

0672

BOX:

401

FOLDER:

3724

DESCRIPTION:

Salzman, Moses

DATE:

06/10/90



3724

Plaintiff's name: *Pauline Pechacek*
Residence: *1010 1st St. N. W. Wash. D. C.*
Witnesses: *John P. Pechacek*

Pauline Pechacek

I have examined the within
case and concur with the
recommendation before
January 12 1891 Admitted
by the court

December 9, 1890
This indictment was
returned against the
prisoner on the first
attempt.

The facts do not
constitute a crime.
See the answer
made upon the
interrogatories
submitted to the
grand jury at the
last term of court.
The indictment
should be dismissed
with prejudice
and no further
prosecution
be had.

Pauline Pechacek
137
10 day of June 1890
Filed
Pleads, *Not guilty* Day 1/4

THE PEOPLE
vs.
Moses Salzman
for the purpose of securing
the same

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Wm. H. Huggins Foreman.
On the 10 of June
the jury decided
that the indictment
should be dismissed
with prejudice
and no further
prosecution
be had.
January 12/91

0573

0674

STENOGRAPHER'S MINUTES.
Third District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF
P. Portieser
 VS
Moses Salzman

BEFORE HON.
Jacob H. Patterson
 POLICE JUSTICE,
May 6 188*9*

APPEARANCES: { For the People, _____
 { For the Defence, _____

188

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J. J. Greaney
 Official Stenographer.

New York May 6th 1890
 Third District Police
 Court
 Hon Jacob M. Patterson
 Residing Justice.

Pauline Forkheiser
 vs.
 Moses Salzman

Pauline Forkheiser
 being duly sworn
 deposes and says, I
 live at No 120 Orchard
 St. I am a widow

Q.

When did you
 pay this deposit of
 twenty dollars to the
 Defendant?

A

The receipt
 shows that April 16/90

Q.

What conver-
 sation did you have
 with him when you

1

Q

A paid him the money
I told him
when I had money I
would take the stamp.
Then he came on Sun-
day and wanted me
to go, I said I could
not go, my cousin
was not there.

Q.

What day
of the week was it?

A.

Q. Saturday evening,
It was the next day
he called on you,
in regard to the
purchase?

Q.

A. Yes Sir
Is it not a fact that
when you paid the
\$20., there was some
talk about the permit
being revoked?

A.

If we

(2)

3

did have a conversation, I was afraid that the stand would be taken away and he answered me, I will deposit the money with this man, I did have a conversation about a permit that the stand might be taken away, he said I will deposit the money with this man and I could keep the stand

Q. Were you not the first to suggest that the stand might be removed?

A. Somebody suggested that the stand might be away, I said I am a poor woman and I must

3

0678

H

Q. Look out for myself ^{and}
my money. Did the
Defendant tell you
that you must make
your bargain good on
Sunday?

A. Yes, he knew
very well I did not
have the money.

Q. Did not the
Defendant tell you
that you would have
to pay the rest of the
money on Sunday?

Q. A. No Sir,
Who was present
besides yourself and
the Defendant?

A. A boy
was there, who wrote it
down; there was some
one there before, I do

H

0678

H

look out for myself ^{and}
my money

Q. Did the
Defendant tell you
that you must make
your bargain good on
Sunday?

A. No, he knew
very well I did not
have the money.

Q. Did not the
Defendant tell you
that you would have
to pay the rest of the
money on Sunday?

A. No Sir,
Q. Who was present
besides yourself and
the Defendant?

A. A boy
was there who wrote it
down; there was some
one there before, I do

H

H

look out for myself ^{and}
my money

Q. Did the
Defendant tell you
that you must make
your bargain good on
Sunday?

A. No, he knew
very well I did not
have the money.

Q. Did not the
Defendant tell you
that you would have
to pay the rest of the
money on Sunday?

A. No Sir,
Q. Who was present
besides yourself and
the Defendant?

A. A boy
was there, who wrote it
down; there was some
one there before, I do

0580

5

not know the boy
who wrote it. I do not
know his name.

Q.

When
did you next see the
Defendant after
Sunday?

A.

Then they
came to me on Tuesday
morning and told
me the stand was go-
ing to be sold, a
man came to me, not
the Defendant.

Q.

When
did you next see
him (Defendant)
after that Sunday, you
saw him?

A.

I saw him
Tuesday morning, when
he sold the stand.

Q.

Did you have
(D)

6

any conversation
with him?

A. Yes Sir, I
begged him to give
me the \$20, back, as
I was a poor widow,
my husband is dead
four months, I have
his stand.

Q. How long
has your
husband have that
stand?

A. Eight months
Q. Where is it?

A. Corner of
Orchard & Draborn St

Q. Do you own any
real estate?

A. No Sir,

Q. Did your husband
leave any property?

A. No Sir,

Q. Have you any money

0682

4

Q. in Bank?
A. Yes Sir,
Is it not a fact
that when you saw
the Defendant Tuesday
that the Defendant
told you, that ~~acc~~
according to agree-
ment, you had
failed to pay the
Balance and so
forfeited your deposit

A. He told me
(said to me) you told
me to come on Sunday,
today I sold the
stand, and you get
nothing

Lawyer Did you go
there with the (\$230)
two hundred and thirty
dollars to pay for the
stand on Tuesday
morning?

0683

8

A. ~~Cemallum~~ Yes Sir,
Did you offer it
to him, did you have
the money with you?

A. I did not
want to give it, because
I found the stand was
old, when I went
up he said, please
sit down, he was
writing a receipt for
the other man and
took the money from
the other party.

Q. Did you
have the money on
your person?

A. ~~Cemallum~~ Yes Sir,
You say, he told
you he had sold it
to some one else?

A. ~~Cemallum~~ Yes Sir,
When you gave
8

0684

9

him that money,
did you promise
him that if you
did not pay on
Sunday you would
lose the amount you
had deposited?

