

0009

BOX:

24

FOLDER:

291

DESCRIPTION:

Bischof, William

DATE:

11/09/80



291

24

pt 1

Day of Trial

Counsel,

Filed 9 day of Nov

1880.

Pleas

Not Guilty

THE PEOPLE

vs.

BURGLARY—Third Degree, and
Receiving Stolen Goods.

William Bishop

Nov. 12, 1880

John D. P.

City Prison So day

BENJ. K. PHELPS,

District Attorney.

A True Bill.

W. H. Rice

Not Guilty

Foreman

Friday, Nov 12

0011

Form 50.

Police Court, Sixth District.

City and County of New York, } ss.

James Buckhout
Principal of Grammar School No 65
Tremont
Street, being duly sworn,

of No. Valentine Avenue
deposes and says, that the premises No. of Grammar School No 65
West Farming Street, 24 Ward, in the City and County aforesaid, the said being a School House
and which was occupied by deponent as a School House

were **BURGLARIOUSLY**
entered by means of forcing open a window of said
School House.

on the night of the 22 day of October 1880
and the following property feloniously taken, stolen and carried away, viz.:

Two Webster's Dictionary, One Piano
Cover, Three printed Books, One Tripod
of the value of about Twenty five
Dollars

the property of Board of Education of City of New York
and deponent further says, that he has great cause to believe, and does believe, that
the aforesaid **BURGLARY** was committed, and the aforesaid property taken, stolen
and carried away by

William Bishop now present
for the reasons following, to wit: The deponent was informed by
Samuel G. Sheldon that he arrested said
William in the public street and found
the above described property in his pos-
session which property was identified by
deponent as having been burglariously stolen
as aforesaid deponent examined said build-
ing and found it all fastened except the
above described window which was open
James Buckhout

Sworn to before me on the 22 day of October 1880
J. J. [Signature]
J. J. [Signature]
J. J. [Signature]

00 12

City and County
of New York ss

Samuel G. Sheldon of
34th Precinct Police being duly sworn
says that on the night of 23 inst he arrested
William Bishop now present on Boston
Avenue and found the within described
property in his possession said property was
identified by James Buckhout as belonging
to the Board of Education of City of New York
and burglariously stolen from his possession

Samuel G. Sheldon.

Sworn to before me this

23 day of October 1880

J. D. J. J.
Police Justice

0013

CITY AND COUNTY } ss.
OF NEW YORK.

William Bishop being duly examined before the under-
signed, according to law, on the annexed charge; and being informed that he was at
liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question. What is your name?

Answer. *William Bishop*

Question. How old are you?

Answer. *33 years*

Question. Where were you born?

Answer. *Germany*

Question. Where do you live?

Answer. *None*

Question. What is your occupation?

Answer. *Laborer*

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

Answer. *Guilty William Bishop*

Taken before me this 18th day of June 187

Police Justice.

187

0014

Form 66.

POLICE COURT, SIXTH DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Name,

Address,

James Ryckholt
Grammar School
Secret Ave. West 1st St. 1st Ave.
William Bishop

BAILED,

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

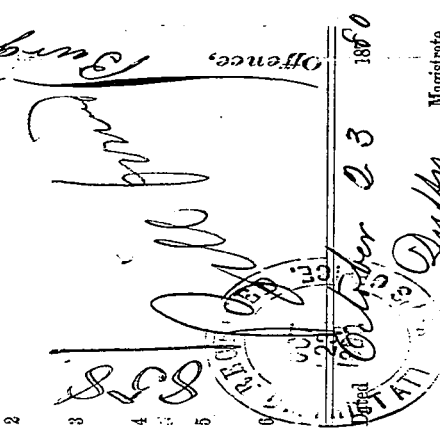
Residence,

No. 5, by

Residence,

No. 6, by

Residence,



Offence,

23 1880

Magistrate.

COUNSEL FOR DEFENDANT.

Name,

Address,

Officer.

Clerk.

Sheldon
34 Prince

Witnesses,

John D. Ackerly
Grammar School
West 1st St
Samuel S. Sheldon
Tomb

\$2,000.00 to the Commd

Received in District Atty's Office,

0015

CITY AND COUNTY } ss.
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

William Bishop

late of the ~~twenty fourth~~ Ward of the City of New York, in the County of New York,
aforesaid, on the ~~twenty second~~ day of ~~October~~ in the year of our Lord one
thousand eight hundred and eighty with force and arms, at the Ward,
City and County aforesaid, the ~~Schoolhouse~~ of ~~the Board of~~
Education of the City of New York there situate, feloniously and
burglariously, did break into and enter, the same being a building in which divers
goods, merchandise, and valuable things were then and there kept for use, sale and
deposit, to wit: the goods, chattels, and personal property hereinafter described, with
intent the said goods, chattels, and personal property of the said ~~Board of~~
Education of the City of New York then and there being, then and there
feloniously and burglariously to steal, take and carry away, and
Two printed books (of the kind commonly called
Webster's Dictionary's) of the value of five dollars
each
One cover (of the kind called a piano cover)
of the value of five dollars
Three other printed books of the value of two
dollars each
One tripod of the value of four dollars

of the goods, chattels, and personal property of the said ~~Board of~~
Education of the City of New York
so kept as aforesaid in the said ~~Schoolhouse~~ then and there being, 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.

And the Jurors aforesaid, upon their oath aforesaid, do further present

THAT the said

William Bishop

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,

Two printed books (of the kind commonly called Webster Dictionary) of the value of five dollars each
 One cover (of the kind called a piano cover) of the value of five dollars -
 Three other printed books of the value of two dollars each
 One tripod of the value of four dollars

of the goods, chattels and personal property of *the Board of Education of the City of New York*

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen of the said

Board of Education of the City of New York

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

William Bishop

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.

BENJ. K. PHELPS, District Attorney.

0017

BOX:

24

FOLDER:

291

DESCRIPTION:

Blossett, Robert

DATE:

11/16/80



291

Counsel,
Filed 16 day of Nov 1880.
Pleads

THE PEOPLE
vs.
11
489 & 29.
P.
Robert H. Roswell.

Larceny, and Receiving Stolen Goods.

BENJ. K. PHELPS,

District Attorney.
Part No Nov 16, 1880.

Pleaded J. L.
A TRUE BILL.
J. L. Phelps

Foreman.
Comptroller J. A. J.
Perk Nov 1880

00 19

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

FORM 89 1/2

POLICE COURT—SECOND DISTRICT.

Mathilde Warstems
 of No. *142 West 24th* Street, being duly sworn, deposes
 and says, that on the *5th* day of *November* 18 *80*.

at the City of New York, in the County of New York, was feloniously taken, stolen and carried
 away, from the possession of deponent, *and from deponent's*

person

the following property, to wit:

*Good and Lawful money of
 the United States consisting
 of Gold coin*

of the value of *fifty* 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

Robert Blassett (now here)
deponent was at 28th Street and
Broadway when said pocketbook was
taken from deponent's cloak pocket
Robert S. Church ran after said
deponent and found said
pocketbook on the person of said
deponent said Church after
having recovered the same returned
it to deponent

Mathilde Warstems

Sworn to before me, this

5-11-80

day

Police Justice.

0020

City of New York ss

Robert S. Church residing at 43 East
21st Street being sworn says that he knows
the contents of the within affidavit
that so much of the same as relates to
deponent is true

Subscribed before me
the 5th of November 1850

R. S. Church

J. Freeman Smith

Notary Public

0021

1060 896

Form 896.
POLICE COURT—SECOND DISTRICT.

THE PROPER, &c.,
ON THE COMPLAINT OF

Mathilda Kaestner
142 W 21st

Robert Bennett

DATED: *Mar 5* 1908

Smith MAGISTRATE.

Wicks OFFICER.

29 Ave C

WITNESSES: *Robert S. Church*

43 East 21st St

Spencer

Spencer

Spencer

DATED BY: *Spencer*

No. *Spencer* RETURN.

0022

Police Court—Fifth District.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Robert Blount*

Question. How old are you?

Answer. *9 years*

Question. Where were you born?

Answer. *N. Y.*

Question. Where do you live?

Answer. *489 E. 28th St.*

Question. What is your occupation?

Answer. *None*

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

Answer. *I am not guilty*

Taken before me, this

day of *Nov*

1878

Robert Blount
Mar 18
Police Justice.

0023

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
*in and for the body of the City and County of New York, upon
their Oath, present:*

That

Robert Blossett

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the
fifth day of *November* in the year of our Lord
one thousand eight hundred and eighty *~~~~~* at the Ward, City and County aforesaid
with force and arms,

*Several coins of a number, kind and
denomination to the Jurors aforesaid
unknown and a more accurate description
of which cannot now be given of the
value of fifty dollars ~~~~~
One pocket-book of the value of fifty cents*

*of the goods, chattels and personal property
of Mathilde Karstens on the person of the said
Mathilde Karstens then and there being found,
from the person of said Mathilde Karstens*

~~the goods, chattels, and personal property of one~~

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

then and

And the Jurors aforesaid, upon their oath aforesaid, do further present
That the said

Robert Blossett

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

*Divers coins of a number, kind and
denomination to the Jurors aforesaid unknown
and a more accurate description of which
cannot now be given, of the value of
fifty dollars*

One pocket-book of the value of fifty cents.

of the goods, chattels, and personal property of the said *Mathilde Karstens*

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously
stolen of the said

Mathilde Karstens

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

Robert Blossett

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.

BENJ. K. PHELPS, District Attorney.

0025

BOX:

24

FOLDER:

291

DESCRIPTION:

Brown, James

DATE:

11/10/80



291

No 73 /

X Day of Trial

Counsel,

Filed 10 day of Nov 1880.

Pleads

THE PEOPLE

vs.

James Brown

James Brown

BURGALARY—Third Degree, and
Receiving Stolen Goods.

BENJ. K. PHELPS,

District Attorney.

A True Bill

Wm. H. Keary

For 1 or 100 Foreman

James Brown

S.P. 2 year.

0027

POLICE COURT— 5th DISTRICT.City and County }
of New York, } ss:

Lorin A. Ware
of No. 2266 Third Avenue ~~Street~~, being duly sworn,
deposes and says, that the premises No. 157 East 123

Street, 12th Ward, in the City and County aforesaid, the said being a frame
Building

and which was occupied by deponent as a Stable

were **BURGLARIOUSLY** broken
into and entered by means of forcibly breaking a pad lock
attached to the front door of said building,
with intent to so commit a crime therein

on the night of the 29th day of October 1880
and the following property feloniously taken, stolen, and carried away, viz:

My Set of Harness of the
Value of Fifty Dollars

the property of deponent

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

James Brown (now here)
for the reasons following, to wit;

That about the hour of
12 O'clock midnight of said 29th day of
October 1880, deponent was informed
that the said stable had been broken into
and that deponent went to the said stable
and discovered it open and the padlock on
the front door broken: that deponent examined
the said stable and found that my set of

0028

harness were missing.
That deponent afterwards saw the
said missing harness at the 12th
Police Precinct Station House and
was informed by Officer Charles
D. Allaire, that he arrested said
James Brown, on Lexington Avenue
between 121st & 122nd streets, in said city,
about five minutes past 12 O'clock
on the night of said 29th day of October
1880 and said James Brown had in
his possession said tiny set of
harness, ^{which property} deponent fully identifies
as his personal property.
Deponent therefore charges said James
Brown with the burglary and larceny
of the property hereinbefore described.

L. A. Ware

City and County of New York, N.Y.
Charles D. Allaire an
officer attached to the 12th Police Precinct
being duly sworn deposes and says
that he has heard read the foregoing
affidavit of Lewis A. Ware, and as
much thereof as relates to deponent
is true of his own knowledge.

Sworn to before me this
30th day of October 1880 } Chas D. Allaire
Chas A. Hamme Police Justice

Sworn to before me this
30th day of October 1880 }
Chas A. Hamme Police Justice

0029

POLICE COURT—FIFTH DISTRICT.

CITY AND COUNTY }
OF NEW YORK, } ss.

James Brown being duly examined before the under-
signed, according to law, on the annexed charge: and being informed that he was at
liberty to answer, or not, all or any questions put to him, states as follows, viz:

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live?

Answer.

Question. What is your occupation?

Answer.

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

Answer.

Taken before me, this

day of

20th }
October 1890 }

James Brown

John J. [Signature]

Police Justice.

0030

No 73

POLICE COURT 5th DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John A. Hane
vs. George S.

18.

James Brown

Dated October 29th 1890

C. A. Hammer
Magistrate.

Plaintiff
12.

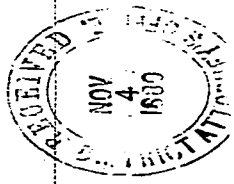
Clerk.

Witness
Charles A. Hane
12th Police Precinct

Paid from

Committed in default of \$ 500 Bail.
Committed
Bailed by

No. Street.



0031

CITY AND COUNTY } ss.
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

James Brown

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

Lorin A. Ware

there situate, feloniously and
burglariously, did break into and enter, the same being a building in which divers
goods, merchandise, and valuable things were then and there kept for use, sale and
deposit, to wit: the goods, chattels, and personal property hereinafter described, with
intent the said goods, chattels, and personal property of the said

Lorin A. Ware

then and there being, then and there
feloniously and burglariously to steal, take and carry away, and

*two sets of harness of the value of
twenty five dollars each*

of the goods, chattels, and personal property of the said

Lorin A. Ware

so kept as aforesaid in the said *Stable* then and there being, 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.

