

0393

**BOX:**

267

**FOLDER:**

2564

**DESCRIPTION:**

Rohde, Otto

**DATE:**

06/22/87



2564

POOR QUALITY ORIGINAL

0394

WITNESSES:

after reading  
the within affidavit  
that the complainant  
cannot be found  
I wish that the  
defendant be  
discharged or  
his name recognized  
& discharged  
J. S. B. Gay 3/1/88  
a. Day 1888

Counsel,

Filed 22 day of June

1887

Pleas

Not guilty

THE PEOPLE,

vs.

B

Otto Rohde

2375 1/2 Ave

Violation of Excise Law.

(Bellington Sunday Law)  
[III Rev. Stat. (7th Edition), page 1983, Sec. 21, and  
page 1989, Sec. 5.]

RANDOLPH B. MARTINE,

Attorney at Law  
P. O. Box 31/88 District Attorney.

Indicent Devised Hotel Dick

A True Bill.

F. Chamberlain

Foreman.

W. J. B. Gay 3/1/88  
a. Day 1888

**POOR QUALITY  
ORIGINAL**

0395

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Samuel Rosenberg*

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

*Samuel Rosenberg*

of the CRIME OF SABBATH BREAKING, committed as follows:

The said *Samuel Rosenberg*

late of the City of New York, in the County of New York aforesaid, on the  
*22nd* day of *May*, in the year of our Lord one thousand  
eight hundred and eighty-~~seven~~, the same being the first day of the week,  
commonly called and known as Sunday, at the City and County aforesaid, unlaw-  
fully did publicly sell and expose for sale to

divers \_\_\_\_\_ persons to the Grand Jury aforesaid unknown, certain property,

*to wit: a large quantity of  
rum and dry goods.*

to the serious interruption of the repose and religious liberty of the community,  
against the form of the Statute in such case made and provided, and against the peace  
and dignity of the said People.

**RANDOLPH B. MARTINE,**

**District Attorney.**

0396

# CORRECTION

POOR QUALITY ORIGINAL

0397

WITNESSES:

after reading  
the within affidavit  
that the complainant  
cannot be found  
I wish that the  
defendant be  
discharged on  
his own recognizance  
& appearance & discharge  
J.S.D. Jay 31<sup>st</sup>  
1 a day 1888

Counsel,

Filed 22<sup>nd</sup> day of June

1887

Pleas

Not guilty 27.

THE PEOPLE,

vs.

B

Otto Rohde

2375 8 Ave

Violation of Excise Law.

(Selling on Sunday, &c.)  
[III Rev. Stat. (7th Edition), page 1983, Sec. 21, and  
page 1989, Sec. 5.]

RANDOLPH B. MARTINE,

72 May 31/88 District Attorney.

Indictment dismissed & bill discharged

A True Bill.

J. J. Chandler  
Foreman.

Witnesses  
J.S.D. Jay 31<sup>st</sup>  
19.5.18

POOR QUALITY ORIGINAL

0398

Court of General Sessions.

THE PEOPLE

vs.

Otto Rhode

City and County of New York, ss.:

Eugene S. Isaacks

being duly sworn, deposes and says: I reside at No. 113 W. 56<sup>th</sup> Street, in the City of New York. I am a subpoena server in the office of the District Attorney of the City and County of New York. On the 30<sup>th</sup> day of January 1888;

I called at the 30<sup>th</sup> Precinct Police Station on

~~the alleged~~ Officer James A. Wooley.

~~the complainant herein~~, to serve <sup>↑</sup> with the annexed subpoena, and was informed by

Sergeant at the desk, that the said Wooley was no longer in the Police Department, as he had resigned, and the present whereabouts of the said Wooley are unknown to me.

Sworn to before me, this 31<sup>st</sup> day of January, 1888

Wm. J. Gerichlein  
Notary Public (47)  
72 Y. C.

Eugene S. Isaacks  
Subpoena Server

**POOR QUALITY ORIGINAL**

0399

**Court of General Sessions.**

THE PEOPLE, on the Complaint of

vs.

*Otto Rohde*

Offense :

**RANDOLPH B. MARTINE,**  
*District Attorney.*

*Affidavit of*

*Subpoena Server.*

**Failure to Find Witness.**

**POOR QUALITY ORIGINAL**

0400

Excise Violation—Selling on Sunday.

POLICE COURT- 5 DISTRICT.

City and County } ss.  
of New York, }

of No. 30 Precinct Police Street,  
*James A. Dooley*

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 29 day  
of June 1887, in the City of New York, in the County of New York, at

premises No. 253 75 - 18 Avenue Street,  
Otto Rohdy (now here)

did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his  
direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors,  
to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

WHEREFORE, deponent prays that said Otto Rohdy  
may be arrested and dealt with according to law.

Sworn to before me, this 6 day  
of June 1887.

John Peterson Police Justice.

*James A. Dooley*

**POOR QUALITY ORIGINAL**

0401

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, <sup>SS</sup>

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

Question What is your name?

Answer *Otto Rohdy*

Question How old are you?

Answer *25 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *2875 - 8 Ave 6 months*

Question What is your business or profession?

Answer *Liquor Business*

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

Answer. *I am not guilty and demand a trial by jury*  
*Otto Rohdy*

Taken before me this

*6*

day of *June*

188*7*

*Wm. J. ...*

Police Justice.

POOR QUALITY ORIGINAL

0402

BAILED, ✓  
 No. by Justice in full  
 Raids 2 of W 128 Street.  
 No. 2 by \_\_\_\_\_ Street.  
 Residence \_\_\_\_\_ Street.  
 No. 8 by \_\_\_\_\_ Street.  
 Residence \_\_\_\_\_ Street.  
 No. 4 by \_\_\_\_\_ Street.  
 Residence \_\_\_\_\_ Street.

✓  
 Police Court Q District 848

THE PEOPLE, &c.,  
 OR THE COMPLAINANT OF

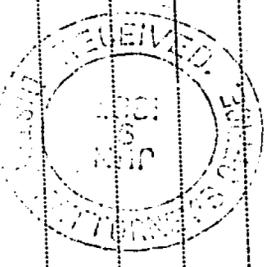
James H. Stoddy  
Olth Roddy

Offence Violating  
Excise Law

Dated June 6 1887

Wm Patterson Magistrate.  
Attesty Officer.  
30 Precinct.

Witnesses \_\_\_\_\_



No. \_\_\_\_\_ Street.  
 \$ 100 to answer 87  
Bauer

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

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

Dated June 1887 Wm Patterson Police Justice.

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

Dated June 6 1887 Wm Patterson Police Justice.

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

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

**POOR QUALITY ORIGINAL**

0403

**PART 2.**

THE COURT ROOM IS IN THE THIRD STORY AND FRONTING THE PARK.  
If this Subpoena is disobeyed an attachment will immediately issue.  
Bring this subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

**SUBPOENA**

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York

To *Ames A. Doble*  
of No. *125 St + 9 Avenue* Street,

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you appear in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the *9th* day of *January* instant, at the hour of *Eleven* in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

*John R. Fellows*  
in a case of Felony, whereof *he* stands indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall in our said City, the first Monday of

in the year of our Lord 1888.  
JOHN R. FELLOWS, District Attorney.

*Per court*  
*Bank for Trust*

**POOR QUALITY  
ORIGINAL**

0404

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
*Plaintiff's*

*against*

*John A. ...*

*Defendant.*

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

The said defendant, late of the City of New York, in the County of New York aforesaid, on the *5th* day of *June*, in the year of our Lord one thousand eight hundred and eighty-*seven*, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one *James A. Dadey*

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

SECOND COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

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

**RANDOLPH B. MARTINE,**

District Attorney.

0405

**BOX:**

267

**FOLDER:**

2564

**DESCRIPTION:**

Rosenzweig, Samuel

**DATE:**

06/16/87



2564

**POOR QUALITY ORIGINAL**

0406

Witnesses:

*Officer Gallagher*

Counsel,

Filed, 16 day of June 1887

Pleads, *Not guilty*

THE PEOPLE

vs.

*B*

*Samuel Rosenberg*

SABBATH BREAKING.  
(Section 267, Penal Code.)

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

*John H. ...  
for and by ...  
Defendant's ...  
Foreman*

*1887*

**POOR QUALITY ORIGINAL**

0407

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

THE PEOPLE OF THE STATE OF NEW YORK,  
*against*

*Samuel Rosenzweig*

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

*Samuel Rosenzweig*

of the CRIME OF SABBATH BREAKING, committed as follows:

The said *Samuel Rosenzweig*

late of the City of New York, in the County of New York aforesaid, on the  
*22nd* day of *May*, in the year of our Lord one thousand  
eight hundred and eighty-~~seven~~, the same being the first day of the week,  
commonly called and known as Sunday, at the City and County aforesaid, unlaw-  
fully did publicly sell and expose for sale to

divers \_\_\_\_\_ persons to the Grand Jury aforesaid unknown, certain property,

*to wit: a large quantity of  
muslin and dry goods.*

to the serious interruption of the repose and religious liberty of the community,  
against the form of the Statute in such case made and provided, and against the peace  
and dignity of the said People.

**RANDOLPH B. MARTINE,**  
District Attorney.

0408

**BOX:**

267

**FOLDER:**

2564

**DESCRIPTION:**

Ross, Bernard

**DATE:**

06/21/87



2564

POOR QUALITY ORIGINAL

0409

Witnesses:

May Dignard  
35 Second Avenue  
Offic W: Bond  
14 Precinct

Counsel,

Filed 21 day of June 1887  
Pleads Guilty (20)

THE PEOPLE

vs.

R

Bernard Ross

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

*[Signature]*  
Foreman

*[Signature]*  
S. P. Three years.

Sections 417, 506, 528, 539, 559  
Degree.  
Burglary in the first degree

POOR QUALITY ORIGINAL

0410

Police Court— District.

City and County } ss.:  
of New York,

of No. 35 Second Avenue Street, aged 44 years,  
occupation Housekeeper being duly sworn

deposes and says, that the premises No. 35 Second Ave Street, 19 Ward  
in the City and County aforesaid the said being a three four-story  
brick building  
and which was occupied by deponent as a dwelling  
and in which there was at the time a human being, by name Patrick Signan

were BURGLARIOUSLY entered by means of forcibly entering through  
a window from a room on the 3<sup>d</sup>  
floor of said premises

on the 19<sup>th</sup> day of June 1887 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

One Clock, One black silk dress,  
One brown silk waist, One Coat,  
One vest, and two silver bracelets  
all together of the value of forty nine  
dollars (\$49<sup>00</sup>/<sub>100</sub>)

the property of deponent Patrick Signan and Teresa Signan  
and deponent further says that she has great cause to believe, and does believe, that the aforesaid  
BURGLARY was committed and the aforesaid property taken, stolen and carried away by  
Bernard Ross (now here)

for the reasons following, to wit: that deponent went to bed  
at about 10 o'clock PM of the above date  
and at that time said property was  
in the front room of the 3<sup>d</sup> floor of  
said premises that deponent is  
informed by her son the said Patrick  
Signan that he came home to  
said premises at One o'clock AM  
of the above date and secured

POOR QUALITY ORIGINAL

0411

locked and fastened the door leading into said 3<sup>rd</sup> floor.

Deponent is further informed by Officer William A. Bush of the 144<sup>th</sup> Precinct Police that at about 3<sup>00</sup> o'clock A.M. of the above date he saw said defendant Bernard Ross coming out of said premises with a clock in his possession and when asked when he was going replied that he was leaving. Said Officer arrested said defendant and notified deponent.

Deponent has since seen said clock and positively identifies it as the clock taken stolen and carried away from the above numbered premises at the time and manner herein described and prays that said defendant be dealt out as the law directs.

Sworn to before me this 19<sup>th</sup> day of June 1889. Mary Dignam

Police Justice. Dated 1889. guilty of the offence mentioned, I order he to be discharged.

