

0543

BOX:

50

FOLDER:

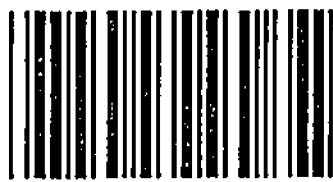
585

DESCRIPTION:

Salter, Emma

DATE:

10/05/81



585

0544

see me before putting on

Agony dear  
#27/ 7000

Counsel,

Filed 5 day of Oct 1851

Pleads

THE PEOPLE

3d. 3d. vs.

Emma C. Salter.

Wm. W. Phelps

1 Daniel C. Collins  
BENJ. R. PHELPS,

District Attorney.

Port Prov. October 13. 1851.

Pleads P. D.

City Prison 15 days.

A True Bill.

Foreman.

see me before putting on

see Mr. Rollins before

going before the judge

defendant wants to

give Comp \$100

off statement

0545

Sec. 198—200.

5

DISTRICT POLICE COURT.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Emma C. Salter

Question. How old are you?

Answer. Thirty eight years

Question. Where were you born?

Answer. New York

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

Answer. 199 3<sup>d</sup> Avenue, Five months

Question. What is your business or profession?

Answer. Seamstress

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 and waive examination

Emma C. Salter

Taken before me, this 16

day of September 1888

R. L. Morgan Police Justice

0546

5th

District Police Court—

Affidavit—Larceny.

CITY AND COUNTY  
OF NEW YORK,

of No. 1993

3d

Avenue

or about

3d

day of

September 1881

at the

City of New York,

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

the following property, viz.:

Good and lawful money of the United States issue consisting of one bank note of the denomination and value of twenty dollars, three bank notes of the denomination and value of ten dollars each, two gold coins of the denomination and value of twenty dollars each, and one gold coin of the denomination and value of ten dollars in all to the amount and of the value of one hundred dollars (100  $\frac{44}{100}$ )

the property of

deponent and her husband Marcus Cash

and that this deponent

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

Emma C. Salter (now her) from the fact that said Emma has acknowledged and confessed to deponent in the presence of Officer John S. Farrell of the 23d Police Precinct that she did take and carry away the said money from a closet at deponent's residence situated at the aforesaid premises

Helen Cash

Sworn before me this

10th

day of

September 1881

Police Justice



0547

City & County of New York  
 of the 23rd Precinct Police  
 being duly sworn says  
 that the facts stated in  
 the foregoing complaint or  
 information given by him  
 are true of his deponents  
 own knowledge.  
 Sworn to before  
 me this 16th day of September 1881.  
 John D. Farrell  
 Police Justice.

5th District Police Court.

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

Ellen Cash  
 1993 - 3rd ave.

Emma C. Barker

DATED Sept 16 1881

Mary and Robert  
 MAGISTRATE.

Farrell  
 OFFICER.

WITNESSES:  
 David H. Jones

DISPOSITION  
 1000 So Ave  
 Committed

AFFIDAVIT - Larceny.

0548

New York General Sessions.

PEOPLE, ON MY COMPLAINT,

versus

Anna Dallas

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

Helen Park

0549

New York General Sessions.

PEOPLE, ON MY COMPLAINT,

*versus*

*Emma Salter*

*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.*

*Helen Cark*

0550

Sec. 212.

J. District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

It appearing to me by the within depositions and statement that the crime therein mentioned

Grand Larceny

has been committed, and that there is sufficient cause to believe the within named

Emma C. Salter

guilty thereof, I order that She be held to answer the same, and the said crime beingailable by me, but bail not having been taken by me, I order that She be admitted to bail in the sum of Five Hundred Dollars and be committed to the Warden and Keeper of the City Prison of the City of New York, until She give such bail.

Dated at the City of New York, September 1881

B. J. Morgan Police Justice



0551

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

THE PEOPLE OF THE STATE OF  
NEW YORK,

*Emma C. Salter* <sup>against</sup>

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

*Emma C. Salter*

of the crime of

*Grand Larceny*

committed as follows:

The said

*Emma C. Salter*

late of the First Ward of the City of New York, in the County of New York, aforesaid

on the *third* day of *September* in the year of our Lord one thousand eight hundred and ~~seventy-eight~~ *eighty-one* at the Ward, City and County aforesaid, with force and arms, three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one thousand dollars, and of the value of one thousand dollars each: three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five hundred dollars, and of the value of five hundred dollars each: twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one hundred dollars, and of the value of one hundred dollars each: thirty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of fifty dollars, and of the value of fifty dollars each: fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each: sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each: eighty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each: ninety promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of three dollars, and of the value of three dollars each: one hundred promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each: one hundred and twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one hundred dollars: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of fifty dollars: two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars each: three promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of three dollars each: fifteen promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars each: thirty promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar each: bank bills of banks to the jurors aforesaid unknown, and of a number and denomination to the jurors aforesaid unknown, of the value of one thousand dollars. Two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each: three gold coins (of the kind usually known as eagles), of the value of ten dollars each: six gold coins (of the kind usually known as half eagles), of the value of five dollars each: fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each: ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each: thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each: gold coin of the denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of one thousand dollars. Sixty silver coins (of the kind usually known as dollars), of the value of one dollar each: sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each: one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each: three hundred silver coins (of the kind usually called dimes), of the value of ten cents each: six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each: one thousand silver coins (of the kind known as three cent pieces), of the value of three cents each: silver coin of a denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of fifty dollars. Three thousand coins (of the kind known as cents), of the value of one cent each: five hundred coins (of the kind known as two cents), of the value of two cents each. One hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of fifty cents each, and of the marketable value of fifty cents each: two hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of twenty-five cents each, and of the marketable value of twenty-five cents each: five hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of ten cents each, and of the marketable value of ten cents each,

of the goods, chattels, and personal property of one

*Helen Cash*

then and there being found 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.

*Daniel F. Rollins*

**BENJAMIN PHILLIPS**, District Attorney.



0552

BOX:

50

FOLDER:

585

DESCRIPTION:

Sandman, Emil

DATE:

10/19/81



585

[illegible]

Counsel,

## Pleads

**vs.**

*Felony Assault and Battery.*

*District Attorney.*

## A True Bill.

Wm. H. Burleigh & Foreman.  
(Oct 27 1871)  
P. Reads of Vt.  
New York Year.

0553

0554

Form

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

POLICE COURT—FIRST DISTRICT.

*Michael Fern*

of No. *11 Jersey* Street, being duly sworn, deposes and says,

that on the *Second* day of *October* 1881

at the City of New York, in the County of New York, *Victor Morolo* was violently and feloniously assaulted and beaten by

*Carl Antonio Saponara* now present.

*from the fact that deponent saw said Saponara wilfully and maliciously fire & discharge a pistol loaded with powder and ball at said Victor Morolo striking said Morolo in the thigh*

Deponent believes that said injury, as above set forth, was inflicted by said *Carl Antonio Saponara*

with the felonious intent to take the life of *Victor Morolo* or to do him bodily harm, and without any justification on the part of the said assailant :

Wherefore this deponent prays that the said assailant may be ~~apprehended~~ and dealt with according to law.

*Michael Fern*

Sworn to, before me, this

day of

*October*

1881

*John*

Police Justice.

0555

Sec. 198-200.

*First*

DISTRICT POLICE COURT.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Carl Antonio Saponara*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *No Grand St*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer *The pistol went off accidentally  
I was intoxicated at the time*

Taken before me, this *3d*  
day of *October* 188*1*

*Carl Antonio Saponara*

*W. J. Murphy*

Police Justice.

0556

Sec. 208, 209, 210 & 212.

Police Court - First District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

Michael Frank  
11 January 1881

Carl Antonio Supunara

Offence, Filonius A. 73  
in Victor Mariato

Dated 9th 3 1881

7301-7304 Magistrate.

76 Regius 14 Officer.

Ex. Oct 4th Clerk.

Witnesses Joseph Maria

No. 8. Guay Street.

Joseph Maria

No. 8. Guay Street.

Victor Maria

No. 8. Guay Street.

Victor Maria

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

Carl Antonio Supunara

guilty thereof, I order that he be admitted to bail in the sum of ~~one hundred Dollars~~ and be committed to the Warden or Keeper of the City Prison, ~~until he give such bail.~~

Dated Oct 4 1881

B. H. B. Police Justice.

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

Dated 1881 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 1881 Police Justice.



0557

Sec. 208, 209, 210 & 212.

Police Court - First District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

Michael Fern  
11 Jersey St.

Paul Antonio Suponard

RECEIVED  
JUL 6 1881  
OFFICE, J. L. M. A. & 73  
Under Maricopa

Dated Oct 3 1881

7304-73 Budy Magistrate.

Huggins 14 Officer.

Ex. Oct 6th Clerk.

Witness Joseph Moriel

No. 8. Jersey Street,

Joseph Varnay

No. 8. Jersey Street,

Viola Moriel

No. 8. Jersey Street.

Adelmaria Pedraza  
Gonzalez  
1349 1/2 St. N. 1st St.

BAILED,

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

~~and that there is sufficient cause to believe the within named~~

~~guilty thereof, I order that he be admitted to bail for the sum of~~

~~mitted to the Warden or Keeper of the City Prison~~

Dated Oct 4 1881

Police Justice.

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated 188

Police Justice.

There being no sufficient cause to believe the within named

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

Dated 188

Police Justice.

The People

vs. Carl Antonio Saponara

Nov. 14. 1887. Indictment for felonious assault.

Court of General Sessions, Part I  
Before Recorder Smythe.

Victor Morido, sworn and examined through the interpreter. I live No 15 Jersey street in this city. I have been living there for two years; on the 2<sup>nd</sup> of October last I met the prisoner, but I did not know him; it was 8 o'clock in the evening, I met him near to my house in Jersey street, I was going out of my house to get milk; he fired a pistol and shot me in the thigh, I did not examine the pistol. I heard the report of the pistol, I was passing with my can to get five cents worth of milk, I did not do any thing, he did not speak to me before he fired; it was not very dark, it was just near the lamppost and there were many people standing there. I saw the prisoner plainly when he fired; he was on the sidewalk and he fired; there were three or four persons near at the time. How long were you laid up with this shot? Nine days in the hospital. I did not see the prisoner arrested. I was sent by the authorities to the Hospital. [Mr. Beecher: With the consent of the defendant's Counsel I will read the certificate of the doctor who had the complainant in charge.]

0559

of the pistol - four chambers were empty and three full ones. I saw the Sergeant take the copper cartridges out of the pistol. Cross Examined I arrested him in Mott st. about 1/4 to 9 o'clock; he was under the influence of liquor but was able to walk. I don't know anything about a wedding that took place in Mott street.

