

1042

**BOX:**

477

**FOLDER:**

4371

**DESCRIPTION:**

Simmons, John

**DATE:**

04/13/92



4371

1043

POOR QUALITY  
ORIGINAL

Witnesses:

*off. of public*

Counsel,

Filed

Pleads,

day of April 1892

THE PEOPLE

vs.

*John Simmons*

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Wm. H. Johnson*  
Foreman.

*1st Jury 18/92*

*Charles R. King*

*S. P. 2 1/2 yrs.*

Burglary in the Third Degree.  
[Section 498, Penal Code.]

1044

POOR QUALITY  
ORIGINAL

Police Court—

District.

City and County } ss.:  
of New York,

of No. 229 Avenue A. Street, aged 43 years,  
 occupation Janitor being duly sworn  
 deposes and says, that the premises No. 229 Avenue A Street, 18<sup>th</sup> Ward  
 in the City and County aforesaid the said being a Ten Story brick  
 Building, the ground floor  
 and which was occupied by deponent as a Janitor Store  
 and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking  
 The window of said Store

on the 9<sup>th</sup> day of April 1882 in the Night time, and the  
 following property feloniously taken, stolen, and carried away, viz:

A quantity of Watches and  
 Jewelry to the value of about  
 Three Hundred dollars  
 \$300 or  
 700

the property of John Sumner  
 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

John Sumner (number)

for the reasons following, to wit:

Deponent is informed  
 by Officer O'Connell that he heard  
 the crashing of glass at the hour of  
 about 2 P.M. on said date. That  
 he saw the defendant walking away  
 from the premises of John Sumner.  
 Deponent therefore charges the defendant  
 with attempted Burglary and prays  
 that he be held to answer

Otto Zammow

Sumner to be paid for the loss of the property taken, stolen and carried away by the defendant, John Sumner, on the 9th day of April 1882.

1045

POOR QUALITY  
ORIGINAL

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Andrew Appel-*  
*Officer*  
aged..... years, occupation..... of No. *186*  
*174 curi* Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of *Otto Zamm*  
and that the facts stated therein on information of deponent ~~are~~ true of deponent's own  
knowledge.

Sworn to before me, this.....

day of.....

1890

*Andrew Appel-*

*John Ryan*

Police Justice.



1046

POOR QUALITY  
ORIGINAL

(1835)

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK,

District Police Court.

*John Simmons* 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 Simmons*

Question. How old are you?

Answer. *32 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *New York*

Question. What is your business or profession?

Answer. *Carpenter*

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

Answer. *I am not guilty**John Simmons*

Taken before me this

day of

1892

Police Justice.

**POOR QUALITY  
ORIGINAL**

**BATTLED,**

No. 1, by

*Residence*

No. 2, by

Residence . . . . .

No. 3, by

Residence

No. 4, by

## Resilience

Police Court-- District

THE PEOPLE, &c.

ON THE COMPLAINT OF

### Offense

Date:

189

●  
●  
●  
●  
●  
●  
●

*V. C. / Clerk*

Officer

10 Precinct

Wilness

Phil Phan 6/12/2022

No. ...

10 Mrs. Ward Street

RECEIVED

No. .

Blue

No.

Since



to answer Li

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

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

Dated, April 9<sup>th</sup> 189 2 [Signature] Police Justice.

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

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

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

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

1048

POOR QUALITY  
ORIGINAL

483

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*John Simmons*

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

*John Simmons*

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

The said

*John Simmons*

late of the *18th* Ward of the City of New York, in the County of New York aforesaid, on the  
*ninth* day of *April* in the year of our Lord one  
thousand eight hundred and ninety-*two* in the *night* time of the same day, at the  
Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of  
one *Otto Garmow*

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

*Re Lancy Nicoll,*  
*District Attorney*

1049

**BOX:**

477

**FOLDER:**

4371

**DESCRIPTION:**

Sklenнар, Charles F.

**DATE:**

04/22/92



4371

1050

POOR QUALITY  
ORIGINAL

262

Counsel, *[Signature]*  
Filed day of April 1892  
Pleads,

THE PEOPLE  
vs.  
Charles S. Sklenar  
Grand Larceny,  
[Sections 528, 529,  
Penn. Code.]  
De LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*[Signature]* Foreman.  
*[Signature]*  
*[Signature]* Leader  
*[Signature]* Juror  
20

Witnesses:  
*[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*

1051

POOR QUALITY  
ORIGINAL

(1905)

Police Court—2 District.

Affidavit—Larceny.

City and County } ss.  
of New York, }

Lucien Geismer

of No. 384 8th AvenueStreet, aged 27 years,occupation Butcher

being duly sworn,

deposes and says, that on the 30 day of March 1892 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

one overcoat  
of the value of twenty dollars, one coat  
and trousers of the value of fifteen  
dollars, all of the value of  
thirty five dollars

\$35

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 Charles F. Sklar, now

de. The said property was stolen  
from deponent's room on said date,  
and deponent is informed by Phineas  
George Smith (now de), that he  
arrested defendant on said date  
with said stolen property in his  
possession

Lucien Geismer

Sworn to before me, this

day

of

March 1892

Police Justice

1052

POOR QUALITY  
ORIGINAL

(1235)

Sec. 198—200.

2

District Police Court

CITY AND COUNTY  
OF NEW YORK, } ss.*Charles J. Akerman*

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

Question. What is your name?

Answer.

*Charles J. Akerman*

Question. How old are you?

Answer.

*21 years*

Question. Where were you born?

Answer.

*Brooklyn*

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

Answer.

*39 E 7th Avenue 8 months*

Question. What is your business or profession?

Answer.

*Waiter*

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*  
*Charles Frank Akerman*

Taken before me this *21*  
day of *March*, 189*2*

Police Justice.

1053

POOR QUALITY  
ORIGINAL

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

Police Court 2 District 899

THE PEOPLE, vs.,  
ON THE COMPLAINT OF

Queen's Prison  
394 1/2 St. 134th St.  
Brooklyn 44.  
Chas. J. McLean

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offence Larceny  
felony

Dated March 21 1892

Driver Magistrate

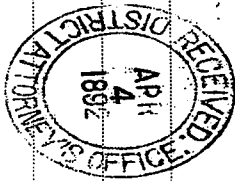
Chas. J. McLean Officer

Precinct

Witnesses

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

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



No. \_\_\_\_\_ Street \_\_\_\_\_  
\$ 500 to answer

Chas. J. McLean

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 \_\_\_\_\_

Chas. J. McLean

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Five Hundred Dollars, 500 and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated March 21 1892 Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.



1054

POOR QUALITY  
ORIGINAL

505

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Charles F. Sklennar*

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

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

The said

*Charles F. Sklennar*  
late of the City of New York, in the County of New York aforesaid, on the *30th*  
day of *March* in the year of our Lord one thousand eight hundred and  
ninety-*two*, at the City and County aforesaid, with force and arms,

*one overcoat of the value of  
twenty dollars, one coat of the  
value of ten dollars, one pair  
of trousers of the value of  
five dollars*

of the goods, chattels and personal property of one

*Lucien Guzman*

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

*De Lancy Nicoll*  
*District Attorney*

1055

**BOX:**

477

**FOLDER:**

4371

**DESCRIPTION:**

Small, William H.

**DATE:**

04/19/92



4371

1056

POOR QUALITY  
ORIGINAL

Witnesses:

J. W. Arspenny

A. C. Cury

Counsel,

Filed

19 day

189

Pleas,

THE PEOPLE

vs.

P

William H. Small

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

W. H. Doherty  
Foreman.

Sat 2 May 20/90

True and Legit

1057

POOR QUALITY  
ORIGINAL

Police Court— District.

City and County { ss.:  
of New York,of No. 43 Greenwich Street, aged 21 years,  
occupation Waiter being duly sworndeposes and says, that on the 3 day of April 1892 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

William H. Small  
(now here) who discharged a loaded  
revolving pistol in said premises  
one of the balls from said pistol  
striking deponent upon the arm  
and injuring him~~with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without  
any justification on the part of the said assailant~~Wherefore this deponent prays that the said assailant may be ~~apprehended and~~ bound to answer  
for the above assault, etc., and be dealt with according to law.Sworn to before me this 3 day  
of April 1892Admiral

Police Justice.

Frank H. Osprey  
(arm disabled)

1058

POOR QUALITY  
ORIGINAL

Sec. 198—200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK

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

Question. What is your name?

Answer.

*William W. Small*

Question. How old are you?

Answer.

*19 years*

Question. Where were you born?

Answer.

*England*

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

Answer.

*72 Greenwich St.*

Question. What is your business or profession?

Answer.

*Printer*

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

Answer.

*I am not guilty*  
*W. W. Small*

Taken before me this

day of

1894

Police Justice.

**POOR QUALITY  
ORIGINAL**

no April 8 1891  
do April 11 1891  
Committee

Offense Sexual Abuse

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

1050

POOR QUALITY  
ORIGINAL

473

## Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William H. Small

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

William H. Small

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

The said William H. Small

late of the City of New York, in the County of New York aforesaid, on the third day of April in the year of our Lord one thousand eight hundred and ninety-two, with force and arms, at the City and County aforesaid, in and upon the body of one Frank W. Worsprung in the peace of the said People then and there being, feloniously did make an assault and to, at and against him the said Frank W. Worsprung a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said William H. Small 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 Frank W. Worsprung thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

William H. Small

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

The said

William H. Small

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

Frank W. Worsprung in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against him the said

Frank W. Worsprung

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

William H. Small

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

DE LANCEY NICOLL,

District Attorney.

1061

**BOX:**

477

**FOLDER:**

4371

**DESCRIPTION:**

Smith, John

**DATE:**

04/01/92



4371



1062

**BOX:**

477

**FOLDER:**

4371

**DESCRIPTION:**

Meister, Frank

**DATE:**

04/01/92



4371

1063

POOR QUALITY  
ORIGINAL

Witness:

James Schwamm  
Wm. H. Hiege  
H. J. Farrell 12/1

Wm. L. Landon  
John A. Landon  
141 Clinton St.  
Mrs. D. D. Landon  
6-141-12

Counsel,

Filed

Plends,

12-1911 X  
April 2  
day of April 1892

THE PEOPLE

John Smith  
and  
Frank Meister

DE LANCEY NICOLL,

District Attorney.

April 19/92  
Plends Ray 3dey  
A TRUE BILL. S.P. 4 of 6.

Aggravated

Foramen.

April 19/92

Plends Ray 3dey

Examine Ray  
April 19/92

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

The People  
vs  
John Smith  
Meister

Court of General Sessions. Part I  
Before Judge Cowing. April 7. 1892  
Jointly indicted with Frank  
Meister for burglary in the first degree.

Florence Schwann, sworn and examined, testified I am married and live with my husband, who is a butcher at No. 638 East Fifth street; we live in the rear of the premises. On the evening of the 29<sup>th</sup> of March I was up in my mother's house; my husband and the workman were in the store; we occupy three rooms as our living apartments. There are two windows on the back of the house and they face in the yard. A person standing in the yard can look in the windows; they are fastened by a catch in the centre of the window. I left the house that afternoon and I fastened those windows. There is a door that leads to the hall in the back; it was locked. There was a gold watch in a ward robe in one of those rooms when I left and a plush sacking and four ladies suits of my own; three overcoats, five pairs of pantaloons, a Prince Albert coat and a diamond pin. This property belonged to me and my husband. I believe the value of these things to be about five hundred dollars. Where did you get

back that evening? Between seven and eight o'clock. I came inside. I turned up the gas and found <sup>all</sup> my things <sup>hanging</sup> <sup>beside</sup> the window, all my clothes, and part of them in the yard, hanging over the window ledge; the window was up. There was only one window up. I saw the hand on the clothes when I turned up the light. I did not see the face of the person. Did you see this defendant or any one about your premises that day before you went away? No sir. I don't know who broke in. I do not recognize the defendant. I never saw him before.

William Kreig, sworn and examined. I live at 638 Fifth street; that is the house in which the last witness lives. I was in my house on the night of the 20th of March last. I had to go down in the yard about half past seven in the evening. It was dark there but in the hall way the light was burning. I was at the door leading out into the yard and three young men rushed in and the last of the young men was the defendant. He says, "I am dry," "I can't whistle any more." I stood there and I took suspicion and I watched. Two of them I could not see because they had their heads down. The defendant was the

1066

POOR QUALITY  
ORIGINAL

last one came in, and he looked at me. I am positive about him. Then I went out in the yard. I saw the window open, and the clothes hanging over the window of the butcher's room. There was a lot of clothes lying in the yard on the top of the snow. I went back through the hallway and went in the front and told the butcher. He came through the hallway back again. Then I met a young man coming through the hallway from the yard - another young man who lives in the house. He held Meister until the officer came, the one who pleaded guilty this morning; the officer came and arrested him. I could not tell you the name of the officer. I had to go down to the station house the next morning and identified Smith. I picked him out of twelve strangers.

