

0438

BOX:

393

FOLDER:

3661

DESCRIPTION:

Smiler, Harris A.

DATE:

04/25/90



3661

POOR QUALITY
ORIGINAL

0439

do 257

L. R. F. W.

John J. Hall

Counsel,

Filed

Pleads,

25 day of April 1890

Defendant (pleads to public)

appears and fully answers by

THE PEOPLE

vs.

(Section 183, Penal Code.)

MURDER IN THE FIRST DEGREE.

Harris O. Smiler

JOHN R. FELLOWS,

District Attorney.

Part 2.
By order of the

A True Bill.

W. J. Berry

Part 2 - June 10/90 Foreman.

Fried and convicted of murder

in the first degree. - June 18/90

Sent to jug of death

in West County 4th Aug 1890

Witnesses;

Edna Wilson

Officer Holmes

Ellen Tracy

POOR QUALITY
ORIGINAL

0440

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION,

Taken at the house of Coroners Office
No. 67 Park Row Street, in the 4th Ward of the City of
New York, in the County of New York, this 7th day of April
in the year of our Lord one thousand eight hundred and 90 before
Louis W. Schuetz Coroner,
of the City and County aforesaid, on view of the Body of Margaret Smiler

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

came to her death by
Pistol shot wounds of chest, inflicted
with a pistol in the hands of Harris A.
Smiler, at 284. Seventh Avenue April
3rd 1890.

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

JURORS.

Moses Kussbaum 329 3 rd Ave	Geo. Wanner 309 E 3 rd St
N. Eckstein 347 2 nd Ave	Henry Walters 325 E 26
George Struven 353 - 3 rd Ave	Henry Baschen 206 E 24
Hugo Siegel 349 - 3 rd Ave	
J. Rautt	

Louis W. Schuetz
CORONER, E. S.

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Coroner's Office,

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Propos

Question—What is your name?

Harris A. Smiler

Answer—

Question—How old are you?

Answer—

32

Question—Where were you born?

Answer—

New York City

Question—Where do you live?

Answer—

11 Prince St

Question—What is your occupation?

Answer—

Editor of Newspaper

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

I have nothing to say

Harris Alonzo Smiler

Taken before me, this

7th day of

April

1880

Lawrence Schuch

CORONER.

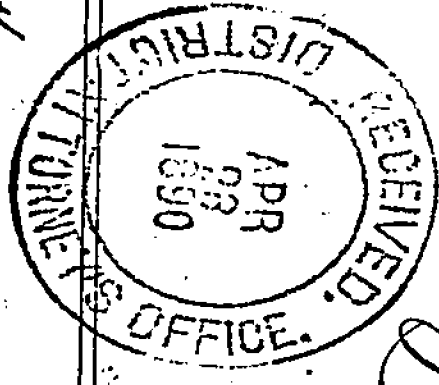
POOR QUALITY
ORIGINAL

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MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	DATE When Reported
31 Years	Months	Days	N.Y.	284. 7 am	Apr 4. 90

Inquest taken on the 7th day
of April 1890
J. J. Schuchman, CORONER.
Committed
Graded
Discharged
Date of death



2^d Exam. 24. 1890
HOMICIDE.
AN INQUISITION. 633
On the VIEW of the BODY of
Margaret Smiler
whereby it is found that A- he came to
her death by the hands of
James A. Smiler

POOR QUALITY
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TESTIMONY.

Philip E. Dunlap M.D. being sworn says on April 4th 1890 at 284-7th Ave. I made a post mortem examination of the body of Margaret Finley and found four pistol shot wounds on deceased. The first in the right shoulder midway between the arm and neck had struck against the scapular and lodged beneath the skin.

The 2nd bullet entered the thorax between the 1st & 2nd ribs one and a half inches to the right of the median line. The direction was upwards & downwards passing through the right lung and after fracturing the 9th rib close to the spine lodged in the spine.

As a The 3rd bullet entered the outer side right arm just above the spread of the biceps muscle passed through the arm entering the chest in the axilla between the 3rd & 4th ribs passed through the lungs, wounding the larger vessels and filling the cavity with blood. bullet not found.

The 4th bullet entered the face just above the right cheek bone, direction upwards and ~~downwards~~ to the median line lodging in the bones beneath the cavity of the cranium.

This bullet, (not fatal) could not be obtained without terrible mutilation of the face deceased.

The Brain was normal, Lungs collapsed. Stomach congested - other organs normal.

Death was due to Pistol shot wounds of the chest with resulting shock and hemorrhage.

P. E. Dunlap M.D.

Sworn to before me,

this

7 day of April 18 90

Lois Schuyler

CORONER.

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Tombs Prison
June 11th 1890

Judge Fitzgerald
Honorable Sir

I appeal to you as a just man
and for god's sake to grant
me a new trial as I have
been unjustly delt with by
my Lawyers and deceived by
Them. as representing them-
selves to me as being first
class criminal Lawyers I
have been made a fool of
and deceived from the
beginning of my trial to the
end. I have been brought
to the bar of justice to be
slaughtered like a bull
Knowing you to be a just

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man that you will do
justice by me. Hoping you
will take this under your
kind consideration. I remain
yours respectfully

Harris A Smiler

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ORIGINAL

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(Put with Smiley papers)

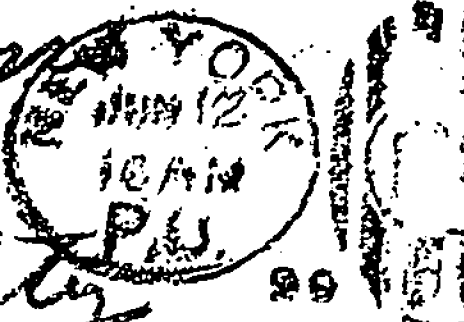


To Honorable Judge Fitzgerald

General Session

Pard 2nd

N. Y. city



POOR QUALITY
ORIGINAL

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CITY AND COUNTY }
OF NEW YORK, } ss.

aged 34 years, occupation Freight of No.

284 7th Avenue Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Ellen Tracy

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

Sworn to before me, this

day of

4th
June 1889

Ellen Tracy

A. J. White

Police Justice.

POOR QUALITY
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BAILED,
No. 1, by
Residence
No. 2, by
Residence
No. 3, by
Residence
No. 4, by
Residence

Police Court--- 2 District

40251

576

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John M. M. M.

Frederick J. J.

1
2
3
4

Offence

Murder

Dated

April 4 1890

Magistrate

John M. M. M. Magistrate

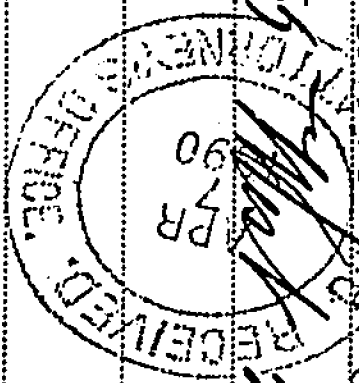
Witnesses

No. 1, by
Residence

No. 2, by
Residence

No. 3, by
Residence

No. 4, by
Residence



John M. M. M. Magistrate

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

Harris A. Tucker

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of ~~one hundred~~ 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 April 4 1890 J. J. J. 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.

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Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Harris A. Smiler

Question. How old are you?

Answer. 32 years

Question. Where were you born?

Answer. W

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

Answer. 25 X Prince St. 2 years

Question. What is your business or profession?

Answer. Paper folder and mails.

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

Answer. I have nothing to say
at present.
Harris A. Smiler

Taken before me this

day of

188

Police Justice.

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

POLICE COURT— 2nd DISTRICT.

Olla Wilson

of No. 284 7th Avenue Street, being duly sworn, deposes and

says that on the 3rd day of April 1890

at the City of New York, in the County of New York, Harris A. Smiler

(now here) did wilfully and lawfully and feloniously commit the crime of murder in the manner following to wit: That his wife Maggie Smiler was stopping at Depment's premises at the above 284 7th Avenue on said date, that at about the 10 o'clock P.M. said Harris A. Smiler called at Depment's premises and inquired for his wife, was admitted and conversed with her and while so doing Depment saw a flash and heard the report of a pistol then ran out of the room for assistance and when on her return, she saw said Maggie sitting on the floor with blood marks on her face asked her "has he killed you" that said Maggie replied "I do not know" that Depment assisted said Maggie to a lounge when she (Maggie) expired. Depment is further informed by Ella Tracy also stopping in Depment's premises that she heard a conversation between Smiler and his wife in their room as if they were quarrelling then saw four flashes and heard four

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reports of a pistol, that said Harris
a child, then ran away
after which defendant saw his
wife wounded and then expire.

Sworn to before me this..... day

of..... 1890

[Signature]

Police Justice.

[Signature]
mark

Police Court, District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

AFRIDA VIT.

vs.

Dated..... 188

Magistrate.

Officer.

Witness,

Disposition,

POOR QUALITY
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IN THE CORONER'S COURT OF THE CITY & COUNTY OF NEW YORK.

INQUEST IN THE MATTER OF THE DEATH : Before
OF : HON. LOUIS W. SCHULTZE,
M A R G A R E T S M I L L E R. : Coroner,
: and a Jury.

New York, Monday, April 7th, 1890.

For the District Attorney's office appeared Mr. Henry Hartmann.

For the prisoner, Harris A. Smiler, appeared Mr. Bernard J. Kelly.

JAMES F. MADDEN, a police officer, sworn and examined.
BY THE CORONER:

Q. To what Precinct are you attached? A. The 16th Precinct.

Q. Now tell the Jury what you know about the death of Margaret Smiler? A. I arrested this man Smiler at 441 West 26th Street, just as he was about to go in. I was ordered by Captain Grant, of the 16th Precinct, to arrest Harris Smiler, the husband of the woman that was shot at 284 Seventh Avenue, and I arrested him in front of 441 West 26th Street as he was about going in. I found a pistol in his possession loaded, with six cartridges in it.

Q. How many cartridges were discharged? A. None at that time. It had been reloaded.

Q. Is there anything else you know? A. No, sir.

BY MR. HARTMANN:

Q. Of course you arrested the defendant after the shooting?

A. Yes, sir.

Q. And you found a revolver on his person? A. Yes, sir.

Q. And you found no chambers of it empty, you say? A. No, sir; it was loaded.

Q. All loaded? A. Yes, sir; six chambers.

Q. That is all you know about it? A. Yes, sir.

Q. Did he say anything to you? A. No, sir. He wanted to know what he was arrested for.

Q. When you took him to the station house? A. On the way to the station house.

Q. What did you find on the defendant's person when you arrested him? A. This pistol, a box of cartridges, some money, some letters, and a card from a second hand jewelry and pistol place.

Q. You found a box of cartridges on his person? A. Yes, a box of 32 calibre cartridges.

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Q. And what time was it that you arrested him? A. About half past one in the morning.

Q. What time did the report come to the Station House that a woman was shot? A. That I don't know.

Q. What time was this woman shot, do you know? A. Between half past ten and eleven o'clock at night, I believe.

Q. And you arrested him about half past one? A. Yes, sir.

Q. And you found a box of cartridges on his person and this revolver? A. Yes, sir.

Q. What condition was the box of cartridges in? A. It was closed. There were a few out of it.

Q. Did you count about how many? A. No, sir.

Q. Was it a full box apparently? A. Yes, sir.

Q. And just a few out of it? A. Yes, sir.

Q. You didn't make any special count at all? A. No, sir.

BY MR. KELLY:

Q. You swear, do you not, that this shooting took place between half past ten and eleven o'clock? A. To the best of my belief.

Q. What was the physical condition of this man when you arrested him? A. He was partly to me like a man that had been drinking.

Q. Was he in a state of excitement? A. No, sir; he was very cool.

Q. How did he speak to you? A. In a very low tone of voice. He wanted to know what he was arrested for.

Q. Did he say anything in regard to the woman who was shot?

A. No, sir; he never mentioned her name until he got to the station house.

Q. Did you ask him in regard to it? A. I asked him what trouble there was.

BY MR. HARTMANN:

Q. What was his answer? A. That he had nothing to say. That was the answer he made.

----- OXO -----

MRS. ELLA WILSON, sworn and examined.

BY THE CORONER:

Q. Where do you live? A. 280 Seventh Avenue.

Q. Now, Mrs. Wilson, just tell the Jury the whole story of what you know and what you saw there? A. I went to bed early because I was moving and everything was packed up to move. Mrs. Smiler came to my house on Tuesday night and she begged me for God's sake not to put her in the Street and I said no. I said "Maggie, I'll never see you in the Street at this time of night, but," I says, "you had better go back to your husband, because it will only make trouble," and she says, "I am afraid, I am afraid." And of course I never had shelter that I wouldn't shelter a poor woman at night. I says, "Very well, you go back to him in the

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morning." So, everything was packed and ready to move and she staid and staid, and she says "Let me help you to move; I'll go back if he'll take me." He took her back before and I thought he would again. Thursday night he came to the door and there was no person in the house but Mrs. Smiler, Mrs. Tracey and myself and a little baby a year and seven months old that I take care of. We were all asleep and I heard the rap and I got up and I says "Who's there?" And Mr. Smiler says "It's me." I says "Who's me?" He says "Mr. Smiler." I says "We are all in bed." He says "Is my wife here?" I says "Yes." He says "Can I see her?" I says "Yes." I opened the door and he came in and I says "You haven't come here to make any trouble for me, Mr. Smiler?" He says "No, Mrs. Wilson, I have not." Mrs. Smiler ran out of the little room she was in and ran into Mrs. Tracey's room and she says "Oh I'M afraid, I'm afraid," and he says "You put on your things and come on home," and she says "I'm afraid of you, Harry," and she says "Have you got a pistol?" and he had his hand in his coat pocket and I says to him when she seemed so afraid "Let her stay until morning; you can come down after her and go away decently and not drag her through the Streets this time of night and he went over to her and what he said I didn't understand, but he went over so slow in a way as if he wanted to whisper something. The table was in the centre of the room and the lamp was on the table and the machine right by the window and the hall door was open and the first thing I heard was a report. Then I looked around and I saw a flash and I says "Oh God!" and I rushed out into the front room and hollered for assistance and when I came back Mr. Smiler wasn't there, but she was scrooched down by the window and I went and took hold of her and I says "Oh Maggie, has he killed you?" She says "I don't know," and she got up. The bullet went through her cheek and it was all bleeding and I says "Poor Maggie, may God have mercy on your soul," and I took her by her hand and I assisted her to the lounge and I blessed her "May God have mercy on your soul." I says "Here comes the police, they will hang Harry sure," and when I mentioned his name she jumped up and ran only three or four steps and she says "Oh Mrs. Wilson," and I put her on the lounge again and I told the officer to run and get some brandy, and she was there until the next afternoon when the Coroner came. And then I had to send for her mother and her mother came and staid there all day. Her mother's name is Mrs. Burns. I don't know the number where she lives. I believe they took Maggie's body to Poughkeepsie and buried it yesterday.

BY MR. HARTMAN:

Q. What time did you say he came to the door? A. It must have been about half past ten.

Q. You let him in? A. I let him in.

Q. His wife was in bed? A. She was in bed; we were all in bed.

Q. She got out of bed, did she? A. She got out of bed and ran when she said "That's Harry; don't let him in." I says "I've got to let him in; I can't shut the door against your husband."

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Q. And you say he went over to his wife and whispered ? A. He went right to her and he had his hand in his pocket.

Q. What pocket; his pantaloons ? A. In his coat pocket, a coat like he has on there now.

Q. And the first thing you knew you heard the report and saw a flash ? A. Yes, sir; then I ran.

Q. Then you saw her fall ? A. No, I didn't see her fall, because he only fired one shot when I heard it, and I ran out to call assistance.