0032

And the Jurors aforesaid, upon their oath aforesaid, do further present
THAT the said

James Brown

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,

*Two sets of harness of the value of
twenty five dollars each*

of the goods, chattels and personal property of

Lorn A. Ware

by a certain person or persons to the Jurors aforesaid unknown, then lately before
feloniously stolen of the said

Lorn A. Ware

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have
(the said

James Brown

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 pro
vided, and against the peace of the People of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

0033

BOX:

24

FOLDER:

291

DESCRIPTION:

Bueckner, Henry

DATE:

11/24/80



291

40217

Day of Trial

Counsel,

Filed 24 day of Nov 1880.

Pleads

THE PEOPLE
vs.
Henry Buckner
Burglar—Third Degree, and
Receiving Stolen Goods.

BENJ. K. PHELPS,

District Attorney.

A TRUE BILL
J. M. Mcg

Nov. 24 - 1880 Foreman

Pleaded Guilty 3^d d. g.

S. P. 18 months

0034

0035

Police Court—Second District.

CITY AND COUNTY
OF NEW YORK, ss.

Henry Brecker being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him states as follows, viz:

QUESTION.—What is your name?

ANSWER.—

Henry Brecker

QUESTION.—How old are you?

ANSWER.—

20 years

QUESTION.—Where were you born?

ANSWER.—

N. Y.

QUESTION.—Where do you live?

ANSWER.—

400 1/2 E. 50th St.

QUESTION.—What is your occupation?

ANSWER.—

Piano maker

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

ANSWER.—

I am guilty.

Henry Brecker

Subscribed and sworn to, this

day of

1888

Police Justice.

0036

Police Court—Second District.

City and County } ss:
of New York.Ernest Schmidt
of No. 426 Hudson Street, being duly sworn,deposes and says, that the premises No. 426 Hudson
Street, 9 Ward, in the City and County aforesaid, the said being a Tenement House
a part of which
and which was occupied by deponent as a Saloon and dwelling place
and at the time inhabited were **BURGLARIOUSLY**
entered by means of forcibly springing the Bolt of
the lock on the Bull door leading into the
front Basement room of said premises -on the day of the 15 day of November 1880
and the following property feloniously taken, stolen, and carried away, viz:One Over Coat of the value of Twenty
dollars. Various other articles of clothing
and wearing apparel - One Scarf Pin
and One Silver Sleeve Button said
property being in all of the value of
Forty Five dollarsthe property of deponent and Charles Weymer
and deponent further says, that he has great cause to believe, and does believe, that
the aforesaid **BURGLARY** was committed and the aforesaid property taken, stolen
and carried away by Henry Breckner (now here)

for the reasons following, to wit:

that at the hour of 10 1/2
A.M. on the 15 day of November 1880 deponent
securely locked and fastened said door -
that at the hour of 11.45 A.M. on the same
day said Weymer found said door open
and in the said premises, as set forth
in the affidavit of said Weymer
Ernest SchmidtSworn to before me on this
15th day of November 1880
J. J. [Signature]
Justice

0037

City and County } S.S.
of New York }

Charles Weymar of No 426 Henderson
street being duly sworn says on the
15th instant at 11.45 A.M. deponent
found the Hall door leading into the front
basement room of said premises and
saw the within named defendant
Henry Baedera in the act of coming
out of said room - deponent identifies
the portion of the within named prop-
erty which was found on the person
of said defendant when searched
as the property of deponent
Weymar

Sworn to before me this
15th day of Novem 15th 1880 }

Freeman Police Justice

0038

94160217

Police Court-Second District.

THE PEOPLE, &c.
ON THE COMPLAINT OF
Emmett Schmidt
4216 Hudson
Harry Beckert

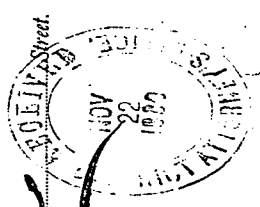
OFFENSE: BURGLARY AND LARCENY.

Dated *Nov 15* 1930
Smith Magistrate.
Cady Officer.
g Clerk.

Witnesses:
Charles Meyers
426 Hudson
Henry Cady
gth Pk

Committed in default of \$ *1500* Bail.

Bailed by *CM*
No. _____



0039

CITY AND COUNTY } ss.
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

Henry Bueckner

late of the ~~Ward~~ Ward of the City of New York, in the County of New York,
aforesaid, on the ~~fifteenth~~ day of ~~November~~ in the year of our Lord one
thousand eight hundred and eighty ~~with force and arms, at the Ward,~~
City and County aforesaid, the ~~saloon~~ of

Ernst Schmidt there situate, feloniously and
burglariously, did break into and enter, the same being a building in which divers
goods, merchandise, and valuable things were then and there kept for use, sale and
deposit, to wit: the goods, chattels, and personal property hereinafter described, with
intent the said goods, chattels, and personal property of the said

Ernst Schmidt then and there being, then and there
feloniously and burglariously to steal, take and carry away, and

One coat of the value of twenty five
dollars

One pair of the value of ten dollars

One Button of the value of one dollar

One pair of pantaloons of the value of
ten dollars

of the goods, chattels, and personal property of the said

Ernst Schmidt

so kept as aforesaid in the said then and there being, 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.

0040

And the Jurors aforesaid, upon their oath aforesaid, do further present

THAT the said

Henry Bueckner

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,

One coat of the value of twenty five dollars

One pair of the value of ten dollars

One button of the value of one dollar

One pair of pantaloons of the value of ten dollars

of the goods, chattels and personal property of

Ernst Schmidt

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen of the said

Ernst Schmidt

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

Henry Bueckner

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.

BENJ. K. PHELPS, District Attorney.

0041

BOX:

24

FOLDER:

291

DESCRIPTION:

Burgess, Alfred

DATE:

11/23/80



291

0042

1879

day of

Filed

Pleas

Obtaining Goods by False Pretences

THE PEOPLE

vs.

Alfred Burgess

BENJ. K. PHELPS,

District Attorney.

A True Bill

Wm. H. H. H. H.

Nov. 23, 1879. Foreman.

Alfred Burgess

S.P. 3 years.

0043

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
*in and for the body of the City and County of New York, upon
their Oath, present:*

That

Alfred Burgess

late of the First Ward of the City of New York, in the County of New York, aforesaid
on the *eleventh* day of *October* in the year of our Lord
one thousand eight hundred and ~~seventy~~ *eighty*, at the Ward, City and County
aforesaid, with force and arms, on the day and year last aforesaid, with intent feloniously to cheat and defraud one *Charles J. Burton*

did then and there feloniously, unlawfully, knowingly, and designedly, falsely pretend
and represent to *the said Charles J. Burton*

That *he the said Alfred Burgess had been sent to him*
the said Charles J. Burton by one of
the firm of Everall Brothers (that he
had been sent by James R. Everall or
George Everall each of whom together
were then and there carrying on business
as partners at the City of New York in
the County of New York aforesaid
under the firm name and style of
Everall Brothers meaning thereby) to get
and procure from the said Charles J.
Burton certain cloth belonging to him
the said Charles J. Burton of the value
of seventeen dollars and six cents for and
on account of said Everall Brothers (for
and on account of the said James R. Everall
and George Everall so carrying on business

0044

as aforesaid under the firm name of style aforesaid. (meaning thereby)

That he the said Alfred Burgess was authorized by one of the firm of Everall Brothers (that he the said Alfred Burgess was authorized by said James R. Everall or George Everall, who were carrying on business together as aforesaid under the firm name and style aforesaid meaning thereby) to say and state to the said Charles J. Burton that the firm of Everall Brothers (that the said James R. Everall and George Everall who were carrying on business together as aforesaid under the firm name and style aforesaid meaning thereby) would be responsible and pay for said cloth to the said Charles J. Burton.

And the said

Charles J. Burton

then and there believing the said false pretences and representations so made as aforesaid by the said

Alfred Burgess

and being deceived thereby, was induced, by reason of the false pretences and representations so made as aforesaid, to deliver, and did then and there deliver to the said

Alfred Burgess, three and one-quarter yards of cloth of the value of five dollars each yard.

of the proper moneys, valuable things, goods, chattels, personal property and effects of the said

Abram Baudouine

and the said

Alfred Burgess

did then

and there designedly receive and obtain the said *three and one-quarter yards of cloth of the value of five dollars each yard.*

of the said

Charles J. Burton

of the proper moneys, valuable things, goods, chattels, personal property and effects

of the said

Abram Baudouine

by means

of the false pretences and representations aforesaid, and with intent feloniously to cheat and defraud the said

Abram Baudouine

of the same.

Whereas in truth and in fact he the said Alfred Burgess then and there had not been sent to him the said Charles J. Burton by the said James R. Everall or the said George Everall to get or procure from him the said Charles J. Burton the said cloth so belonging to him the said Charles J. Burton for and on account of the said James R. Everall and said George Everall so carrying on business as aforesaid under the firm name and style aforesaid or for or on account of said firm as aforesaid as he the said Alfred Burgess then and there well knew, And whereas in truth and in fact he the said Alfred Burgess had not then and there been sent to him the said Charles J. Burton by the said James R. Everall or said George Everall to get or procure for the said Charles J. Burton any cloth whatever as he the said Alfred Burgess then and there well knew

And whereas in truth and in fact he the said Alfred Burgess was not then and there authorized by the said James R. Everall or said George Everall to say or state to the said Charles J. Burton that the said James R. Everall and

said George Everall who were then and there carrying on business as aforesaid under the firm name and style aforesaid would be responsible or pay for the said cloth to the said Charles J. Burton as he the said Alfred Burgess then and there well knew.

And Whereas, in truth and in fact, the pretences and representations so made as aforesaid, by the said *Alfred Burgess* to the said *Charles J. Burton* was and were in all respects utterly false and untrue, to wit. on the day and year last aforesaid, at the Ward, City, and County aforesaid.

And Whereas, in fact and in truth the said *Alfred Burgess* well knew the said pretences and representations so by *him* made as aforesaid to the said *Charles J. Burton* to be utterly false and untrue at the time of making the same.

And so the Jurors aforesaid, upon their oath aforesaid, do say, that the said *Alfred Burgess* by means of the false pretences and representations aforesaid, on the day and year last aforesaid, at the Ward, City and County aforesaid, feloniously, unlawfully, falsely, knowingly and designedly, did receive and obtain from the said *Charles J. Burton*, three and one quarter yards of cloth of the value of five dollars each yard

of the proper moneys, valuable things, goods, chattels, personal property, and effects of the said *Abram Baudouine*

with intent feloniously to cheat and defraud *him* of the same, 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.

BENJ. K. PHELPS, District Attorney.

0048

72.

Day of Trial,

Counsel,

Filed 23 day of Nov. 1888

Pleads

THE PEOPLE

vs.

*P.
Alfred Burgess.*

Obtaining goods by false pretenses.

BENJ. K. PHELPS,

District Attorney.

A True Bill

OK Tracy

Foreman.

0049

Police Court—First District.

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

Herbert G. Orten
of No. 34 East 14th Street,
being duly sworn, deposes and says, that on the 25th
day of October 1880, at the City and County of
New York, *Alfred Burgess*
Now here did by false and
fraudulent pretence and representation
obtain from deponent three yards
and one quarter of black diagonal
cloth of the value of nineteen
dollars the property of James H
Corrds. and his co-partners under
the following circumstances—to wit.

That said Alfred on the day in
question applied to deponent who
is employed by the aforesaid firm
as a clerk and stated that he
was sent by the firm of *Everall &
Bro.* for the above described property
and who would be responsible for
the payment of said cloth that
deponent knowing the prisoner to have
been in the employment of the firm of
Everall & Bro. and wholly relying on
the representations made by the prisoner
gave to him said property—

That deponent has since learned that
the prisoner, was not sent or instructed
by said firm to procure said cloth
that he was not at the time in the emp-
loyment of the firm of *Everall & Bro.* and
that said representations were by said
Burgess made with the intent and purpose to cheat
and defraud deponent's employers of said property
Herbert G. Orten

*I am to depose on this
Oath of the City of New York
Alfred Burgess
Herbert G. Orten*

0050

City and County
of New York

James R. Everall being sworn
says that he is a member of the firm
of Everall Bros. referred to in the
aforesaid complaint and that deponent
did not on the 25th day of October
instant authorize or instruct the
forismen nor did any one of deponents
firm authorize or instruct them to
order or procure any cloth or
goods of any description for or on
behalf of this deponents firm and
further that the forismen was not
in the employment of deponents firm
on said date

Sworn to before me this
29th day of October 1880
John J. Duffy
Police Justice
James R. Everall

0051

POLICE COURT—FIRST DISTRICT.

CITY AND COUNTY OF NEW YORK, ss.

Alfred Burgess being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

Alfred Burgess

Question. How old are you?

Answer.

21 Years

Question. Where were you born?

Answer.

England

Question. Where do you live?

Answer.

199 Greenwich Street

Question. What is your occupation?

Answer.