Cross Examined. I am a carriage painter. I have lived at 638 East Fifth street about eight or nine years. I usually arrive at home at half past five o'clock; it was about half past seven o'clock when I went down stairs. At that time I was not looking for any burglars. Had business which brought me into the yard and in going back I saw three young men rushing out. I could not tell if they were staggering. I do not think they had anything in their hands. The last

man held his head up and looked directly at me; he said something and the other men went right ahead through the alleyway and the other man followed right along; they all passed me and I watched. I could not identify the two men who held their heads down. The man I looked at had no mustach; he had brown hair. I had no time to see the color of his eyes. His coat was brown. Kind of reddish. The defendant has the same clothes on now he had that night. I could not tell what kind of a neck tie he had on. I only looked at his face. The look I had of him was for two or three seconds. He did not try to hide his face. I did not notice the clothes that the other men wore. I noticed the defendant more than the others because he spoke. I am positive the defendant is the man I saw and nothing could change my mind. The words he used were: "I am sorry, I cannot call that fellow down, my throat is all choked up," and he mentioned a name. "I am tired of whistling." I made a special point of remembering what he said when he was running through the hallway. I identified the defendant in the station house. He was not put

among policemen but they were boys taken out of the street, about a dozen of them; they were about twenty years old. I have talked with Mr. Farrell, the policeman, about this case. He did not tell me that he had arrested the burglar. He told me to go into the room and lay my hands on the man.

Barbara Whl, sworn and examined, testified I am twelve years old and if I tell a lie I shall not go to heaven. I live at 638 Fifth St., the same house Mrs. Schwann lives in. I live up stairs on the floor over the butcher's. I was standing at the front door. I saw that small boy who was here this morning go into the yard with another man; they went in and came out. This was about half past seven o'clock in the evening. After this unknown young man came out and spoke to the two that were outside on the sidewalk what did they do, the two that were outside? They were standing there waiting for those who were in the yard. One of them said, "you don't know how to whistle."

They all went back in the yard. They passed me on the stoop and went into the yard. I remained at the stoop. There were two beside the defendant; they went up Avenue B. The next night I had to go to the station house and identify

them. I saw a room full of people; They were in a row. I walked over and I put my hand on this man.

Cross

Examined: You saw the defendant that night on the street in front of your house? Yes sir. Did you go to the Police Station with Mr. Kreig? Yes sir. Did you see Mr. Kreig point out this man? No, I was in another room. After he got through - I looked at a lot of young men and boys that were standing there. Then you said you were not sure whether this man was one of the men or not? Yes. I saw him afterwards in the Police station and at the Police Court. This is the first time I have been to this Court. Because I have seen this man twice and because Mr. Kreig said it was the man I believed he was the man. But twenty four hours after this trouble happened in your house you were not sure that he was the man? No sir. Who was it that said, you do not know how to whistle? I do not know which one, for they went in together. Were you down stairs with Mr. Kreig and did you see him? No sir. I saw the men coming in the hall but I did not follow them. I saw them come out. I did not go into the yard that night. I do not



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POOR QUALITY  
ORIGINAL

Know anything about clothes lying there. You have spoken about this case to people, about the burglary having been committed in your house - to the policeman, to Mr. and Mrs. Schorn and to Mr. Kreig? Yes sir. Some of them told me what I was to say here today. The defendant was dressed the same the night I saw him as he is now.

Patrick Farrell sworn and examined. I am a police officer and arrested the defendant Meister, the night of the burglary. Then I went to 229 Christie St. on the information I obtained from Meister. I saw the defendant there. I saw him getting over the fence from the rear window of the house; this was on the parlor floor. How many minutes after you had been in there and enquired for this defendant did you see him go over the fence? About five minutes. What did you do when you saw the defendant go over the fence? I went outside and went down to one of the houses below, thinking he would come out of the next house and he came out two houses down below and I arrested him. I followed him, and as soon as he saw me he ran down Stanton to Rivington, and he knocked against a man and two of them fell and that is how I caught up with him. Do you know what room he

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POOR QUALITY  
ORIGINAL

came out of in getting over this fence?  
The rear parlor, room No. 2. That is the  
same room where I was making enquiries  
leading out to a little piazza. After I fetched  
the defendant to Court I went back to the room.  
Did you find anything in that room? Yes.  
Do you know who occupied the room with  
the defendant? Meister; so he (Meister) told me.  
The defendant was in that room at the time  
because there was no other way for him  
to get out; the door was locked; he did not  
open the door for me. When I arrested the  
defendant he says, "What do you want  
me for?" I told him when I got him down  
to the Essex Market Court I would tell him.  
When I took him to Court I told him what  
I wanted him for - a burglary in Fifth St.  
He said he was not there, that he did not  
know anything at all about it. Did you  
ask him anything about this fence climb-  
ing and running over yards? Yes. I  
asked him what did he do that for? He  
said he thought I wanted him for another  
case where he was indicted and out on  
bail. I said to him, "What did you run  
away for if you are out on bail? He  
said he did not know what time he  
would be picked up. I took him back to

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POOR QUALITY  
ORIGINAL

the station house then and had him re-manded. That afternoon I went around and brought the witnesses to the station house. The four witnesses we had were put in a separate room and we went out and got eleven or twelve young fellows from the street ranging from 25 down, running about the size of the defendant; some were a little bigger and some were smaller. I went back to the cell and took out Meister and Smith and placed them in a line. I said, "We are going to have you identified, we have got witnesses to identify you; you don't find any fault; get any place on the line; the defendant went up two or three from the further end of the line and the other fellow went down near the foot. Then we went in and we took them one by one the witnesses. McKrieg was the first one who came out. I said, "Pick out the men you saw." So he went over and he pointed to the defendant and then he pointed to the other fellow and said, "That is the fellow that I got in the entry that was in the yard. The young boy who was on the stand only identified Meister; then the girl put her hand on the two of them."

Cross Examined. I went to 299 Christie St. in consequence of a talk I had with Meister; that was

on the 22<sup>nd</sup> March, the next morning after I arrested Meister. How long have you been in the Police Force? Going on eleven years. You never heard Inspector Byrnes or policemen putting a man through the third degree. No sir. You never heard that expression. No. You don't know what it means? No. I do not. You put a number of questions to Meister? No. I only asked him where he lived and how long he lived there. Meister told me he stopped at 219 Christie Street with Mr. Murphy. I went there about nine o'clock in the morning. I had a talk with a man and then knocked at the door of the rear room No. 2. I was standing in the hallway, but the door was not opened. I knocked three times but got no answer. They asked from the inside, "Who is there?" I said, Does Mr. Murphy live here? They said, No. I say, Is any person by the name of Meister living here? The answer was, No. I went to the Housekeeper and had a further talk with him; and while I was talking with him I saw the man go over the fence and I ran out into the street after him. I stood one house down below on the sidewalk and he came out two houses down below me. Did you see him climb over

the fence? No, but he had to climb three fences. I saw him going over one. Examined the fences in the afternoon. Then I ran after the defendant I pulled out my pistol and fired a shot in the air to scare him; he kept on running until he fell down. I got up, took hold of him, and then he asked me why he was arrested. I told the jury that he came out of the window of the rear parlor because he could not get out any other way. Did you see him go out of that parlor window? No. Do you know of your own knowledge, now please do not infer or guess. Do you know of your own knowledge that at the time you knocked at that door that Smith was in that parlor? I could not swear that he was in there. The first that I saw of him was when he was jumping over one of the fences, and subsequently I saw him on the street two houses below. I did not know at that time that Meister occupied that room only from what he told me himself. The defendant was out on bail in an assault case - breaking a man's arm with a billiard cue. That is what I found out. That is what he told me in the Essex Market Court. Mr. Kreig knew before he was called out to look at the men

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POOR QUALITY  
ORIGINAL

that he knew there was an arrest made. I went to his house and notified him to come down to the station house. He came down a little after. The girl witness put her hand on the prisoner and said, "That is the fellow who was around the door." I do not remember anything else that she said. In view of the very serious accusation can't you remember that the girl said she was not sure he was the man? No.

I have not talked with the girl about the case since the morning she was in Essex Market. I told her there that she would be notified to come to Court when she would be wanted again. I do not know that any one has spoken to the girl from the time she was at the Essex Market Police Court down to the present time.

The Court on motion of Counsel took the count for burglary in the first degree from the jury, but denied the motion to take the case from the jury.

A juror was withdrawn and the prisoner pleaded guilty to burglary in the third degree. The Defendant was remanded for sentence.

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POOR QUALITY  
ORIGINAL

Testimony in the  
case of  
John Smith

filed  
April  
1892



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POOR QUALITY  
ORIGINAL

Police Court— District.

City and County } ss.:  
of New York,of No. 638 East 5th Street, aged 22 years,occupation Married woman being duly sworndeposes and says, that the premises No. 638 East 5th Street, 11th Wardin the City and County aforesaid the said being a five story brick buildingand which was occupied by deponent as a clothing & Butcher shop~~and in which there was at the time a human being, by name~~were BURGLARIOUSLY entered by means of forcibly pushing the  
catch on one of the rear windows and  
entering therein by raising said windowon the 21st day of March 1888 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:One gold watch one plush sacque  
four ladies suits three overcoats fivepairs of pantaloons and one price aboutcoat and one diamond pin together of thevalue of about five hundred dollarsthe property of Jack Schwaamm & 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

John Smith and Frank Meister both now hereand another man not arrestedfor the reasons following, to wit: that deponent securely lockedthe doors and windows in said apartmentsat about the hour of five o'clock and twentyminutes P.M. on said date and deponentdiscovered said apartments had been brokeninto and said property taken stolen and carriedat about the hour of seven o'clock and thirtyminutes P.M. on said date deponent furthersays she is informed by William Krieg of



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POOR QUALITY  
ORIGINAL

no 608 East 5<sup>th</sup> Street that he was in the  
act of going in the yard of said premises  
when he saw the two defendants and  
said other man not arrested coming through  
the hall way from the yard of said premises  
said Krie held the defendant Meisner  
taken into custody by an officer said Krie  
positively identifies both of said defendants  
defendant found all the clothes in the yard  
of said premises

Sworn to before me this

23<sup>rd</sup> day of March 1892

Florence Schurmer

Charles H. Lupton  
Police Justice

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

of the City of New York, until he give such bail.

Hundred Dollars and be committed to the Warden and Keeper of the City Prison

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

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

It appears to me by the within depositions and statements that the crime therein mentioned has been

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

vs.

1  
2  
3  
4

Offence—BURGLARY.

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.

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POOR QUALITY  
ORIGINAL

CITY AND COUNTY } ss.  
OF NEW YORK,

*William Krieger*  
aged *24* years, occupation *Carrage Driver* of No. *68 East 5*

*Street*, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of *Elmer Schwan*

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

Sworn to before me this *23*  
day of *Feb* 1890, *W. H. Higg*

*Charles W. Linton*  
Police Justice.

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POOR QUALITY  
ORIGINAL

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK,

District Police Court.

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

Question. What is your name?

Answer. *John Smith*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *648 East 12 St. Manhattan*

Question. What is your business or profession?

Answer. *Truck Driver*

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

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

Taken before me this

day of

*Charles H. Steinhilber*

Police Justice.

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POOR QUALITY  
ORIGINAL

Sec. 198-200.

5

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this *23* day of *February* 19*35*  
*Charles J. Senior*  
Police Justice.

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POOR QUALITY  
ORIGINAL

10/11/89  
William Telle  
638 E 8th St

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

William Telle  
638 E 8th St  
Precinct \_\_\_\_\_  
No. \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
Witness \_\_\_\_\_  
No. \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

Dated \_\_\_\_\_ 189  
Charles V. Saintor

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Charles V. Saintor  
District \_\_\_\_\_  
Offense \_\_\_\_\_



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

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

Dated, Nov 23 189 Charles V. Saintor Police Justice.

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

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

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

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

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POOR QUALITY  
ORIGINAL

463

## Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*John Smith and  
Frank Winter*

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

*John Smith and Frank Winter*of the CRIME OF BURGLARY in the *first* degree, committed as follows:The said *John Smith and Frank Winter*,  
*Winter, Smith* —late of the *Fourth* Ward of the City of New York, in the County of New York aforesaid, on the  
*Twenty-first* day of *March*, — in the year of our Lord one  
thousand eight hundred and ninety-*two* in the *month* time of the same day, at the  
Ward, City and County aforesaid, the dwelling house of one *George Brown*, —there situate, feloniously and burglariously did break into and enter, there being then and there a  
human being within the said dwelling house, with intent to commit some crime therein, to wit: the  
goods, chattels and personal property of the said *George Brown*, —in the said dwelling house then and there being, then and there feloniously and burglariously to steal,  
take and carry away, *the said John Smith and Frank Winter*  
*Winter, and each of them, being them and*  
*thereunto being accomplices, each of them*  
*present, to wit: each by the other, and also*  
*by a certain other person whose name is to*  
*the Grand Jury aforesaid as yet 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.

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POOR QUALITY  
ORIGINAL

## SECOND COUNT—

And the Grand Jury aforesaid, by this indictment further accuse the said *John Smith and Thomas Hunter* of the CRIME OF *Grand* LARCENY in the *first degree*, committed as follows:

The said *John Smith and Thomas Hunter, both* —  
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, in the *month* time of the said day, with force and arms,  
*one watch of the value of seventy five*  
*dollars, one pocket of the value of fifteen*  
*dollars, four dresses of the value of twenty*  
*five dollars each, three overcoats of the*  
*value of twenty five dollars each, five*  
*pairs of trousers of the value of*  
*five dollars each pair, one coat of the*  
*value of twenty dollars, and one diamond*  
*pin of the value of two hundred*  
*dollars,*

of the goods, chattels and personal property of one *John DeWam,*

in the dwelling house of the said *John DeWam,*

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

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POOR QUALITY  
ORIGINAL

THIRD COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*John Smith and Frank Miller*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *John Smith and Frank Miller*, both —  
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year afore-  
said, at the Ward, City and County aforesaid, with force and arms,

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

of the goods, chattels and personal property of one *John D. Johnson*.

