about 9 P.M.

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisition  
set our hands and seals, on the day and place aforesaid.

### JURORS.

Mr. Jordan 211 Green St	Lorenz Schuch 3-24 St.
Edward Harvey 225 Grand	Isaac Beerman 188 Grand
Henry Hagen 197 Green	David Marks 334 Bowery
Frank Wascko 140 E 41	
William Cohen 338 Bowery	
John J. Ackerman 215 Green	

John R. Hugent

CORONER, I. S.



TESTIMONY.

*William O'Meara* M. D., being duly sworn, says:  
I have made an *examination* of the body of  
now lying dead at  
*morque* and from such *examination*  
and history of the case, as per testimony, I am of opinion the cause of  
death is

*Asphyxia due to haemorrhage  
into larynx & trachea following wound  
of throat.*

*William O'Meara* M. D.

Autopsy at morque April 29/88 in presence of Joseph  
Hogarty and others;

The body was that of a white woman, with black  
hair, regular features, in good physical condition,  
~~and~~ somewhat obese, and of middle height.  
In the neck, in front, there was a triangular wound  
penetrating to the wind-pipe, at its origin with the larynx  
made, apparently, by a direct thrust of a  
knife or something similar. There was a contusion  
of the right side, a little lower. There were two slight  
incised wounds of left eyebrow; three (3)  
contused abrasions of left cheek and chin;  
a contusion of the back of left hand, near  
ring & little fingers. The rest of the body was  
apparently healthy and uninjured.

Death was due to suffocation, caused  
by haemorrhage from wound of throat into the  
air-passages of the lungs.

*William O'Meara* M. D.

Sworn to before me,

this

*J. R. Nugent* day of April 1888

CORONER.



J. R. N. 10 at 11  
No. \_\_\_\_\_  
Quar. \_\_\_\_\_ 188

AN INQUISITION  
On the VIEW of the BODY of  
Wm. Cary Conway  
Connelly  
whereby it is found that he came  
to death by

Inquest taken on the \_\_\_\_\_ day  
of \_\_\_\_\_ 188 before  
JOHN R. NUGENT, Coroner.  
349.

Principal wound of throat  
in front - W shaped  
penetrating the larynx;  
a contusion a little lower  
on right side of neck; two  
slight incised wounds  
over left eyebrow; three  
contused abrasions of  
left cheek and chin;  
Contusion of left hand;  
(back) near little & ring  
fingers.

MEMORANDA

AGE	PLACE OF NATIVITY	WHERE FOUND	Date When Reported
about 30 Years Months Days	?	Wentworth from about 29-88 300 Waverly St.	

**Coroner's Office,**

CITY AND COUNTY }  
OF NEW YORK, } ss.

John Merritt Martin being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to answer or not, all or any questions put to him, states as follows, viz.:

Question—What is your name?

Answer—John Merritt Martin

Question—How old are you?

Answer—36 years.

Question—Where were you born?

Answer—Baltimore Md.

Question—Where do you live?

Answer—30 Hamilton St.

Question—What is your occupation?

Answer—Paper Folder.

Question—Have you anything to say, and if so, what, relative to the charge here preferred against you?

By advice of Counsel I say  
I am not Guilty.

John Merritt Martin

Taken before me, this 10 day of May 1888

John R. Nugent

CORONER.

MEMORANDUM.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
30 <sup>at</sup> Years.    Months    Days.	?	Morgue fr. 30 Hamilton St	April 29/88

349 1888  
HOMICIDE.

AN INQUISITION 134/88

On the VIEW of the BODY of

Mary Conway

whereby it is found that he came to  
her Death by the hands of

John W. Meacham

Inquest taken on the 10 day  
of May 1888  
before

John D. Meacham, Coroner.

Committed  
Quitted  
Discharged



Date of death April 29/88

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 M. Martin*

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

*John M. Martin* —

of the CRIME OF Murder in the First Degree, committed as follows:

The said *John M. Martin*,

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

*Mary Conway* —

in the peace of the said People then and there being, wilfully, feloniously, and of  
*his* malice aforethought, did make an assault, and *she* the said

*John M. Martin*, *her*, —

the said *Mary Conway* with a certain *knife*  
which *she* the said *John M. Martin* in  
*his* right hand then and there had and held, in and upon the *head*  
of *her* the said *Mary Conway*.  
then and there wilfully, feloniously, and of *his* malice aforethought did strike,  
stab, cut and wound, giving unto *her* the said *Mary Conway*,  
then and there with the *knife* aforesaid, in and upon the *head*  
of *her* the said *Mary Conway*  
one mortal wound of the breadth of one inch, and of the depth of six inches, of which said

mortal wound ~~the~~ the said ~~Mary Ramsey~~  
~~at the City and County aforesaid, from the day first aforesaid, in the year aforesaid, until the~~  
~~day of~~ ~~in the same year~~  
~~aforesaid, did languish, and languishing did live, and on which said~~  
~~day of~~ ~~in the year aforesaid,~~ the said  
~~at the City and County aforesaid,~~  
~~of the said mortal wound did die.~~  
~~Then and there died.~~