Q. That is all you know about it ? A. That is all I know, sir.

Q. And he and his wife were the only persons in the room when you went out ? A. Yes, sir. The other lady was asleep in the hall room.

Q. I mean in the very room where this happened ? A. Yes, sir.

Q. When you went out the only two that were in the room were he and his wife ? A. Yes, sir.

Q. You didn't see the pistol in his hand ? A. I did not.

Q. Did you see a pistol at all ? A. No, sir.

BY MR. KELLY:

Q. You live on 7th Avenue near 27th Street ? A. Yes, 284.

Q. 484, isn't it ?

THE CORONER: 284, she says.

Q. You have lived there how long ? A. I lived there six years on the 4th of March.

Q. Are you married ? A. No, sir; I am a widow.

Q. Who have you lived with ? A. I take care of myself. I take in people, rent my rooms and take care of babies.

Q. Who supports you ? A. Myself.

THE CORONER: That is immaterial. Anything about the shooting you are at liberty to ask.

Q. You say he came when his wife and you were in bed ? A. All of us had been asleep, his wife too, because we were all in bed a good while.

Q. And because it was his wife that was there, that was the reason that you let him in ? A. Certainly; I had no right to deny him his wife, had I ?

Q. Did you ever see any other of his wives ? A. I don't know. There was a woman came there crying with a baby, but she didn't say she was his wife. I know nothing only what I heard outside.

Q. In regard to this Mr. Smiler who did this shooting, what was his condition when he came there ? A. I didn't see anything wrong with the man. I didn't think the man was any way wrong at all.

Q. He looked very quiet ? A. Very quiet; he never said nothing hardly; very nice and quiet.

Q. What did he say at that time ? A. I couldn't tell you what he said to her, only he told me he didn't come to make any

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trouble for me.

Q. Why did you ask him that question when he came in? A. Well, I was afraid.

Q. What were you afraid of? A. That he would strike her. I had no idea that he was going to shoot her.

Q. Why did you think that; did he strike her upon other occasions? A. She said so. I never saw the man strike her.

Q. You were afraid from what she had said that he might strike her? A. Yes, sir. I said "I hope you haven't come to make any trouble for me, Mr. Smiler." He said "No, I have not." When she said she was afraid of him, I said "You wouldn't touch her would you, Harry?" He says, "No, I wouldn't lay my hands on her."

Q. When did you see her previous to the day of the shooting?

A. I couldn't tell you. She was there and he came and took her home. I forgot to tell you this. When he first came he says "Mrs. Wilson, I want to pay you Maggie's board." I says "I don't wish any money, Mr. Smiler; she is only helping me for a couple of days;" I didn't accept any money. He took a handful of money out of his pocket and says "I want to pay Maggie's board." I says "That is all right, Mr. Smiler; she is helping me move and I wouldn't touch it."

Q. Did Maggie expect a visit from him that day? A. No, she didn't know. She thought he was liable to come in any time. I says "He won't harm you; if he comes, you go home and be quiet."

Q. What conversation did you and Maggie have in regard to him?

A. She wasn't afraid he would shoot her; she was afraid he would beat her.

Q. How often had she said that? A. I couldn't remember.

Q. Was it a dozen times or so? A. Yes, she was always saying "I am afraid of him," but I don't think she thought he would shoot her. When he had his hand in his pocket she says "Harry, you have got a pistol in your pocket," and he said "No."

Q. Did you ever see him with a pistol before? A. I never saw him with a pistol even then.

Q. Did you always see him in the same condition? A. He was always quiet when he came in the room; he never offered to raise his hand to her in my room. I never saw him but three times. He came after her. It seems they would have a fight and she would run away and come to me.

Q. You are quite positive that you didn't see other women come to your flat asking for him? A. No, sir. His wife didn't board with me.

-----oxo-----

ELLEN TRACEY, sworn and examined.

BY THE CORONER:

Q. You live at 290 7th Avenue? A. I am a couple of houses above that now; we have moved.

Q. Will you tell the Jury just what you know of this shooting on that night? A. I can't say that I know much about it. I

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was in bed asleep about half past ten. I came in and went to bed and was in bed about fifteen minutes when a knock came to the door and Mrs. Wilson opened the door and let in the man.

BY MR. HARTMAN:

Q. (Pointing to the prisoner) That man sitting there, you mean? A. I didn't see the man; I can't say who it was. I was in my bed asleep and I didn't see him, but the door opened this way (illustrating), and he was back of the door and his wife ran into the room where I was and shut the door partly on herself and talked to him through the door and I asleep that way and I heard her parley with him, talk to him, and she was afraid to go out; and the next thing I knew there were four shots fired right into the room where I was, one after the other, as quick as a flash. The whole room was full of it. I didn't see the prisoner.

BY THE CORONER:

Q. But you distinctly remember hearing four shots fired?

A. Four shots right into the room where I was. And when I got out of the bed she was on the sofa there and she died, and ten minutes after there was a policeman and an ambulance there.

Q. And that is all you know? A. That is all I know.

BY MR. HARTMAN:

Q. You say you were in the same room where he shot her?

A. I was in a hall room.

Q. Which went off of that room? A. Yes, sir; when she came to the door of my room she ran from her own room.

Q. Mrs. Smiler came to the door of your room? A. She came there for protection; she was afraid of her husband.

Q. Was that after the shots had been fired? A. Oh no, before, when he knocked at the door. And I says "Keep quiet," and she says "I am afraid," and she pulled the door to, and in he came and parleyed with her and said to her to go out with him and she said she was afraid of him and the words passed. I didn't pay much attention to what passed, but the next thing I heard was the four shots fired right into the room where I was, and that is all I know of it.

BY MR. KELLY:

Q. You say you didn't see him on the night of the shooting?

A. No, sir; I didn't see him.

Q. When did you see him previously? A. Well, I saw him about three weeks before. His wife was there and he came and took her away.

Q. What was his condition then? A. Like all other gentlemen. He seemed very nice and plain spoken and very clear. He said he would take her home and he would forgive her for running away from him. I never saw the man before or since.

Q. You testified that she was afraid of her husband? A. That night she said she was afraid of him and she ran into my room.

Q. Did she ever make that statement in your hearing previous to that? A. No; she said nothing to me about it.

Q. Are you quite sure that he might not have fired five shots?

A. I don't think he did.

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Q. Did his wife make any statement to you when you saw her after the shooting? A. She was unable to speak. When I came out of my room she was lying on the sofa.

Q. She was alive, though? A. She was alive, but she couldn't speak; she was dying.

Q. The shooting occurred in the same room that you were in? A. No, sir.

Q. You were in a hall room, were you not? A. Yes. She was standing at the door.

Q. The shooting did not occur in the hall room? A. No. It was like a door this way here (illustrating), and a door just off there.

Q. Did Mrs. Smiler make any statement to you in regard to her husband saying that he would shoot her previous to that? A. No sir.

Q. How many times did you see her previous to that? A. I can't tell you. She was in the rooms two or three days, in and out.

Q. But previous to that time you didn't see her, didn't know her? A. Two or three weeks before that she was there two or three days and he came and took her away.

Q. Did you ever learn that this man had other wives? A. I knew nothing about it.

THE CORONER: That is immaterial, counsellor.

-----OXO-----

DR. PHILIP E. DONLIN here read the autopsy.

The CORONER then delivered his charge.

V E R D I C T.

We, the Jury, find that Margaret Smiler came to her death by pistol shot wounds at the hands of Harris A. Smiler, at 284 Seventh Avenue, on April 3rd, 1890.

ADJOURNED.

-----OXO-----

POOR QUALITY
ORIGINAL

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Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Harris A. Snider

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

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

The said *Harris A. Snider*,

late of the City of New York, in the County of New York aforesaid, on the *third*
day of *April*, in the year of our Lord one thousand eight hundred and
eighty ~~eighty~~ *eighty* at the City and County aforesaid, with force and arms, in and upon one
Maggie Snider, in the peace of the said People then and there being,
wilfully, feloniously, and of *his* malice aforethought, did make an assault, and the said
Harris A. Snider, a certain pistol then and there charged and
loaded with gunpowder and one leaden bullet, which said pistol the said *Harris*
A. Snider in *his* right hand then and there had and held,
to, at, against, and upon the said *Maggie Snider*.
then and there feloniously, wilfully, and of *his* malice aforethought, did shoot off and
discharge, and the said *Harris A. Snider*,
with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the
gunpowder aforesaid, shot off, sent forth and discharged, as aforesaid, *her* the said
Maggie Snider in and upon the *head* of *her*
the said *Maggie Snider*, then and there feloniously, wilfully, and of
his malice aforethought, did strike, penetrate and wound, giving to *her*
the said *Maggie Snider*, then and there, with the leaden bullet
aforesaid, so as aforesaid discharged, sent forth and shot out of the pistol aforesaid; by the

POOR QUALITY
ORIGINAL

0460

said Marion A. Smiler, in and upon the head of
the said Maggie Smiler, one mortal wound of the breadth of
one inch, and of the depth of six inches, of which said mortal wound she the
said Maggie Smiler, ~~at the City and County aforesaid,~~
~~from the said~~ day of ~~in the~~
~~year aforesaid, until the~~ day of ~~in the same year~~
~~aforesaid, did languish, and languishing did live, on which said~~
~~day of~~ in the year aforesaid, the said
~~at the City and County aforesaid, of the said mortal wound did die.~~
then and there died.

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

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

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse
the said Marion A. Smiler

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

The said Marion A. Smiler,

late of the City and County aforesaid, afterwards, to wit: on the said third
day of April, in the year of our Lord one thousand eight hundred and
~~eighty~~ ninty at the City and County aforesaid, with force and arms, in and upon the
said Maggie Smiler, in the peace of the said People then and there
being, wilfully, feloniously, and with a deliberate and premeditated design to effect
the death of the said Maggie Smiler, did make an assault, and the said

POOR QUALITY
ORIGINAL

0461

Marion A. Snider, a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which said pistol the said *Marion A. Snider* in *his* right hand then and there had and held to, at, against, and upon the said *Maggie Snider* then and there feloniously, wilfully, and with a deliberate and premeditated design to effect the death of the said *Maggie Snider*, did shoot off and discharge. and the said *Marion A. Snider* with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the gunpowder aforesaid, shot off, sent forth, and discharged, as aforesaid, *then* the said *Maggie Snider*, in and upon the *head* of *her* the said *Maggie Snider*, then and there feloniously, wilfully, and with a deliberate and premeditated design to effect the death of the said *Maggie Snider* did strike, penetrate, and wound, giving to *her* the said *Maggie Snider* then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth, and shot out of the pistol aforesaid, by the said *Marion A. Snider* in and upon the *head* of the said *Maggie Snider*, one mortal wound of the breadth of one inch, and of the depth of six inches, of which said mortal wound *she* the said *Maggie Snider* ~~at the City and County aforesaid,~~ ~~from the said~~ ~~day of~~ ~~in the~~ ~~year aforesaid, until the~~ ~~day of~~ ~~in the same year~~ ~~aforesaid, did languish, and languishing did live, on which said~~ ~~day of~~ ~~in the year aforesaid, the said~~ ~~at the City and County aforesaid, of the said mortal wound did die.~~ *Then and there died.*

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

Marion A. Snider, the said *Maggie Snider*, in the manner and form, and by the means aforesaid, wilfully, feloniously, and with a deliberate and premeditated design to effect the death of the said *Maggie Snider*, did kill, and murder, against the form of the Statute in such made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0462

BOX:

393

FOLDER:

3661

DESCRIPTION:

Lee, George

DATE:

04/22/90



3661

0463

BOX:

393

FOLDER:

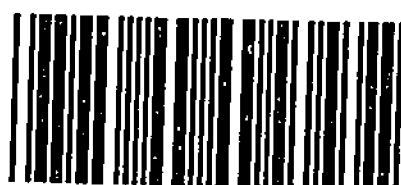
3661

DESCRIPTION:

Smith, James

DATE:

04/22/90



3661

POOR QUALITY
ORIGINAL

0464

Witnesses:

Carly Wells

Let's John

Em Ward

Dean M. Lury

Counsel,

Filed

Day of

1880

Pleads,

C. W. M. Lury

THE PEOPLE

vs.

James Smith

and

George Lee

John R. Bellows
DANOLD B. MARTINE

Part I

District Attorney.
Penman files Apr 25 1890 to
be heard April 30 Part I

Part I

A True Bill.

Argument on
remover and to clay 5 Part I

W. L. Perry

July 1/90 Foreman.

Both Pleas guilty and

W. L. Perry

Each fined \$100. RM.

POOL SELLING, ETC.
[Section 851, Penal Code.]

POOR QUALITY
ORIGINAL

0465

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

3 District Police Court.

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

Question. What is your name?

Answer. James Smith

Question. How old are you?

Answer. 30 years

Question. Where were you born?

Answer. New York

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

Answer. 160 West 128 Street 6 months

Question. What is your business or profession?

Answer. Clerk

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

Answer. I am not guilty
James Smith

Taken before me this

day of

August

1890

at

Police Justice.

Charles H. Hester

POOR QUALITY
ORIGINAL

0466

POLICE COURT, 3rd DISTRICT.

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

of No. 66 Exchange Place Street, being duly sworn, deposes and says,
that James Smith (now present) is the person of that name
mentioned in deponent's affidavit of the 12 day of April 1880
hereunto annexed. as John Doe

Sworn to before me, this 14 day of April 1880 } James M. Head

Charles W. Tainter POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0467

Sec. 151.

Police Court 3 District.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by Richard W G Welling
of No. 33 East Forty-fourth Street, that on the first day of April

1890 at the City of New York, in the County of New York, one John Doe, whose real name is unknown to
complainant, violated the Penal Code of this State and violated the provisions
of Chapter four hundred and seventy-nine of the laws of eighteen hundred and
ninety-eight, in that the said John Doe did unlawfully and
feloniously at the premises at the house or building master forty three East
Forty-fourth Street, in the City, County and State of New York, engage in pool selling and
was engaged and occupied as a clerk or employee in the said premises
and being the person who was engaged in writing the names of horses
running in the race on which each pool was sold, on the
blackboard kept in said premises and filling its particulars
of each race and exposing the odds offered in each pool.

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him
forthwith before me, at the 3 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 fourteenth day of April 1890

Charles W. Linton POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0468

POLICE COURT DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Richard W. G. Melling

vs.

John Doe

Warrant-General.

Dated *April 14* 188*9*

Magistrate.

Officer.

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

Officer.

Dated 188

This Warrant may be executed on Sunday or at
night

Police Justice.

John H. Corbell
Dated

Is Hereby Deputized to
execute the same

Michael J. Sheehy

of the City Prison of the City of New York.

having been before me under this Warrant, is committed for examination to the

The within named

Police Justice.

POOR QUALITY
ORIGINAL

0469

City, County and State of New York; ss

Richard W. G. Welling being duly sworn deposes and says. That he resides at Number *only two* East *Third* fourth street in the City, County and State of New York. That he doth upon information and belief, hereby charge one John Doe, whose real name is unknown to deponent, with violating the Penal Code of this State, and with violating the provisions of Chapter four hundred and seventy nine of the laws of eighteen hundred and eighty seven, in that the said John Doe did unlawfully and feloniously at the premises at the house or building number *Third* *Three* Park Row in the City, County and State of New York on the ~~at~~ *first* day of April eighteen hundred and ninety, engage in pool selling, and was engaged and occupied as a clerk or employee in the said premises and being the person who was engaged in writing the names of horses running in the race on which such pool was sold on the blackboard kept in said premises and giving the particulars of such race and exposing the odds offered in such pool. *wherefore this complainant prays that said John Doe may be apprehended and bound to answer this complaint.*

Sworn and subscribed before me

this *fourteenth* day of

April 1890.