Sailors Assistant

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

Answer.

I am guilty
Alfred Burgess.

POLICE JUSTICE.

Taken before me, this

day of

1880

0052

COUNSEL FOR COMPLAINANT.

Name,

Address,

COUNSEL FOR DEFENDANT.

Name,

Address,

No 79 880
Police Court—First District.

THE PEOPLE, &G.,
ON THE COMPLAINT OF
Alfred B. Myers
IN
Alfred B. Myers
OFFENSE, *Alfred B. Myers*
by *Alfred B. Myers*

BAILED,

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

Date, *October 29*
Swift Magistrate.
W. H. H. H. H. Officer.
W. H. H. H. H. Clerk.

Witnesses, *James A. H. H. H.*
297 5th Av.
Bill H. H. H.

to answer
at *10:00*
Admission
Received in Dist. Atty's Office.

0053

Police Court—First District.

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

Charles J. Burton
of No. 718 & 720 Broadway Street,
being duly sworn, deposes and says, that on the 11th
day of October 1880, at the City and County of
New York, Alfred Burgess, now
present did by false and fraudulent
pretences and representation obtain
from deponent three yards and one
quarter of Worsted diagonal cloth
of the value of Seventy dollars and
six cents ^{the property of George Sanderson deponent} under the following circumstances
to wit:

That on said day he Burgess
came to said premises and stated to
deponent that he was sent by the
instructions of one of the firm of Everalls
& Bros. to procure said cloth
also saying that said firm would be entirely
responsible for the amount or value
of said goods. That deponent wholly
relying on said representations and
knowing said Burgess to have been in
the employment of said Everalls Bros.
gave to him said property.

That deponent has since learned
that he Burgess was not sent by said
firm to procure said goods that he was
not at the time in the employment of said
Everalls Bros. and that said representation
used by said Burgess made with the intent
and purpose to cheat and defraud
deponent's employer of said property.

Charles J. Burton

Sworn to before me this

29th day of October 1880
Alfred Burgess

0054

City And County
of New York

James R. Overall being
I sworn says that he is a member
of the firm of Overall & Bro.
referred to in the within Complaint
and doing business at 237 Fifth
Avenue. That said Burgess
was not in the employment of
deponents firm on the 11th day of
October Instant. And that he was
not authorized by deponent or by
any member of deponents firm to
obtain or procure goods of any
kind for or on behalf of said
firm - James R. Overall

I sworn to before me this
29th day of Sept 1888 }
H. J. Justice }

0055

POLICE COURT—FIRST DISTRICT.

CITY AND COUNTY } ss.
OF NEW YORK.

Alfred Burgess being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

Alfred Burgess

Question. How old are you?

Answer.

21 Years

Question. Where were you born?

Answer.

England

Question. Where do you live?

Answer.

199 Greenwich Street

Question. What is your occupation?

Answer.

Sailors Assistant

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

Answer.

I am Guilty
Alfred Burgess.

Taken before me this

day of

October 1880

POLICE JUSTICE.

0056

COUNSEL FOR COMPLAINANT.

Name,

Address,

COUNSEL FOR DEFENDANT.

Name,

Address,

880
Police Court - First District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles J. Dunbar

1718 Broadway

Alfred B. Myers

BAILED,

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

Offense,

Date,

October 29, 1891

Magistrate.

Officer.

Clerk.

James R. Linnell

237 5th Ave

Witnesses,

James R. Linnell

\$ to answer

General Sessions

Received in Dist. Atty's Office,

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York, upon
their Oath, present:

That

Alfred Burgess

late of the First Ward of the City of New York, in the County of New York, aforesaid
on the *twenty fifth* day of *October* in the year of our Lord
one thousand eight hundred and ~~seventy~~ *eighty*, at the Ward, City and County
aforesaid, with force and arms, on the day and year last aforesaid, with intent feloni-
ously to cheat and defraud one

James N. Woods
John Lowry and John H. Woolly who were then and
there carrying on business as partners in the City and County
aforesaid under the firm name and style of *Woods, Lowry and*
Company
did then and there feloniously, unlawfully, knowingly, and designedly, falsely pretend

and represent: to *James N. Woods, John Lowry*
and *John H. Woolly* who were then and
there carrying on business as partners
in the City of New York aforesaid
under the firm name and style of
Woods, Lowry and Company that he the
said *Alfred Burgess* had been sent
by the firm of *Everall Brothers* (that
he the said *Alfred Burgess* had been
sent by *James R. Everall and George Everall*
who were then and there carrying on
business as partners at the City and
County of New York aforesaid under the
firm name and style of *Everall Brothers*
meaning thereby) to get and procure from
the said *James N. Woods, John Lowry and*
John H. Woolly so carrying on business as
aforesaid, certain black cloth belonging

0058

to the said James H. Woods, John Lowry and John H. Woolly so carrying on business as aforesaid under the firm name and style of Woods, Lowry and Company and which cloth was of the value of nineteen dollars for and on account of the said James R. Overall and George Overall so carrying on business as aforesaid under the firm name and style aforesaid.

That the said Alfred Burgess was authorized by the said Overall Brothers (the said James R. Overall and George Overall so carrying on business as aforesaid under the firm name and style aforesaid meaning thereby) to say and state to the said James H. Woods, John Lowry and John H. Woolly so carrying on business under the firm name and style aforesaid that Overall Brothers (they the said James R. Overall and George Overall so carrying on business as aforesaid under the firm name and style aforesaid meaning thereby) would be responsible and pay for said cloth to the said James H. Woods, John Lowry and John H. Woolly so carrying on business as aforesaid under the firm name and style aforesaid.

And the said

then and there believing the said false pretences and representations so made as aforesaid by the said

Alfred Burgess

and being deceived thereby, was induced, by reason of the false pretences and representations so made as aforesaid, to deliver, and did then and there deliver to the said

Alfred Burgess, nineteen yards of cloth of the value of one dollar each yard,

of the proper moneys, valuable things, goods, chattels, personal property and effects of the said

James K. Woods, John Lowry and John W. Woolly

and the said *Alfred Burgess* did then

and there designedly receive and obtain the said *nineteen yards of cloth of the value of one dollar each yard*

of the said

of the proper moneys, valuable things, goods, chattels, personal property and effects of the said

James K. Woods, John Lowry and John W. Woolly

by means of the false pretences and representations aforesaid, and with intent feloniously to cheat and defraud the said

James K. Woods, John Lowry and John W. Woolly of the same.

on business as aforesaid under the firm

Whereas in truth and in fact he the said Alfred Burgess then and there had never been sent by James R. Everall and George Everall who were then and there carrying on business as aforesaid under the firm name and style aforesaid to get or procure from the said James R. Woods, John Lowry and John W. Woolly, so carrying on business as aforesaid said certain black cloth or any black cloth whatever for or on account of the said James R. Everall and George Everall so carrying on business as aforesaid under the firm name and style aforesaid as he the said Alfred Burgess then and there well knew.

And whereas in truth and in fact, he the said Alfred Burgess was not then and there authorized by the said James R. Everall and George Everall so carrying on business as aforesaid under the firm name and style aforesaid to say or state to the said James R. Woods, John Lowry and John W. Woolly so carrying on business as aforesaid under the firm name and style aforesaid that they the said James R. Everall and George Everall so carrying on business as aforesaid under the firm

0061

name and style aforesaid would be responsible or pay for said cloth to the said James H. Wood, John Lowry and John W. Woolly so carrying on business as aforesaid under the firm name and style aforesaid as he the said Alfred Burgess then and there well knew.

the said

And Whereas, in truth and in fact, the pretences and representations so made as aforesaid, by the said *Alfred Burgess* to the said *James H. Woods, John Rowry and John N. Woolly* ^{as aforesaid} ~~so carrying on business~~ ^{was} and were in all respects utterly false and untrue, to wit, on the day and year last aforesaid, at the Ward, City, and County aforesaid.

And Whereas, in fact and in truth the said *Alfred Burgess* well knew the said pretences and representations so by *him* made as aforesaid to the said *James H. Woods, John Rowry and John N. Woolly* ^{as aforesaid} ~~so carrying on business~~ to be utterly false and untrue at the time of making the same.

And so the Jurors aforesaid, upon their oath aforesaid, do say, that the said *Alfred Burgess* by means of the false pretences and representations aforesaid, on the day and year last aforesaid, at the Ward, City and County aforesaid, feloniously, unlawfully, falsely, knowingly and designedly did receive and obtain from the said *James H. Woods, John Rowry and John N. Woolly* ^{as aforesaid} ~~so carrying on business~~ nineteen yards of cloth of the value of one dollar each yard,

of the proper moneys, valuable things, goods, chattels, personal property and effects of the said *James H. Woods, John Rowry and John N. Woolly* ^{as aforesaid} ~~so carrying on business~~ with intent feloniously to cheat and defraud *them* of the same, 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.

BENJ. K. PHELPS, District Attorney.

0063

BOX:

24

FOLDER:

291

DESCRIPTION:

Byer, Henry

DATE:

11/11/80



291

0064

BOX:

24

FOLDER:

291

DESCRIPTION:

Schniker, Dora

DATE:

11/11/80



291

0065

Bail No 2
• Chas. A. Plath
141 Chatham St
\$4000 adv 30/70

88/89
Day of Trial, 1
Counsel,
Filed 11 day of Nov 1889
Pleas
Chas. A. Plath
THE PEOPLE
vs
Henry Ryan I
Dora Schniker B
BENJ. K. PHELPS
Part No: Dec 17, 1889
No 2 Trial Announced
Part No: 1 part. Dec 17, 1889
A TRUE BILL
J. J. Plath
For Dec 17, 1889
J. J. Plath
S. P. 12 of 1889, Dec 17, 1889

0066

At a Special Term of
the Supreme Court of
the State of New York
in and for the First
Judicial Department held
in the County Court House
in the City of New York
on the 22nd day of March 1882

Present Hon. A. R. Lawrence
Justice

Dora Schniker
Plaintiff in Error
- Agt -
The people of the State of
New York
Defendants in Error

Whereas, on the 17th day of December 1880
the above named plaintiff in error was
convicted in the Court of General Sessions
of the peace holden in and for the
City and County of New York of a
Felony to wit: abduction and by the
Judgment of said Court of General
Sessions sentenced to be imprisoned
in the Penitentiary of the City of New

York for the term of twelve years and whereas thereafter on the 12th day of February 1881 a writ of Error was allowed by a Justice of this Court to review the proceedings had before the Said Court of General Sessions and whereas the Said Judgment was reviewed by this Court at their General Term and the Said Judgment in all things affirmed and the conviction and sentence of the Said General Sessions was directed and Ordered to be executed and carried into effect and whereas on the 31st day of May 1881 a writ of Error to the Justices of the Supreme Court of this State in the First Judicial Department was herein thereafter allowed by the Court of Appeals of the State of New York to review the proceedings as they were before this Court which said writ of Error was to operate as a stay of proceeding herein, and whereas on the 1st day of March 1882 the Said Judgment having been reviewed by the Court of Appeals of this State and the Said Judgment being in all things affirmed by said Court of Appeals as by the remittitur filed herewith fully appears.

0068

Now on reading and filing said remittitur and on motion of John McKeon Esq District Attorney of the County of New York, it is

Ordered that said judgment of the said Court of General Sessions and the said Order and directions of the said General Term of this Court heretofore given and pronounced upon and against the said plaintiff in Error be and the same are hereby directed to be enforced and carried in to effect and the stay of proceedings heretofore allowed herein is hereby vacated and set aside.

MB

Wm A. Butler
Clerk

0069

N.Y. Supreme Court

Dora Schmiter

Plff in Error

VS

The People of
the State of New York

Def New Crown

Certified Copy

Order for Judgment

Mr. Schmiter

John McKeon

Dist. Ct.

Filed Feb 27 1892

0072

New York. Nov 11th 1880.

Hon B. H. Phelps.

Dear Sir,

My Communication is in reference to a Case that was brought before Judge Duffy on Sunday last - where the following facts were brought out, that a young girl 17 years of age by the name of Doll, that had just arrived in this Country from Germany, alone and without friends, made the acquaintance of a man named Bayer, that the said Bayer - by ~~the~~ promise of procuring a situation for this poor friendless girl - got her to go to the House Number 102 Canal Str, which is a notorious low House of Prostitution that the said Bayer has admitted before Judge Duffy that he received the sum of two Dollars and fifty cents

for his services in procuring this
 girl from the Proprietors of the House
 of Prostitution and that the girl was
 Compelled by force to submit to the
 Madams demands, which were of the
 vilest order. Judge Druffy has I believe
 admitted the offender out on bail, and
 as I understand the papers go to your
 office, now what I wish to say is this
 that the offenders in this case are
 the keepers of one of the vilest dens in
 this city, which can be easily proven
 by all the respectable neighbors, and
 further more. as I was today informed
 that the Husband of the madam of
 this House of ill fame, boasted to
 day that this was not the first time
 he was in trouble for having young
 girls in his house, and that he
 had yet enough of money left
 to fix it at Castle Garden and
 at the Dis Attorney's Office - and
 I thought it my duty to inform

you of the fact, it was my intention
 of calling on you personally, but on
 considering I thought that it would
 do as well to write you a line to
 bring the matter to your personal
 knowledge - And then I as a father
 of two Daughters could not say that
 these parties at least would not for
 some time again repeat the offense
 they have, and it would be
 a warning for dozens of other similar
 offenders that and perhaps be a
 blessing for a good many Parents
 for the above purpose I mail
 you this letter, and I shall
 also write a few lines to the
 Commissioners of Emigration,

Respectfully,
 J. P. Druffy

0074

State of New York.