And so the Grand Jury aforesaid do say: That the said

~~John M. Martin, her.~~

the said ~~Mary Ramsey~~ in the manner and form, and by  
the means aforesaid, wilfully, feloniously, and of ~~her~~ malice aforethought, did kill,  
and murder, against the form of the Statute in such case made and provided, and against the  
peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

~~John M. Martin~~

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

The said ~~John M. Martin~~

late of the City and County aforesaid, afterwards, to wit: on the said ~~twentieth~~  
day of ~~April~~, in the year of our Lord one thousand eight hundred  
and eighty- ~~eight~~, at the City and County aforesaid, with force and arms, in and  
upon the said ~~Mary Ramsey~~.

in the peace of the said People then and there being, wilfully, feloniously, and with  
a deliberate and premeditated design to effect the death of ~~her~~ the said

~~Mary Ramsey~~, did make another assault, and  
the said ~~John M. Martin~~, the said

~~Mary Ramsey~~, with a certain ~~knife~~  
which ~~she~~ the said ~~John M. Martin~~ in



*His* right hand then and there had and held, in and upon the *throat*  
of *her* — the said *Mary Conway*,  
then and there wilfully, feloniously, and with a deliberate and premeditated design to effect  
the death of *her* the said *Mary Conway*, did strike, stab, cut and  
wound, giving unto *her* the said *Mary Conway*, then  
and there, with the *knife* aforesaid, in and upon the *throat*  
of *her* the said *Mary Conway* —  
one mortal wound of the breadth of one inch and of the depth of six inches, of which said  
mortal wound *she* the said *Mary Conway*, at  
~~the City and County aforesaid, from the said~~ ~~day of~~  
~~in the year aforesaid, until the~~ ~~day of~~ ~~in the~~  
~~same year aforesaid, did languish, and languishing did live, and on which said~~  
~~day of~~ ~~in the year aforesaid,~~  
the said ~~at the City and County~~  
~~aforesaid, of the said mortal wound did die~~  
*her and there died.*

And so the Grand Jury aforesaid do say: That the said  
*John M. Martin, her,*  
the said *Mary Conway*, in the manner and form, and by  
the means aforesaid, wilfully, feloniously, and with a deliberate and premeditated design  
to effect the death of *her* the said *Mary Conway*  
did kill and murder, against the form of the Statute in such case made and provided, and  
against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

1039

**BOX:**

311

**FOLDER:**

2962

**DESCRIPTION:**

Martin, William

**DATE:**

06/12/88



2962

3 times before convicted -  
after trial

P.B.M.

Witnesses:

James Brown  
(Martin Barnett)

99 C. A. Spurgeon &  
W. R. K.

Counsel,

Filed 12 day of June 1888

Pleads, C. A. Spurgeon &  
W. R. K.

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

THE PEOPLE

vs.

William Martin

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Edmund G. Gurnsey  
Foreman  
Plead guilty & say

June 18<sup>th</sup> 1888  
S. J. H. yrs. P.B.M.  
June 27<sup>th</sup> 1888

Jan 3<sup>rd</sup> 1888.

This is to certify that the  
bearer, J. W. D. D. of 225  
E. 44<sup>th</sup> St. is under my  
professional care and  
treatment, suffering  
from a contusion on the  
lacerated wound on  
left side of head, also  
contusion of jaw bone  
and serious injury to  
teeth on same side.

Chas. Miller M.D.

1042

Police Court—4 District.

CITY AND COUNTY  
OF NEW YORK, } ss.

of No. 225 East 44<sup>th</sup> Street,  
Contractor

being duly sworn, deposes and says, that  
on Monday the 29<sup>th</sup> day of May

in the year 1888 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by William Martin  
who then and there struck deponent  
a violent blow upon his head  
with a hard instrument  
commonly called a shing shot  
which said Martin held in his  
hand

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

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

Sworn to before me, this 4<sup>th</sup> day  
of June 1888

James Drum  
Police Justice.



Police Court-4 District.

THE PEOPLE, Etc.,  
ON THE COMPLAINT OF

*James Dunn*

vs.

*William Martin*

Dated *June 4* 188*8*

*Murray* Magistrate.  
\_\_\_\_\_  
Officer.