Charles H. Lantieri
Police Justice

R. W. Welling

POOR QUALITY
ORIGINAL

0470

Blackburne's *dealt* *c*

City, county and State of New York ss¹

James M. Head being duly sworn deposes and says. That he resides at number 66 Exchange Place in the City County and State of New York. That on the first day of April in the year eighteen hundred and ninety in the City and County of New York, one John Doe whose real name is unknown to deponent did unlawfully and feloniously at premises in the house or building number 33 Park Row in the said City and County of New York engaged in making a bet or wager and selling a ticket in a pool upon the result of a trial or contest of speed between certain horses, the said trial or contest to take place at a race track known as ~~Clifton~~ *Blessed* ~~or~~ Guttenburg in the State of New Jersey, which said bet or wager and the sale of which pool was made in violation of the provisions of chapter four hundred and seventy nine of the laws of eighteen hundred and eighty seven, and an act entitled "An act prescribing the period in each year, during which and the terms under which racing may take place upon the grounds of associations incorporated for the improving of the breed of horses and suspending the operation of certain sections of the Penal Code", and in violation of the Penal Code. That at the said place and on the said day this deponent bought a ticket in a pool betting and wagering upon a certain horse known and advertised as ~~Blessed~~ *Blessed* paying the sum of five dollars for such ticket, and that the said John Doe did engage in the pool selling at the said premises at

POOR QUALITY
ORIGINAL

0471

the time deponent purchased such ticket, the said John Doe being engaged and occupied ~~as~~ as a clerk or employee in the said premises and being the person who was engaged in writing the names of horses run in the race on which such pool was sold on the blackboard kept and exposed in said premises and giving the particulars of such race and exposing the odds offered in such pool.

Sworn and subscribed before me

this 12th day of

April 1890. James M Head
Charles N Faint
Police Justice

0472

(2 copy)

(Bank clerk)

[illegible]

POOR QUALITY
ORIGINAL

0473

City County and State of New York ss;

Mark B. Tobin ----- being duly sworn

deposes and says that he resides at Number 86 Wierfield Street in the City of Brooklyn, N.Y. That on the first day of April eighteen hundred and ninety he attended at the Cullenburg race track in the State of New Jersey, and that at the said races the horse called known and advertised as Blessed, and advertised to be ridden by the Jockey H. Lewis, ran and was defeated by other horses in said race.

Sworn and subscribed before me

Mark B. Tobin

this *12th* day of

1890.

April
Charles W. Fairbanks

James M. H. H. H.

Police Justice

**POOR QUALITY
ORIGINAL**

0474

33 Paul Row

Maaild Jõu

"Blessed"

POOR QUALITY
ORIGINAL

0475

33 Bar. K. P. 2000

constant
Head
Job in

Small but clear

POOR QUALITY
ORIGINAL

0476

\$700. for 24
Deposited 15-1890/10 AM
W.H.T.

BAILED.
No. 1, by Robert W. Jones
Residence 127 W 42nd Street.
No. 2, by _____
Residence _____ Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

40191 583
Police Court--- 13 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William H. G. Mearns

1 James Stewart
2 _____
3 _____
4 _____

Offence Salting Pool

Dated April 14 1890

Sam'l Magistrate.

Officer.

Precinct.

Witnesses Chas. H. Long

No. 66 Exchange Place Street.

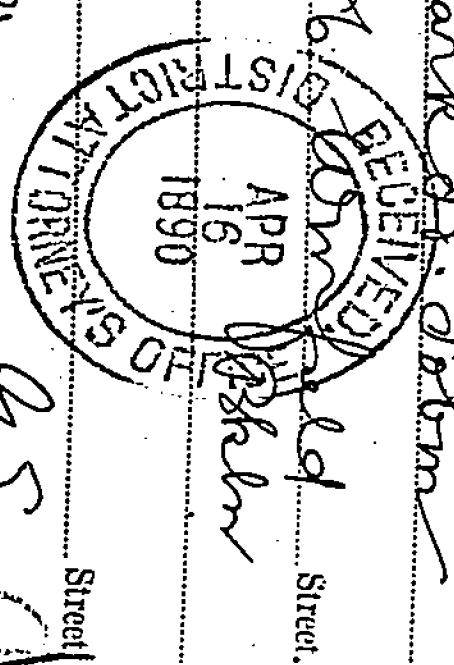
Chas. H. Long

No. 86 W 42nd Street.

Chas. H. Long

No. 700 Street.

Chas. H. Long



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 Seven 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 14 1890 Charles W. Linton Police Justice.

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

Dated April 14 1890 Charles W. Linton 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.

POOR QUALITY
ORIGINAL

0477

City, County and State of New York; ss

Richard W. Welling being duly sworn de-
poses and says. That he resides at number *sixty two*

East Thirty fourth street in the

City, County and State of New York. That he doth upon
information and belief, hereby charge one John Doe, whose real
name is unknown to deponent, with violating the Penal Code
of this State, and with violating the provisions of ~~section~~
four hundred and seventy nine of the laws of eighteen hundred
and eighty seven in that the said John Doe did unlawfully
and feloniously at the premises at the house or building number

Thirty three Park Row in the City,
County and State of New York on the *first* day of April
eighteen hundred and ninety, ~~engage~~ engage in pool selling
and was engaged and occupied as a clerk or employee in the
said premises and being the person who was engaged in selling
the tickets and receiving the money for the pools on horses

running in the race on which such pool was sold. *wherefore this*
complainant prays that said John Doe may be apprehended and
bound to answer this complaint.
Sworn and subscribed before me

this *fourteenth* day of

April 1890
Charles N. Lainto
Police Justice

R. W. Welling

POOR QUALITY
ORIGINAL

0478

CITY COUNTY AND STATE OF NEW YORK ss:

James M. Head ----- being duly sworn
deposes and says:

That he resides at Number 66 Exchange Place in
the City, County and State of New York;

That on the first day of April in the year eighteen
hundred and ninety in the City and County of New York, one
deponent
John Doe, whose real name is unknown to [^] did unlawfully and
feloniously at the premises in the house or building No. 33
Park Row in the said City and County of New York, make and
Bet or wager and sell a ticket in a pool upon the result of a
trial or contest of speed between certain horses, the said
trial or contest to take place at a race track known as
~~Clifton or~~ Guttenburg in the State of New Jersey, which said
bet or wager and the sale of which pool was made in violation
of the provisions of Chapter four hundred and seventy nine
of the laws of eighteen hundred and eighty-seven an act enti-
tled "An act prescribing the ~~period~~ period in each year,
during which and the terms under which racing may take place
upon the grounds of associations incorporated for the im-
proving of the breed of horses and suspending the operation
of certain sections of the Penal Code", and in violation of
the Penal Code. That at said time and on the same day and
at the same place this deponent gave to said John Doe
----- in the said premises the sum of five
dollars, saying to the said John Doe -----
that he wished to bet or wager and buy a ticket in a pool on

POOR QUALITY
ORIGINAL

0479

a certain horse called, known and advertised as "Blessed",
which said horse deponent was informed and verily believed
was to run with or against several other horses at the said
race track at said ~~Clifton~~ Gutterburg on said day.
Whereupon the said John Doe----- took the
said sum of money from the deponent and thereupon delivered
to this deponent and deponent received from the said -----
John Doe ----- a pool ticket.

Wherefore, deponent doth charge the said John Doe
----- with violating the Penal Code of this State
and with violating the provisions of Chapter four hundred
and seventy nine of the laws of eighteen hundred and eighty
seven as aforesaid.

Sworn and subscribed before me

this 12th day of

April 1890

Charles W. Hamilton
Police Justice

James M. Head

POOR QUALITY
ORIGINAL

0480

30 Paul Row
James M. Row

"Blessed"

Letter to all

POOR QUALITY
ORIGINAL

0481

City County and State of New York ss:

Mark B. Tobin a.

~~Albert M. Manett~~ ----- being duly sworn

deposes and says. That he resides at Number 1593 ~~Second~~ ^{86 Westfield Street} ~~Avenue~~, in the City, ^{of Brooklyn} ~~County~~ and State of New York.

That on the first day of April eighteen hundred and ninety he attended at the Guttenburg race track, and that at the said races the horse, called known and advertised as ~~Blessed~~ Blessed, and advertised to be ridden by the Jockey H. Lewis ran and was defeated by other horses in said race.

Sworn and subscribed before me

this 12th day of April 1890.

Charles N. Fairbanks
Police Justice

Mark B. Tobin,

~~James M. Head~~

0402

Result

[illegible]

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POOR QUALITY
ORIGINAL

0483

33 Paul Row

Compliment
John

John

to let older

POOR QUALITY
ORIGINAL

0484

Sec. 151.

33 Park Row
N.Y.C.

Police Court.....3..... District.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

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

of No. Eighty Two East Twentyfourth Street, that on the first day of April

1890 at the City of New York, in the County of New York, one John Lee, whose real name is unknown to
complainant, violated the Penal Code of this State, and violated the provisions
of Chapter four hundred and seventy nine of the Laws of this State
and and eighth eleven, in that the said John Lee did unlawfully and
feloniously at the premises at the house or building number thirty three
Park Row in the City County and State of New York, do engage in peddling
and was engaged and occupied as a clerk or employee in the said
premises and being the person who was engaged in selling the
tickets and receiving the money for the pools on horse
racing in the race on which such pool was sold.

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him
forthwith before me, at the 3 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 fourteenth day of April 1890

Charles H. Linter POLICE JUSTICE.

0405

Dated N.Y. April 14 1930
 Is hereby authorized to
 execute the within with
 power of EN and JAW
 John H. G. G. G.
 Dated

1. This document has been brought
to the attention of the
Board of Directors and the
Board of Directors has approved
this document.

Police Justice.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Richard W. C. Welby

vs.

John Doe

Warrant-General.

Dated April 14 1880

Magistrate.

Officer.

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

Officer.

Dated.....188

This Warrant may be executed on Sunday or at night.

Police Justice.

POOR QUALITY
ORIGINAL

0486

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. George Lee

Question. How old are you?

Answer. 38 years

Question. Where were you born?

Answer. New York

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

Answer. 137 East 126 Street 1 year

Question. What is your business or profession?

Answer. Clerk

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

Answer. I am not guilty
George Lee

Taken before me this 17
day of April 1887

Police Justice.

POOR QUALITY
ORIGINAL

0487

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

of No. James M Head
66 Exchange Place Street, being duly sworn, deposes and says,
that George Lee (now present) is the person of the name of
John Doe mentioned in deponent's affidavit of the 12
day of April 1890, hereunto annexed.

Sworn to before me, this 14
day of April 1890

James M Head
Charles N Linton POLICE JUSTICE.

0488

POOR QUALITY
ORIGINAL

BAILED,
No. 1, by Peter De Haven
Residence 127 W 42 Street.
No. 2, by _____
Residence _____ Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

Police Court--- District.

no 191 2 584

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Richard H. Helling

1 Charles E.

2

3

4

Offence Pool Selling

Dated April 14 1899

Magistrate.

John H. Smith Special Deputy Assn.

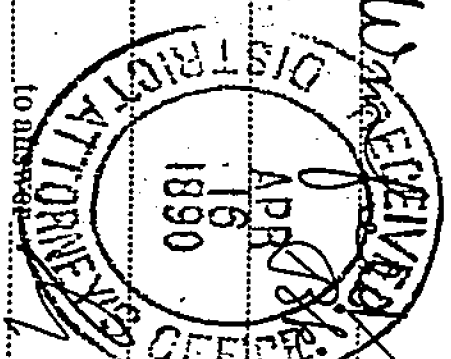
Witnesses

No. 66 Exchange St Street.

No. 66 Exchange St Street.

No. 86 Waverley Street.

No. 700 Street.



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

Defendants

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Seven 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 14 1899 Charles H. Smith Police Justice.

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

Dated April 14 1899 Charles H. Smith Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY
ORIGINAL

0489

Court of General Sessions of the Peace.

----- X
The People, etc.,
:

--vs.--
:

James Smith and George Lee
:
----- X

N o w, on this 25th day of April, 1890, in
this Court comes the said James Smith and George Lee,
and being arraigned upon the said indictment, say
that they demur thereto, and that the grounds of
said demurrer are--

- F i r s t -

That the facts stated do not constitute a crime.

- S e c o n d -

That more than one crime is charged in the indict-
ment within the meaning of Section 276 of the Code of
Criminal Procedure.

WHEREFORE defendants demand judgment
that they may be discharged and remitted from the
said indictment.

Dated April 25th, 1890.

HOVE & HUMMEL,
Of Counsel for said Defendant.

POOR QUALITY
ORIGINAL

0490

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

_____ being duly
sworn, says that he resides at No. _____ Street, in the City of
New York; that he is _____ years of age; that on the _____ day of _____
1890, at Number _____ in the City of
New York, he served the within _____ on _____
the _____ by leaving a copy thereof with _____

Sworn to before me this
day of _____ 1890. }

J. H. General Sessions

The People vs.

Plaintiff,

*James Smith and
George Lee.*

Defendant.

Demurrer.

Filed April 20 1890

HOWE & HUMMEL,
Attorneys for defendants.

87 & 89 CENTRE ST., New York City.

Due and timely service of copy of the within
hereby admitted

this day of _____ 1890.

Attorney.

To _____

POOR QUALITY
ORIGINAL

0491

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK .

against
James Smith
and
George Lee

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

James Smith and George Lee
of a Misdemeanor, committed as follows:

The said

James Smith and George Lee, both

late of the *Second* Ward of the City of New York, in the County of New York afore-
said, on the *first* day of *April* in the year of our Lord
one thousand eight hundred and eighty ~~ninety~~, at the Ward, City and County aforesaid,
did unlawfully keep a certain *room* in a certain *building* there situate,
for the purpose of therein recording and registering bets and wagers, and of selling pools,
upon the result of trials and contests of speed and power of endurance of beasts, to wit,
horses; 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

James Smith and George Lee

of a Misdemeanor, committed as follows

The said

James Smith and George Lee, both

POOR QUALITY
ORIGINAL

0492

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, being then and there the occupants
of a certain *room* in a certain *building*
there situate, with force and arms did unlawfully and knowingly permit the said *room*
to be used and occupied for the purpose of therein recording and registering bets and wagers,
and of selling pools upon the result of trials and contests of speed and power of endurance of
beasts, to wit, horses; 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

James Smith and George Lee

of a Misdemeanor, committed as follows:

The said

James Smith and George Lee, both

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the Ward, City and County aforesaid, being then and there the occupants
of a certain *room* in a certain *building* there situate,
with force and arms, did unlawfully therein keep, exhibit and employ divers devices and appa-
ratus (a more particular description whereof is to the Grand Jury aforesaid unknown) for the
purpose of recording and registering bets and wagers, and selling pools upon the result of trials
and contests of speed and power of endurance of beasts, to wit, horses; 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.

POOR QUALITY
ORIGINAL

0493

~~Court of General Sessions of the Peace~~

~~OF THE CITY AND COUNTY OF NEW YORK.~~

~~THE PEOPLE OF THE STATE OF NEW YORK~~

~~against~~

James Smith
and
George Lee

Fourth Court.

