

0572

BOX:

503

FOLDER:

4587

DESCRIPTION:

Simms, William H

DATE:

11/11/92



4587

Witnesses:

Mary Marshall

Thos. Carroll

Counsel,

Filed

189

Pleds

THE PEOPLE

vs.

William H. Sumner

Grand Larceny, Second Degree.  
[Sections 828, 831, Penal Code.]

De LANCEY NICOLL,

District Attorney.

A TRUE BILL.

J. E. Sullivan

Foreman.

Apr 17/94

Henry J. Delaney

George P. H. 24

0574

Police Court

District.

Affidavit—Larceny.

City and County } ss:  
of New York, }

Mary Marshall  
of No. 318 W 121<sup>st</sup> Street, aged 38 years,  
occupation Keep house being duly sworn,  
deposes and says, that on the 5 day of November 1892 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the pos-  
session of deponent, in the day time, the following property, viz:

Forty five yards of written carpet.  
Ninety yards of Brussels carpet.  
Twenty yards of hall carpet. and  
Seventeen yards of stair carpet.  
all of the value of two hundred and fifty dollars  
the property of the person.

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 William H. Sullivan (B)

Now held from the fact that in  
the 10th day of July 1892. deponent  
left said property in the possession  
of said defendant. and on said  
5th day of November. deponent  
discovered that said property, was  
missing.  
Deponent is now informed by Thomas  
Carroll that in the latter part of  
October he bought from this defendant  
about thirty yards of velvet carpet.  
Deponent further says that she has  
seen the carpet sold to Carroll by the  
defendant. and identified it as her property.

Sworn to before me, this 18th day of November 1892.

Police Justice

0575

and as a portion of the property  
mentioned in this affidavit.  
Wherefore applicant charges their defendants  
with feloniously taking stealing and  
conveying away said property.

Given to before me  
this 9th day of Nov 1911 Mary Marshall

COMMISSIONER  
Police Justice

0576

CITY AND COUNTY }  
OF NEW YORK, } ss.

1877.

*Thomas Carrall*  
aged 46 years, occupation Second Furniture dealer of No. 581 W. 125th Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *Mary Marshall*  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this 9  
day of Nov 1898

*Thomas Carrall*

*[Signature]*  
Police Justice.

0577

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss:  
OF NEW YORK,

*William H. Simms* 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 sees fit, to answer the charge and explain the facts alleged against him;  
that he is at liberty to waive making a statement, and that his waiver cannot be used  
against him on the trial.

Question. What is your name?

Answer.

*William H. Simms*

Question. How old are you?

Answer.

*48 years old*

Question. Where were you born?

Answer.

*Washington D.C.*

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

Answer.

*241 W. 72 St. 5 days*

Question. What is your business or profession?

Answer.

*Furniture*

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 innocent**H. Simms*

Taken before me this

day of

189

*W. H. Simms*  
Police Justice

0578

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

Dated, April 4 189 189 R. H. Miller Police Justice.

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

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

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

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

0579

Police Court---

3<sup>rd</sup>

District.

1401

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Mary Marshall  
318 W 121  
William H. Simms

Offense

Carrying Pistol

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

Dated,

Nov 9  
New York

189

Magistrate.

Joseph Sullivan

Officer.

30

Precinct.

Witness

Shirley Carroll

No.

381 W 120<sup>th</sup> Street.

No.

10

Street.

No.

Street.

\$

1000

to answer.

Full

Q

9

0580

New York Central & Hudson River Railroad Co.

ST. JOHN'S PARK.

F. A. HASKELL, General Agent.  
C. C. WARREN, Agent.

New York Nov 18 1892

Mr. Ware & Bingham

Gentlemen

I am informed

that you have in hand the case of Henry Sims formerly  
Janitor for the flats occupied by myself & others at  
518 West 121<sup>st</sup> St. I was more than surprised that  
he should be arrested for any such act as he is  
charged with & have occupied a flat under his  
charge for about two years and have failed to  
notice anything in his manner or actions that would  
make me think he was not perfectly trustworthy  
In fact it was our usual custom to have him take  
our keys every Sunday thru the summer & often on work  
days & have never during the time missed anything  
whatever & I cannot understand how he has got into the  
trouble unless he has been drinking as far as I am concerned  
I would trust him with anything I have & feel that he would not  
abuse my confidence. Kindly do all you can for him

Respectfully Yrs B. S. Benson

Transfer apt. N.Y. C. & H. R. R. Co. St. John's Park

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 W. Simms*

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

*William W. Simms*,

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

The said

*William W. Simms*

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

*forty-five yards of carpet of the value of three dollars each yard, and one hundred and twenty-seven yards of carpet of the value of one dollar each yard*

of the goods, chattels and personal property of one

*Mary Marshall*

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.

0582

SECOND COUNT—

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

*William W. Simms*  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

*William W. Simms*

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,

*forty-five yards of carpet of  
the value of three dollars  
each yard, one hundred and  
twenty-seven yards of other car-  
pet of the value of one dollar  
each yard.*

of the goods, chattels and personal property of one

*Mary Marshall*

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

*Mary Marshall*

unlawfully and unjustly did feloniously receive and have; the said

*William W. Simms*

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.

DE LANCEY NICOLL,

*District Attorney.*

0583

**BOX:**

503

**FOLDER:**

4587

**DESCRIPTION:**

Sinaly, Louis

**DATE:**

11/28/92



4587

0584

Witnesses:

*Officer [Signature]*  
*11/16/99*

Counsel,

*18*  
Filed, *18* day of *Nov* 189

Pleads,

THE PEOPLE

vs.

*B*

*Louis Smaly*

SUPREME COURT PART I,  
*December 22 1899*  
INDICTMENT DISMISSED.

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

*John E. Fallon*

Foreman.

*VIOLATION OF THE EXCISE LAW.*  
*Selling, etc., on Sunday.*  
*[Chap. 401, Laws of 1892, § 33].*

0585

Sec. 198-206

CITY AND COUNTY  
OF NEW YORK, SN:

3 District Police Court.

*Louis Sindly* 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 sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *Louis Sindly*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *Anatolia*

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

Answer. *185 East Houston St. 7 months*

Question. What is your business or profession?

Answer. *Bar tender*

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

Answer. *I am not guilty. if held I demand a jury trial*

*Louis Sindly*

Taken before me this

day of

*July 1893*  
Police Justice.

0586

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.....

*the* defendant  
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 Oct 9 1897 [Signature] Police Justice.

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

Dated Oct 9 1897 [Signature] Police Justice.

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

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

0587

Selling on Sunday.

Police Court

District.

1268

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Gorge Smith  
vs.  
Louis Smiley

Office  
V. Excise

BAILED

No. 1, by

John Weiss  
Residence 198 E. Houston Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Dated

Oct 9 1892

Magistrate.

Officer.

Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

# 100 to answer G.S.

Barber

0588

Excise Violation-Selling on Sunday.

POLICE COURT-

3 DISTRICT,

City and County } ss.  
of New York,of No. 11 Recruit Street,of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 9<sup>th</sup> day  
of October 1897 in the City of New York, in the County of New York,at premises No. 185 East Houston Street,  
Louis Sudds (now here)did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his  
direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors,  
to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.WHEREFORE, deponent prays that said Louis Sudds  
may be arrested and dealt with according to law.Sworn to before me, this 9 day ) George Smith  
of October 1897Police Justice.

0589

1907

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Louis Sindly*

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

of the CRIME OF *Louis Sindly* SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

*Louis Sindly*

late of the City of New York, in the County of New York aforesaid, on the *9<sup>th</sup>* day of *October* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

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

## SECOND COUNT—

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

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

The said

*Louis Sindly*

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

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

DE LANCEY NICOLL

District Attorney.

0590

**BOX:**

503

**FOLDER:**

4587

**DESCRIPTION:**

Slovny, Louis

**DATE:**

11/09/92



4587

Witnesses:

Antonio Fiori

Off Madamach 14<sup>th</sup>

After an interview  
with Complainant  
I recommend a  
plea of Not Guilty  
J.W. 11/14/92  
J.P.A.

Counsel,

Filed

Pleas,

189

THE PEOPLE

vs.  
Louis Slone

Burglary in the Third Degree,  
Section 498, N.Y. Penal Law

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John E. Foreman, Foreman.

Subscribed & sworn to before me  
this 14th day of November, 1892

Pen one year

0592

Police Court— 3 District.City and County } ss.:  
of New York,

of No. 403 Sixth Antonio Fiore Street, aged 35 years,  
 occupation Keep a fruit stand being duly sworn  
 deposes and says, that the premises No. 403 Sixth Street, 17 Ward  
 in the City and County aforesaid the said being a dwelling, the apartment  
on the third floor of which  
~~and 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 turning the  
knob of the lock and opening the  
door

on the 3<sup>rd</sup> day of November 1887 in the day time, and the  
 following property feloniously taken, stolen, and carried away, viz:

A quantity of jewelry and wearing  
apparel all of the value of about  
thirty dollars

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

for the reasons following, to wit: that deponent closed  
the door and said property was  
in the apartment; deponent about  
five minutes thereafter ~~deponent~~ returned  
found the door open and the  
defendant coming out of the apart-  
ment and deponent stopped him  
and he attempted to escape and  
upon being searched in deponent's

0593

presence the property here shown was  
found upon his person which deponent  
identifies as his property and the  
wearing apparel was lying on the floor  
having been removed from the bureau.

Sworn to before me this 4<sup>th</sup> November, 1892 Antonio Fiere

*[Signature]*

Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
of the City of New York, until he give such bail.  
Dated 1888  
I have admitted the above named  
to bail to answer by the undertaking hereunto annexed.  
Dated 1888  
There being no sufficient cause to believe the within named  
guilty of the offence within mentioned, I order he to be discharged.  
Dated 1888  
Police Justice.

Police Court, District.

THE PEOPLE, &c.,  
on the complaint of

Offence—BURGLARY.

vs.

1.  
2.  
3.  
4.

Dated 1888

Magistrate.

Officer.

Clerk.

Witness,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

0594

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

*Louis Storney* 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 sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

*Louis Storney*

Question. How old are you?

Answer.

*35 years*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*84 Essex St. 4 months*

Question. What is your business or profession?

Answer.

*Sailor*

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

Answer.

*I am not guilty*  
*Louis Storney*

Taken before me this *4<sup>th</sup>*  
day of *November* 189*8*

Police Justice.

*[Signature]*

0595

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

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

Dated, *Nov 2* 189 *J. P. M.* Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

0596

Police Court,

1383  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Antonio Fiore*  
*Louis Slooney*

*Burglary*  
Offense

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

Dated,

*Nov 4* 189*7*

*Hogan* Magistrate.  
*Heidenreich* Officer.

Witness

*Call the officer*

No

Street.

No.

Street.

No.

Street.

\$ *2000* to answer

*Canv*

*11*

0597

462

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Louis Sloony*

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

*Louis Sloony*

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

The said

*Louis Sloony*

late of the *17th* Ward of the City of New York, in the County of New York aforesaid, on the  
*third* day of *November* in the year of our Lord one  
thousand eight hundred and ninety-*two*, with force and arms, in the *day*-time  
of the same day, at the Ward, City and County aforesaid, the dwelling house of one

*Antonio Fiore*

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

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

The said

*Louis Floony*

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

*divers articles of jewelry of a  
number and description to the  
Grand Jury aforesaid unknown,  
of the value of thirty dollars,  
and divers articles of clothing  
and wearing apparel, of a number  
and description to the Grand Jury  
aforesaid unknown, of the value  
of thirty dollars*

of the goods, chattels and personal property of one

*Antonio Fiore*

in the dwelling house of the said

*Antonio Fiore* -

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.