\_\_\_\_\_  
Precinct.

Witnesses, \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

AFIDAVIT-A. & B.  
FELONIOUS.

1043

1044

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*William Martin* 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 at the trial.

Question. What is your name?

Answer. *William Martin*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *Martridale N.Y.*

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

Answer. *No 74 E 3 Ave. 9 years*

Question. What is your business or profession?

Answer. *Train Switcher*

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

Answer. *I am not guilty**William Martin*

Taken before me this

188

Police Justice.

1045

Sec. 151.

Police Court 4 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 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 James Dunn of No. 225 East 44<sup>th</sup> Street, that on the 29<sup>th</sup> day of May 1888 at the City of New York, in the County of New York,

Feloniously  
he was violently Assaulted and Beaten by William Martin

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 him 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 4<sup>th</sup> day of June 1888  
John Martin POLICE JUSTICE.

1041

225 E 44 St  
742 3rd Ave Top floor  
Police Court ..... District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Warrant-A & B.

Dated ..... 188

Magistrate

*Blair*

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.

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

1047

10 99 844  
Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James D. Murray  
225 East 44 St  
William Montague

Offence

BAILED,  
No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Dated

188

Magistrate

Officer

Precinct

Witnesses

No. 801-2 one Adams Street

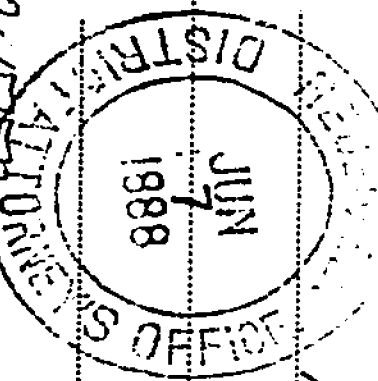
Charles Adams M.D.

No. 124 East 45 St

No. 1410 Broadway

\$ 2000 to master

Street



(Wm)

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

Defendant

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

Dated June 5 188 Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.



# 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 Martin*

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

*William Martin*

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

The said *William Martin*,

late of the City of New York, in the County of New York aforesaid, on the *twenty-ninth* day of *May* in the year of our Lord one thousand eight hundred and eighty *eight*, with force and arms, at the City and County aforesaid, in and upon the body of one *James Dunn* in the peace of the said People then and there being, feloniously did make an assault, and *him* the said *James Dunn* with a certain *gun - shot*

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

with intent *him* the said *James Dunn* 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

*William Martin*

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

The said *William Martin*,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *James Dunn* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *him* the said *James Dunn* with a certain *gun - shot*

which the said *William Martin*

in *his* right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, beat, ~~cut, stab~~ and wound, against the form of the statute in such case made and provided, and against the Peace of the People of the State of New York and their dignity.

*John R. Hollows,*  
*District Attorney*

1049

**BOX:**

311

**FOLDER:**

2962

**DESCRIPTION:**

Massone, Nino

**DATE:**

06/12/88



2962

169  
BW Sep 9/89

Court of Oyer and Terminer

Counsel, *Lebarbier 30 Burg*  
Filed, *12* day of *June* 188*8*  
Pleads, *Not Guilty (13)*

THE PEOPLE,

VIOLATION OF EXCISE LAW  
(Selling on Sunday, Etc.)  
[III Rev. Stat. (7th Edition), page 1088, Sec. 21 and  
page 1089, Sec. 5.]

*Det 21/89*  
Sent to the Court of Special  
Sessions for trial, by request  
of Counsel for Defendant, *B*

*Sim Massone*

JOHN R. FELLOWS.

District Attorney.

*Dec 21<sup>st</sup> 1888*

Transferred to the Court of Special  
Sessions for trial and final dis-  
position.

Free Mill.

*Wm. J. O'Malley*  
Foreman.

Witnesses:

*Off Callahan*  
*J. Prict*

**Court of Oyer and Terminer**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Nino Massone*

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

*Nino Massone*  
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

*Nino Massone*

late of the City of New York, in the County of New York aforesaid, on the *third* day of *July*, in the year of our Lord one thousand eight hundred and *eighty-eight*, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one

*John J. Callahan*

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

SECOND COUNT—

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

*Nino Massone*

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

*Nino Massone*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, 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 then and there 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.

**JOHN R. FELLOWS,**

District Attorney.