There being no sufficient cause to believe the within named. Dated 1889. Police Justice.

I have admitted the above named to bail to answer by the undertaking hereto annexed. Dated 1889. Police Justice.

of the City of New York, until he give such bail. Dated 1889. Police Justice.

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

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

Police Court, District,

THE PEOPLE, &c., on the complaint of vs. Offence—BURGLARY.

Dated 1889

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.

POOR QUALITY ORIGINAL

0412

CITY AND COUNTY OF NEW YORK, } ss.

aged 25 years, occupation Police Officer of No. 14th Precinct Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of May Signan and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 19 day of June 188 } William A. Borel Police Justice.

CITY AND COUNTY OF NEW YORK, } ss.

aged 20 years, occupation Sailor of No. 35 Second Ave Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of May Signan and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 19 day of June 188 } Patrick Signan Police Justice.

**POOR QUALITY ORIGINAL**

0413

Sec. 198-200

3 District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

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

Question. What is your name?

Answer. *Bernard Ross*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *No 35 Second Ave, 3 months*

Question. What is your business or profession?

Answer. *Porter*

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

Answer. *I am not guilty*

✓ *Bernard Ross.*

Taken before me this

day of *June* 19

1887

*[Signature]*

Police Justice.

POOR QUALITY ORIGINAL

0414

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

Police Court-- 5-910  
 DISTRICT

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

*Wm. J. Sullivan*  
*357 Grand Street*  
*Edward Ross*

2 \_\_\_\_\_  
 8 \_\_\_\_\_  
 4 \_\_\_\_\_  
 Offence Burglary

Dated June 19 1887  
 Magistrate

*Frank*  
 Officer

14  
 Precinct

Witnesses *Wm. J. Sullivan*

No. 355 Street \_\_\_\_\_

No. 14 Street \_\_\_\_\_



No. 1000 Street \_\_\_\_\_  
 to answer

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

*Edward Ross*

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

Dated June 19 1887 *J. J. Thompson* Police Justice.

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

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

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

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

POOR QUALITY  
ORIGINAL

0415

Grand Jury Room.

PEOPLE

vs.

*Bernard Ross*

*Mary Dignan  
Patrick  
off Borst*

**POOR QUALITY  
ORIGINAL**

0416

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Demond Ross*

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

*Demond Ross* —

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

The said *Demond Ross,*

late of the *Seventh* Ward of the City of New York, in the County of New York aforesaid, on the *nineteenth* day of *June* —, in the year of our Lord one thousand eight hundred and eighty-*seven*, with force and arms, about the hour of *three* o'clock in the *night* time of the same day, at the Ward, City and County aforesaid, the dwelling house of one

*Esther Dignan,* —

there situate, feloniously and burglariously did break into and enter, there being then and there some human being, to wit: *the said Esther Dignan,* —

within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels and personal property of the said *Esther Dignan,* —

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

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

**POOR QUALITY ORIGINAL**

0417

SECOND COUNT—

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

*Bernard Ross* —

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

The said *Bernard Ross*

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

*one piece of the value of fifteen dollars, one dress of the value of fifteen dollars, one waist of the value of seven dollars, one coat of the value of ten dollars, one vest of the value of four dollars, and two bracelets of the value of one dollar each,*

of the goods, chattels and personal property of one

*Patricia Dignan,* —

in the dwelling house of the said

*Patricia Dignan,* —

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

**POOR QUALITY  
ORIGINAL**

0418

THIRD COUNT—

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

*Demard Ross* —

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

The said *Demard Ross,*

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

*one article of the value of  
fifteen dollars,*

of the goods, chattels and personal property of one *Alida Diagan,*

*Alida Diagan,* —

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

*Alida Diagan,* —

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

*Demard Ross,* —

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

**RANDOLPH B. MARTINE,**

**District Attorney.**

0419

**BOX:**

267

**FOLDER:**

2564

**DESCRIPTION:**

Rothschild, Jacob M.

**DATE:**

06/24/87



2564

0420

**BOX:**

267

**FOLDER:**

2564

**DESCRIPTION:**

Rothschild, Charles M.

**DATE:**

06/24/87



2564



POOR QUALITY  
ORIGINAL

0422

Iselin, Neeser & Co.,  
Canal & Greene Sts.,  
P. O. Box 387.

*Ref*  
New York, *Jan 9th* 188*8*

Hon. John C. Fellows  
District Attorney  
City.

Dear Sir:  
About two yrs. ago,  
at the instigation of our  
firm, the Grand Jury found  
an indictment against  
Chas. Rothchild & Son, formerly  
of this city, but now in  
Cincinnati, Ohio, on the ground  
that they had committed a  
fraudulent failure.

The case is one of much  
importance & interest to mer-  
chants of this city, & we  
know that the entire  
business community would  
appreciate a vigorous prosecution.

POOR QUALITY  
ORIGINAL

0423

of the indictment.

The persons indicted made  
array with a stock of over  
\$100,000— without paying any  
of their merchandise cred-  
itors, & without even going  
through the form of an  
assignment. They simply  
disposed of their merchandise  
at ruinous prices for cash,  
put the money in their  
pockets, & then said "what  
are you going to do about  
it?"

Our firm has never before  
had recourse to criminal  
proceedings, & would not  
have asked for an indict-  
ment in this case, but  
for the bare-faced swindle  
which the debtor perpetrated.

We would like to have a  
requisition issued, & Potts chief

POOR QUALITY  
ORIGINAL

0424

Mr. [redacted] tried for the offense  
which they have committed,  
and it will afford me  
pleasure to wait upon  
you in person at your  
office if you will appoint  
an interview.

Hoping that this letter  
will have your favorable  
attention, we remain,

Very Very Truly,  
Belin, Reser

POOR QUALITY  
ORIGINAL

0425

Iselin, Dreser & Co.,  
Canal & Greene Sts.,  
P. O. Box 387.

New York, *Jan 11th* 1888

Mr. Lindsay  
District Attorney's Office

Dear Sir,  
Your letter of the  
10th inst. (we presume date  
should read 11th) has just  
come to hand.

It is impossible for us  
to appear in the morning  
(to-morrow) & would appreciate  
it if you made an ap-  
pointment for sometime Friday.

Awaiting your response  
We remain

Yours Very Respectfully,  
Iselin, Dreser & Co.

**POOR QUALITY ORIGINAL**

0426

*Duplicate*

All Claims to be reported within Ten Days.

New York Feb 17<sup>th</sup> 18  
 Messrs Chas M. Rothschild & Co  
 40 White St.

BOUGHT OF CLARKE, RADCLIFFE & CO.

Terms Net Cash on May 1<sup>st</sup> 84 WEST BROADWAY, NEW YORK.

Accounts to be settled at the end of each month, by cash or note to your own order payable in New York. 221 FIFTH AVENUE, CHICAGO.

Caus.	Day.
1356	46
1362	46
1363	46
1364	46
1365	46
1366	46
1367	46
1368	45 1/2
<hr/>	
	367 1/2

3/ Childs Selt. Vests, Pants & Drs.

Sigt	U.	P.	Drs.	Total		
16in	28	7	0	35	1.25	
18	13	8	0	21	1.75	
20	17	21	0	38	2.25	
22	44	28	1	73	2.75	2 00
24	17	22	1 1/2	40 1/2	3.25	1 30
26	23	22	2 1/2	47 1/2	3.75	1 78
28	22	22	3	47	4.25	1 89
30	16	21	3 1/2	40 1/2	4.75	1 92
32	2	9	2 1/2	12 1/2	5.25	1 85
34	2	8	2 1/2	12 1/2	5.75	1 88
<hr/>				367 1/2		12 06
						1 30
						10 55
						4 3
						9 92
						12 4
						9 6 1/2

Resubscribed May to Oct. 1 = 5 mos = 2 1/2% -



**POOR QUALITY  
ORIGINAL**

0428

City and County of New York ss.

Frederic B. Bard being duly sworn says that he is a member of the firm of Gruber & Bard, Attorneys at Law, having an office at No. 261 Broadway, New York City, and that his said firm are attorneys for the firms of Clarke, Radcliffe & Co., Dry Goods Merchants, doing business at No. 84 West Broadway, in said City, and Iselin, Neeser & Co., doing business on the corner of Canal & Greene Streets, in said City; that at all the times herein mentioned down to on or about the 22nd day of March, 1887, one C. M. Rothschild and Jacob M. Rothschild were co-partners doing business at No. 40 White Street, in said City, under the firm name of C. M. Rothschild & Co.

Deponent further says that on the 24th day of January, 1887 the said Iselin, Neeser & Co. under their said firm name, sold and delivered to the said C. M. Rothschild & Co. merchandise of the value of \$2094.55, which said merchandise consisted of ribbons, and at the request of the said C. M. Rothschild & Co. dated the bill, therefor, as of April 1st, upon a term of credit of 30 days from said April 1st; that on or about the 17th day of February, 1887, the said firm of Clarke, Radcliffe & Co. sold and delivered to the said C. M.

**POOR QUALITY  
ORIGINAL**

0429

Rothschild & Co. merchandise consisting of Children's Winter under-flannels, of the value, and amounting at prices agreed upon, to the sum of \$967.53.

Deponent further says that these under-flannels were a stock that in the ordinary course of trade would not sell before next Fall, and that it was the custom of Clarke, Radcliffe & Co. in selling such goods to responsible parties to date the bills therefor as of October 1st, but that this bill in question being the first they had ever sold to C. H. Rothschild & Co. it was agreed between the parties that the bill should be dated as of May first, on a credit of 90 days, from that date.

Deponent further says that such sales so made by both said firms as aforesaid, were made solely upon the strength of certain representations made by the said C. H. Rothschild & Co. to Bradstreet's Commercial Agency on January 15th, 1887, which statement was as follows.

\*Took inventory of our stock November 30th, 1886, which

\*shows our condition as follows:

*Merchandise on hand	\$34,979.
*Good accounts due us	31,969.00
*Cash on hand	22,025.00
*Bills receivable	194.00
*Fixtures, &c	2,601.00
	-----
*Total Assets	\$91,869.00
Total Liabilities	44,332.00
	-----
*Surplus	47,537.00

and they further stated that their liabilities on that date, to wit, January 15th, 1887 did not exceed \$20,000.00

**POOR QUALITY  
ORIGINAL**

0430

Deponent further says that thereafter, and on or about the 22nd day of March, 1887 an attachment was duly issued out of the Supreme Court of this City, in a suit by the firm of H. B. Claflin & Co., to recover the sum of \$11,000, for merchandise, from the said firm of C. M. Rothschild & Co., and that said attachment was granted upon proof by affidavit that the defendants C. M. Rothschild & Co. had secreted and disposed of their property with intent to cheat and defraud their creditors; that on said date a levy under this warrant of attachment was made upon the stock of the said C. M. Rothschild & Co. and all the property which could be found in their store, No. 40 White Street, and in their storehouse at 123, West Broadway was placed in the custody of the Sheriff; that no motion has been made to vacate the said attachment, and that the stock ~~was~~ levied upon as aforesaid, ~~and~~ was sold at Sheriff's sale, to satisfy Claflin & Co's claim, and that the total amount realized upon the sale of said stock and fixtures did not exceed \$17,000

Deponent further says that on the said 22nd day of March, and subsequent to the levy under said attachment, the said C. M. Rothschild & Co. confessed judgments to various creditors in a sum aggregating \$80,000, \$60,000 of which ~~was~~ for merchandise all purchased as shown by the said confessions of judgment themselves, subsequent to the first day of January, 1887, and in great part subsequent to the 15th day of February, 1887, and at least a fourth of it subsequent to the first day of March, 1887, and the remaining \$12,000 of such aggregate confession was for money alleged to have been loaned them subsequent to February 20th, 1887.