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

James Smith and George Lee

of the CRIME RECORDING AND REGISTERING A BET AND WAGER, com-
mitted as follows:

The said

James Smith and George Lee, both

Second
late of the ~~First~~ Ward of the City of New York, in the County of New York, aforesaid,
on the *first* day of *April* in the year of our Lord
one thousand eight hundred and eighty ~~ninety~~, at the Ward, City and County
aforesaid, and not upon any grounds or race track owned, leased, or conducted by any
association incorporated under the laws of this State, for the purpose of improving the
breed of horses, where racing was lawfully had, with force and arms, did unlawfully
record and register, and cause to be recorded and registered, a certain bet and wager,
then and there made by and between one *James M. Head*

and divers other persons to the Grand Jury aforesaid unknown, upon the result of a
certain trial and contest of speed and power of endurance of and between a certain horse
called *Blessed* and divers other horses (a more particular description
whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be
had, holden and run on the *Guttenburg* day and in the year aforesaid, at a certain place and race
track situated at *Guttenburg*
in the County of *Hudson* in the State of *New Jersey*
and commonly called the *Guttenburg* Race Track, and which
said trial and contest was had, holden and run on the day and in the year aforesaid, at
the place and race track aforesaid (a more particular description of which said trial and
contest, and of the said bet and wager so as aforesaid then and there made upon the
same, is to the Grand Jury aforesaid unknown, and cannot now be given), against the
form of the statute in such case made and provided, and against the peace of the People
of the State of New York and their dignity.

POOR QUALITY
ORIGINAL

0494

Fifth ~~Second~~ Count.—And the Grand Jury aforesaid, by this indictment, further
accuse the said

James Smith and George Lee

of the CRIME of POOL SELLING, committed as follows:

The said

James Smith and George Lee, both

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the
year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds
or race track owned, leased or conducted by any association incorporated under
the laws of this State, for the purpose of improving the breed of horses, where racing
was lawfully had, with force and arms, did feloniously engage in pool selling, and
did then and there feloniously sell, and cause to be sold, to one

James M. Head and to divers other
persons, to the Grand Jury aforesaid unknown, a certain pool upon the result of a certain
trial and contest of speed and power of endurance of and between a certain horse called

Blessed and divers other horses (a more particular description
whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had,
holden and run on the day and in the year aforesaid, at a certain place and race track

situated at *Guttenburg* in the County of
Hudson in the State of *New Jersey*

and commonly called the *Guttenburg* Race Track,

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

John R. Fellows,
~~RANDOLPH B. MARTINE,~~

District Attorney.

0495

BOX:

393

FOLDER:

3661

DESCRIPTION:

Smyth, Edward B.

DATE:

04/29/90



3661

POOR QUALITY
ORIGINAL

0496

309.
No 279

Witnesses:
Charles Wagner

W. Schuyler

Counsel,
Filed
Pleads
29
Collier
1890
Oppenheimer
30

23
not
plea
of
the
people
vs.
7
Edward B. Smyth
[Section 498, W. & A. 1880, 1.]
Burglary in the Third Degree.
Best Evidence.
Stages preceding.

JOHN R. FELLOWS,
District Attorney.

A True Bill.

W. J. Berry
Post 2 May 3/90
Foreman.
Pleas P. L.
Pen 3 and.

POOR QUALITY
ORIGINAL

0497

Police Court—3 District.

City and County } ss.:
of New York,

of No. 219 W 127th Street, aged 42 years,
occupation Saloon Keeper being duly sworn

deposes and says, that the premises No. 119 Chrystie Street, 10th Ward
in the City and County aforesaid the said being a three story frame
building the ground floor of
and which was occupied by deponent as a Liquor Store
and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly forcefully
breaking the partition on the north side
of said building in an alley adjoining

on the 15 day of April 1887 in the Night time, and the
following property feloniously taken, stolen, and carried away, viz:

Six boxes of Regars together valued
at fifteen dollars
\$15.00

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

Edward Smith. now here.
for the reasons following, to wit: at or about the hour of 10 p.m.
on the 15th day of April Deponent securely locked and left said
premises that at or about the hour of 5 a.m.
on the 16th day of April Deponent discovered
that said premises had been Burglariously
entered and the said property taken
stolen and carried away. Deponent
is informed by Office Henry B. Schuyler
of 11th Precinct. that he at or about

POOR QUALITY
ORIGINAL

0498

the hour of 2³⁰ a.m on the 16th day of
April we arrested the said Smith
and found in his possession the
segar's mark shown and which Depoer
identifies as being the property taken
away and stolen from his
premises. Depoer therefore prays
that this defendant be held to answer

Charles Blazier

Sworn & before me this
16th day of April 1890
J. M. Patterson

Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 188
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 mentioned, I order he to be discharged.
Dated 188
Police Justice.

Police Court,	District,
THE PEOPLE, &c., on the complaint of	
1	23.
2	
3	
4	
Dated	188
Magistrate.	
Officer.	
Clerk.	
Witness.	
No.	Street,
No.	Street,
No.	Street,
\$	to answer General Sessions.

POOR QUALITY
ORIGINAL

0499

CITY AND COUNTY } ss.
OF NEW YORK,

aged 32 years, occupation Police Officer of No. 11th Precinct Street, being duly sworn deposes and

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

Sworn to before me, this 16 day of April 1889

Henry B. Schuyver

J. M. Deutscher
Police Justice.

POOR QUALITY
ORIGINAL

0500

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

3 District Police Court.

Edward B. 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.

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

Edward B. Smith

Taken before me this 16
day of April 1891
John B. Williams

Police Justice.

POOR QUALITY
ORIGINAL

0501

BALIED,
No. 1, by _____
Residence _____
Street _____
No. 2, by _____
Residence _____
Street _____
No. 3, by _____
Residence _____
Street _____
No. 4, by _____
Residence _____
Street _____

40279 3592
Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles Wagner
119 City Office
Edward B Smith

Offence

Curphy

Dated

April 16 1892

Magistrate.

Schuyler
Officer.

Precinct.

Witnesses.

No.

Street.

No.

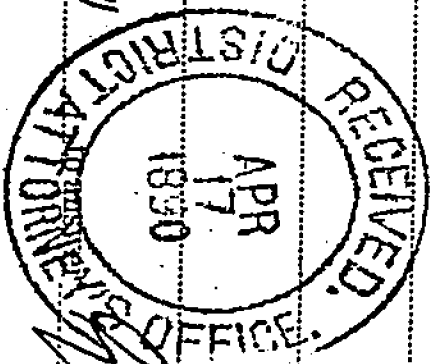
Street.

No.

Street.

No.

Street.



1577
J. J. J.
C. J. J.
D. J. 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 Fifteen Hundred Dollars, _____ and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated: April 16 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.

POOR QUALITY
ORIGINAL

0502

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Edward B. Smyth

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

Edward B. Smyth

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

The said

Edward B. Smyth

late of the

Tenth Ward of the City of New York, in the County of
New York, aforesaid, on the *fifteenth* day of *April* in the year of
our Lord one thousand eight hundred and *ninety*, with force and arms, at the
Ward, City and County aforesaid, a certain building there situate, to wit: the *store* of one

Charles Glazier

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

Charles Glazier

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.

POOR QUALITY
ORIGINAL

0503

SECOND COUNT—

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

_____ Edward B. Smyth _____
of the CRIME OF *Petit* LARCENY _____ committed as follows:

The said

_____ Edward B. Smyth _____

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

*three hundred cigars of the
value of five cents each,*

of the goods, chattels and personal property of one

in the *store* of the said

Charles Glazier
Charles Glazier _____

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.

POOR QUALITY
ORIGINAL

0504

THIRD COUNT—

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

Edward B. Smyth
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

Edward B. Smyth

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

*three hundred cigars of the value
of five cents each*

of the goods, chattels and personal property of one

Charles Glazier

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

Charles Glazier

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

Edward B. Smyth

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

JOHN R. FELLOWS,
District Attorney.

0505

BOX:

393

FOLDER:

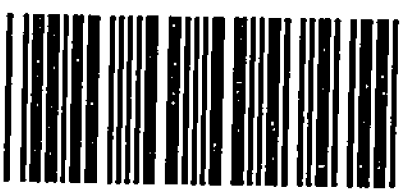
3661

DESCRIPTION:

Sommers, Jacob

DATE:

04/29/90



3661

POOR QUALITY
ORIGINAL

0506

X No 272

Witnesses;

Isaac Cohen

Officer McCannick

Depphas sent a
man in prison, his
mother's name out
that's confidential
sentenced for 6 years
S.P. by Connors Jr.

Counsel,

Filed

Pleads,

5th day of April 1890
Myself to

THE PEOPLE

vs.

16th St. R.
14th St. R.

Jacob Connors



clay & P. R. JOHNS

JOHN R. FELLOWS,

District Attorney.

910

Burglary in the Third degree.
[Section 498, 506, 528, 531]

A True Bill.

W. J. O'Derry

Part III May 5/90 Foreman.

Pleads guilty & begs.

24th 10 mos Penit

May 10 90

POOR QUALITY
ORIGINAL

0507

Police Court— 3 District.

City and County } ss.:
of New York,

Isaac Cohen
of No. 152 Ridge Street, aged 27 years,
occupation Dry Goods Dealer being duly sworn
deposes and says, that the premises No. 152 Ridge Street, 11 Ward
in the City and County aforesaid the said being a Five story brick
tenement House the ground floor
and which was occupied by deponent as a Dry Goods Store
and in which there was at the time a human being, by name

were **BURGLARIOUSLY** entered by means of forcibly breaking the
rear windows in the rear of said store and
and the door of said rear room leading
into said store.

on the 15 day of April 1887 in the Night time, and the
following property feloniously taken, stolen, and carried away, viz:

Southern Rolls of Cloths valued at
Sixty dollars

\$60 ⁰⁰/₁₀₀
Sixty 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

William Brown and Jacob Sommer
(both now here)

for the reasons following, to wit:

Deponent securely locked
and bolted the doors of said rooms
and store at the hour of 8 o'clock
p.m. and when deponent returned
at 8 a.m. on said date he found
that the windows and doors had
been forcibly broken open and the
rooms Burglariously entered and
the said property was missing

POOR QUALITY
ORIGINAL

0508

Deponent is informed by Officer
Mc Cormick of the 13th Precinct that
he arrested the defendants and
the found said property in their possession.
which property deponent has since
identified as being a portion of
the property stolen from him.
Defendants after being informed of
their rights admitted that they
had stolen said property.

Therefore I advise that these defendants
be held to answer.
Joseph Koen

Sworn to before me this
15 day of April 1890
Charles Martin

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 1889
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1889
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1889
Police Justice.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

vs.

1
2
3
4

Offence—BURGLARY.

Dated 1889

Magistrate.

Officer.

Clerk.

Witness.

No. Street.

No. Street.

No. Street.

\$ to answer General Sessions.

POOR QUALITY
ORIGINAL

0509

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer. *Jacob Sommers*

Question. How old are you?

Answer. *16 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *147 Ridge Street 2 years*

Question. What is your business or profession?

Answer. *Butcher*

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

Answer. *I am guilty of the charge*

Jacob Sommers

Taken before me this

15

day of *April*

1890

Charles W. Taintor

Police Justice

POOR QUALITY
ORIGINAL

05 10

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

William Brown 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 of the Charge
Wm Brown

Taken before me this

15

day of April

1880

Charles W. Starnitz

Police Justice.

POOR QUALITY
ORIGINAL

0511

BAILED,
No. 1, by _____
Residence _____
No. 2, by _____
Residence _____
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____

Police Court-- 3 591
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Jacob Cohen
152nd Ridge

William Cohen

Jacob Cohen
Separate

indicting to

Offence

Burglary

Dated April 15 1890

Sanford
Magistrate.

McCormick
Municipal Officer.

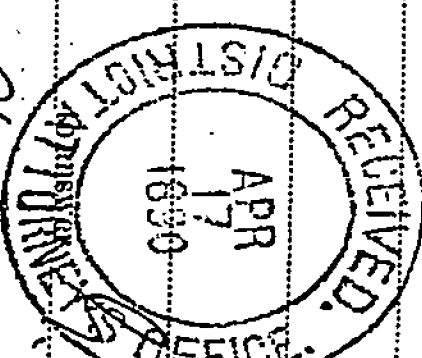
13
Precinct.

Witnesses
The People

No. 152-152
Street.

No. _____
Street.

No. _____
Street.



Conrad
Baker

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, each 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 15 1890 Charles H. Smith Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY
ORIGINAL

0512

TO THE CHIEF CLERK.

^{549/90}
PLEASE SEND ME THE PAPERS IN THE CASE OF

B PEOPLE

vs.

Fred H. Stillford

last May

Ind Apr 16/90 H W

Enrolled Attorney.

Ind Dismissed

May 2/90

By Martine J.

(Sample B.)

POOR QUALITY
ORIGINAL

05 13

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Isaac Sommer

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

Isaac Sommer

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

The said *Isaac Sommer*,

late of the *Eleventh* Ward of the City of New York, in the County of New York, aforesaid, on the *15th* day of *April*, in the year of our Lord one thousand eight hundred and *ninety*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *store* of one

Isaac Sommer

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

Isaac Sommer

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.

POOR QUALITY
ORIGINAL

05 14

SECOND COUNT—

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

Jacob Sommer
of the CRIME OF Grand LARCENY in the second degree, committed as follows:

The said Jacob Sommer,

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 morning time of the said day, with force and arms,

fourteen rolls of cloth of the value of
four dollars and fifty cents each
roll.

of the goods, chattels and personal property of one Isaac Klein,

in the store of the said Isaac Klein.

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.

John H. H. H. H.
John H. H. H. H.

05 15

BOX:

393

FOLDER:

3661

DESCRIPTION:

Sparks, Walter S.

DATE:

04/29/90



3661

POOR QUALITY
ORIGINAL

05 16

641

Apr 28/

Counsel
Filed
Pleads
1890
May 1st
W. J. C. Berry

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1883, Sec. 21 and
page 1889, Sec. 5.]

THE PEOPLE

vs.

Walter S. Sparks

JOHN R. FELLOWS,
District Attorney.

A True Bill.

W. J. C. Berry
Foreman.

Perfect, 10/29/91, 10/13/91

Witness:
W. J. C. Berry

POOR QUALITY
ORIGINAL

05 17

Excise Violation-Selling on Sunday.

POLICE COURT- 5- DISTRICT,

City and County } ss.
of New York }

of No. The 29 Police Precinct Street,

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 8 day
of July 1888, in the City of New York, in the County of New York,

at premises No. 77 St. 3rd Ave Street,

Walter S. Fox Sparke (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 Walter S. Fox Sparke
may be arrested and dealt with according to law.

Sworn to before me, this 8 day } Charles C. Moryckel.
of July 1888 }

Wm. H. Hannon Police Justice.

POOR QUALITY
ORIGINAL

0518

Sec. 108-200.

5- District Police Court.

CITY AND COUNTY
OF NEW YORK,

Walter S. Fox Sparks 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.

Walter S. Fox Sparks

Question. How old are you?

Answer.

45

Question. Where were you born?

Answer.

New York

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

Answer.

135 E 22 St New York

Question. What is your business or profession?

Answer.

Bar. tender

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

Answer.

*I am not guilty and demand
a trial by jury
Walter S. Fox Sparks*

*The complainant further says on
examination I tried the side door
of the place and found that
it was fastened by a chain.
The defendant opened the door
and I asked for Whiskey and
obtained it and paid for it.*

Charles B. Woychek.

Taken before me this

188

Police Justice.