A. Yes Sir,
Q. Did you agree to
take the stand at any
particular time?

A. No Sir,
Q. Where did the counter-
-action take place?

A. In that man
Q. Store where it happened
Who is A. Henry?

A. My cousin,
Q. Where is he?

A. He is not
here

Q. Where was he
present when you

(9)

0685

10

Q. gave the Twenty (\$20.)
Dollars?
A. Yes Sir,

Sworn to before me }
This 6th day of May 1890 }

Police Justice

10

11

Moses Salzman, the
Defendant, being
duly sworn deposes ^{and}
says

Q. Where is this Frank
A. Ridge and Delaney
St.

Q. When did you
A. first see this woman
on Saturday April
7th in the morning
a week ago, she
came and asked me
if I wanted to sell,
I said yes, you go
first and find how
the business runs,

Q. What did you do
there?

A. I told her she
had time enough till
Sunday, she came
Saturday night and
11

11
Moses Salzman, the
Defendant, being
duly sworn deposes ^{and}
says

Q. Where is this Stand
A. Ridge and Delancy
Sts.

Q. When did you
first see this woman
A. Saturday April
16th in the morning
a week ago, she
came and asked me
if I wanted to sell,
I said yes, you go
first and find how
the business runs,

Q. What did you do
there?

A. I told her she
had time enough till
Sunday, she came
Saturday night and
"

11
Moses Salzman, the
Defendant, being
duly sworn deposes^{and}
says

Q. Where is this Sand
A. Ridge^{and} Delancy
St.

Q. When did you
first see this woman
A. Saturday April
26th in the morning
a week ago, she
came and asked me
if I wanted to sell,
I said yes, you go
first and find how
the business runs,

Q. What did you do
there?

A. I told her she
had time enough till
Sunday, she came
Saturday night and
"

0688

12

asked me to sell, I said yes, I told her it would be \$2.50, and she said I will give you twenty dollars (\$20) all tomorrow at twelve (2) o'clock, I gave her a receipt, I signed it, but the other wrote it, on Sunday at twelve (12) o'clock she did not come I went to her house and I asked her why she did not take the stand, she said she had heard it was going to be moved. I told her to give this man the money (\$230) and she said if so I will be there at Eight

12

13

o'clock. I said if
 you do not take the
 stand today you
 cannot get it. I
 will sell the stand, ^{my}
 she said she would
 be here at eight (8)
 o'clock Sunday night,
 I was waiting two
 (2) days,

Q. Who was
 with you?

A. No one, I was
 waiting till the third
 day, I could see no-
 one and sold my
 stand I got \$2.50
 for it

Sworn to before me
 this 6th day of May 1890

Police Justice

13

14

David Frank, being
only sworn deposes and
says, I work for
Harver Brothers.

Q.

Were
you present when
the Complainant and
Defendant were at
the Strand?

A.

Yes, but at
the store of Harver Bros.
85 Allen St. it was
on Saturday even-
=ing

Q.

Who were pres-
=ent besides you, the
Defendant & Complain-
=ant?

A.

A German man
was there.

Q.

Did you hear
the conversation
between them?

14

15

Q.

Yes Sir, this party was going to buy the stand, they called me over to write the receipt for twenty dollars (\$20.) The balance to be paid on Sunday noon at the stand.

Q.

Did you write the receipt?

Q.

Yes Sir, Tell me why you did not put that in the receipt?

A.

I did not think it necessary.

Q.

Was there any other conversation that you heard?

Q.

That is all. Did she agree to forfeit the money (\$20) if she did not

15

0692

✓16

Q. pay the balance?
A. No Sir,

Sporn before me }
This 6th day of May 1890 }

Police Justice

Morris Goldman being
only sworn deposes ^{and}
says

Q. Did you ever
see the complainant
before?

A. Yes Sir, I saw
her in the store
with the other witness

Q. Who was there?

A. This boy, that lady,
and another man
that was at 85 Allen
St.

Q. Do you understand
16

14

Q. English?
I understand,
but not much

Q. Here the parties
talking in English or
German?

Q. German.
If you heard the
conversation, state
what it was?

A. This
lady brought the
stand of him and
gave him twenty (\$20.)
dollars deposit and
said she would take
the stand and pay
it tomorrow at (12)
twelve o'clock, the
balance, they said a
good deal more, but
that is all I recollect
I know to before me.
This 6th day of May 1898
Police Justice

(H)

18

Counsel I move for the dismissal of the complaint on the ground that the evidence shows there is no evidence of larceny in the transaction.

The complainant parted with her money on a condition—

Court The charge is withholding money—

Counsel That is your Honor's impression. The facts are that she paid the money on the condition that she was to pay the balance the following day and take the stand, and after she failed to keep the condition, the money was

19

forfeited to this man
 Court Motion denied
 Counsel I move for the
 discharge of the Defendant
 on the ground that she
 parted with her money
 conditionally, and the
 only condition was to
 pay the balance and
 get the stand

Counsel I ask you to
 dismiss on the ground
 that she has no
 title to the money,
 and that Defendant
 was rightly entitled
 to hold the money

Court Motion denied It
 appears from his own
 admission that he
 sustained no loss
 by her not taking
 the stand and she

19

0696

20

denies that she made
any assertion that
she would sacrifice
the deposit money if
she did not buy the
wardrobe
held on 300 dollars
to answer

M. J. Healey
Stenographer

20

0697

Thos. J. [unclear]
District Police Court.

vs.

STENOGRAPHER'S TRANSCRIPT.

May 6 188*90*

BEFORE HON.

J. M. Patterson

Police Justice.

M. J. Keenan

Official Stenographer.

0698

Office of

M. BARON & BRO.

—Wholesale Dealers in—

Essential Oils, Fruit Extracts, Etc.

85 ALLEN STREET,

New York, April 26, 1890

Received From H. Demby
and P. Pockhiser the sum of
twenty Dollars as a Deposit
on soda Water stand cor Ridge
and Delancey the balance of
two Hundred and thirty Dollars
to be paid when possession of
the stand is taken

Mrs. Salmon

0699

~~TO THE CHIEF CLERK.~~

~~Please send me the Papers in the Case of~~
PEOPLE

vs.

Moses Salzman

To the Grand Jury

From an examination
of the facts in this case as
they appear by the papers
I am convinced the evidence
does not warrant the finding
of an indictment.

Defendant was guilty of
no crime in obtaining the
money, and even if he
fraudulently refused to return
it afterwards that is no
ground for a criminal prosecution.
District Attorney.

The title passed to him
when he received it and he
owed her (assuming her story
to be true) that sum, which he
refused to pay.

This would support a civil
suit but is not larceny.
The case should be dismissed

June 9/90

Wm. B. Lindsay

0700

DISTRICT POLICE COURT.

THE PEOPLE,
ON COMPLAINT OF

Portner
Indalman

Examination had

May 6

188*90*

Before

Jacob M. Patterson Police Justice

H. J. Treacy

Stenographer of the

8th

District Police

Court, do hereby certify that the within testimony in the above case is a true and correct copy of the original Stenographer's notes of the testimony of

Portner and all herein

as taken by me on the above examination before said Justice.

Dated

May 9th

188

90

H. J. Treacy

Stenographer

Police Justice.