*DeLancey Nicoll,  
District Attorney*

0599

**BOX:**

503

**FOLDER:**

4587

**DESCRIPTION:**

Smilley, Charles

**DATE:**

11/16/92



4587

0600

Witnesses

*Lois Liberman*  
*Off. Hussey 12th*

*12/17/77*

105 *Shadley*  
Counsel,  
Filed *189*  
(Pleads, *Exhibit*)

*Purgatory in the U.S. & degree*  
*Section 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000*

THE PEOPLE

vs.

*Charles Smiley*

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*John E. Fallon*  
Foreman.  
*12/17/77*  
*Charles A. Dwyer*  
*12/17/77*

*4 yrs 10 mos 24*  
*12/17/77*

0601

Police Court— 3 District.

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

of No. 50 Ridge

occupation Married and keeps home

Street, aged 22 years,

being duly sworn

deposes and says, that the premises No. 50 Ridge Street, 13<sup>th</sup> Wardin the City and County aforesaid the said being a ~~four~~ <sup>five</sup> story brick tenement

house the rear part of the second floor

and which was occupied by deponent as a dwelling apartment

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

the infant child of deponent

were BURGLARIOUSLY entered by means of forcibly opening the

door leading to said premises with false

keys

on the 11<sup>th</sup> day of November 1887 in the daytime, and the following property feloniously taken, stolen, and carried away, viz:

A quantity of mens wearing apparel

The Watch and Chain two pocket books

and one watch safe the whole valued

at about 175 Hundred dollars

\$ 175 <sup>00</sup>/<sub>100</sub>

the property of deponent

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

Charles Smiley (now here) and another person not yet arrested

for the reasons following, to wit:

Deponent securely locked said premises on about 10:30 am on said date. and said property was partly in a trunk in said premises and in the bed room. That deponent returned at about the hour of 11 am on said date. that she saw the defendant and the other person not yet arrested coming down the stairs of said premises with a quantity

0602

of wearing apparel in their possession. The defendant attempted to strike the defendants when one of said defendants caught defendant by the throat and then ran away. Defendant subsequently found said premises open and said property was missing. Defendant further says she made an alarm and ran after the defendants that defendant Smiley was arrested by Officer Huzzey who saw the defendant Smiley drop a pocket book and that he subsequently searched the defendant and found a match safe in the possession of defendant Smiley. Defendant has identified said property as the property of defendant Ellen as aforesaid.

Defendant therefore prays that the defendants be held to answer

sum to appear on this } 11th day of November 1892 } Rosa Lieberman  
Police Justice. 188 Police Justice

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

Dated 188 Police Justice. I have admitted the above named guilty of the offence mentioned. I order he to be discharged. There being no sufficient cause to believe the within named

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.

Police Court, District,	188	Magistrate.	Officer.	Clerk.	Witnesses.	No.	Street.	No.	Street.	No.	Street.	No.	to answer General Sessions.
THE PEOPLE, &c., on the complaint of													
vs.													
1.													
2.													
3.													
4.													
Offence—BURGLARY.													

0603

Sec. 198—200.

3<sup>2</sup> District Police Court.CITY AND COUNTY } ss:  
OF NEW YORK,*Charles Smiley*

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 sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

*Charles Smiley*

Question. How old are you?

Answer.

*20 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*1118<sup>th</sup> Street. 3 months*

Question. What is your business or profession?

Answer.

*Driver*

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  
Chas Smiley*

Taken before me this

*11<sup>th</sup>*day of *November* 189*1*

Police Justice.

*[Signature]*

0604

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

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

Dated, 17 Feb 7 1897

[Signature] Police Justice.

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

Dated, ..

189

.. Police Justice.

There being no sufficient cause to believe the within named

[Signature] guilty of the offense within mentioned, I order he to be discharged.

Dated, ..

189

.. Police Justice.

0605

1412

Police Court,

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Robert L. German*  
*30 Ridge*  
*Chapman*

*Offense, Burglary*

BAILED.

No. 1, by...

Residence...

Street.

No. 2, by...

Residence...

Street.

No. 3, by...

Residence...

Street.

No. 4, by...

Residence...

Street.

Dated, *Nov 11* 189*7*

1897

Magistrate.

*Hursey* Officer.

Precinct

Witnesses

No.

No.

No.

\$

*2000* to answer

Street.

*9 S.*

*W. H. B. W.*

0606

463

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Charles Smalley*

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

*Charles Smalley*

of the CRIME OF BURGLARY in the *second* degree, committed as follows:

The said

*Charles Smalley*

late of the *13th* Ward of the City of New York, in the County of New York aforesaid, on the *eleventh* day of *November*, in the year of our Lord one thousand eight hundred and ninety-*two*, in the *day* time of the same day, at the Ward, City and County aforesaid, the dwelling house of one *Rosie Lieberman*

there situate, feloniously and burglariously did break into and enter, there being then and there a human being within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels and personal property of the said *Rosie Lieberman*

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

*[Signature]*

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

## SECOND COUNT—

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

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

The said

*Charles Scully*

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,

*divers articles of clothing and  
wearing apparel, of a number  
and description to the Grand Jury  
aforesaid unknown of the  
value of sixty dollars, one watch  
of the value of thirty dollars,  
one chain of the value of  
twenty dollars, two pocketbooks  
of the value of fifty cents  
each, and one watch safe of  
the value of fifty cents,*

of the goods, chattels and personal property of one *Rosie Lieberman*

in the dwelling house of the said

*Rosie Lieberman*

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.

## THIRD COUNT:

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

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

The said

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

*the same goods, chattels and personal property described in the second count of this indictment*

of the goods, chattels and personal property of one

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

unlawfully and unjustly did feloniously receive and have; the said

*Charles Smalley*  
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.

DE LANCEY NICOLL,

*District Attorney.*

0609

**BOX:**

503

**FOLDER:**

4587

**DESCRIPTION:**

Smith, Frank

**DATE:**

11/09/92



4587

06 10

Witnesses:

Deborah Sand

And Officer

Send for

Louis Miller

Putnam House

Go Lavin Miller  
+ do Wm. Lake  
any stock in  
his statement.

Wm

Counsel,

Filed,

any of

189

Pleas,

Wm. L. 10

THE PEOPLE

32

906 Ellwood

906 Ellwood

906 Ellwood

Frank Smith

CONCEALED WEAPON.  
(Section 410, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John G. Foreman

Part 3. Nov 15/92 Foreman.

Pleas by jury 18

24th Dec 1892

Nov 1892

Nov 1892

0611

Police Court, 2 District.

City and County } ss.  
of New York,

of New York, *Henry Lang* Street, aged \_\_\_\_\_ years,  
 occupation *Detention* being duly sworn, deposes and says,  
 that on the *31st* day of *October* 188*2* at the City of New  
 York, in the County of New York,

*Apprentice arrested*  
*Frank Smith* now here at the  
*New York entrance of the New*  
*York and Brooklyn Bridge* having  
 in his possession a certain weapon  
 known as a "slung shot" concealed  
 for his person, in violation of  
 the Penal Code, the said slung  
 shot being a dangerous weapon  
 described and referred to in sections  
 409 and 410 of the Penal Code

*Don't know me the*  
*1st day of Nov. 1881*

*John J. Ryan*  
*Officer Justice*

*Henry Lang.*

06 12

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

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

Question. What is your name?

Answer. *Frank Smith*

Question. How old are you?

Answer. *33 years*

Question. Where were you born?

Answer. *U. S.*

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

Answer. *Baltimore Md. 10 years*

Question. What is your business or profession?

Answer. *Artist*

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 did not intend to*  
*F. Smith*Taken before me this  
day of *April* 1924

Police Justice.

06 13

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

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

Dated, Nov 189 2 John J. Ryan Police Justice.

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

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

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

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

06 14

Police Court---

1374 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Henry C. Lang  
Frank Smith

Carrying  
Offense  
Concealed Weapon

2  
3  
4

BAILED,

No. 1, by .....  
Residence ..... Street.

No. 2, by .....  
Residence ..... Street.

No. 3, by .....  
Residence ..... Street.

No. 4, by .....  
Residence ..... Street.

Dated,

189

Magistrate.

Officer.

Precinct.

Witnesses

No. .... Street.

No. .... Street.

No. .... Street.  
\$ 1000 to answer.

1000

06 15

**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.]

*To see Reader Smith* 1703  
SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

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

To *Louis Muller*  
of No. *Putnam House* Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of *1892* at half past ten o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

*Francis Smith*

Dated at the City of New York, the first Monday of

in the year of our Lord 189 *2*

DE LANCEY NICOLL, District Attorney.

06 16

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

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

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

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

Not known at this  
house.  
James Smith

06 17

158

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Frank Smith*

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

*Frank Smith*

of a FELONY, committed as follows:

The said *Frank Smith*

late of the City of New York, in the County of New York aforesaid, on the *thirty first* day of *October* — in the year of our Lord one thousand eight hundred and ninety-*two* —, at the City and County aforesaid, with force and arms, feloniously did furtively carry, concealed on his person, a certain instrument and weapon of the kind commonly known as *slung-shot* with intent then and there feloniously to use the same against some person or persons 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

*Frank Smith*

of a FELONY, committed as follows:

The said *Frank Smith*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, feloniously did possess a certain instrument and weapon of the kind commonly known as *slung-shot* by him then and there concealed, and furtively carried on his person, with intent then and there feloniously to use the same against some person or persons to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,  
District Attorney.

06 18

**BOX:**

503

**FOLDER:**

4587

**DESCRIPTION:**

Smith, George

**DATE:**

11/11/92



4587

06 19

Witnesses:

*Meril Little*

*Offr. O'Connell 6<sup>th</sup>*

*77*

Counsel,

Filed

day 6<sup>th</sup>

1897

Pleads,

THE PEOPLE

vs.

*George Smith*

Grand Larceny, *Second Degree.*  
(From the Person.)  
[Sections 825, 826, Penal Code.]

De LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*John E. Freeman*

Foreman.

*Wm. H. G. 12 day*  
*Wm. H. G. 12 day*  
*Geo. 17/17*

0620

Police Court.

District.

Affidavit—Larceny.

City and County }  
of New York, } ss:

Michael Little

of No. 108 Mulberry Street, aged 33 years,  
 occupation Vendor being duly sworn,  
 deposes and says, that on the 3 day of November 1892 at the City of  
 New York, in the County of New York, was feloniously taken, stolen and carried away  
 from the possession of deponent, in the day time, the following property, viz:

One dollar good and lawful money  
 of the United States

the property of Deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by

from his person George Smith (now here) for the reason that on said date deponent had the above described money in the right hand outside pocket of his ~~coat~~ over coat etc. on his person. While deponent was standing on the corner of Mulberry and Canal streets defendant inserted his hand in said pocket and took therefrom the said dollars. Wherefore deponent charges the defendant with larceny from the person and prays that he be dealt with as the law may direct.

Michael Little  
 his mark

Sworn to before me, this 1 day

of 1892

Notary Public, Police Justice.

0621

(1385)

Sec. 198—200.

CITY AND COUNTY  
OF NEW YORK, ss.

District Police Court.

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

Question. What is your name?

Answer. George Smith

Question. How old are you?

Answer. 18 years.

Question. Where were you born?

Answer. New York

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

Answer. None —

Question. What is your business or profession?

Answer. Latimer

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.

George Smith

Taken before me this 4

day of Nov

1897

John J. Smith  
Police Justice.

0622

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 *\$100* Hundred Dollars,..... and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, *May 11* 189 *2*.....*Wm. H. [Signature]* Police Justice.

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

Dated,.....189.....*[Signature]* Police Justice.

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

Dated,.....189.....*[Signature]* Police Justice.