Executive Chamber.

ALBANY,

Feb. 18th 1886

SIR :

An application for Executive clemency having been made on behalf of Henry Byer, who was convicted of 1 Felonious Assault in the County of New York, and sentenced Jan. 10th 1881, to imprisonment in the Sing Sing Prison for the term of 12 years and 0 months and to pay a fine of \$ 0, I am directed by the Governor respectfully to request that,

in pursuance of Section 695 of the Code of Criminal Procedure, as amended in 1884, you will forward to him a concise statement of the facts and circumstances developed upon the trial or upon the preliminary examination, or before the Coroner's jury, if no trial was had, together with your opinion of the merits of the application. Will you also inform the Governor of any other matters having a bearing upon this case which have come to your knowledge since the conviction.

It is particularly requested that each letter of inquiry from the Executive Chamber should be separately answered.

I am,

Very respectfully yours,

William J. Rice
Private Secretary.

To Hon. *C. B. Martine*

N. Y. City

0075

Answered
March 24/96
R. B. Co.

0076

Translation

New York, October 6. 80.

Dear Genl^l

Permit me, that I trouble you with this. When the steamer Rotterdam arrived here as his last trip from Rotterdam a girl by the name of Elise ~~Dott~~ 16 or 17 years old a native of Eppingen Baden was on board; according to her statement she was taken by people in the Nederland Hotel opposite Reinhardt's Hotel, where she was lodging to a house of prostitution in Canal Street between Forsyth and Eldridge St. under the pretence, that she would get a good place there. If the girl should get out of the house I am ready to do something for her, until she secures a respectable situation.

Praying to assist the young thing wish to investigate the matter, I remain etc

Meek

135 Essex St.

In the Nederland Hotel no such name appears in the ~~book~~^{list}, which seems to speak for the guilt of these people.

N.B. During day time I am not at home. I am working 694 Broadway with Baldwin Sexton & Peterson

Manufacturers of Jewelry.

The house of prostitution is situated from Bowery right off

0077

OFFICE OF THE
COMMISSIONERS OF EMIGRATION
OF THE STATE OF NEW YORK.

City and County of New York: Elizabeth Schröder

a native of Germany, 25 years of age,
being duly sworn deposes and says: That she arrived at the port of New York,
on the 27 day of July 1874 by the
Steamship Tonan from Bremen
and that she has never been in the United States before that date.

That she is pregnant by Heinrich Reyer, a bartender at the
Stagater Hof 24 Greenwich St. N.Y. that he is a married
man, residing 27 Greenwich St. N.Y. that she was aware that
he was a married man, that defendant was living out about one
year with the proprietors of said Stagater Hof, that she had
only one sexual intercourse with D. that he told her
he would take care of her, bring her to some institution, through
his friends, that he agreed to meet her to day to make some
arrangement, but failed to do so, sending word that he had no time
that she believed that her wife is aware of the affair
and that she is willing to obey of her confinement, and she has no
no friends nor money. During her confinement to support herself. That she
gave Mrs. Bader 16 Greenwich St. \$100 for safekeeping, about one year ago.
That she has never been twelve months out of the State of New York, and
is not a citizen of the United States.

Sworn to before me, this 22 day
of Nov 1874

Otto Hering
Notary Public
N.Y.

Elizabeth Schröder Mrs.

Stationer Island
Care of her family
but that she is going
to leave them

0078

Nov 24/1878

AFFIDAVIT

OF

Elizabeth Schroder

Arrived per Steamship

Danau

27 July 1878

Janh

BEFORE ME, the undersigned authority, on this day personally appeared *Elizabeth Schroder*, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 27th day of July, 1878.

NOTARY PUBLIC FOR THE DISTRICT OF COLUMBIA

0079

City and County of New York, ss.:

To the Police Justices of said City:

Elizabeth Schirdu being pregnant of a child likely to be born a bastard and to become chargeable to the Commissioners of Emigration, the undersigned, me of the Commissioners of Emigration, pursuant to section 5, title 6, chapter 20, part 1, of the Revised Statutes of the State of New York, and the provisions of an Act entitled: "An Act to amend an Act entitled an Act concerning Passengers in vessels, coming to the City of New York;" passed April 11th 1849; passed April 12th, 1865, and the acts thereby amended, apply to you to make inquiry into the facts and circumstances of the case.

Given under my hand, this 22 day of Nov 1878

Geo. S. Starr
COMMISSIONER OF EMIGRATION.

0080

The People
vs
Henry Byer

A clean copy given to Judge Cowing, ten solid pages
W.A.

Judge Cowing charged the jury as follows:

Gentlemen:

It is the ~~the~~

law of this State ^{that} ~~is as follows upon the subject~~
~~matter which you have now to deal with:~~

"Every person who shall take any woman
unlawfully against her will with intent to
compel her by force, menace, or duress
to marry him or to marry any other person,
or to be defiled commits a crime."

Now, gentlemen, revolting as this
offence is in the history of its details, and
wicked as ~~the~~ ^{are} offences ^{of the kind mentioned in this}
~~been perpetrated~~ ^{nevertheless} ~~as when it has~~
at the bar is ^{entitled} to have a fair and
impartial trial. ^{Your prejudice or}
~~your sympathy~~ ^{are not to be enlisted} ~~is to have no room~~

in this case. You are to take the testimony
and without any prejudice against the
prisoner ~~whatsoever~~, or ~~without any~~ sympathy
for the complainant ~~whatsoever~~. You are to deal
fairly and justly between the people of this

State and the prisoner at the bar. I need not state to you that offences of this description are most ^{to the peace and good order of} injurious ~~to~~ society, are most revolting to every finer feeling, every ^{moral} sentiment. ~~And where we are inviting to our shores foreigners, young girls who are landing here without knowing any word of our language, it is proper that laws of this description should be invoked for their protection.~~

Now with reference to this ^{alleged} crime, gentlemen, the complainant has told her story upon the witness stand. You have seen her manner of testifying; you have had an opportunity to judge from ~~the~~ ^{her} examination and ~~the~~ cross examination as to whether her story is truthful or whether

it is made ^{up} ~~out~~ of a parcel of untruths. She states
 in substance that she came here a foreigner,
~~landed upon our shores~~, that she was unable to
 speak ^{or understand} our language; that after being here a few
 days she met the prisoner at the bar and that
 he asked her if she desired a situation? She
 told him that she did; thereupon he stated that
 he knew where there was a respectable situation
 where she could get good wages, and she con-
 sented to go with him; ^{for that purpose} ~~Now I desire to state~~
 The complainant must have been taken against her will
~~here that the consent of the will does not always~~
~~and without her consent~~
~~mean actual force~~ If ^{her} ~~that~~ consent was obtained
 by fraud ~~and~~ by deceit, in the eye of the law it
 was ^{as} ~~such~~ a taking against ^{her} ~~the~~ will as if

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physical force had been placed upon her and she had been dragged to that house. If the consent of her will was obtained by fraud, it is the same, I charge you, as matter of law as if actual force had been used. Therefore, if the prisoner knowing that ~~there~~ was a house of prostitution, knowing the character of ~~that~~ ^{this} house ^{to be bad} & represented and stated to this young girl that it was a respectable place and held out to her the inducement ^{that it was a respectable home in order} to get her to go with him to obtain respectable ^{& honorable} employment, I say, if he did ~~that~~ ^{this} and thereby obtained her consent, it was a fraudulent ^{representation} ~~as its face~~, he knowing to the contrary, and that did away with the consent. Consent obtained through fraud avails nothing.

~~I have drawn your attention to this part of the~~
~~law for the reason that it states, "against her will."~~
~~It was against her will if the consent of the will~~
~~was obtained by fraud.~~ ~~Let~~ You will examine
 the evidence with great care and
~~into the case to see if you believe from the~~
 surrounding facts and circumstances that the
 prisoner at the bar knew the character of this house.
 If you believe from the evidence ^{that he did, and} in ^{the} case,
 that he was taking her there for the purpose of
 having her defiled: ^{from the evidence in the case} ~~if~~ you believe, that he represents
^{to the complainant} that this was a respectable, private family ^{in which she could obtain honest and honorable employment} - ~~to~~
~~use the language, I believe, of some of the witnesses,~~
 and that he knew to the contrary ~~full this,~~
 then her consent ^{then obtained} ~~because~~ as it was - because

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~~she did go with him and follow him~~ - was fraud-
 ulently obtained, and was the same in the eye of
 the law as if no consent had ever been given ^{on her part}.
~~Now, if you have settled that question in the~~
~~affirmative or if the consent~~ was obtained through
 fraud and deceit, then the next question for
 you to determine in this case is, with what
 intent was the prisoner acting when he took
 her there? Did he take her there with the
 intent ^{to compel her by} that ~~force, and violence,~~ ^{menace or} duress
~~should be used for the purpose of compelling~~
~~her to be defiled?~~ ~~Now~~ Do you have often
 heard me state, the question of what a
 man's intent is, is locked up in his own

breast. ~~Nobody~~^{He} cannot tell what a person's intent
 is ~~excepting~~ by his acts; ^{+ declarations.} Every person is
~~presumed~~ Every sane person at least, is
 presumed to ^{know &} intend the natural, ^{+ probable} consequences
 of his own acts. ~~and to know the natural~~
~~consequences of his own acts.~~ If he, in the
 first place, to get the consent of her will
 used fraud and deceit, then ^{you must judge from the} ~~take the other~~
 surrounding facts and circumstances ~~is deter-~~
~~mining~~ what was his intention in ^{so} doing? ~~that~~
 Did he do it ^{with the intention} ~~for the purpose~~ of getting her
 in the clutches of these people who kept this
 den in order ^{to compel her defilement?} ~~that she might be defiled?~~
~~You are first to judge whether the consent~~

~~of the will was obtained by fraud, and if it~~
~~was, with what intent did he take her to~~
~~this house?~~ Now ^{the prisoner's} ~~this~~ story is, gentlemen of the
 jury, that so far as this house was concerned
 that he knew nothing of its ^{bad} character, that he had
 never been there before, and that he never
 had an intention in any way of entrapping
 her for the purpose for which she seems to
 have been used. If ^{the prisoner's story} ~~that statement~~ is true,
 gentlemen, then he is an innocent man,
 and you have but one duty to perform, and
 that is, to acquit him. If he made ~~these~~
 statements to her ^{regarding} ~~the~~ respectability of the
 house, he himself believing them to be true,

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then so far as the will was concerned, he used no influence of fraud or deceit, and he is not guilty of ~~this~~ ^{the} offence charged against him.

~~Now~~ With reference to the question of ^{his} character, he has introduced ^{evidence of his character} ~~that~~ into this case. He ^{has} put several persons upon the ^{witness} stand who speak to that question. Good character is always an important element in a criminal case. In a case of doubt, it is ^{highly} important; in a case where there would not seem to be any doubt upon the evidence ~~in the case~~, it is not so important, but at the same time it should be weighed by a jury with the other evidence. If you believe from

the evidence, therefore, that this prisoner ~~of~~
~~to the time when he was charged with this~~
~~has borne~~
~~offence~~ ~~for~~ a good character, you should
 give that weight in conjunction with the other
 evidence in the case; ^{for a} ~~if~~ persons who bears
 a good character may be presumed less
 likely to commit crime than one whose
 character is desperate and bad. ~~But before~~
~~Before~~ you can convict this prisoner ^{of the charge in the indictment,} ~~of this charge,~~
 you must find two things: ^{that the complainant's consent was obtained} first, by fraud
 and deceit - because there is no pretence
 that actual force was used, ~~to~~ ~~the~~ obtain ~~the~~
 the consent of her will; and, second, that
 he did it with the intent ^{to compel her by} ~~that~~ force,

menace or duress to be defiled
~~duress and violence, should be used for the~~
~~purpose of defiling her person.~~ ^{These two propositions} ~~these two things,~~
 you must find affirmatively upon the evidence
 before you can convict him of the offence
 with which he is charged; and if you find
 upon the evidence in the case both ~~these~~
 propositions in the affirmative, then your duty
 is perfectly plain - you should convict him
~~of the offence with which he is charged.~~
 If either ~~one of these elements~~ are wanting,
 then you should acquit him.