Carl Antonio Saponara sworn and examined in his own behalf testified: I live 544 Grand St. I remember Sunday the 2nd of October, I was in the yard of 232 Mott st; there was a wedding and dancing. I went there at 12 o'clock, we went to the church at 2, we came back to the house and I remained till evening. I went to the house of Rocco Metuchio and was arrested by the police. I had no difficulty with the complainant, I do not know the man. Cross Examined the pistol shown me is mine. I left the house of Carmine Vasso at 7 o'clock, I bought that pistol in Buffalo two days before loaded. In honor of the festival I discharged it four or five times. I had \$150 with me, it was night when I traveled from Buffalo I did not know what would happen to me and I bought the pistol.

Donato Vasso testified that he lived at 232 Mott St, his sister got married, the prisoner was there, the witness ~~he~~ heard three or four shots in the yard but did not know who fired them. The jury convicted of assault and battery.

0560

Testimony in the case  
of  
Carl Antonio Saperana

Filed Oct.  
1972

0561

St. Vincent's Hospital  
Oct 3<sup>rd</sup>.

This is to certify that  
Felix Moriole is a patient  
here with pistol shot  
wound of left thigh and  
is not out of danger of death

John F. Luby, M. D.,  
House Surgeon



0562

**Court of General Sessions**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Carl Antonio Saponara*

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

*Carl Antonio Saponara*

of the Crime of Shooting at another with intent to kill, committed as follows:

The said

*Carl Antonio Saponara*

late of the City of New York, in the County of New York, aforesaid,  
on the *second* day of *October* in the year of our Lord  
one thousand eight hundred and eighty *one* with force and arms, at the City and  
County aforesaid, in and upon the body of *Victor Moriolo*  
in the peace of the said People then and there being, feloniously did make an assault  
and to, at and against *him* the said *Victor Moriolo*  
a certain *pistol* then and there loaded and charged with gunpowder and one  
lead bullet, which the said *Carl Antonio Saponara*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did then and there shoot off and discharge,  
with intent *him* the said *Victor Moriolo*

thereby then and there, feloniously and wilfully to kill, against the form of the Statute  
in such case made and provided, and against the peace of the People of the State of  
New York and their dignity.

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*Carl Antonio Saponara*  
of the Crime of Attempting to Discharge a *pistol* at another with Intent  
to Kill, committed as follows:

The said

*Carl Antonio Saponara*

afterwards, to wit, on the day and in the year aforesaid, at the City and County  
aforesaid, ~~the said~~

with force and arms, in and upon the body of the said *Victor Moriolo*  
in the peace of the said people then and there being, wilfully and feloniously did make  
an assault and to, at and against *him* the said *Victor Moriolo*  
a certain *pistol* then and there loaded and charged with gunpowder and one  
lead bullet, which the said *Carl Antonio Saponara*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did then and there attempt to discharge,  
with intent *him* the said *Victor Moriolo*

thereby then and there, feloniously and wilfully to kill, against the form of the Statute  
in such case made and provided, and against the peace of the People of the State of  
New York and their dignity.

0563

THIRD COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said *Carl Antonio Saponara* of the Crime of Shooting and Discharging off a *pistol* at another, without justifiable or excusable cause, with intent to injure such other, committed as follows:  
The said *Carl Antonio Saponara*

afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *Victor Morisolo* then and there being, wilfully and feloniously did make an assault and to, at and against *him* the said *Victor Morisolo* a certain *pistol* then and there loaded and charged with gunpowder and one leaden bullet, which *pistol* the said *Carl Antonio Saponara* in *his* right hand, then and there had and held, wilfully and feloniously, and without justifiable or excusable cause, did then and there shoot off and discharge, with intent, then and there, thereby *him* the said *Victor Morisolo*

wilfully and feloniously then and there to injure, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said *Carl Antonio Saponara* of the Crime of Attempting to Shoot off and Discharge a *pistol* at another, without justifiable or excusable cause, with intent to injure such other, committed as follows:  
The said *Carl Antonio Saponara*

afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *Victor Morisolo* then and there being, wilfully and feloniously, did make an assault and to, at and against *him* the said *Victor Morisolo* a certain *pistol* then and there loaded and charged with gunpowder and one leaden bullet, which *pistol* the said *Carl Antonio Saponara* in *his* right hand, then and there had and held, wilfully and feloniously, and without justifiable or excusable cause, did then and there attempt to shoot off and discharge, with intent, then and there, thereby *him* the said *Victor Morisolo*

wilfully and feloniously then and there to injure, 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.

DANIEL G. ROLLINS, District Attorney.

0564

CORRECTION

0565

BOX:

50

FOLDER:

585

DESCRIPTION:

Sandman, Emil

DATE:

10/19/81



585

0566

Witnesses :

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

# 182 / 1007 MI

Day of Trial,

Counsel,

Filed 19 day of Oct 188  
Pleads Voluntary (2)

THE PEOPLE  
vs.  
Emil Sandman  
Felonious Assault and Battery.

DANIEL G. ROLLINS,  
District Attorney.

A True Bill.

Wm. H. ...  
Oct 27 1881  
Pleads vs. ...  
Per: ...



0567

Form 15.

Police Court—Third District.

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

*Eusebius Ludwig*  
31 years of age, a Plasterer  
of No. 49 Pitt Street

being duly sworn, deposes and says, that  
on Saturday the 15th day of October  
in the year 1881 at the City of New York, in the County of New York.

he was violently and feloniously ASSAULTED and BEATEN by

*Eusebius Sandman (nowhere)*  
who cut and stabbed deponent in  
his right hand with a knife he  
held in his hand

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

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

Sworn before me, this 16 day }  
of October 1881 }

*Eusebius Ludwig*

*Amos M. May*  
Police Justice.

0568

Sec. 198-200.

3

DISTRICT POLICE COURT.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Emil Sandman

Question. How old are you?

Answer.

28 years

Question. Where were you born?

Answer.

Germany

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

Answer.

186 Hudson Street 2 months

Question. What is your business or profession?

Answer.

Plasterer.

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

Answer.

I was working for the same man as the complainant does, he stole a Brush and a Mower from our Employer, and when he was caught, he told the Employer I sold it to him for fifty cents, I met the complainant yesterday, and I asked him why he told the Employer that lie, he then said he did not, and I said the Employer told me so. he had a Mower in his hand and he struck me, when another man named Julius Offerman assisted him and both assaulted me. I took the knife out of my pocket but I did not stab any one, they took the knife away from me

Taken before me this

day of

188

Police Justice.

Taken before me this

16<sup>th</sup> day of October 1881

Sandman.

Wm. J. Murray Police Justice

0569

Sec. 208, 209, 210 & 212.

Police Court 3 District.

THE PEOPLE, &c.,  
vs. the DEFENDANT OF

Emil Stuchlik

1st part of

1st part of

2nd part of

3rd part of

4th part of

Offence, Fel. assault & Battery

Dated Oct 16 1881

Murray Magistrate.

10 Officer.

Clerk.

Witnesses John J. O'Hara

No. 44 Street.

No. Street.

No. Street.

Q S

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 Emil Stuchlik

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

Dated Oct 16 1881 Kerry Murray Police Justice.

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

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

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

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

0570

Sec. 208, 209, 210 & 212.

Police Court-- 3 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Emil Ludwig*  
*49 Pitt St*  
*Paul Sandman*

Office,  
49 Pitt St

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Dated

1881

Magistrate.

Officer.

Clerk.

Witnesses

No.

Street,

No.

Street,

No.

Street.

*Q S*

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

*John & Emma van der*  
guilty thereof, I order that he be admitted to bail in the sum of *Five* Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated *Oct 16* 1881

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated 1881

There being no sufficient cause to believe the within named

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

Dated 1881

Police Justice.



0571

# Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Emil Sandman*

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

*Emil Sandman*

of the CRIME OF "Assault and Battery upon another with a deadly weapon with intent to kill," committed as follows:

The said

*Emil Sandman*

late of the City of New York, in the County of New York, aforesaid, on the *fifteenth* day of *October* in the year of our Lord one thousand eight hundred and eighty *one* with force and arms, at the City and County aforesaid, in and upon the body of *Emil Ludwigs* in the peace of the said people then and there being, feloniously did make an assault and *him* the said *Emil Ludwigs* with a certain *knife* which the said *Emil Sandman*

in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did beat, strike, stab, cut and wound with intent *him* the said *Emil Ludwigs* then and there feloniously and wilfully to kill, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

## SECOND COUNT.

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

of the CRIME OF "Assault upon another, without justifiable or excusable cause, with a sharp, dangerous weapon, with intent to do bodily harm," committed as follows:

The said

*Emil Sandman*

afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, ~~the said~~ with force and arms, in and upon the body of the said *Emil Ludwigs* then and there being, wilfully and feloniously did make an assault and *him* the said *Emil Ludwigs* with a certain *knife* which the said *Emil Sandman*

in *his* right hand then and there had and held, the same being then and there a sharp, dangerous weapon, wilfully and feloniously, and without justifiable and excusable cause, did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously do bodily harm unto *him* the said *Emil Ludwigs* 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.



0572

THIRD COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said Emil Sandman of the CRIME of "Assault and Battery upon another by such means and force as was likely to produce death with intent to kill," committed as follows:

The said Emil Sandman afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, ~~the said~~

with force and arms in and upon the body of the said Emil Ludwigs in the peace of ~~the said people then~~ and there being, feloniously did make another assault and ~~him~~ Emil Ludwigs the said Emil Sandman with a certain Knives which the said Emil Sandman

in his right hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut and wound, the same being such means and force as was likely to produce the death of ~~him~~ the said Emil Ludwigs with intent ~~him~~ the said Emil Ludwigs then and there feloniously and wilfully to kill, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said Emil Sandman of the CRIME of "Assault and Battery upon another, with a deadly weapon, with intent to maim," committed as follows:

The said Emil Sandman afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, ~~the said~~

with force and arms, in and upon the body of the said Emil Ludwigs then and there being, wilfully and feloniously did make another assault and ~~the said~~ Emil Ludwigs with a certain Knife which the said Emil Sandman in his right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent then and there wilfully and feloniously to maim ~~him~~ the said Emil Ludwigs 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.

DANIEL G. ROLLINS, District Attorney.

0573

BOX:

50

FOLDER:

585

DESCRIPTION:

Saponard, Carl

DATE:

10/10/81



585

0574

#93-2 P. H. Ricey  
H. Hampton

Filed 10 day of Oct 1881  
Pleads November 11.

Assault and Battery—Felonious.  
Firearms.

THE PEOPLE  
vs.  
P

Carl Antonio Lapomard

DANIEL G. ROLLINS,  
District Attorney.

A True Bill.

J. Mear. C. Mear.

W. H. Thompson and Foreman.

Nov 14 1881

Charles G. Converse  
Assault and Battery.

1881

0575

Form

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

POLICE COURT—FIRST DISTRICT.

*Michael Fern*

of No. *11 Jersey* Street, being duly sworn, deposes and says,

that on the *Second* day of *October* 18*81*

at the City of New York, in the County of New York, *Victor Morolo* was violently and feloniously assaulted and beaten by

*Carl Antonio Saponara* now present.