0623

1394  
1394

Police Court---

District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

Michael Little  
108 Strawberry  
Lane Smith

1

2

3

4

Offense Larceny from the person

Dated,

Nov 24  
1892  
Grady  
O'Connell

1892

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

1500

to answer

458

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

0624

501

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*George Smith*

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

*George Smith*  
of the CRIME OF GRAND LARCENY in the *Second* degree, committed as follows:

The said

*George Smith*

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

*one silver coin of the United States of  
America of the kind called dollars, of  
the value of one dollar*

of the goods, chattels and personal property of one *Michael Little*  
on the person of the said *Michael Little*  
then and there being found, from the person of the said *Michael Little*  
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.

*Wm. Harvey Nicoll,*  
*District Attorney -*

0625

**BOX:**

503

**FOLDER:**

4587

**DESCRIPTION:**

Smith, John

**DATE:**

11/30/92



4587

0626

**BOX:**

503

**FOLDER:**

4587

**DESCRIPTION:**

Prospro, George

**DATE:**

11/30/92



4587

0627

**BOX:**

503

**FOLDER:**

4587

**DESCRIPTION:**

Gruffo, Rocco

**DATE:**

11/30/92



4587

Schmied Cohn  
Jg. Warden 10<sup>de</sup>

all 3 have been  
before court -  
No. 1 has been to House of  
" 2. has been to D. S.  
S. Pen,  
" 3 has been in  
Pen. B. M  
2.

Counsel,  
Filed *Do* day of *Nov* 189*2*  
Pleads, *Pro Se* *Do*

# THE PEOPLE

512

John Smith,  
George Prothro  
1112 and 1112 1/2  
Rosa Snuff

DE LANCEY NICOLL,  
*District Attorney.*

# A TRUE BILL.

John C. Sullivan  
Dec 5 1892 Foreman.

42 Foreman.

all sent by PBM.

0629

Police Court— / District.

City and County } ss.:  
of New York,of No. 168 Mott  
occupation ~~of~~ Manager

Lehman Cohn

Street, aged 48 years,

being duly sworn

deposes and says, that the premises No. 168 Mott Street, 14 Ward  
in the City and County aforesaid the said being a Two story brick  
building the stone floor of which  
and which was occupied by deponent as a grocery  
and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly

pane of glass in the stone front Breaking a

on the 18 day of November 1892 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:of cheese & warts twenty seven Fifty five pounds  
warts in all \$ 14. 85 cents per poundthe property of Cohn & Milkeisen - for whom deponent is manager  
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
BURGLARY was committed and the aforesaid property taken, stolen and carried away byJohn Smith, George Prospro and  
Rocco Gruffofor the reasons following, to wit: that on the night of the 17<sup>th</sup> day  
of November, deponent securely fastened and  
secured said premises and that the windows  
of said premises were whole, secure and intact.  
Deponent is informed by Officer Hector Warden of  
the 10<sup>th</sup> Precinct that he saw the three  
defendants in front of said premises and  
saw the defendant Gruffo insert his hands in  
through a broken window in said premises, and

0630

take from said window one chest of the value  
of about two dollars and seventy five cents.  
Defendant has seen said chest and identifies  
it as property taken from his care and custody.  
Wherefore defendant charges the three defendants  
with Burglary.

Lebanon, Pa.

Open to Read me this  
18<sup>th</sup> day of November 1892 }

Philip J. ...

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  
of the City of New York, until he give such bail.  
Dated 1888  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1888  
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	
Offence—BURGLARY.	
1	
2	
3	
4	
Dated 1888	
Magistrate.	
Officer.	
Clerk.	
Witnesses,	
No.	Street,
No.	Street,
No.	Street,
No.	to answer General Sessions.

0631

CITY AND COUNTY }  
OF NEW YORK, } ss.

1921

aged 34 years, occupation Policeman of No. 15th Precinct Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of Lehman Cohn  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this 18 day  
of Nov 1892

Hector Worden

Police Justice.

0632

Sec. 198-200.

1883  
District Police Court.

City and County of New York, ss:

*George Prospero* 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.

*George Prospero*

Question. How old are you?

Answer.

*29 years*

Question. Where were you born?

Answer.

*Italy*

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

Answer.

*91 Mulberry St. 13 years*

Question. What is your business or profession?

Answer.

*Laborer*

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

Answer.

*I am not guilty**I George Prospero*

Taken before me this

day of

189

*Wm. J. Brady*  
Police Justice.

0633

Sec. 198-200.

1882

District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer. *Rocco Guffro*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *128 Baxter St. 3 years*

Question. What is your business or profession?

Answer. *Box Clerk*

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

Answer. *I am not guilty.*  
*Rocco Guffro*

Taken before me this

day of

189

Police Justice.

0634

Sec. 198—200.

1882

District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*John Smith*

Taken before me this

day of

189

Police Justice.

0635

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

*Defendant*  
guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *\$200* Hundred Dollars, *and* and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, *Dec 1* 189

*W. R. [Signature]* Police Justice.

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

Dated, ..... 189

..... Police Justice.

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

Dated, ..... 189

..... Police Justice.

0636

1450

Police Court---

1334 District.

THE PEOPLE REC  
ON THE COMPLAINT OF

*John Smith*  
1 *John Smith*  
2 *George P. P. P.*  
3 *James P. P.*  
4

Offense *Burglary*

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

Dated, *Nov 18* 189 *2*

*Grady* Magistrate.

*Warden* Officer.

*10* Precinct.

Witnesses *Arthur Warden*

No. *15th* Precinct Street.

No. .... Street.

No. .... Street.

\$..... to answer

*C P. P.*

0637

483

**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 Smith, George  
Prospero and Rocco Gruffo*

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

*John Smith, George Prospero  
and Rocco Gruffo*

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

The said *John Smith, George  
Prospero and Rocco Gruffo*, all  
late of the *14th* Ward of the City of New York, in the County of New York aforesaid, on the  
*18th* day of *November* in the year of our Lord one  
thousand eight hundred and ninety-*two*, in the *night* time of the same day, at the  
Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of  
one *Solomon A. Cohen*

there situate, feloniously and burglariously did break into and enter, with intent to commit some  
crime therein, to wit: with intent the goods, chattels and personal property of the said *Solomon A. Cohen*  
in the said *store*  
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.

0638

SECOND COUNT—

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

*John Smith, George Prospero and Rocco Gruffo*

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

The said *John Smith, George Prospero and Rocco Gruffo*, 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 *night* - time of said day, with force and arms,

*fifty five pounds of cheese of the value of twenty seven cents each found*

of the goods, chattels and personal property of one

*Solomon A. Cohn*

in the

*store*

of the said

*Solomon A. Cohn*

there situate, then and there being found, in the *store* 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.

*De Lancey Nicoll,*  
*District Attorney*

0639

**BOX:**

503

**FOLDER:**

4587

**DESCRIPTION:**

Smith, Joseph

**DATE:**

11/15/92



4587

Witnesses:

James Bennett  
Geo. F. Smith

Counsel,

Filed

189

Pleads,

THE PEOPLE

vs.  
George Smith

Joseph Smith

Grand Larceny,  
[Sections 823, 824,  
Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John E. Faison

Foreman.

July 2, 1891, 24/92

Henry G. Smith

J. P. Gaynes and

0641

No Goods taken back unless imperfect. All claims must be made within TEN DAYS after receipt of Goods.  
ALL ORDERS SHOULD BE ADDRESSED TO THE FIRM TO INSURE PROMPT ATTENTION.

New York, Sept 21, 1892  
M. J. P. Kane

Bought of Calhoun, Robbins & Co.

Book 286 Page 77  
Salesman P. A. Kane  
Shipped

IMPORTERS AND JOBBERS OF  
Fancy Goods & Small Wares

410 & 412 BROADWAY.

Terms Net Cash

duplicate

P. O. BOX 2935.

A dividend of 2% on the amount of the bill, to be paid on or before the 1st day of October, 1892, on all bills for goods, except Knitting Cotton, and  
Repairs on which the dividend is not paid.

When checking this Bill, please open every box, as they may contain several articles.

52 Cotton	45	225	
1/2 " "			274
1/2 " "			65
1/2 " "			60
1/2 " "			38
1/2 " "			35
1/2 " "			75
1/2 " "			308
1/2 " "			250
1/2 " "			130
1/2 " "			112
1/2 " "			48
1/2 " "			58
1/2 " "			88
1/2 " "			47
1/2 " "			22
1/2 " "			22
1/2 " "			47
1/2 " "			133
1/2 " "			67
1/2 " "			67
1/2 " "			62
1/2 " "			57
1/2 " "			29
1/2 " "			34
1/2 " "			240
1/2 " "			495
1/2 " "			446

0642

936 1/2	23 yd	Verling	19	437
7 1/2		Twisted feet	85	595
24 1/2		10 yd	155	849
10 1/2		50 "	28	880
3 1/2		50 "	60	180
1090	15 1/2	On paper	15	325
3 1/2		KAT Oni	36	100
18 1/2		blow 1 1/2 "	10	180
536	2 1/2	2nd Face	20	60
194	2		37 1/2	55
24 1/2	2		37 1/2	75
137	2		45	90
455	2		75	150
158	2		24	48
542	2		37 1/2	75
24 1/2	2		90	150
11285	3		18	54
54 2 1/2	1 1/2	Turkey "	800	67
54 2 1/2	1 1/2		250	21
118	1 1/2		27 1/2	28
120	1 1/2		325	27
124	1 1/2		375	31
28	1 1/2		450	38
36	1 1/2		575	48
1		Midget Curlew		87
5		Cold Cord	28	56

65.78

0643

(1865)

Police Court— District.

Affidavit—Larceny.

City and County } ss.  
of New York,

of No. 1110 1/2 Broadway Street, aged 49 years,  
 occupation Shipping Clerk being duly sworn,  
 deposes and says, that on the 21 day of September 1892 at the City of New  
 York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
 of deponent, in the day time, the following property, viz:

A quantity of Yankee notions  
valued at Sixty-eight  
dollars 83  
100 83  
100

the property of Messrs. Arthur Robbins and  
Company and in the care and

and that this deponent  
 has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen  
 and carried away by Joseph Smith for the

purpose of following to suit on the  
said date the deponent came  
to deponent's place of business  
and represented to deponent that  
he was sent by White Express Com-  
pany to get said property and  
deponent is in Brooklyn. Deponent  
deponent the said property  
the said deponent having failed  
to deliver said property and he  
having appropriated it to his  
own use deponent prays that the  
said deponent be apprehended  
and brought to answer

James Bennett

Sworn to before me this 21 day  
of September 1892

John A. Smith  
 Police Justice.

0644

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer. *Joseph Smith*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *U. S.*

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

Answer. *1193 St. Mark Avenue Brooklyn 6 months*

Question. What is your business or profession?

Answer. *Brick layer*

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

Answer. *I am not guilty*

*Joseph Smith*

Taken before me this *6th*

day of *November* 189*2*

*John J. Tracy*  
Police Justice.

0645

1347

Sec. 151.

Police Court District.

CITY AND COUNTY } ss. In the name of the People of the State of New York; To the Sheriff of the  
OF NEW YORK, } County 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 John J. Bennett of No. 401 1/2 Street, that on the 21 day of September 189 2, at the City of New York, in the County of New York, the following article, to wit:

A quantity of Yankee notions  
of the value of Eighty-two Dollars,  
the property of Calvin Nettens & Co  
w as taken, stolen and carried away, and as the said Complainant has cause to suspect, and does suspect and believe, by Joseph Smith

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 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 17 day of October 189 2

John J. Bennett POLICE JUSTICE.

0646

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

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

Dated, June 2 189 7 .....*John J. [Signature]* Police Justice.