~~Now~~ With reference to ^{the question of} punishment, General
~~himself has stated to you, you have nothing~~
 whatever to do. I ~~desire to~~ charge you also

~~with reference to the law of this case, that~~
 where two or more persons conspire together
 to do a certain unlawful and wicked act,
 and in doing that act one person does a
 portion and the other another portion of the
 act, but both of them do it to carry out and
 consummate the common scheme and com-
~~mon~~ undertaking, they are both in the eye
 of the law equally guilty. Therefore, if you
 should find from the evidence in this
 case that the prisoner at the bar did
 enter into a conspiracy with the inmates
 or keepers of this house ~~to bring this~~
~~person to that place against her will~~
 to violate this law

~~for the purpose of ^{compelling} her to be ravished, com-~~
~~pelling her to be defiled, then, of course, he is~~
~~would be guilty of the offence with which he~~
~~is charged in this indictment. You must~~
~~take the case and dismiss prejudice and~~
~~sympathy. Take the evidence and ^{carefully} analyze~~
~~it, and if you believe the evidence, ^{establishes} ~~being~~~~
~~that he has violated the law~~
~~has under the action of the statute, which~~
~~I have read to you, then your duty is perfectly~~
~~plain - you should convict him. ~~of the~~~~
~~offence with which he is charged. If, on the~~
~~contrary, you believe his statement that~~
~~he acted in good faith, ^{and honestly} ~~in~~ the matter,~~
~~then you should acquit him. If you~~

have any reasonable doubt predicated upon the
 evidence in the case, you should give him
 the benefit of that doubt and acquit him.
 He claims to have been intoxicated at the time; and
 so far as being intoxicated is concerned, I
 charge you that
~~I desire to draw your attention to that in this~~
 respect, because a man is intoxicated, it
 is no excuse for committing crime. A
 man can not plead his own voluntary intox-
 ication as an excuse for committing crime.
 But you ^{should} ~~have~~ a right to weigh that evidence,
 if you believe he was intoxicated, with
 reference to the question of intent. If he
 was so intoxicated that he had not
 sufficient mind to form a guilty intent,

he could not have committed this crime with which he ~~was~~ is charged, because intention is an important element of the offence. If he was intoxicated, ^{but} ~~and~~ he had sufficient mind to form a wicked and criminal intent, it is neither an excuse nor is it any defence whatever for his committing ~~the~~ crime.

The case is with you, gentlemen. 15
decide fairly and justly according 15
the evidence

Counsel I ask your Honor to charge the jury ^{that} ~~they have any reasonable doubt~~ before they can convict, ~~they must~~ be satisfied beyond a reasonable doubt that there was a conspiracy existing between this woman Schnitzky and this man Byer as to bringing this girl to this house for the purpose ^{of carrying} of her defilement.

The Court Excepting as I have already charged, I decline to charge. I think it is substantially embodied in my charge before.

Counsel Your Honor refuses to charge that one request.

The Court. Except as I have already charged.

Counsel I take an exception.

The jury rendered a verdict of guilty.

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145 folios

121-52

The People
vs.

Henry Byer

Court of General Sessions.
Before Judge Cowing
November 1880

The People
vs
Henry Byer

Court of General Sessions. Before Judge
Cowing Monday Nov. 22 1858.

Jointly indicted with Dora Schniker
for abduction.

Asst Dist Attorney Phelps for the People
M. C. Steckler Counsel for the prisoner.

Eliza Doll, sworn and examined, testified through
the interpreter.

By M^r Phelps Q. Ask her name, please? A. Eliza Doll
is her name.

Q. Where was she born? A. From the Duchy of
Baden, city of Eppingen.

Q. How old is she? A. Last October I was 16 years
of age.

Q. When did she arrive in this country, and by what
vessel? A. In October I arrived here, in the
beginning of the month of October on a Saturday.

Q. What ship? A. The Steamer Rotterdam.

Q. How did she come, as a steerage passenger?

A. A steerage passenger.

Q. And where did she land, Castle Garden?

A. Yes sir.

Q. From Castle Garden where did she go?

A. I went to a German Hotel in Greenwich Street, -
from Castle to a German Hotel.

Q. So on, where did she go from there.

A. Then I got a situation in Brooklyn.

Fifth Avenue

- Q How long did she stay there.
- A About eight or nine days I remained there.
- Q From there she went where?
- A Then I left the place and I went to Hollo Hotel, in Greenwich Street I think it is No 1
- Q Now ask her if she has ever seen this man Byer the prisoner.
- A Yes, sir, I saw him in the Hotel.
- Q Ask if she had any conversation with him.
- A He spoke to me, and said that he had a situation for me
- Q Ask her what more did he say, if anything, what sort of a situation and all about it.
- A Then he said that I shall come with him, and I shall not tell it to anyone, and that I shall take my satchel and things that I have and come with him.
- Q What kind of a situation was it, did he say, if he did say?
- A He said that the situation is a good one, and that I will get good wages, and that the family is a respectable one.
- Q What did he say she was to do, if he did say?
- A He said as a servant girl for household work, He said that it is a beer saloon, and there was five or six girls, three

of them are Germans and the others are Irish girls, and that I should go with him, and I will live the place; in a short time I will earn plenty of money, and I should go along with him.

Q. Well, what did she do then? to

A. Then I went up stairs and I took my things and I went with him.

Q. Well, where did she go with him?

A. Then he brought me to Canal Street.

Q. Does she know the number?

A. No 102

Q. Ask her who she saw there?

A. The boys.

Q. What was her name or his name?

A. I do not know.

Q. Does she mean a man or a woman by "the boys"?

A. It was a man she saw first when she came into the house.

Q. Well, what did she do?

A. Then they brought me in a rear room.

By the Court Q. Who brought her?

A. The boys, and Ryer got some money. I could not tell how much and then he left.

Q. What happened then? Objected to.

A.
Counsel
The Court.

It was about five o'clock in the evening
I object to what was done with this girl after
the defendant left.

I will let the District Attorney show the character
of the place that she was taken to, and after that
I will let him show what was done. I will
allow you an exception.

Counsel
The Court.

Do you admit the question?

Yes on the understanding that the District
Attorney will show it was an improper place.

Counsel
The Court.

I state an exception.

I will give you an exception.

Mr. Phelps.

I say that I will establish the character of
that house as an improper place.

By Mr. Phelps.

Q. Well, after he went away what was done?

A.

It was this evening and we went to supper, then
when we had finished supper, then the Madame told
me to go up into my room.

Q.

Does she know the name of the woman she call
the "madame"?

A.

I think her name is Dora I don't know the
other name, then I fixed my bed and when
my bed was fixed.

(H)

she called me down. Then it was about seven o'clock in the evening. Then at eleven o'clock we had a meal again; then I went up. She requested me the first evening to go with her; I refused.

Q. Ask her who else there was in the house beside the Madame and the boys.

A. The girls.

Q. How many? A. Five (5)

Counsel This is all under my objection and subject to exception.

The Court Yes, all under ^{my} objection and exception.

Witness Resuming- In the morning when I got up I asked the girls what kind of a house it was, and they told me it was a bad house. I began to cry then. Then I asked if I could leave; then the girls told me that I may go out but I will be arrested if I leave and put in prison. So I did not go out.

Q. Did not you leave the house at all?

A. Once I had a letter to carry to the post and I intended to dress myself I then left and she was standing at the window looking till I came back. The Madame was watching her; she says, she stood in the window.

By ~~James~~ Q Ask her what the Madame said

A. It was only a few faces; It was on the lamp post
She said it is not necessary for me to dress myself
I shall go as I am - the Madame said that.

By Mr Phelps Q Well, How long did she stay in that house
altogether? A. Few days

Q Well, what happened the second night she was
there? A. In the meantime I was working, sewing
and knitting. She always wanted me to go with
me.

Q When you say "she" whom do you mean?

A. The Madame.

Q Well how long did this continue - these requests of
the Madame and her refusal?

A. I think it was seven days; she was scolding
because I refused to go with me.

Q Then what happened.

A. Then on Monday a man came; she scolded me
so long till I went with a man.

Q What did she do, what did she say?

A. She put me out of the door.

Q Out of what door? A. The rear door;
and the man went after me.

Q When she put her out of that door where was she, I mean where did she put her to? A It was in the rear room; there was a door.

Q When she was put out of one door where was she put into - was she put out of doors or where.

A. It was in order that I should go up to my room, and I went up and I shut the door, then the boys came up with that man.

By counsel Q. Who does she mean by the boys.

A. The boys who brought the man up. I do not know his name; it is the husband of the madame.

By Mr. Chief. Well, ask her who it was that gave this prisoner that money the first night.

A. The boys.

Q Ask her if it was the man that gave it to Byer, that went up and brought the man to her room that night, if it was the same man.

A. Yes sir, the same man who gave the money to Byer brought the man up.

Q After he brought him to her room what happened, how long did the boys stay.

A. Did the same man left, then the boys

shut the door

B. Well, what was done then.

A. I do not know how to say it; he did it.

B. Well what was done then?

A. Hee tossed me around so long till I surrendered myself to him.

B. How much longer did she stay in the house?

A. Two days.

B. When she finally left the house whom did she leave it with? A. With a policeman.

B. Now ask her, if, at any time, that she was taken to that house, if she ever had connection with any man, if her character was virtuous up to that time.

A. I never had anything to do with a man before.

B. Ask her if the man had sexual connection with her.

A. Yes sir, he had sexual connection with me.

B. Ask her whether or not she ever left the house excepting on that one occasion when she went to the letter box.

A. I tried it but it was always locked, and I never could get out.

By the Court B. She tries to leave?

A. Yes sir I told the madame that I.

wanted to leave the house. She said if I ever leave the house I will be put in prison because I cannot speak English and I will walk the streets and they will put me into prison
Cross Examined.

Q What day did she land in this country?

A On a Saturday.

Q What date? A I do not know. I know that it was at the beginning of October.

Q Ask her how many weeks she was in the city before she first went to Canal Street.

A I think fourteen days.

Q Ask her where she was during those fourteen days?

A I was in a situation, then I was in a hotel.

Q What hotel? A. Wolf's hotel in Greenwich Street.

Q How long did she stay there.

A Three or four days.

Q Ask her did she have any money when she came from Germany.

A Yes Sir.

Q How much money did she have?

A Forty marques - that is - eight dollars

Q When she worked over in Brooklyn, did she get any salary there?

A No Sir.

Q How many days did she work in Brooklyn

- A Eight or nine days.
- Q How did she come to go there?
- A At noon when I arrived I went out and I walked in the street with another girl; then that Madame came to me and said that I shall come with her to that situation.
- Q Who said that? A. A Madame.
- Q Where in the street? A In the street.
- Q What street was that? A. In Greenwich Street.
- Q That was the same day that she came from Europe? A Yes sir. That Madame met me at noon time and I arrived in the morning here of that same day.
- Q And this strange lady came up to her in the street and asked her whether she wanted a place? A. Yes sir.
- Q And she went over to Brooklyn with her?
- A Yes sir.
- Q What kind of a house was that?
- A It was a cigar store.
- Q Did this lady have a family?
- A She had two children.
- Q What kind of work did she do there?
- A Household work and attending to the children.
- Q How did she come to leave there?

A On account of the children. They were always sick.

Q And because the children were sick she left. Is that it?

A Yes sir.

Q She did not get paid anything?

A No sir.

Q Well, what did she do after she got back here?

A Then I went to Woolfs hotel.

Q Did she come direct from Brooklyn to Woolfs hotel without anybody with her?

A I came alone.

Q She came all alone over from Woolfs hotel to Brooklyn? A. Yes sir.

Q How long did she live at Woolfs hotel in Greenwich Street? A. Three or four days.

Q And did she pay her board there?

A Yes sir. I paid for my lodging and for my meals.

Q Did she have her meals there?

A Yes sir.

Q How much did she have to pay there?

A I do not know exactly how much I paid but when I came from Brooklyn, I had three dollars yet and I managed to get along with those three dollars.

Q Now ask her what she had done with her five dollars? A. I bought things.

(11) Q What did she buy?

- A. I bought a dress and I bought a pair of shoes.
- Q. What did she do in Woolf's hotel those three days? A. There was another girl there and I kept company with her.
- Q. Who was this other girl do you know.
- A. Anna Miller.
- Q. Did she speak English?
- A. Yes sir. She could speak English.
- Q. Where did you go with her every day?
- A. She told me to go with her to an office where they give situations and so I went with her.
- Q. You told this girl you wanted a situation and she took you to an office, did she?
- A. Yes sir.
- Q. Where was this office? A. It was in the main street I don't know where.
- Q. Well, did she get a place there?
- A. No sir.
- Q. Did you tell anybody around Woolf's hotel that you wanted a place?
- A. Yes I said so. Then when I came Ryer was there, and he said he had a situation for me.
- Q. That was on the third day was it that she got back from Brooklyn.
- A. It was the third day.

Q And who else was in the hotel at the time that Byer said that to her?

A There was another one who came with us to Canal Street; the landlady was there.

Q Well, who else?

A I did not notice for a time anybody else.

Q Was there not a man named Charlie who was in the place that went with her and Byer to Canal Street?

A I do not know his name.

Q Did he go up to Canal Street with you and Byer? A. Yes sir, he came to Canal Street.

Q Well now, is not it a fact that she had spoken to this other man first about the place?

A No, only to Byer.

Q Had she ever seen that man before, the other man?

A Yes sir; he was every own time in the hotel - in the saloon.

Q Had she ever seen Byer before the day that he spoke to her? A. Yes sir.

Q How often? A. I did not see Byer I saw the other man.

Q She had never seen Byer before?

A No sir, I only saw him when he spoke to me about the situation.

Q Had she said anything to this other man whom she had seen every day and who went to Canal Street with her

did she say anything to him about a situation? A. No sir.

Q Whom had she spoken to about a situation in Woolf's hotel? A. Only with a girl I spoke about a situation.