Deponent further says that he is informed and believes that

POOR QUALITY  
ORIGINAL

0431

the total indebtedness of the said C. M. Rothschild & Co. for merchandise purchased since the first day of December, 1886 exceeds in value \$120,000

Deponent further says that since said confessions of judgment were made the said Charles M. Rothschild & Jacob M. Rothschild <sup>have</sup> disappeared and cannot be found, although diligent search has been made for them by various parties to deponent's knowledge, and deponent has been informed and verily believes that they have and each of them has absconded from the State and gone to Ohio, where their father resides

Deponent further <sup>believes</sup> says, and therefore charges that the said Charles M. Rothschild and Jacob M. Rothschild procured the merchandise as above set forth from deponent's clients, with the intention of never paying for the same, and with the intent to cheat and defraud deponent's clients out of the same, and deponent charges that the circumstances show that the representations made, and acts ~~done~~ as herein-after set forth, were done in pursuance of a conspiracy to rob deponent's clients and other merchants of the goods which the said C. M. Rothschild & Co. pretended to purchase, and in support of his deponent sets forth as follows:

That subsequent to the statement of January 15th, as above set forth and for the purpose of inducing the dry goods trade, generally, and deponent's clients in particular to believe that they were financially sound, the said C. M. Rothschild & Co. made statements to the various commercial agencies with the knowledge and design that the same should be circulated among the subscribers of the said agency, to wit,

**POOR QUALITY  
ORIGINAL**

0432

January 21st, 1887 they stated to Wood & Co's agency the same figures made to Bradstreet on January 15th, as above set forth, and in addition stated that they did not owe more than \$450.00 on last year's (to wit, 1886) purchases, whereas as a matter of fact, they were indebted for merchandise purchased in the year, 1886, in the sum of in excess of \$30,000. On February, 26th, 1887 they stated to Dun's Commercial Agency that their father, Maier Rothschild, was about to take an interest in their business, and that the new partnership would be formed within the following six weeks. These statements were made to strengthen them, because their father, Maier Rothschild, who resides at and does business at Cincinnati, Ohio, was known to the Dry Goods trade to be a wealthy man, and the knowledge that he was to become a partner would materially strengthen their standing with the trade here.

Deponent further says that on March 5th, 1887 the said Maier Rothschild under his own hand sent to Wood & Co's commercial agency a letter, a copy of which follows.

Cincinnati, Ohio, March 3rd, 1887.

Mess. Wood & Co.

Gentlemen,

At my sons' request I write you that I will be responsible to all persons for all goods ordered on or after March 5th, 1887 by the firm of C. M. Rothschild & Co.

Very respectfully yours,

Maier Rothschild.

Deponent further says that copies of the said letter were, at once, forwarded by Wood & Co. to their subscribers, including

POOR QUALITY  
ORIGINAL

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deponent's clients, and that the effect thereof was to convince deponent's clients that the said C. M. Rothschild & Co. were fully responsible

Deponent further says, that for some days prior to the attachment of Claflin & Co. the said C. M. Rothschild & Co. packed and shipped secretly, large quantities of merchandise to various parts of the country, and that one of their truckmen, by name, Bradford Froude, stated to a truckman employed by friends of deponent, that he, said Froude was carrying a great many cases of goods from the store of C. M. Rothschild & Co. and that the circumstances of their shipment, and the quantity shipped made him suspicious that all was not right, and that he felt he was incurring some danger in carrying away so much merchandise.

Deponent further says that one David S. Corn observed the unusual shipments of goods by the said firm of C. M. Rothschild & Co., and that he made an affidavit in the suit of Claflin & Co. against C. M. Rothschild & Co., a copy of which is hereto annexed, and made a part of this affidavit, and that the said affidavit of Corn shows that the said C. M. Rothschild & Co. did actually dispose of and secrete a large quantity of merchandise

Deponent further says that he is informed and verily believes that previous to the 22nd day of March, the said C. M. Rothschild & Co. offered to one *Henry Koenecke* wine & cigar merchant doing business at No. 34 White Street New York City their stock of cigars which they had on hand at a very low figure far below cost price, and that the said *Henry Koenecke* refused to take them at that figure, fearing that

POOR QUALITY  
ORIGINAL

0434

there was something wrong.

Deponent further says that, although the children's underwear which the firm of Clarke, Radcliffe & Co. sold to the said C. M. Rothschild & Co. were sold late in the season, and were a character of goods that could not be easily disposed of at this time of year, that, notwithstanding, when deponent, with a member of the firm of Clarke, Radcliffe & Co. went to the store of C. M. Rothschild & Co., on March 25th, 1887, not a single piece of said underwear could be found in the store, and further, that all the stock which was levied upon in the store and storehouse, was of a very inferior quality, and that of all the valuable merchandise, including silks and laces, which the said C. M. Rothschild & Co. had purchased in large quantities, just previous to their failure, not a trace remained, and not a single piece of silk could be found, and only a few inferior grades of laces.

Deponent further says that the <sup>book-accounts</sup> ~~books~~ of the said C. M. Rothschild & Co. were, previous to their flight secretly assigned to two or three parties, who claimed to be creditors, as security for their alleged debts, and deponent verily believes that they were fraudulently assigned, and that the value of the said book accounts is something like <sup>2</sup>\$20,000.

Deponent verily believes and charges that the assignment of said accounts was made with the intent of putting the same out of the reach of their general creditors, and with the intent and purpose of retaining the same for their own use in the fraud of their creditors.

Deponent further says that on <sup>or about</sup> the Twelfth day of March, 1887, the firm of Iselin, Nesser & Co. fearing that the said

POOR QUALITY ORIGINAL

0435

C. M. Rothschild & Co. were in a dangerous condition, went to them and offered to discount their bill of \$2000, by allowing the said C. M. Rothschild & Co. a discount of 15 o/o, and that the said C. M. Rothschild & Co. refused the said offer, and stated to said Iselin, Neeser & Co., that they were perfectly responsible and in a good financial condition, and would, certainly pay the bill when it matured.

Deponent therefore, verily believes and charges that the circumstances above set forth, show a conspiracy on the part of the said C. M. Rothschild & Co. to obtain possession of large quantities of goods, and fraudulently remove the same from the reach of creditors, run away, themselves, and, finally, realize large profits from the fraudulent sale of said goods in other cities, and with the intent of never paying their creditors, or <sup>if</sup> of paying making any payment, with the intent of giving a settlement at a smaller per-centage of their ~~profits~~ indebtedness.

Sworn to before me this )  
April )  
14<sup>th</sup> day of March, 1887 )

*Frederic B. Bard*

*Amos*  
*Com of Deeds,*  
*N.Y.C.*

POOR QUALITY  
ORIGINAL

0436

My Supreme Court,

John Claffin and  
others

against

Charles M. Rothschild

and Jacob M. Rothschild

City and County of New York, ss.

David S. Corwin  
being duly sworn says that he knows  
the defendants firm and that on  
the 21 day of March 1887, he saw  
ten cases of goods taken from the  
defendants store, No 40 White Street  
New York, by truck No 2539, and un-  
loaded at the Pennsylvania, R.R.  
depot, foot of Vestry Street, New York  
City; that the said cases were marked  
with a diamond in which was  
some initial which deponent  
does not now remember, and were  
directed to Washington, D.C.; that la-  
ter, and about half past Eleven, am,  
deponent saw the same truck, No  
2539 taking ten larger cases from  
the defendants said store to the  
same railroad depot, and that  
the said cases were marked with  
a diamond, in which were the

POOR QUALITY  
ORIGINAL

0437

initials L.B. and said cases were di-  
rected to Washington, D.C. Deponent  
says that said cases had every indi-  
cation of having been put together  
in a great hurry; and were not  
put together as cases usually are  
in the ordinary course of business;  
that deponent is acquainted with  
business of the character of defend-  
ant's business, and has had sev-  
eral years experience in such  
business and knows the manner  
of preparing goods for shipment.  
That there was every indication  
about the manner of the ship-  
ment of said goods, the manner  
in which they were put up, and  
hurried away by the said truck-  
man; that the said goods were  
being sent away, not in the usual  
manner of defendant's bus-  
iness, and in an unusual and  
uncalled for hurry. Deponent  
further says that he is acquaint-  
ed with one David Erwin, who  
is in the employ of defendant and  
that on the 18<sup>th</sup> or 19<sup>th</sup> of March  
1887, deponent had a conversation

POOR QUALITY  
ORIGINAL

0438

in which the said Simon told de-  
ponent that he, Simon, be-  
lieved that the defendants were  
going to the wall - and that  
the reason he thought so was  
that the defendants were ship-  
ping away an unusual amount  
of goods and were taking none  
in, and that the directions as  
to the shipment of said goods  
were out of the usual and or-  
dinary course. The said Si-  
mon is a salesman of the  
defendants, and assists in the  
shipment of goods. Deponent  
further says that the said Si-  
mon told him that it was  
unusual for the defendants to  
mark goods simply with an  
initial, and that these ship-  
ments for the past week had  
been unusually large, and  
were a matter of surprise to  
him, said Simon.  
Sworn to before me this  
21 day of March 1887  
David G. Row,  
Jr. B. Stewart,  
Notary Public,  
N.Y.C.

POOR QUALITY  
ORIGINAL

0439

Myself recd. from  
New York County,

John C. Clafflin, Jr.

against

Charles M. Ketchum  
and

Affidavit on  
Attachment.

John C. Clafflin, Jr.  
51 Chambers St.  
New York, New York

POOR QUALITY ORIGINAL

0440

Court

William E. Selin  
and others Plaintiffs

vs.

Charles M. Rothstein  
and ans Defendants

affidavit  
to procure  
indictment

GRUBER & BARD,

ATTORNEYS FOR  
261 BROADWAY, NEW YORK CITY.

To ..... Esq.

Att'y for.....

Due and timely service of a copy of the within  
.....admitted.

Dated, N. Y., ..... 188

Att'y for.....

**POOR QUALITY  
ORIGINAL**

04441

*Abraham Gruber.*

*Frederic B. Bard.*

*Gruber & Bard,  
Attorneys & Counsellors at Law,  
261 Broadway.*

*Elevator entrance  
on Warren St.*

*New York, June 7th 18 87.*

Asst. Dist. Attorney Davis,  
C/o Dist. Attorney's Office,  
NEW YORK CITY.

Dear Sir/-

We hand you herewith, list of witnesses with memorandum of the evidence each can give before the Grand Jury in the case of Clarke, Radcliffe & Co. against C. M. Rothschild & Co., also list of the judgments which were entered by confession at the time of Rothschild's failure.

We beg you will consider that we are at your service in all matters pertaining to this indictment, and that you will freely consult us on any questions regarding which you are in doubt.

Trusting for success in the matter, we remain,

Yours very truly,

*Gruber & Bard*

**POOR QUALITY  
ORIGINAL**

0442

*Bill ordered  
for Good  
Service*

**POOR QUALITY  
ORIGINAL**

0443

List of witnesses to be called in the case of Clarke,  
Radcliffe & Co. *vs. Rothschild.*

DAVID S. CORN, 250 Henry Street, City, will testify as to unusual shipments of goods hastily packed at the rate of twenty cases and over a day, just prior to the failure.

HENRY N. KOENNICKE, 34 White Street, City, keeps a saloon and restaurant; understand that he can testify that Rothschild offered him his stock of cigars at a big discount, just prior to the failure. Am not certain that he will so testify, but think he will.

SE

SEXTON, Under Sheriff, has charge of the attachment of Claflin against Rothschild, under which the stock was sold; will testify that it brought \$18,000, and that very good prices were realized.

EZRA M. CUNNINGHAM, C/o Wood & Co. 335 Broadway., is the agent for <sup>woods</sup> commercial agency and will testify as to representations made by Rothschild to him, as agent, also as to the letter written by M. Rothschild to his agency, to be used for circulation in dry goods trade. His testimony is quite valuable.