1052

**BOX:**

311

**FOLDER:**

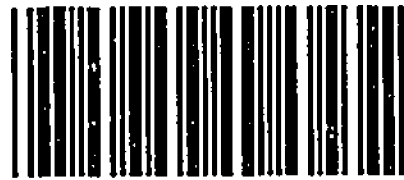
2962

**DESCRIPTION:**

Maxvill, Ellen

**DATE:**

06/21/88



2962



1053

**BOX:**

311

**FOLDER:**

2962

**DESCRIPTION:**

Devine, Nellie

**DATE:**

06/21/88



2962

197

Witnesses:

Wm J. Kistall

Ch 9002  
Prepared  
Record  
PR

Counsel,

Filed 21 day of June 1888

Pleads, *Complicity in*

THE PEOPLE

vs.

Ellen Maxwell

and P

Willie Dime

JOHN R. FELLOWS,  
District Attorney.

*Wm J. Kistall*

A TRUE BILL.

*Edmund M. Perry*  
Foreman.

*Wm J. Kistall*  
*July 1, 1888*  
*Bo. Clerk. J. J.*

Grand Larceny First degree.  
[Sections 528, 580, 554 Penal Code].

Police Court—2 District.

Affidavit—Larceny.

City and County } ss.:  
of New York, }of No. 207 W. 14<sup>th</sup> Street, aged 35 years,occupation Hotel Keeper being duly sworndeposes and says, that on the 15<sup>th</sup> day of April 1888 at the City of NewYork, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

A lot of ladies wearing apparel  
consisting dresses and under wear and  
jewelry of the value of one thousand  
dollars. (\$1,000.)

the property of Deponent and his wife and others  
and all in deponent's care and custody.

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 Ellen Maxwell and Nellie

Devine (both now here) and Nellie Ryan  
not yet arrested. from the fact that said  
deponents and said Nellie Ryan were  
employed by deponent at his hotel at the  
above address and on or about the above  
mentioned date. the said Nellie Ryan  
left deponent's employ, and on the 11<sup>th</sup> day of  
June 1888. deponent missed a portion  
of said property. and as one of the dresses  
above mentioned was found on the person  
of the aforesaid Nellie Devine deponent caused  
the rooms of the said Nellie Devine and  
Ellen Maxwell to be searched. where a  
portion of said property was found and

Subscribed and sworn to before me this  
18<sup>th</sup> day of April 1888

Police Justice

1056

the said Ellen Maxwell and Nellie Devine  
a United and conspired to depose that  
they had in company with the aforesaid  
Ellie Ryan. Taken said property.  
Wherefore depose charges the said Ellen  
Maxwell and Nellie Devine (now here) and the  
said Ellie Ryan not get arrested with  
being together and acting in concert with  
each other and feloniously taking stealing  
and carrying away said property.

Served before me  
this 12 day of June 1888  
J. M. L. Fittell  
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 1888  
Police Justice.  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1888  
Police Justice.  
There being no sufficient cause to believe the within named  
guilty of the offence mentioned, I order he to be discharged.  
Dated 1888  
Police Justice.

Police Court, District,	
THE PEOPLE, &c., on the complaint of	
vs.	
1	
2	
3	
4	
Dated 1888	
Magistrate.	
Officer.	
Clerk.	
Witnesses,	
No.	Street,
No.	Street,
No.	Street,
\$	to answer Sessions.



1057

CITY AND COUNTY } ss.  
OF NEW YORK,POLICE COURT, 2 DISTRICT.

John Carey  
of 16th Precinct Police Street, aged        years,  
occupation Police Officer being duly sworn deposes and says,  
that on the 11th & 13th day of June 1888

at the City of New York, in the County of New York, he arrested  
Ellen Maxwell and Nellie Devine  
(both now here) on complaint of  
William D. Kitson, who charged  
them with Larceny (felony)  
deponent further says that he has  
not now the evidence in court to make  
a complaint.

Wherefore deponent prays they may  
be held a reasonable time to enable  
deponent to secure the proper evidence  
John Carey

Sworn to before me, this

of June 1888

12th day

Police Justice,

Sec. 151.

Police Court 2 District.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 in writing, and upon oath, has been made before the undersigned, one of the Police  
Justices for the City of New York, by William D. Kitson

of No. 207 West 14th Street, that on the 15th day of April

1888 at the City of New York, in the County of New York, the following article to wit:

A lot of Ladies wearing apparel  
consisting of dresses, underwear and  
jewelry

of the value of One Thousand Dollars,  
the property of in the care and custody of this complainant  
was taken stolen and carried away, and as the said complainant has cause to suspect, and does suspect and  
believe, by Ellen Maxwell, Nellie Devine and Nellie Ryan

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 them before me, at the 2nd 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 17th day of June 1888

Police Justice.



8501

Police Court 2 District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

AFFIDAVIT.

Ellen Morris  
William Morris  
William Morris  
Dated June 13/1888

With Magistrate.