Q What girl? A. Annie Miller

Q That is the girl you went with?

A Yes sir, she went with me to the office

Q Had you ever seen Annie Miller speak to the other man? A. I did not see Annie Miller speak to the other man before.

Q She don't know whether Annie Miller knew this man? A. No sir, I don't know.

Q What did Byer say to you when he came up to you? A. He asked me if I am looking for a situation? I said, yes.

Q Well, let her relate the whole communication.

A. He asked her if she wanted a situation? She said "yes"; then Byer says he knows a good situation, and the wages are good - the wages and the Madame is a good one too.

Q And where was the other man that time?

A He was in the other room next to the saloon.

Q Did she see him in there?

A I saw him coming out from there.

Q Then she did not know he was in there?

before she seen him coming out.
A. No sir.

Q. Now when he came out what happened then?

A. Then Byer said "Take quickly your things" then I brought them down; then he said don't tell to anybody anything; then the landlady came after me and said, "Where are you going to?" then I did not say anything because he prohibited me from telling it.

Q. He expressed a wish to her not to tell.

[The Interpreter] She used the German word "prohibit"

A. He forbade me to tell.

Q. Where did this other man come up and speak to her? A. When we left through the front door; the other one went out through the side door and came after us.

Q. Did he come up to you and speak to you?

A. Yes sir, he took the satchel out of my hand and carried it; then when we went a distance we entered a street car and I had to pay for it; but I did not have money enough to pay; then they brought me to Canal Street.

Q. How about paying in the car, who paid for it? A. I think that Byer he only gave five cents to it.

Q How much did she give? A. Ten cents.

Q She gave ten cents and Byer gave five?

A. Yes Sir.

Q After she got out of the car where did she go? A. We went to Canal Street.

Q How many cars did she take?

A. Only one.

Q Ask her if she did not take a small car to the City Hall and then another car to Canal Street. A. In one car we went up I think we went to the street where the railroad is passing over.

Q Then you got to the house? A. Yes sir.

Q And this other man was with you too?

A. Yes sir.

Q Both were together Byer and the other man.

A. Yes sir.

Q Well, did you ring the bell to get into the house?

A. Yes sir.

Q Who pulled the bell? A. I think Byer.

Q Ask her whether it was not the other man who pulled the bell?

A. I am not sure who did it

Q Ask her whether the other man did not pull the bell? I do not recollect, I did not look.

Q Well, the door was opened was it?

A. Yes, it was shut and they opened it.

Q Well when you got inside what happened?

A Then they took me into the rear room.

Q Who opened the front door?

A I think "the boss" opened the front door.

Q When she says "the boss" who does she mean?

A The man who keeps the house.

Q What is his name. A. I do not know his name.

Q How does she know he keeps the house?

A I was informed by the girls.

Q Then Dora Schriker don't keep the house?

A They keep it together.

Q Then it was one of "the bosses" that opened the door then? A. She calls the man "the boss" and the lady she calls "the Madame".

Q Where did she go when the door was opened? A. Then I went right away in the rear room.

Q She don't know what happened outside, does she? A. I know that Byer received money.

Q How does she know that when she went right in the back room.

A Because a girl told me that I was sold
 Counsel I more that than he stricken out as
 not responsive to my question.

The Court

By James

That was responsive to your question.

Q. Ask her whether she herself seen this man who opened the door give Byer any money?

A. I saw that he gave something to him but I do not know if it was money.

Q. Then she does not know whether Byer got any money or not.

A. That happened before I went into the rear room.

Q. Ask her how long she was in the hallway, in the entry way; ask her where Byer and the other man went when the front door was opened?

A. In the room.

Q. Ask her where Byer and the other man went - not where she went.

A. They also were in the room.

Q. Then they went in the same room that you were in?

A. Yes sir, we all went in to the same room.

Q. And in the same room did Byer get any money in there? A. Yes sir.

Q. Did she see this man she calls "the boss" give Byer any money? A. I do not know if it was money; he gave something to him; but I do not know if it was money.

Q. Did you see "the boss" give the other man

A. No sir, I afterwards went into the rear room.

Q Ask her whether Dyer was under the influence of liquor? A. No sir, he was sober.

Q Now ask her how long she was in the house up there in Canal Street altogether?

A Two days

Q Ask her whether she ever went out during those two days?

A Once I carried a letter away.

Q Did you ever go to the baker? A. No sir.

Q Did you ever go to the butcher shop?

A No sir, never. I ~~never~~ never went out of the house only the time I carried that letter out.

Q Now ask her whether she had any connection with any man during those two days?

A Yes sir.

Q How many times? A. Once, with one man, and the rest of the time I was working and the time I went she forced me to go.

Q Who forced her? A. The Madame

Q In what way. A. She shoved me outside the door.

Q Into what door. A. She shoved me out through the door.

Q What did she say when she shoved her?

A I should go up stairs into my room.

Q What else? A. And that the man

wants to go in.

Q Did the Madame say that to her?

A Yes sir; then I went up stairs and I shut the door of my room. Then the boss came up after with the man, and then I was obliged to open the door again and the boss put the man in.

Q How was this - an old man, or a young man?

A A young man.

Q Ask her how old did he seem to be about?

A Twenty four or twenty five years old.

Q Ask her did this man force her?

A Yes sir.

Q Ask her what she means by force?

A He forced me to go to bed.

Q Ask her what she means by force, what he did?

A I refused to go with him and he said he would not pay his money for nothing, and I told him that I did not want his money - that he should leave the room.

Q Well now what happened? Then he pulled me around so long till I went with him.

Q Ask her what she means by pulling around?

A He pushed me to the bed and on the bed.

Q Well, what else? A. Then he had

connection with me

Q Did he force her to do it; did he knock her down and then do it? A. Yes sir.

Q Was it against her will, did she use any force to prevent it? A. Yes sir. I was crying and I told him to let me alone.

Q Then she consented did she?

A. Yes sir; he forced me, I am not so strong to defend myself.

Q Did he give her any money?

A. No sir; he gave it to the Madame.

Q Ask her whether she posted a letter?

A. It was two days before the policeman took me out of the house.

Q Ask her if it was not after the connection with this man? A. Yes sir.

Q Ask her who she wrote a letter to?

A. My mother.

Q Where did her mother live.

A. In the city of Eppingen Germany. I mailed the letter two days before I was taken out of the house.

Q It was after the connection that she mailed the letter? A. Yes sir.

Q Ask her how long after, how many days?

A. Directly the next day.

Q Did she meet any man in the street?

A I did not meet with anyone in the street.

Q What time of the day was it that she mailed the letter? A. It was noon time.

Q How far from Mrs. house was this lamp box, the post office box. A. Two blocks.

Q Then she walked two blocks from the house to mail this letter?

A At first the Madame did not let me carry the letter out, she said —

Q What I want to know is whether she went with anybody from the house to this letter box

A No sir.

Q Then she walked all alone? A. Yes sir.

Q Ask her whether she met anybody on the way?

A Yes sir.

Q I want to know whether she saw any people on the street?

A Yes sir. I saw people

Q Did she speak to any people? A. No sir.

Q Did not she tell anybody that she met on the way what had been done to her?

A No sir.

Q Was she crying? A. No sir.

Q She came back to the house again.

A Yes sir. I intended not to return to the house, but the Madame was calling after me.

Q The Madame called after her before

she got to the foot box? A. When I left the
 bottom box, then she was calling and asking where
 I intended to go.

Q. Where was the Madame when she called this out to
 her? A. She was looking out of the window.

Q. How many floors up? A. The second.

Q. Ask her whether she tried to get out of the house
 before that? A. No, but I was prevented by
 the Madame.

Q. That was before she had any connection with
 any man? A. Yes sir.

Q. Ask her whether Beyer used any force or
 threats or said he would lock her up in
 taking her to the house or whether she went
 willingly and voluntarily?

A. He did not force me; he told me it was
 a good situation.

Q. And she went? A. Yes sir.

By the Court. Q. Ask her which door was she put out - the
 front door in the street or the rear door. Did
 that door which the Madame put her out
 lead into the street or in the rear yard.

A. In the rear, leading to the stairs, up stairs.

Q. Not in the street? A. No sir, it was to the
 stairs - to go up stairs.

By Mr. Phelps. Q. How she speak any English at all?

A. None whatever.

By counsel Now ask her whether this lady over in Brooklyn was a German or not?

A. Yes sir. She was a German lady.

Q Ask her if she knows how the police came to find her out? A. Yes sir. On Monday a man came and I told the man how it happened with me. He said he is satisfied "you will get out very soon."

Q Now who was this man, does she know?

A Yes, he is sitting there.

Q Did you ever know that man before?

A No sir.

Q Was he speaking to you up stairs or down stairs?

A Down stairs in the first room. I refused to speak to that man and she scolded ^{at me} and said "I have to speak to that man."

Q And you told him all afterwards?

A Yes sir.

Frederick May, sworn and examined, testified.
By Mr. Phelps Q Mr. May, where do you live.

A No 135 Essex Street

Q Did you ever see the last witness on the stand Eliza Doll, and if so, where?

A Yes sir, I saw her in that house.

Q About when was it? A I guess on election day, it was the Presidential election.

Q About what time was it in the day.

A I do not remember; it was noon day.

Q In the day-time? A Yes, in the day time, but I do not remember the hour any more. I guess it was about four or five o'clock, I am not sure.

Q Who else was in the room at the time when you saw this girl? A Well, a couple of girls - four or five, and a woman.

Q Was the proprietress there, the Madame.

A Yes sir, The Madame was there. She was standing at the bar as much as I remember.

Q Do you know whether name is, the woman who keeps the house? A The old woman that was sitting there this morning. I do not know who the Madame was.

Q It was this Mrs. Schniter.

A Yes sir, certainly.

Q What was done or said by this girl and

by the Madame that you saw.

Objected to on the ground that the defendant was not there at the time.

Mr. Phelps. I propose to show the character of this house, and I propose to show that in the presence of this man they attempted to force this woman to go up stairs, and that she resisted - in corroboration of her statement. I propose to show that this young girl tried to keep herself away from people, and that the Madame scolded her and tried to force her to talk with this man or drink with this man, and she declined to do so, until finally his attention was attracted to her. This was the gentleman that discovered her there.

Counsel How does that affect the defendant?

The Court. I will let you show, if it is so - I don't know what the fact is - that this is a house of prostitution.

Mr. Phelps I propose to show more than that by this witness. I propose to show by him that this girl was there, and that duress was exercised in regard to her.

The Court I will let you show any act - anything that was done, but the conversation I will exclude. I will let you show violent hands was put upon her - that she was pushed

and pulled in any way. The conversations I do not think ought to be allowed unless it was explanatory of the act. I will let you show the character of the house.

Mr. Phelps. Mr. May, stand aside for the present.

Peter Groden, sworn and examined, testified.

Q Mr. Groden, you are an officer of the municipal police attached to the 26th precinct.

A Yes sir.

Q As such did you arrest the prisoner at the bar? A Yes sir.

Q When and where? A Information come to us to Castle Garden through a letter that there was a girl detained—

Q In accordance with information which you received you arrested this man?

A Yes sir.

Q Where did you arrest him and when did you arrest him? A In Rooff's hotel No 1 Greenwich street, Battery Place.

Q When you arrested him did you have any conversation with him? A Yes sir.

Q Now will you tell what that was, what he said and what you said? A I said I was surprised to see that he would be engaged in such business. He said he would not have done it if he was not

intoxicated. I asked him what compensation he got for so doing? He said two dollars and a half.

Q Was that all that was said? A. That was all of any importance.

Q Did he say who he got his two dollars and a half from? A. He said he got it from some other party, and some other party that made him do it - somebody else made him do it.

Q And that he received two dollars and a half for it? A. Yes sir.

Q Do you know the premises 102 Canal St.

A. Yes sir.

Q What is the character of that place?

A. It is bad.

Q What sort of a house is it?

A. It is a house of prostitution.

By the Court. Q No 102 Canal St. is a house of prostitution.

A. Yes sir.

By Mr. Phelps. Q Then did you first see the complainant Eliza Doll and where did you see her?

A. I forget the date.

Q Tell whereabouts? A. In 102 Canal Street.

Q At that place? A. Yes sir.

Q You took her away from there.

A. I went in and I rung the bell in the house.

By the Court. Q You took her away from there.

A. Yes, your Honor, I did.

Cross Examined.

- Q To what precinct do you belong? A. The 26th.
- Q And your duties bring you where.
- A All over the State.
- Q You are not a member of the South precinct are you? A. No sir.
- Q This house 102 Canal street is situated in that precinct? A. Yes sir.
- Q Were you around that neighborhood on the first day of November? A. Yes sir, I believe it was that day.
- Q Had you ever been in that house before.
- A I never was.
- Q Did you ever know of that house before.
- A No sir.
- Q Will you swear of your own knowledge that that house on the 1st of November was a house of prostitution on that day.
- A Of my own knowledge; to the best—
- Q Will you swear of your own knowledge that that house on the first day of November ^{and} prior to that was a house of prostitution.
- A Prior to that I could not swear.
- Q On that day was it? A. On that day.
- Q Will you swear to it? A. Yes sir.
- Q That house was a house of prostitution.
- A A house of prostitution. I won't swear to anything before that, but on that day

the day that I went in there -

Q On the first day of November you will swear it was a house of prostitution and you had never been in there before? A. No sir.