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before felon-  
iously stolen, taken and carried away from the said *John D. Johnson*.

unlawfully and unjustly did feloniously receive and have; the said *John Smith  
and Frank Miller*

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

DE LANCEY NICOLL,  
District Attorney.



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**BOX:**

477

**FOLDER:**

4371

**DESCRIPTION:**

Smith, John

**DATE:**

04/12/92



4371

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POOR QUALITY  
ORIGINAL

110. *10/10/12*

Counsel, \_\_\_\_\_  
Filed, *12* day of *April* 189*2*  
Plends, *for* *April 12*

THE PEOPLE  
*John Smith*  
vs. *B*

*John Smith*

POLICE.  
[§§ 843 and 844, Penal Code.]

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*Chas. H. Johnson*  
Attorney.

*Part 2 - April 26/92*  
*Plends, April 26/92*  
*and*  
*and*  
*and*

Witnesses:  
*a Counselor*

*fair of peace*

*By*

1000

GLUED PAGE

POOR QUALITY  
ORIGINAL

*[Faint handwritten text, possibly a signature or date]*

*T 1 J 00*  
*unmixed, and then*

*to the ... and figures, and characters*

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GLUED PAGE

POOR QUALITY  
ORIGINAL

*John - 3000  
Ac. - 1000000  
1000000*

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GLUED PAGE

POOR QUALITY  
ORIGINAL

CITY OF New York COUNTY OF New York SS.  
AND STATE OF NEW YORK.

Anthony Comstock of 41 Park Row, New York, being duly sworn, deposes and says that he has just cause to believe and does believe and charge that John Smith did, on or about the 28<sup>th</sup> day of October, 1891, at number 420 East 6<sup>th</sup> street, in the City of New York and County of New York unlawfully and knowingly sell, furnish, vend and procure, and cause to be furnished and procured, a certain paper or instrument, purporting to be a ticket or part of a ticket in a lottery, which said ticket or part of a ticket is hereto annexed, and which said paper or instrument hereto annexed is what is commonly known as, or are called lottery policy and further that the said,

John Smith - had in his possession, within and upon certain premises, occupied by him and situated and known as number 420 East 6<sup>th</sup> street, in the City of New York and County of New York aforesaid, certain others, what are commonly known as, or are called lottery policies or lottery tickets, and also certain writings, cards, books, documents, personal property, tables, devices, and apparatus, for the purpose of enabling others to sell or vend lottery policies or lottery tickets, and at, within and upon said premises, sells, vends, furnishes and procures, and had in his possession, the aforesaid articles in violation of the laws of the State of New York, in such case made and provided, and with intent to use the same as a means to commit a public offense.

Subscribed and sworn to before me,  
this 28<sup>th</sup> day of October 1891

Samuel C. Bully  
Police Justice.

Anthony Comstock

CITY OF New York COUNTY OF New York SS.

John R. Colford of 41 Park Row being duly sworn further deposes and says, that on the 28<sup>th</sup> day of October 1891, aforesaid, he called at the place of business of the said John Smith aforesaid, at the said premises 420 East 6<sup>th</sup> Street and there purchased the said paper, ticket and instrument, purporting to be what is commonly called a lottery policy as annexed to foregoing affidavit, under the following circumstances to wit: Deponent there saw the said John Smith

and had conversation with him in substance as follows.

Deponent said, give me the rating gig - said Smith took the piece of paper annexed to foregoing affidavit of Anthony Comstock hereto annexed, and then wrote the numbers and figures and characters now upon it, handed it to Deponent, and Deponent paid the said Smith the sum of 20 cents for the same - John R. Colford

Subscribed and sworn to before me

this 28<sup>th</sup> d. of October 1891

Samuel C. Bully  
Police Justice

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POOR QUALITY  
ORIGINAL

## City and County of New York, ss:

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

To any Peace Officer in the City and County of New York:

Proof by affidavit having been this day made before me, by Anthony Fourlock and  
John R. Colcord of 41 Park Row Street, New York  
 City, that there is probable cause for believing that George Dor whose real name is  
unknown but who can be identified by John  
R. Colcord

has in his possession, at, in and upon certain premises occupied by him and situated and known number  
420 East 6th Street in said City of New York certain and divers  
 device, establishment, apparatus and articles suitable for gambling purposes, lottery policies, lottery tickets, circulars, writings,  
 papers and documents in the nature of a bet, wager or insurance upon the drawing or drawn numbers of a lottery, books and  
 other documents for the purpose of enabling others to sell lottery policies and other writings, papers and documents, black-  
 boards and gaming tables, with intent to use the same as a means to commit a public offense.

YOU ARE THEREFORE COMMANDED, at any time of the day or night  
 time to make immediate search on the person of the said George Dor aforesaid

and in the building situate and known as number 420 East 6th Street aforesaid,  
 for the following property, to wit: all Faro layouts, all Roulette Wheels and layouts, all  
 Rouge et Noir, or Red and Black layouts, all gaming tables, all chips, all packs  
 of cards, all dice, all deal boxes, all lottery policies, all  
 lottery tickets, all circulars, all writings, all papers, all  
 documents in the nature of bets and wagers, or insurance upon the drawings, or drawn numbers of a lottery, all books  
all documents for the purpose of enabling others to gamble or sell lottery policies, all black-  
 boards, all slips or drawn numbers of a lottery, all money to gamble with, and all device,  
 establishment, apparatus and articles suitable for gambling purposes.

And if you find the same, or any part thereof, to bring it forthwith before me at the First District  
 Police Court at the Courts in Centre Street in the City of New York.

Dated at the City of New York, the }  
27th day of October 1887 }

Doyle C. Reilly  
 POLICE JUSTICE.



1092

POOR QUALITY  
ORIGINALInventory of property taken by J. W. Walters the Peace Officer by whom this warrant was executed :

~~Faro layouts, Roulette Wheels, Roulette layouts, Rouge et Noir lay-  
outs, gaming tables, chips, packs of cards, dice, deal-  
boxes, deal trays for holding chips, cue boxes, markers, or tally cards,  
ivory balls, lottery tickets, circulars, writings,  
papers, black boards, slips, or drawn numbers in policy, money, or~~

manifold books, for Day ~~states~~ 2 lbs drawings, 1 pie, 1 agate, 1 Roll  
(manifold 1 box numbers 25 slips)

City of New York and County of New York ss:I, John W. Walters the Officer by whom this warrant was executed,

do swear that the above inventory contains a true and detailed account of all the property taken by me in this warrant.

Sworn to before me, this 28<sup>th</sup>  
day of October 1881John W. WaltersPolice Justice.

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OFAnthony Bonaiuto et al.

vs.

George Don420 26

Dated

Oct.1881

Justice.

Officer.

1093

POOR QUALITY  
ORIGINAL

Sec. 192-200

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, }

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty*

*John Schmitt.*

Taken before me this

day of

OCTOBER, 1891

*Edw. J. Kelly*  
Police Justice.



1094

POOR QUALITY ORIGINAL

BAILED,  
 No. 1, by Anders & Son  
 Residence 160 E 78th St  
 No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_  
 No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_  
 No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_

Police Court... District... 1354

THE PEOPLE  
 ON THE COMPLAINT OF

William W. Smith  
Anders & Son  
vs. Anders & Son

Offence

Dated Oct 28 1891

D.O.R. Magistrate.

Officer

Preceded

Witnesses

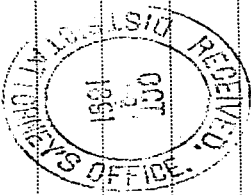
No. \_\_\_\_\_ Street

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

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

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

\$ 5.00 to answer



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

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

Dated Oct 28 1891 Do J. C. R. Smith Police Justice.

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

Dated Oct 28 1891 Do J. C. R. Smith Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

1095

POOR QUALITY  
ORIGINALNew York, April 11<sup>th</sup> 1892

To whom it may concern!

The Bearer of this Mr. John Schmidt  
has been in my employ for the  
last four months and at diverse  
other times and I can recommend  
him highly to any one as to Character  
~~Honesty~~ Sobriety &c Having known  
him for 15 years or more I am  
perfectly competent to judge as to  
his merits.

Yours &c  
Albert J. Veckes  
511 E. First St.  
city

1096

POOR QUALITY  
ORIGINAL

493

## Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

*John Smith*

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

*John Smith*  
of the CRIME OF KEEPING A ROOM TO BE USED FOR GAMBLING PURPOSES, committed as follows:

The said

*John Smith*  
late of the *11th* Ward of the City of New York in the County of New York aforesaid, on the *twenty eighth* day of *October* in the year of our Lord one thousand eight hundred and ninety-*one*, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep a certain room in a certain building there situate, to be used for gambling purposes, to wit: to be used for the purpose of therein conducting a certain gambling game commonly called "Policy," where money and property was dependent upon the result, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

## SECOND COUNT:

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

*John Smith*  
of the CRIME OF KEEPING A ROOM TO BE USED FOR THE PURPOSE OF SELLING LOTTERY POLICIES THEREIN, committed as follows:

The said

*John Smith*  
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, unlawfully did keep a certain room in a certain building there situate, to be used for the purpose of therein selling and offering to sell what are commonly called Lottery Policies, and divers writings, papers, and documents in the nature of bets, wagers and insurances upon the drawing or drawn numbers of certain public and private lotteries, and of therein endorsing and using books and other documents for the purpose of enabling divers persons to sell and offer to sell lottery policies and other such writings, papers and documents, 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.

1097

POOR QUALITY  
ORIGINAL

## THIRD COUNT:

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

*John Smith*  
of the CRIME OF SELLING TO ANOTHER WHAT IS COMMONLY KNOWN AS A LOTTERY  
POLICY, committed as follows:

The said

*John Smith*  
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one

*John R. Collord*  
a certain paper, instrument and writing, commonly called a Lottery Policy, which said paper, instru-  
ment and writing, called a Lottery Policy, is as follows, that is to say:

3 5 11 5 61

124-0-2141  
4-16-21  
718

(a more particular description of which said instrument and writing so commonly called a Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

## FOURTH COUNT:

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

*John Smith*  
of the CRIME OF SELLING A PAPER AND WRITING, IN THE NATURE OF A BET AND  
WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said

*John Smith*  
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year afore-  
said, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one

*John R. Collord*  
a certain paper and writing, in the nature of a bet and wager upon the drawn numbers of a certain  
lottery, the same being a scheme for the distribution of property by chance among persons who had  
paid or agreed to pay a valuable consideration for such chance (a more particular description of

1098

POOR QUALITY  
ORIGINAL

which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper and writing is as follows, that is to say :

35 11 561  
12-40-114  
4-16-21 / 10

(a more particular description of which said paper and writing is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

## FIFTH COUNT:

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

*John Smith*

of the CRIME OF SELLING A WRITING PAPER AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows :

The said

*John Smith*

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

*John R. Colcord*

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown and cannot now be given), which said paper, writing and document is as follows, that is to say :

35 11 561  
12-40-114  
4-16-21 / 10

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

*District Attorney.*

1099

**BOX:**

477

**FOLDER:**

4371

**DESCRIPTION:**

Smith, Mary Jane

**DATE:**

04/25/92



4371

1100

POOR QUALITY  
ORIGINAL

Witnesses:

Joseph Lombardo

Joseph Cuomo.

A material witness in this  
cannot be found. I  
recommend the discharge  
of the deft on her own  
recognizance,  
May 9/92 Wm. Sears  
Cint

Counsel,

Filed

day of

1892

Pleads,

THE PEOPLE

vs.

Mary Jane Smith

Grand Larceny,  
(From the Person)  
[Sections 828, 829,  
Penal Code.]

DE LANCEY NICOLL,

District Attorney.

Necessary  
John Cuomo has left for city, N.Y.

A TRUE BILL.

Chas. A. Johnson  
Foreman.  
Part B. May 9/92  
Left at 11:30 in her  
own recognizance  
no up back 4/92

1101

POOR QUALITY ORIGINAL

Police Court / District. Affidavit—Larceny.

City and County } ss: Joseph Lombardo  
of New York, }

of No. 73 South Canal Street New York City, aged 41 years,  
occupation Barber being duly sworn,

deposes and says, that on the 20 day of April 1892 at the City of  
New York, in the County of New York, was feloniously taken, stolen and carried away  
from the possession of deponent, in the day time, the following property, viz:

One silver watch of the value of seven 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 Mary Jane Smith (now  
her) for the reason that on said date deponent had  
the said watch in the inside pocket of his vest then worn  
on deponent's body in premises 39 Mulberry Street.  
Deponent fell asleep and when he awoke up the said  
watch was missing. Deponent is informed by  
Joseph Cuomo that he saw the defendant insert her  
hand in deponent's pocket and take therefrom the  
said watch and hand it to another person.  
Wherefore deponent charges the defendant with larceny  
from the person and prays that she be held to  
answer.  
Joseph Lombardo

Sworn to before me, this 18th day of April 1892  
Police Justice.



1102

POOR QUALITY  
ORIGINAL

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 27 years, occupation Joseph Cuomo  
Labourer of No.

57 Mulberry Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Joseph Lombardo  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 20 day of April 1892 } Joseph X Cuomo  
his Mark

W. J. Beeff  
Police Justice.

1103

POOR QUALITY  
ORIGINAL

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK } ss.

*Mary Jane 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 Jane Smith*

Question. How old are you?

Answer. *27 years.*

Question. Where were you born?

Answer. *New York*

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

Answer. *81 Oliver Street. 5 months*

Question. What is your business or profession?

Answer. *Assenting old clock*

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.*

*Mary J. Smith*

Taken before me this  
day of

*20*

1887

Police Justice.