*from the fact that deponent saw said Saponara wilfully and maliciously fire & discharge a pistol loaded with powder and ball at said Victor Morolo striking said Morolo in the thigh*

Deponent believes that said injury, as above set forth, was inflicted by said *Carl Antonio Saponara*

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

Wherefore this deponent prays that the said assailant may be apprehended, and dealt with according to law.

*Michael Fern*

Sworn to, before me, this

day of

*October*

18*81*

*Hand*

*Police Justice.*



0576

Sec. 198-200.

*First*

DISTRICT POLICE COURT.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Carl Antonio Saponara*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *No Grand St*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer *The pistol went off accidentally  
I was intoxicated at the time*

Taken before me, this

*3d*

day of

*October* 188*1*

*Carl Antonio Saponara*

*W. W. Murphy*

Police Justice.



0577

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

Sec. 208, 209, 210 & 212.

Police Court - First District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

Michael Frank  
11 January 1881

Carl Antonio Suponara

RECEIVED  
JAN 6 1881

Offence, Felonious Assault  
on Victor Morillo

Dated Oct 3 1881

7304-7304 Magistrate.

H. Rogers 14 Officer.

Ex. Oct 4th Clerk.

Witnesses Joseph Morillo

No. 5. Quory Street,

Joseph Bernay Street,

No. 8. Quory Street,

Victor Morillo

No. 10. Quory Street,

Carl Antonio Suponara

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

Carl Antonio Suponara

guilty thereof, I order that he be admitted to bail to the sum of \$100.00 and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated Oct 4 1881

B. H. B. Police Justice.

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

Dated \_\_\_\_\_ 1881 \_\_\_\_\_ 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 \_\_\_\_\_ 1881 \_\_\_\_\_ Police Justice.

Police Court - First District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

Michael Fern  
11 Jersey St.  
Paul Antonio Suponard

Office, Williams A + B  
No. 1, by  
Residence  
No. 2, by  
Residence  
No. 3, by  
Residence  
No. 4, by  
Residence

Dated Oct 3 1881

Magistrate.

Officer.

Clerk.

Witnesses

No. 8. Joseph Moral

Street,

No. 8. Joseph Moral

Street,

No. 8. Joseph Moral

Street,

No. 8. Joseph Moral

Street,

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, 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

guilty thereof, I order that he be admitted to bail in the sum of \$1000, to be paid to the Warden or Keeper of the City Prison

and be committed to the Warden or Keeper of the City Prison

Dated Oct 4 1881

Police Justice.

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated 1881

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 1881

Police Justice.

8150

The People  
vs.  
Carl Antonio Saponara

Court of General Sessions, Part I  
Before Recorder Smythe.

Nov. 14. 1887. Indictment for felonious assault.

Victor Morido, sworn and examined through the interpreter. I live No 15 Jersey street in this city. I have been living there for two years; on the 2<sup>nd</sup> of October last I met the prisoner, but I did not know him; it was 8 o'clock in the evening. I met him near to my house in Jersey street. I was going out of my house to get milk; he fired a pistol and shot me in the thigh. I did not examine the pistol. I heard the report of the pistol. I was passing with my can to get five cents worth of milk. I did not do any thing; he did not speak to me before he fired; it was not very dark, it was just near the lamp post and there were many people standing there. I saw the prisoner plainly when he fired; he was on the sidewalk and he fired; there were three or four persons near at the time. How long were you laid up with this shot? Nine days in the hospital. I did not see the prisoner arrested. I was sent by the authorities to the Hospital. [Mr. Beecher: With the consent of the defendant's Counsel I will read the certificate of the doctor who had the complainant in charge.]

0580

"St. Vincent's Hospital, October 3. 1881.

This is to certify that Victor Moriolo is a patient here with pistol shot wound of left thigh and is not out of danger of death.  
John H. Luby, M. D. House Surgeon."

Cross Examined. I never knew the defendant before this day, never had a difficulty with him. This took place on a Sunday evening between half past seven o'clock and eight. I did not go with the officer to arrest the prisoner, I saw him in the hospital. I am certain that it was the prisoner who shot me. I stood a little while after I was shot in Jersey St. and then came the police. I heard the prisoner had some difficulty with others. Jose Morie, sworn. I live No 11 Jersey st.; on the 2<sup>nd</sup> of October I saw the complainant in Jersey st. at 4 1/2 o'clock. I do not know the prisoner, but I saw him with a revolver in his hand; he put it into his pocket. I heard a pistol fired that night. I did not see him fire the pistol, I only heard the report and I saw him put the pistol in his pocket. I was about five paces away from him at the time. I did not see the complainant do anything to the prisoner before the shot was fired. There was no difficulty between them.



0581

Michel Feno, sworn and examined testified. I live 11 Jersey street, I remember the evening of the 2<sup>nd</sup> of October when Morillo was hurt, I was on my stoop, this thing happened about seven or eight feet from the stoop, I saw the revolver in the prisoner's hand, I heard the shot and saw the light, I saw him put it in his pocket, the prisoner was standing about ten feet from the complainant when the shot was fired, he was about two feet from me, the prisoner did not do or say anything before the pistol was fired, the complainant had a little can in his hand. Cross Examined. There was no trouble as far as I could see between the complainant and the prisoner. I was not with the officer when he arrested him. I don't know whether the prisoner was drunk; he walked straight. I did not go after him when I saw him shoot.

Peter H. Higgins sworn. I am an officer of the 14<sup>th</sup> precinct, was on duty on the 2<sup>nd</sup> of October last, arrested the prisoner at 211 Mott st. on a description which I got of him. I brought him around and there was several people identified him when I brought him to the station house as the man who shot Morillo. I took this pistol (shown) out of the hip pocket of the prisoner, there were four shots gone out



0582

of the pistol - four chambers were empty and three full ones. I saw the Sergeant take the copper cartridges out of the pistol. Cross Examined I arrested him in Mott st. about 1/4 to 9 o'clock; he was under the influence of liquor but was able to walk. I don't know anything about a wedding that took place in Mott street.

Carl Antonio Saponara sworn and examined in his own behalf testified: I live 574 Grand St. I remember Sunday the 2nd of October, I was in the yard of 232 Mott st. there was a wedding and dancing. I went there at 12 o'clock, we went to the church at 2, we came back to the house and I remained till evening. I went to the house of Roco Metuchio and was arrested by the police. I had no difficulty with the complainant, I do not know the man. Cross Examined the pistol shown me is mine. I left the house of Carmile Urso at 7 o'clock. I bought that pistol in Buffalo two days before loaded. In honor of the festival I discharged it four or five times. I had \$150 with me, it was night when I traveled from Buffalo I did not know what would happen to me and I bought the pistol.

Donato Urso testified that he lived at 232 Mott st., his sister got married, the prisoner was there, the witness ~~he~~ heard three or four shots in the yard but did not know who fired them. The jury convicted of assault and battery.

the witness

0583

Testimony in the case  
of  
Carl Antonio Saporana  
filed Oct. 1972

0584

St. Vincent's Hospital  
Oct 3<sup>d</sup>.

This is to certify that  
Felix Moriole is a patient  
here with pistol shot  
wound of left thigh and  
is not out of danger of death

John F. Luby, M. D.,  
House Surgeon

0585

**Court of General Sessions**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Carl Antonio Saponara*

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

*Carl Antonio Saponara*  
of the Crime of Shooting at another with intent to kill committed as follows:

The said *Carl Antonio Saponara*

late of the City of New York, in the County of New York, aforesaid,  
on the *second* day of *October* in the year of our Lord  
one thousand eight hundred and eighty *one* with force and arms, at the City and  
County aforesaid, in and upon the body of *Victor Moriolo*  
in the peace of the said People then and there being, feloniously did make an assault  
and to, at and against *him* the said *Victor Moriolo*  
a certain *pistol* then and there loaded and charged with gunpowder and one  
lead bullet, which the said *Carl Antonio Saponara*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did then and there shoot off and discharge,  
with intent *him* the said *Victor Moriolo*

thereby then and there, feloniously and wilfully to kill, against the form of the Statute  
in such case made and provided, and against the peace of the People of the State of  
New York and their dignity.

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*Carl Antonio Saponara*  
of the Crime of Attempting to Discharge a *pistol* at another with Intent  
to Kill, committed as follows:

The said *Carl Antonio Saponara*

afterwards, to wit, on the day and in the year aforesaid, at the City and County  
aforesaid, ~~the said~~

with force and arms, in and upon the body of the said *Victor Moriolo*  
in the peace of the said people then and there being, wilfully and feloniously did make  
an assault and to, at and against *him* the said *Victor Moriolo*  
a certain *pistol* then and there loaded and charged with gunpowder and one  
lead bullet, which the said *Carl Antonio Saponara*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did then and there attempt to discharge,  
with intent *him* the said *Victor Moriolo*

thereby then and there, feloniously and wilfully to kill, against the form of the Statute  
in such case made and provided, and against the peace of the People of the State of  
New York and their dignity.



0586

THIRD COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said *Carl Antonio Saponara* of the Crime of Shooting and Discharging off a *pistol* at another, without justifiable or excusable cause, with intent to injure such other, committed as follows:  
The said *Carl Antonio Saponara*

afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *Victor Morisolo* then and there being, wilfully and feloniously did make an assault and to, at and against *him* the said *Victor Morisolo* a certain *pistol* then and there loaded and charged with gunpowder and one leaden bullet, which *pistol* the said *Carl Antonio Saponara* in *his* right hand, then and there had and held, wilfully and feloniously, and without justifiable or excusable cause, did then and there shoot off and discharge, with intent, then and there, thereby *him* the said *Victor Morisolo*

wilfully and feloniously then and there to injure, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said *Carl Antonio Saponara* of the Crime of Attempting to Shoot off and Discharge a *pistol* at another, without justifiable or excusable cause, with intent to injure such other, committed as follows:  
The said *Carl Antonio Saponara*

afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *Victor Morisolo* then and there being, wilfully and feloniously did make an assault and to, at and against *him* the said *Victor Morisolo* a certain *pistol* then and there loaded and charged with gunpowder and one leaden bullet, which *pistol* the said *Carl Antonio Saponara* in *his* right hand, then and there had and held, wilfully and feloniously, and without justifiable or excusable cause, did then and there attempt to shoot off and discharge, with intent, then and there, thereby *him* the said *Victor Morisolo*

wilfully and feloniously then and there to injure, 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.

DANIEL G. ROLLINS, District Attorney.



0587

BOX:

50

FOLDER:

585

DESCRIPTION:

Singleton, John

DATE:

10/11/81



585

0500

Day of Trial,

**Counsel;**

Filed            day of           

## Pleads

# THE PEOPLE

22

John Singleton  
alias James

Amel G. Collins  
BENTONVILLE, ARK.

*District Attorney.*

Part: Mrs Oct 12, 1887

*Heads guilty*  
**Guano Bill**

# A True Bill.

Emma R. J.

William Lloyd Garrison

**BURGGLARY-THIRD DEGREE. NOTHING STOLEN.**

DEB 2000 2000  
CITY 100 000000

0589

Police Office. Third District.