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

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

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

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

0647

W 83 B.O.

1394

Police Court---

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Jesse Bennett*  
*440 1/2 B'way*  
*Joseph Smith*

2

3

4

Offense

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated,

*Nov 6*

189

*Frank H. Smith* Magistrate.

Officer.

Precinct.

Witnesses

*James D. Smith*  
*(White's Express)*

No. *76* *4th* Street.

*J. E. Ransom*

No. *410 B. B. Bdy.* Street.

No. .... Street.

\$ ..... to answer

## Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Joseph Smith*

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

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

The said

*Joseph Smith*late of the City of New York, in the County of New York aforesaid, on the *21st* day of *September* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with force and arms,

*sixty spools of cotton thread of the value of five cents each spool, five gross of buttons of the value of sixty cents each gross, eighty four pieces of braided of the value of four cents each piece, sixty silk lace strings of the value of five cents each, forty-eight scarf holders of the value of one dollar each, twenty-eight cuff buttons of the value of fifty cents each, twelve scarf pins of the value of fifty cents each, and divers other goods, chattels and personal property, (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of thirty dollars -*

of the goods, chattels and personal property of one *Aaron S. Robbins*

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.

*De Lancey Nicoll,*  
District Attorney

0649

**BOX:**

503

**FOLDER:**

4587

**DESCRIPTION:**

Smith, Michael

**DATE:**

11/25/92



4587

Witnesses:

*Mr. Gannon 27<sup>th</sup>*

Counsel,

Filed, *25<sup>th</sup>* day of *Nov* 189*2*

Pleads, *Guilty*

THE PEOPLE

vs.

*B*

*Michael Smith*

*Transferred to the Court of Sessions for trial and disposal of*

*Per 8 April 14 1893*

VIOLATION OF THE EXCISE LAW.  
[Chap. 401, Laws of 1892, § 33].  
Selling, etc., on Sunday.

DE LANCEY NICOLL.

District Attorney.

A TRUE BILL.

*John C. Farrell*

Foreman.

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Michael Smith*

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

of the CRIME OF *Michael Smith* SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

*Michael Smith*

late of the City of New York, in the County of New York aforesaid, on the *23rd* day of *October* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

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

## SECOND COUNT—

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

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

The said

*Michael Smith*

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

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

DE LANCEY NICOLL

District Attorney.

0652

**BOX:**

503

**FOLDER:**

4587

**DESCRIPTION:**

Smith, Patrick

**DATE:**

11/21/92



4587

Witnesses:

Geo R Lohane

Counsel,

Filed, 21<sup>st</sup> day of Nov<sup>r</sup> 1893

Pleads, *Adversely - vt*

THE PEOPLE

vs.

*B*

*Patrick Smith*

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

DE LANCEY NICOLL.

District Attorney.

A TRUE BILL.

*John E. ...*

Foreman.

*Nov-11 1893*

0654

1907

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Patrick Smith*

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

*Patrick Smith*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

*Patrick Smith*

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

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

## SECOND COUNT—

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

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

The said

*Patrick Smith*

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

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

DE LANCEY NICOLL

District Attorney.

0655

**BOX:**

503

**FOLDER:**

4587

**DESCRIPTION:**

Smith, Philip

**DATE:**

11/14/92



4587

Witnesses:

Christian Christensen

Off. Knute Adgjo

Counsel,

Filed 14 day of

189

Pleads,

15 July 15

THE PEOPLE

vs.

Philip Smith

Grand Larceny, Second Degree.  
[Sections 628, 629, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John E. Fallon

Foreman.

Read & convicted

on which court

Ed R. Adgjo

0657

Police Court

District.

Affidavit—Larceny.

City and County }  
of New York, } ss:

of No. 82 Catherine Christian Christian  
 occupation Cabinet Maker Street, aged 39 years,  
 deposes and says, that on the 1 day of November 1892 at the City of  
 New York, in the County of New York, was feloniously taken, stolen and carried away  
 from the possession of deponent, in the time, the following property, viz:

One gold watch and pocket and  
 chain of the value of two hundred  
 dollars \$200

the property of

deponent

Sworn to before me, this  
 of 11th day  
 1892  
 Police Justice.

and that this deponent  
 has a probable cause to suspect, and does suspect, that the said property was feloni-  
 ously taken, stolen and carried away by Philip Smith for the  
 reason that on the aforesaid date defendant  
 entered deponent's premises and asked deponent  
 for a loan of the said property until the following  
 morning as he wished to wear the same at a  
 ball that evening. Deponent believing defendant's  
 statement that he would return the said property  
 the following morning (November 2) loaned defendant  
 the same. Deponent further swears that the  
 said Smith has not returned to him his  
 property but has kept the same and further that  
 he keeps away from deponent. Wherefore deponent  
 charges him with larceny.

Christian Christian

0658

Sec. 198—200.

1882

City and County of New York, ss:

District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty*

*Philip Smith*

Taken before me this

day of November 1882

Police Justice.

0659

1347

Sec. 151.

Police Court District.

CITY AND COUNTY } ss. In the name of the People of the State of New York; To the Sheriff of the  
OF NEW YORK, } County 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 Christian Christian of No. 82 Catharine Street, that on the 1 day of November 1892, at the City of New York, in the County of New York, the following article, to wit:

One gold watch, ticket and chain

of the value of Two Hundred Dollars, the property of Defendant was taken, stolen and carried away, and as the said Complainant has cause to suspect, and does suspect and believe, by Phil Smith

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 1 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 1 day of November 1892

Wm. H. Smith  
POLICE JUSTICE.

0660

Police Court..... District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated..... 189

Magistrate.

*Situs & Krauch* Officer-S

\* The Defendant.....  
taken, and brought before the Magistrate, to  
answer the within charge, pursuant to the  
command contained in this Warrant.

Officer.

Dated *Jan 7* 1892

This Warrant may be executed on Sunday  
or at night.

Police Justice.

0661

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

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

Dated, Nov 9 1892 ..... Police Justice.

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

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

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

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

0662

Police Court---

1406  
District.

THE PEOPLE &c.,  
OF THE COMPLAIN OF

Christian Christiansen  
82 Catherine  
Philip Smith

2

3

4

Offense

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated,

Nov 9

189

Magistrate.

Titus & Knudsen

Officer.

P.O.

Precinct.

Witnesses

Harold Ness

No.

81 Catherine

Street.

Morris Steinberg  
94 Catherine St

No.

100 Catherine St

Street.

Hugo Meyer  
46 Catherine St

No.

Henry Magadoff  
94 Catherine St

Street.

\$

to answer

C

THE PEOPLE,

COURT OF GENERAL SESSIONS, PART I.

vs.

BEFORE JUDGE FITZGERALD.

PHILLIP SMITH.

Friday, November 18, 1892.

Indictment for Grand Larceny in the second degree.

A Jury was empanelled and sworn.

Assistant District Attorney Osborne, for The People;

Mr. House, for The Defendant.

CHRISTIAN CHRISTANSEN, sworn, and examined by Mr. Osborne

Q. Mr. Christansen, do you live at 82 Catherine street, in  
this city? A. Yes, sir.

Q. You are, by business, a cabinet-maker? A. Yes, sir.

Q. You know the defendant? A. I know him.

Q. How long have you known him?

A. I know him for a couple of years.

Q. Do you remember the first of November, his coming to you?

A. Yes, sir.

Q. Where did he come, your place of business or your house?

A. He came -----

Q. Do you understand English perfectly well?

A. Perfectly well.

By the Court:

Q. What language do you speak? A. Norwegian.

The Court: The witness states that he has a friend here who  
speaks his language. I mention that for the information of  
counsel; his name is Harold Ness.

(Harold Ness was sworn to act as interpreter.)

The Clerk: Ask him if he understood the oath.

The Interpreter: Yes, sir, he does.

By Mr. Osborne:

Q. Do you know the defendant? A. Yes, sir.

Q. How long have you known him?

A. I know Mr. Smith for five years.

Q. Do you remember the first day of November, 1892, his coming to you?

A. Yes, sir, he does.

Q. Did he come to your house or to your place of business?

A. He came to the house--- where he lives.

Q. Where is that? A. In 82 Catherine street.

Q. In this city? A. Yes, sir.

Q. Tell the Jury what he said, and what you said to him?

A. He came up in my house and borrowed my watch and chain. He, Smith, came up to his house, and he asked him for the loan of his watch and chain; he was going to a ball the same night, and he promised to return it the following day.

Q. What did you do? A. He said he would let him have the watch, and he gave it to him.

Q. Where did he say the ball was going to be?

A. He did not say, he can't remember he said anything of where the ball was going to take place.

Q. What business was the defendant in?

A. He is the owner of a drug store at 84 Catherine St.

Q. What time of day was that, that he got the watch from you?

A. About seven o'clock in the evening, he says, he got the watch.

Q. What time of the week was that? A. Tuesday.

Q. Did you go to the defendant's place of business at any time after that, after the first?

A. Do you mean the following day.

- Q. Yes. At any time? A. He can't remember whether he went into his place, but he went up to the headquarters of Mr. Byrnes the same night.
- Q. Do you remember whether you went to the defendant's place of business the next day, after he borrowed the watch from you?
- A. He says, he thinks he had been in there pretty nearly every day after that.
- Q. Did you find the defendant there? A. No, I did not.
- Q. Whom did you find in charge of the defendant's place of business? A Deputy Sheriff? A. A Deputy Sheriff.
- Q. Did you find the defendant himself? A. No, sir.
- Q. Did you try to find him? A. Yes, sir, he did try to find him, but he did not see him, and he went to Mr. Byrnes's headquarters.
- Q. What day did you see him at Police Headquarters?
- Objected to. Question withdrawn.
- Q. Did you see the defendant at Police Headquarters or at the Tombs, first? A. I saw him at the Tombs.
- Q. Did you ever see him at Police Headquarters in your life?
- A. No, sir.
- Q. What day was it you saw him in the Tombs?
- A. It was the day after election, the last election, that would be the 9th.
- Q. On November 9th; is that right?
- A. The day after the election; that's right.
- Q. You say you went to the defendant's place of business almost every day, from the day after he borrowed the watch up to the time that you saw him at the Tombs police court?
- A. He went to the place, but the store was closed up; it was closed by the Sheriff, for some days. Nobody could get

in there.

By the Court:

Q. Did he see him before he saw him in the Tombs, on November 9th?

A. No, sir, he did not see him.

By Mr. House:

Q. You got your watch and chain back, didn't you?

A. No, sir.

By Mr. Osborne:

Q. Mr. Christansen, where did the defendant live?

A. He lived in the back of the store, as far as I know.

Q. How much was the value of the watch ---- is that the watch you gave him? (Watch shown.)

A. Yes, sir.

Q. When did you see it after you gave it to him, the next day?

A. I saw it in Detective Krauch's hand, in the Tombs police court.

Q. How much did you give for that watch?

A. That cost me about one hundred and ten dollars.

Mr. House: I haven't any questions.

JOHN L. KRAUCH, sworn, and examined by Mr. Osborne:

Q. Mr. Krauch, you are connected with the central office in this city?

A. Yes, sir.

Q. How long have you been on the force?

A. About nine years.

Q. You arrested Smith in Baltimore?

A. Yes, sir.

Q. At the time you arrested him, did you search him?

A. Yes, sir.

Q. What did you find on him?

Objected to as entirely irrelevant and immaterial.

The Court: The officer just stated to me --- and that will re-

lieve the situation --- that he did not search him. He was searched by somebody else in Baltimore.

By Mr. Osborne:

Q. Was he searched in your presence?

A. No, sir, he was not.

Q. What did you find on the defendant?

Objected to.