POOR QUALITY
ORIGINAL

0519

BAILED
No. 1, by Alfred Van Buren
Residence 224 E 123 Street
No. 2, by _____
Residence _____ Street
No. 3, by _____
Residence _____ Street
No. 4, by _____
Residence _____ Street

No 281 1046
Police Court... 5- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles D. Mendenhall

1 Walter S. Sparks

2 Walter S. Sparks

3 _____

4 _____

Offence Violation of
Excise Law

Dated July 8 188

W. Murray Magistrate.

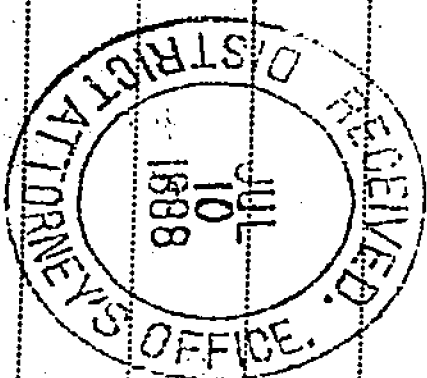
M. J. Mendenhall Officer.

79 Precinct.

Witnesses

No. _____ Street

No. _____ Street



No. 150 Street

David Bailiff

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

Walter S. Sparks
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 July 8 188 W. Murray Police Justice.

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

Dated July 8 188 W. Murray 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.

POOR QUALITY
ORIGINAL

0520

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Walter S. Sparks

The Grand Jury of the City and County of New York, by this indictment, accuse
Walter S. Sparks
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON SUNDAY, committed as follows:

The said

Walter S. Sparks

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

Charles C. Moychel

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

SECOND COUNT—

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

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

The said

Walter S. Sparks

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, the same being the first day of the week, commonly called and known as
Sunday, being then and there in charge of and having the control of a certain place
there situate, which was then duly licensed as a place for the sale of strong and
spirituous liquors, wines, ale and beer, with force and arms, at the City and County
aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep
closed, and on the said day the said place so licensed as aforesaid unlawfully did then
and there open, and cause and procure and suffer and permit, to be open, and to remain
open, against the form of the Statute in such case made and provided, and against the
peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0521

BOX:

393

FOLDER:

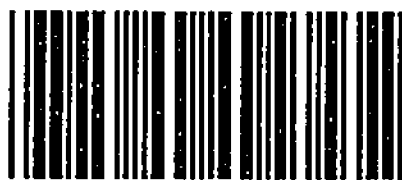
3661

DESCRIPTION:

Spence, George

DATE:

04/02/90



3661

0522

John V. Barry

Latex

albert knox
350 W. 11th

302 West 25th

Chas. Carey

16th Precinct

Officers Barron and

July 9th 1895

Mr. R. Conway / Mr. J.

Captain Grant

16th Precinct

Counsel,

Filed *day of April* 188*8*

Pleads.

THE PEOPLE

72-156-105.

PI

George ~~Spence~~

JOHN R. FELLOWS,

Part 2 - June 1990 District Attorney.

tried and considered of

Number in the second degree
25-1-3. 3. 3.

A True Bill

June 22

John W. Pringle

May 19/12 Part II

2. B.

May 26 1898

Part I

POOR QUALITY
ORIGINAL

0523

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

POLICE COURT Second DISTRICT.

of No. 16 John Carey

Street, being duly sworn, deposes and

says that on the 20th day of March 1890.

day of

1890.

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

he was called

to the residence of George and
Kate or Alfred Knox 392 West 25th St
and therein found said Kate
Spence suffering from a
pistol shot wound one
in the right ear and one
in the right side of the throat.
That deponent asked said
Kate who shot her and she
replied "my husband" who was
present and identified in
deponent's presence as the
assaultant, that the said George
Spence confessed to deponent
that he had intentionally
shot his wife. Deponent
further says that said Kate
has since died from the wounds
inflicted by said George Spence
and therefore charges said
George Spence with wilfully
unlawfully and feloniously
committing the crime of Murder
upon the person of said Kate
Spence.

Sworn to before me this 21 day

of March 1890

John Carey
Police Justice.

POOR QUALITY
ORIGINAL

0524

Sec. 193-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

George Spence being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is h right to
make a statement in relation to the charge against 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 h waiver cannot be used
against him on the trial.

Question. What is your name?

Answer. George Spence

Question. How old are you?

Answer. 20 years

Question. Where were you born?

Answer. MS.

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

Answer. 248 West 28th Street.

Question. What is your business or profession?

Answer. Student

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

Answer. I have nothing to say.

George Spence

Taken before me this

day of

21
March
1894
J. J. Connelley

Police Justice.

POOR QUALITY
ORIGINAL

0525

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court-- 458 District.

THE PEOPLE,

ON THE COMPLET OF

John Carey

George Spencer

Offence

Offence

Dated March 21 1890

Whit - Magistrate.

Carey, Officer.

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

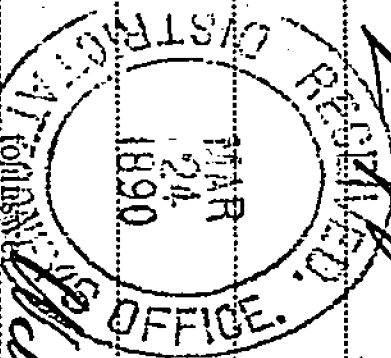
Residence

No. 6, by

Residence

No. 7, by

Residence



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.

George Spencer

guilty thereof, I order that he be held to answer the same and ~~he be admitted to bail in the sum of~~ Handred Dollars and be committed to the Warden and Keeper of

the City Prison of the City of New York, until he ~~give such bail~~ be legally discharged

Dated March 21 1890 A. J. White Police Justice.

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

Dated March 21 1890 A. J. White Police Justice.

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

Dated March 21 1890 A. J. White Police Justice.

POOR QUALITY
ORIGINAL

0526

Form 102-23

47-2086-22-B

SUBPOENA (Duces Tecum) FOR A WITNESS TO ATTEND THE GRAND JURY

In the name of the People of the State of New York

To *Wm Hannah*
of No. Street

YOU ARE COMMANDED to appear before the Grand Jury of the County of New York, at the Grand Jury Room, in the third story of the Criminal Courts Building, on Centre Street, between Franklin and White Streets, in the Borough of Manhattan of The City of New York, on the *16* day of *Jan*, 192*4*, at the hour of 10:30 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 *George Spence* and that you bring with you and produce, at the time and place aforesaid, a certain.....

Indictment filed
April 2, 1890
Murder;

now in your custody, and all other deeds, evidences and writings which you have in your custody or power concerning the premises, and for a Failure to Attend you will be deemed guilty of a Criminal Contempt of Court, and liable to a Fine of Two Hundred and Fifty Dollars and Imprisonment for thirty days and to be prosecuted and punished for a misdemeanor.

Dated at the Borough aforesaid, in the County of New York, the first Monday of....., 192.....

JOAB H. BANTON, District Attorney.

GRAND JURY

NOTICE—Witnesses subpoenaed to attend before the Grand Jury must take elevators Nos. 5 and 6 on the White Street side of the Criminal Courts Building.

SEE DIRECTIONS ON OTHER SIDE.

POOR QUALITY
ORIGINAL

0527

COURT OF GENERAL SESSIONS OF THE PEACE.

SUBPENA.

County of New York, ss:

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

To *Jessie Raily*
449 W. 28th St. City



YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, to be holden in and for the said City and County of New York, at the City Hall of the said City, on *Fri* day, the *13* day of *June* instant,

at the hour of ELEVEN 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 *George Spence*

Dated at the City of New York, *13th* day of *June* 18*90*

By order of the Court.

JOHN SPARKS, Clerk of Court.

John R. Heinselman Counsel for Defendant.

23 Chambers St.

Part 4
The Court is held in the Court House, 32 Chambers St.

0528

[illegible]

2
; Affidavit of service of

Выводы.

.....

Adolph Lautman

12 day of June 1880, at No. 449 W. 28 St. City I served a sub-

said action personally, by delivering the said subpoena to and

at the place aforesaid, and that I know the said *James*

Sworn to before me this

Adolph Lautman acc.

The Malochensh
by my public
Kuznetsov to the
in my Co

POOR QUALITY
ORIGINAL

0529

Court of General Sessions
The People etc.

vs

George Spence

Defendant of
Service of Subpoena

John W. Thompson

Att. for Deft.

23 Chambers St

City

Let an attachment
issue

Done at New York
Jan 11 1890.

POOR QUALITY
ORIGINAL

0530

MEMORANDA.

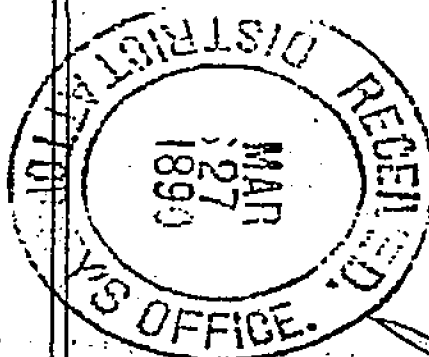
AGE			PLACE OF NATIVITY	WHERE FOUND	DATE When Reported	
18	Years	Months	Days	U.S.	New York Hospital	March 21/90

Date of death

Discharged

Operated

Committed



W. J. Adams and Henry
CORONER.

before

March 1890

Inquest taken on the 25th day

Death by the hands of
George Spencer

whereby it is found that A. he came to

State of New York

On the VIEW of the BODY

AN INQUISITION. 458

HOMICIDE.

Mr. Quar 1033. 1890

1033

POOR QUALITY
ORIGINAL

0531

Coroner's Office,

CITY AND COUNTY
OF NEW YORK,

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

Question—What is your name?

Answer—

Question—How old are you?

Answer—

Question—Where were you born?

Answer—

Question—Where do you live?

Answer—

Question—What is your occupation?

Answer—

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

*Nothing to say
at present by advice
of Counsel*
George Spence

Taken before me this *25th* day of *March* 18*90*
Ferdinand Levy CORONER.

POOR QUALITY
ORIGINAL

0532

TESTIMONY.

W^m A. Conway, M. D., being duly sworn, says:
I have made a post mortem examination of the body of
Kate Spence now lying dead at
New York Hospital and from such an examination
and history of the case, as per testimony, I am of opinion the cause of
death is Pistol Shot Wound of the Head and
Neck

W^m A. Conway,
M. D.

An Autopsy made March 21st 1890 at the
New York Hospital showed the following
results. An external view of body showed
a bullet wound on left right side of the neck
about 2 inches from the angle of the jaw bone
around which were distinct powder marks and
a bullet wound of right ear also with powder
marks in the surrounding skin. On opening
the skull the latter ^{wound} was found to extend through
the petrous portion of temporal bone producing a
fracture of the base of the skull and hemorrhage from
the bloodvessels of the brain. The course of the bullet
was straight inwards. The course of the bullet wound
in the neck was upwards & inwards into the base of the
skull. Both lungs were normal; a slightly adherent
pleura on right side existed; heart normal; liver
normal; kidneys normal. Stomach contained
considerable fluid of an alcoholic smell.

In my opinion the cause of death
was Hemorrhage of Brain & fracture of skull
caused by a pistol shot wound of the
head.

W^m A. Conway, M. D.,

Sworn to before me,

this 21st day of March 1890

Frederick L. Brown

CORONER.

POOR QUALITY
ORIGINAL

0533

MEMORANDA.

AGE	PLACE OF NATIVITY	WHERE FOUND	Date When Reported
18 Years — Months — Days	U.S.	New York Hospital	March 25/46

by
F. A. S.
M. J. D. H.

Age

Quart.

18

AN INQUISTION

On the VIEW of the BODY of

Kate Vance

whereby it is found that she came to
her death by

poison

Wound of Head and
neck to be have been
inflicted by her husband

George Vance about
9:30 P.M. March 20/46
at 302 W. 28th St.

Inquest taken on the
day
of 18 before

MICHAEL J. D. MESSEMER, CORONER.

by
Ferdinand Levy

POOR QUALITY
ORIGINAL

0534

IN THE CORONER'S COURT OF THE CITY & COUNTY OF NEW YORK.

INQUEST IN THE MATTER OF : Before HON. FERDINAND LEVY,
THE DEATH OF : Coroner,
K A T E S P E N C E : and a Jury.

New York, Tuesday, March 25th, 1890.

For the Prisoner, George Spence, appeared MR.
JOSEPH H. STINER.

For the District Attorney's Office appeared Mr.
Edward Grosse.

MATTHEW GONNOUD, a police officer attached to the 16th
precinct, sworn and examined.

BY THE CORONER:

Q. Now, officer, tell the Jury all you know of
this case? A. I was standing on the corner of 8th
Avenue when a citizen came out of the house and told me
a man had shot his wife upstairs and said I had better
go in. I went upstairs and Alfred Knox handed me a
revolver saying that this man shot his wife. I dragged
his wife from under the bed. She was partly lying under
the bed. I pulled her out and turned her over on her
back. I asked her who shot her. She said, "My hus-
band." I asked her who was her husband. She said,
"George Spence." I asked her if this was her husband stand-
ing there; she said "yes, George Spence." I asked her
if she thought she was going to die; she said she thought
so, she felt so sick. I took the prisoner down stairs
and took ~~her~~ to the station house and sent for an ambu-
lance. That is all I had to do with the case.

BY MR. GROSSE:

Q. Who is Alfred Knox? A. He is a witness. He
is in the room. It was in his room it happened. He
was in there at the time it was done.

Q. Was the defendant in the room when you spoke
with the deceased? A. Yes, standing in front of her.

Q. And he heard what she said? A. Yes, sir.

Q. Did he say anything? A. No, sir.

-----oXo-----

ALFRED KNOX, sworn and examined.

BY THE CORONER:

Q. Where do you live? A. 302 West 25th Street.

Q. Are you married? A. Yes, sir.

Q. What is your occupation? A. Working out at
buildings.

Q. Now, Mr. Knox, tell the Jury everything that
occurred that you know of your own knowledge in the case
of Spence? A. Well, it was nine o'clock that evening---

Q. (Interposing) What evening? A. Thursday
evening.

POOR QUALITY
ORIGINAL

0535

Q. That was the 20th of March ? A. Yes, sir.

Q. Now proceed ? A. I was sitting in the room, my wife and me, and a knock came to the door. My wife opened the door and Mr. Spence and his wife came in. They sat down. I was holding the child in my arms humming a song to it, the child was crying. So he and his wife sat down and I stopped singing. He says to me, "Have you any objection to my singing a song ?" I said, "No, providing you don't make too much noise." So, he began to sing a song and his wife helped him with it and after he was through he pulled the pistol out and shot her. That was all about it. There wasn't a word between them; I never seen no difficulty between them.

BY A JUROR:

Q. In what room did this shooting occur; in your room or in the room of the prisoner ? A. In my room.

Q. Whose baby was that; was it your baby ? A. Yes, sir; my baby.

BY MR. GROSSE:

Q. Did the defendant live in the same house ? A. No, sir. I understood first that he did live there, but I found out afterwards that he didn't live there at all.

Q. So they were both visitors.

A. Yes, sir.

Q. Did you see the shooting ? A. Yes, sir.

Q. You saw when he fired the pistol ? A. Yes, sir.

Q. How many shots ? A. Two.

BY A JUROR:

Q. Did Spence and his wife both come into your room at the same time ? A. Yes, sir.

BY THE CORONER:

Q. You saw this prisoner have the pistol in his hand and saw him fire two shots at Kate Spence, his wife ?

A. Yes, sir.

Q. You are positive of that ? A. Yes, sir.

Q. Was there any quarrel at all ? A. Nothing of anything.

Q. Nothing of that kind ? A. No, sir.

BY MR. GROSSE:

Q. Were you present when she spoke to the officer ?

A. Yes, sir.

Q. Did you hear her say that her husband shot her ?

A. Yes, sir. When the officer came in she was half way under the bed, where she had crawled, and he pulled her out and he says, "Who shot you ?" She says, "My husband, George Spence." "What did he do it for ?" She says, "I don't know."