City and County of New York, ss.: *Thomas Sweeney* 27 years of age  
a *Printer and residing at* Street, being duly sworn,  
No. of *3 Cottage Place*

deposes and says, that the premises No. *496 Cherry*  
Street, *4* Ward, in the City and County aforesaid, the said being a *factory*  
the *2nd 3rd & 4th* floor *James P. Doane and Henry Wellington*  
~~and which was occupied by~~ *as a Lamp Glass factory* were **BURGLARIOUSLY**  
entered by means *forcibly raising a window on the*  
*second floor*

on the *Night* of the *8th* day of *October* 188*7*,  
~~and the following property, to-wit: taken, stolen and carried away, viz.~~

*with the intent to take steal and carry*  
*away the following property*  
*Rolls of Brass of the value of fifty*  
*dollars*

the property of *James P. Doane & Henry Wellington*  
*and in care and charge 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  
*James Singleton (cross here)*

for the reasons following, to-wit: *That deponent caught*  
*said James in the aforesaid*  
*building, where he had no legal right*  
*to be.*

*Thomas Sweeney*  
*Sworn to before me this*  
*9th day of October 1887*  
*by* *James P. Doane*  
*Police Justice*

0590

Sec. 198-200

CITY AND COUNTY }  
OF NEW YORK, } ss.

3 DISTRICT POLICE COURT.

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

Question. What is your name?

Answer. *James Bringleton*

Question. How old are you?

Answer. *16 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *480 Cherry Street for 1 year*

Question. What is your business or profession?

Answer. *I have no profession*

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 the first time I went in that Building I only took an umbrella*

Taken before me, this *9*  
day of *October* 188*8*

*John Singleton*

*Wm. J. Murray*  
Police Justice.

0591

BAILED,

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

Sec. 20 & 212

Police Court

District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Thomas Stewart*  
*1486 Cherry St.*  
*James Smith*

Offence, *Burglary*

Dated

188

*Oct 9*

Magistrate

*Wm. Mauley*

Officer

Clerk

Witnesses

No.

Street

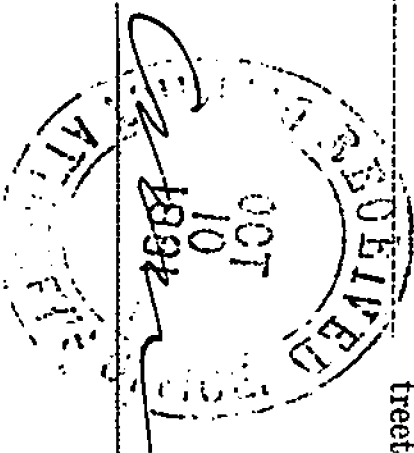
No.

Street

No.

Street

*JS*



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 admitted to bail in the sum of \_\_\_\_\_ Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated *Oct 9* 188

Police Justice.

I have admitted the above named \_\_\_\_\_

to bail to answer by the undertaking hereto annexed.

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

Police Justice.

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

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

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

Police Justice.



2650

Sec. 20 & 212.

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
*Thomas Lawrence*  
*1496 Cherry St.*  
*James Henry Carter*  
Offence, *burglary*

BAILED,

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

Dated *Oct 9* 188*7*  
*Lawrence* Magistrate.  
*James H. Carter* Officer.  
Clerk.

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

*Q.S.*  
RECEIVED  
OCT 10 1887  
Clerk

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 admitted to bail in the sum of \_\_\_\_\_ Hundred Dollars and be com-

mitted to the Warden or Keeper of the City Prison until he give such bail.

Dated *Oct 9* 188*7*

Police Justice.

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated \_\_\_\_\_ 188*7*

Police Justice.

There being no sufficient cause to believe the within named

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

Dated \_\_\_\_\_ 188*7*

Police Justice.

0593

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

THE PEOPLE OF THE STATE OF  
NEW YORK,

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

committed as follows:  
The said

*John Singleton*

late of the *seventh* Ward of the City of New York, in the County of  
New York, aforesaid,  
on the *eighth* day of *October* in the year of our Lord  
one thousand eight hundred and ~~seventy~~ *eighty one* with force and arms,  
at the Ward, City and County aforesaid, the *factory* of

*Human P. Doane*  
there situate, feloniously and burglariously did break into and enter, the said *factory*  
being then and there a building in which divers goods, merchandise, and valuable things  
were then and there kept for use, sale and deposit; the same being the goods, chattels,  
and personal property of

*Human P. Doane*

goods, merchandise and valuable things in the said *factory* with intent the said  
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.

*Samuel G. Rollins*  
**BENJ. K. PHELPS**, District Attorney.

0594

BOX:

50

FOLDER:

585

DESCRIPTION:

Smith, Edward

DATE:

10/13/81



585

0595

WITNESSES.

Wm. H. P. Foreman.

0596

This Order must be redeemed with- in Five Days from Date of Race.	<b>No. 3244</b>		<i>New York, July 31</i> 1880.	
	Deposited		Dollars to purchase Paris Mutual	
	Tickets on Horses in following Races as per date of this certificate.			
	STRAIGHT.		PLACE.	
	1st Race	<i>Emily St.</i>	1st	
	2d "		2d	
3d "		3d		
4th "		4th		
5th "		5th		
DUPLICATE.		<b>KELLY &amp; BLISS,</b> New York Turf Exchange, 15 West 28th Street, New York.		



0597

William Adams on being duly sworn deposes and says  
I am an officer attached to Central Office and on July  
31<sup>st</sup> I purchased the ticket shown me from Edward Smith  
at the premises No 15 & 28<sup>th</sup> St., I paid the sum of \$2  
for the ticket, I asked for the horse <sup>Guilty F.</sup> ~~Brown~~, I received  
the ticket from the prisoner.

Question

What is that ticket (objected to and objection overruled)

It is a ticket on the horse Guilty F.

The ticket represents a risk or bet on a race in  
which the horse Guilty F. ran. I was present at the  
race. The horse lost. I do not know whether the order  
or ticket shown me was ever executed. I only saw  
one black board with the names of the horses on it  
in the premises 15 & 28<sup>th</sup> St., I saw no books or papers  
in the hands of the prisoner Smith except the ticket  
or order he gave me.

William Adams

Sworn to before me this }  
16 day of August 1880 }

Police Justice

0598

Police Court—First District.

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

William Adams  
of the Central Office Street,  
being duly sworn, deposes and says, that on the 31<sup>st</sup>  
day of July 1880, at the City and County of  
New York, the premises No. 15 West 28<sup>th</sup>  
street were kept and maintained as  
a pool room, that on said date  
Edmund Doe Edward Smith  
did then and there sell to deponent  
that certain pool ticket (herein attached)  
for which deponent paid said defendant  
the sum of two dollars, said pool  
ticket being upon the horse known  
as "Emily H." and which said horse  
in company with other horses was to  
contest at the Brighton Beach Race  
Track in a trial of speed and endurance  
on said date, that on said day  
deponent was at said race track  
and then and there saw said  
horse contest in said trial of speed  
and endurance  
Deponent prays said defendant may  
be apprehended and dealt with as  
the law directs

Sworn before me  
this 31<sup>st</sup> August 1880  
J. J. Munn  
Police Justice

William Adams



0599

COUNSEL FOR COMPLAINANT.

Name, \_\_\_\_\_  
Address, \_\_\_\_\_

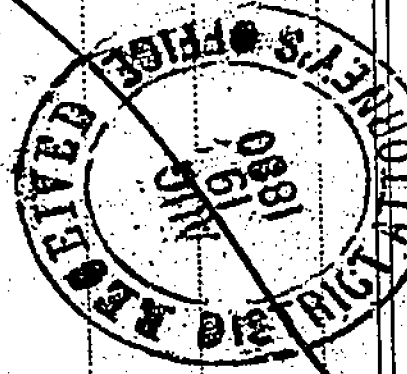
COUNSEL FOR DEFENDANT.

Name, \_\_\_\_\_  
Address, \_\_\_\_\_

Police Court—First District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*William Adams*  
*E. A.*  
*Edw. S. Smith*



Offense, \_\_\_\_\_

1880

Dated \_\_\_\_\_

Magistrate.

Officer.

Clerk.

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

to answer

\$ *1000*

at *9 o'clock* Sessions,

Received in Dist. Atty's Office.

*Beard*

BAILEY

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

0600

**GLUED PAGES**

0601

First D

CITY AT

Employed by Johnson  
234 Broadway

WARRANT.

be undersigned, one

of the Police Justices for Preserving the Peace in the said City, by

George Scott

John Doe

234 Broadway

William Adams  
The Court House  
317 day of July 1880  
Street, that on  
at the City  
of New York, in the County of New York,

whose other name is unknown to defendant  
did sell to defendant for the consideration  
of one dollar a certain pool table upon  
a certain horse to wit Emory J. which  
said horse was to contest at the Brighton  
Beach Race Course in a race  
of ~~ten~~ and ~~thirteen~~

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 com-  
mand you, the said Constable or Peace Officer, and every of you, to apprehend the bod y of the said  
Defendant, and forthwith bring him before me, or some other Justice of the Peace for the City  
and County of New York, at the FIRST DISTRICT POLICE COURT, in "TOMBS," CENTRE STREET, in the  
said City, to answer the said charge, and to be dealt with as the law directs.

GIVEN under my hand and seal, this 31 day of July in the year of our Lord 1880

Police Justice



0602

Court of General Sessions, Part *One*

THE PEOPLE

vs.

For

INDICTMENT

*Edward Smith*

To

*M. B. N. Webb*

No. *215* & *21* <sup>St.</sup> Street.

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *Pleading* at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House, in the Park of the said City, on *Monday* the *17*<sup>th</sup> day of *Oct.* instant, at eleven o'clock in the forenoon.

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

DANIEL G. ROLLINS,

*District Attorney.*

0603

B. A. Hobb

215 East 21<sup>st</sup> St.

---

~~Camp~~

Refused and will  
be back in Nov

0604

**Court of General Sessions**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Edward Smith*

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

*Edward Smith*

of the CRIME OF SELLING POOLS, committed as follows:

The said

*Edward Smith*

late of the ~~thirty first~~ <sup>twenty first</sup> Ward of the City of New York, in the County of New York aforesaid, on the ~~thirty first~~ <sup>twenty first</sup> day of *July* in the year of our Lord one thousand eight hundred and eighty ~~at the Ward, City and County aforesaid, with force and arms knowingly and unlawfully did vend and sell, and cause to be vended and sold to one~~ *William Adams*

a share and interest in a certain pool (a more particular description of which is to the Grand Jury aforesaid unknown) upon and dependent upon the result of a certain trial and contest of

*speed and power of endurance of and between divers horses; thereafter to be had holden and run and which was thereafter had, holden and run at a place made and kept for the purpose of horse-racing called and known as The Brighton Beach Race Track, a more particular description of the said horses and of the said contest being to the Grand Jury aforesaid unknown*

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

*Edward Smith*

of the CRIME OF SELLING POOLS, committed as follows:

0605

The said <sup>2</sup> *Edward Smith*

afterwards to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms knowingly and unlawfully did vend and sell, and cause to be vended and sold to one

*William Adams*

and divers other persons, whose names are to the Grand Jury aforesaid unknown, a certain pool (a more particular description of which is to the Grand Jury aforesaid unknown) upon and dependent upon the result of a certain trial and contest of

speed and power of endurance of and between divers horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a place and race track situated at *Long Island* in the County of *Kings* in the State of New York, and commonly called the *Brighton Beach* Race Track, and which said trial and contest was had, holden and ran 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 is to the Grand Jury *unknown*.)