*Can also testify to the fact that since the Rothschilds ran away, their father has opened the old store and is conducting business there under his own name.*

**POOR QUALITY  
ORIGINAL**

0444

SAMUEL R. LOUDEN, Truckman, can be found at 48 White Street, *Carl* Butler Bros. This man will testify what Bernard Froude, who did the trucking for C. M. Rothschild & Co. came to him a short time before the failure and asked his advice, saying that Rothschild & Co. were shipping in unusual quantities, and he, Froude, feared he would get into trouble.

BERNARD FROUDE, Boss truckman, was employed by C. M. Rothschild & Co. for some time previous to their failure, and can undoubtedly tell a great deal if he will. We beg to suggest that his subpoena to appear be served at the latest moment possible, so that he will not have time to consult with Rothschild's attorneys

*It is quite possible he might prejudice the case, as he is still employed to truck for the father M. Rothschild*

ABRAHAM H. CLARKE, <sup>*west*</sup> 84 Broadway, a member of the firm of Clarke, Radcliffe & Co., will testify as to sale of goods and representations made to his firm, the fact that the goods were out of season, and that Rothschild & Co. could not have had time to legitimately dispose of them in the short time between the purchase and failure.

CHAS. A. BRAMAN, C/o Iselin, Neeser & Co. No. 1 Greene St. City. Credit man for that firm, will testify as to representations, character of goods, and fact that none were in Rothschild's store

**POOR QUALITY  
ORIGINAL**

0445

when they failed.

EDWIN H. ROWLEY, 75 Fulton St., City, will testify that, on the 28th January, 1887, Rothschild & Co. purchased \$450 worth of plated ware, under the representation that they wished to sell the same in small lots throughout the country, and wanted them delivered at once to have them photographed and inserted in catalogues, asking for a dating of the bill from February 15th, at 4 months. On the delivery of the goods they requested that the dating be changed to March 15th, at 4 months, and finally succeeded in having it changed. That on or about February 15th, Rowley's salesman was in Boston and saw the whole lot of <sup>Rowley's</sup> Rothschild's goods being delivered in the store of Horace Partridge & Co.; that he thereupon asked Partridge what he paid for these goods, and where he bought them, and was told the price paid, which was less than the same goods had been billed to Rothschild & Co. for; that he thereupon told Partridge what they had been billed for and expressed a suspicion of fraud. That same afternoon Rothschild & Co., in the City of New York, sent down to Rowley a check in full payment of the bill, notwithstanding the fact that the bill did not become due for over five months, and that no demand for payment had been made.

ERNEST A. L' ALLEMAND, with E. Rowley, 75 Fulton St. He is the salesman who discovered the goods in Boston, and will testify as to the conversation and identification of the goods.

**POOR QUALITY  
ORIGINAL**

0446

FREDERIC B. BARD. 261 Broadway, can testify that on the 24th day of March, 1887, he issued replevins for various parties against the stock in Ruslander's store, and with the Coroner replevied certain goods from the Sheriff. Can testify as to the character and condition of stock in the store at that time, and to the fact that none of Clarke, Radcliffe's goods were there.

JUDGMENT ROLLS of confessed judgment by Rothschild & Co. showing the amount of indebtedness, a list of which judgments ~~is~~ hereto annexed.

Examination of Louis Tim, filed in the County Clerk's office, with order appointing receiver in supplementary proceedings, April 7th, indexed as of April 5th, This examination shows that the total book accounts of Rothschild & Co. did not exceed \$6,000. *Title of the suit is Iselin vs Rothschild*

*Beardsley*  
ARTHUR G. BRADLEY, C/o Bradstreet's Agency, 285 Broadway, will testify as to the representations made to him by Rothschild & Co. which were sent abroad by his agency.

**POOR QUALITY  
ORIGINAL**

0447

List of confessed judgments entered in the County Clerk's office against C. M. Rothschild & Co. March 23rd, 1887, and March 24th, 1887.

Entered March 23rd

Title of the Cause.

Root vs. Rothschild  
Eagle Pencil Co. vs. Rothschild  
Knight vs. Rothschild  
Wilson against Do.  
Ball vs           "  
Lane vs           "  
Ide vs           "  
Manhattan Watch Co. vs Do.  
Adams vs Do.  
Reynolds vs. Do.  
Short vs. Do.  
Seery vs. Do.  
Wilmarth vs. Do.  
Gzaef xx. Cutlery Co. vs. Do.  
Sherman vs Do.  
Fleming vs. Do.  
Hornbacker vs. Do.  
Dirnie vs. Do.  
Wiebush vs. Do.  
Stroud vs. Do.  
National M'f'g Co. vs. Do.  
Butler Hard Rubber Co. vs. Do.  
Seheuer vs. Do.

**POOR QUALITY  
ORIGINAL**

0448

Entered March 23rd

Gray vs. Rothschild

Wallis vs. Do.

Clapp vs. Do.

Fletcher vs. Do.

Carmichael vs. Do.

Humberg vs. Do.

Rosenthal vs. Do.

Iselin vs. Do.

Rapp vs. Do.

Ridgeley vs, Do.

Tower M'g'g Co. vs. Do.

Dryfuss vs. Do.

Pinkus vs. Do.

Oppenhyim vs. Do.

Preble vs. Do.

Snedeker vs. Do.

Belford vs. Do.

Maltby vs. Do.

Tim vs. Do.

Ollesheimer vs. Do.

Timm, Wallerstein & Co. vs. Do.

Vietor vs. Do.

Friedberger vs. Do.

ObernWorf vs. Do.

Barnett vs. Do.

Levy vs. Do.

Catterson vs. Do.

A. Levy vs. Do.

Bloch vs. Do.

**POOR QUALITY  
ORIGINAL**

0449

Entered March 23rd

Catlin vs. Rothschild

Tim vs. Do.

Passavant vs. Do.

Borum vs. Do.

Goldschmidt vs. Do.

Haff vs. Do.

Schlesinger vs. Do.

Nashawannuck M'f'g Co. vs. Do.

Howard vs. Do<sup>n</sup>

Entered March 24th

Cheney vs. Do.

Babcock vs. Do.

Morgan envelope Co, vs. Do.

Holmes & Edwards Silver Co. vs. Do.

Newhaven Clock Co. vs. Do.

Malloy vs. Do.

Manhattan Silver Plate Co. vs. Do.

Ansonia Clock Co. vs. Do.

Dobson vs. Do.

Vom Baum vs. Do.

Davidson vs. Do.

POOR QUALITY ORIGINAL

0450

Court

Clarke Radcliffe & Co.  
Plaintiff

vs.

Charles M. Rothstein  
and ans  
Defendants

Memo. of  
Witnesses names  
and evidence  
for Grand Jury

CRUBER & BARD,

ATTORNEYS FOR  
Clarke & Co.

261 BROADWAY, NEW YORK CITY.

To Esq.

Att'y for

Due and timely service of a copy of the within

admitted.

Dated, N. Y., 188

Att'y for

**POOR QUALITY  
ORIGINAL**

0451

-----X  
The People

v

C. M. Rothschild and Jacob M.  
Rothschild

-----X  
This is an application made by the attorneys of Clark, Radcliffe & Co., Dry goods merchants, doing business at No. 84 West Broadway in this City, and of Iselin, Neeser & Co. of Canal and Greene Streets, to go before the Grand Jury in the first instance, on a charge of Grand Larceny, against the defendant. The affidavits submitted are made by the attorneys.

The defendants were copartners at No. 40 White Street in this City, under the firm name of C. M. Rothschild & Co.. Upon January 15th, 1887, the defendants made a statement to Bradstreet's Commercial Agency, as to their resources and liabilities, in which they showed a surplus of assets over liabilities of \$44,537 - such was their condition on November 30, 1886. At the time they made the statement to the agency, that is, January 15, 1887, they stated that their liabilities on that date did not exceed \$20,000.

On the 24th of January, 1887, the complainants Iselin, Neeser & Co. sold and delivered to the defendants merchandise of the value of \$2094,53. In making this sale to the defendants the complainants relied upon defendant's statement made to Bradstreet's agency. This amount has not been paid by the defendants, and since the 22nd day of March, 1887, both defendants have disappeared from the City.

**POOR QUALITY  
ORIGINAL**

0452

W

2

Their stock and fixtures having been sold out by the Sheriff on said date under a warrant of attachment. All the stock and fixtures realized less than \$17,000. Before going away the defendants confessed judgments to various creditors in a sum aggregating \$80,000, \$68,000 of which was for merchandise, all purchased subsequent to the first of January, 1887, and in great part subsequent to the 15, of February, 1887; and the fourth of it subsequent to the 1st day of March, 1887, and the remaining \$12,000 of such aggregate confession was in money alleged to have been loaned defendant subsequent to February, 20, 1887.

These facts are significant, inasmuch as they seem to indicate that the statements made to Bradstreet on the 15, of January, 1887, <sup>were</sup> ~~were~~ made for the purpose of enabling them to contract this \$80,000 of debt; it having been all contracted under the statement so made.

Moreover, subsequent to the statement of January 15, the defendants made a statement to Wood & Cos. agency, that they did not owe more than \$450, on ~~making~~ the purchases of 1886. Whereas, it can be shown that they were indebted for merchandise purchased in 1886, in a sum in excess of \$30,000. On February 26, 1887, they stated to Dunn's Commercial Agency, that their father, Mayer Rothschild, was to become a partner in their business within six weeks. This fact, if true, would strengthen them with the trade, inasmuch as the father was well known and a wealthy dry-goods merchant.

**POOR QUALITY  
ORIGINAL**

0453

All these statements made thus, point directly to the preparation of a scheme to commit large frauds upon the business community, upon the part of the defendants. The statements were followed up by large purchases, from other merchants than the complainants. After making these purchases, the defendant, between the 15th of January, 1887, and the 22 of March, 1887, were observed to make large and unusual shipments of goods from their store to places outside of the State, and when on the 22nd of March, 1887, the Sheriff sold the defendants stock and fixtures, all that he could realize was \$17,000..

I think this is a case for investigation by the Grand Jury, with a view to indicting the defendants.

*June 7/87*

*W. M. Davis*

*To Mr. Martin*

**POOR QUALITY ORIGINAL**

0454

THE PEOPLE OF THE STATE OF  
NEW YORK,

*against*

*C. M. Rothschies*  
*and*  
*Joseph M. Rothschies*

*Repeal*

RANDOLPH B MARTINE,  
DISTRICT ATTORNEY,  
No. 32 CHAMBERS STREET,  
NEW YORK CITY.

*June 7/67*

*Approved: W.M.S.*  
*Approved: W.M.S.*  
*W.M.S.*

**POOR QUALITY  
ORIGINAL**

0455

COURT OF GENERAL SESSIONS OF THE PEACE  
Of the City and County of New York.

-----X  
The People of the State of New York

Against

Charles M. Rothschild and Jacob M.  
Rothschild.

-----X  
THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK,  
by this indictment accuse Charles M. Rothschild and Jacob  
M. Rothschild of the crime of Grand Larceny in the first  
degree, committed as follows:

The said Charles M. Rothschild and Jacob M. Rothschild  
both late of the City of New York in the County of New  
York aforesaid, on the twenty-fourth day of January in  
the year of our Lord one thousand eight hundred and  
eighty-seven, at the City and County aforesaid, with force  
and arms four thousand four hundred and ninety-one pieces  
of ribbon of the value of two thousand and ninety-four  
dollars and fifty-three cents of the goods, chattels and  
personal property of one William E. Iselin, then and  
there being found, then and there feloniously did steal  
take and carry away: against the form of the statute in  
such case made and provided, and against the peace of the

POOR QUALITY

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People of the State of New York, and their dignity.

SECOND COUNT.