Q. And the defendant was present when she said it ?

A. Yes, sir.

Q. Did he say anything ? A. No, sir.

Q. Did you hear her say that she expected to die ?

A. No, sir.

Q. But she may have said it ? A. I didn't hear it.

POOR QUALITY
ORIGINAL

0536

BY MR. STEINER:

Q. I understand the deceased was under the bed. Was that in your sitting room or bedroom? A. Sitting room; one room.

Q. Do you occupy only one room there? A. Yes, sir.

Q. Was she lying upon the bed? A. No, sir; she was sitting on the bed.

Q. Was he sitting alongside of her? A. Well, very near; he was sitting on a chair.

Q. How far from the bed? A. It wasn't more than two feet.

Q. You don't know what conversation occurred between them, do you? A. There wasn't any in my room.

Q. Was there any talk at all between Mrs. Spence, the deceased, and the prisoner? A. No, sir; not any that I know of.

Q. Are you positive of that? A. Sure. They had no conversation in my room.

Q. How long have you been acquainted with either Mr. Spence, or the deceased, Mrs. Spence? A. I knew him only just to see him Wednesday and Thursday. That was the first acquaintance I ever had with him. But her, I knew her as a small girl, seven or eight years old.

Q. Do you know what name she went under? A. She got nicknamed as "Kate, the rebel." It was a nickname they gave her father. They used to call her father "Mike, the rebel," and that is the way they nicknamed her.

Q. And were you very intimately acquainted with her? A. Nothing more than I knew her father and folks; that was all. I seen her when she was a small girl running around the Avenue.

Q. Do you know whether she drank? A. She did drink, certainly.

BY THE CORONER:

Q. Who else was present at the time of the shooting?

A. My wife.

Q. Is she here? A. Yes, sir.

-----oXo-----

MRS. KATE KNOX, sworn and examined.

BY THE CORONER:

Q. What do you know about the shooting of Kate Spence? A. On Thursday night my husband and me was after eating our supper and he had the baby in his arms, and there was a knock at the door and I got up and opened the door and it was George Spence and his wife and they said, "Good evening." I says, "Come in." They both of them came in and they sat down. Mr. Spence says, "Have you any objections to my singing a song?" I says, "Not at all, sir." He sang a song and in about five minutes after he sang the song he shot twice at his wife.

POOR QUALITY
ORIGINAL

0537

Q. What time of the evening was this ? A. I couldn't exactly say, sir.

Q. After supper ? A. Yes, sir.

Q. Were any words passed between them ? A. Not a word, sir.

Q. He sang a song and then shot his wife ? A. He shot his wife right after he sang.

Q. How often did he shoot her ? A. Twice, sir.

BY MR. GROSSE:

Q. You saw the pistol in his hand ? A. Yes, sir.

Q. And saw him fire the shots at his wife ? A. Yes, sir.

Q. And you saw his wife when she had been shot ? A. Yes, sir.

Q. Did you hear her talk to the officer ? A. Yes, sir.

Q. Will you tell what she said ? A. The officer asked her who done it; she said her husband, George Spence. The officer asked her what he done it for; she said she didn't know.

Q. Is that all she said ? A. That is all.

Q. And the defendant, was sitting there ? A. Yes, sir.

Q. He could hear them talking ? A. Yes, sir.

Q. Did he say anything ? A. No, sir.

-----oxo-----

JOHN CAREY, a detective attached to the 16th Precinct, sworn and examined.

BY THE CORONER:

Q. Tell the Jury what you know of this case ?

A. About 9.05 on March 20th officer Gunnoud brought the prisoner to the station house. I saw the prisoner, George Spence, at the station house, and from what I heard there I took him back to 302 West 25th Street. I saw Katie Spence, the deceased, there. She had a wound in the right side of her neck and blood was trickling from her right ear. I raised her up on the bed. George Spence, the prisoner, was there. I asked her who shot her. She said, "George Spence." I asked her if he was her husband ? She said, "Yes." I asked her "Why did he shoot you ?" She replied, "I don't know." Officer Gunnoud, Officer Bannon, Officer Fitzgibbons and Knox and his wife were in the room at the time.

Q. Those were the only questions you put, were they ?

A. I then turned to Spence and said something to him.

Q. Well, at any rate, she told you that the prisoner here, her husband, shot her ? A. Yes, sir.

Q. And why he shot her she couldn't say ?

A. I asked her why he shot her and she said she didn't know. I asked her if she thought she ~~xxx~~ would die ? She said she didn't know.

POOR QUALITY
ORIGINAL

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α

BY MR. GROSSE:

Q. Did the defendant say anything? A. I asked him if it was he who shot her. I asked him why he shot her prior to that time. He said that she had been with other men and I asked him if that was what he shot her for and he said "I suppose it is."

Q. Anything else? A. I had a subsequent conversation with him in the station house in the presence of Captain Grant about eleven o'clock that night. The Captain went down stairs and spoke to him.

BY THE CORONER:

Q. Did you have a conversation with him? A. Yes, sir.

Q. Was it in substance the same as the one you had before? A. No, sir; it was not.

Q. Did he then deny the shooting? A. He did not; He said he did shoot her. I asked him which of the shots he fired first. He said he fired a shot at the brain, that was the first shot, and the second was in the neck. I asked him if he took good aim. He said no, he didn't, that she was acting so he was afraid she would turn around and see him.

Q. In other words he admitted the shooting in both conversations? A. Yes, sir.

BY MR. GROSSE:

Q. Did you see the deceased in her coffin? A. I saw her in the New York Hospital dead.

-----oXo-----

The Coroner here charged the Jury.

Without retiring from the box the Jury found the following

V E R D I C T.

We, the Jury, find that Kate Spence came to her death from pistol shot wounds at the hands of George Spence at 302 West 25th Street on March 20th, 1890.

ADJOURNED.

POOR QUALITY
ORIGINAL

0539

BY MR. GROSSE:

Q. Did the defendant say anything? A. I asked him if it was he who shot her. I asked him why he shot her prior to that time. He said that she had been with other men and I asked him if that was what he shot her for and he said "I suppose it is."

Q. Anything else? A. I had a subsequent conversation with him in the station house in the presence of Captain Grant about eleven o'clock that night. The Captain went down stairs and spoke to him.

BY THE CORONER:

Q. Did you have a conversation with him? A. Yes, sir.

Q. Was it in substance the same as the one you had before? A. No, sir; it was not.

Q. Did he then deny the shooting? A. He did not; He said he did shoot her. I asked him which of the shots he fired first. He said he fired a shot at the brain, that was the first shot, and the second was in the neck. I asked him if he took good aim. He said no, he didn't, that she was acting so he was afraid she would turn around and see him.

Q. In other words he admitted the shooting in both conversations? A. Yes, sir.

BY MR. GROSSE:

Q. Did you see the deceased in her coffin? A. I saw her in the New York Hospital dead.

-----oxo-----

The Coroner here charged the Jury.

Without retiring from the box the Jury found the following

V E R D I C T.

We, the Jury, find that Kate Spence came to her death from pistol shot wounds at the hands of George Spence at 302 West 25th Street on March 20th, 1890.

ADJOURNED.

POOR QUALITY
ORIGINAL

0540

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION,

Taken at the house of Coroners Office
No. 67 Park Row Street, in the 4th Ward of the City of
New York, in the County of New York, this 25th day of March
in the year of our Lord one thousand eight hundred and 90 before
Ferdinand Levy Coroner,
of the City and County aforesaid, on view of the Body of Kate Spence
lying dead at

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

Pistol shot wounds of head and neck
inflicted with a pistol in the hands of
George Spence, at 302 West 25th Street March
20th 1890.

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

JUROS.

Henry Hallman 245 Bowery	Henry Kipp 35 Pearl
John Renna 208 Pearl	Peter E. Ellinath 185 Bowery
Fredrich Glaser 217.6 St	R. Weiden 84 Barzetta at Brooklyn
Wm. Engelmann 114 Pearl	
August Schacht 134 Water St	
J. H. Wendelken 189 Bowery	

Ferdinand Levy
CORONER, E. S.

POOR QUALITY
ORIGINAL

0544

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 S. Sence

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

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

The said *George S. Sence*,

late of the City of New York, in the County of New York aforesaid, on the *fourth*
day of *March*, in the year of our Lord one thousand eight hundred and
~~eighty~~ *ind* at the City and County aforesaid, with force and arms, in and upon one
Kate Sence, in the peace of the said People then and there being,
wilfully, feloniously, and of *his* malice aforethought, did make an assault, and the said
George S. Sence, a certain pistol then and there charged and
loaded with gunpowder and one leaden bullet, which said pistol the said *George*
Sence in *his* right hand then and there had and held,
to, at, against, and upon the said *Kate Sence*,
then and there feloniously, wilfully, and of *his* malice aforethought, did shoot off and
discharge, and the said *George Sence*,
with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the
gunpowder aforesaid, shot off, sent forth and discharged, as aforesaid, *over* the said
Kate Sence, in and upon the *head* of *her*
the said *Kate Sence*, then and there feloniously, wilfully, and of
his malice aforethought, did strike, penetrate and wound, giving to *her*
the said *Kate Sence*, then and there, with the leaden bullet
aforesaid, so as aforesaid discharged, sent forth and shot out of the pistol aforesaid, by the

POOR QUALITY
ORIGINAL

0542

said *George Spence*, in and upon the head ~ of
the said *Kate Spence*, one mortal wound of the breadth of
one inch, and of the depth of six inches, of which said mortal wound *she* the
said *Kate Spence*, —, at the City and County aforesaid,
from the said *twentieth* day of *march*. — in the
year aforesaid, until the *twenty first* day of *march*, in the same year
aforesaid, did languish, and languishing did live, on which said *twenty first*
day of *march*, in the year aforesaid, the said *Kate Spence*,
— at the City and County aforesaid, of the said mortal wound did die.

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

George Spence, her, —

the said *Kate Spence*, — in the manner and form, and by
the means aforesaid, wilfully, feloniously, and of *his* malice aforethought, did kill
and murder, against the form of the Statute in such case made and provided, and against
the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

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

The said *George Spence*,

late of the City and County aforesaid, afterwards, to wit: on the said *twentieth*
day of *march*, in the year of our Lord one thousand eight hundred and
~~eighty~~ *ninety* at the City and County aforesaid, with force and arms, in and upon the
said *Kate Spence*, in the peace of the said People then and there
being, wilfully, feloniously, and with a deliberate and premeditated design to effect
the death of the said *Kate Spence*, did make an assault, and the said

POOR QUALITY
ORIGINAL

0543

George Spence, a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which said pistol the said *George Spence*, in *his* right hand then and there had and held to, at, against, and upon the said *Kate Spence* — then and there feloniously, wilfully, and with a deliberate and premeditated design to effect the death of the said *Kate Spence*, did shoot off and discharge. and the said *George Spence*, — with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the gunpowder aforesaid, shot off, sent forth, and discharged, as aforesaid, *over* the said *Kate Spence*, — in and upon the *head* of *her* the said *Kate Spence*, then and there feloniously, wilfully, and with a deliberate and premeditated design to effect the death of the said *Kate Spence*, — did strike, penetrate, and wound, giving to *her* the said *Kate Spence*, then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth, and shot out of the pistol aforesaid, by the said *George Spence*, in and upon the *head* of the said *Kate Spence*, — one mortal wound of the breadth of one inch, and of the depth of six inches, of which said mortal wound *she* the said *Kate Spence*, — at the City and County aforesaid, from the said *twentieth* day of *march*, — in the year aforesaid, until the *twentyfirst* day of *march*, in the same year aforesaid, did languish, and languishing did live, on which said *twentyfirst* day of *march*, in the year aforesaid, the said *Kate Spence*, — at the City and County aforesaid, of the said mortal wound did die.

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

George Spence, *her*, — the said *Kate Spence*, — in the manner and form, and by the means aforesaid, wilfully, feloniously, and with a deliberate and premeditated design to effect the death of the said *Kate Spence*, did kill, and murder, against the form of the Statute in such made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0544

BOX:

393

FOLDER:

3661

DESCRIPTION:

Stollford, Frederick H.

DATE:

04/16/90



3661

POOR QUALITY
ORIGINAL

0545

No 1574
L. W. Westwood

290

Counsel,

Filed

1880

Pleads,

July 17

THE PEOPLE

vs.

I

Fredrick H. Stollford

Burglary in the Third Degree
(Section 498, N.Y. Penal Code)

JOHN R. FELLOWS,

District Attorney.

My Office term
by direction of the Court.
W.J.

A True Bill

W. J. Coburn
Foreman.

James J. Long discharges

Partly May 2nd
on recd. of prob. atty.
indict. dis. R.B.H.

Witnesses:

Samuel Long

Allen Price

after consultation with
Judge Hartine I respectfully
recommend that this
indictment be dismissed.
The case was so many
elements of doubt and
so many appealing to
mercy we very much
trust I am of opinion
the ends of justice will
be best served by a
dismissal of the
indictment.

May 2/90 Part 3

W. J. Coburn
W. J. Coburn

POOR QUALITY
ORIGINAL

0546

Police Court— District. 21

City and County } ss.:
of New York }

of No. 37 - Clinton Street, aged 22 years,

occupation Operator in Cops being duly sworn

deposes and says, that the premises No. 37 Clinton Street, Ward

in the City and County aforesaid the said being a four story

2nd floor of dwelling house a room on the

and which was occupied by deponent as a dwelling place

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

were BURGLARIOUSLY entered by means of forcibly opening

a door leading into said

premises by means of a

false Key

on the 31 day of March 188 in the day time, and the

following property feloniously taken, stolen, and carried away, viz:

A quantity of men's clothes

valued at Fifty 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

Fredrick Stollford

for the reasons following, to wit: Deponent is informed

by Rosa Heinscher who

is the housekeeper of said

premises that at the hour

of nine o'clock A.M. she

secretly locked and fastened

the door and windows of

said premises the said clothing

being in the said room at

POOR QUALITY
ORIGINAL

0547

the time and having found the
said door opened and said
property missing, deponent and
informant are informed by
Officer Bone had found that
the defendant in the possession
of the said clothes deponent has
since seen and identified
as being the property which
was ~~stolen~~ taken stolen
and carried away.

Sworn to before me this 10th day of June 1890
Charles N. Tantor
Police Justice

Dated 1888 Police Justice.

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

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

Dated 1888 Police Justice.

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

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

Police Court, No. 100, City of New York.	Magistrate.	Officer.	Clerk.	Witness.	No.	Street.	No.	Street.	No.	Street.	No.	Street.
1	2	3	4	5	6	7	8	9	10	11	12	13
District.												

POOR QUALITY
ORIGINAL

0548

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 40 years, occupation Housekeeper of No.

37 Clinton Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Samuel King

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

Sworn to before me this

day of April

1889

Rosa Herrinshu
Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 33 years, occupation Police Officer of No.

12th Avenue Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Samuel King

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

Sworn to before me, this

day of April

1889

John J. Bond
Police Justice.

POOR QUALITY
ORIGINAL

0549

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Fredrick Stillford 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. *Fredrick Stillford*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *424 E 12th St. New York*

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.*

Fred. H. Stillford

Taken before me this
day of *August* 188*2*

John J. Sullivan
Police Justice.