August 1/18 Officer.

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

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

June 13/1888

Police Court \_\_\_\_\_ District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

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

\_\_\_\_\_  
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.

August 1/18 Police Justice.

The within named

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

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

Police Justice.

1060

New North June 12<sup>th</sup> 1888

I hereby endorse the within warrant  
for the arrest of Melia Ryan.

Chas. H. Brown  
Justice of the Peace.

1061

Sec. 108-200.

District Police Court.CITY AND COUNTY  
OF NEW YORK, ss.*Ellen Maxwell*

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

Question. What is your name?

Answer.

*Ellen Maxwell*

Question. How old are you?

Answer.

*2 years old*

Question. Where were you born?

Answer.

*Pennsylvania*

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

Answer.

*207, W. 14<sup>th</sup> St. 9 Mo*

Question. What is your business or profession?

Answer.

*Chambermaid & Waitress*

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

Answer.

*I am not guilty*  
*Ellen Maxwell*

Taken before me this

day of *July* 188*8*

Police Justice.

1062

Sec. 198-200.

District Police Court.CITY AND COUNTY }  
OF NEW YORK. } ss.*Nellie Devine*

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

Question. What is your name?

Answer.

*Nellie Devine*

Question. How old are you?

Answer.

*22 years old*

Question. Where were you born?

Answer.

*Ireland*

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

Answer.

*207 W 14<sup>th</sup> St. 2 mos*

Question. What is your business or profession?

Answer.

*Waitress*

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

Answer.

*I am not guilty**Nellie Devine*

Taken before me this

day of

1888

Police Justice.

1063

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY  
OF NEW YORK, { Sp.

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

Question. What is your name?

Answer.

Delia Ryan

Question. How old are you?

Answer.

21 years old

Question. Where were you born?

Answer.

Ireland

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

Answer.

301. E 8th St. New York

Question. What is your business or profession?

Answer.

I must

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

Answer.

I am not guilty

Delia Ryan

Taken before me this

day of

188

Police Justice.



1064

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

101 2 881  
Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Wm. J. McCall  
207 West 14 St  
1888

1 Ellen Maynard

2 Melvi Denine

3 Melvi Denine

4 \_\_\_\_\_

Offence Larceny  
felony

Dated

June 13

1888

City

Magistrate.

Carey and Rogers, Officer.

16

Precinct.

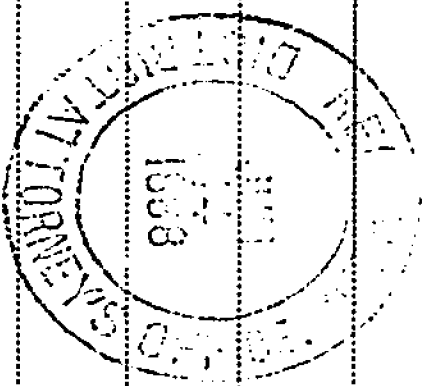
Witnesses

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

Street \_\_\_\_\_

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

Street \_\_\_\_\_



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

Street \_\_\_\_\_

Wm. J. McCall

Wm. J. McCall

Wm. J. McCall for No. 3

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

Ellen Maynard  
Melvi Denine and Melvi Denine

guilty thereof, I order that they be held to answer the same and they be admitted to bail in the sum of

Twenty Hundred Dollars each and be committed to the Warden and Keeper of

the City Prison of the City of New York, until they give such bail.

Dated June 13 1888 Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated 1888 Police Justice.

There being no sufficient cause to believe the within named Debra Ryan

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

Dated June 13 1888 Police Justice.

## New York General Sessions.

PEOPLE ON MY COMPLAINT.

VERSUS

Ellen Maxwell and  
Nellie Devine

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. I now believe that these girls did not intend to steal the articles mentioned in the indictment herein; and that they did not understand they were doing anything criminal for the following reasons; I keep a boarding house in which the prisoners Ellen Maxwell and Nellie Devine were employed as servants. In January 1888 a boarder by the name of Mrs Luddington left my house, leaving a trunk full of clothing and wearing apparel which I had placed in the cellar. The prisoners knew of this trunk and no doubt thinking it would never be claimed they took some of the contents of the trunk viz; dresses and other articles to their room and wore some of the articles. The dresses and other articles were found in the prisoners' room. Some of the articles contained in said trunk were either sold or pawned. Mrs Luddington at the time she left my house was indebted to me for board &c.

Wm L. Kiteell

New York June 29<sup>th</sup> 1888.