And the Grand Jury aforesaid by this indictment further accuse the said Charles M. Rothschild and Jacob M. Rothschild of the crime of Conspiracy, committed as follows:

The said Charles M. Rothschild and Jacob M. Rothschild both late of the City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, unlawfully intending to defraud divers of the citizens of the said State of their goods and merchandise, at the City and County aforesaid, with divers other persons whose names are to the Grand Jury aforesaid unknown, did unlawfully and fraudulently conspire, combine, confederate and agree together <sup>between</sup> and amongst themselves by divers false pretenses to obtain of and from divers good citizens of the said State, divers large quantities of goods, chattels and personal property, and particularly of and from William E. Iselin, John G. Neeser, Alfred Vondermuhll and Adrian Iselin copartners in trade then and there doing business in and by the firm name and style of Iselin, Neeser and Company, divers goods, chattels and personal property of great value, to wit: of

**POOR QUALITY  
ORIGINAL**

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the value of two thousand and ninety-four dollars and fifty-three cents, and to cheat and defraud the said William E. Iselin, John G. Neeser, Alfred Vondermuhll and Adrian Iselin thereof.

And the said Charles M. Rothschild and Jacob M. Rothschild together with the said other persons in pursuance of the said conspiracy, combination, confederacy and agreement between and amongst themselves as aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, unlawfully and fraudulently did falsely pretend and represent to the said William E. Iselin, John G. Neeser, Alfred Vondermuhll and Adrian Iselin, that the condition of them the said Charles M. Rothschild and Jacob M. Rothschild then and there carrying on business in and by the firm name and style of Charles M. Rothschild and Company, and of their business, as shown by an inventory of their stock, taken on the thirtieth day of November, 1886, was on said last mentioned day, as follows; to wit:

That on said day they had merchandise on hand of the value of thirty-four thousand nine hundred and seventy-nine dollars; that they had at said last mentioned time good accounts due and owing to them amounting to the sum of thirty-one thousand nine hundred and sixty-nine dollars; that they had at said last mentioned time cash on hand amounting to the sum of twenty-two thousand and

**POOR QUALITY ORIGINAL**

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twenty-five dollars; that the value of bills receivable then outstanding to their credit amounted to the sum of one hundred and ninety-four dollars, and that their fixtures then owned by them were of the value of two thousand eight hundred and four dollars, thus making their total assets the sum of ninety-one thousand eight hundred and sixty-nine dollars; that their total liabilities then amounted to the sum of forty-four thousand three hundred and thirty-two dollars, leaving them a surplus of forty-seven thousand five hundred and thirty-seven dollars.

On the fifteenth day of January, 1887, their total liabilities did not exceed the sum of twenty thousand dollars.

And the said ~~Abraham H. Clarke, James A. Redcliffe, Russell Vandermeul and Adrian Dedin~~ <sup>William L. Dedin, John D. Kenyon</sup> ~~and Frederick W. Kenyon~~ then and there to wit: on the said fifteenth day of February, 1887, at the City and County aforesaid, believing the said false pretenses so as aforesaid made by the said Charles M. Rothschild and Jacob M. Rothschild, and being deceived thereby were induced by reason thereof to deliver to the said Charles M. Rothschild and Jacob M. Rothschild, ~~two thousand two hundred and eight and eighths of the value~~ <sup>of</sup> ~~of~~ ~~the value of~~ ~~two thousand and four pairs of under drawers of the value~~ ~~of~~ ~~of~~ ~~three cents,~~ ~~and one hundred and ninety-eight pairs of drawers of the value of~~ <sup>ninety one pieces of ribbon of</sup> <sup>the value of two thousand and</sup> <sup>four dollars and fifty</sup> <sup>three cents,</sup>

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of the goods, chattels and personal property of them the

~~William E. Doolin, John F. Nester, Abraham H. Clarke, James A. Radcliffe, Russel Dart the younger and Frederick W. Kenyon.~~  
*William E. Doolin, John F. Nester, Alfred Vanderminde and Adrian Doolin.*

And the said Charles M. Rothschild and Jacob M. Rothschild did then and there unlawfully and fraudulently obtain the said goods, chattels and personal property of

the goods, chattels and personal property of the said ~~William E. Doolin, John F. Nester, Abraham H. Clarke, James A. Radcliffe, Russel Dart the younger, Vanderminde and Adrian Doolin, or and Frederick W. Kenyon,~~  
*William E. Doolin, John F. Nester, Alfred Vanderminde and Adrian Doolin,* by means of the false and

fraudulent pretenses aforesaid and with intent to cheat

and defraud the said ~~Abraham H. Clarke, James A. Radcliffe, John F. Nester, Alfred Vanderminde, Russel Dart the younger and Frederick W. Kenyon of the same.~~  
*William E. Doolin, John F. Nester, Alfred Vanderminde and Adrian Doolin of the same.*

Whereas, in truth and in fact the condition of the said Charles M. Rothschild and Jacob M. Rothschild so as aforesaid, then and there doing business in and by the firm name and style of Charles M. Rothschild and Co. on the said thirtieth day of November, 1886, as shown by such inventory as aforesaid, was not such as was falsely and fraudulently pretended by the said Charles M. Rothschild and Jacob M. Rothschild, and such inventory did not show that on the said thirtieth day of November, 1886, they had merchandise on hand of the value of thirty-four thousand nine hundred and seventy-nine dollars, and did not show that at said last mentioned time there were good accounts due and owing them amounting to the sum of thirty-one thousand nine hundred and sixty-nine dollars;

**POOR QUALITY ORIGINAL**

0460

*Original made by [unclear] [unclear]*  
*[unclear] [unclear] [unclear]*

and did not show that they had then cash on hand amounting to the sum of twenty-two thousand and twenty-five dollars, and that there were bills receivable then outstanding to their credit amounting to the sum of one hundred and ninety-four dollars, and that they had then fixtures owned by them of the value of two thousand eight hundred and four dollars making their total assets ninety-one thousand eight hundred and sixty-nine dollars.

And, whereas, in truth and in fact on the said thirtieth day of November, 1886, their total liabilities were not forty-four thousand three hundred and thirty-two dollars but amounted to a much greater sum, and their surplus at said last mentioned time did not amount to the sum of forty-seven thousand five hundred and thirty-seven dollars, as they the said Charles M. Rothschild and Jacob M. Rothschild then and there well knew.

And, whereas, in truth and in fact the liabilities of the said Charles M. Rothschild and Jacob M. Rothschild on the said fifteenth day of January, 1887, did greatly exceed the sum of twenty thousand dollars, as they the said Charles M. Rothschild and Jacob M. Rothschild then and there well knew: 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.

*Randolph B. [unclear]*  
District Attorney.

POOR QUALITY ORIGINAL

0461

952

Counsel, *[Signature]*  
Filed *14* day of *June* 188*7*  
Pleads, *[Signature]*

[Section 522, 530 and 168, Penal Code]

THE PEOPLE

vs.

NA

*Charles M. Rothschild*

*vs.*

NA

*Jacob M. Rothschild*  
*(2 cases)*

RANDOLPH B. MARTINE,  
*District Attorney.*

*207 June 14 1887*

A True Bill.

*F. Chandler*  
For empan.

Witnesses:

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

**POOR QUALITY ORIGINAL**

0462

DISTRICT ATTORNEY'S OFFICE,  
City and County of New York.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

vs.

*James M. Richardson*  
*vs. James M. Richardson*

Offence *James M. Richardson*

*James M. Richardson* 188*7*

Witnesses,

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

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

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

POOR QUALITY ORIGINAL

0463

COURT OF GENERAL SESSIONS OF THE PEACE  
Of the City and County of New York

-----X

The People of the State of New York

Against

Charles M. Rothschild and Jacob M.  
Rothschild.

-----X

----- THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK,  
by this indictment accuse Charles M. Rothschild and Jacob  
M. Rothschild of the crime of grand Larceny in the first  
degree, committed as follows:

The said Charles M. Rothschild and Jacob M. Rothschild,  
both late of the City of New York in the County of New  
York aforesaid, on the seventeenth day of February, 1887,  
at the City and County aforesaid, with force and arms  
two thousand two hundred and eight under-vests of the  
value of ~~two~~ <sup>thousand</sup> ~~pairs~~ <sup>each</sup>,  
each, two thousand and four pairs of under-trousers of  
the value of ~~two~~ <sup>thirty</sup> ~~hundred~~ <sup>pairs</sup> ~~each~~ <sup>pair</sup>,  
each, and one hundred and ninety-eight pairs of drawers  
of the value of ~~two~~ <sup>thirty</sup> ~~hundred~~ <sup>pairs</sup> ~~each~~ <sup>pair</sup>,  
each pair, of the goods, chattels and personal property of  
Abraham H. Clarke then and there being found, then and

**POOR QUALITY ORIGINAL**

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n

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

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment further accuse the said Charles M. Rothschild and Jacob M. Rothschild of the crime of conspiracy, committed as follows:

The said Charles M. Rothschild and Jacob M. Rothschild both late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, unlawfully intending to defraud divers of the citizens of the said State, of their goods and merchandise, at the City and County aforesaid, together with divers other persons whose names are to the grand Jury aforesaid unknown, at the City and County aforesaid did unlawfully and fraudulently conspire, combine, confederate and agree together, between and amongst themselves by divers false pretenses to obtain of and from divers good citizens of the said State, *divers goods chattels and personal property of great value* and particularly of Abraham H. Clarke, James A. Radcliffe, Russel Dart, the younger, and Frederick W. Kenyon, copartners in trade then and there doing business in and by the firm name and style of of Clarke, Radcliffe & Co. divers goods, chattels and personal property of great value, to wit: of the value of *Five hundred*

POOR QUALITY ORIGINAL

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*and forty two dollars and sixty cents,*  
and to cheat and defraud the said Abraham H. Clarke, James A. Radcliffe, Russel Dart the younger and Frederick W. Kenyon thereof.

And the said Charles M. Rothschild and Jacob M. Rothschild, together with the said other persons in pursuance of said conspiracy, combination, confederacy and agreement between and amongst themselves as aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, unlawfully and fraudulently did falsely represent and pretend to the said Abraham H. Clarke, James A. Radcliffe, Russel Dart the younger and Frederick W. Kenyon, so being such copartners in trade as aforesaid, and so as aforesaid, then and there carrying on business in and by the firm name and style aforesaid, *the condition of them* that ~~they~~ the said Charles M. Rothschild and Jacob M. Rothschild then and there carrying on business in and by the firm name and style of Charles M. Rothschild and Co. *and as their business, as shown* by an inventory of their stock taken on the thirtieth day of November, 1886, ~~their condition~~ *was* on said last mentioned day ~~was~~ as follows, to wit:

That on said day they had merchandise on hand of the value of thirty-four thousand nine hundred and seventy-nine dollars; that they had at said last mentioned time good accounts due and owing to them amounting to the sum of thirty-one thousand nine hundred and sixty-nine dollars; that they had at said last mentioned time cash on hand amounting to the sum of twenty-two thousand and

POOR QUALITY  
ORIGINAL

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twenty-five dollars; that the value of bills receivable then outstanding to their credit amounted to the sum of one hundred and ninety-four dollars, and that their fixtures then owned by them were of the value of two thousand eight hundred and four dollars, thus making their total assets the sum of ninety-one thousand eight hundred and sixty-nine dollars; that their total liabilities then amounted to the sum of forty-four thousand three hundred and thirty-two dollars, leaving them a surplus of forty-seven thousand five hundred and thirty-seven dollars.

On the fifteenth day of January, 1887, their total liabilities did not exceed the sum of twenty thousand dollars.

And the said Abraham H. Clarke, James A. Radcliffe, Russell Dart the younger and Frederick W. Kenyon then and there to wit: on the said fifteenth day of February, 1887, at the City and County aforesaid, believing the said false pretenses so as aforesaid made by the said Charles M. Rothschild and Jacob M. Rothschild, and being deceived thereby were induced by reason thereof to deliver to the said Charles M. Rothschild and Jacob M. Rothschild two thousand two hundred and eight under-vests of the value of *twenty cents each*, — two thousand and four pairs of under-drawers of the value of *twenty cents each pair*, — and one hundred and ninety-eight pairs of drawers of the value of *twenty cents each pair*, —

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ORIGINAL

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of the goods, chattels and personal property of them the said Abraham H. Clarke, James A. Radcliffe, Russel Dart the younger and Frederick W. Kenyon.