Q You don't know anybody connected with it.

A No sir.

Q How long were you up there that day.

A I was there probably three quarters of an hour.

Q What did you see in there?.

A When I went in there I rung the bell and a gentleman came and seemed to be very familiar. I sat down in the back room on a seat, and a girl sat down by my side immediately. The gentleman did not see that I was making any way familiar with this girl because I was looking around for the other girl I was in search of. He said, "Is there any other girl that you would like beside this one?" I said, "yes, Miss Doll I would like to have." He did not seem to know who Miss Doll was. She was not present at the time. I said, "that little German girl that cannot speak any English;" and he considered a moment and he sent somebody or went himself. I cannot tell which, after her and brought her down. She seemed to become very reluctant, very shy, and sat down. Said I, "this is

the girl that I want to see. "I asked her
what her name was? She told me—

By the Court Q Asked her in German? A. Yes sir, in German.

By Counsel Q Now where did you arrest this man?

A In Roof's hotel.

Q Where is that? A. 1 Greenwich st., corner
of Greenwich st. and Battery Place.

Q Had you known this man before?

A I had

Q How long had you known him.

A Well, I believe I know him three or four years;
I cannot tell exactly how long.

Q What have you known him as—what has
been his business the time you knew him

A He has been at one time a barkeeper.

Q Where? A. In Greenwich st. I think it is
24, but lately I have not seen him
engaged in any business—only I saw him
every day around the battery for the last
five or six months, probably a little longer.

Q Do you know what his character has
been during that time? A. No.

Q You went up to him and said you were
surprized that he was in that kind of
business? A. I did, I was surprized
that he was engaged in that kind of
business.

Q Was that in English or German? A. In English.
 Q Tell the jury the whole conversation between you and this man? A. I told him that I was surprised that he would be engaged in such business. He told me that he was drunk or he would not be engaged in that business, and that somebody else told him to take this girl to this house.

Q Tell now did not he tell you, which is the fact, that this girl has testified to, that he went to this house with another man.

A Yes, he said he went with another man; no sir - he said that another man made him do it - that he done it for another man.

Q About taking this girl to the house did not he say that another man went with him.

A I do not recollect that. He may have said that; I would not like to swear that.

By Mr. Phelps. Q He asked you about this man's reputation, what do you say it was.

A I have seen him around the Battery. I have known him to be a barkeeper one time, but lately I have not seen him engaged in any business. only around the Battery.

Mr. Phelps. That is our case.

Counsel

The Case for the Defence

I ask that your Honor instruct this jury as matter of law and fact to acquit the prisoner of the ~~charge~~ crime charged in the indictment. The indictment charges ~~that~~ him that "with force and arms in and upon the body of a certain woman named Eliza Doll, feloniously did make an assault, and that they, the said Henry Byer and Dora Schniker, whose real name is to the jurors aforesaid unknown, but who is here designated as Dora Schniker, her the said Eliza Doll, then and there knowingly, feloniously and unlawfully did take against her will, and with intent then and there to compel her, the said Eliza Doll, by force, menace and duress to be, by some person or persons, to the jurors aforesaid unknown, defiled." This indictment is formed under the third volume of the Revised Statutes, section 25, which says, "that every person who shall take any woman unlawfully, against her will, with the intent to compel her by force, menace or duress, to marry ^{him} ~~a man~~ or to marry any other person or to be defiled ^{upon} conviction thereof shall be punished by imprisonment in the State prison

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for such term as the Court shall prescribe, not less than ten years." The jury must find that either with force, duress or menace he compelled her to be defiled. The testimony in this case goes to show that this man Byer took her there - told her about having a situation, she went voluntarily, believing what he told her was the truth - believing that she was going to get a good place. There was no force or duress exercised. I maintain that a conviction cannot be had. Another section of the Statute says, "Any person who shall inveigle" He might be guilty according to her testimony under that section.

Mr. Phelps. The force was shown when the woman was defiled in pursuance of the conspiracy which they were engaged in.

Counsel I also add, furthermore, that there is no proof here to show that this man Byer ever seen this woman Schriker - no proof that he ever acted under any conspiracy with her.

The Court I will deny your motion and give you an exception. I shall let the jury treat that as a question of fact. If the jury believe that he was acting in collusion

and conspiracy with the other inmates of that house to run in innocent girls for the purpose of pollution. I shall let them determine that as a question of fact. I am going to ask them to take into account all the surrounding facts and circumstances and determine whether he was acting with the inmates of this house and acting with a common design to ruin this girl.

Counsel Does your Honor hold that any act performed in the absence of this defendant at that house is admissible?

The Court I am not called upon to do that. I will deny your motion and give you an exception.

Counsel I ask your Honor to direct the jury to acquit on the ground that this defendant cannot be held responsible for whatever was done by any of the inmates of the house except the woman who is jointly indicted with him. They are found to show a conspiracy existing between them.

The Court I deny your motion.

Counsel I take an exception.

learned opened the case for the defence.

Henry Byer sworn and examined, testified

Q Where do you live, Byer? A. Brooklyn

Q Whereabouts? A. No 6 Beach Place

Q How long have you lived there.

A Since the first of May.

Q Whom did you live with?

A My wife and two children.

Q How what is your business.

A My business is barkeeper.

Q Who did you work for? A. I worked six years and a half for Mr. Epler, 24 1/2 Greenwich St. till last Christmas.

Q Where have you worked since then?

A Before I was working in a grocery store

Q What have you been doing since.

A Since last winter I got sick for a long time and this Spring I commenced to work in Roof's.

Q How long have you worked there.

A Till I got arrested.

Q Did you meet this girl, did you speak to that girl, when was the first time you seen her? A. The first time I seen her, I took notice to her, was that day she was in that place. I don't know how long she was in the hotel before.

- Q You saw her in the hotel?
- A Yes sir, in the hotel.
- Q Tell what occurred? A. The girl was there and was talking to Charlie.
- Q Who was this Charlie? A. I only know him by the name of Charlie, who had that place for her; that is the man what fetched us up to the place - what said he had a private place.
- Q Tell the jury what happened? A. They were talking together and they came to me.
- Q Who was talking together? A. Charlie and that girl. I did not know anything about it. They came to the door; they was talking about the ~~matter~~ place. Then I asked, "What is the matter?" Charlie said, "She is looking for a place; he had a nice place for her in a private family. I asked him where it was? He said, 'uptown'. After that she was satisfied. Charlie was talking to her afterward. Charlie told me I should come along. I went along.
- Q You had nothing to do that afternoon?
- A No sir; we came up to the house.
- Q How did you go up there?
- A We took a one horse car, and then we took another car. I guess it was a Third Avenue Car.

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Q Did you go up to the house.

A Then we came up to the house.

Q Where did you get off? A. The Bowery

Q In what street? A. Canal street.

Q Where did you go? A. Charlie stopped the car and said we had got to go out, and we went down on the right hand side. I guess it is two blocks from the Bowery.

By the (cut) Q You said Charlie said he had a good place for her in a private family? A. Yes sir; he stopped at that house and rang the bell. So the man came and opened the door and Charlie said to him that he had a girl to work. He was standing in the hallway, and the man took that girl up stairs. He came down and said, "everything is all right, the girl likes it," and he gave Charlie some money, and the time we came out Charlie gave me two dollars and a half.

Q Had you ever been to that house before.
A No sir. I would have found out what kind of a house it was if I was not drunk with liquor - I was tight.

Q You had never been there before.

A No sir.

Q Did you see anybody there you knew.

A I never was in such a house.

Q Did anybody ever come and tell you

they wanted a woman for 102 Canal St.

A No sir.

Q Have you ever been arrested before.

A No, never in my life.

Q What time of day was this about.

A It was in the afternoon.

Q You got arrested afterwards - did you hear any more about it? A. Then I got arrested I found it out from the officer.

Q The officer arrested you - you told him you got two dollars and a half? A. I told him the straight truth - what I told you now.

Q You told him what you tell me now.

A Yes sir.

Cross Examined.

Q Who do you say rung the bell when you went to Canal street? A. Charlie, the other ^{man}.

Q Who paid the fare in the car.

A That is why I do not remember any more on account of I was drunk, I cannot tell it.

Q What route did you take to go there.

A We took a one horse car, rode up to the City hall, and we took, I guess, it was a Third Avenue Car.

Q Now what does this Charlie do.

A This Charlie he don't do anything.

Q How long had you known him?

A I know him about two or three months.

40 Q What has he been doing during that time.

A Tell, he was once before working in a restaurant in Broadway.

Q What was he doing during the two months you saw so much of him? A. I do not know, sir.

Q What were you doing? A. I was working in a hotel.

Q What were you doing? A. I was attending folks. If folks came from Castle Garden I had to bring them there. If anybody wanted to go to the Railroad office or depot, or if they had any friends up town I would bring them up.

Q What was the reason Charlie paid you two dollars and a half to go with this girl up town? what did he say when he asked you to go?

A He said, I should go along with him.

Q You were pretty drunk you say? A. Yes sir.

Q You received two dollars and a half? A. Yes sir.

Q Now what did you do for that two dollars and a half?

A I brought it home to my wife.

Q What did you do to earn it - what did you do for Charlie that he gave you two dollars and a half? A. He got some money from the man.

Q What did you do for him to earn that two dollars and a half? A. Nothing, only I went along with him.

By the Court Q What nationality are you? A. German

Q You can talk German? A. Yes sir.

- By Mr. Phelps. Q Now did not you have any conversation with this girl? A No, never saw her before.
- Q Did not you talk with her that day before you started? A. Before I started I was asking Charlie, "what is the matter?" and he said he had a nice private place for the girl, ~~for that~~ woman.
- Q Did not you talk to the girl at all until you started off with her and Charlie.
- A I asked the girl if she wanted a place? She said, "yes"; and Charlie said to her, "you come up," and he was talking away to her to get her to go. I don't know what he said afterwards. Charlie told me I should come along.
- Q You spoke to the girl about this place first and not Charlie? A. No, Charlie did it.
- Q If Charlie had spoken to her about it, what did you speak to her about it.
- A I did not know she wanted a place at all.
- Q Did you ever get a place for a girl before anywhere? A. No sir.
- Q Do you know Lizzy Schroeder, July 1878
- A No sir, I do not remember.
- Q There is Charlie now? A. He went off.
- Q Where did he go? A. I cannot tell.
- Q When did he go off? A. I guess he went off about fourteen days or three weeks before I got arrested.

Q How long after you went up with this girl was it that Charlie went away.

A That is what I cannot tell you, sir. Sometimes I did not see him for a day and sometimes for two days; then I saw him again coming in. I cannot remember that, sir.

Q You do not know what his name was.

A No sir, I only know him by the name of Charlie.

Q Did not you go down town with him that day; did you go back with him from Canal St.

A Yes sir.

Q Where did you go? A. I went home to Brooklyn.

Q How much money did he get? A. I cannot tell.

Q Well did you have any talk with the officer when he arrested you? A. Yes sir.

Q Did you tell him you got two dollars and a half? A. Yes sir.

Q And that you were drunk? A. I asked him for what? and he said, "on account of that" and I told him the same way ^{as I told you.}

Q Did you tell him you were drunk.

A Yes sir.

Q Did you tell him you were sorry and you would not have done it if you had not been drunk? A. Yes sir, I would have found out what kind of a house it was and he could not swindle me in that. I never

done anything like that - that would not have happened me.

Q Your story is that you were drunk, that this man wishing to take this young lady up to Canal Street gave you two dollars and a half to go with him? [affected to]

A A man named Charlie, whom you do not know very well, excepting by name came to you on this day when you were drunk and you went with him from the Battery to Canal St. and he gave you two dollars and a half, is that it.

A At the hotel where the girl was stopping, not from the Battery.

Q Did you know an emigrant girl named Lizzie, Schroeder - now think again.

A No sir.

Q Lived at 24 Greenwich St. in July 1878, did you know her? A. There was living a good many girls, I do not know the name of them all, I was there six years and a half till last Christmas; they always keep two or three girls.

By the Court Q This young girl states that she had a conversation with you before she went there, is that true that she did.

A Which young girl?

Q The one that has been on the stand.

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Toll; she says she talked with you before she went with you? A. She might have said something to me - yes.

Q She says you spoke to her and asked her if she wanted a situation, and she said, "yes".
A I heard her speaking about it; then I asked her. Charlie said he had a nice place for her.

Q Then she says you said, "go up stairs, bring down your things, and come along with me and don't tell anybody?" A. I did not say that.

Q Didn't you say that to her? A. No, sir.

Q Nothing like it? A. No, sir.

Q Did Charlie say it? A. That might be, I can not say.

Q But you did not? A. I did not, sir.

Q Did you tell her the situation was a good one and that she would get good wages and that the situation was a respectable one.

A I asked Charlie. I did not tell her.

Q Did you say to her that the situation was a good one and she would get good wages - the situation was a respectable one.

A That is what Charlie said.

Q Did you say it to her?

A That it was a private place.

Q Charlie said that in your presence.

A Yes sir.

Q Did you know what kind of a place it was.
 A No sir; he said it was a private house to me, and that is what I believed, you know.