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

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

~~The said~~

~~afterwards to wit: on the day and in the year aforesaid, at the City and County aforesaid, did knowingly and unlawfully record and register a certain bet and wager (a more particular description of which bet and wager is to the Grand Jury aforesaid unknown), then and there made by~~

~~and~~

~~upon and to be dependent upon the result and issue of a certain trial and contest of~~



0606

3

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

*Edward Smith*

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

The said

*Edward Smith*

afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did knowingly and unlawfully record and register a certain bet and wager (a more particular description of which bet and wager is to the Grand Jury aforesaid unknown), then and there made by and between one *William Adams*

and divers other persons whose names are to the Grand Jury aforesaid unknown, upon and to be dependent upon the result and issue of a certain trial and contest of

speed and power of endurance of and between divers horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a place and race track situated at *Coney Island* in the County of *Kings* in the State of New York, and commonly called the *Brighton Beach* Race Track, and which said trial and contest was had, holden and ran 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 is to the Grand Jury *aforesaid* unknown.)

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

*Edward Smith*

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

The said

*Edward Smith*

afterwards to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, did knowingly and unlawfully record and register divers certain bets and wagers (a more particular description of which is to the *Grand Jury* aforesaid unknown) then and there made by and between divers persons whose names are to the *Grand Jury* aforesaid unknown, upon and dependent upon the result and issue of a certain trial and contest of

speed and power of endurance of and between divers horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a place and race track situated at *Coney Island* in the County of *Kings* in the State of New York, and commonly called the *Brighton Beach* Race Track, and which said trial and contest was had, holden and ran 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 is to the Grand Jury *aforesaid* unknown.)



0607

4

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

*Edward Smith*

of the CRIME OF OCCUPYING A ROOM FOR THE PURPOSE OF RECORDING WAGERS, committed as follows:

The said

*Edward Smith*

afterwards to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, knowingly and unlawfully did keep and occupy a certain room, and a part and portion of a certain room of and in a certain building and premises known as Number *Fifteen West Twenty eighth Street* in the Ward, City and County aforesaid, with, and have therein, certain apparatus, books and paraphernalia (a more particular description of which apparatus, books and paraphernalia is to the Grand Jury *aforesaid* unknown) for the purpose of, and to be used and occupied for, and intended to be used and occupied for the purpose of recording and registering bets and wagers (a more particular description of which bets and wagers is to the *Grand Jury* *aforesaid* unknown) upon the result of a certain trial and contest of

speed and power of endurance of and between divers horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a place and race track situated at *Honey Island* in the County of *Kings* in the State of New York, and commonly called the *Brighton Beach* Race Track, and which said trial and contest was had, holden and ran 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 is to the Grand Jury *aforesaid* unknown.)

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

*Edward Smith*

of the CRIME OF OCCUPYING A ROOM FOR ~~RECORDING WAGERS~~, committed as follows:

The said

*Edward Smith*

afterwards to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms knowingly and unlawfully did keep and occupy a certain room and a part and portion of a certain room of and in a certain building and premises known as Number *Fifteen West Twenty eighth Street* in the Ward, City and County aforesaid with, and have therein, certain apparatus, books and paraphernalia (a more particular description of which apparatus, books and paraphernalia is to the Grand Jury aforesaid unknown) for the purpose of and to be used and occupied for, and intended to be used and occupied for the purpose of *selling pools* ~~recording and registering bets and wagers~~ (a more particular description of which bets and wagers is to the Grand Jury aforesaid unknown) upon the result of *a certain* ~~divers trials~~ and contests of

0608

5

speed and power of endurance of and between divers horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a place and race track situated at Honey Island in the County of Kings in the State of New York, and commonly called the Brighton Beach Race Track, and which said trial and contest was had, holden and ran 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 is to the Grand Jury aforesaid unknown.)

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

Edward Smith

of the CRIME OF KEEPING APPARATUS FOR RECORDING WAGERS, committed as follows:

The said

Edward Smith

afterwards to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, being then and there the ~~owner, lessee and~~ occupant of a certain room and part of a certain room of and in the building and premises known as

fifteen West Twenty-eighth Street

in the Ward, City and County aforesaid, did unlawfully and knowingly therein keep, exhibit and employ a certain device and apparatus (a more particular description of which device and apparatus is to the Grand Jury aforesaid unknown) for the purpose of registering and recording bets and wagers upon the result of a certain trial and contest of

speed and power of endurance of and between divers horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a place and race track situated at Honey Island in the County of Kings in the State of New York, and commonly called the Brighton Beach Race Track, and which said trial and contest was had, holden and ran 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 is to the Grand Jury aforesaid unknown.)

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

Edward Smith

of the CRIME OF KEEPING APPARATUS FOR selling pools ~~Recording of wagers~~, committed as follows:

The said

Edward Smith

afterwards to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, being then and there the ~~owner, lessee and~~ occupant of a certain room and part of a



0609

6

certain room in the building and premises known as Number

*Fifteen West Twenty-eighth Street*  
in the Ward, City and County aforesaid, did unlawfully and knowingly therein keep, exhibit and employ a certain device and apparatus (a more particular description of which device and apparatus is to the Grand Jury aforesaid unknown) for the purpose of selling pools (a more particular description of which is to the Grand Jury aforesaid unknown) upon the result of a certain

trial and contest of

speed and power of endurance of and between divers horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a place and race track situated at *Long Island* in the County of *Kings* in the State of New York, and commonly called the *Brighton Beach* Race Track, and which said trial and contest was had, holden and ran 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 is to the Grand Jury aforesaid unknown.)

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

*Edward Smith*

of the CRIME OF PERMITTING A ROOM TO BE USED FOR POOL-SELLING, committed as follows:

- The said

*Edward Smith*

afterwards to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, being then and there the owner, lessee and occupant of a certain room and part of a

certain room of and in the certain building and premises known as Number

*Fifteen West Twenty-eighth Street*  
in the Ward, City and County aforesaid, did unlawfully and knowingly suffer and permit the same to be used and occupied for, and the same was then and there used and occupied for the purpose of vending and selling to one

*William Adams*

and divers other persons whose names are to the Grand Jury aforesaid unknown, a certain pool (a more particular description of which is to the Grand Jury aforesaid unknown) upon and dependent upon the result of a certain trial and contest of

speed and power of endurance of and between divers horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a place and race track situated at *Long Island* in the County of *Kings* in the State of New York, and commonly called the *Brighton Beach* Race Track, and which said trial and contest was had, holden and ran 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 is to the Grand Jury aforesaid unknown.)

06 10

7

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

*Edward Smith*

of the CRIME OF BEING THE CUSTODIAN OF MONEY WAGERED, committed as follows :

The said

*Edward Smith*

afterwards to wit : on the day and in the year aforesaid, at the Ward, City and County aforesaid, being then and there the ~~owner, lessee and~~ occupant of a certain room, and part of a certain room of and in a certain building and premises known as Number

*Fifteen West Twenty-eighth Street*

in the Ward, City, and County aforesaid, did knowingly and unlawfully then and there become and then and there was and acted as the custodian and depository for hire and reward given

to him the said

*Edward Smith*

(a more particular description of which hire and reward is to the Jurors aforesaid unknown) of a certain sum of money, to wit: the sum of

*Two dollars*

in money which one

*William Adams and divers other persons whose names are to the Grand Jury aforesaid unknown*

then and there staked and wagered upon the result of a certain trial and contest of

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

*Long Island*

in the County of

*Kings*

in the

State of New York, and commonly called the

*Brighton Beach*

Race Track,

and which said trial and contest was had, holden and ran 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 is to the Grand Jury aforesaid unknown.)

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

DANIEL G. ROLLINS,

*District Attorney.*



06 11

**BOX:**

50

**FOLDER:**

585

**DESCRIPTION:**

Smith, Henry

**DATE:**

10/27/81



585

06 12

V.F.N.

2/11/87  
W. J. H. H.

Day of Trial

Counsel

Filed 27 day of

Pleads

1887

Not Guilty (27)

THE PEOPLE

vs.

W. J. H. H.

W. J. H. H.

W. J. H. H.

W. J. H. H.

W. J. H. H.

BENJ. K. PHELPS

District Attorney

A True Bill.

W. J. H. H.

W. J. H. H.

W. J. H. H.

W. J. H. H.

Bail

W. J. H. H.

W. J. H. H.

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W. J. H. H.

W. J. H. H.

06 13

Police Office, First District.

City and County } ss.: August Werner. 39 years  
of New York, }  
of age born in Germany.  
of No. 308 Broadway Street, being duly sworn,

deposes and says, that the premises No. 308 Broadway

Street, 6th Ward, in the City and County aforesaid, the said being a Store

and which was occupied by deponent as a Wholesale Wine Store

were BURGLARIOUSLY

entered by means of forcibly opening a door leading  
thereto with false keys  
in the daytime

on a Sunday of the 23rd day of October 1881

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

With intent to steal good and lawful  
Money of the United States of the value  
of Three Hundred and Fifty Dollars

the property of Deponent and Henry Piper Copartners

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

Henry Smith (now here) and another person  
whose name is unknown to deponent

for the reasons following, to wit: That deponent detected the  
said Smith and said unknown person within  
said Store on said day and the said Smith  
and said unknown person (were high & spiny)  
in the act of  
breaking open a Safe wherein said money  
was contained

Aug. Werner.

Sworn to before me this  
24th day of October 1881  
J. J. McNeill



06 14

Sec. 193-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

DISTRICT POLICE COURT.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me, this

day of

188

*Henry Smith*

*J. P. Smith* Police Justice.



06 15

Sec. 208, 209, 210 & 212.

Police Court - 1st District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Charles Newman*  
1308 1/2 Broadway

1 *Henry Smith*

2

3

4

Offence, *Burglary*

Dated *Oct 24th* 188*7*

*Richard* Magistrate.

*Matthew* Officer.

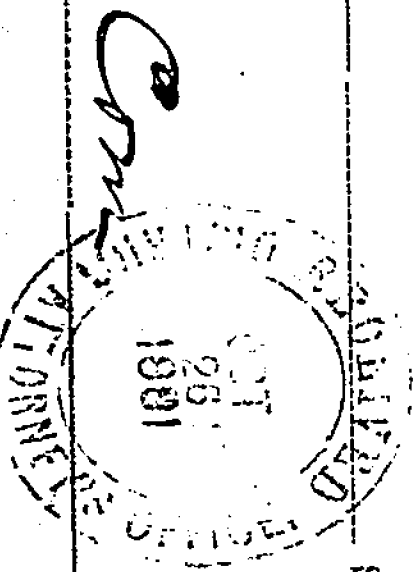
*J-* Clerk.