1104

POOR QUALITY ORIGINAL

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

451  
1894  
Police Court---  
District.

THE PEOPLE, vs.  
ON THE COMPLAINT OF

*John J. Brown*  
*1730 West 130th St*  
*1. many fine shoes*

Offense *Larceny from the person*

Dated *April 20* 1892

*John J. Brown*  
Officer.

Witnesses

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

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

*APD*  
*1892*  
*1894*

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

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

*Committed to*

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

*Defendant*

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

Dated, *April 20* 1892 *John J. Brown* Police Justice.

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

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

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

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

1105

POOR QUALITY  
ORIGINAL

Court of General Sessions of the Peace  
City & County of New York  
Clerks Office

May 9<sup>th</sup> 1892

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

Joseph Lombardo being  
duly sworn deposes and says: That he is the  
complainant's witness in the case of the People  
against William James Smith indicted April  
25, 1892 for Grand Larceny in the second Degree;  
That the watch in the possession of James P.  
Davenport the clerk of Part II of this Court is the  
watch stolen or taken from the defendant and is  
the property of the deponent.

Sworn to before me { Joseph Lombardo  
this 9<sup>th</sup> day of May 1892 }

Thos H. Maguire

Clerk of Court  
May 9, 1892

May 9, 1892 - Received James P. Davenport's re-  
metal watch being the property identified by  
me as taken from his possession and for the  
taking of which William James Smith was indicted.

Joseph Lombardo

1106

POOR QUALITY  
ORIGINAL

## PART III.

The Court Room is in the First Story.  
If this Subpoena is disobeyed, an attachment will immediately issue.  
Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

## SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

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

To Joseph Duomo  
of No. 37 Mulberry Street.

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of MAY, 1892, at 10:30 o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Mary Jane Smith

Dated at the City of New York, the first Monday of  
in the year of our Lord 1892

MAY

DE LANCEY NICOLL, District Attorney.

1107

GLUED PAGE

POOR QUALITY ORIGINAL

Court of General Sessions.

District Attorney or one of his Assistants.

THE PEOPLE

vs.

Jane Smith

County of New York, ss:

Arthur J. Price

being duly

s and says: I am a Police Officer attached to the  
in the City of New York. On the 6<sup>th</sup> day of

May 1892 Precinct, also on the 6 day of May 1892 and

I called at No 57 Mulberry Street - in the City  
of New York

the alleged residence of Joseph Cuomo

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

servants in said House that the said  
Cuomo, had left there the latter part of  
the month of April - and they believed that  
he had went to Connecticut for to go to  
work there - and they had no knowledge  
of where he was in that State, or if he  
ever intended to return here again -

Sworn to before me, this  
of May

6<sup>th</sup> day  
1892

Thos A. McGuire  
Clerk of Court  
N.Y.C.

Arthur J. Price

1108

POOR QUALITY  
ORIGINAL

Court of General Sessions.

THE PEOPLE, on the Complaint of

*Joseph Lombardo*

vs.

*May Jane Smith*

Offense: *1st*

JOHN R. FELLOWS,

District Attorney.

Affidavit of Police Officer

*William J. Price*

*6* Precinct.

Failure to find Witness

1109

POOR QUALITY  
ORIGINAL

504

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Mary Jane Smith*

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

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

The said

*Mary Jane Smith*

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

*one watch of the*  
*value of seven dollars*

of the goods, chattels and personal property of one

on the person of the said

then and there being found, from the person of the said

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

*Joseph Lombardo*  
*Joseph Lombardo*  
*De Lancey Meall*  
*District Attorney*



1710

**BOX:**

477

**FOLDER:**

4371

**DESCRIPTION:**

Smith, May

**DATE:**

04/14/92



4371

POOR QUALITY  
ORIGINAL

Witnesses:  
*John Mudgett*

*1894.*  
*De Lancey*  
Counsel,  
Filed, *14<sup>th</sup>* day of *April* 189*2*  
Pleads, *De Lancey*

THE PEOPLE  
vs. *B*  
*May Smith*  
Transferred to the Court of Sessions for trial and final disposition  
Read *April 22/1892*  
KEEPING A HOUSE OF ILL-FAME, ETC.  
(Sections 822 and 885, Penal Code.)

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*W. H. Deane*  
Foreman.

1112

POOR QUALITY  
ORIGINAL

470

## Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

*May Smith*

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

*May Smith*(Sec. 392,  
Penal Code.)of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE  
OF ILL-FAME, committed as follows:

The said

*May Smith*

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

*May Smith*

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

## SECOND COUNT—

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

*May Smith*(Sec. 385,  
Penal Code.)

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

The said

*May Smith*

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

1113

POOR QUALITY  
ORIGINAL

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

## THIRD COUNT:

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

*May Smith*

(Sec. 322,  
Penal Code.)

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

The said

*May Smith*

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

DE LANCEY NICOLL,

*District Attorney.*

1114

**BOX:**

477

**FOLDER:**

4371

**DESCRIPTION:**

Spencer, Charles

**DATE:**

04/06/92



4371

1115

POOR QUALITY ORIGINAL

Witnesses:

Wm Augustini

Officer Schramm

Detective Officer

corrupt  
The deft. stated  
that he would  
point out the  
person to whom  
he owes the favor.  
On being sent  
to the place with  
an officer he  
refused to identify  
the individual

Wm

48.

Max Miller

Counsel,

Filed

6 day of April 1892

Pleas,

Wm Augustini

vs. THE PEOPLE

vs. Charles Spencer

Section 498, 50 & 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

J. W. Constock

Part 2 - April 13, 1892  
Foreman.

Read at Court, 3:00 PM  
2 4/17/92  
April 19/92

1116

POOR QUALITY  
ORIGINALPolice Court— 3 District.City and County { ss.:  
of New York,of No. 7<sup>th</sup>occupation Sheriffdeposes and says, that the premises No. 7in the City and County aforesaid the said being a dwelling; apartmentthird floor ofand which was occupied by deponent as a dwelling

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

were BURGLARIOUSLY entered by means of forcibly opening the  
door by the aid of false keyson the 27<sup>th</sup> day of March 1893 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:One silk waist valued  
Fifteen dollars.the property of deponentand 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 byCharles Spencer  
(now here)for the reasons following, to wit: that said apartments were  
securely locked and fastened and  
said property was therein. Deponent  
found that said apartment was  
entered and said property was  
stolen and deponent is informed by  
Aunie Lippman (now here) that she  
hears the door leading into deponent's  
apartments being opened and entered

1117

POOR QUALITY ORIGINAL

Deponent is further informed by Eliza Steh (now here) that <sup>who is employed by deponent</sup> the defendant was in her, Steh's apartment and requested deponent to awake him at 11 a.m. as he was going to sleep; that was about 8 a.m. Short shortly thereafter she had occasion to go upon the street and saw the defendant boarding a car on Grand Street carrying a bundle. Deponent sworn to before me } Minnie Angustin the 29<sup>th</sup> March, 1892.

Police Justice further stated that the defendant after being arrested stated to deponent that he would return said waiter. Sworn to before me } Minnie Angustin the 29<sup>th</sup> March, 1892 } Charles Painter

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

Police Court, District

THE PEOPLE, &c.,  
on the complaint of

1. 2. 3. 4.

Offence—BURGLARY.

Dated 1888

Magistrate.

Officer.

Clerk.

Witness, No. Street, No. Street, No. Street, \$ to answer General Sessions.



1118

POOR QUALITY  
ORIGINALCITY AND COUNTY }  
OF NEW YORK, } ss.

*Oliva Steh*  
 aged 30 years, occupation Keyp house of No. 7 Sheriff Street, being duly sworn, deposes and  
 says, that he has heard read the foregoing affidavit of Minnie Augustine  
 and that the facts stated therein on information of deponent are true of deponent's own  
 knowledge.

Sworn to before me, this 29 day of March 1890 Flora Steh

*Charles L. Linton*  
 Police Justice.

(3692)

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Annie Liskman*  
 aged 28 years, occupation Keeps-house of No. 7 Sheriff Street, being duly sworn, deposes and  
 says, that he has heard read the foregoing affidavit of Minnie Augustine  
 and that the facts stated therein on information of deponent are true of deponent's own  
 knowledge.

Sworn to before me, this 29 day of March 1890 Annie Liskman

*Charles L. Linton*  
 Police Justice.

(3692)

1119

POOR QUALITY  
ORIGINAL

Sec. 198-200.

3<sup>rd</sup>

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK.

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

Question. What is your name.

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this 29<sup>th</sup> day of July 1891

*Charles Spencer*

Police Justice.

1120

POOR QUALITY  
ORIGINAL

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

Police Court--- 2nd District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James A. McGuire  
Charles J. Jones

Offence: Robbery  
Burglary

Dated

March 29 1892

No. 1, by

Charles J. Jones

Magistrate.

No. 2, by

James A. McGuire

Officer.

Residence

18

Precinct.

Witness

Charles J. Jones

No. 3, by

James A. McGuire

Street.

Residence

18

Street.

No. 4, by

James A. McGuire

Street.

No. 5, by

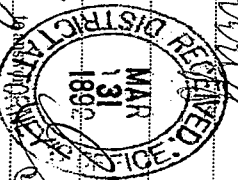
James A. McGuire

Street.

No. 6, by

James A. McGuire

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

Defendant

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

Dated March 29 1892 Charles J. Jones Police Justice.

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

Dated ..... 188 ..... Police Justice.

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

Dated ..... 188 ..... Police Justice.

1121

POOR QUALITY  
ORIGINAL

462

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Charles Spencer*

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

*Charles Spencer*

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

The said

*Charles Spencer*

late of the *13<sup>th</sup>* Ward of the City of New York, in the County of New York aforesaid, on the  
*27<sup>th</sup>* day of *March* in the year of our Lord one  
thousand eight hundred and ninety-*two*, with force and arms, in the *day*-time  
of the same day, at the Ward, City and County aforesaid, the dwelling house of one

*Minnie Augustin*

there situate, feloniously and burglariously did break into and enter, with intent to commit some  
crime therein, to wit: with intent the goods, chattels and personal property of the said *Minnie*  
*Augustin* in the said dwelling house then and there being, then and there  
feloniously and burglariously to steal, take and carry away, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York and  
their dignity.

1122

POOR QUALITY  
ORIGINAL

SECOND COUNT—

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

Charles Spencer  
of the CRIME OF Petit LARCENY committed as follows:  
The said Charles Spencer

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

one waist of the value of  
fifteen dollars

of the goods, chattels and personal property of one

in the dwelling house of the said

Minnie Augustin  
Minnie Augustin  
there situate, then and there being found, from the dwelling house aforesaid, then and there felon-  
iously did steal, take and carry away, against the form of the statute in such case made and pro-  
vided, and against the peace of the People of the State of New York and their dignity.

W. Lancy Nicoll,  
District Attorney

1123

**BOX:**

477

**FOLDER:**

4371

**DESCRIPTION:**

Spencer, William

**DATE:**

04/26/92



4371

1124

POOR QUALITY  
ORIGINAL

Witnesses:

*Officer Hand*

Counsel:

*April 1892*  
*Wm. H. Doherty*

Pleads:

THE PEOPLE

*William Spencer*

POLICY

[§§ 243 and 244, Penal Code]

DELANCEY NICOLL,

District Attorney.

A TRUE BILL

*Wm. H. Doherty*

Forfeign.

*May 6/92*

*Henry J. 1st Com.*

*June 17/92*

1125

POOR QUALITY  
ORIGINAL

Witnesses:

*Officer Arnold*

Counsel:

Filed:

day of

1892

Pleads:

THE PEOPLE

vs.

B

*William Spencer*

POLICY

[SS 843 and 844, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Chas. H. Doham*

Foreman.

*May 6/92*

*Henry J. 1st Com.*

*June 17/92*



1126

POOR QUALITY  
ORIGINAL

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before  
of the City of New York, charging  
the offence of

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

We, William Spencer Defendant of No. 17  
Officer Street; by occupation a Clerk  
and Andrew Horn of No. 75 Park Ave  
Street, by occupation a Machanic Surety, hereby jointly and severally undertake  
that the above named Defendant Spencer Defendant  
shall personally appear before the said Justice, at the 1 District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York the sum of Ten  
Hundred Dollars.

Taken and acknowledged before me, this

day of

March 12 1892  
W. M. Malone POLICE JUSTICE.

1127

POOR QUALITY  
ORIGINAL

CITY AND COUNTY } ss.  
OF NEW YORK,

*John J. Hutchinson*  
Police Justice.

Sworn to before me this  
11th day of March 1894

the within named Bail and Surety being duly sworn, says that he is a resident and  
holder within the said County and State and is worth *Twenty* Hundred Dollars,  
exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities,  
and that his property consists of *House No 103 Mott Street valued at Twenty*  
*thousand Dollars above all mortgage*

*Andrew Horn*

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Undertaking to appear  
during the Examination.

vs.

Taken the ..... day of ..... 18

Justice.

1128

POOR QUALITY  
ORIGINALCITY OF New York COUNTY OF New York  
AND STATE OF NEW YORK. ss.

200 Mulberry Street  
of 41 Park Row, New York City, being duly sworn deposes and says, he is more than  
21 years of age, and is employed as detective agent of the New York Society for the  
Suppression of Vice, that he has just cause to believe, is informed and verily does believe,  
and charge that William Spencer

whose real name unknown, but who can be identified by

did, at the City and County  
of New York and State of New York, on or about the 8th day of March, 1897,  
unlawfully use a room, table, establishment or apparatus for gambling purposes—and  
did engage as a dealer or game-keeper in a gambling or banking game, where money or  
property was dependent upon the result—and did sell, or offer to sell what is com-  
monly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing  
or drawn numbers of a certain lottery, hereto annexed, and did endorse and use a book or  
other document for the purpose of enabling others to sell or offer to sell lottery policies,  
writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing  
or drawn numbers of a lottery, against the form of the statute of the State of New York  
in such case made and provided, and particularly section 344 of the Penal Code.