A. A package.

By the Court:

Q. Did you search him?

A. No, sir, I did not.

By Mr. Osborne:

Q. Did you take anything from him?

A. No, sir, I did not.

Q. Did you take anything from some one else, that you saw him give?

A. No, sir.

By the Court:

Q. Something from some one else that you saw this man give?

A. No, sir.

Q. Did you have any conversation with the defendant in Baltimore, when you arrested him?

A. Yes, sir.

Q. Tell us what that conversation was?

A. I asked him where he got all this property..

Q. What property do you refer to?

Objected to.

By the Court:

Q. In relation to this transaction?

A. The watch and chain and several other articles of jewelry.

Mr. House:

Objected to.

By Mr. Osborne:

Q. You had a conversation with the defendant, referring to

certain property?

A. Yes, sir.

Q. To what property did he refer?

Objected to as being irrelevant and immaterial and incompetent, if not pertaining to this case.

Objection sustained.

By Mr. Osborne:

Q. At the time you had a conversation with him, what did he say to you about this watch?

A. No answer.

By the Court:

Q. Did you speak to him about Mr. Christansen?

A. I spoke to him about Mr. Christansen's property.

Q. Did you speak to him about Mr. Christansen's watch and chain?

A. Yes, sir.

Q. What did you say about that?

A. I asked him

what he intended to do with it. He said to me that he intended to pawn all the jewelry he had, including Mr. Christansen's watch.

Q. Did he say that?

A. Yes, sir; he intended to go to Chicago and from there he intended to go home to Demerara.

By Mr. Osborne:

Q. At the time you speak of --- where was the watch at that time, in Baltimore?

A. It was then in my possession.

Q. Where did you get it?

A. I got it from Marshall Frye, in Baltimore.

Q. Did Marshall Frye deliver to you any other property beside the watch?

Objected to.

Objection overruled.

Exception.

A. Yes, sir.

Q. State what other property there was with the watch at the time?

Objected to. Objection overruled. Exception.

A. There was a plated gold watch and chain, which he got from a man of the name of Marsbach.

Mr. House: Objected to.

By the Court:

Q. State what property? A. A lady's watch and chain, and then there was another gentleman's watch and chain, a diamond pin, a diamond stud, I should say, and this gold watch and chain.

By Mr. Osborne:

Q. Did the defendant tell you at the time where he got the other property? A. No, sir, he did not; he told me that he had borrowed that.

Q. Officer, I understood you to say that the watch and other property was given to you ---- you said that certain property was given to you by Marshall Frye, in the presence of the defendant? A. Yes, sir.

Q. Will you state what that property consisted of, first?

Objected to. Objection overruled. Exception.

A. Yes, sir.

Q. State what that property was that was handed to you by Marshall Frye, in the presence of the defendant?

Objected to on the ground that it is irrelevant, incompetent and immaterial; and on the further objection that no evidence can be given by this witness regarding any property other than the subject-matter of this larceny.

Objection overruled. Exception.

By the Court:

7 Q. The property presented to you by Marshall Frye, in the pres-

ence of the defendant ---- what was it?

A. It was a package of money; there was a lady's gold watch and five chains, Mr. Christansen's watch and chain. There was another gold watch, a diamond stud, and a diamond ring.

By Mr. Osborne:

Q. That was all, was it? A. Yes, sir.

Q. State the conversation which took place at the time of the delivery of the property over there to you, in the presence of the defendant, between you and Officer Frye and in his hearing?

A. I asked Smith, I says, "Did you get all these articles in New York?" He said, "Yes." I said, "Did you get Christansen's watch and chain?" He said, "Yes, I borrowed it to go to a ball."

Q. Tell the jury what officer Frye said to you when he delivered the property to you, in the presence of the defendant?

A. He stated to me, "This is the property taken from Phillip." He says, "Phillip, you come here and see me turn it over to Officer Krauch, from New York;" and I took up the property and looked it over, and Phillip says, "That's it," and I receipted for it.

By the Court:

Q. Phillip Smith, you mean? A. Yes, sir; Phillip; he called him by his first name.

By Mr. Osborne:

Q. Was there any further conversation had at that time between you and Smith? A. Not at that time.

Q. Did, you, after that, have a conversation with Smith?

A. Yes, sir.

Q. Where was that? A. On the train, coming to New York.

Q. State what it was that Smith said to you, coming on the train to New York?

A. I asked him, "What made you do this?" He said, "I bought a drug store from Doctor Jackson, I paid him, and I owed him but four hundred dollars; Doctor Jackson had sued me," and he said, "I owed a whole lot of money, I owed the firm of Lehn & Fink about twelve hundred dollars; I got disgusted and thought I would go home" I said, "You thought you would get all you could and get out?" He said, "That's about it."

Q. Where was it that he said he intended to pawn the property and turn it into cash and go from there to Chicago?

A. That conversation took place in the train, coming to New York, also in the office of Marshall Frye.

Q. State what that conversation was in Marshall Frye's office?

A. I asked him what he intended to do with those. He said, "I am going to pawn it, I am going to Chicago and from there home, to Demerara."

Q. Did he tell you what time he left New York for Baltimore?

A. Yes, sir, he told me he left Wednesday morning, on the 10:15 train, A. M., which was the second.

Q. What time did you go to Baltimore?

A. About 3:55.

CROSS EXAMINATION, by Mr. House:

Q. Of what day?

A. On Monday evening, Monday November 7th.

Q. Where was the defendant when you got to Baltimore?

A. He was locked up.

Q. Did you have any requisition with you from the Governor of this State?

A. No, sir.

Q. Did you have a copy of the indictment?

A. No, sir.

Q. What did you have?

A. I had the police warrant.

Q. How long have you been in the Police Department?

A. About nine years.

Q. How long have you been attached to the Central Office?

A. Almost two years.

Q. Made other trips out of the city to arrest people and bring them back?

A. Yes, sir.

Q. When you found this man in police headquarters, in Baltimore, you had some conversation with him?

A. Yes, sir.

Q. Did you inform him that it was his privilege under the law to stay there until he was brought back on a requisition?

Objected to.

Objection overruled.

A. No, sir.

Q. Did you say anything to him about coming back to New York?

A. Marshall Frye had sent a telegram, stating he would come without papers; no, sir, I did not say anything.

Q. When you went to Baltimore, you went there with the knowledge that he would come back without any requisition?

A. Yes, sir.

Q. When you got there, and he was turned over to you by Marshall Frye, he made no objection to coming back?

A. Not at all.

Q. He came back willingly?

A. Yes, sir.

Q. He knew that you were a detective officer?

A. Yes, sir, he was introduced to me in the superintendent's office, in Baltimore.

Q. You had this conversation with him, regarding why he did certain things, as you have testified, too?

A. Yes, sir.

Q. Did you say to him, when you had that conversation with him, that it would be better for him to make a clean breast of it?

A. No, sir, I did not.

Q. Enumerate the property that you found upon this defendant?

Mr. Christensen's gold watch and chain, and a lady's watch and chain.

Q. Is that the one that he is now wearing?

A. No, sir; a lady's watch and chain; then there was a plated chain and watch, supposed to be gold, I don't know, that is the third, and another watch, which he claimed was his own.

Q. What else did you find?

A. A diamond ring, which he claimed was his own, a diamond stud, and some money, and also a trunk; I forgot to state the trunk which he had taken to Baltimore, I had to bring it on with me, a set of smoker's articles in the trunk, a meerschaum set, which was turned over to the rightful owner, by order of Judge Grady.

By Mr. Osborne:

Q. You stated just now that there was certain property which he claimed as his own?

A. Yes, sir.

Q. What did he say about the owner-ship of the other property?

A. He said that he borrowed it of Christensen.

Q. What did he say about the other property?

A. He gave

checks for that, paid for them in checks.

Q. That is what he told you?

A. Yes, sir.

Q. In regard to that watch and chain; did he claim that he gave -----

A. He borrowed this watch and chain, and one of Mr. Marsbach, also.

Q. There was two that he borrowed, and the other he said he got by giving checks for them?

A. Yes, sir

LEWIS MARSBACH, sworn, and examined by Mr. Osborne:

Q. Do you know the defendant?

A. I do.

Q. How many years do you know him?

A. Three years.

Q. Did you have a talk with him on the 1st of November?

A. No, sir.

Q. Didn't see him at all the first of November?

A. I didn't see him until he came into my store.

By the Court:

You saw him when he came in your store?

A. Yes, sir, on the 1st of November I saw him in the store.

By Mr. Osborne:

Q. Did you have a talk with him?

A. Yes, sir, I did.

Q. What time of day was it that he came into your store?

A. Ten minutes after four, in the afternoon.

Q. What did he say when he came in?

Objected to as irrelevant and immaterial?

Objection overruled.

Exception.

A. He said to me that I should lend him a watch and chain, that he was going to a ball that night.

Mr. House: I move to strike that out.

The Court: There are two counts in this indictment---- the first count charges larceny in the common-law form, and the second count charging misappropriation as a bailee. It may be necessary to know now which count of the indictment we are going to proceed under.

Mr. Osborne: It strikes me, if I may make the suggestion, that the common law charging larceny is the felonious taking, that at the time the man took it, he had the felonious intent. If he came and told the man he was going to a ball and at that

time he was not going to a ball, and borrowed the watch for that purpose, he feloniously took the watch.

The Court: I understand you; you wish to select the first count in the indictment.

Mr. Osborne: That is the way it appears to me, your Honor.

The Court: I only wanted to know, so that I may be able to rule understandingly.

Mr. Osborne: As far as the evidence goes, it seems to me that that is the one I ought to go on.

The Court: You claim, under the first count of this indictment, that this defendant feloniously took the property, and that he did it by trick and device, and you propose, for the purpose of enabling the jury to get at his intent, to show the commission of a similar act in and about the same time?

Mr. Osborne: Yes, sir.

The Court: I will hear Mr. House on that point.

Mr. House: If the District Attorney tells me which count he is going to the jury on, I may state my objections.

The Court: He states now that he will go to the Jury on the first count of the indictment.

Mr. House: I will interpose an objection that it is irrelevant, immaterial and incompetent.

The Court: The Court overrules the objection, and will give you an exception.

By Mr. Osborne:

Q. Mr. Marsback, will you state what he said to you, as far as you can, the substance of his words?

A. He asked for the loan of the watch and chain.

Q. What did he tell you he was going to do with it?

A. He was going to a ball, and would bring it back the

next morning.

Q. And did you loan him the watch and chain? A. I did.

Q. Have you seen it since? A. Yes, sir.

Q. Where did you see it? A. I saw it in the court, in the Tombs.

Q. In the possession of whom?

A. The property clerk in the Tombs.

Q. How many days after was that?

A. I think it was about four days after.

Q. And did you see the defendant again that day? A. I did.

Q. What time, the first of November?

A. At eleven o'clock, and at half-past ten I seen him that night again.

Q. Whereabouts? A. In his place of business.

Q. You stayed with him up to what time?

A. To eleven o'clock.

Q. Then you and he left? A. Me and him left.

Q. Where did he tell you he was going?

A. He was going to a ball.

Mr. House: I move to strike this evidence from the record.

The Court: Refused:

Mr. House: Note an exception.