Witnesses .

No. Street,

No. Street,

No. Street.



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

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

Dated *Oct 24th* 188*7*

*J. Williams* Police Justice.

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

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

Police Justice.

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

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

Police Justice.

06 16

Sec. 206, 209, 210 & 212.

Police Court--First District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

August Wren  
1308 Broadway

1 Henry Smith

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
Offence, \_\_\_\_\_

Dated Oct 24<sup>th</sup> 1887

Robert H. Magistrate.

Matthew S. Officer.

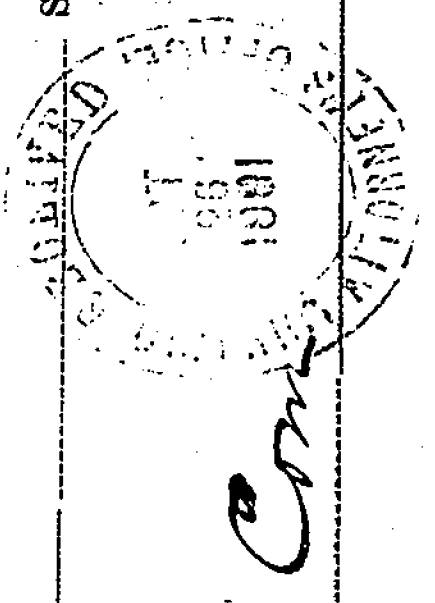
5 Clerk.

Witnesses \_\_\_\_\_

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

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

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



BAILED,

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 \_\_\_\_\_

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

Dated Oct 24<sup>th</sup> 1887 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 1887 \_\_\_\_\_ 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 \_\_\_\_\_ 1887 \_\_\_\_\_ Police Justice.

06 17

Court of General Sessions, Part *one*

THE PEOPLE

INDICTMENT

For

*Henry Smith*

To

M

*Eli. Rivera*

No.

*146*

*Blucher*

Street.

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *trial* at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House, in the Park of the said City, on *Thursday* the *25* day of *Oct* instant, at eleven o'clock in the forenoon.

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

JOHN McKEON,

District Attorney.

06 18

Eli. Pierce  
146 Blucher



06 19

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

THE PEOPLE OF THE STATE OF  
NEW YORK,

against *Henry Smith*  
The Grand Jury of the City and County of New York by this indictment accuse  
*Henry Smith*  
of the crime of *Burglary*  
committed as follows:  
The said *Henry Smith*

late of the *sixth* Ward of the City of New York, in the County of  
New York, aforesaid,  
on the *twenty third* day of *October* in the year of our Lord  
one thousand eight hundred and ~~seventy~~ *eighty one* with force and arms,  
at the Ward, City and County aforesaid, the *store* of

*August Werner*  
there situate, feloniously and burglariously did break into and enter, the said *store*  
being then and there a building in which divers goods, merchandise, and valuable things  
were then and there kept for use, sale and deposit; the same being the goods, chattels,  
and personal property of *August Werner*

with intent the said  
goods, merchandise and valuable things 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.

*Daniel B. Rollins*  
BENJ. K. PHELPS, District Attorney.

0620

BOX:

50

FOLDER:

585

DESCRIPTION:

Smith, James

DATE:

10/26/81



585

0621

Witnesses:

Day of Trial

Counsel, *Chas. H. H.*

Filed *26* day of *Oct* 188*1*

Pleads *Not guilty*

THE PEOPLE

vs.

*2*

*James Smith*

*12 July*

*Felonious Assault and Battery.*

DANIEL G. ROLLINS,

*Oct 28. 1881. District Attorney.*

*Chas. H. H.*

A True Bill. an assault

*James Smith.*

*Wm. H. H.*

*Wm. H. H.*



0622

47

The People Court of General Sessions, Part I.  
vs.  
James Smith (Before Judge Gildersleeve. Oct. 28. 1887.  
 Indictment for felonious assault and battery.  
Timothy Collins, sworn and examined, testified.  
 I am 15 years old, I sell papers, I know the prisoner  
Smith and remember the 14th of October when he  
 cut me; it was about two o'clock in the day; it was  
 in Broome street on the sidewalk; he cut me  
 with a Knife in the heel. Charles Kinn was with  
 me at the time, I did not say anything to him,  
 I saw him that day first in Theatre alley; he  
 wanted myself and Charlie Kinn to go up and  
 steal some goods, I did not want to go and he  
 threw the Knife at me. Have not the Knife.  
 Cross Examined. We were not fighting and had  
 no angry words at the time; nothing unpleasant  
 had passed between us up to the time that he  
 threw the Knife; he fired the Knife at me  
 for the purpose of hitting me; he is bigger than  
 I am; he was running after me with the  
 Knife. I ran away from him because I did not  
 want to go up stairs. I did not see him throw  
 the Knife, but Charlie Kinn told me he saw him.  
 Did you see the Knife? Yes sir. It was his Knife  
 was it? His Knife. Did you go up stairs with  
 him? No sir. What did he say he wanted  
 you to go up stairs for. He wanted me to get  
 coats.



0623

Charles Hiram, sworn and examined, testified. I am not a newspaper boy, I shine and blacken boots. Do you know this boy Smith? Yes sir. Did you see anything of this assault he made on Timothy Collins with the Knife? He fired a Knife at Timothy Collins. Where were you? I was right next to him and Timothy Collins jumped aside and the Knife struck him on the foot. Did he say anything to Collins? No, he wanted to run away. As he did not want to steal he run away and the prisoner fired the Knife at him. What were you doing there at the time? He said he was going to get paper, so he says, Come up stairs and take some coats out of there and we did not want to do it. He opened the Knife and he was sticking me in the arm, we refused to steal. Cross Examined. He both were running at the time the Knife was fired. What were you doing? Nothing I was standing with Collins. I jumped aside and Collins got it in the foot; Collins and I were both running; we were going away from him; we did not want to go with him. I was running towards the East River. I stopped when Collins was struck with the Knife. I saw the prisoner open the Knife before we commenced to run. I turned round and I "seen" his hand going down like that; it was going right near Collins's foot. I turned

0624

and saw Smith. Did you hear Collins halloo any thing, did you hear him say the knife struck him. No sir. Did Collins say anything after the knife was struck? I do not know. I went away. I stood on the corner. Did you know that Collins was cut at the time? Yes sir. How did you know? Because I seen the knife; he showed me the cut as soon as he put something on it. Then you went away from him? Yes sir. James Smith, sworn and examined, testified: Where do you live? No 70 Oliver St. Did you cut this boy Collins with a knife? No sir. Did you fire the knife at him? No sir, I had no knife. You live with your sister, who is in Court and your father is dead - my right father. You are living with your sister and your mother is now in an institution for sickness? Yes sir. You say you did not stab this boy. Yes sir. It is not true? No sir. Cross Examined. What do you do, what is your business? I do not do nothing. How long have you been doing that? I used to work with my uncle. What does your uncle do? Sign printing. How long since you worked for anybody? I do not know, sir. Have you always lived at home? Yes sir. Never lived away from home in your life? No sir. Never slept out of the house a single night? No sir. Yes.

0625

with those boys at all that day? No sir. Did you ever see them in your life? Yes sir. Where did you ever meet them? I used to see them around as I was going past the Telegram office. I often seen them by sight but I did not ~~know~~ them. I saw the boys the morning of that day around Theatre alley as I was passing down, I met them right on the corner. You were not with them that afternoon at five o'clock when they were ~~offering~~ some stolen goods? No sir. Patrick English, sworn and examined, testified. You are a special officer attached to the Seventh precinct? Yes sir. Do you know the prisoner at the bar? I do, sir. Do you know the two witnesses we have had, Collins and Kinn? Yes sir. Do you remember the 14<sup>th</sup> day of October, did you see them that day? I did, sir. Did you see them together? I did, sir. Whereabouts? On the corner of Catherine and Monroe streets. About what time? About five o'clock I should judge in the evening of the 14<sup>th</sup> of October. What were they doing there? Collins had a bag on his shoulder. Who was with you then? Detective Cairns. He is in Court? Yes sir. The jury rendered a verdict of guilty of simple assault. The Court sent the prisoner to the House of Refuge.

0626

Testimony in the case  
James Smith  
filed Oct. 1881



0627

Form 15.

Police Court—Third District.

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

*Timothy Collins* aged 15 years  
a *New York* residing at  
No. *6 Hague* Street

being duly sworn, deposes and says, that  
on the *17* day of *October*  
in the year 18*81* at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

*James Smith (nowhere)*  
*who threw a knife at deponent*  
*cutting deponent's left foot, and a*  
*assault was committed*

with the felonious intent to ~~take the life of deponent~~ <sup>deponent</sup> or do him bodily harm; and without  
any justification on the part of the said assailant :

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

Sworn before me, this *26* day  
of *October* 18*81* }

*Timothy Collins*

*Wm. J. Murray* Police Justice.

0628

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

3 DISTRICT POLICE COURT.

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

Question. What is your name?

Answer. *James Smith*

Question. How old are you?

Answer. *13 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *40 Oliver St., 2 months*

Question. What is your business or profession?

Answer. *Painter*

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

Answer. *I am not guilty*

Taken before me this *26*  
day of *October* 188*7*

*James Smith*

*Wm. J. Murray* Police Justice.

0629

BAILED,

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

Sec. 208, 209, 210 & 212.

Police Court, 3 District.

THE PEOPLE, &c. 1881  
ON THE COMPLAINT OF

Samuel Collins  
vs. 6 Hagar &c

1 James Smith  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offence, Fel. Assault

Dated Dec 26 1881

Murray Magistrate.

Charles A. Smith Officer.  
Clerk.

Witnesses

No. 1 James Smith Street, \_\_\_\_\_

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

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



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

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

Dated Dec 26 1881

Henry Murray Police Justice.

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

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

Police Justice.

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

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

Police Justice.



0690

Sec. 208, 209, 210 & 212.

Police Court-- 3 District.

THE PEOPLE, &c. 1881  
ON THE COMPLAINT OF

Emily Collins  
vs. 6 Hagar St.

James Smith

BAILED,

No. 1, by

Residence

Street,

No. 2, by

Residence

Street,

No. 3, by

Residence

Street,

No. 4, by

Residence

Street,

Dated

Dec 26

1881

Magistrate.

Murray

Officer.

English & Harris

Clerk.

Wm

Witnesses

Edw. W. W. W.

No.

1072

Street,

No.

Street,

No.

Street.



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

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

Dated Dec 26 1881

Police Justice.

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated 1881

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 1881

Police Justice.