0701

Police Court—

3 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Pauline Pockhiser

of No. 120 Orchard Street, aged 27 years,

occupation Housekeeper being duly sworn

deposes and says, that on the 26 day of April 1890 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:

Twenty dollars in good and lawful money of the United States issue

\$ 20⁰⁰/₁₀₀

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

Moses Salzman (now here)

in the following manner to wit:

Deponent bought a Soda Water Stand from Defendant for the sum of Two Hundred and fifty dollars she having paid the sum of twenty dollars on account for which she received the annexed receipt marked Exhibit A. Deponent was to pay the balance of Two Hundred and thirty dollars. Deponent went to the defendant and offered to pay the balance due Two Hundred and thirty dollars when the defendant told her the defendant had sold the said stand to another party.

Sworn to before me, this

18

day

Police Justice.

0702

Defendant then demanded the said
twenty dollars which said Defendant refused
to return. Defendant thereupon charges the
defendant with feloniously withholding
said money and prays he be held
to answer as the law may direct

J. Jackson

Sworn to before me
this 6th day of May 1890

J. H. Peterson

Police Justice

0703

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

3 District Police Court.

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

Question. What is your name?

Answer. *Moses Salzman*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *Austria*

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

Answer. *243 St. Laurence 2 years*

Question. What is your business or profession?

Answer. *No Water Pump*

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 trial by jury*

Moses Salzman

Taken before me this

day of *May*

1890

Police Justice.

0704

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

Defendant
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Three 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 6 1890 J. M. P. Justice Police Justice.

I have admitted the above-named.....

Defendant
to bail to answer by the undertaking hereto annexed.

Dated May 7 1890 _____ Police Justice.

There being no sufficient cause to believe the within named.....

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

Dated _____ 18 _____ Police Justice.

0705

Admitted to 21/2
Placed in custody
of Council

May 7th

May 6

BAILED.

No. 1, by

Residence

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court---

189 #

139

720

District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

Paulus Posthumus
120 Es. Richard
Innes Salzman

2

3

4

Dated

May 6
Patterson

1890

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

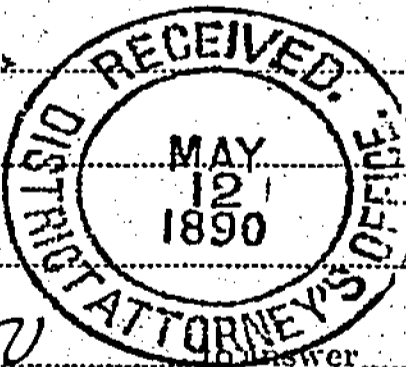
\$

300

lower

Q.S.

Bailed



0706

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Moses Salzman

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

Moses Salzman

of the CRIME OF ~~Robbery~~ LARCENY,

committed

as follows:

The said Moses Salzman,

late of the City of New York, in the County of New York aforesaid, on the ~~Twenty-sixth~~ day of ~~April~~, in the year of our Lord one thousand eight hundred and ~~eighty-ninth~~ at the City and County aforesaid, being then and there the ~~clerk and servant of~~ agent and bailee of one

Pauline Pockelner,

and as such ~~clerk and servant~~ ^{agent and bailee} then and there having in his possession, custody and control certain moneys, goods, chattels and personal property of the said

Pauline Pockelner,

the true owner thereof, to wit:

The sum of Twenty dollars in money, lawful money of the United States of America and of the value of Twenty dollars.

the said Moses Salzman, afterwards, to wit:

on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously appropriate the said ~~sum of money~~

to his own use, with intent to deprive and defraud the said Pauline Pockelner,

of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said Pauline Pockelner.

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

JOHN R. FELLOWS,

District Attorney.

0707

BOX:

401

FOLDER:

3724

DESCRIPTION:

Scallion, Francis

DATE:

06/03/90



3724

Witnesses:

Lizzie Drake
Lizzie Murphy

I have examined the
within case. The evidence
does not support the
indictment. The indictment
is for larceny from
the person while the
evidence is of larceny
by trick & device. ~~a~~
This is as the law is
favorable view that
can be taken of the
testimony. I respectfully
recommend that the
indictment be dis-
missed.

Part 2 Nov. 18/90

W. J. Ferrell,
Dep. Dist. Atty.

May 27 1890

Counsel,

Filed

Pleas,

1890

THE PEOPLE

vs.

Francis Scallion

(2 cases)

Other case gone to Special
Sessions. *Nov 18/90*

JOHN R. FELLOWS,

District Attorney.

9³⁰ Am.

Part 1 Sept 5
1890.

A True Bill.

Grand Larceny - Second Degree.
(From the Person.)
[Sections 528, 587 - Penal Code]

Francis Scallion
Part 2 - Nov. 18, 1890
Indictment dismissed on
motion of District Attorney.

0708

0709

Police Court—4 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Lizzie Donohue
 of No. 318 E 40 Street, aged 25 years,
 occupation House Keeper being duly sworn
 deposes and says, that on the 20 day of May 1898 at the City of New
 York, in the County of New York, was feloniously taken, stolen and carried away from the possession
 of deponent, in the day time, the following property, viz:

Good and lawful money of the United
 States consisting of a bill of
 the denomination and value of
 Five dollars

the property of Michael Donohue deponent's
Husband

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 Francis Scallion

from the fact that said defendant
 came in her room in said premises
 and took said money from her
 hand and refused to return
 the same. — Therefore deponent
 charges him with feloniously
 taking the same as aforesaid
Lizzie Donohue

Sworn to before me this
22 day of
May, 1898

Ed. J. McQuillan Police Justice.

0710

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Francis Scallion 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 *no* waiver cannot be used against *him* on the trial.

Question. What is your name.

Answer. *Francis Scallion*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *Nova Scotia*

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

Answer. *709, 3rd ave 1 year*

Question. What is your business or profession?

Answer. *Furniture Dealer*

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*
Francis Scallion

Taken before me this

17

day of

May

1890

Police Justice.

0711

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

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

Dated May 22 1890 Lo J. C. B. Kelly Police Justice.

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

Dated May 22 1890 Lo J. C. B. Kelly 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.

0712

Bond renewed
Nov. 7/90

BAILED.

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

815 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Lizzie Donohue
vs. 318-840

1 Francis Scallion

2

3

4

Offence Larceny

Dated

May 27

1890

O'Reilly

Magistrate

Car

Officer

4th Precinct

Precinct

Witnesses

No. 347

No. 347

No. 347

No. 347

No. 347

No. 347

No. 347

No. 347

No. 347

No. 347

No. 347

No. 347

No. 347

No. 347

No. 347

No. 347

No. 347

No. 347

No. 347

No. 347

No. 347

No. 347

No. 347

0713

Oliver D. Bennett,
COUNSELLOR AT LAW,
155 EAST 67th STREET,
RESIDENCE:
241 East 63d Street,
Near Court House,
NEW YORK.