By Mr. Osborne:

Q. Was Officer Krauch present when you saw your watch?

A. He was.

Q. You had your watch in your hand? A. Yes, sir.

JOHN L. KRAUCH, recalled by Mr. Osborne:

Q. Officer, you heard Mr. Marsbach just testify that he had a watch and chain in his hand at the Tombs Police Court?

A. Yes, sir.

Q. Is that one of the watches and chains you got from the defendant in Baltimore?

A. Yes, sir.

Q. Is that the watch and chain that the defendant told you he borrowed from Mr. Marsbach?

A. Yes, sir.

BENJAMIN BERKOWITZ, sworn, and examined by Mr. Osborne:

Q. Are you engaged in business in this city?

A. I am.

Q. Whereabouts?

A. No. 75 and 77 Catherine street.

Q. Do you know the defendant?

A. I do.

Q. How many years have you known him?

A. Since he resided in the neighborhood.

Q. About how long?

A. About five years; between five and six years.

Q. Do you remember the 1st of November, 1892?

A. I do.

Q. Did the defendant come into your place of business on that day?

A. He did.

Q. Did he purchase some goods from you?

A. Yes, sir, in my store.

Q. What was the value of the goods?

Objected to.

A. Twenty-four dollars worth.

The Court: Is this testimony for the same purpose?

Mr. Osborn: The same purpose exactly.

The Court: The same ruling and same exception.

By Mr. Osborne:

Q. Did he buy some goods from you?

A. He did.

Q. What was the price agreed upon, as to the price of the goods?

A Some silk handkerchiefs, some underwear and some socks, I could not tell exactly, about a dozen silk handkerchiefs; twenty-four dollars worth.

Q. What did he give you in payment for that?

A. A check.

Mr. House: This is taken subject to my objection?

The Court: Yes.

By Mr. Osborne:

Q. What did he say? A. He said he has got as much money to pay fifty such checks.

Q. And he gave you a check for twenty-four dollars?

A. Yes, sir.

Q. Have you got that check now?

A. Yes, sir, I have got three checks.

Q. I only want the one for twenty-four dollars, November 1st; is that the check that he gave in payment for those goods?

(Check shown.)

A. Yes, sir.

Q. The goods were delivered to him, were they?

A. Yes, sir, delivered to him.

The check was marked People's Exhibit A.

Q. That was put in the bank by you?

A. It was.

By the Court:

Q. Did you deposit it in your own bank?

A. Yes, sir.

By Mr. Osborne:

Q. Along with your deposits?

A. Yes, sir.

Q. And that check was afterwards returned to you by your bank?

A. Yes, sir, "no good."

Q. Did you see the defendant again that day?

A. In the evening.

Q. What time?

A. Something like between eight and nine o'clock.

Q. About eight or nine that evening?

A. Yes, sir.

Q. Did he come into your place of business again?

A. He did.

Q. What did he tell you then about the check?

A. That he deposited all the money in the bank, he has got no cash, I shall oblige him and cash him that check, for five dollars, he has got to go to a ball.

Q. Did you give him the cash?

the money.

A. Yes, sir, gave him

Mr. House: I object to all this line of testimony.

The Court: You have an exception to every question.

By Mr. Osborne:

Q. You gave him five dollars in exchange for that check?

A. Yes, sir; that is, my son gave it to him.

Q. In your presence?

A. Yes, sir, I was right in the corner when he gave it to him.

The check was marked People's Exhibit B.

By the Court:

Q. Did you get that check from the bank in the course of your business?

A. Yes, sir.

Mr. House: I move to have this witness's evidence stricken from the record, and that the jury be directed to disregard it.

The Court: Motion denied.

Mr. House: Note an exception.

MAX RICH, sworn, and examined by Mr. Osborne:

Q. You are employed by Cohen Brothers?

A. Yes, sir.

Q. Did you ever see the defendant prior to November 1st, 1892?

A. Yes, sir.

Q. Do you know him?

A. Yes, sir.

Q. How many years have you known him?

A. Two years.

Q. Do you remember of his coming to the place of Cohen Brothers on the 1st of November?

A. Yes, sir.

Q. Did he purchase any goods that day, November 1st?

17

Objected to.

Objection overruled.

Exception.

0680

A. He left his measure there for a suit of clothes,  
prior to November 1st.

Q. Before November 1st he got measured for a suit of clothes?

A. Yes, sir.

By the Court:

Q. How long before?

A. Four days.

By Mr. Osborne:

Q. On November 1st he came to get the suit of clothes?

A. Yes, sir.

Q. How much was the price of the suit?

A. Thirty dollars.

Mr. House: Objected to, and the same ruling all the way through.

By Mr. Osborne:

Q. Was the suit of clothes delivered to him?

A. Yes, sir.

Q. What did he give in exchange for the suit of clothes?

A. A check.

Q. Have you got the check?

A. Yes, sir.

Q. Is that the check he gave in exchange for the suit of  
clothes? (Check shown.) A. Yes, sir; for thirty  
dollars.

Q. What did he say with respect to that check, to the Messrs.  
Cohen?

A. Mr. Cohen asked him no question concerning  
the check.

Q. What did he say about the purpose for which he wanted that?

A. He wanted that suit of clothes to attend a ball.

Q. To attend a ball?

A. Yes, sir.

Q. Was that check placed in the bank?

A. Yes, sir.

Q. In the course of business, did it come back?

A. It came back.

Mr. House: I would like to have it upon the record that this entire evidence on the part of this witness was taken subject to out objection and exception.

The Court: Yes.

Mr. House: I ask your Honor to strike this witness's evidence from the record, and direct the Jury to disregard it.

The Court: Motion denied and exception.

By Mr. Osborne:

Q. What time was that?

A. 7:30 in the evening.

JOHN A. FREDERICKS, sworn, and examined by Mr. Osborne:

Q. You are an employee of the Canal Street Bank?

A. Yes, sir.

Q. Do you know the defendant, Phillip Smith?

A. No, sir.

Q. Do you know whether a man of the name of Phillip Smith had an account in your bank on the 1st of November?

A. Yes, sir.

Q. Will you look at those checks and see whether payment of those checks had been refused at your bank; and, if so, for what reason?

Objected to.

Objection overruled.

Exception.

Q. I show you A B and C exhibits, checks of November 1st?

A. These two have been, yes, sir.

Q. Have been presented to your bank in the ordinary course of business for payment, and payment refused?

A. Yes, sir.

Q. Those are Exhibits B and A?

A. This one has no mark

at all; I can't tell whether that has been presented or not.

Q. Why was it that these two checks were refused payment?

Objected to.

Objection sustained.

Q. At the time those two checks were presented for payment, did he have a balance in the bank?

Objected to.

Q. Do you know what the defendant's balance was on November 1st?

A. No, sir.

Q. Do you know what it was on November 2nd?

A. Yes, sir.

Q. What was it? A. Fourteen dollars and twenty-one cents.

Q. You say you do not know what the balance there was on November 1st? A. No, sir, I don't.

Q. Why? A. The defendant's bank book was not left for balancing, and we haven't got it.

By the Court:

Q. The balance on November 2nd was fourteen dollars and twenty-one cents? A. Yes, sir.

Q. Is that balance there yet? A. No, sir.

Q. When did he draw out that balance?

Objected to.

Objection sustained.

Q. You did not bring the books of the bank with you?

A. No, sir.

BENJAMIN BERKOWITZ, recalled by Mr. Osborne:

Q. At the time these checks were presented to you by the defendant, did he tell you at what time if they were presented to the bank they would be paid?

A. Yes, sir, the next morning.

Objected to.

Objection sustained.

By Mr. House:

Q. Isn't it true that you have those checks uttered and present-

0683

ed here every month, and ask this defendant to date them ahead?

none here.

A. No, sir, not this one, I have got

Mr. Osborne: With the exception of this bank officer, whom I shall ask to recall, the People close their case.

Mr. House: I move to strike from the record the evidence of the bank clerk, and have the Jury directed to disregard it.

The Court: Where is the evidence here that on the first of November, when these checks were presented to the bank, there was not money enough to meet them?

Mr. Osborne: I will have it here in a few moments.

The Court: The Court cannot rule upon the possibility of what the bank clerk will prove when he comes back here.

Mr. Osborne: I will ask that the case be continued until Monday morning, at which time I will produce the bank books.

Mr. House: I object to the continuance of this case.

Mr. Osborne: I rest.

Mr. House: I ask the Court to direct the District Attorney to elect upon which one of the two counts in the indictment he proposes to go to this Jury.

Mr. Osborne: I go on the first count.

Mr. House: The common-law count. The District Attorney having closed his case and elected to go to this jury upon the first count in the indictment, the defendant moves that the Court advise the jury to acquit upon the following grounds ----- first, that there is a fatal variance between the proof and the count in the indictment upon which the District Attorney proposes to go to the jury; second, that the People have failed to prove the necessary elements going to make up the crime of grand larceny by false and fraudulent representa-

tions and statements, to-wit, that the statements and representations were false and untrue, and that believing in the truth of such representations and statements, the complaining witness relied upon them and parted with his property.

The Court: There is no count in the indictment charging obtaining anything by false and fraudulent representations.

Mr. House: That is the evidence in this case.

The Court: I will hear you on that.

Mr. House: Now, third, that to establish the crime of grand larceny by false and fraudulent representations they must be based upon an existing fact, and not predicated upon something to happen or take place in the future. I admit that an indictment for false pretences will not be founded upon an assertion of an existing intention, although it may be upon an existing fact.

The Court: Motion denied.

Mr. House: Note an exception.

The Defence rests.

The Jury rendered a verdict of GUILTY of GRAND LARCENY IN THE SECOND DEGREE, on the first count in the indictment.

0685

Testimony in the  
case of  
Phillips Smith

filed

Mr. [illegible]

for [illegible]

1997

Follow the above procedure,  
*Mr. C. R. ...*

[illegible]

Thy. Cohen Pres.

we have herewith signed our signatures to respectfully  
petition this Honorable Court as follows:

Whereas the above named Defendant was duly tried in this Court on the 15th day of November 1892 and found guilty of Larceny in the second degree and whereas



Court of General Session  
of the Peace in and  
for the City County of N.Y.

---

The People ex rel.

against

Phillip Smith.

---

Petition

---

0688

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Philip Smith*

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

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

The said

*Philip Smith*

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

*one watch, of the value of one  
hundred and twenty-five dollars,  
one chain of the value of fifty  
dollars, and one locket of the  
value of twenty-five dollars*

of the goods, chattels and personal property of one

*Christian Christensen*

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

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

of the goods, chattels and personal property of one

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

unlawfully and unjustly did feloniously receive and have; the said

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

~~DE LANCEY NICOLL,~~

~~District Attorney~~

Second COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further  
accuse the said *Philip Smith*  
of the same CRIME OF *Grand* LARCENY, in the  
*second* degree, committed as follows:

The said *Philip Smith*,  
late of the City of New York, in the County of New York aforesaid, on the *first*  
day of *November* in the year of our Lord one thousand eight hundred and  
ninety-*two*, at the City and County aforesaid, being then and there the *bailee*  
of *one Christian Christiansen*

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

*Christian Christiansen*  
the true owner thereof, to wit:  
*one watch of the value*  
*of one hundred and twenty-five dollars,*  
*one chain of the value of fifty*  
*dollars, and one locket of the*  
*value of twenty-five dollars*

did afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with  
force and arms, feloniously appropriate the said *goods, chattels*  
*and personal property*  
to *his* own use, with intent to deprive and defraud the said *Christian Christiansen*  
of the same, and of the use and benefit thereof; and the same goods, chattels and personal property  
of the said *Christian Christiansen*

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

DE LANCEY NICOLL,  
District Attorney.

0692

**BOX:**

503

**FOLDER:**

4587

**DESCRIPTION:**

Smith, Thomas

**DATE:**

11/10/92



4587

Witnesses:

Lawrence Malone

Off. Mubny 23<sup>a</sup>

Counsel,

Filed

City of

189

Pleads

THE PEOPLE

vs.

B

Thomas Smith

Sub 2 - P.M. 25/1892

On Motion of District

Attorney defendant (signed)

on his own recognizance

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John E. Foreman

Foreman.