And the said Charles M. Rothschild and Jacob M. Rothschild did then and there unlawfully and fraudulently obtain the said goods, chattels and personal property of the goods, chattels and personal property of the said Abraham H. Clarke, James A. Radcliffe, Russel Dart the younger and Frederick W. Kenyon by means of the false and fraudulent pretenses aforesaid and with intent to cheat and defraud the said Abraham H. Clarke, James A. Radcliffe, Russel Dart the younger and Frederick W. Kenyon of the same.

Whereas, in truth and in fact the condition of the said Charles M. Rothschild and Jacob M. Rothschild so as aforesaid, then and there doing business in and by the firm name and style of Charles M. Rothschild and Co. on the said thirtieth day of November, 1886, ~~and of their business~~ as shown by such inventory as aforesaid, was not such as was falsely and fraudulently pretended by the said Charles M. Rothschild and Jacob M. Rothschild, and such inventory did not show that on the said thirtieth day of November, 1886, they had merchandise on hand of the value of thirty-four thousand nine hundred and seventy-nine dollars, and did not show that at said last mentioned time there were good accounts due and owing them amounting to the sum of thirty-one thousand nine hundred and sixty-nine dollars.

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ORIGINAL

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and did not show that they had then cash on hand amounting to the sum of twenty-two thousand and twenty-five dollars, and that there were bills receivable then outstanding to their credit amounting to the sum of one hundred and ninety-four dollars, and that they had then fixtures owned by them of the value of two thousand eight hundred and four dollars making their total assets ninety-one thousand eight hundred and sixty-nine dollars.

And, whereas, in truth and in fact on the said thirtieth day of November, 1886, their total liabilities were not forty-four thousand three hundred and thirty-two dollars but amounted to a much greater sum, and their surplus at said last mentioned time did not amount to the sum of forty-seven thousand five hundred and thirty-seven dollars, as they the said Charles M. Rothschild and Jacob M. Rothschild then and there well knew.

And, whereas, in truth and in fact the liabilities of the said Charles M. Rothschild and Jacob M. Rothschild on the said fifteenth day of January, 1887, did greatly exceed the sum of twenty thousand dollars, as they the said Charles M. Rothschild and Jacob M. Rothschild then and there well knew: 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.

*Handwritten signature*

District Attorney

0469

**BOX:**

267

**FOLDER:**

2564

**DESCRIPTION:**

Rowold, Henry

**DATE:**

06/14/87



2564

POOR QUALITY ORIGINAL

0470

1/11  
check fine

Edwin King

Counsel, Edwin King  
Filed, 11th day of April 1888  
Pleads, Chattel Mortgage

[Section 1000 of Penal Code]  
606, June 27, 1887

THE PEOPLE

Pr. Sum by 1888.  
Declarer of Fed.

B  
Henry Rowold

RANDOLPH B. MARTINE  
Nov 28 1888  
District Attorney

Copy of 1888  
of the same

A True Bill.

F. J. Scudder

Proponent for Leeper  
describes being Deacon

1000 June 1888 Fed  
Oct 19 1888  
F. J. Scudder

Witnesses:

William J. Maguire  
log work

Mr. Wm. J. Maguire  
of the State of  
San Francisco  
District Court  
Attorney in Charge  
of the law  
of the State of  
San Francisco  
of the State of  
San Francisco  
of the State of  
San Francisco

May 19 1892

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

The People of the  
State of New York  
against  
Henry Rowold.

Defendants Demurs.

The above-named defend-  
ant, Henry Rowold, hereby demurs  
to the indictment herein, and  
specifies as the grounds of his  
objection to said indictment  
that it appears, on the face thereof,  
1- That the facts stated therein  
do not constitute a crime; in  
that so much of the statute, there-  
in referred to, as prescribes that "all  
vinegars shall be without artificial  
"coloring matter", and that "if any  
"vinegar contains any artificial  
"coloring matter" it shall be deem-  
"ed to be adulterated", is unconstitu-  
tional and void.

Christopher Fine  
Of Counsel & Attorney for  
the defendant, Henry Rowold,

**POOR QUALITY  
ORIGINAL**

0472

Office & Post Office Address, 265 Broadway  
New York City.

Dated: New York, June 20<sup>th</sup> 1887.

**POOR QUALITY ORIGINAL**

0473

Take Notice that within is a copy of  
this day  
duly made and entered herein and filed  
with the Clerk of this Court, in the  
New

York  
Dated, N. Y., 188

Yours, &c.,  
CHRISTOPHER FINE,  
Attorney,  
Office and P. O. address,  
265 BROADWAY,  
N. Y. City.

To Esq.,  
Attorney.

*B. B. General Sessions*

*The People of the  
State of New York*

vs.  
Puff

*Henry Rowald.*

Def't

*Remover to Jurisdiction*

CHRISTOPHER FINE,  
Attorney for Def't,  
No. 265 BROADWAY,  
New York City.

Due service of a copy of within  
is hereby admitted.  
Dated, N. Y., 188

*filed June 27/09*

**POOR QUALITY ORIGINAL**

0474

Court of General Sessions

-----X  
 :  
 The People &C. :  
 :  
 -vs.- :  
 :  
 William Just :  
 :  
 ----- :  
 Same :  
 :  
 -vs.- :  
 :  
 Henry Rowold :  
 :  
 -----X

Indictment for selling  
 adulterated vinegar.  
 Sess. 4 & 5 of Chap. 606  
 Laws of 1886.

*Brief in opposition to demurrer*

The defendants have demurred to the indictments on the ground that the facts stated do not constitute a crime, and specifically that so much of the act of 1886 chapter 606 as prescribes that "all vinegar shall be without artificial coloring matter" and that "if any vinegar contains artificial coloring matter it shall be deemed to be adulterated" is unconstitutional and void.

The contention is that both the State and Federal constitutions are violated: that of our State in that part of ~~the~~ Section I of Article 1 which provides that "No member of this State shall be x x x x deprived of any of the rights or priveleges secured to any citizens thereof, unless by the law of the land&c. x X". and in section 6 of Article 1 "no person shall be deprived of life, liberty or property without due process of law" The vinegar law of '86 is said to infringe these provisions, as well as Article 14 of section 1 of the U.S. Constitution, which provides that "No State shall make or Enforce any law which shall abridge the privileges or immunities of the citizens of the United States, nor shall any State deprive any person of life, liberty or property without due process of law;

**POOR QUALITY  
ORIGINAL**

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nor deny to any person within it's jurisdiction the equal protection of the laws".

The question of the constitutionality of Statutes of this character is not a new ~~one~~ one. Restrictions by the Legislature on the manufacture and sale of liquors, oleomargarine and milk have been assailed as violative of the right of property in the citizen, and of his privileges and immunities. It has been ably argued by eminent counsel that laws which pronounce that a crime which was an innocent act before, are unconstitutional. And the Courts of New York have discussed these views, and dissented from them, and held the contrary.

See People v. West, 8 N.Y. State Reporter 713.

People v. Kibler id. 707.

~~People~~ v. Cipperly 101 N.Y. 634  
decided on the dissenting opinion

of Learned J. at General Term,

reported in 37 Hun. 324.

#### P O I N T S.

First- The act of 1886, chapter 606, in question is entitled "An Act in relation to the manufacture and sale of vinegar" It's plain intent is to protect the public health by prohibiting the adulteration of pure vinegar, and the legislature meant by it to prevent the sale as vinegar of inferior or deleterious liquids, artificially flavored and colored to resemble the genuine article. It had shielded the people against spurious butter, and bogus and adulterated milk, and in this act it throws protection around vinegar-- a most

**POOR QUALITY  
ORIGINAL**

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important and useful product-- and the producers and manufacturers of the genuine article who have millions of dollars invested in the industry.

This purpose is seen in every clause of the act. Section 1 imposes the penalty of a fine upon every person who manufactures for sale, or exposes for sale as cider vinegar, any vinegar not the legitimate product of pure apple juice, or vinegar not made exclusively of apple cider, or vinegar into which foreign substances drugs or acids have been introduced.

Section 2 punishes those who manufacture or offer for sale vinegar containing any preparation of lead, copper, sulphuric acid, or any other ingredient injurious to health.

Section 4 is aimed at the manufacture and sale of adulterated vinegar, and repeats the prohibition of the first section as to the sale or offering for sale of spurious cider or apple vinegar.

Section 5, one part of which is characterized as unconstitutional by the learned counsel for the defendants reads as follows:

"All vinegars shall be without artificial coloring matter, and shall have an acidity equivalent to the presence of not less than four and one half per cent by weight, of absolute acetic acid, and in the case of cider vinegar, shall contain in addition not less than two per cent by weight of cider vinegar solids, upon full evaporation over boiling water; and if any vinegar contains any artificial coloring matter, or less than the above amount of acidity, or of cider vinegar solids, it shall be deemed to be adulterated within the meaning of this act".

The purpose of the legislature to save the

**POOR QUALITY  
ORIGINAL**

0477

people from deception, and to prevent the manufacture and sale of an adulterated and unwholesome article of food, as well as to encourage and help a valuable industry is thus clearly evinced. Such laws are laudable and a proper exercise of the police power

In the People v. Kibler, 8 N.Y. State Reporter p. 208, the Court of Appeals, Judge Finch writing the opinion says:

"It is notorious that the adulteration of food products has grown to proportions so enormous as to menace the health and safety of the people. Ingenuity keeps pace with greed and the careless and heedless consumers are exposed to increasing perils. To redress such evils is a plain duty, but a difficult task".

To guard the "careless and heedless consumers" of vinegar against the repacity and deception of the manufacturers and sellers of a necessity of existence, the statute properly and justly enacts that there shall be no artificial coloring matter in vinegar. Why? clearly that the liquid may be sold on it's merits, and that imitations shall not be palmed off on an unsuspecting public by means of such artificial coloring matter. And a further and most worthy reason may be found in the motive of protection to the honest manufacturer and seller who produces and vends genuine vinegar, and offers it to the public in it's natural condition. It surely cannot be just to permit "ingenious and greedy" manufacturers to so color an inferior article as to deceive the public and undersell honest dealers. The law is intended to stop and prevent that, and it is a just measure.

**POOR QUALITY  
ORIGINAL**

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5.

To the contention that the title of the act does not declare this purpose, fitting answer is contained in the language of the Court of Appeals in the West case ( a case of prosecution under the act to prevent deception in dairy products ) 8 N.Y. State Reporter p. 715. The Court in discussing the third section of the act of 1885 prohibiting the supplying or bringing to any butter or cheese manufactory milk diluted with water, to be manufactured into butter or cheese, says:

\*It is well known that the system of manufacturing butter and cheese in factories established for the purpose, is very common, and this provision of the act of 1885 was doubtless designed for the protection of persons interested in the common enterprise against fraudulent practices which should unduly enhance the gains of one to the injury of others. This purpose is not in terms expressed in the title of the act or the section in question. But this is not necessary. The act of mixing water with milk intended for a butter or cheese factory could seldom be committed except for a fraudulent purpose. It is not necessary to the validity of a penal statute that the legislature should declare on the face of the statute the policy or purpose for which it was enacted. It is sufficient if it enacts a plain and definite rule not inconsistent with fundamental principles."