0714

Names of Parties against whom Judgments have been obtained.		Names of Parties in whose favor Judgments have been drawn.	
Donohue Lizzie		Francis Scallion	
Damages and Costs.	Time of Filing.	Attorney's Name.	When Satisfied.
\$15 40	March 13 th 1890	May Steiert	

I, SYLVESTER E. NOLAN, Clerk of the District Court in the City of New York for the Seventh Judicial District, do hereby certify that the foregoing is a correct transcript from the Docket of Judgments kept in my Office, of a Judgment rendered in said Court.

In Testimony Whereof, I have hereunto set my name and affixed the seal of the said Court, this 23^d day of September 1890

Sylvester E. Nolan Clerk.

0715

District Court in the City of New York
for the Seventh Judicial District.

Francis Scallion

against

Lizzie Donohue

TRANSCRIPT OF JUDGMENT.

Max Steiner
Plaintiff Att'y.

Filed

189

H

M.

0716

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Francis Scallion

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

Francis Scallion
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said

Francis Scallion

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

one promissory note for the payment of money, of the kind commonly called United
States Treasury Notes, of the denomination and value of *five* dollars; *one*
promissory note for the payment of money of the kind commonly called Bank Notes, of the de-
nomination and value of *five* dollars; *one* United States Gold Certificate,
of the denomination and value of *five* dollars; *one* United States
Silver Certificate, of the denomination and value of *five* dollars;

of the goods, chattels and personal property of one *Lizzie Donohue*
on the person of the said *Lizzie Donohue*
then and there being found, from the person of the said *Lizzie Donohue*
then and there feloniously did steal, take and carry away, against the form of the statute in such
case made and provided, and against the peace of the People of the State of New York and their
dignity.

John R. Fellows,
District Attorney.

0717

BOX:

401

FOLDER:

3724

DESCRIPTION:

Scallion, Francis

DATE:

06/03/90



3724

0718

BOX:

401

FOLDER:

3724

DESCRIPTION:

Moran, Thomas

DATE:

06/03/90



3724

Witnesses:

Lizzie McMahon
Lizzie Murphy

Counsel,

Filed

Pleads,

day of June 1887
C. J. Kelly

THE PEOPLE

vs.

Francis Scallion
(2 ceps)
and
Thomas Moran

ASSAULT IN THE THIRD DEGREE

(Section 219, Penal Code).

JOHN R. FELLOWS,

District Attorney.

9th av.

Sub 1 Sept 5
Wed.

A TRUE BILL.

Done and returned before Sept 22/90
on vacation N.Y.

Charles H. H. Foreman.
Sept 23/90

Sworn to and attested
before me this 23rd day of Sept 1890
at New York City, N.Y.

0719

0720

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Francis Scallion
and
Thomas Moran

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

Francis Scallion and Thomas Moran

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

The said

Francis Scallion and Thomas Moran, both

late of the City of New York, in the County of New York aforesaid, on the *twentieth*
day of *May* in the year of our Lord one thousand eight hundred and
~~eighty-ninety~~ at the City and County aforesaid, in and upon the body of one *Lizzie*
Donohue in the peace of the said People then and there being, with force
and arms, unlawfully did make an assault, and *her* the said *Lizzie*
Donohue did then and there unlawfully beat, wound and ill-treat, to the great damage
of the said *Lizzie Donohue* against the form of the
statute in such case made and provided, and against the peace of the People of the State of
New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0721

BOX:

401

FOLDER:

3724

DESCRIPTION:

Schantz, John

DATE:

06/12/90



3724

0722

Witnesses:

James Mc Guck

Upon examination, I recommend the
release of Paul Brown and the dro-
charge of defendant upon recognizance.
June 30, 1900.
A. B. Barkers
Aff.

201

Counsel,
Filed 12 day of June 1890
Pleads, *Not Guilty* 13

THE PEOPLE

vs.

B

John Schantz

Grand Larceny, 2nd degree.
(False Pretenses).
[Section 628, and 681, Penal Code].

July 1, 1900
JOHN R. FELLOWS,
District Attorney.

A True Bill.

July 1, 1900
on recum. of dist. atty
def. discharged in pet's
own recog. R.B.M.

0723

Police Court—4 District.

Affidavit—Larceny.

City and County }
of New York, } ss.of No. 52, W 51-occupation ButcherJames McGrathStreet, aged 46 years,

being duly sworn

deposes and says, that on the 22 day of May 1890 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:

Ten dead Sheep ⁹⁴ Ten dead Lambs
of the value of Seventy six dollars
and Eighty five cents

the property of deponent's employer John
Healy

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

Deponent says that said defendant purchased the aforesaid property on said date and gave him an arrayed check (now fine check) in payment of the same. Deponent says that at the time he gave said check and received said property represented that he had an account in said Bank and that the check was good. Deponent says that relying upon the truth of the aforesaid false and fraudulent representation gave to said defendant the

Sworn to before me, this


18

day

Police Justice.

0724

affirmed property - Dependent says
that said check is worthless
and defendant not having
an account or funds to his
credit in said Bank
wherefore dependent charges
said defendant with feloniously
taking, stealing and carrying
away said property and
unlawfully obtaining possession
of the same with intent to
deprive the true owner of the
same


~~James McBrath~~

James McBrath

SWORN TO BEFORE ME

THIS 3rd DAY OF June 1890

James C. Kelly
POLICE JUSTICE.

0725

Sec. 198-200.

14 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK }

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

Question. What is your name.

Answer. John Schantz

Question. How old are you?

Answer. 38 years

Question. Where were you born?

Answer. New York City

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

Answer. No 165 East Greene St. Brooklyn, N.Y. 7 years

Question. What is your business or profession?

Answer. Cutcher

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

Answer. I am not guilty
John Schantz

Taken before me this

day of June 1890,

Ed. J. Murphy
Police Justice.

0726

State of New York, }
COUNTY OF KINGS, } ss.
CITY OF BROOKLYN.

Form No. 6

Andrew Armstrong of No. 4th Dist. Police Court N.Y.
being duly sworn says that he is acquainted with the handwriting of Daniel O'Reilly
the Police Justice, who issued the annexed Warrant and that
the signature to this Warrant is in the handwriting of said Daniel O'Reilly
Sworn to before me this 5 day of June 1890

John E. Armstrong
Police Justice of the City of Brooklyn.
This warrant may be executed in the City of Brooklyn.

Dated this

5 day of

June 1890
John E. Armstrong
Police Justice.

0727

Sec. 151.

Police Court 1st District.

CITY AND COUNTY }
OF NEW YORK. } ss.

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

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

of No. 521 W 87th Street, that on the 22 day of May

1890 at the City of New York, in the County of New York, the following article to wit: 1 floor on high

Ten dead Sheep & Ten dead
Lambs

of the value of Seventy six 85/100 Dollars,

the property of John Behan

w. as taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by John Behan

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the bod of of the said Defendant and forthwith bring him before me, at the 1st 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 3 day of June 1890
John Behan POLICE JUSTICE.