Deponent further says, he has just cause to believe, is informed and verily does  
believe, his information being based upon personal observation and from statements made by

William A. Torrey to deponent  
William Spencer that the said

aforesaid, now had in his possession, at in and upon  
certain premises occupied by him and situate and known as number

202 1/2 Mulberry Street  
in the City of New York and within  
the County and State aforesaid, for the purpose of using the same as a means to commit a

1129

POOR QUALITY  
ORIGINAL

public offense, divers and sundry device, apparatus, tables, establishment and paraphernalia  
~~layouts, chips, deal boxes, cards,~~ lottery tickets, lottery policies, writings, papers, books  
 and documents for gambling purposes, in violation of the Provisions of Chapter IX of the  
 Penal Code of the State of New York, wherefore deponent prays that warrants may be  
 issued for the arrest of the persons named aforesaid, and to search for, seize and take  
 possession of all of said unlawful matter, and that all be dealt with according to law.

*And that said defendant was acting  
 as agent of said premises*

Subscribed and sworn to before me this

9<sup>th</sup> day of March 1897.

*[Signature]*

Police Justice.

*John Heard*

CITY OF \_\_\_\_\_ AND COUNTY OF \_\_\_\_\_ ss.

being further sworn deposes and says that on the \_\_\_\_\_ day of \_\_\_\_\_  
 189\_\_\_\_, deponent visited the said premises, named aforesaid, and there saw the said  
 \_\_\_\_\_ aforesaid, and  
 had dealings and conversation with \_\_\_\_\_ as follows:

1130

POOR QUALITY  
ORIGINAL

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer. *William Spencer*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *14 Jefferson Street 1 year*

Question. What is your business or profession?

Answer. *Clerk*

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

Answer. *I am not Guilty*  
*William J. Spencer.*

Taken before me this

day

188

Police Justice.

1131

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 Isaac Lamb

Dated, March 10 1892 W. J. Wheeler Police Justice.

Date, March 1 1892 W. J. Michael Police Justice.

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

1132

POOR QUALITY  
ORIGINAL

493

## Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

*William Spencer*

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

*William Spencer*  
of the CRIME OF KEEPING A ROOM TO BE USED FOR GAMBLING PURPOSES, committed  
as follows:

The said *William Spencer*

late of the *Fourth* Ward of the City of New York in the County of New  
York aforesaid, on the *eight* day of *March* in the year of our  
Lord one thousand eight hundred and ninety-*two*, at the Ward, City and County aforesaid,  
with force and arms, unlawfully did keep a certain room in a certain building there situate, to be  
used for gambling purposes, to wit: to be used for the purpose of therein conducting a certain gambl-  
ing game commonly called "Policy," where money and property was dependent upon the result,  
against the form of the statute in such case made and provided, and against the peace of the People  
of the State of New York and their dignity.

## SECOND COUNT:

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

*William Spencer*  
of the CRIME OF KEEPING A ROOM TO BE USED FOR THE PURPOSE OF SELLING  
LOTTERY POLICIES THEREIN, committed as follows:

The said

*William Spencer*  
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
at the Ward, City and County aforesaid, unlawfully did keep a certain room in a certain building there  
situate, to be used for the purpose of therein selling and offering to sell what are commonly called  
Lottery Policies, and divers writings, papers, and documents in the nature of bets, wagers and in-  
surances upon the drawing or drawn numbers of certain public and private lotteries, and of therein  
endorsing and using books and other documents for the purpose of enabling divers persons to sell  
and offer to sell lottery policies and other such writings, papers and documents, against the form of  
the statute in such case made and provided, and against the peace of the People of the State of New  
York and their dignity.

*De Lancey Nicoll*  
District Attorney

1133

**BOX:**

477

**FOLDER:**

4371

**DESCRIPTION:**

Stafford, James

**DATE:**

04/20/92



4371



1134

POOR QUALITY  
ORIGINAL

217.

Counsel,

Filed,

day of

1892

Pleads,

THE PEOPLE

vs.

James Stafford

April 20/92  
Sent to the Court of Special  
Sessions for trial, by request  
of Counsel for Defendant.

WISDEMEANOR.  
(SERVING OLEOMARGARINE AS FOOD, Etc.)  
[Chap. 183, Laws of 1886, (as amended by Chap. 583, Laws  
of 1887, § 1), § 27.]

DE LANCEY NICOLL,

District Attorney

A TRUE BILL.

Wm. H. Johnson

Foreman

Witnesses:

Wm. H. Weston

1135

POOR QUALITY  
ORIGINAL

480

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*James Stafford*

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

of a MISDEMEANOR, committed as follows:

The said

*James Stafford*  
late of the City of New York in the County of New York aforesaid, on the *13th* day of  
*January* in the year of our Lord one thousand eight hundred and ninety-*two*  
at the City and County aforesaid,

being *the proprietor of a certain restaurant* there situate,

did therein unlawfully keep, use and serve to one *William W. Meeteer*  
then being a guest, patron *and customer* of the said  
*James Stafford* at said restaurant a quantity  
of a certain article, substance and compound in imitation and semblance of natural butter produced  
from pure, unadulterated milk, or cream of the same, the said article, substance and compound, so  
sold as aforesaid, being rendered, manufactured and produced out of divers animal fats and oils not  
produced from unadulterated milk, or cream from the same, the said article, substance and compound  
not having been manufactured prior to, and not being in process of manufacture, on the sixteenth day  
of June, in the year of our Lord one thousand eight hundred and eighty-seven (a more particular  
description of which said article, substance and compound, is to the Grand Jury aforesaid unknown,  
and cannot now be given), against the form of the statute in such case made and provided, and against  
the peace and dignity of the said people.

DE LANCEY NICOLL,  
District Attorney.

1136

**BOX:**

477

**FOLDER:**

4371

**DESCRIPTION:**

Stager, Louis

**DATE:**

04/25/92



4371

1137

POOR QUALITY  
ORIGINAL

Witnesses:

*Wm. H. Hay*

Counsel,

Filed,

Pleads,

189

THE PEOPLE

vs.

*B*

*Louis Stager*

KEEPING A HOUSE OF ILL-FAME, ETC.  
(Sections 322 and 385, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Wm. H. Hay*  
Foreman.

*Sept 2 - May 4, 1892.*  
*trial and acquitted*

1138

POOR QUALITY  
ORIGINAL

Sec. 192

*Third* District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY } ss.  
OF NEW YORK,An information having been laid before *Charles A. Trainor* a Police Justice  
of the City of New York, charging *Louis Stager* Defendant with  
the offence of *Keeping a Disorderly House*and he having been brought before said Justice for an examination of said charge, and it having been made to  
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-  
ing thereof having been adjourned.We, *Louis Stager* Defendant of No. *27 E 3*  
Street; by occupation a *Saloon Keeper*  
and *Charles Stager* of No. *5 Stanton Place*  
Street, by occupation a *Saloon Keeper* Surety, hereby jointly and severally undertake that  
the above named *Louis Stager* Defendant  
shall personally appear before the said Justice, at the *Third* District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York the sum of *Twenty*  
Hundred Dollars.Taken and acknowledged before me, this *31*day of *January* 189*7**Charles A. Trainor* POLICE JUSTICE.*Louis Stager*  
*Charles Stager*

1139

POOR QUALITY  
ORIGINALCITY AND COUNTY } ss.  
NEW YORK, }day of *January*  
*1887*  
Police Justice.

Sworn to before me, this

the within named Bail and Surety being duly sworn, says, that he is a resident and  
holder within the said County and State, and is worth *Twenty* Hundred Dollars,  
exclusive of property exempt from execution, and over and above the amount of all his debts and  
liabilities, and that his property consists of *House & lot of**land located at No 255-Bury*  
*in this county, valued at Ten*  
*Thousand dollars over & above*  
*all encumbrances.*

District Police Court.

THE PEOPLE, &amp;c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear  
during the Examination.Taken the *188*  
day of

Justice.

*Casper Iba*

1140

POOR QUALITY  
ORIGINAL

3 District Police Court.

Sec. 322, Penal Code.

CITY AND COUNTY } ss.  
OF NEW YORK,

of No. The 1<sup>st</sup> Precinct Street, in said City, being duly sworn, says  
that at the premises known as Number 262 Street,  
in the City and County of New York, on the 29 day of January, 1897, and on divers  
other days and times between that day and the day of making this complaint

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

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

Louis Stager  
may be apprehended and dealt with by the law in such cases made and provided may direct.

Sworn to before me, this

day of

30 Aug 1897

Charles A. Hay  
Charles A. Hay Police Justice.

(1280)

1141

**POOR QUALITY  
ORIGINAL**

Sec. 198-200.

 3  
 District Police Court.
CITY AND COUNTY } ss.  
OF NEW YORK }

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

Question. What is your name?

Answer. *Louis Stapa*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *Austria*

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

Answer. *22 East 30th Street New York*

Question. What is your business or profession?

Answer. *Concert Hall*

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

Answer. *I am not guilty I am and*  
*a true boy*  
*Louis Stapa*

Taken before me this

 27  
 1918

*Charles J. Hamilton*  
 Police Justice.



1142

POOR QUALITY  
ORIGINAL

Sec. 151.

Police Court 3 District.CITY AND COUNTY OF NEW YORK, { ss. *In the name of the People of the State of New York; To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York, GREETING:*Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Charles A. Stager of No. 115 Primer Street, that on the 23 day of January1889, at the City of New York, in the County of New York,did keep and maintain at the premises known as Number 23 PrimerStreet, in said City, a Disorderly House

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

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

Stager and all vile, disorderly and improper persons found upon the premises occupied by said Louisand forthwith bring them before me, at the DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.Dated at the City of New York, this 30day of January1889Charles A. Stager POLICE JUSTICE.

1143

POOR QUALITY  
ORIGINAL

Police Court— District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

WARRANT—Keeping Disorderly House, &c.

Dated 188

Magistrate.

Officer.

Precinct.

The Defendant

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

Officer.

Dated 188

This Warrant may be executed on Sunday or  
at night.

*Charles J. Smith* Police Justice.

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

Dated

188

Police Justice.

The within named

1144

POOR QUALITY  
ORIGINAL

May 21st 1892  
Third District Police  
Hon Chas H. Fairton  
Residing Justice

Chas H. Fairton }  
V.  
Louis Stager }

Complainant the said - I appear  
for the cashier and  
these four Ladies  
who bring in the place  
Court Officer May what  
did you see there?

A. I visited this place on  
two occasions, I was  
solicited and heard  
bad language used  
and was solicited for  
prostitution in this  
place on the 28th

2.

Q. Any of this month,  
at any other time?

A. Again see the  
2. Dpt of this month,

Q. Or what may  
were you solicited,  
What did these women  
do?

A. I was in the  
place, they were sing-  
ing on three different  
occasions; there was  
a concert given that  
morn'g they did,

Q. Did they solicit  
you?

A. No Sir,  
Q. What were they doing  
last night?

A. Singing, I  
was not solicited there

Q. last night  
You charge

Q

Charge these people with  
using profane and  
indecent language?

A

There was profane  
and indecent language, but  
I cannot say these  
ladies (the 4) did; it  
was used by other  
ladies, and was elicited  
by other ladies.

Q. This is a Licensed  
place and you must  
open discretely. Observe  
these people had a  
right to be there, these  
people cannot be regard-  
ed as Prostitutes, and  
speaking of these  
four women in front  
and the man Carrier,  
Q. These four women and  
this man were they  
doing anything but

3

H

Q. Singing? No Sir,  
 Q. There is a Stage there,  
 did you see them do  
 anything but sing?

A. No, the man  
 was taking money  
 tickets, I ask for their  
 discharge

Q. What did  
 you see these people  
 do besides, something  
 singing?

A. I saw them  
 dancing and singing  
 Q. How did they act  
 disorderly?

A. None of  
 these four, were in  
 front, were are  
 here who elicited  
 me personally, they were  
 in there for that

H

5.

Q. Suppose now you mean that any of these arrested, solicited you?

A. None of them solicited me.

Q. Did you see them do any improper act?

A. Soliciting men to treat them.

Q. Did any one of these defendants do that?

A. Yes Sir,

Q. Which one?

A. I cannot pick out the one, I say the Mrs Lillie Thompson.

Q. Did you hear the woman Thompson ask men

5



6

Q. To go out with her for  
improper purposes  
I saw them  
enticing men to treat  
them, I saw her  
take a man and go  
to 30<sup>th</sup> Street

Q. Are  
there any others that  
you saw doing wrong?

Q. I saw them  
enticing men to treat  
them but not to take  
them out of the place

Q. You say this  
place is a resort for  
drinking?

Q. Yes Sir, it is  
a licensed place

Q. Have you ever heard  
complaint against the  
place?

Q. I never heard

6



H  
L

Q. Any. You say they misbehaved themselves? How?

A. One would say, "Who wants the good looking water," "I wish my A ———, none of these people here misbehaved, except one, that was the girl Thompson."

Q. Captain — The warrant was issued on the evidence of the previous night

Clark — You say in your affidavit that they are prostitutes?