Second: \*The statute is presumptively valid. xxx  
\*It is not a good objection to a statute prohibiting a particular act and making its commission a public offence, that the ~~xxx~~ prohibited act was, before the statute, lawful, or even innocent and without any elements of moral turpitude. It is the province of the legislature to determine, in the interest

POOR QUALITY  
ORIGINAL

0479

6

of the public, what shall be permitted or forbidden, and the ~~the~~ statutes contain very many instances of acts prohibited, the criminality of which consists solely in the fact that they are prohibited, and not at all in their intrinsic quality".

People v. West

Ct. App. 8 N.Y. State Reporter 715

This seems to be a sufficient answer to the point made for the defendants that the coloring of vinegar is ( or was ) an innocent act, and that its prohibition is therefore an infringement of the rights of the citizen and unconstitutional. But it may be asked here: If it is a constitutional ~~act~~ <sup>act</sup> to prescribe how much per cent of acetic acid vinegar shall contain, and what per cent of cider vinegar solids shall be found in cider vinegar, (which arbitrary regulation is also an interference with the liberty of the citizen) why should it be unconstitutional for the lawmakers to prevent deceit on the public by prohibiting artificial coloring of vinegar? That prohibition indicates its own purpose-- the enforcement of fair <sup>dealing</sup> the suppression of fraud; while it is not so clear why the law should make a standard of <sup>quantity</sup> ~~quality~~ in regard to the constituents of vinegar. It certainly was before the passage of the act quite an innocent thing to put less than 4 1/2 per cent of acetic acid into vinegar. Defendant's counsel concedes that this requirement is lawful; but urges that the exclusion of artificial coloring matter is unconstitutional and void. The cogency of the argument is not apparent; at least the ground of the distinction does not appear.

Third- re Jacobs, 98 N.Y. 98, in which the tenement house cigar act of 1884 was declared unconstitutional, has no bearing upon the question involved in these cases. That act in

**POOR QUALITY  
ORIGINAL**

0480

section 1 declared that "the manufacture of cigars or preparation of tobacco in any form, on any floor, or in any part of any floor, in any tenement house is hereby prohibited, if such floor or any part of such floor is by any person occupied as a home or residence for the purpose of living, sleeping, cooking or doing ~~any~~ any household work therein" and section 2 defined what was a tenement house within the meaning of the act. The Court held that the prohibition of a lawful trade in a tenement house was an impairment of the right of property, and in a measure the deprivation of the liberty of the citizen. It did indeed cite a number of cases on the general subject of constitutional rights, and of the proper exercise by the legislature of the police power, but when later on in the case of

People vs. Arensberg 7 N. Y. Central Reporter 247 came before it, the Jacobs case was held to have no bearing upon the indictment under the act of 1885, chapter 183, entitled "An act to prevent deception in the sale of dairy products" &c. In the Arensberg case the Dairy Products act which, in effect, prohibited the manufacture or sale of any substance in imitation or semblance of natural butter produced from milk was declared constitutional. The Court said (p.251) "We are of opinion that such artificial coloring of oleomargarine for the mere purpose of making it resemble dairy butter comes within the statutory prohibition against imitation, and that such prohibition is within the power of the legislature, and rests upon the same principle which would sustain a prohibition of coloring winter ~~winter~~ dairy butter for the purpose of enhancing it's market price by making it resemble summer dairy butter, should the legislature deem such a prohibition necessary or expedient."

**POOR QUALITY  
ORIGINAL**

0481

- 8

It seems <sup>was</sup> necessary to review the first oleo-  
margarine case-- People Vs. Marx 99 N.Y. for it has clearly no  
application. Section 6 of the act was held to be unconstitution-  
al for the reason that it absolutely prohibited the manufacture  
or sale of any compound designed to be used as a substitute for  
butter or cheese, however wholesome or, valuable, or however  
openly and fairly the character of the substance might be  
avowed and published.

It must be borne in mind that the act under  
consideration is an act to prevent ADULTERATION of a food  
product of universal use, and of deception in the sale thereof.  
The right of the legislature to enact such a law has been  
questioned, but always upheld. The very words excepted to by  
the defenadnts define adulteration viz: artificial coloring. <sup>8</sup>  
To the average mind the artifisial coloring of an article of  
food or drink which has a certain natural color is an adultera-  
tion. We have seen from the West case that it is not necessary  
that the title of the act should show or declare that the law  
was intended to prevent deseption or adulteration: the intent  
of the law-maker can be gathered from the body of the act. If  
these words are unconstitutional every other restriction and  
prohibition in Section 5 is contrary to the constitution.

Finally, we submit that the demurrer to the  
indictment should be overruled .

*W. H. Towler*  
*for complainant.*

**POOR QUALITY ORIGINAL**

0482

CITY AND COUNTY OF NEW YORK, SS. :

being duly sworn, doth depose and say, that he is above the age of ..... years; that on the ..... day of ..... 188....., between the hours of ..... and ..... he served within ..... upon .....

at his office No. .... in the City of New York, by delivering to and leaving with ..... true ..... thereof. ....

Sworn to before me this ..... day of ..... 188 )

Court of General Sessions.

The People &c.

--VS--

William Just

Same

--VS--

Henry Rowold

*People*  
Brief for Complainants.

WILLIAM H. TOWNLEY,

Attorney for Complainants.

Tribune Building,

(154 Nassau St.,)

NEW YORK.

To .....

Attorney for .....

Due and timely service of copy of within ..... is hereby admitted.

Dated New York, .....

ney for

Please take notice that the within is a copy of .....

this day entered in the office of the Clerk of .....

Court .....

at the ..... in the .....

City of New York.

Dated New York, ..... 188

Yours,

WM. H. TOWNLEY,

Attorney for .....

To .....

**POOR QUALITY ORIGINAL**

0483

POLICE COURT— 4 DISTRICT.

City and County of New York, ss.:

THE PEOPLE,

vs.

On Complaint of William Digney  
For Adulteration of

Henry Rowell Vinegar

After being informed of my rights under the law, I hereby waive a trial, by Jury, on this complaint, and demand a trial at the COURT OF SPECIAL SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated May 25 1887

Solou Smith Police Justice.

Henry Rowell

Fourth District Police Court  
Before Hon. John B. Smith, Justice.

The People on the complaint  
of William J. Rigney  
vs.  
Henry Rowold

City & County of New York: of 109 Wall St  
William J. Rigney, being duly  
sworn deposes & says:

I am Inspector of Vinegar for  
the City of New York, appointed by  
the Mayor of this City by virtue  
of Chapter 606 of the laws of 1886  
intituled "An act in relation to the  
manufacture & sale of vinegar."

On the 6<sup>th</sup> day of May  
1887, the defendant Henry Rowold  
of the firm of Rowold Brothers,  
grocers, of No. 562 Second Avenue  
in the City of New York, sold <sup>delivered to</sup> me  
a sample of brown vinegar,  
which on analysis I found  
contained artificial coloring  
matter. Such sample was taken  
from a barrel or cask of vinegar  
on tap in ~~the~~ <sup>the said</sup> store of said defend-  
ant, & said vinegar was evidently

POOR QUALITY  
ORIGINAL

0485

~~to~~ exposed & kept for sale to any  
persons who would purchase.

I therefore charge the defendant  
Henry Rowold with having violated  
sections 4 & 5 of the act above  
referred to in that he had in  
his possession with intent to sell,  
& did sell adulterated vinegar,  
i. e. vinegar which contained  
artificial coloring matter.

and I pray that he be arrested  
& dealt with according to law.

Sworn to before me this

23<sup>rd</sup> day of May 1884

William J. Bigney  
Solm D Smith  
Police Justice

POOR QUALITY  
ORIGINAL

0485

4<sup>th</sup> Dist. Police Court

The People on complt. of  
Wm. J. Rigney

vs.

Henry Rowold

Complaint.

**POOR QUALITY ORIGINAL**

0487

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY }  
OF NEW YORK. } ss.

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

Question. What is your name?

Answer. Henry Rowold

Question. How old are you?

Answer. 22 Years

Question. Where were you born?

Answer, Germany

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

Answer. 562 2 Ave 2 Years

Question. What is your business or profession?

Answer, Grocer

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

Answer. I am not guilty

Henry Rowold

Taken before me this 25  
day of May 1887  
Wm. J. ...  
Police Justice.

POOR QUALITY ORIGINAL

0488

Sec. 151.

Police Court 4<sup>th</sup> District.

CITY AND COUNTY } ss. *In the name of the People of the State of New York; To the Sheriff of the County*  
OF NEW YORK, } *of New York, or to any Marshal or Policeman of the City of New York, GREETING:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by William J. Rigney of No. 109 Wall Street, that on the 6<sup>th</sup> day of May 1887 at the City of New York, in the County of New York, Henry Rowold, of no.

562 Second Avenue did sell & deliver to said Rigney brown vinegar which had & contained artificial coloring matter contrary to the provisions of chapter 606 of the Laws of 1886

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, ~~to~~ each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 4<sup>th</sup> DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 23<sup>d</sup> day of May 1887.  
John B. Smith POLICE JUSTICE.

**POOR QUALITY ORIGINAL**

0489

Police Court ..... District.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

vs.

Warrant-General.

Dated ..... 188

Magistrate

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

Officer.

Dated May 25 188 7

This Warrant may be executed on Sunday or at  
night.

Police Justice.

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

Dated ..... 188

Police Justice.

The within named

*age 22 from No 562 - 2. Ave*

POOR QUALITY ORIGINAL

0490

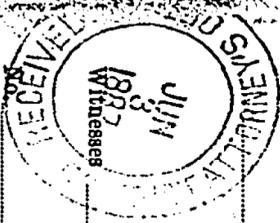
BAILED

No. 1, by William Folmer  
 Residence 435 Plymouth Street.

No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street.

No. 8, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street.



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

No. 1 Street.

No. 200 Street.  
 to answer 250

Bailed

*Personal bonds to credit of Geo. S. Folmer - attaching a pay bond -*

Police Court-- 4th District.

THE PEOPLE, & S. J. [Signature]  
 ON THE COMPLAINT OF

William Folmer  
Henry Rowed

Dated May 25 1887

John Smith Magistrate.

Offence Adulteration of Beer

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

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

Dated May 25 1887 Solon Stewart Police Justice.

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

Dated May 25 1887 Solon Stewart Police Justice.

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

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



0492

**BOX:**

267

**FOLDER:**

2564

**DESCRIPTION:**

Ruckert, Nicholas

**DATE:**

06/28/87



2564

POOR QUALITY ORIGINAL

0493

1887  
AB

Counsel,  
Filed 27 day of June 1887  
Pleads, Not Guilty

[Section — 654, — Penal Code].

THE PEOPLE

vs.

Nicholas Richard

July 8/87  
Spoken by Jury  
R  
RANOLPH B. MARTINE  
District Attorney

A True Bill.

F. Chandler  
Foreman.

146  
J. H. P.

Witnesses:

Lease & Co  
Accountants  
City of  
D. H. H. H. H.  
West Ave  
City of

POOR QUALITY ORIGINAL

0494

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

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

Question. What is your name?

Answer. *Nicholas Ricker*

Question. How old are you?

Answer. *28 Years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *530 West 57th Street*

Question. What is your business or profession?

Answer. *Truck Driver*

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

Answer. *I am not guilty of the charge*  
*Nicholas Ricker*

Taken before me this

day of *March* 188*7*

Police Justice.

POOR QUALITY ORIGINAL

0495

BAILIED,

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

No. 5, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

No. 6, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

No. 7, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

No. 8, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

Police Court District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Henry St. Leger  
114 St. Paul St  
Nicholas Ricker

Offence Malicious Mischief

1  
2  
3  
4

Dated June 23 1887

Henry Murray Magistrate.

Meekins Officer.

Witnesses \_\_\_\_\_ Precinct \_\_\_\_\_

Witnesses

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

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

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

\$ 500 to answer

\_\_\_\_\_

(Orn)

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

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

Dated June 23 1887 \_\_\_\_\_ Police Justice.

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

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

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

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

POOR QUALITY  
ORIGINAL

0496

District Attorney's Office.