0728

Age 38. US. res 165th Fort Green Pl. Brooklyn

The within named

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.

John Schantz 165th

Police Court _____ District _____

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Warrant-Larceny.

vs.

Dated June 3rd 1880

Magistrate

Commissioner Officer.

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

Arresting Officer.

Dated June 5th 1880

This Warrant may be executed on Sunday or at
night.

Do You Acknowledge Police Justice.

0729

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 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 6th 1890 Do J. C. Hill Police Justice.

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

Dated June 7 1890 Do J. C. Hill 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.

0730

Police Court 4 District. 895

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James McCreath
321 West 51st St
John Schantz

Office of the
District Attorney

BAILED.

No. 1, by Maria A. Letturst
Residence 636 E 13 Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated June 5 1890
J. O. Kelly Magistrate
Commissioner Officer.
Curt Precinct.

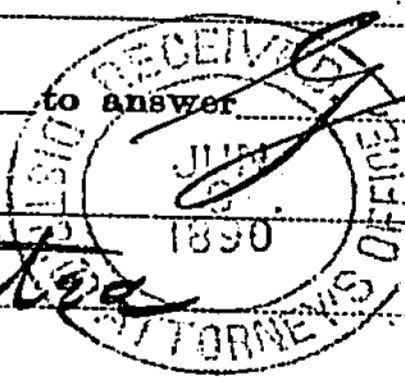
Witnesses
\$1000 June 6 Street.

No. A. P. Wells Street.
Resdt 5 Ave Bank Brooklyn
317. Ninth St. Brooklyn
No. Street.

\$1000 to answer

Committed

Bailed



0731

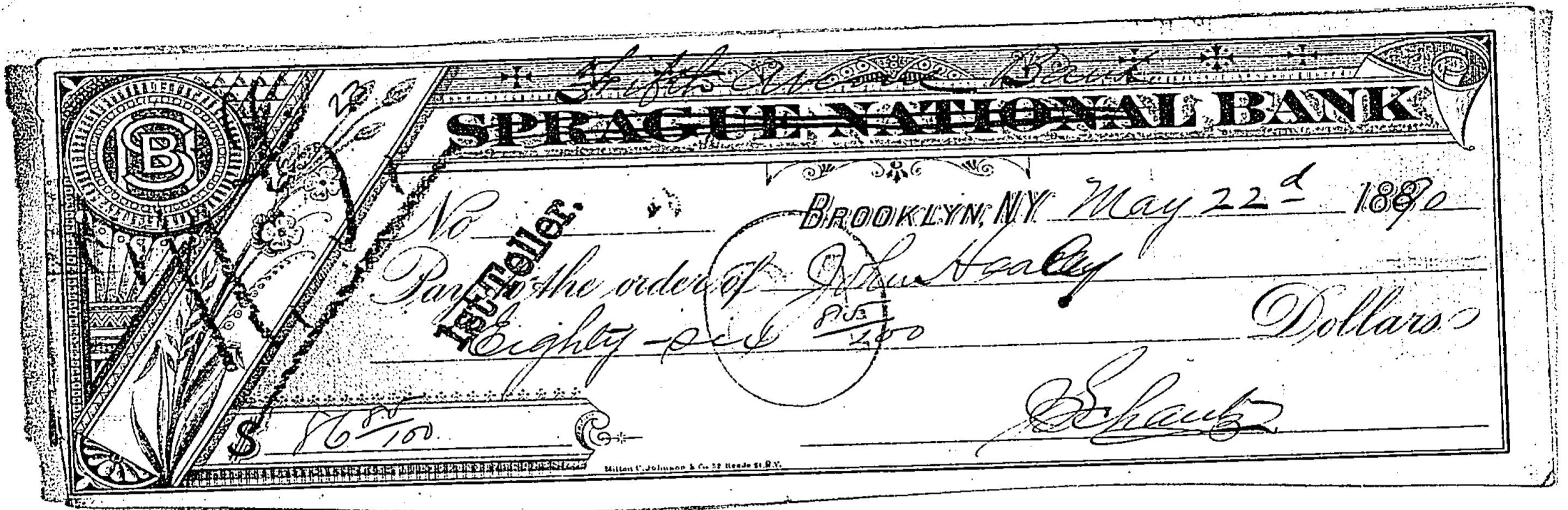
FIFTH AVE. BANK.

ESTD 1800

BROOKLYN, N. Y.

Please refuse checks of
J. Schantz on this Bank
as he has no acct. with us
Thompson
Cashier.

0732



0733

John Healey
FOR DEPOSIT IN
WEST SIDE BANK,
DARTINGTON.
W. Harrington

0734

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
AGAINST

John Schantz

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

John Schantz

of the CRIME OF *Big Game* LARCENY in the second degree,
committed as follows:

The said *John Schantz*

late of the City of New York, in the County of New York aforesaid, on the *Xth day*
day of *May*, in the year of our Lord one thousand eight hundred and
eighty six, at the City and County aforesaid, with force and arms, with intent to
deprive and defraud *one John Mealey*

of the ~~proper moneys~~ goods chattels and personal property hereinafter mentioned, and of
the use and benefit thereof, and to appropriate the same to *his* own use, did then and
there feloniously, fraudulently and falsely pretend and represent to *the said*

John Mealey

That *a certain paper writing in the words*
and figures following, to wit:

"*Fifth Avenue Bank*

No. -

Brooklyn, N.Y. May 22^d 1890

Pay to the order of John Mealey

Eighty six ⁸⁵/₁₀₀

Dollars

\$86.85/100

J. Schantz"

which the said John Schantz then and
there produced and delivered to the said John

0735

Healey, was then and there a good and valid order for the payment of money, and was then and there of the value of eighty six dollars and eighty five cents,

And the said John Healey,
then and ^{there} ~~their~~ believing the said false and fraudulent pretenses and representations so made as aforesaid by the said John Schantz —

and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver to the said John Schantz, ten dead sheep of the value of four dollars and thirty five cents each, and ten dead lambs of the value of four dollars and thirty five cents each,

of the ~~proper moneys~~ goods, chattels and personal property of the said John Healey —

And the said John Schantz —
did then and there feloniously receive and obtain the said ~~proper moneys~~ goods, chattels, and personal property, from the possession of the said John Healey —

by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said John Healey —

of the same, and of the use and benefit thereof, and to appropriate the same to ~~his~~ own use.