0631

# Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*James Smith*

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

*James Smith*

of the CRIME OF "Assault and Battery upon another with a deadly weapon with intent to kill," committed as follows:

The said

*James Smith*

late of the City of New York, in the County of New York, aforesaid, on the *seventeenth* day of *October* in the year of our Lord

one thousand eight hundred and eighty *one* with force and arms, at the City and

County aforesaid, in and upon the body of *Timothy Collins*

in the peace of the said people then and there being, feloniously did make an assault

and *him* the said *Timothy Collins*

with a certain *knife*

which the said *James Smith*

in *his* right hand then and there had and held, the same being a deadly and

dangerous weapon, wilfully and feloniously did beat, strike, stab, cut and wound

with intent *him* the said *Timothy Collins*

then and there feloniously and wilfully to kill, against the form of the Statute in such

case made and provided, and against the peace of the People of the State of New York

and their dignity.

SECOND COUNT.

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

*James Smith*

of the CRIME OF "Assault upon another, without justifiable or excusable cause, with a sharp, dangerous weapon, with intent to do bodily harm," committed as follows:

The said *James Smith*

afterwards, to wit, on the day and in the year aforesaid, at the City and County

aforesaid, ~~the said~~

with force and arms, in and upon the body of the said *Timothy Collins*

then and there being, wilfully and feloniously did make an

assault and *him* the said *Timothy Collins*

with a certain *knife* which the said

*James Smith* in *his* right hand then and there

had and held, the same being then and there a sharp, dangerous weapon, wilfully

and feloniously, and without justifiable and excusable cause, did then and there beat,

strike, stab, cut and wound, with intent to then and there wilfully and feloniously

do bodily harm unto *him* the said *Timothy Collins*

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.

0632

THIRD COUNT.

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

*James Smith*  
of the CRIME of "Assault and Battery upon another by such means and force as was likely to produce death with intent to kill," committed as follows:

The said

*James Smith*  
afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, ~~the said~~

with force and arms, in and upon the body of *Timothy Collins*  
in the peace of the said people then and there being, feloniously did make another assault and ~~him~~ the said *Timothy Collins*  
with a certain *Knife*

which the said

*James Smith* in *his* right hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut and wound, the same being such means and force as was likely to produce the death of ~~him~~ the said *Timothy Collins* with intent ~~him~~ the said *Timothy Collins* then and there feloniously and wilfully to kill, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT.

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

*James Smith*  
of the CRIME of "Assault and Battery upon another, with a deadly weapon, with intent to maim," committed as follows:

The said

*James Smith*  
afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, ~~the said~~

with force and arms, in and upon the body of the said *Timothy Collins*  
then and there being, wilfully and feloniously did make another assault and ~~him~~  
the said *Timothy Collins* with a certain *Knife* which the said

*James Smith*  
in *his* right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent then and there wilfully and feloniously to maim ~~him~~ the said *Timothy Collins* 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.

DANIEL G. ROLLINS, District Attorney.

0633

BOX:

50

FOLDER:

585

DESCRIPTION:

Smith, John

DATE:

10/20/81



585



0634

WITNESSES.

Day of Trial,

Counsel,

Filed *20* day of *Oct* 188*1*

Pleads *Not guilty (2d)*

THE PEOPLE

vs.

*John Smith*

DANIEL G. ROLLINS,

District Attorney.

*Paul Bro: Oct. 24. 1881*

*Fried & convicted of m. sl.*

A True Bill. attempt.

*S. P. 3 years, &c.*

*Wm. H. ...*

*Crime against nature*



0635

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

3 DISTRICT POLICE COURT.

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

Question. What is your name?

Answer. *John Smith*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *New York.*

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

Answer. *341 E. 13 St. lived there 3 weeks.*

Question. What is your business or profession?

Answer. *Work at Learning work.*

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*

Taken before me, this *16*

Day of *October* 188*8*

*John Smith*  
Police Justice.

0636

BAILED,

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

Sec. 208, 209, 210 & 212.

Police Office

District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Offence, *Robbery*

Date *October 16* 188*8*

*Richard Murray* Magistrate.

*John Kelly* Officer.

*John Kelly* Clerk.

Witnesses *Edward Stark*

No. *324* *1 Avenue* Street,

*Michael Danning*

No. *434* *Seal 13* Street,

*John Kelly* 134 & 134d

No. *John Kelly* 134 & 134d

*John Kelly* 134 & 134d

*John Kelly* 134 & 134d

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 admitted to bail in the sum of *one* Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated *Oct 16* 188*8*

*Henry Murray* Police Justice.

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

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

Police Justice.

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

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

Police Justice.



0637

Dated 188 Police Justice.

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

Dated 188 Police Justice.

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

Dated 16/11/188 Police Justice.

Guilty thereof, I order that he be admitted to bail in the sum of Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

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

Sec. 203, 209, 210 & 212.

Police Court District.

THE PEOPLE &c.,  
ON THE COMPLAINT OF

James J. McDonald  
234 W. 1st Ave.  
St. Louis

Offence.

188

Magistrate.

Officer.

Clerk.

Witnesses

No. 1

Street

No. 2

Street

No. 3

Street

No. 4

Street

No. 5

Street

No. 6

Street

BAILED.

No. 1, by

Residence

Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

No. 4, by

Residence

Street

No. 5, by

Residence

Street

No. 6, by

Residence

Street

James J. McDonald

0638

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

of No. 224

1 avenue

Street,

being duly sworn, deposes and says that on the 16 day of October

1881, at the City of New York, in the County of New York.

John Smith (unipresent) did on the above commit the detestable and abominable crime against nature with a beast viz a mare. Deponent is informed by Leonard Hook an employee of deponent, and who resides at 324 1 avenue that he went into deponents stable 434 East 13<sup>th</sup> Street and there saw John Smith having carnal knowledge against the order of nature with a beast viz a mare. Said Smith was standing on the manger at the time. He having turned the mare around in the stall.

Frank Schneider

Sworn to this

16 day of October 1881

Police Justice



0639

City and County of New York  
I, Leonard Hook residing No 234 1/2 Avenue being sworn says that on the morning of the 16<sup>th</sup> of October 1881. Deponent went to Frank Schneiders stable No 434 East 13<sup>th</sup> street and there found a mare turned around in the stall with her back to the manger and securely tied - and further saw John Smith (now present) standing on the manger in said stall and in the act of having carnal knowledge with said mare  
Sworn to before me  
this 16<sup>th</sup> day of October 1881

POLICE OFFICE, THIRD DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Dated

JUSTICE.

OFFICER.

WITNESSES:

G. H. H. H.

0640

**Court of General Sessions**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*John Smith*

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

*John Smith*

of the ~~crime of~~ *crime against nature*

committed as follows:

The said *John Smith* late of the seventeenth Ward of the City of New York in the County of New York of one aid on the sixteenth day of October in the year of our Lord one thousand eight hundred and eighty one at the Ward City and County of one aid, with force and arms in and upon a certain living <sup>beast</sup> ~~animal~~ to wit: a mare then and there being feloniously did make an assault and then and there feloniously, wickedly, diabolically and against the order of nature with the said mare had a venereal affair, and then and there feloniously, wickedly, diabolically and against the order ~~of nature~~ of nature with the said mare did commit and perpetrate that detestable and abominable crime of buggery, not to be named among Christians, to the great displeasure of Almighty God, to the great scandal of all human kind and 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

*Daniel B. Rollins*  
District Attorney

0641

**BOX:**

50

**FOLDER:**

585

**DESCRIPTION:**

Smith, John

**DATE:**

10/12/81



585

0642

Oct 10 - 1881

Counsel,  
H. C.

Filed 12 day of Oct 1881

Pleads Not guilty (13)

THE PEOPLE

vs.

John Smith

INDICTMENT.  
Larceny from the person.

DANIEL C. ROLLINS,

~~DEPUTY DISTRICT ATTORNEY~~

District Attorney.

A True Bill.

Wm. H. King  
Foreman

Oct 20/81

Please guilty

S. P. 17 years & 6 mo



0643

FORM 894.

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

Police Court--Second District.

of No 40 Houston <sup>and Fannie Smith ~~24-year-old dressmaker~~ by occupation</sup> Street, being duly sworn, deposes  
and says, that on the 9th day of October 1881

at the City of New York, in the County of New York, was feloniously taken, stolen and carried  
away, from the possession of deponent, and from her person  
in the night time -

the following property, to wit: one pocket book containing  
two two dollar bills good and lawful  
money

of the value of Four Dollars,  
the property of Deponent

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

here) for the reason that deponent felt said  
Smith put his hand in the pocket of  
her bag and <sup>the said bag was in her hand at the time</sup> take it therefrom. Deponent  
ran after said Smith and caught  
him and detained him until the  
arrival of an officer.

Fannie <sup>her</sup> Smith  
<sup>man</sup>

Sworn to before me, this

10th

day,

1881

Albert W. Smith  
Justice.

0644

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK,

2

DISTRICT POLICE COURT.

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

Question. What is your name?

Answer.

John Smith

Question. How old are you?

Answer.

Eighteen years

Question. Where were you born?

Answer.

U.S.

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

Answer.

37. Bleeker Street one week

Question. What is your business or profession?

Answer.

Brown maker.

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

Answer.

I am not guilty

John Smith

Taken before me, this 10

day of Oct

1881

Salomon D. Smith  
Police Justice.

0645

BAILED,

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

Sec. 208, 209, 210

Police Department District,

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John Smith*  
*40 West 10th St.*  
*John Smith*

Offence, *Larceny from Person*

Dated *Oct 10* 1881

*Smith* Magistrate.

*Wentworth* 15 Officer.

Clerk.

Witnesses *Blair Anderson*

No. *25* *Bleeker* Street,

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

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

*Curran*

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

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

Dated *Oct 10* 1881

*Salomon B. Smith* Police Justice.

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

Dated \_\_\_\_\_ 1881

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 \_\_\_\_\_ 1881

Police Justice.

*with Co*



9490

Police Justice.

188

Dated

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

There being no sufficient cause to believe the within named

Police Justice.

188

Dated

to bail to answer by the undertaking hereto annexed.

I have admitted the above named

Police Justice.

188

Dated

mitted to the Warden or Keeper of the City Prison until he give such bail.  
guilty thereof, I order that he be admitted to bail in the sum of ~~Five~~ <sup>One</sup> Hundred Dollars and be com-

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

Sec. 208, 209, 210

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Theresa Smith  
40 Houston st.

John Smith

BAILED.

No. 1, by

Residence

Street,

No. 2, by

Residence

Street,

No. 3, by

Residence

Street,

No. 4, by

Residence

Street,

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses

Clara Anderson

No.

Street,

No.

Street,

No.

Street.