Part 2. Nov 25<sup>th</sup>  
G.S.P.

after an interview

with complainant

and reading the

within with trial

Look that the

prisoner be discharged

on his own

recognizance

pm 25<sup>th</sup> 1892

G.S.P.

A.D.A.

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

## New York General Sessions.

PEOPLE ON MY COMPLAINT,  
VERSUS

Thomas Smith

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.

At the time of the commission of the crime, defendant was under the influence of liquor, and I do not believe that the assault was committed with any criminal intent. The defendant has never to my knowledge, been arrested before, and I think that the fact of his being confined in the House for about three weeks, is ample punishment.

Lawrence Maloz

Dated N.Y. Nov. 25/92

0695

Police Court—4 District:City and County } ss.:  
of New York, }

of No. 203 East 43 Lawrence Malone Street, aged 25 years,  
 occupation Blacksmith being duly sworn  
 deposes and says, that on 29 day of October 1887 at the City of New  
 York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Thomas Smith  
 (nowhere) who did strike deponent  
 and violent blow on the head  
 with a revolving pistol, loaded  
 with powder and ball, which revolver  
 he, defendant, held in his hands  
 and said defendant did then  
 point and aim and attempt to  
 discharge said pistol at deponent's  
 person and did attempt to discharge  
 and fire the same with so pointed  
 at deponent, by pulling the  
 trigger and said assault  
 was committed

Lawrence Malone

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 dealt with according to law.

Sworn before me, this 30 day } Lawrence Malone  
 of October 1887 }

John H. Smith Police Justice.

0696

Sec. 198—200.

CITY AND COUNTY } ss:  
OF NEW YORK.

District Police Court.

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

Question. What is your name?

Answer. *Thomas Smith*.

Question. How old are you?

Answer. *27 years.*

Question. Where were you born?

Answer. *In Ireland.*

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

Answer. *211 East 1 St. 2 years.*

Question. What is your business or profession?

Answer. *Watchman.*

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

Answer. *I am not guilty.**Thomas Smith*

Taken before me this *30*  
day of *October* 189*2*

*J. H. [Signature]*  
Police Justice

0697

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

Dated Oct 30 1889 [Signature] Police Justice.

I have admitted the above-named Defendant

to bail to answer by the undertaking hereto annexed.

Dated Nov 2 1889 [Signature] Police Justice.

There being no sufficient cause to believe the within named

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

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

0698

BAILED,  
No. 1, by Mortz Bruchmann  
Residence 354 E 69 Street.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

134 Police Court--- 137 District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Lawrence Malone  
203 E 43  
1 Thomas Smith  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Dated Oct 30 189  
Warrior Magistrate  
Malone Officer  
23 Precinct  
Witnesses Peter Heilmann  
No. 275 Brick Street.

No. \_\_\_\_\_ Street.  
No. \_\_\_\_\_ Street.  
\$ 1000 to answer by S.  
Crime  
Bailed

\$1000 - Bail for Ex. No. 1. 9 a.m.

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Smith

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

Thomas Smith

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

The said Thomas Smith,

late of the City of New York, in the County of New York aforesaid, on the twenty-ninth day of October, in the year of our Lord one thousand eight hundred and ninety-two, with force and arms, at the City and County aforesaid, in and upon the body of one Lawrence Malone, in the peace of the said People then and there being, feloniously did make an assault and to, at and against him the said Lawrence Malone, a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said Thomas Smith in his right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there shoot off and discharge, with intent him the said Lawrence Malone, 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

Thomas Smith

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

The said Thomas Smith,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said Lawrence Malone, in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against him the said Lawrence Malone,

a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said Thomas Smith

in his right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully shoot off and discharge, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

~~DE LANCEY NICOLL,~~

~~District Attorney.~~

~~David~~  
SECOND COUNT.

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

Thomas Smith

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

The said Thomas Smith,

late of the City of New York, in the County of New York aforesaid, <sup>afterwards, to wit:</sup> on the said twenty-ninth day of October, - in the year of our Lord one thousand eight hundred and ninety-two -, with force and arms, at the City and County aforesaid, in and upon the body of one Laurence Malone, in the peace of the said People then and there being, feloniously did make an assault and kill the said Laurence Malone with a certain pistol,

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

with intent kill the said Laurence Malone, 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.

~~David~~  
SECOND COUNT—

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

Thomas Smith

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

The said Thomas Smith,

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said Laurence Malone, in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and kill the said Laurence Malone, with a certain pistol

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

0701  
Fifth  
THIRD COUNT—

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

— Thomas Smith —

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

The said Thomas Smith,

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the said Laurence Malone in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault and — him the said — Laurence Malone — with a certain pistol —

which he the said Thomas Smith —

in his right hand then and there had and held, in and upon the head — of him the said Laurence Malone

then and there feloniously did wilfully and wrongfully strike, beat, ~~stab, cut~~ bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said Laurence Malone, —

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

DE LANCEY NICOLL, District Attorney.

0702

**BOX:**

503

**FOLDER:**

4587

**DESCRIPTION:**

Speer, Herman

**DATE:**

11/21/92



4587

0703

Witnesses :

*Chas H Gardner*

Counsel,

Filed, *21* day of *Nov* 189 *2*

Pleads, *Guilty*

THE PEOPLE

vs.

*B*  
*Herminie S. Lee*

*Quart 22 1897*

VIOLATION OF THE EXCISE LAW.

Unlawful Hours,  
[Chap. 401, Laws of 1892, § 92].

DE LANCEY NICOLL.

*District Attorney.*

A TRUE BILL.

*John E. Quinn*

*Foreman.*

0704

(1335)

Sec. 198—200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer.

Herman Speer

Question. How old are you?

Answer.

42 years

Question. Where were you born?

Answer.

Germany

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

Answer.

580 8<sup>th</sup> Avenue

Question. What is your business or profession?

Answer.

Soloist Keeper

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

Answer.

I am not guilty and  
demand a trial by  
jury if held over  
by arraignment.

Herman Speer

Taken before me this

day of

189

Police Justice.

**Sec. 151.**

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

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by James H. Hunt of No. 935 Broadway Street, that on the 13 day of July 1887 at the City of New York, in the County of New York,

188 of the City of New York, in the County of New York,  
and Hermann Speer did violate  
the Excise Law <sup>at 5th St</sup> selling liquors  
after hours he got having a  
grope license to sell spirit  
between the hours of one and five in the  
morning

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

Dated at the City of New York, this 2 day of

## POLICE JUSTICE.

0706

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

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

Dated, *Aug 5* 189 *2* *Thos. S. Brady* Police Justice.

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

Dated, *Aug 10* 189 *2* *Thos. S. Brady* Police Justice.

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

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

0707

FILED IN AFTER (NOV 27) 1010  
Police Court, District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*G. Chauncy Smith*  
vs.

*Herman Speier*

Offense,

BAILED,

No. 1, by *Wm. Egner*  
Residence *337 West 39<sup>th</sup>* Street.

No. 2, by  
Residence *?* Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

Dated, *Aug 5<sup>th</sup>* 189 *2*  
*White* Magistrate.

Witnesses  
No. Street.  
No. Street.

No. Street.

*1009* to answer *98*  
*9 Aug 10/2.30*  
*Pauch*  
*Bailed*

0708

Excise Violation-Selling After Hours.

POLICE COURT- 2 DISTRICT.

City and County } ss.  
of New York, }G. Channay Gant.  
of No. 923 Broadway Street,

of the City of New York, being duly sworn, deposes and says, that on the 13th day

of July 1897, at the City of New York, in the County of New York, at

No. 580 19th Street,

Herman Speer (now here)

did then and THERE EXPOSE for sale, and did sell, give away and dispose of, and cause, suffer, and permit to be sold, given away and dispose of under his direction and authority, strong and spirituous liquors, wines, ale and beer, being intoxicating liquors, in quantities less than five gallons at a time, to be drunk in the house or premises aforesaid BETWEEN THE HOURS OF ONE AND FIVE O'CLOCK in the morning of said day, contrary to and in violation of the statute in such case made and provided.

WHEREFOR, deponent prays that said Herman Speer may be arrested and dealt with according to law.

Sworn to before me, this 3 day, G. Channay Gant

of August 1897

A. White Police Justice.

0709

1899

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

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Herman Speer*

The Grand Jury of the City and County of New York, by this indictment, accuse  
of the CRIME OF *Herman Speer* SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND  
BEER, BETWEEN ONE O'CLOCK AND FIVE O'CLOCK IN THE MORNING, committed  
as follows:

The said *Herman Speer*

late of the City of New York, in the County of New York aforesaid, on the *thirteenth*  
day of *July* in the year of our Lord one thousand eight hundred and  
ninety-*two* (the same not being Sunday), between one o'clock and five o'clock in the morning of the  
said day, at the City and County aforesaid, certain strong and spirituous liquors, wines, ale and  
beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of  
whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer,  
one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid  
unknown, unlawfully did sell ~~to one~~

~~and~~ to certain ~~other~~ persons whose names are to the Grand Jury aforesaid unknown, without  
having a special license therefor as required by law, against the form of the statute in such case  
made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said  
of the CRIME OF *Herman Speer* OFFERING AND EXPOSING FOR SALE STRONG AND SPIRITUOUS LIQUORS, WINES, ALE  
AND BEER, BETWEEN ONE O'CLOCK AND FIVE O'CLOCK IN THE MORNING, committed as follows:

The said *Herman Speer*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid (the  
same not being Sunday), between one o'clock and five o'clock in the morning of the said day, certain  
strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one  
gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,  
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating  
liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

and to certain other persons whose names are to the Grand Jury aforesaid *unknown* unknown, without  
having a special license therefor as required by law, against the form of the statute in such case made  
and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL

District Attorney.

0710

**BOX:**

503

**FOLDER:**

4587

**DESCRIPTION:**

Speiss, Joseph

**DATE:**

11/25/92



4587

Witnesses:

*John McCarty*

Counsel,

*Andropoulos*

Filed, *25<sup>th</sup>* day of *Nov* 189*2*

Pleads,

*Myself*

THE PEOPLE

vs.

*B*

*Joseph Speier*

*Transferred to the Court of  
Sessions for trial on 11<sup>th</sup> Feb 1893*

*and signed 14 1893*

VIOLATION OF THE EXCISE LAW.  
(Illegal Sales Without License.)  
[Chapter 407, Laws of 1892, § 31.]

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

*John E. Pullen*

Foreman.

0711

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK.

*against*

Joseph S. Spence

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

Joseph S. Heron

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

The said

Joseph A. Brown

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

Dear Johnnie, Dad and I

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

DE LANCEY NICOLL,

*District Attorney.*

0713

**BOX:**

503

**FOLDER:**

4587

**DESCRIPTION:**

Starr, Frank

**DATE:**

11/17/92



4587

0714

Witnesses:

Geo. Halpin  
Eugene E. Connors

I, John C. Case, the Captain  
and have left the jurisdiction  
of this Court; he is now trans-  
acting with a circus.  
It is impossible to make out  
where without his presence.  
I recommend that the  
defendant be discharged  
when his name reappears  
June 9, 1893. When the defendant  
appears but not at all.

126

Counsel,

Filed

day of

189

Pleads,

THE PEOPLE

vs.

John C. Case

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John C. Foreman

June 9/93

Foreman.

John C. Foreman

Discharged

0715

Police Court— 4 District.City and County } ss.:  
of New York, }of No. 519 West 50<sup>th</sup> Street, aged 20 years,occupation latter being duly sworndeposes and says, that on 29 day of October 1892 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Frank Starr (now here)

Who did then <sup>and</sup> there cut <sup>and</sup> stab  
deponent on the head behind the left ear,  
<sup>and</sup> on the left arm <sup>and</sup> on the right  
shoulder with a knife which said  
Starr held in his hand: And that  
said assault was committed

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 dealt with according to law.