1066

## Police Department of the City of New York,

Precinct No. 16New York, June 11<sup>th</sup> 1888List of property stolen by Ellen Maxwell  
Nellie Devine and Delia Ryan

1	White Dress	Wash not found Mrs. Kittell	(150 <sup>00</sup> / <sub>100</sub> )
12	Per Kidd gloves	" "	(3 00)
12	2 Day Linen Handkerchiefs	" "	(2 00)
10	1 Pink Sash	" "	(5 00)
10	1 Blue "	" "	(5 00)
14	3 Gold Links	3 Dollars each " "	(9 00)
8	1 Per Sleeve Buttons	Mrs. Kittell	(10 00)
15	Sundries		12 00
9	1 Sofa Pillow	Mrs. Ludington,	(10 00)
"	1 Blue satin dress	"	(100 00)
2	1 Yellow "	"	(125 00)
4	1 White "	"	(50 00)
4	1 Pongee Silky "	"	(50 00)
15	Slippers Feathers &c	"	20 00
5	1 Dress	"	(40 00)
6	" Waists	"	(100 00)
4	1 "	"	(50 00)
"	2 Silk Stocking	"	(5 00)
7	7 Sun shades	"	(400 00)
65	1 Satin Bol Sundries Groves Neckties &c	"	3 00

11/16 00

1067

JOHN JEROLOMAN.

WM. ARROWSMITH.

JEROLOMAN &amp; ARROWSMITH,

ATTORNEYS AND COUNSELLORS AT LAW,

229 BROADWAY,

New York, July 5<sup>th</sup> 1888

To/ Recorder Smyth.

Dear Sir.

I understand  
 that Ellen Maxwell  
 & Nellie Dronie  
 have been <sup>found</sup> indicted  
 for Grand Larceny  
 Ellen Maxwell was  
 a servant in the  
 house on 14<sup>th</sup> St + 7<sup>th</sup> St  
 when I boarded until  
 April 87 - she was  
 regarded by all as

JEROLOMAN &amp; ARROWSMITH,

Attorneys at Law,

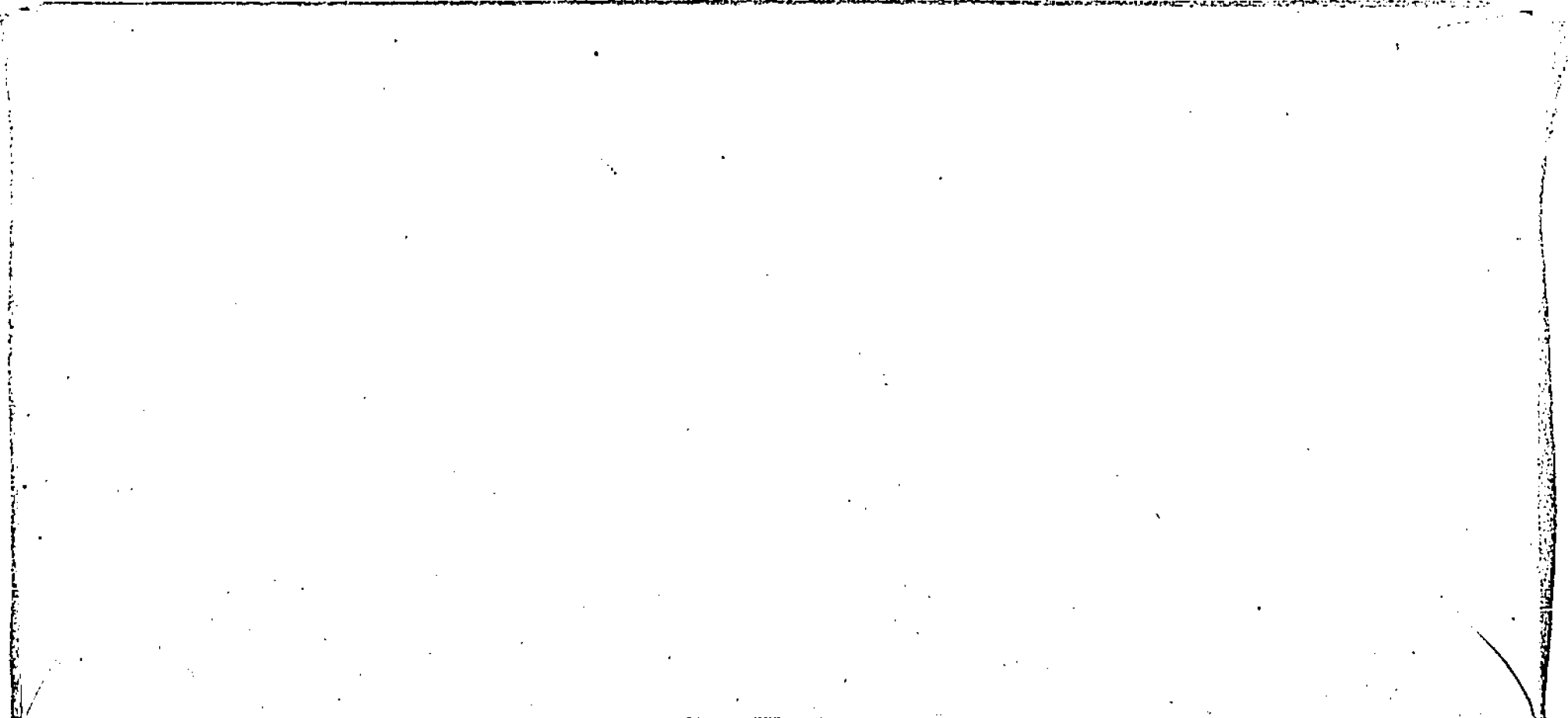
No. 229 BROADWAY,  
NEW YORK.