A. Yes Sir, from the way they acted speaking to men, I do not know that, they asked

H

L

- Q. men to treat, they might perceive the people used profane language. You did not hear any of these defendants use profane or indecent language last night, they were soliciting money for purposes of prostitution, and could easily make \$1000 each.
- Q. You do not know of any act of prostitution committed by these four men?
- A. Q. They were performing on the stage the same as in any theatre in the city.

1152

POOR QUALITY  
ORIGINAL

R

Q. Gest Sir,  
Quik. All are discharged  
except Lillie Thompson  
she is fined ten dollars.

1153

POOR QUALITY  
ORIGINAL

W. H. Foster  
Feb. 4 - 1892 2 PM.

(W) 38/9 m 261  
Police Court... District.

By *John A. Foster*  
No. 1 by *John A. Foster*  
Residence *3 Stanton Place*  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
*Charles J. Foster*  
*John A. Foster*  
Offence *Keep in Room*  
*John A. Foster*

Dated *Feb. 3*  
*John A. Foster*  
Magistrate.  
*John A. Foster*  
Officer.  
Precinct.



No. \_\_\_\_\_  
to justice  
*John A. Foster*  
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 *John A. Foster*

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

Dated *Feb. 4* 1892 *Charles N. Winter* Police Justice.

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

Dated *Feb. 4* 1892 *Charles N. Winter* Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

Original returned

1154

POOR QUALITY  
ORIGINAL

470

## Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

*Louis Stager*

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

*Louis Stager*(Sec. 322,  
Penal Code.)of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE  
OF ILL-FAME, committed as follows:

The said

*Louis Stager*

late of the *17th* Ward of the City of New York, in the County of New York aforesaid, on the *Twenty-ninth* day of *January* in the year of our Lord one thousand eight hundred and ninety-*two*, and on divers other days and times, as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep and maintain; and in said house divers ill-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well as in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

*Louis Stager*

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

## SECOND COUNT—

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

*Louis Stager*

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

(Sec. 385,  
Penal Code.)

The said

*Louis Stager*

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

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

## THIRD COUNT:

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

— *Louis Stager* —

(Sec. 323,  
Penal Code.) of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said

— *Louis Stager* —

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

DE LANCEY NICOLL,

*District Attorney.*

1156

**BOX:**

477

**FOLDER:**

4371

**DESCRIPTION:**

Starling, Charles

**DATE:**

04/13/92



4371



1157

POOR QUALITY  
ORIGINAL

Witnesses:

*J. P. Caspary*

Counsel,

*B*

Filed

day of April 1892

Pleads,

*W. J. M. J. M. J.*

THE PEOPLE

*vs.*

*Charles Starling*

*I*

*Charles Starling*

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*W. J. M. J. M. J.*

Foreman.

*Part 2 - April 18, 1892*

*Reads Jury.*

*7 W. J. M. J. M. J.*

*1 April 20, 1892*

22



1158

POOR QUALITY  
ORIGINAL

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK.

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

Question. What is your name?

Answer. *Charles Starling*

Question. How old are you?

Answer. *25 years.*

Question. Where were you born?

Answer. *U. S.*

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

Answer. *5 Carlisle Street . 3 years*

Question. What is your business or profession?

Answer. *Labourer*

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

Answer. *I am not guilty.*

*Chas. Starling*

Taken before me this

day of

1894

Police Justice.

1159

POOR QUALITY ORIGINAL

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

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*James C. Brown*  
*350 Broadway*  
*Charles Manning*

1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
Offense *Maiming*

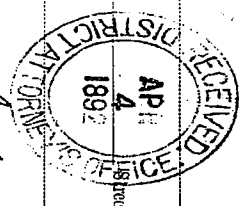
Dated *April 2* 189 *2*

*Thomas Smith* Magistrate.  
*Officer.*  
*Prichard.*

Witnesses \_\_\_\_\_

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

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



No. \_\_\_\_\_ Street \_\_\_\_\_  
to answer *h. d.*

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 \_\_\_\_\_

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

Dated, *April 3* 189 *2* \_\_\_\_\_ Police Justice.

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

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

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

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

1160

POOR QUALITY  
ORIGINAL

MEMORANDUM.

FROM

THORNTON N. MOTLEY & CO.

43 JOHN STREET.

Machinery, Tools, Hardware, and Goods for Export,  
Railroad, Steamship and Contractors' Supplies.

To

NEW YORK, April 22<sup>nd</sup> 1892

I have known the young man  
Charles Otarling for some years  
he has been rather honest and a  
hard working man, and very sorry  
that he has got in trouble, and  
must ask the mercy of the court  
for him

Yours Respect  
Andrew Cole

1161

POOR QUALITY  
ORIGINALNew York April <sup>26<sup>th</sup></sup>

Dear Sir to who this  
letter may consed. I do  
here certify that I know  
Charles Starling for a  
number of years and has  
been employed by me for  
the last 62 years or more  
and I always found him  
capable and honest I  
should willingly appear my  
self. but unfortunately I am  
in the N.Y. Hospital with  
a broken leg please excuse  
writing your James Kelly  
foreman per 116 East 7th  
James E. Ward & Co

1162

POOR QUALITY  
ORIGINAL

Jan'y 16<sup>th</sup> '78 35 Greenwich St  
Feb'y 6<sup>th</sup> " 5<sup>th</sup> Iris. Rre Hickit  
Robbery

---

5 Yrs in S<sup>2</sup>. for March 6 - 8<sup>2</sup>.  
Robbery Owing

---

1163

**POOR QUALITY  
ORIGINAL**

*Purple*  
or.

*Starling*

1164

POOR QUALITY  
ORIGINALCITY AND COUNTY  
OF NEW YORK, ss.

POLICE COURT, 1 DISTRICT.

of No. 210 10<sup>th</sup> Ave Street, aged 32 years,  
occupation Watchman being duly sworn deposes and says,that on the 2 day of April 1892  
at the City of New York, in the County of New York, Charles Starling,attempted to commit a crime against nature  
upon deponent and because deponent would  
not permit him, he did wilfully and  
maliciously bite with his teeth deponent's  
upper lip in violation of Section 206  
of the Penal Code in the Battery Park,  
thereby disfiguring deponent's face. hisJames X Casgrave  
Mark

Sworn to before me, this

of

April

1892

day

J. J. Minkler  
Police Justice.

1165

POOR QUALITY  
ORIGINAL

(522)

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY  
OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Charles Harding*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this

indictment, accuse *Charles Harding* —

of the crime of *Maiming,*

committed as follows:

The said *Charles Harding*,

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

*third* day of *April*, in the year of our Lord one thousand  
eight hundred and ninety-*two*, — at the City and County aforesaid,

in and upon one *James Corogore*, then and  
there *being*, feloniously and unlawfully  
did make an assault, and with intent  
to injure and disfigure the said *James*



1166

POOR QUALITY  
ORIGINAL

Foragone did them and there willfully and  
feloniously take and commit the upon  
him of the said James Foragone, there by then  
and there willfully and feloniously inflicting  
upon the person of the said James Foragone  
an injury which did and yet doth seriously  
disfigure his person by such mutilation  
thereof; against the form of the Statute in  
such case made and provided, and against  
the peace of the People of the State of New  
York, and their dignity.

De Jancy Meill,

Solicitor General

1167

**BOX:**

477

**FOLDER:**

4371

**DESCRIPTION:**

Stein, Joseph

**DATE:**

04/12/92



4371

1168

POOR QUALITY  
ORIGINAL

Witnesses:

*L. Conant*

106. Roman

Counsel,

Filed, 12 day of April 1892

Pleas, *Not Guilty (1st)*

34 THE PEOPLE

*for* vs. B

*Joseph W. Stein*  
(2 Cases)

POLICY.  
[§§ 343 and 344, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Geo. J. Johnson* Foreman.

*Part 2 - April 20/92*  
*Reads Equity - 4-20/92*  
*Joseph W. Stein*  
*for*

1169

POOR QUALITY  
ORIGINAL

City, County and State of New York, ss:

*R. B. McCully* being duly sworn, deposes and says  
that *Joseph Stein*

now present is the one known and called as

*James Doe*

respectively in the annexed Affidavit dated the 18<sup>th</sup> day of  
March 1882.

Subscribed, and sworn to before me  
this 19<sup>th</sup> day of March 1882.

*Robert B. McCully*

*Joseph Stein*  
Police Justice.

1170

GLUED PAGE

POOR QUALITY  
ORIGINAL

5- Columbus St. Mo. 1792  
James Doc. Pch 10<sup>c</sup>  
RICHIE

1171

GLUED PAGE

POOR QUALITY  
ORIGINAL

to Columbia St. 10/17/12  
James E. P. 10°

1172

POOR QUALITY  
ORIGINAL

CITY OF New York COUNTY OF New York } ss.  
AND STATE OF NEW YORK.

*James Dor*  
*10<sup>th</sup>*  
*R.B.C.*

*Antony Fontana*

of 41 Park Row, New York City, being duly sworn deposes and says, he is more than 21 years of age, and is employed as Chief agent of the New York Society for the Suppression of Vice, that he has just cause to believe, is informed and verily does believe, and charge that James Dor

whose real name is unknown, but who can be identified by R. B. McCully did, at the city of        County of        and State of New York, on or about the 17<sup>th</sup> day of March 1892, unlawfully use a room, table, establishment or apparatus for gambling purposes—and did engage ~~as a dealer or game keeper~~ in a gambling or banking game, where money or property was dependent upon the result—and did sell, or offer to sell what is commonly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing or drawn numbers of a certain lottery, hereto annexed, and did endorse and use a book or other document for the purpose of enabling others to sell or offer to sell lottery policies, writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing or drawn numbers of a lottery, against the form of the statute of the State of New York in such case made and provided, and particularly section 344 of the Penal Code.

Deponent further says, he has just cause to believe, is informed and verily does believe, his information being based upon ~~personal observation and from~~ statements made by

R. B. McCully

to deponent

that the said

James Dor

aforsaid, now had in his possession, at in and upon certain premises occupied by him and situate and known as number 95 Columbia

street in the city of New York and within the County and State aforesaid, for the purpose of using the same as a means to commit a

1173

POOR QUALITY  
ORIGINAL

public offense, divers and sundry device, apparatus, tables, establishment and paraphernalia layouts, chips, deal boxes, cards, lottery tickets, lottery policies, writings, papers, books and documents for gambling purposes, in violation of the Provisions of Chapter IX of the Penal Code of the State of New York, wherefore deponent prays that warrants may be issued for the arrest of the persons named aforesaid, and to search for, seize and take possession of all of said unlawful matter, and that all be dealt with according to law.

Subscribed and sworn to before me this

18<sup>th</sup> day of March 1892.

*Antony J. [Signature]*

*[Signature]*  
Police Justice.

CITY OF New York AND COUNTY OF New York ss.

*R. B. McCully of 41 Park Row*

being further sworn deposes and says that on the 17<sup>th</sup> day of March 1892, deponent visited the said premises, named aforesaid, and there saw the said

James Doe aforesaid, and had dealings and conversation with him as follows:

Deponent upon entering said premises found five women and two men present. The said JAMES DOE sat at a desk writing plays for them. Awaiting his turn, Deponent stepped to the desk and said: "Give me 15 30 45 for ten cents." The said JAMES DOE put a strip of colored paper under his manifold sheets, and with a gate pencil recorded the numbers upon said paper and sheets at the same time, then took paper from under the manifold, tore off part containing Deponent's play, and handed the said paper to Deponent, and Deponent paid the said JAMES DOE the sum of ten cents for the same, giving the said JAMES DOE twenty-five cents and receiving back fifteen cents in change from him.

The said JAMES DOE in appearance is a light built man about thirty-five years of age, with dark hair and dark mustache and has chin whiskers. Deponent saw him selling what are commonly called "Lottery Policies" to other persons while Deponent was present.



1174

POOR QUALITY  
ORIGINAL

Deponent further says, that he is informed, has just cause to believe, and verily does believe from personal observation, transactions, and statements had with the said James Dor that the said James Dor aforesaid now had in his possession in, at, in, and upon certain premises occupied by him and situate and known as the premises and place described in foregoing Affidavit in the city of New York, and within the County and State aforesaid, for the purpose of using the same as a means to commit a public offense, divers and sundry device, apparatus, tables, establishment, paraphernalia, layouts, chips, deal boxes, cards, lottery tickets, lottery policies, writings, papers, books and documents for gambling purposes, in violation of the provision of Chapter IX of the Penal Code of the State of New York.

Subscribed and sworn to before me this  
18<sup>th</sup> day of March 1892.

Robert B. McLevy

[Signature]  
 Police Justice.

Violation Sec. 844, P. C.  
 Gambling and Policy.

THE PEOPLE

ON COMPLAINT OF

Anthony Cornuto et al.

AGAINST

James Dor

1

2

3

4

5

6

Affidavit of Complaint.

WITNESSES:

Anthony Cornuto  
R. B. McLevy

1175

POOR QUALITY  
ORIGINALCITY OF Albany COUNTY OF Schenectady  
AND STATE OF NEW YORK.②180  
15904510

of 41 Park Row, New York City, being duly sworn deposes and says, he is more than 21 years of age, and is employed as agent of the New York Society for the Suppression of Vice, that he has just cause to believe, is informed and verily does believe, and charge that one James J. Sullivan

whose real name is unknown, but who can be identified by X James J. Sullivan did, at the City of Schenectady County of Schenectady and State of New York, on or about the 15 day of March 1892, unlawfully use a room, table, establishment or apparatus for gambling purposes—and did engage ~~as a dealer or game keeper~~ in a gambling or banking game, where money or property was dependent upon the result—and did sell, or offer to sell what is commonly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing or drawn numbers of a certain lottery, hereto annexed, and did endorse and use a book or other document for the purpose of enabling others to sell or offer to sell lottery policies, writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing or drawn numbers of a lottery, against the form of the statute of the State of New York in such case made and provided, and particularly section 344 of the Penal Code.