Whereas, in truth and in fact, the said ~~paper writing~~ which he the said John Schantz, as aforesaid, then and there produced and delivered to the said John Healey was not then and

0736

there a good and valid order for the
payment of money, and was not then
and there of the value of eighty five
dollars and eighty five cents, or of any
value, but was wholly void and worthless.

And Whereas, in truth and in fact, the pretenses and representations so made
as aforesaid by the said John Schantz
to the said John Healey was and were

then and there in all respects utterly false and untrue, as he the said
John Schantz
at the time of making the same then and there well knew

And so the Grand Jury Aforesaid, do say that the said
John Schantz
in the manner and form aforesaid, by the means aforesaid, the said ~~proper moneys~~, goods,
chattels and personal property of the said John Healey

then and there feloniously did STEAL, against the form of the Statute in such case made and
provided, and against the peace and dignity of the said people.

JOHN R. FELLOWS,

District Attorney.

0737

BOX:

401

FOLDER:

3724

DESCRIPTION:

Schlesinger, Moses

DATE:

06/30/90



3724

0738

Witnessed:

Alenestock

Counsel,

Filed *30* day of *June* 189*0*

Pleads, *Not Guilty. July 1.*

ENTERED
T. J. W.

THE PEOPLE

vs.

Moses Schlesinger

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

Chas. H. Huggins

Foreman.

Wendy Guilty
Fined \$25. Paid.

Counsel Assigned.....
Ser. *H. B.*
Age *40*
Nativity *Pa.*
Residence *Pa.*
Occupation *Merchant*
Married *Yes*
Education *Common*
Religious Instruction *Yes*
Parents Living *Yes*
Temperate *Yes*
Before Convicted *Yes*

City and County of New York } ss.

Antony Bourne of 41 Park Row, being duly sworn deposes and says, that he is informed, has just come to believe and truly does believe, that Mr. Schlessinger, of the City and County of New York aforesaid, did ~~send out~~ on or about the 24th day of June 1890, unlawfully contrive and propose a lottery, and did assist in the contriving and proposing of a lottery, which said lottery was set on foot for the purpose of disposing of property by lot or chance, and was called and known as "The California Little Louisiana Co" and did cause to be made, lithographed and printed tickets to be used in said lottery, and did send to the Manhattan Lithographic Company, the forms or drawings of said tickets, copies of which said tickets are hereto annexed, and further did cause the said tickets to be lithographed and then sent to be numbered, to wit: tickets to be used in a lottery represented to be drawn or dependent upon the drawings of the Louisiana State lottery, upon the following days and dates

0740

to wit August 12th 1890, September 9th 1890 and October 14th 1890, in all a sum of more than ~~twenty~~ ^{every} five thousand tickets, all against the Grace and dignity of the People of the State of New York ~~and~~ against the ~~for~~ of its statutes of the State of New York in such case made and provided, and particularly Section 325 Penal Code of the State of New York.

Subscribed and sworn to before me this 24th day of June 1890 } Anthony Bonaiuto
John Horman }
Police Justice

The People

vs

M Schlemmings

A. Bonaiuto

0741

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Moses Schlesinger 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.

Moses Schlesinger

Question. How old are you?

Answer.

35 years

Question. Where were you born?

Answer.

New York City

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

Answer.

7 26 Second Street in 2 years

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;**Moses Schlesinger*

Taken before me this

*24th*day of *June* 1890*John J. H. H. H.*

Police Justice

0742

Sec. 151.

Police Court 1st 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 Anthony Cornuto
of No. 41 Park Row Street, that on the 24th day of June
1890 at the City of New York, in the County of New York, the crime of assisting

in the Contriving, proposing and carrying
on of a lottery, not a foot for the purpose of
disposing of property by lot or chance has
been committed and accusing
Mr. Schlemmer thereof

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant, and bring him
forthwith before me, at the 1st 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 24th day of June 1890 -
John Thomas POLICE JUSTICE.

0740

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs

an acknowledgment

Warrant-General.

Dated June 24 1890

Magistrate.

Officer.

The Defendant *Maxwell Johnson*

taken, and brought before the Magistrate, to answer

the within charge, pursuant to the command con-

tained in this Warrant.

Patrick King

Dated *June 24* 1890

This Warrant may be executed on Sunday or at

night.

Police Justice.

REMARKS

Time of Arrest

June 24 9 15

Native of

U.S.

Age,

30

Sex,

Complexion,

Color,

N

Profession,

Printer

Married,

Yes

Single,

Yes

Read,

Yes

Write,

Yes

38. 2. 81

174 Central St. New Haven

0744



THE CALIFORNIA & THE LOUISIANA CO.
THE LOUISIANA STATE LOTTERY CO. WILL DRAW AT NEW ORLEANS ON

TUESDAY, SEP. 9TH 1890.

THE REGULAR MONTHLY DRAWING

THIS ONE HALF TICKET ENTITLES THE HOLDER THEREOF
TO ONE QUARTER OF SUCH PRIZE AS MAY BE DRAWN
BY THE CORRESPONDING NUMBER ON THE \$1 COUPON
OF THE ABOVE NAMED DRAWING

E. L. L. Company



THE CALIFORNIA & THE LOUISIANA CO.
THE LOUISIANA STATE LOTTERY CO. WILL DRAW AT NEW ORLEANS ON

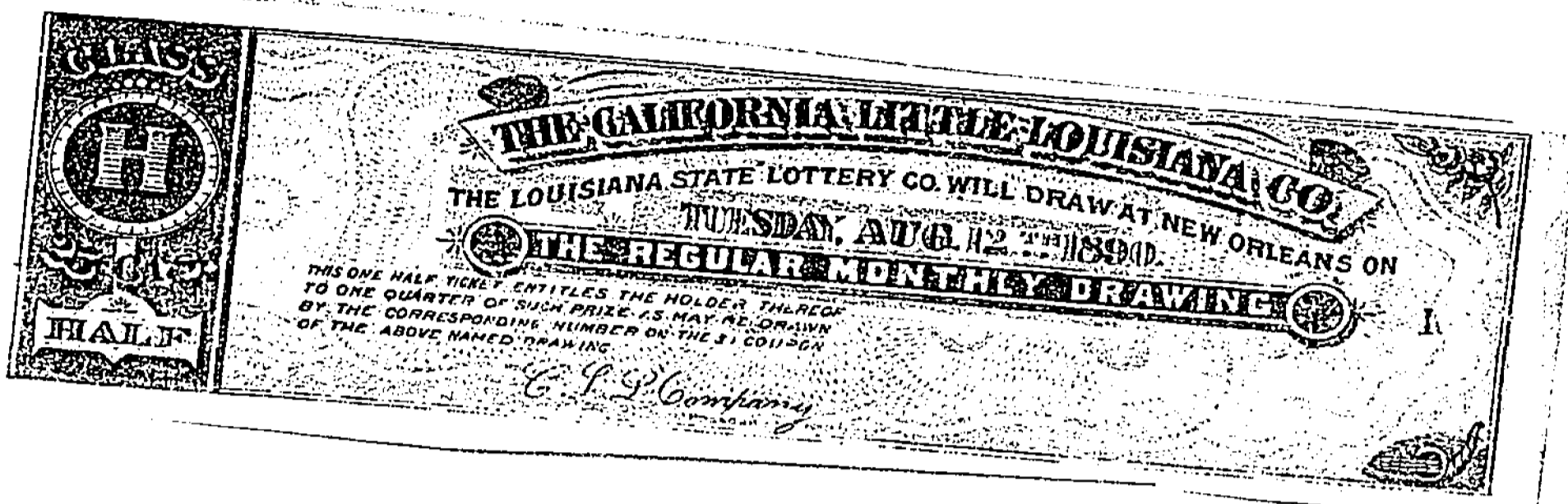
TUESDAY, OCT. 1ST 1890.