Recorder Smyth  
Presrub

a good faithful  
 servant. She was  
 employed at that  
 home about 8 months.

I am surprised to hear  
 that she should  
 have been accused  
 of dishonesty & believe  
 it must have been  
 an act of indiscretion  
 more than that of  
 mere wickedness.

Yours sincerely  
 R Mowsmith





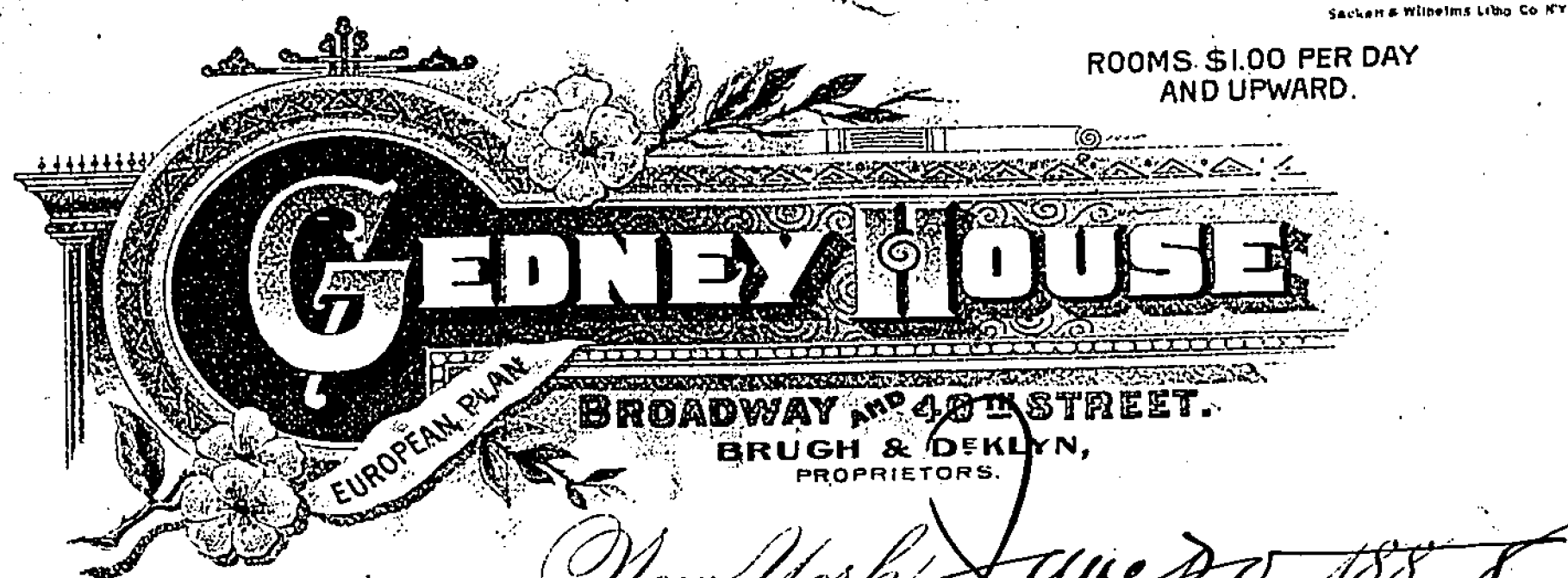
69 Irving Place.

New York  
June 27 1888.

Ella Maxwells lived  
with me the winter of  
1887. left last June. to go  
to the country. and while  
in my employ I found her  
to be, a very respectable,  
honest girl.

Mrs. George Overall.