Q Is Charlie German? A. Charlie is German.

By Mr. Phelps Q Did he talk German to her? A. Yes sir.
 Q You remember it was Charlie that said those things? A. Yes sir.

By Counsel Q Did you ever take any girls to a house of prostitution before? A. No sir.

Q Did you ever know this woman Schnitka there? A. No sir. I never saw her.

Q Did you know anybody connected with that house? A. No sir.

Q Did you know the man that opened the door in that house? A. I do not know him. If I saw him now I would not know him any more.

Q You would not know him now if you seen him? A. No sir.

James Mortimer, sworn and examined

Q Mr. Mortimer, what is your business.

A I keep a hotel at 22 Greenwich St.

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

Q How long have you known him?

A I have known him some five or six years.

Q What is his character for honesty and truthfulness, so far as you know.

A I know nothing to the contrary at all.

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Q He has always been honest and truthful as far as you know? A. As far as I know.

Q You know him how long? A. I have known him somewhere between five and six years.

Q Have you seen him often?

A. Seen him daily.

Q Have you ever heard any complaint made against him by anybody? A. No sir.

Cross Examined.

Q Do you know what his reputation is among people who know him? A. Well sir, all I know about him is that he was attending bar next door to me - in fact, for my landlord, and all the time that I knew him I understood him to be honest and truthful to the best of my belief. I mean to say that he bore a good reputation as far as I know. I know nothing further.

Q How have you ever seen him except in his bar room - was he ever in your employ?

A. No sir.

Q Was he ever in your house? A. He used to collect my rent occasionally.

Q Did you ever receive him into your family?

A. No sir; he was no particular friend of mine. I knew the man.

Q Were you ever at his house? A. No sir.

Q How often have you seen him during the

last six months? A. I seen him very often, but I cannot say how often - probably once or twice a week.

Q. What has he been doing? A. I do not know what his occupation has been since he left Eplap's, 24 Greenwich St. I presume it must have been six or seven months ago.

Q. Since then you have not known what he has been doing? A. No sir, I do not of my own knowledge what he has been doing. I have seen him often.

Q. Can you swear what his reputation and character has been during the last seven months when you don't know what the man has been doing? [No answer.]

By Counsel Q. You have known him for the last five or six years as an honest man.

A. Yes sir, as far as I know. I never heard anything else.

Gustav Kaliski, sworn and examined.

Q. What is your business? A. Clothing store.

Q. Where do you carry on your business. A. No 26 Greenwich St.

Q. Do you know this man Byer.

A. Yes, I know him.

Q. How long have you known him.

A. I know him the last six years.

Q. Do you know what his character has been

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for honesty during the last six years.

A. I know he was attending bar next door to me, No. 44, I occupy 56. I always know him to be a steady man. That is all I could tell.

Q. Has he been honest during all that time so far as you know? A. I always saw him working every day in the week for the last six years. I keep down there the last nine years. That is all I know about him. I don't know nothing about his family affairs or anything else.

Maurice Schirmer, sworn and examined

Q. What is your business? A. Barber shop No. 6 Greenwich St.

Q. Do you know the defendant? A. Well, I only know him while he was working at No. Greenwich St.

Q. How long have you known him?

A. For the last five or six years.

Q. What is his character for honesty so far as you know or heard? A. All I know about him he was working steady every day.

Q. Working for a living? A. Yes sir.

Cross Examined.

Q. How often have you seen him during the last six months? A. Well, I saw him once and twice a week when I was outdoors

I was generally in doors all day.

Q Has he shaved in your place? A No sir

Q You dont know much about him.

A Then I went in to have a glass of beer at
24 Greenwich St. I saw him behind the
bar; that is all I know about him.

Edward Miller, sworn and examined

Q What is your business, Mr. Miller.

A Real estate agent.

Q Where is your office? A No 106 E 4th St.

Q Do you know the defendant at the bar Mr. Miller

A Yes sir

Q How long have you known him?

A About six years.

Q Do you know what his character for honesty
has been during the past six years.

A I always have known him to be an honest man.
Cross Examined.

Q How many transactions have you had with
him - what has he ever bought of you?

A He was bar keeper in 24 Greenwich St. for
I think about five years, and the proprietor
of that house is my oldest friend in this
city, and when I close my office in the
evening I generally go down to see him
because we are particular old friends.
I always hear him say, "I like Mike, he
is an honest man, he dont steal; he

50

don't drink. "I always heard him give him the best of character. They call him Henry Mike down there - some nickname. Some called him Henry and some called him Mike, because I believe they had a barkeeper before whose name was Mike.

Q How often have you met him during the last six months? A. I met him twice and sometimes three times a week.

Q When had you seen him lately?

A Then I did business in the First Ward.

Q What has he been doing for the last six months?

A That is more than I can tell you. He asked me different times to get him a good place up town. Then he found out I was down there he would run after me to see if I got a place for him. I told him, "no." I told him he would have to look out and get the first work he got on his hand to support his family. I know his wife very well.

Charles Ott, sworn and examined, testified.

Q What is your business? A. I am an emigrant boarding house keeper.

Q Where do you keep? A. No 6 Greenwich St.

Q Do you know this man? A. I do.

Q How long have you known him?

A About five or six years.

Q What has been his character for honesty during that time as far as you know.
 A As far as I know it is good.

Cross Examined.

Q How much do you know about it - what opportunities have you to know much about him anyway? A. He has been attending bar at 24 Greenwich St. I have never heard anything bad against him otherwise except the case that is here now.

Q You simply know that he has been there a good while as barkeeper [objected to] Mary Byer, sworn and examined.

Q This is your husband, is it? A. Yes sir.

Q How long have you been married to him.
 A Seven years.

Q How many children have you got.
 A I have got six children - four are dead and two are alive.

Q Ask her if her husband is a man of bad character or good, how he treats her.
 (Objected to)

Q Ask her whether her husband is a man of bad or of good character.

A He was always a good husband to me.
 Counsel. That is my case.

~~The jury rendered a verdict of guilty.~~

follow testimony

Counsel.

I renew my motion now that your Honor will instruct the jury to acquit on the ground that there is no proof that these people acted in concert. There is no proof in this case to show that this man had seen this woman or ~~she~~ or entered into any conspiracy with her on the first of November.

The Court.

Whatever the proof is, gentlemen, you will remember it. I deny your motion. I do not undertake to charge as to the proof, and deny your motion and give you an exception.

Police Court—First District.

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK

Elizabeth Doll
of No. 1 House of Detention Street,
being duly sworn, deposes and says, that on the first
day of November 1880, at the City and County of
New York, in the premises No. 152
Canal Street One Dora Schnitzer
did unlawfully designedly and
feloniously force, compel, contrive
and procure deponent to have
sexual intercourse with a man
whose name is unknown to deponent

That deponent is about
16 years of age and was of previous
chaste and virtuous character

That deponent was ensnared and
enticed on or about the 27th day of
October 1880 into said premises
by one Henry Byer who recommended
said premises as a place where
deponent might and would procure
good, decent, employment and a home

That deponent subsequently discovered
that said place was a house of prostitution
and that said Dora was the proprietress
thereof that deponent made several
ineffectual attempts to leave said
premises after she discovered the
character of the place but was
prevented by said Dora who locked
the door and threatened deponent
with arrest if she ^{escaped} That said Dora used every
means to detain deponent in said premises
with the intent and purpose of causing deponent
to become a prostitute
Elizabeth Doll.

*Deponent to deponent's affidavit
Elizabeth Doll
1st day of Nov 1880
Elizabeth Doll*

0150

POLICE COURT—FIRST DISTRICT.

CITY AND COUNTY
OF NEW YORK

Dora Schmitzer being duly examined before the undersigned,
according to law, on the annexed charge, and being informed that he was at liberty
to refuse to answer any question that may be put to her, states as follows, viz:

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live?

Answer.

Question. What is your occupation?

Answer.

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

Answer.

I am not guilty
Dora Schmitzer

Taken before me, this

day of

1880

PEACE JUSTICE

0151

COUNSEL FOR COMPLAINANT.

Name _____
Address _____

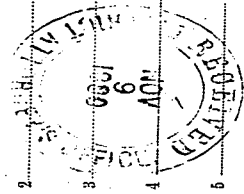
COUNSEL FOR DEFENDANT.

Name _____
Address _____

100-10000-100
Police Court - First District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Eliza Doll
House of Detention
138 Broadway
San Francisco



Offence, _____

Date *May 9th* 18*90*
Empty Magistrate.
Graden Officer.
Doll Clerk.

Witnesses,
House of Detention
138 Broadway
San Francisco

\$ *2.00* to answer
at *Graden* Sessions.
Received in Dist. Atty's Office.

(Bailed)

BAILED

Bernard O'Rourke
No. 1 by *38 Broadway*
Residence *San Francisco*

No. 2 by _____
Residence _____

No. 3 by _____
Residence _____

No. 4 by _____
Residence _____

No. 5 by _____
Residence _____

No. 6 by _____
Residence _____

Police Court—First District.

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

Eliza Doll
 of No. 102 Canal Street, being duly sworn, deposes and says, that on the 27th day of October 1880, at the City and County of New York, Henry Byer (now present) did unlawfully, designedly and feloniously entice and induce away for the purpose of prostitution at a house of ill fame No 102 Canal Street this deponent who is now about the age of 16 years that about said time deponent was residing as a ^{guest} ~~boarder~~ at No 1 Greenwich Street where said Byer was employed as a runner or messenger that he approached deponent and explained to her that he had found for her a position in a Hotel where she would receive good wages and be well taken care of and requested deponent to move there. That deponent believing his statements to be true accompanied said Byer to 102 Canal Street, ~~and~~ ^{who} left her there. That deponent was immediately ushered into a room wherein was several women whom deponent afterward learned were prostitutes and was then detained against her will. And was frequently told that she must go up stairs and cohabit with men. That deponent made several ineffectual attempts to get away from said place but could not the door being locked against her and the

Madam or Proprietress threatening
deponent with arrest if she should
be found upon the street —

That deponent was of previously
chaste and virtuous character
and never did have connexion
with any man prior to her
being brought to said house —

That she was forced and intimidated
by the Madam while there and did have sexual
connexion with one man against
her will. That deponent was
taken from said house by an
officer attached to Castle Garden
who also took said Boy into
custody on deponent charging
him with having ensnared and
enticed her to become an inmate
of said house of prostitution
under the circumstances aforesaid —

Flips Hall.
I come to before me
this 6th day of Nov 1880
J. P. [Signature]
Police Justice

0154

POLICE COURT—FIRST DISTRICT.

CITY AND COUNTY } ss
OF NEW YORK.

Henry Bayer being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

Henry Bayer

Question. How old are you?

Answer.

32 Years

Question. Where were you born?

Answer.

Germany

Question. Where do you live?

Answer.

Beach 17th Street Brooklyn

Question. What is your occupation?

Answer.

Barkeeper

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

Answer.

I am not guilty

Ans Bayer
Emm

Taken before me, this

day of

1884

POLICE JUSTICE.

0155

POLICE COURT—FIRST DISTRICT.

CITY AND COUNTY
OF NEW YORK.

Henry Bayer being duly examined before the undersigned,
according to law, on the annexed charge, and being informed that he was at liberty
to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

Henry Bayer

Question. How old are you?

Answer.

32

Question. Where were you born?

Answer.

Germany

Question. Where do you live?

Answer.

Beach 17th Street Brooklyn

Question. What is your occupation?

Answer.

Barkeeper

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

Answer.

I am not guilty

Henry Bayer
Mark

Taken before me this
day of
188
POLICE JUSTICE

0156

COUNSEL FOR COMPLAINANT

Name, _____

Address, _____

COUNSEL FOR DEFENDANT

Name, _____

Address, _____

Up 88. 907
Police Court - First District.

THE PEOPLE, &c.,

vs. THE COMPANY OF

Oliver J. Galt
Henry J. Galt
Henry J. Galt

107 1/2 Broadway St
NY

Offence, _____

Dated _____ 1897

Magistrate

Officer

Clerk

Witness

Frederick Mueh
135 E. 10th St
NY

George of Mueh
in Evening
Extrem penalty

\$ 2000 to answer

at General Sessions

Received in Dist. Atty's Office

Em

City and County
of New York ss

The Jurors of the people of the
State of New York in and for the body
of the City and County of New York
upon their oath present

That Henry Byer and Dora
Schniker, whose real name is to the
jurors aforesaid unknown but who is
here designated as Dora Schniker, each
late of the tenth ward of the City of
New York in the County of New York
aforesaid on the first day of November
in the year of our Lord one thousand
eight hundred and eighty at the ward
City and County aforesaid, with force
and arms, in and upon the body of
a certain ~~woman~~ named Eliza Doll,
feloniously did make an assault, and
that they the said Henry Byer and
Dora Schniker, whose real name is to
the jurors aforesaid unknown but who
is here designated as Dora Schniker, her
the said Eliza Doll then and ^{knowingly} there,
feloniously and unlawfully did take
against her will, and with intent then
and there to compel her the said

Eliza Doll by force menace and
duress to be, by some person or persons,
to the jurors aforesaid unknown; de-
filed.

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

Benj. K. Phelps
District Attorney