Sworn to before me, this 11 day  
of November 1892.

Geo. J. Halpin  
Charles N. Linton Police Justice.

0716

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss:

District Police Court.

*Frank Starr*

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 sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

*Frank Starr*

Question. How old are you?

Answer.

*18 years*

Question. Where were you born?

Answer.

*United States*

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

Answer.

*508 W. 48 St.*

*1 1/2 years*

Question. What is your business or profession?

Answer.

*Writer*

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.*

*Frank Starr*

Taken before me this

*11*

day of

*Nov*

*1892*

*Charles H. Stanton*

Police Justice.

0717

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

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

Dated Nov 11 188 Charles H. Smith Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated 188 Police Justice.

There being no sufficient cause to believe the within named

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

Dated 188 Police Justice.

0718

#500 for 8x Nov 12/92  
9 AM. CUB  
Nov 13/92 9 AM.

158  
Police Court--- 4 District. 1410

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

George Halpin  
519 W 50  
Fraud Starr

Officer Giovanni Deane

BAILED,  
No. 1, by SW P. Lunkett  
Residence 323 W 51<sup>st</sup> Street.

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

Dated Nov. 11 1892  
Gaintin Magistrate.

Kear Officer.  
Precinct.

Witnesses Eugene E. Connors  
No. 525 W. 48<sup>th</sup> Street.

Officer Michael Kear  
No. 22<sup>nd</sup> Precinct Street.

No. 5<sup>th</sup> Street.  
to answer H. S.

Common

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

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Frank Starr*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Frank Starr*  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *Frank Starr*  
late of the City of New York, in the County of New York aforesaid, on the *fourth*  
day of *October* in the year of our Lord one thousand eight hundred and  
ninety-*two*, with force and arms, at the City and County aforesaid, in and upon  
the body of one *George J. Coalpiet* in the peace of the said People  
then and there being, feloniously did make an assault and *beat* the said  
*George J. Coalpiet* with a certain *knife*

which the said  
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 *to kill* the said *George J. Coalpiet*  
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  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Frank Starr*  
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  
*George J. Coalpiet* in the peace of the said  
People then and there being, feloniously did wilfully and wrongfully make another assault,  
and *beat* the said *George J. Coalpiet*  
with a certain *knife*

which the said  
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.

## THIRD COUNT—

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

*Francis S. Lewis*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

*Francis S. Lewis*

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 said *George J. Helper* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault and *beat* the said *George J. Helper* with a certain *knife*

which *he* the said

*Francis S. Lewis*

in *his* right hand then and there had and held, in and upon the *head, ear, arm, leg and shoulder of* *him* the said

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said *George J. Helper*

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

DE LANCEY NICOLL, District Attorney.

0721

**BOX:**

503

**FOLDER:**

4587

**DESCRIPTION:**

Stauffer, Christian

**DATE:**

11/28/92



4587

0722

# 313

Witnesses:

*Offr. Weller 25th*

Counsel,

Filed, *28th* day of *Nov* 189*3*

Pleads,

*Allegedly & Day*

THE PEOPLE

vs.

*B*

*Christian Stauffer*

*Thou, and in the Court of Spec...*

*and 19th 1903*

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

DE LANCEY NICOLL.

District Attorney.

A TRUE BILL.

*John E. Jordan*

Foreman.

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Christian Stauffer*

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

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

*Christian Stauffer*

late of the City of New York, in the County of New York aforesaid, on the <sup>6<sup>th</sup></sup> day of ~~November~~ *November* in the year of our Lord one thousand eight hundred and ninety-~~two~~ *two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

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

## SECOND COUNT—

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

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

The said

*Christian Stauffer*

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

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

DE LANCEY NICOLL

District Attorney.

0724

**BOX:**

503

**FOLDER:**

4587

**DESCRIPTION:**

Steenbok, Henry

**DATE:**

11/23/92



4587

0725

Witnesses:

Mr. Pritchard 27th

W

268

Counsel,

Filed,

23rd day of Nov

1892

Pleads,

Henry S. Howard

THE PEOPLE

vs.

B

Henry S. Howard

VIOLATION OF THE EXCISE LAW.  
Selling, etc., on Sunday.  
[CHAP. 401, LAWS OF 1892, § 23].

April 24 1893

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

John E. Fulton

Foreman.

0726

1997

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*J. Henry Steenrook*

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

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

*J. Henry Steenrook*

late of the City of New York, in the County of New York aforesaid, on the day of *August* *9<sup>th</sup>* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

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

SECOND COUNT—

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

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

The said

*J. Henry Steenrook*

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

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

DE LANCEY NICOLL

District Attorney.

0727

**BOX:**

503

**FOLDER:**

4587

**DESCRIPTION:**

Stein, Jacob

**DATE:**

11/22/92



4587

George Paul

Ch. 902

Property Dept.

Harvard Company

*[Handwritten signature]*

Filed 21 day of Feb

## Pleads,

# THE PEOPLE

1875

Jacob Stein

DE LANCEY NICOLL,

*District Attorney.*

# A TRUE BILL.

John C. Dillon

Foreman,

Dec 3, Nov 30/92  
 Leads. Stop here  
 6 Nov 1894

0728

0729

Police Court—6<sup>th</sup> District.City and County } ss.:  
of New York,of No. 3595-3<sup>rd</sup> Avenue George Paul Street, aged 35 years,occupation Grocer being duly sworndeposes and says, that the premises No 3595-3<sup>rd</sup> Avenue Street  
in the City and County aforesaid, the said being a Three story framedwelling house  
and which was occupied by deponent as a Grocery Store

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

George Paul.were **BURGLARIOUSLY** entered by means of forcibly by breaking  
a glass window, and unlocking  
a door from the insideon the 21<sup>st</sup> day of November 1889 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:Two overcoats, and two clothes  
together of the value of about  
Twenty-four dollarsthe property of Deponent.and deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
**BURGLARY** was committed and the aforesaid property taken, stolen, and carried away byJacob Sternfor the reasons following, to wit: that at the hour of 2 A.M.  
on said date officer John Madigan  
saw this defendant passing along  
with overcoats, with said property  
in his possession, the officer arrested  
this defendant on suspicion of having  
stolen said goods, the officer found  
a paper in the pocket of one of  
the said overcoats with the defendant's

0730

name and address written in it, said officer immediately informed respondent, and he the respondent identified the said property which was taken stolen and carried away by this defendant.

Wherefore respondent charges this defendant with feloniously breaking into and entering said premises and stealing said property, and prays that this defendant may be dealt with according to law.

Done to before me this } George Paul,  
21<sup>st</sup> March 1892 }

Wm. Mead  
Police Justice.

Police Court District.

THE PEOPLE, &amp;c.,

ON THE COMPLAINT OF

vs.

Degree

Burglary

Dated

1892

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No.

Street.

0731

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK,

6- District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am Guilty*  
*Jacob Stein*

Taken before me this

*21-11*

day of

*November*

189*8*

at

*Brooklyn*

Police Justice.

*W. H. Wood*

0732

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

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

Dated November 21 1892 Police Justice

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

Dated 18 Police Justice.

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

Dated 18 Police Justice.

0733

Police Court--- 6<sup>th</sup> 1447 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

George Paul  
3595-37 Ave.  
Jacob Stein

*Handwritten signature*

BAILED.

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated November 21 92  
M. Madigan  
Magistrate.  
Officer.  
Precinct.  
33 -  
Call the Officer.

No. .... Street.

No. .... Street.

No. .... Street.

\$ 1000 to answer G.S. 3

(Lem Bing P. L.)

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Jacob Stein*

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

*Jacob Stein*

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

The said

*Jacob Stein*

late of the 2<sup>nd</sup> Ward of the City of New York, in the County of New York aforesaid, on the  
21<sup>st</sup> day of November in the year of our Lord one  
thousand eight hundred and ninety-two, in the night-time of the same day, at the  
Ward, City and County aforesaid, a certain building there situate, to wit, the store of  
one

*George Paul*

there situate, feloniously and burglariously did break into and enter, with intent to commit some

crime therein, to wit: with intent the goods, chattels and personal property of the said *George Paul*  
*Paul* in the said *store*

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

*Jacob Stein*  
 of the CRIME OF *Petit* LARCENY committed as follows:  
 The said *Jacob Stein*

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

*two overcoats of the value  
 of ten dollars each, and two  
 clocks of the value of two  
 dollars each*

of the goods, chattels and personal property of one

in the

*George Paul*  
*store* of the said *George Paul*

there situate, then and there being found, in the *store*  
 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.

*De Lancy Nicoll,*  
*District Attorney*

0736

**BOX:**

503

**FOLDER:**

4587

**DESCRIPTION:**

Stein, Victor

**DATE:**

11/18/92



4587

Witnesses:

*Chas. G. Gots*

*Off. Comm. 17<sup>th</sup>*

*Geo. Hendrick*

Counsel,

Filed

Pleads,

Day of

189

THE PEOPLE

vs.

*Victor Stein*

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*John E. Fullen*

Foreman.

*Part 3. Vol 302*

*Ind. and Dep. Ind.*

Grand Larceny,  
(From the Person.)  
[Sections 825, 826,  
Penal Code.]

0737

0738

Police Court

District.

Affidavit—Larceny.

City and County } ss:  
of New York, }

of No. 178 & 77, Michigan Street, aged 16 years,  
 occupation French being duly sworn,  
 deposes and says, that on the 12 day of November 1897 at the City of  
 New York, in the County of New York, was feloniously taken, stolen and carried away  
 from the possession of deponent, in the daytime, the following property, viz:

One open faced silver watch  
Being of the value of  
Thirty Dollars

the property of

Deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Victor Stein (read

himself for the reasons following to  
wit, about the hour of 3 o'clock  
P.M. on the afternoon of said day  
deponent was standing in Broadway  
near Reade Street and had said property  
in the outside ticket pocket of a  
coat that he then had on and de-  
ponent noticed the said property  
unfastened said defendants hand in  
the said pocket and caught hold of him  
and caused him to be arrested and  
he charged him with the larceny  
of said

Charles A. GroteSworn to before me, this 13 dayof November 1897

Police Justice.

0739

Sec. 198-200.

District Police Court.

City and County of New York, ss:

*Victor Stein* 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. *Victor Stein*

Question. How old are you?

Answer. *31 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *307 E 31st Street, New York*

Question. What is your business or profession?

Answer. *Clear Cannon*

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*

*Victor Stein*

Taken before me this

day of *November* 189 *3*

Police Justice.

0740

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

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

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

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

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

0741

Police Court--- District.

1439

THE PEOPLE, &c.,

OF THE COMPLAINANT OF

*Charles L. Gato*  
*77 Mercer*  
*Victor Stain*

2

3

4

*Offense for...  
...  
...*

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated,

*Nov 13*

189

Magistrate.

Officer.

Precinct.

Witnesses

*Geo. Wick*

No.

Street.

No.

Street.

No.

Street.

\$ ..... to answer

*GS*

*\$1000, bond 10/12-17*

0742

591

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Victor Stein*

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

*Victor Stein*

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

The said

*Victor Stein*

late of the City of New York, in the County of New York aforesaid, on the *15th*  
day of *November* in the year of our Lord one thousand eight hundred and  
ninety- *two*, in the *day* -time of the said day, at the City and County aforesaid,  
with force and arms,

*one watch of the value  
of thirty dollars*

of the goods, chattels and personal property of one *Charles A. Grote*  
on the person of the said *Charles A. Grote*  
then and there being found, from the person of the said *Charles A. Grote*  
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.

*De Lancey Nicoll*  
*District Attorney.*