PEOPLE

vs.

Nicholas Ruckert

The Complainant

Henry A Fletcher  
is at present  
at Oceanic New Ferry  
and will not be  
back until the  
latter part of  
September

POOR QUALITY ORIGINAL

0497

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 2 DISTRICT.

Henry A. Fletcher

of No. 145 East 35<sup>th</sup> Street, aged 49 years,

occupation Coachman being duly sworn deposes and says,

that on the 23 day of June 1887

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

was present did wilfully and maliciously break and injure a coach then driven by deponent to the amount of about seventy five dollars. That the defendant was at said time in charge of and driving a truck on and along Broadway and saw deponent driving in the opposite direction being on the proper side. That the defendant failed to pull up his horses, but did knowingly and mischievously drive right on and into the coach driven by deponent and owned by

Sworn to before me, this

of June 1887

day

Police Justice.

POOR QUALITY ORIGINAL

0498

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Nicholas Rindart

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

Nicholas Rindart

of the CRIME of

feloniously and unlawfully  
injuring personal property,

committed as follows:

The said

Nicholas Rindart,

late of the Ward of the City of New York, in the County of New York afore-  
said, on the twenty third day of June, — in the year of our Lord  
one thousand eight hundred and eighty seven, at the Ward, City and County aforesaid,

with force and arms, a certain horse  
drawn by two horses, then and there  
being driven by him the said Nich-  
olas Rindart, to, at and against a  
certain vehicle called a coach, of the  
value of one thousand dollars, of the  
goods and personal property of one  
Franklin W. Bliss, then and there  
being then and there lawfully  
lawfully and lawfully force and  
drive, and the same coach of the  
said Franklin W. Bliss, then and there  
then and there, lawfully, lawfully  
and unlawfully injured, to the amount  
of the value of one thousand dollars,

**POOR QUALITY  
ORIGINAL**

0499

against the form of the Statute  
in such case made and provided,  
and against the laws of the  
People of the State of New York  
and their authority

*Charles W. Brewster*

District Attorney.

0500

**BOX:**

267

**FOLDER:**

2564

**DESCRIPTION:**

Ryan, James

**DATE:**

06/28/87



2564

0501

1887

Counsel,  
Filed *28* day of *June* 1887  
Pleads,

Robbery, second degree.  
[Sections 224 and 227, Penal Code].

THE PEOPLE  
vs.  
*James Ryan*

*pp. [unclear]*  
by RANDOLPH B. MARTINE,  
District Attorney.

A True Bill.

*Richard [unclear]*  
June 29/87 Foreman.

*James H. Robby Deley*  
S. P. Four years.

0502

Police Court 3 District.

CITY AND COUNTY }  
OF NEW YORK, } ss

John Smith  
of No 838 First Ave Street, Aged 35 Years  
Occupation Push being duly sworn, deposes and says, that on the  
25 day of June 1887, at the 1st Ward of the City of New York,  
in the County of New York, was feloniously taken, stolen, and carried away from the person of de-  
ponent by force and violence, without his consent and against his will, the following property, viz:

Good and lawful money of  
the United States Consisting  
of One Bank note of the  
denomination and value of  
Ten

of the value of Ten 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 force and violence as aforesaid by

James Ryan (newly)  
knowing the fact that at about  
two o'clock am of the above  
date when deponent came  
out of the Coffee Saloon No  
8 Division Street said deponent  
stopped him and asked deponent  
for two cents, saying that he  
had three cents and wanted  
two more to get a glass of Beer.  
Deponent then handed deponent  
two cents and immediately after  
he took the two cents he caught

Sworn to before me, this  
1887  
Police Justice.

0503

hold of defendant by the throat  
and put his hand in the  
right side pocket of the coat  
then and there forcibly deprive  
as a part of his bodily clothing  
and took therefrom the aforesaid  
property.

Defendant is informed  
by Officer John W. Smith of  
the 7th Precinct that while he  
was on the opposite side of the street  
he saw said defendant wrangling  
with defendant and saw said  
defendant have his hand in  
defendant's pocket. Therefore  
defendant prays that said defendant  
be held to answer and be dealt  
with as the law directs.

Sworn to before me  
this 25 day of June 1887  
J. J. [Signature]  
Police Justice

Dated 1887 Police Justice

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

Dated 1887 Police Justice

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

Dated 1887 Police Justice

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

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

Police Court, District, \_\_\_\_\_

THE PEOPLE, &c.,  
on the complaint of \_\_\_\_\_

vs. \_\_\_\_\_

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

Dated \_\_\_\_\_ 1887

Magistrate. \_\_\_\_\_  
Officer. \_\_\_\_\_  
Clerk. \_\_\_\_\_

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

§ \_\_\_\_\_ to answer General Sessions.

0504

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 27 years, occupation John W. Smith Police Officer of No. the 7th Avenue Street, being duly sworn deposes and

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

Sworn to before me, this 25 day of June 1888 } John W. Smith  
J. Merrin Ford  
Police Justice.

0505

Sec. 198-200

3 District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

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

Question What is your name?

Answer. *James Ryan*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer, *Ireland*

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

Answer. *No 9 Bowery. 2 days*

Question. What is your business or profession?

Answer, *Printer*

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

Answer. *I am not guilty. I was trying to get his watch but I did not take any money from him*

*✓ James Ryan*

Taken before me this

day of

*June* 188*7*

*J. J. McNeill*

Police Justice.

0506

Police Court-- District.

THE PEOPLE &c.,  
ON THE COMPLAINT OF

1 *Richard Smith*  
2 *James Ryan*  
3  
4  
Offence *Robbery*

BAILED,

No. 1, by  
Residence

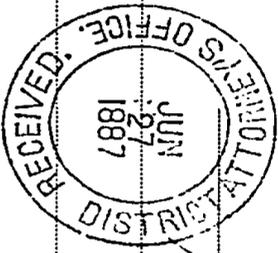
No. 2, by  
Residence

No. 3, by  
Residence

No. 4, by  
Residence

Dated *June 25* 188

*John W. Smith*  
Magistrate.



Witnesses  
No. Street.

No. Street.

No. Street.

*to answer*  
No. Street.

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

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

Dated *June 25* 188 *J. W. Smith* Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

0507

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*James Raper*

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

*James Raper*

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

The said *James Raper,*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *Twenty-fifth* day of *June*, in the year of our Lord one thousand eight hundred and eighty-~~nine~~, in the ~~month~~ time of the said day, at the Ward City and County aforesaid, with force and arms, in and upon one *John Smith,* in the peace of the said People, then and there being, feloniously did make an assault, and

*one United States Treasury note of the denomination and value of ten dollars, one Canada note of the denomination and value of ten dollars, and one United States Silver Certificate of the denomination and value of ten dollars,*

of the goods, chattels and personal property of the said *John Smith,* from the person of the said *John Smith,* against the will, and by violence to the person of the said *John Smith,* then and there violently and feloniously did rob, 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.

*Randolph B. Smith*  
District Attorney.

0508

**BOX:**

267

**FOLDER:**

2564

**DESCRIPTION:**

Rydberg, Axel G.

**DATE:**

06/24/87



2564

POOR QUALITY ORIGINAL

0509

211

Witnesses:

Adolph S. King

235 West St

Officer

Thomas Mallon

28 Precinct

June 27/87

Michael V. Quirk

23 Cliff St

June 23

Richard Canole

471 Grand St

~~Asst G. Rydberg, District~~

Counsel, *B. Starbuck*  
Filed, *24* day of *April* 1887  
Pleads, *Not Guilty*

THE PEOPLE  
vs.  
*2*  
*Arvid G. Rydberg*  
*Quirk*  
*Arvid G. Rydberg*  
RANDOLPH B. MARTINE,  
District Attorney.

Grand Larceny in  
degree  
[Sections 528, 581 Penal Code]

A True Bill.

*F. C. Chandler*

Foreman.

June 25/87

Said over *Edw*

Said the Defendant

POOR QUALITY ORIGINAL

0510

3190 Paul

Police Court— / District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 235 West Street, aged 52 years,  
occupation Superintendent of Lighterage Department, being duly sworn

deposes and says, that on the 24<sup>th</sup> day of May 1887 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

About two hundred coils of steel wire valued at two hundred and fifty dollars

the property of The Old Dominion Steamship

Company as common carriers and in the care and custody 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 Axel G. Rydberg (now here)

for the reasons following to wit: on the above described the said deponent was employed by deponent as captain of a "lighter" and as such captain was entrusted with the said property which was consigned to a firm in the West. Deponent was to the defendants "lighter" on the 10<sup>th</sup> day of June 1887 and found that that the said property was missing. Deponent says that the said deponent had no authority to dispose or deliver the said property to any one

Support by Rydberg's wife

Police Justice

POOR QUALITY  
ORIGINAL

0511

with out his order and whereupon  
he charged the said defendant  
with feloniously taking, stealing  
and carrying away the aforesaid  
property,

Sworn to before me  
this 12<sup>th</sup> day of June 1887

Solomon D. Smith

Police Justice

POOR QUALITY  
ORIGINAL

0512

the 2 87  
Brooklyn June  
captain Lighter sister  
you will please give  
Bailons of Yes to  
Back ~~and~~ success and  
Blaze for Benjamin

POOR QUALITY ORIGINAL

0513

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, DISTRICT.

of No. 28<sup>th</sup> Peckay Street, aged 48 years, occupation Police Officer being duly sworn deposes and says that on the 12<sup>th</sup> day of June 1887

at the City of New York, in the County of New York, the defendant Axel G. Ryberg told deponent that the aforesaid property was given to a truckman on the annexed order which he defendant claimed came from a mate on the barque "Success"

James Mallon

Sworn to before me, this

day

of June 1887  
Edmund Stewart  
Police Justice.

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, DISTRICT.

of No. 66<sup>th</sup> Park Street, aged 3 years, occupation Sea Captain being duly sworn deposes and says that on the 12<sup>th</sup> day of June 1887

at the City of New York, in the County of New York, he is the captain of the Barque "Success" and says that no person of the name John Birdman which is the name on said order, ever worked on the said vessel and that the handwriting is not that of any one employed on said vessel.

William J King

Sworn to before me, this

day

of June 1887  
Edmund Stewart  
Police Justice.

**POOR QUALITY ORIGINAL**

0514

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } 5<sup>th</sup>

*Paul G. Rydberg*

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

Question. What is your name?

Answer. *Paul G. Rydberg*

Question. How old are you?

Answer. *34 years*

Question. Where were you born?

Answer, *Sverden*

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

Answer. *104 Butler Street Brooklyn, 1 year*

Question. What is your business or profession?

Answer, *Captain of a "nighter"*

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

Answer. *I am not guilty*  
*P. G. Rydberg*

Take before me this day of *March* 188*8*  
*Samuel J. ...*  
Police Justice.

POOR QUALITY ORIGINAL

0515

June 14

10 am

See Carl Depoite  
with City Clerk  
by J. H. Condit  
BATHED, June 17 1888

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 5, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 6, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 7, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 8, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

Police Court

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

District

894

Walter J. ...  
235 West Street  
Wool & ...  
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Dated June 12 1888

Walter J. ...  
Officer

Witnesses  
George ...  
Street

No. ...  
Street

No. ...  
Street

No. ...  
Street

No. ...  
Street

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

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

Dated June 12 1888 Solomon B. Smith Police Justice.

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

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

POOR QUALITY ORIGINAL

0516

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*And by indictment*

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

*And by indictment*

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

The said *And by indictment*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *24<sup>th</sup>* day of *May* in the year of our Lord one thousand eight hundred and eighty-*seven*, at the City and County aforesaid, with force and arms,

*Two hundred coils of steel wire of the value of one dollar and twenty five cents each coil,*

of the goods, chattels and personal property of ~~an~~ *a corporation* called *the Old Dominion Steamship Company*

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

*David W. Smith*

District Attorney.