POOR QUALITY
ORIGINAL

0550

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT,

DISTRICT.

of No. 12th Avenue Street, aged _____ years,
occupation Police Officer being duly sworn deposes and says
that on the 3rd day of November 1890

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

He arrested
Fredrick H. Stafford concerning
in suspicion of Burglary
he having some property in his
possession which property
deponent believes was stolen
Wherefor deponent prays that
the said defendant be held
to enable him to secure the ne-
cessary evidence.

John J. Devide

Sworn to before me this

of

November 1890

day

Charles W. Smith

Police Justice.

POOR QUALITY
ORIGINAL

0551

Police Court-- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

John Stoll
767m. 429 E 12 St.

Dated *Mar 3/90* 1890
Jaime Magistrate.

Officer.

Witness,

Disposition,

Ex Book April 1st 1890
2.30 P.M.

AFIDAVIT.

POOR QUALITY
ORIGINAL

0552

1100- for 20
April 4-1890 10 AM.

W. J. B.

The Presiding Magistrate
in my absence, will please hear
and determine the within case.

Charles W. Smith

Police Justice.

Arrested by Officer

BALDWIN

No. 1, by 10. a m.

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court District.

901/1549 549

THE PEOPLE, vs.

ON THE COMPLAINT OF

Charles W. Smith

vs. Charles W. Smith

vs. Charles W. Smith

vs. Charles W. Smith

vs. Charles W. Smith

Dated April 1890

Magistrate.

Officer.

Precinct.

Witnesses

No. 1, by

Residence Street.

No. 2, by

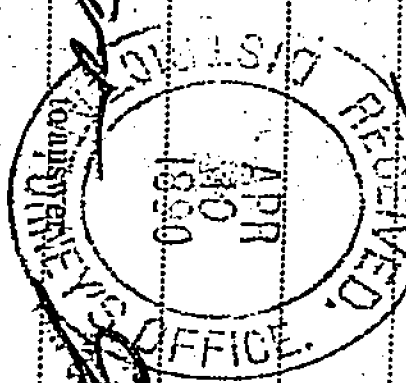
Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.



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

Charles W. 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 April 1890 Police Justice.

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

Dated 18 Police Justice.

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

Dated 18 Police Justice.

POOR QUALITY
ORIGINAL

0553

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Frederick H. Stollford

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

Frederick H. Stollford

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

The said

Frederick H. Stollford

late of the ~~Seventeenth~~ *thirty first* Ward of the City of New York, in the County of New York
aforesaid, on the *day* of *March* in the year of our Lord one
thousand eight hundred and ~~eighty~~ *ninety*, with force and arms, in the
day - time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one

Samuel Levy

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

Samuel Levy
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.

POOR QUALITY
ORIGINAL

0554

SECOND COUNT—

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

Frederick N. Stollford

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

The said

Frederick N. Stollford

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 male clothing and wearing apparel, of a number and description to the Grand Jury aforesaid unknown, of the value of fifty dollars

of the goods, chattels, and personal property of one

Samuel Levy

in the dwelling house of the said

Samuel Levy

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.

POOR QUALITY
ORIGINAL

0555

THIRD COUNT.

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

Frederick N. Stollford

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

The said

Frederick N. Stollford

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

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

of the goods, chattels and personal property of

Samuel Levy

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

Samuel Levy

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

Frederick N. Stollford

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

JOHN R. FELLOWS,

District Attorney.

0556

BOX:

393

FOLDER:

3661

DESCRIPTION:

Styles, Frederick W.

DATE:

04/22/90



3661

0557

BOX:

393

FOLDER:

3661

DESCRIPTION:

Styles, Silas M.

DATE:

04/22/90



3661

POOR QUALITY
ORIGINAL

0558

FI April 10 1899

638

Apr 20 1899
J. W. W. W.

Counsel,
Filed
Pleas,

THE PEOPLE

B ##

Silas M. Styles

B ##

Frederick W. Styles

JOHN R. FELLOWS

District Attorney

Apr 20 1899 To file a return

A TRUE BILL.

May 6 1899 of agreement of defendant

May 13 1899

Foreman

Apr 10 1899

Both Bail did change

Bail fixed at
\$1500 each
RBC

C. W. W. W.

Apr 1 & 2 - bailed
by - Adelaide B. Styles
269 West 134th St

Original Complaint with copy

See People v. Farrell, 28 N.Y. St. Rep. 43

POOR QUALITY
ORIGINAL

0559

Law Department
Office of the Counsel to the Corporation.

State Testing Buildings
270 Broadway

New York, May 7th 1891

Hon. De Laney School
District Attorney

Dear Sir: The People v. Solas et al. et al.

In this case - an indictment for forcible entry and detainer - the charge grows out of a misunderstanding between the Bailor and one Diamond the latter of whom took a conditional conveyance from the Bailor, with the privilege to the Bailor to redeem at a certain figure. In other words the conveyance became a mortgage;

In this situation Mr. Diamond was in law entitled probably to possession, the deft. thought he was not, and after Diamond had got possession, the defendant repossessed himself by force. There doubtless was a technical infraction of the law, which fully

POOR QUALITY
ORIGINAL

0560

Law Department
Office of the Counsel to the Corporations

State Testing Buildings
2 Tryon Place

New York, _____ 189-

2. justified the Indictment. On the other
hand, there was some overreaching
on the part of Deamond, whom I
represented as Counsel in connection
with the Civil proceedings.

The defendant Styler made the
amendment honorable, however, saw the
error of his course and matters have
been brought to a close.

If it meets with your approval to
allow the Indictment on the theory that
the crime was unintentional, I will
write in recommending such.

I do not think Styler meant to
commit a crime, and did what he did,
supposing that Deamond was rich
entitled to possession with the expectation
of the option. I have the honor to remain
Your very truly
O. D. Brady

POOR QUALITY
ORIGINAL

0561

Court of General Sessions, PART *One*

THE PEOPLE

vs.

Silas M. Hyles
Ind't N. Hyles

INDICTMENT

For

To

M

Adelaide P. Hyles

No.

269 West 134

Street.

The indictment against the above-named defendant for whose appearance you are bound, has been placed upon the Calendar for *argument* at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House, in the Park of the said City, on the *11th* day of *MAY*, instant, at eleven o'clock in the forenoon.

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

DE LANCEY NICOLL,

District Attorney.

*Not rec'd until 5 P.M.
Return case until 5 P.M.
May 6th 1891.*

arr Div-cty McDonna

*827 Bann-
St.
11/25/91
S. J. H. H. H.*

**POOR QUALITY
ORIGINAL**

0562

269 Nov 184

Mr. Blandy

POOR QUALITY
ORIGINAL

0563

Court of General Sessions of the Peace: New York.

----- x
The People of the State of New York,
-against-
Silas M. Styles and Frederick W. Styles.
----- x

To
Hon. DeLancey Nicoll,
District Attorney.

Sir:

YOU WILL PLEASE TAKE NOTICE that I hereby with-
draw the demurrer heretofore and on the 22nd day of April
1890, filed on behalf of the defendants to the Indictment
filed against them herein.

Dated June 9th, 1891.

Yours &c.,
John O. Mott
John O. Mott,
Attorney for defendants.

POOR QUALITY
ORIGINAL

0564

N. Y. General Sessions.

The People, &c.,

-VS-

Silas M. Styles and Frederick W.
Styles.

Notice withdrawing demurrer.

John O. Nott,
Attorney for defts.,

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

The People of the State of New York
against
Silas M. Styles and
Frederick W. Styles.

} Demurred to
the Indictment

The defendants
Silas M. Styles and Frederick W. Styles
above named, demur to the indictment
presented by the Grand Jury, on the
day of April, 1890, charging them with the
crime of forcible entry and detainer,
on the following grounds;

That the indictment does not conform
substantially to the requirements of
Sections two hundred and Seventy-five
and two hundred and Seventy-Six of the
Code of Criminal Procedure -

Wherefore the defendants ask judg-
ment of the Court that they be dismissed
and discharged from the said premises
specified in the said indictment -

Dated April 25th 1890 -

John D. Mott
Attorney for defendants
38 Park Row N.Y. City

POOR QUALITY
ORIGINAL

0566

The Court of General
Sessions in the City & Co.
of New York.

The People of the

State of New York

Against

Silas M. Styles &
Frederick W. Styles

Defendants to Indictment

John D. Mott
Defendant to Attorney
38 Park Row
N. Y. City

Silas M. Styles
April 20/90

POOR QUALITY
ORIGINAL

0567

" THE PEOPLE "
" against "
" "
" SILAS M. STYLES "
" AND "
" FREDERICK W. STYLES. "
" "

Upon the facts as set forth in the annexed
statement of the complainant herein, I ~~would~~ respectfully
recommend the discharge of the defendants, each upon his
own recognizance.

New York, March 31st. 1899.

John Schwartzkopf
W. B. C.

I concur,

James H. [unclear]

Assistant District Attorney.

Granted
april 10/99 *RB*

POOR QUALITY
ORIGINAL

0558

(43)

DIAMOND & SMITH COMPANY
REAL ESTATE BROKERS AND APPRAISERS
BUSINESS PROPERTY A SPECIALTY

603 B'WAY, NEAR HOUSTON ST., NEW YORK
TELEPHONE "65 SPRING." CABLE ADDRESS, "REDIAMOND N. Y." April 4th, 1899.

John Schwarskopf, Esq.,

Dept. Asst. Dist. Atty.

Dear Sir:-

I have your letter of March the 20th enclosing statement in the matter of The People vs styles, and conforming to your request I have sworn to and herewith return a recommendation of discontinuance and dismissal of the case against the said defendants.

Yours very respectfully,

Charles A. Smith

POOR QUALITY
ORIGINAL

0569

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

SILAS M. STYLES
and
FREDERICK W. STYLES.

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.

This indictment was filed nine years ago and sets forth a purely technical violation of the law. One of the defendants is a man far advanced in years. The Police Magistrate before whom the complaint was made in the first instance refused to entertain it, the defense being a claim of title to the possession of the premises in question. There is no disposition on my part to demand the further prosecution of the defendants and I do not think that the ends of justice require a trial of this issue.

Sworn to before me this

3rd day of ~~March~~ ^{April}, 1899.

C. Herbert Diamond

James R. Dill
JAMES R. DILL, CLERK,
(Sworn to in N. Y. County.)

POOR QUALITY
ORIGINAL

0570

THE PEOPLE OF THE STATE OF NEW YORK,

against

Silas M. Stiles
and *Fredricka W. Stiles*

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

Indictment accuse *Silas M. Stiles* and *Fredricka*

W. Stiles —

of the crime of

intentionally using force and violence in
entering upon and detaining possession of another,
committed as follows:

The said

Silas M. Stiles and *Fredricka*
W. Stiles, both —

late of the City of New York, in the County of New York, aforesaid, on the

fourth — day of *March*, in the year of our Lord one thousand
eight hundred and *eighty* — *ninety* —, at the City and County aforesaid,

with force and arms, a certain building of
one Elizabeth Diamond, there is to wit, unlaw-
fully, by using force and violence, and in a
manner not provided or allowed by law, did
enter into and upon, the said building from
then and there the possession of the said
Elizabeth Diamond, and so having entered
into and upon the said building in the manner
aforesaid, with force and arms, unlawfully
by using force and violence, and in a manner
not provided or allowed by law, from the day
and year aforesaid, until the day of the filing

POOR QUALITY
ORIGINAL

0571

of this indictment, at the City and County
aforesaid, did and yet do detain the said
building, to the great damage of the said
Elizabeth Diamond, 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 Elias W.
Stufes and Frederick W. Stufes of the crime
of unlawfully using force and violence in
entering upon possessions of another, committed
as follows:

The said Elias W. Stufes and Frederick
W. Stufes, both of the City and County
aforesaid, afterwards, to wit on the said
fourth day of March, in the year of our
Lord, one thousand eight hundred and
ninety, at the City and County aforesaid, with
force and arms, a certain building of one
Elizabeth Diamond, there situate, unlawfully
entered into and upon the same, being then
and there the possession of the said Elizabeth
Diamond, and used force and violence in
entering therein, and in a manner not provided
or allowed by law, against the form of

POOR QUALITY
ORIGINAL

05.72

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

John B. Edwards,

District Attorney.

0573

BOX:

393

FOLDER:

3661

DESCRIPTION:

Sullivan, John J.

DATE:

04/22/90



3661

POOR QUALITY
ORIGINAL

0574

Lawrence Hall

This indictment contains five counts, and a general demurrer is interposed by the defendant.

The grounds of the demurrer are two,

First : That the facts stated do not constitute a crime.

The contention of counsel on the argument in support of this proposition is that the fifth count charges a violation of a statute which it is claimed is unconstitutional. The other four counts are not attacked and are practically admitted to be good. The question thus presented cannot be raised on demurrer.

The Second ground "That more than one crime is charged within the meaning of Sec. 278 of the Code of Criminal Procedure" does not appear to be well founded.

Demurrer disallowed.

1891
Counsel, *John J. Sullivan*
Filed *May 14, 1891*
Pleads, *Not guilty with leave*
to withdraw every after
THE PEOPLE
Not guilty May 19
B
John J. Sullivan
July 1, 1891
Plead guilty & convict
June 10, 1891
John J. Sullivan
RANDOLPH B. MARTINE
District Attorney.
Demurrer filed Apr 25 1890
Apr 30, Part I
A True Bill.
Part I
Signed by *John J. Sullivan*
by *J. C. Berry*
Foreman.

Demurrer disallowed
May 14, 1891
J. J.

Witnesses:
Wm G. Melling
Ed B. Johnson
John Reed

POOR QUALITY
ORIGINAL

0575

Lawrence Hall

This indictment contains five counts, and a general demurrer is interposed by the defendant.

The grounds of the demurrer are two,

First : That the facts stated do not constitute a crime.

The contention of counsel on the argument in support of this proposition is that the fifth count charges a violation of a statute which it is claimed is unconstitutional. The other four counts are not attacked and are practically admitted to be good. The question thus presented cannot be raised on demurrer.

The Second ground "That more than one crime is charged within the meaning of Sec. 278 of the Code of Criminal Procedure" does not appear to be well founded.

~~Demurrer disallowed.~~

Witnesses:
Wm G. Miller
Chas B. Johnson
Jm Good

1891
Counsel,
Filed
Pleas,
THE PEOPLE
May 19
B
John J. Sullivan
July 1990
Pleas guilty & convict
June 100. P.M.
John J. Sullivan
RANDOLPH B. MARTINE
District Attorney.
Demurrer filed Apr 25 1890 & heard
Apr 30, Part I
A True Bill.
Part I
Apr 30 argument on demurrer adjd
to May 1 Part I
J. C. Berry
Foreman.
Demurrer disallowed
May 14 1890 J.C.

1891
[Section 851, Penal Code.]
COOL SELLING, ETC.
May 19 1890
1891

POOR QUALITY
ORIGINAL

0576

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *John J. Sullivan*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *448 Canal Street 5 years*

Question. What is your business or profession?

Answer. *Clerk*

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

Answer. *Not guilty*
John J. Sullivan

Taken before me this
day of April 1880

Police Justice.

POOR QUALITY
ORIGINAL

0577

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

Samuel Aaron
of No. *102 Orchard* Street, being duly sworn, deposes and says,
that *John J. Sullivan* (now present) is the person of the name of
John J. Sullivan mentioned in deponent's affidavit of the *12*
day of *April* 18*90*, hereunto annexed.