Deponent further says, he has just cause to believe, is informed and verily does believe, his information being based upon ~~personal observation and from~~ statements made by

James J. Sullivan

to deponent

that the said

James J. Sullivan

James J. Sullivan aforesaid, now had in his possession, at in and upon certain premises occupied by him and situate and known as number 73 Union St.

James J. Sullivanin the Cityof Schenectady

and within

the County and State aforesaid, for the purpose of using the same as a means to commit a

1175

POOR QUALITY  
ORIGINAL

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Joseph Steini* 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 *19*  
day of *March* 19*13*  
*Wm. J. Murphy*  
Police Justice.

1177

POOR QUALITY  
ORIGINAL

Sec. 151.

CITY OF New York COUNTY OF New York } ss.  
AND STATE OF NEW YORK.Police Court, 1<sup>st</sup> District.In the name of the People of the State of New York: To the Sheriff, or any Deputy Sheriff or Peace Officer of the County of New York, or to any Marshal, Constable or Policeman of the City of New York. GREETING:Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Antoine Bantock & R. B. McCully of No. 41 Park Row Street, charging that on the 17<sup>th</sup> day of March 1892 at the City of New York, in the County of New York that the crime of selling what is commonly called a lottery policyhas been committed, and accusing James D., in appearance light built, about 35 years of age, dark hair & mustache & chin whiskers whose real name is unknown but who can be identified by R. B. McCully thereof.

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Deputy Sheriffs, Peace Officers, Marshals, Constables and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the First DISTRICT POLICE COURT, in the said City or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.Dated at the City of New York, this 28<sup>th</sup> day of March 1892  
P. J. Duffy POLICE JUSTICE.POLICE COURT, 1<sup>st</sup> DISTRICT.THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Warrant-General.

Dated March 18<sup>th</sup> 1892James D.  
Magistrate.  
Antoine Bantock  
Officer.The Defendant  
taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

Officer.

Dated March 18<sup>th</sup> 1892This Warrant may be executed on Sunday or at  
night.

Police Justice.

REMARKS.

Time of Arrest.

Native of

Age

Sex

Complexion

Color

Profession

Married

Single

Read

Write

1178

POOR QUALITY  
ORIGINAL

City and County of New York, ss:

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

To any Peace Officer in the City and County of New York:

Proof by affidavit having been this day made before me, by Anthony Bonitolo and R. B. McCully of 41 Park Row Street, New York City, that there is probable cause for believing that James Dor, whose real name is unknown, but who can be identified by R. B. McCully,

has in his possession, at, in and upon certain premises occupied by him and situated and known number 95 Columbia street in said City of New York certain and divers device, establishment, apparatus and articles suitable for gambling purposes, lottery policies, lottery tickets, circulars, writings, papers and documents in the nature of a bet, wager or insurance upon the drawing or drawn numbers of a lottery, books and other documents for the purpose of enabling others to sell lottery policies and other writings, papers and documents, blackboards and gaming tables, with intent to use the same as a means to commit a public offense.

YOU ARE THEREFORE COMMANDED, at any time of the day or night time to make immediate search on the person of the said James Dor and in the building situate and known as number 95 Columbia street aforesaid, for the following property, to wit: all Faro layouts, all Roulette Wheels and layouts, all Rouge et Noir, or Red and Black layouts, all gaming tables, all chips, all packs of cards, all dice, all deal boxes, all lottery policies, all lottery tickets, all circulars, all writings, all papers, all documents in the nature of bets and wagers, or insurance upon the drawings, or drawn numbers of a lottery, all books all documents for the purpose of enabling others to gamble or sell lottery policies, all blackboards, all slips or drawn numbers of a lottery, all money to gamble with, and all device, establishment, apparatus and articles suitable for gambling purposes.

And if you find the same, or any part thereof, to bring it forthwith before me at the Third District Police Court at the Fours in Centre street in the City of New York.

Dated at the City of New York, the 18<sup>th</sup> day of March 1892

*[Signature]*

POLICE JUSTICE.



1179

POOR QUALITY  
ORIGINALInventory of property taken by John Mc Cormick the Peace Officer by whom this warrant was executed:

Faro layouts, Roulette Wheels, Roulette layouts, Rouge et Noir lay  
outs, gaming tables, chips, packs of cards, dice, deal  
boxes, deal trays for holding chips, cue boxes, markers, or tally cards,  
ivory balls, lottery policies, lottery tickets, circulars, writings,  
papers, black boards, slips, or drawn numbers in policy, money,  
manifold books, slates,

Two Black boards - 1 pencil - 3 slates - 3 packages of  
drawings - 1 dream book - 2 manifold books - 1 package  
returns - 60 sheets of manifold & manifold book.

City of New York and County of New York ss:

1. John Mc Cormick

the Officer by whom this warrant was executed,

do swear that the above Inventory contains a true and detailed account of all the property taken by me in this warrant.

Sworn to before me, this 19th  
day of March 1892John Mc CormickJohn Mc Cormick  
Police Justice.

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OFAnthony J. McCormickJames D. McCormick

25 C

Search Warrant.

Dated March 18th 1892

Justice.

Officer.

John Mc Cormick

**POOR QUALITY  
ORIGINAL**

1384

Police Court--

District

THE PEOPLE, vs.,

ON THE COMPLAINT OF

Justices of the Court

Joseph Stearns

Selling Police

2

There being no sufficient cause to believe the within named \_\_\_\_\_  
 \_\_\_\_\_ guilty of the offense within mentioned, I order h \_\_\_\_\_ to be discharged.  
 Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
AGAINST

*Joseph Stein*

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

*Joseph Stein*

of the CRIME OF KEEPING A ROOM TO BE USED FOR GAMBLING PURPOSES, committed  
as follows:

The said

*Joseph Stein*

late of the *11<sup>th</sup>* Ward of the City of New York in the County of New  
York aforesaid, on the *Seventeenth* day of *March* in the year of our  
Lord one thousand eight hundred and ninety-*two*, at the Ward, City and County aforesaid,  
with force and arms, unlawfully did keep a certain room in a certain building there situate, to be  
used for gambling purposes, to wit: to be used for the purpose of therein conducting a certain gambl-  
ing game commonly called "Policy," where money and property was dependent upon the result,  
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

*Joseph Stein*

of the CRIME OF KEEPING A ROOM TO BE USED FOR THE PURPOSE OF SELLING  
LOTTERY POLICIES THEREIN, committed as follows:

The said

*Joseph Stein*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
at the Ward, City and County aforesaid, unlawfully did keep a certain room in a certain building there  
situate, to be used for the purpose of therein selling and offering to sell what are commonly called  
Lottery Policies, and divers writings, papers, and documents in the nature of bets, wagers and in-  
surances upon the drawing or drawn numbers of certain public and private lotteries, and of therein  
endorsing and using books and other documents for the purpose of enabling divers persons to sell  
and offer to sell lottery policies and other such writings, papers and documents, 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.



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POOR QUALITY  
ORIGINAL

## THIRD COUNT:

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

*Joseph Stein*  
of the CRIME OF SELLING TO ANOTHER WHAT IS COMMONLY KNOWN AS A LOTTERY  
POLICY, committed as follows:

The said

*Joseph Stein*  
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one

*Robert B. McCully*  
a certain paper, instrument and writing, commonly called a Lottery Policy, which said paper, instru-  
ment and writing, called a Lottery Policy, is as follows, that is to say:

*Q 180*  
*15304510*

(a more particular description of which said instrument and writing so commonly called a Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

## FOURTH COUNT:

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

*Joseph Stein*  
of the CRIME OF SELLING A PAPER AND WRITING, IN THE NATURE OF A BET AND  
WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said

*Joseph Stein*  
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year afore-  
said, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one

*Robert B. McCully*  
a certain paper and writing, in the nature of a bet and wager upon the drawn numbers of a certain  
lottery, the same being a scheme for the distribution of property by chance among persons who had  
paid or agreed to pay a valuable consideration for such chance (a more particular description of

1183

POOR QUALITY  
ORIGINAL

which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper and writing is as follows, that is to say :

*Q. 180*

15304510

(a more particular description of which said paper and writing is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FIFTH COUNT:

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

*Joseph Stein*

of the CRIME OF SELLING A WRITING PAPER AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows :

The said

*Joseph Stein*

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

*Robert B. McCully*

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown and cannot now be given), which said paper, writing and document is as follows, that is to say :

*Q. 180*

15304510

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

*District Attorney.*

1184

POOR QUALITY  
ORIGINAL

107. *roman*

Counsel, \_\_\_\_\_  
Filed, *12* day of *April* 189*2*  
Pleads, *Not Guilty (114)*

THE PEOPLE

vs.

*B*

*Joseph W Stein*  
*(2 Cases)*

POLICY.  
[SS 843 and 844, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

*Filed 1100. P.M.*

A TRUE BILL.

*W. H. Latham*  
Foreman.

*Sub 2 - April 22/92*  
*And Grubbs & Anderson*

Witnesses:

*A. Comstock*  
*Frank Cunningham*  
*My*

1185

GLUED PAGE

POOR QUALITY  
ORIGINAL

D182

= 4-11-44 = 10

oses and says, he is more than

1186

GLUED PAGE

POOR QUALITY  
ORIGINAL

Joseph Stein  
some

1187

GLUED PAGE

POOR QUALITY  
ORIGINAL

CITY OF New York COUNTY OF New York } ss.  
AND STATE OF NEW YORK.

95 - Columbia St. N.Y.C.  
Joseph Stein Rm 100  
Brooklyn

Anthony Cornstock

of 41 Park Row, New York City, being duly sworn deposes and says, he is more than 21 years of age, and is employed as Chief agent of the New York Society for the Suppression of Vice, that he has just cause to believe, is informed and verily does believe, and charge that Joseph Stein, here present

whose real name unknown, but who can be identified by

did, at the city of        County of        and State of New York, on or about the 18<sup>th</sup> day of March 1892,

unlawfully use a room, table, establishment or apparatus for gambling purposes—and did engage as a ~~dealer or game-keeper~~ in a gambling or banking game, where money or property was dependent upon the result—and did sell, or offer to sell what is commonly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing or drawn numbers of a certain lottery, hereto annexed, and did endorse and use a book or other document for the purpose of enabling others to sell or offer to sell lottery policies, writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing or drawn numbers of a lottery, against the form of the statute of the State of New York in such case made and provided, and particularly section 344 of the Penal Code.

Deponent further says, he has just cause to believe, is informed and verily does believe, his information being based upon personal observation and from statements made by

R. B. McCully

to deponent

that the said

Joseph Stein

aforesaid, did have in his possession, at in and upon certain premises occupied by him and situate and known as number 95 Columbia

street in the city of New York and within the County and State aforesaid, for the purpose of using the same as a means to commit a

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POOR QUALITY  
ORIGINAL

public offense, divers and sundry device, apparatus, tables, establishment and paraphernalia layouts, chips, deal boxes, cards, lottery tickets, lottery policies, writings, papers, books and documents for gambling purposes, in violation of the Provisions of Chapter IX of the Penal Code of the State of New York, wherefore deponent prays that warrants may be issued for the arrest of the persons named aforesaid, and to search for, seize and take possession of all of said unlawful matter, and that all be dealt with according to law.

Subscribed and sworn to before me this

19<sup>th</sup> day of March 1892

*Anthony J. Conant*

*[Signature]* Police Justice.

CITY OF New York AND COUNTY OF New York ss.

*Robert B. McCully, of 41 Park Row*

being further sworn deposes and says that on the 18<sup>th</sup> day of March 1892, deponent visited the said premises, named aforesaid, and there saw the said

*Joseph Stein* aforesaid, and had dealings and conversation with him as follows: Deponent saw

the said Stein write, record upon his manifold book and sell the paper, or what is commonly called a lottery policy, and deponent paid the said Stein the sum of ten cents for the same.

Subscribed and sworn to before me

this 19<sup>th</sup> day of March 1892

*Robert B. McCully*

*[Signature]* Police Justice.

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POOR QUALITY  
ORIGINAL

Deponent further says, that he is informed, has just cause to believe, and verily  
does believe from personal observation, transactions, and statements had with the said  
..... that the said  
..... aforesaid

now ha in possession in, at, in, and upon certain premises occupied by  
and situate and known as the premises and place described in foregoing Affidavit in  
the of , and within the County and State aforesaid, for the  
purpose of using the same as a means to commit a public offense, divers and sundry device,  
apparatus, tables, establishment, paraphernalia, layouts, chips, deal boxes, cards, lottery  
tickets, lottery policies, writings, papers, books and documents for gambling purposes, in  
violation of the provision of Chapter IX of the Penal Code of the State of New York.

Subscribed and sworn to before me this }  
..... day of ..... 189..... }

..... Police Justice.

THE PEOPLE		ON COMPLAINT OF		AGAINST	
Anthony Bonaiuto et al				Joseph Stew	
1		2		3	
4		5		6	

Violation Sec. 344, P. C.  
Gambling and Policy.

Affidavit of Complaint.

WITNESSES:



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POOR QUALITY  
ORIGINAL

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this  
day of March 19

*Joseph Steini*  
Public Justice.