THE REGULAR MONTHLY DRAWING

THIS ONE HALF TICKET ENTITLES THE HOLDER THEREOF
TO ONE QUARTER OF SUCH PRIZE AS MAY BE DRAWN
BY THE CORRESPONDING NUMBER ON THE \$1 COUPON
OF THE ABOVE NAMED DRAWING

E. L. L. Company

0745



0746

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

Defendant
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *\$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 24* 18*90* *John J. Hornum* Police Justice.

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

Dated *June 24* 18*90* *John J. Hornum* Police Justice.

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

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

0747

OK
Police Court--- *12-984* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Anthony Comstock
vs
Moses Schlesinger

2 _____
3 _____
4 _____

offered
New Battery Court

BAILED.

No. 1, by *Frederick H. Fleet*
Residence *199 Center* Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated *June 24th* 18*90*
Gorman Magistrate.
English Officer.
Howe Precinct.

Witnesses _____

No. _____

No. _____

No. _____ Street.

\$ *1000* to answer *G.S.*

Bailed



0748

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Moses Schlesinger

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

indictment, accuse Moses Schlesinger

of the crime of contributing & procuring & assisting
in contributing & procuring a lottery
committed as follows:

The said Moses Schlesinger,

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

fourteenth day of June, in the year of our Lord one thousand
eight hundred and ninety. , at the City and County aforesaid,

did feloniously contribute and procure, and
assist in contributing and procuring a
lottery called the California State Louisiana
lottery, the same being a scheme for the

0749

distribution of property by chance among
persons who had paid a valuable
consideration for the chance, (a more
particular description of which said
lottery is to the Grand Jury aforesaid
unknown) against the form of the Statute
in such case made and provided, and
against the peace of the People of the
State of New York, and their dignity

John R. Mallons,

District Attorney

0750

BOX:

401

FOLDER:

3724

DESCRIPTION:

Schnatz, Moses

DATE:

06/11/90



3724

James R. Buchanan
Off Weiss

Counsel,
Filed 11 day of June 1890
Plsds. Shively

THE PEOPLE

vs.

38
Showerwater
137 Wofford
P.

Moses Schwartz

Extinguishing in the second degree.

[Section 407, Ins. Code.]

JOHN R. FELLOWS,

District Attorney.

June 17/1863
June 18/63

A True Bill.

Concepcion

For man.

Part III June 18/90

Tried and Corrick

S.P. 17 yrs.

~~The framing of the
train of movement the
real distance of a floor of pulch-
re although the thing of beauty
like the other degree
of the train of
Camber Sub Alt
June 1899~~

0751

0752

COURT OF GENERAL SESSIONS, PART III.

""""""""""
The People of the State of New York " BEFORE
against " Hon. Rufus B. Cowing
MOSES SCHWARTZ. " and a Jury.
"""""""""

Indictment filed June 11, 1890.

Indicted for attempt of burglary in the second degree.

New York, June 18, 1890.

Appearances, for the People Assistant District
Attorney John W. Goff.

For the defendant, Mr. E. M. Friend.

SAMUEL BROCKMAN, a witness for the people, sworn, deposes and says:

I am a saloon keeper at No. 123 Orchard St. in the 10th Ward of this city. I live in the rear of the saloon with my wife and family. On the night of the 7th of June, 1890, I retired at about 1 o'clock. About two hours thereafter I heard a noise as though there was a key in the door and someone was trying to get in. I listened to the noise for about five minutes and then the noise died out. I got up and put on my pants and went out into the hall, and while I was in the hall I saw this defendant now at the bar there. I asked him what he was doing there, and he said he lived in the house. I asked him where he lived, and he said upstairs; I told him to go upstairs, and as I said that he ran out. I ran out after him and chased him along the street. Finally I caught him and an officer came up and arrested him. The officer asked me what was the matter in

0753

the presence of the defendant, and I told the officer that I found this man trying to get into my house. The prisoner said he did not know anything about me or my house. When I returned to my apartments I found a key inserted in the lock of my door, and I saw marks on the woodwork as though some iron instrument had been used. I had never seen the defendant before in my life.

CROSS EXAMINATION:

I have been living in the 10th Ward all my life. Nobody has a key to the door of my saloon except myself. I have a bartender but I have never given him a key. I do not know whether he had a key made for himself or not. When I caught the defendant I said to him, "You were in my hallway, and I want to know what you were doing there"; he did not say anything. I ran about half a block before I caught the defendant. This happened about 3 o'clock in the morning. I did not lose sight of the defendant at any time while I was in pursuit of him. I am certain that he is the man that I found in my hallway.

GEORGE WEISS, a witness for the People, sworn and testified:

I am a police officer. On the night of the 7th of June I was on duty in Norfolk St. At about 3 o'clock in the morning my attention was attracted by a cry of police; the next thing I saw was the prisoner running down Norfolk St. and the complaint after him. I took hold of the defendant and held him till the complainant came up. When I caught the defendant he said "What do you want me for?" I said, "I will find out what I want you for". When the com-

0754

plainant came up he told me this man tried to break into his premises at 123 Orchard St. We went back to the premises together and I examined the door and found the key which I now produce stuck in the lock. I also saw the marks described by the complainant on the woodwork around the door. The defendant called the complainant a liar and said he was not there at all.

CROSS EXAMINATION:

The marks on the door were the marks of a jimmy in my opinion. It was the cry of police that attracted my attention. I could not state whether it was the complainant or the defendant who shouted police.

SAMUEL BROCKMAN; recalled:

No other person in that house has a key to that door except myself. I am quite positive that my bartender had no key. I never gave him a key to that door.

D E F E N C E .