Sworn to before me, this *14*
day of *April* 18*90* }

Arnon. Arnon.

Charles N. Fainto POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0578

Sec. 151.

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:

5 Barclay St - Ticket Police Court *3* District.

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 *Richard M. L. Kelling* of No. *151 1/2 East Thirtieth* Street, that on the *Tenth* day of *April*

1890 at the City of New York, in the County of New York, one John Doe, whose real name is unknown to the Complainant, violate the Penal Code of this State, and violated the provisions of Chapter four hundred and seventy-nine of the laws of eighteen hundred and eighty-seven in that the said John Doe did unlawfully and feloniously at the premises at the house or building number five Barclay Street, in the City, County and State of New York, engage in pool selling and was engaged and occupied as a clerk or employee in the said premises, and being the person who was engaged in selling the tickets and receiving the money for the pools or horses running in the race at which such pool was sold.

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the *3* 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 *Tenth* day of *April* *1890*.

Charles N. Linton POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0579

POLICE COURT.....DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Richard M. G. Kelling

vs.

John Doe

Warrant-General.

Dated April 14 1890.

Charles H. Jambor - Magistrate.

Officer.

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

Officer.

Dated.....188

This Warrant may be executed on Sunday or at
night.

Police Justice.

Richard M. G. Kelling

188

Is Hereby Deputized to
bring me under this Warrant, is committed for examination to the
City Prison of the City of New York.

Police Justice.

The within named

POOR QUALITY
ORIGINAL

0580

BAILED,
No. 1, by Peter H. Hickey
Residence 127 W 42 Street.
No. 2, by _____
Residence _____ Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

to 189 583.
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Richard W. J. Miller
vs. Edw. J. Sullivan

Offence Pools Selling

Dated April 14 1890

Wm. H. Hickey Officer.

Spec. Dep. Sheriff Precinct.

Witnesses John A. Wells

No. 140 E 31 Street.

Varon Langer

No. 152 One and Street.

Clark P. Smith

No. 66 Exchange Street.

700 to answer.

Paichy

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 Seven 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 14 1890 Charles H. Smith Police Justice.

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

Dated April 14 1890 Charles H. Smith Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY
ORIGINAL

0581

City, County and State of New York; ss

Richard W G Welling being duly sworn deposes and says. That he resides at number *sixty two* East *Thirty fourth street* in the City County and State of New York. That he doth upon information and belief, hereby charge one John Doe, whose real name is unknown to deponent, with violating the penal Code of this State, and with violating the provisions of Chapter four hundred and seventy nine of the laws of eighteen hundred and eighty seven in that the said John Doe did unlawfully and, feloniously at the premises at the house or building Number *five Barclay street* in the City, County and State of New York on the *fourth* day of April eighteen hundred and ninety, engage in pool selling and was engaged and occupied as a clerk or employee in the said premises and being the person who was engaged in recording the bets or wagers made and the names of the horses running in the race on which such pool was sold, in the sheet or book or memorandum kept and used in said premises and giving the particulars of such race and the odds offered in such pool. *wherefore this complainant prays that said John Doe may be apprehended and bound to answer this complaint.*

Sworn and subscribed before me

this *fourteenth* day of

April 1890.

Charles V Fainter
Police Justice

R W G Welling

POOR QUALITY
ORIGINAL

0582

City, County and State of New York ss;

Loren A. Wells being duly sworn deposes and says: That he resides at number 140 East 31st. Street in the City, County and State of New York; That on the Fourth day of April in the year eighteen hundred and ninety in the City and County of New York, one John Doe, whose real name is unknown to deponent did unlawfully and feloniously at the premises in the house or building number 5 Barclay Street in the said City and County of New York engage in making a bet or wager and selling a ticket in a pool upon the result of a trial or contest of ~~the~~ speed between certain horses, the said trial or contest to take place at a race track known as Clifton or ~~Elizabeth~~ ~~Gutten~~ ~~burg~~ in the State of New Jersey, which said bet or wager and the sale of which pool was made in violation of the provisions of chapter four hundred and seventy nine of the laws of eighteen hundred and eighty seven, an act entitled "An act prescribing the period in each year during which and the terms under which racing may take place upon the grounds of associations incorporated for the improving of the breed of horses and suspending the operation of certain sections of the Penal Code" and in violation of the penal Code. That at the said Place and on the said day this deponent bought a ticket in a pool betting and wagering upon a certain horse known and advertised as King Volt paying the sum of two dollars for such ticket, and that the said John Doe did engage in pool

POOR QUALITY
ORIGINAL

0583

OFFICE COMPTROLLER GENERAL OF THE UNITED STATES

selling at the said premises at the time deponent purchased such ticket, the said John Doe being engaged and occupied as a clerk or employee in the said premises and being the person who was engaged in recording the bets made and the names of horses running in the race on which such pool was sold on the sheet or book or memorandum kept and used in said premises and giving the particulars of such race and the odds offered in such pool.

Sworn and subscribed before me

Loren A. Miller

this *twelfth* day of

April 1890

Charles N. Luntz
Police Justice

POOR QUALITY
ORIGINAL

0584

City, County and State of New York ss;

Aron Arons being duly sworn deposes and says. That he resides at number 102 Orchard Street in the City County and State of New York. That on the fourth day of April in the year eighteen hundred and ninety in the City and County of New York, one John Doe, whose real name is unknown to deponent did unlawfully and feloniously at the premises in the house or building number 5 Barclay Street in the said City and County of New York engage in making a bet or wager and selling a ticket in a pool upon the result of a trial or contest of speed between certain horses, the said trial or contest to take place at a race track known as Clifton ~~or Guttenburg~~ in the State of New Jersey, which said bet or wager and the sale of which pool was made in violation of the provisions of chapter four hundred and seventy-nine of the laws of eighteen hundred and eightyseven, an act entitled "An Act prescribing the period in each year during which and the terms under which racing may take place upon the grounds of associations incorporated for the improving of the breed of horses and suspending the operation of certain sections of the Penal Code" and in violation of the Penal Code. That at the said place and on the said day this deponent bought a ticket in a pool betting and wagering upon a certain horse known and advertised as Raveller, paying the sum of two dollars for such ticket, and that ~~xxx~~ the said John Doe did engage in pool

POOR QUALITY
ORIGINAL

0585

selling at the said premises at the time deponent purchased such ticket, the said John Doe being engaged and occupied as a clerk or employee in the said premises and being the person who was engaged in recording the bets or wagers made and the names of horses running in the race on which such pool was sold on the sheet or book or memorandum kept and used in said premises and giving the particulars of such race and the odds offered in such pool;

Sworn and subscribed before me *Arion Arons*
this *twelfth* day of

April 1890
Charles N. Laintor
Police Justice

POOR QUALITY
ORIGINAL

0586

City, County and state of New York; ss

Mark B. Tobin

~~Albert A. Maret~~, being duly sworn, deposes

and says, that he resides at number ^{86 Waverfield street} ~~1593~~ Second Ave in the
City, ^{of Brooklyn} County and State of New York. That on the fourth

day of April, eighteen hundred and ninety he attended at

the ^{Clifton} ~~Puttenburg~~ Race Track in the State of New Jersey, and

at
that the said races the horse called, known and advertised

as King Volt & Raveller and advertised to be ridden by

the jockey J. Tribe, ran and was defeated by other

horses in said races

Sworn and subscribed before me

Mark B. Tobin

this *twelfth* day of

April

1890

Charles N. Fairton
Police Justice

**POOR QUALITY
ORIGINAL**

0587

of 17th ed.
H. M. M.
H. M. M.
H. M. M.
H. M. M.

POOR QUALITY
ORIGINAL

0588

Court of General Sessions of the Peace.

----- X
The People, etc., :
-vs.- :
John J. Sullivan :
----- X

N o w, on this 25th day of April, 1890,
in this Court comes the said John J. Sullivan,
and being arraigned upon the said indictment, says that
he demurs thereto, and that the grounds of said demurrer
are-

- F i r s t -

That the facts stated do not constitute a crime;

- S e c o n d l y -

That more than one crime is charged in the indict-
ment within the meaning of Section 278 of the Code of
Criminal Procedure.

W H E R E F O R E defendant demands judgment
that he may be discharged and remitted from the said
indictment.

Dated April 25th, 1890.

H O W E & H U M M E L,
Of Counsel for the said Defendant.

POOR QUALITY
ORIGINAL

0589

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

..... being duly
sworn, says that he resides at No. Street, in the City of
New York; that he is years of age; that on the day of
1890, at Number in the City of
New York, he served the within on
the by leaving a copy thereof with

Sworn to before me this
day of

1890. }

Wm. General Sessions

The People

Plaintiff,

against

John J. Sullivan

Defendant.

Demurver

Filed Oct 25/90

HOWE & HUMMEL,

Attorneys for Defendant.

87 & 89 CENTRE ST., New York City.

Due and timely service of copy of the within
hereby admitted

1890.

day of

this

Attorney.

To

POOR QUALITY
ORIGINAL

0590

Court of General Sessions of the Peace.

----- X
The People, etc., :
-vs.- :
John J. Sullivan :
:----- X

N o w, on this 25th day of April, 1890,
in this Court comes the said John J. Sullivan,
and being arraigned upon the said indictment, says that
he demurs thereto, and that the grounds of said demurrer
are-

- F i r s t -

That the facts stated do not constitute a crime;

- S e c o n d l y -

That more than one crime is charged in the indictment within the meaning of Section 278 of the Code of Criminal Procedure.

W H E R E F O R E defendant demands judgment
that he may be discharged and remitted from the said
indictment.

Dated April 25th, 1890.

H O W E & H U M M E L
Of Counsel for the said Defendant.

POOR QUALITY
ORIGINAL

0591

Grand Jury Room.

PEOPLE

18.

Sullivan

Winters

Louis A Wells

140 E 31

Alvin Aron

102 Orchard St

Mark B Tobin

86 Wierfala St

Brooklyn

POOR QUALITY
ORIGINAL

0592

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 J. Sullivan

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

of a Misdemeanor, committed as follows:

The said

John J. Sullivan

late of the *Third* Ward of the City of New York, in the County of New York afore-
said, on the *fourth* day of *April* in the year of our Lord
one thousand eight hundred and ~~eighty~~ *ninety*, at the Ward, City and County aforesaid,
did unlawfully keep a certain *room* in a certain *building* there situate,
for the purpose of therein recording and registering bets and wagers, and of selling pools,
upon the result of trials and contests of speed and power of endurance of beasts, to wit,
horses; 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 a Misdemeanor, committed as follows

The said

John J. Sullivan

POOR QUALITY
ORIGINAL

0593

Permitting
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, being then and there the *occupant*
of certain *room* in a certain *building*
there situate, with force and arms did unlawfully and knowingly permit the said *room*
to be used and occupied for the purpose of therein recording and registering bets and wagers,
and of selling pools upon the result of trials and contests of speed and power of endurance of
beasts, to wit, horses; 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

John J. Sullivan
of a Misdemeanor, committed as follows:

The said

occupant
Permitting
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, being then and there the *occupant*
of a certain *room* in a certain *building* there situate,
with force and arms, did unlawfully therein keep, exhibit and employ divers devices and appa-
ratus (a more particular description whereof is to the Grand Jury aforesaid unknown) for the
purpose of recording and registering bets and wagers, and selling pools upon the result of trials
and contests of speed and power of endurance of beasts, to wit, horses; 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.

POOR QUALITY
ORIGINAL

0594

~~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 J. Sullivan

Fourth Court
and

~~The Grand Jury of the City and County of New York,~~

accuse

by this indictment, *further*

John J. Sullivan

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

The said

John J. Sullivan

Residing
late of the ~~First~~ ^{Third} Ward of the City of New York, in the County of New York, aforesaid, on the *fourth* day of *April* in the year of our Lord one thousand eight hundred and ~~eighty-ninety~~ *eighty-ninety*, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was lawfully had, with force and arms, did unlawfully record and register, and cause to be recorded and registered, a certain bet and wager, then and there made by and between one

Loren A. Wells

and divers other persons to the Grand Jury aforesaid unknown, upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called *King Volt* and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at *Clifton* in the County of *Passaic* in the State of *New Jersey* and commonly called the *Clifton* Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the said bet and wager so as aforesaid then and there made upon the same, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

POOR QUALITY
ORIGINAL

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Fifth ~~Second Count.~~—And the Grand Jury aforesaid, by this indictment, further
accuse the said

John J. Sullivan

of the CRIME OF POOL SELLING committed as follows:

The said

John J. Sullivan

Selling Pool
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, and not upon any grounds
or race track owned, leased or conducted by any association incorporated under
the laws of this State, for the purpose of improving the breed of horses, where racing
was lawfully had, with force and arms, did feloniously engage in pool selling, and
did then and there feloniously sell, and cause to be sold, to one *Loren*

A. Wells and to divers other
persons, to the Grand Jury aforesaid unknown, a certain pool upon the result of a certain
trial and contest of speed and power of endurance of and between a certain horse called

King Bolt and divers other horses (a more particular description
whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had,
holden and run on the day and in the year aforesaid, at a certain place and race track
situated at *Clifton* in the County of

Passaic in the State of *New Jersey*
and commonly called the *Clifton* Race Track,

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

John R. Bellows
~~RANDOLPH B. MARTINE,~~

District Attorney.

0596

BOX:

393

FOLDER:

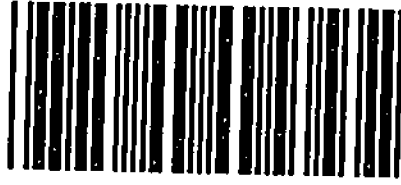
3661

DESCRIPTION:

Szaraz, Julcsa

DATE:

04/29/90



3661

POOR QUALITY
ORIGINAL

0597

Witnesses:

Edwards Becker

1111

ch 254
Counsel
Filed
Pleads
day of April 1890
W. J. Berry

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

THE PEOPLE
vs.
Juliusa Sparay

clay, Mr ADD
JOHN R. FELLOWS
clay of P. 3 ADD adj to 13th St 3
to plead guilty by agreement of counsel
District Attorney
11:30 A.M.

A True Bill.

W. J. Berry

Foreman.

Complaint sent to the Court
of Special Sessions,

Part III, May 13, 1890

POOR QUALITY
ORIGINAL

0598

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Julesa Szaraz

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

(Sec. 322,
Penal Code.)

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

The said

Julesa Szaraz

late of the *11th* Ward of the City of New York, in the County of New York aforesaid,
on the *eightth* day of *July* in the year of our Lord
one thousand eight hundred and eighty-nine, and on divers other days and times, as well
before as afterwards, to the day of the taking of this inquisition, at the Ward, City and
County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and
wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well
men as women, and common prostitutes, on the days and times aforesaid, as well in the night
as in the day, there unlawfully and wickedly did receive and entertain; and in which said
house the said evil-disposed persons and common prostitutes, by the consent and procurement
of the said

Julesa Szaraz

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers
unlawful assemblies, disturbances and lewd offences on the days and times aforesaid, as well
in the night as in the day, were there committed and perpetrated; to the great damage and
common nuisance of all the good people of the said State there inhabiting and residing, in
manifest destruction and subversion of and against good morals and good manners, against
the form of the Statute in such case made and provided, and against the peace of the People of
the State of New York and their dignity.

SECOND COUNT—

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

(Section 385,
Penal Code.)

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

The said

Julesa Szaraz

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

POOR QUALITY
ORIGINAL

0599

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

THIRD COUNT—

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

(Section 322
Penal Code.)

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

The said

Julcsa Szaraz

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

JOHN R. FELLOWS,

District Attorney.