1191

POOR QUALITY  
ORIGINAL

BAILLED,  
No. 1, by John Strudman  
Residence 311 650 Street  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street

Police Court... Districts

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

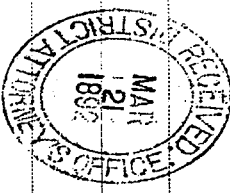
Stephen Cusick

Joseph Allen

1  
2  
3  
4  
Date, March 19 1892

Henry Magistrate  
Officer

Witnesses W. J. McCully  
W. J. McCully Precinct  
No. 41 Street



No. \_\_\_\_\_ Street  
to answer 8.8.

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

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

Dated, March 19 1892 W. J. McCully Police Justice.

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

Dated, March 19 1892 W. J. McCully Police Justice.

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

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

1192

POOR QUALITY  
ORIGINAL

493

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
AGAINST

*Joseph Stein*

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

*Joseph Stein*  
of the CRIME OF KEEPING A ROOM TO BE USED FOR GAMBLING PURPOSES, committed  
as follows:

The said

*Joseph Stein*

late of the <sup>11<sup>th</sup></sup> ~~Eighth~~ Ward of the City of New York in the County of New  
York aforesaid, on the ~~Eighteenth~~ day of ~~March~~ in the year of our  
Lord one thousand eight hundred and ninety-~~two~~, at the Ward, City and County aforesaid,  
with force and arms, unlawfully did keep a certain room in a certain building there situate, to be  
used for gambling purposes, to wit: to be used for the purpose of therein conducting a certain gambl-  
ing game commonly called "Policy," where money and property was dependent upon the result,  
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

*Joseph Stein*

of the CRIME OF KEEPING A ROOM TO BE USED FOR THE PURPOSE OF SELLING  
LOTTERY POLICIES THEREIN, committed as follows:

The said

*Joseph Stein*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
at the Ward, City and County aforesaid, unlawfully did keep a certain room in a certain building there  
situate, to be used for the purpose of therein selling and offering to sell what are commonly called  
Lottery Policies, and divers writings, papers, and documents in the nature of bets, wagers and in-  
surances upon the drawing or drawn numbers of certain public and private lotteries, and of therein  
endorsing and using books and other documents for the purpose of enabling divers persons to sell  
and offer to sell lottery policies and other such writings, papers and documents, 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.

1193

POOR QUALITY  
ORIGINAL

THIRD COUNT:

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

*Joseph Stein*

of the CRIME OF SELLING TO ANOTHER WHAT IS COMMONLY KNOWN AS A LOTTERY POLICY, committed as follows:

The said

*Joseph Stein*

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

*Robert B. McCully*

a certain paper, instrument and writing, commonly called a Lottery Policy, which said paper, instrument and writing, called a Lottery Policy, is as follows, that is to say:

*182*

*4 - 11 = 414 = 10*

(a more particular description of which said instrument and writing so commonly called a Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT:

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

*Joseph W. Stein*

of the CRIME OF SELLING A PAPER AND WRITING, IN THE NATURE OF A BET AND WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said

*Joseph Stein*

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

*Robert B. McCully*

a certain paper and writing, in the nature of a bet and wager upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of

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POOR QUALITY  
ORIGINAL

which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper and writing is as follows, that is to say :

(B2182)  
= 4 = 11 = 44 = 10

(a more particular description of which said paper and writing is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FIFTH COUNT:

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

*Joseph Stein*

of the CRIME OF SELLING A WRITING PAPER AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows :

The said

*Joseph Stein*

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

*Robert G. McCully*

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown and cannot now be given), which said paper, writing and document is as follows, that is to say :

(B2182)  
= 4 = 11 = 44 = 10

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,  
District Attorney.

1195

**BOX:**

477

**FOLDER:**

4371

**DESCRIPTION:**

Stellar, Joseph

**DATE:**

04/20/92



4371

Witnesses:

Henry Hahn

May 1892

I am convinced from an examination of the facts in the within case that the deft lost the money in question and did not appropriate the same to his own use. The complainant must have been of the same opinion as he entered into an agreement with the father of deft to accept payments on account of the sum loaned and did accept on payment of \$10.00 and because the balance was not paid by the father who is poor the complainant after one year's time made this complaint. As no conclusion can be had I recommend that this indictment be returned. Handwritten: 2.11.92

Counsel,

Filed

Pleas,

THE PEOPLE

vs.

Joseph S. Sellar

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

W. H. Scharf  
Foreman.

Clay J. Day 1892  
for District of Dist. Atty.  
Indictment dismissed

1892

Grand Jury  
Degree.

Grand Jurors.  
[Sections 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

POOR QUALITY  
ORIGINAL

1196

Read the examination  
of this case which  
has been reported to  
me, I am clear  
that no conviction  
can be had & I had  
the indictment was  
obtained for the pur-  
pose of collecting a  
sum of money - I am  
Dpt. This practice  
can not be tolerated. I shall  
call it a disgrace.

1197

POOR QUALITY  
ORIGINAL

Police Court

4

District.

Affidavit—Larceny.

City and County } ss:  
of New York,of No. 2067 Third Avenue Street, aged 27 years.  
occupation Painterdeposes and says, that on the 6<sup>th</sup> day of May 1897 at the City of  
New York, in the County of New York, was feloniously taken, stolen and carried away  
from the possession of deponent, in the day time, the following property, viz:Good and lawful money of the  
United States of the amount  
and value of eighty-five dollars  
(\$85.00)

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 Joseph Stiller (nowhere)

from the fact that said defendant was  
employed by deponent as a clerk, that on  
the aforesaid day deponent gave said  
defendant the aforesaid sum of eighty-five  
dollars to deposit immediately in the  
Savoy Hill Bank, 72 Street and 3 Avenue, this City  
together with a Bank-book, that said defendant  
did not so deposit the said money in  
said Bank but did convert the same  
to his own use and profit and did not  
return the Bank-book to deponent  
and deponent did not see said defendant  
from that day until this day when said  
defendant was apprehended.

Henry Stiller

Sworn to before me, this

of

1897

day  
Police Justice



1198

POOR QUALITY  
ORIGINAL

(1835)

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer. *Joseph Stellar*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *N<sup>o</sup> 233 East 84<sup>th</sup> Street & about 2 years*

Question. What is your business or profession?

Answer. *None at present.*Question. Give any explanation you may think proper of the circumstances appearing in the testimony  
against you, and state any facts which you think will tend to your exculpation?Answer. *I have nothing to say**Joe Stellar*Taken before me this *15*  
day of *April* 189*4*

Police Justice.

*[Signature]*

1199

POOR QUALITY  
ORIGINAL

BAILED,  
No. 1, by *Amos Nathan*  
Residence *my 1- E. 28* Street.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Police Court--- *4* District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*William Ford*  
*2067 12 St*  
*Amos Nathan*

Offence *Larceny*

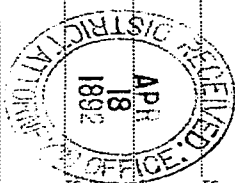
Dated *April 15* 18*92*

*Midnight* Officer.  
*95* Precinct.

Witnesses

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

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



No. *570* Street.  
*8-5*

*Amos Nathan*  
*Amos Nathan*

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

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

Dated *April 15* 18*92* *[Signature]* Police Justice.

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

Dated *April 16* 18*92* *[Signature]* Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

1200

POOR QUALITY  
ORIGINAL

523

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY  
OF NEW YORK.THE PEOPLE OF THE STATE OF NEW YORK,  
*against**Joseph Stellar*THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this  
indictment, accuse *Joseph Stellar*of the CRIME OF GRAND LARCENY IN THE *second* DEGREE,  
committed as follows:

The said

*Joseph Stellar*  
late of the City of New York in the County of New York aforesaid, on the *6th* day of  
*May* in the year of our Lord one thousand eight hundred and ninety-*one*  
at the City and County aforesaid, with force and arms, in the *day* -- time of said day,  
divers 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 a number and denomination to the Grand Jury  
*85.00* aforesaid unknown, for the payment of and of the value of *eighty-five*  
dollars; divers other promissory notes for the payment of money, being then and there due and un-  
satisfied (and of the kind known as Bank Notes), of a number and denomination to the Grand Jury  
aforesaid unknown, for the payment of and of the value of *eighty-five*  
dollars; divers United States Silver Certificates, of a number and denomination to the Grand Jury  
aforesaid unknown, of the value of *eighty-five*  
dollars; divers United States Gold Certificates, of a number and denomination to the Grand Jury  
aforesaid unknown, of the value of *eighty-five*  
dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of  
the value of *eighty-five dollars,*

of the goods, chattels and personal property of one *Henry Hahn*  
then and there being found,

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

DE LANCEY NICOLL,  
*District Attorney.*

1201

**POOR QUALITY  
ORIGINAL**

**BOX:**

477

**FOLDER:**

4371

**DESCRIPTION:**

Stewart, William

**DATE:**

04/05/92



4371

1202

POOR QUALITY  
ORIGINAL

No. 2 f.

Counsel,

Filed

day of

April 1892

Pleads,

THE PEOPLE

vs.

William Stewart

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Wm. Stewart*

April 6, 1892  
Pleads Barry J. day  
Stanton R. J.

Witnesses:

*Chas. J. Solen*

Supplary in the Third Degree  
[Section 498, 506, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

1203

POOR QUALITY  
ORIGINAL

Police Court— District.

City and County }  
of New York, } ss.:of No. 207 Bleeker Street, aged 27 years,  
occupation shoe dealer being duly sworndeposes and says, that the premises No 207 Bleeker Street,  
in the City and County aforesaid, the said being a three story and attic  
brick buildingand which was occupied by deponent as a store on the first floor  
and in which there was at the time a human being, by name John Keileywere **BURGLARIOUSLY** entered by means of forcibly breaking open  
the front door of said premiseson the 23d day of March 1887 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:ten pairs of  
men's shoes of the value of sixty  
dollars \$ 60the property of Deponentand deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
**BURGLARY** was committed and the aforesaid property taken, stolen, and carried away by  
William Stewart (nowhere) and others  
not arrested.for the reasons following, to wit: The said property was in  
said premises and the said premises  
were securely locked and closed on  
said March 22 at the hour of 9 O'  
clock P. M. Deponent is informed by  
John Keiley (nowhere) that he slept in  
the rear room of said store; that he was  
awakened by the noise of burglars  
about the hour of 2 O' clock A. M.

1204

POOR QUALITY  
ORIGINAL

on said date; that he found the said store broken open as aforesaid; that he caught the defendant coming out of the said store with the said stolen property in his possession. Therefore asks that defendant be held to answer said charge.

Charles J. Jordan

Sworn to before me this 27 day

of March 1892

Thos. J. Jordan

Police Justice.

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Burglary

Degree.

Dated

188

Magistrate.

in

Officer.

by

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No.

Street.

1205

POOR QUALITY  
ORIGINAL

CITY AND COUNTY }  
OF NEW YORK, } ss.

1877

John Keiley  
aged 50 years, occupation Shewster of No. 207 Bleeker  
Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of Charles J. Dolan  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this

day of

23  
March 1892

John Keiley

John Keiley  
Police Justice.



1206

POOR QUALITY  
ORIGINAL

(1235)

Sec. 198-200.

2  
District Police CourtCITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer. *William Stewart*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *N. S.*

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

Answer. *128 Chrystie - 2 weeks*

Question. What is your business or profession?

Answer. *Redden*

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

Answer. *I have nothing to say*

*William Stewart*  
*(Mark)*

Taken before me this *27*day of *Monday**1893**Police Justice.*

1207

POOR QUALITY  
ORIGINAL

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

Police Court--- District. 331

THE PEOPLE, etc.,  
ON THE COMPLAINT OF

Charles J. Stewart  
200 West 125th St.  
New York  
Mr. Stewart

1  
2  
3  
4  
Offence... *Burglary*

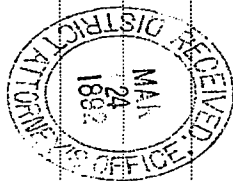
Dated *March 29* 1892

*Crady* Magistrate.  
*W. H. Kean* Officer.  
*15* Precinct.

Witnesses.....

No. .... Street.

No. .... Street.



No. ....  
*Good* to answer

*Good*

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.....

*William Stewart*

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *50* Hundred Dollars,.....and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated *March* 1892 *John F. Brady* Police Justice.

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

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

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

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

1208

POOR QUALITY  
ORIGINAL

483

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*William Stewart*

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

*William Stewart*

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

The said

*William Stewart*

late of the Ward of the City of New York, in the County of New York aforesaid, on the  
*twenty-third* day of *March* in the year of our Lord one  
thousand eight hundred and ninety-*two* in the *night*-time of the same day, at the  
Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of  
one *Charles J. Dolan*

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

*J. Dolan* 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.

1209

POOR QUALITY  
ORIGINAL

SECOND COUNT—

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

*William Stewart*  
of the CRIME OF *Grand* LARCENY in the second degree, committed as follows:  
The said *William Stewart*

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

*twenty shoes of the value of  
three dollars each*

of the goods, chattels and personal property of one

*Charles J. Dolan*

in the

*store*

of the said

*Charles J. Dolan*

there situate, then and there being found, in the

*store*

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

12 10

POOR QUALITY  
ORIGINAL

THIRD COUNT:

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

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

The said *William Stewart*

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

*twenty shoes of the value  
of three dollars each*

of the goods, chattels and personal property of

*Charles J. Dolan*

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

*Charles J. Dolan*

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

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

DE LANCEY NICOLL,

*District Attorney.*

12 12

**END OF  
BOX**