1070



New York June 20 1888

Miss Nellie Devine was  
in our employ for  
about 9 months we  
have found her to be  
honest and attentive  
to her duties very  
satisfactory - and  
cannot say anything  
but good of her character  
as far as we know

Yours very truly

Brugh & Deklyn

WOMAN'S HOSPITAL,

IN THE STATE OF NEW YORK,

Corner of 49th Street and 4th Ave.

June 20<sup>th</sup> 1888

This certifies that - one  
Nellie Devine was employed  
at this Hospital for about  
four months as waitress  
during the latter part of  
1886 leaving on the first  
of January 1887 for a  
better situation; that  
while here she conducted  
herself in such way as to  
win the confidence of the  
authorities & was considered  
honest, sober & faithful.

J. H. Roy  
Supt.

New York General Sessions.

People

- vs -

Ellen Maxwell  
& Nellie Devine

City and County of New York,  
Ellen Maxwell and Nellie

Devine being duly sworn both before and after  
that at the time they were arrested on the charge  
for which the present indictment has been found  
they were employed as servants in the house of  
Mr. Kittell No. 207 West 14<sup>th</sup> Street in the City  
of New York.

The facts concerning the above charge are  
as follows; In January last Mrs Luddington  
who had been a boarder at Mr. Kittell's  
house, <sup>moved, and</sup> left a trunk full of wearing apparel  
clothing <sup>to</sup> which was put in the cellar. The  
trunk remained there since that time and we  
thought it would never be claimed by anyone  
so we took some of the dresses and other  
articles out of the trunk and took them to our  
room for the purpose of wearing them. We did  
not think it wrong to take them as the trunk  
had been in the cellar for some months and  
we had no intention whatever of stealing  
the articles in the trunk. We did not remove



any of the articles so taken by us from the trunk,  
out of the house but kept them in our room  
as we intended moving — them, we did  
not sell or pawn any of the articles referred  
to herein, when we were arrested, the articles  
taken by us were found in our room in Mr.  
Kittell's House.

Sworn to before me this  
30<sup>th</sup> day of June 1888.  
Moses Berumen  
Commissioner of Deeds,  
City and County of New York.

Ellen Mapill  
Jettie Devine

My General Lesson

The People

or

Ellen Maxwell  
& Nellie Devereux

Apprentice



# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against  
Ellen Maxwell  
and  
Nellie Devine

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

Ellen Maxwell and Nellie Devine  
of the CRIME OF GRAND LARCENY IN THE *first* DEGREE, committed  
as follows:

The said *Ellen Maxwell and Nellie Devine*,

late of the City of New York, in the County of New York aforesaid, on the *fifteenth*  
day of *April* in the year of our Lord one thousand eight hundred and  
eighty *eight*, at the City and County aforesaid, with force and arms, *one*  
dress of the value of one hundred and fifty dollars,  
one other dress of the value of one hundred dollars, one  
other dress of the value of one hundred and twenty five dollars,  
three other dresses of the value of fifty dollars each, one  
other dress of the value of forty dollars, six waists of  
the value of fifteen dollars each, seven suit  
shades of the value of fifty dollars each,  
two sleeve buttons of the value of five dollars each,  
one pillow of the value of ten dollars, two sashes of the  
value of five dollars each, two stockings of the value  
of three dollars each, twenty-four handkerchiefs of the  
value of ten cents each, one pair of gloves of the value  
of three dollars, three gold coins of the value of  
three dollars each, and diverse goods, chattels and  
personal property, a more particular description  
whereof is to the Grand Jury aforesaid unknown, of the  
value of sixty dollars  
of the goods, chattels and personal property of one *William T. Kitzell*

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

## SECOND COUNT—

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

*Ellen Maxwell and Nellie Devine*

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

The said *Ellen Maxwell and Nellie Devine*,

late of the City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, *one dress of the value of one hundred and fifty dollars, one other dress of the value of one hundred dollars, one other dress of the value of one hundred and twenty-five dollars, three other dresses of the value of fifty dollars each, one other dress of the value of forty dollars, six waists of the value of fifteen dollars each, seven sun shades of the value of fifty dollars each, two sleeve buttons of the value of five dollars each, one pillow of the value of ten dollars, two sashes of the value of five dollars each, two stockings of the value of three dollars each, twenty-four handkerchiefs of the value of two cents each, one pair of kid gloves of the value of three dollars, three gold coats of the value of three dollars each, and divers goods, chattels and personal property, (a more particular description whereof, is to the Grand Jury aforesaid unknown, of the value of sixty dollars, —*

of the goods, chattels and personal property of one *William T. Kitzell*—

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

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

*Ellen Maxwell and Nellie Devine*—

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

JOHN R. FELLOWS,

District Attorney.

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**END OF  
BOX**