Cum



0647

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

THE PEOPLE OF THE STATE OF  
NEW YORK,

*John Smith* against  
The Grand Jury of the City and County of New York by this indictment accuse  
*John Smith*  
of the crime of *Larceny*  
committed as follows:  
The said *John Smith*

late of the First Ward of the City of New York, in the County of New York, aforesaid,

on the *ninth* day of *October* in the year of our Lord one  
thousand eight hundred and eighty *one* at the Ward, City, and County aforesaid,  
with force and arms,

*two* Promissory Note *for* the payment of money, the same being then and there  
due and unsatisfied, and of the kind known as *United States Treasury Note* of the  
denomination of *two* dollar and of the value of *two* dollar each

*two* Promissory Note *for* the payment of money, the same being then and there  
due and unsatisfied, and of the kind known as *Bank Note* of the denomination of  
*two* dollars and of the value of *two* dollar

*One pocketbook of the value of  
ten cents*

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

DANIEL G. ROLLINS,  
~~Attorney at Law~~ District Attorney.

0648

BOX:

50

FOLDER:

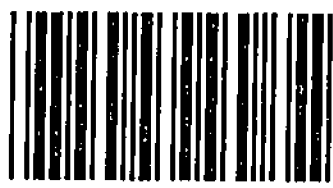
585

DESCRIPTION:

Smith, Mary

DATE:

10/05/81



585

0649

#10- Oct 11. M 1

Day of Trial,

Counsel, *He*

Filed 5 day of Oct 1881

Pleads *Guilty*

THE PEOPLE

vs.

*Mary Smith*

*Felony Assault and Battery.*

DANIEL G. ROLLINS,  
District Attorney.

A True Bill.

*Foreman.*

*Oct 11. 1881*  
*Placed guilty on 2 years*  
*Perk. One year & 6 mo*

0650

St. Francis Hospital  
Aug 26<sup>th</sup>

This is to certify that  
Thomas Davis is a  
patient here and is  
out of danger of death  
from his injuries

John F. Luby M.D.,  
Brain Surgeon



0651

St. Vincent's Hospital  
Aug 16<sup>th</sup>

This is to certify that  
Thomas Davis is a patient  
here with Compound Fracture  
of skull and is in danger  
of death

John T. Luby, M.D.  
House Surgeon

0652

St. Vincent's Hospital  
Aug 6<sup>th</sup> 1877

This is to certify that  
Thomas Davis is a patient  
here and is in danger of  
death from his injuries

John F. Luby M.D.,  
House Surgeon

0653

St Francis Hospital  
Decy 3<sup>d</sup> 1897

This is to certify that  
Thomas Davis is a patient  
here and is in danger  
of death

John F. Luby, M.D.,  
House Surgeon

0654

St. Vincent's Hospital  
Aug. 2<sup>nd</sup> 1897

This is to certify that  
Thomas Davis is a patient  
here with compound  
fracture of skull and  
is in danger of death.

John F. Leary, M.D.  
House Surgeon



0655

Form

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

POLICE COURT—FIRST DISTRICT.

Thomas Davis of No 192 Mulberry  
Street is 32 years old - a Carpenter, being duly sworn, deposes and says,  
that on the First day of August 1881

at the City of New York, in the County of New York, he was violently and feloniously assaulted and  
beaten by

Mary Smith now present.  
who wilfully and maliciously struck  
deponent a blow on the head  
with a hatchet then and there  
held in the hand of said Mary  
cutting his head <sup>brusely</sup> and cutting  
his ear off

Deponent believes that said injury, as above set forth, was inflicted by said

with the felonious intent to take the life of deponent, or to do him bodily harm, and without any justification  
on the part of the said assailant: I have lived with Mary  
as my wife

Wherefore this deponent prays that the said assailant may be apprehended and dealt with accord-  
ing to law.

Thomas Davis

Sworn to, before me, this

day of

Sept 26

1881

Police Justice.

0656

Sec. 198—200.

CITY AND COUNTY } ss.  
OF NEW YORK,

*Fired*

DISTRICT POLICE COURT.

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

Question. What is your name?

Answer.

*Mary Smith*

Question. How old are you?

Answer.

*28 years*

Question. Where were you born?

Answer.

*Ireland*

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

Answer.

*82 Mulberry St about four months*

Question. What is your business or profession?

Answer.

*Servant*

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

*It was an accident- I am not guilty of striking him willfully,*

Taken before me, this

*26*

day of

*Sept*

188*8*

*hu*  
*Mary X Smith*  
*mark*

*R. J. Murphy*

Police Justice.

0657

St Vincent's Hospital  
Sept 12, 1881

This is to certify that  
Thomas Davis is not in  
danger of death.

Jonathan Allen, M.D.,  
Acting House Surgeon

0658

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK,

POLICE COURT,

1<sup>st</sup> DISTRICT.

of the

14<sup>th</sup> Police Precinct Station House

being duly sworn, deposes and

says that on the

1<sup>st</sup> day of

August

1881,

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

at about the hour

of 5.30 O'clock P.m. one Thomas Davis ran into the 14<sup>th</sup> Police Precinct Station House with his face covered with blood and when informed this deponent that Mary Smith, (nowhere), had cut him, said Davis, on the head with an axe and that said Mary Smith lived in the rear of premises No. 192 Mulberry Street. That deponent thereupon arrested said Mary Smith and took her before said Davis at the said Station House where said Davis identified her as the person who had so feloniously assaulted and beaten him. That said Mary Smith acknowledged to deponent that she had hit the said Davis on the head with an axe. Deponent further says that the said Thomas Davis is now confined at the St. Vincent's Hospital and is unable by reason of the injuries received as aforesaid to appear at Court and make complaint.

Sworn to before me this }  
2<sup>d</sup> day of August 1881 } DeChuyler F. West  
J. C. Knappe Justice.



0659

Police Court / District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Schuyler J. West

vs.

Mary Smith

Dated August 2, 1881.

C. H. Hammer Magistrate.

West 14. Bond

Witness.

Ex. to arrest -  
Should of my

Disposition.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Schuyler J. West  
vs.  
Mary Smith  
Dated August 2, 1881.  
C. H. Hammer Magistrate.  
West 14. Bond  
Witness.  
Ex. to arrest -  
Should of my  
Disposition.

0660

Sec. 208, 209, 210 & 212.

Police Court-1st District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Thomas Davis  
192 West 14th St.

1 Mary Smith

2  
3  
4

Offence, Felonious Assault  
73

Dated Sept 26 1881

73 04 Brady Magistrate.

73-14 Officer.

Clerk.

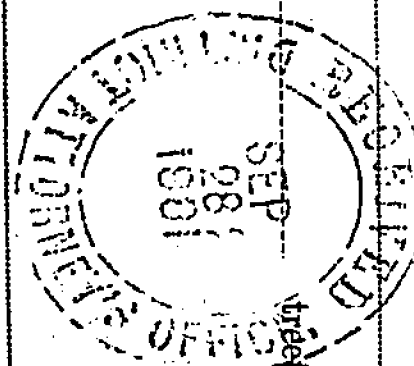
Witnesses

No. Street.

No. Street.

No. Street.

Committed



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 Mary Smith

guilty thereof, I order that he be admitted to bail in the sum of 100 Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail

Dated Sept 26 1881 13 W Brady Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

0991

Sec. 208, 209, 210 & 212.

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Thomas Davis*  
*192 Mulberry St.*

*Mary Smith*

BAILED,

No. 1, by

Residence

Street,

No. 2, by

Residence

Street,

No. 3, by

Residence

Street,

No. 4, by

Residence

Street,

Dated

*Sept 26*

1881

Magistrate.

*304 Brady*

Officer.

*Muel-17*

Clerk.

Witnesses

No.

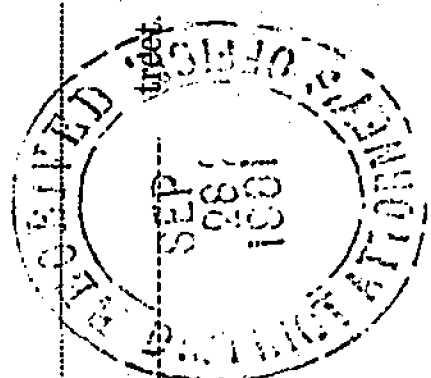
Street,

No.

Street,

No.

Street,



*Committed*

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

*Mary Smith*  
guilty thereof, I order that he be admitted to bail in the sum of ~~One Hundred Dollars~~ *Five Dollars* and be committed to the Warden or Keeper of the City Prison ~~where he give such bail~~ *at the City Prison*

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated 188

Police Justice.

There being no sufficient cause to believe the within named

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

Dated 188

Police Justice.

0662

**Court of General Sessions**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Mary Smith*

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

*Mary Smith*  
of the CRIME OF "Assault and Battery upon another with a deadly weapon with intent to kill," committed as follows:

The said

*Mary Smith*

late of the City of New York, in the County of New York, aforesaid, on the  
first day of August in the year of our Lord  
one thousand eight hundred and eighty one with force and arms, at the City and  
County aforesaid, in and upon the body of  
in the peace of the said people then and there being, feloniously did make an assault  
and *him* the said *Thomas Davis*  
with a certain hatchet  
which the said

*Mary Smith*  
in her right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut and wound,  
with intent *him* the said *Thomas Davis*  
then and there feloniously and wilfully to kill, against the form of the Statute in such  
case made and provided, and against the peace of the People of the State of New York  
and their dignity.

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*Mary Smith*  
of the CRIME OF "Assault upon another, without justifiable or excusable cause, with a  
sharp, dangerous weapon, with intent to do bodily harm," committed as follows:

The said

*Mary Smith*

afterwards, to wit, on the day and in the year aforesaid, at the City and County  
aforesaid, ~~the said~~  
with force and arms, in and upon the body of the said *Thomas Davis*  
then and there being, wilfully and feloniously did make an  
assault and *him* the said *Thomas Davis*  
with a certain hatchet which the said

*Mary Smith*  
in her right hand then and there  
had and held, the same being then and there a sharp, dangerous weapon, wilfully  
and feloniously, and without justifiable and excusable cause, did then and there beat,  
strike, stab, cut and wound, with intent to then and there wilfully and feloniously  
do bodily harm unto *him* the said *Thomas Davis*  
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.



0663

THIRD COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said Mary Smith of the CRIME of "Assault and Battery upon another by such means and force as was likely to produce death with intent to kill," committed as follows:

The said Mary Smith

afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, ~~the said~~

with force and arms, in and upon the body of the said Thomas Davis in the peace of the said people then and there being, feloniously did make another assault and him the said Thomas Davis

with a certain hatchet

which the said Mary Smith

in her

right

hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut and wound, the same being such means and force as was likely to produce the death of him the said Thomas Davis with intent him the said Thomas Davis then and there feloniously and wilfully to kill, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said Mary Smith of the CRIME of "Assault and Battery upon another, with a deadly weapon, with intent to maim," committed as follows:

The said Mary Smith

afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, ~~the said~~

with force and arms, in and upon the body of the said Thomas Davis then and there being, wilfully and feloniously did make another assault and him the said Thomas Davis with a certain hatchet which the said Mary Smith

in her right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent then and there wilfully and feloniously to maim him the said Thomas Davis 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.

DANIEL G. ROLLINS, District Attorney.