MOSES SCHWARTZ, the defendant, sworn and testified:

I am a shoemaker by occupation and worked at No. 137 Norfolk St. On the night of the 7th of June I was visiting some friends in Newark, N. J., I left Newark at half past one o'clock and landed in New York in Grand St. at half past three o'clock. As I was walking through Orchard St. and said, "You were in my hall"; I said, "No, I was not in your hall." Then we walked on, and whilst we walked we were talking. Then the complainant began to run, and as I got frightened I also ran and shouted police. When I got

0755

to a policeman I stopped and he arrested me. I was not in the house of the complainant at all and did not attempt to commit burglary.

CROSS EXAMINATION:

I cannot speak English. I did not speak English to the officer or the complainant. I went over to Newark in company with a man named Wolf Hermann. We remained in Newark until half past one o'clock. At that time we got a train for New York, and I did not notice the time again until we were in Grand St. and it was ten minutes past three o'clock. I walked along Grand St. as it was on my way home to Norfolk St. I have never been convicted of any crime in this or the old country. I understand a very few words of the English language. When the complainant came up and spoke to me he spoke in German. When he asked me if I had been in the hall, I told him no, that I had not. I am not a thief and have never been arrested for stealing before.

GEORGE WEISS, recalled:

I understand the German language. The defendant spoke to me in English on the night in question. He also spoke to the complainant in English, calling him a liar and denying that he had been in the hallway.

Mr. Brockman, recalled, gave similar testimony.

The jury returned a verdict of guilty of an attempt of burglary in the third degree.

0756

Indictment filed June 11-189

COURT OF GENERAL SESSIONS

Part III.

The People &c.

against

MOSES SCHWART.

Abstract of testimony on

trial New York June 18th

1890.

0757

Police Court—

3 District.

City and County } ss.:
of New York, }of No. 123 Orchard Street, aged 28 years,
occupation Salem Keeper being duly sworndeposes and says, that the premises No 123 Orchard Street, 10 Ward
in the City and County aforesaid the said being a five storytenement the ground floor of
and which was occupied by deponent as a dwelling place
and in which there was at the time a human being, by name Samuel Brozman
and his wife Barbarawere **BURGLARIOUSLY** entered by means of forcibly forcing a
door leading into said premises
with a false keyon the 7 day of June 1888 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:Good and lawful money of the
United States of the amount and
value of One thousand dollars,
a quantity of wearing apparel
and jewelry valued at three
hundred dollars the whole
being of the amount and
value of four hundred dollars
\$400.00the property of Refronand deponent further says, that he has great cause to believe, and does believe that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away byMoses Schwartz (sum here)
for the reasons following, to wit: at the hour of three
o'clock A. M. of said date as de-
ponent was lying asleep in his
room, he heard a noise at the
door leading into said room. The
noise sounded as though some
one was trying to open said door
with a key, the door being slowly
locked. Repron went into the

0758

hallway and then found the
defendant. There was a key
stuck in said door from the outside.
The defendant did not stir in
said premises. Officer Price informs
defendant that he saw the
defendant running on Stuyvesant.
Followed by defendant who was
screaming "Stop this" "Police".

Sworn to before me
this 7th day of June 1896 Samuel Brockman

Charles V. Tivitor
Police Justice

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

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

Office—BURGLARY.

23.

Dated

188

Magistrate.

Officer.

Clerk.

Witness.

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

0759

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 34 years, occupation Police Officer of No. 11th Precinct Street, being duly sworn deposes and

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

Sworn to before me, this

day of

1889

George Weiss

Charles N. Linton

Police Justice.

0760

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

Morris Schwartz 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. *Morris Schwartz*

Question. How old are you?

Answer. *38 years.*

Question. Where were you born?

Answer. *Austria*

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

Answer. *137 Bedford Street. 7 months*

Question. What is your business or profession?

Answer. *Shoe-maker.*

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

Answer. *I am not guilty.*
Morris Schwartz
Morris

Taken before me this

George J. Tamm 1892

Charles W. Tamm

Police Justice.

0761

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.....

Alfredson
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 7 18 90 Charles Hunter Police Justice.

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

Dated..... 18 Police Justice.

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

Dated..... 18 Police Justice.

0762

Police Court

890 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Samuel Brothman
123rd. Orchard St.
Moses Schmo

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

2

3

4

Dated

1890

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$ 1000



Com

0763

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Moses Schuchter

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

~~attempting to commit~~ Moses Schuchter
of the CRIME OF BURGLARY IN THE second DEGREE, committed as follows:

The said Moses Schuchter,

late of the ~~South~~ Ward of the City of New York, in the County of New York
aforesaid, on the ~~seventh~~ day of ~~June~~, in the year
of our Lord one thousand eight hundred and ~~ninety~~, 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 Samuel Brodman,

~~attempt to~~
there situate, feloniously and burglariously did break into and enter, there being then and there
some human being, to wit: ~~the said Samuel Brodman,~~

within the said dwelling house, with intent to commit some crime therein, to wit: the goods,
chattels and personal property of the said Samuel Brodman,

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.

John R. Kellams,
Attorney

0764

BOX:

401

FOLDER:

3724

DESCRIPTION:

Scott, Mary Jane

DATE:

06/20/90



3724

0765

Witnesses;

James L. Quinn

Mary J. Quinn

W. J. Quinn

Counsel,

Filed

20 day of June 18 90

Pleads,

Chapman

THE PEOPLE

vs.

Mary Jane Scott

Grand Larceny & second degree.
[Sections 528, 531, 437 Penal Code].

JOHN R. FELLOWS,

Dist. 2 - June 24/90
District Attorney.
Tried and acquitted.

A True Bill.

Francis Higgins

Foreman.

June 24/90

J. S. D.

0766

Police Court—4 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Fannie Gordon

of No. 510 E-18 Street, aged 42 years,
occupation Housework being duly sworndeposes and says, that on the 16 day of June 1899 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:

Four cloth ~~suits~~ suits consisting of
vest's, coats ^{and} pantaloons, one
cashmere dress, two cotton
skirts of the value of Seventy
five dollars
the property of deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by Mary Jane Scott (now here)

deponent says that she is informed
by Mary Finnigan that she
saw said defendant leave
said premises with a large
bundle at 2½ P.M. on said
date. deponent says that she
saw said property in her room
at 1-30 P.M. on said date of Fannie Gordon

Sworn to before me this 17
day of June 1899

William J. Scott
Police Justice.

0767

CITY AND COUNTY }
OF NEW YORK, } ss.

Mary Finnegan
aged 39 years, occupation House work of No. 510 E 18 Street, being duly sworn deposes and

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

Sworn to before me, this

day of

10
June 1890

Mary

her
X Finnegan
maul

J. Henry Bond

Police Justice.

0768

Sec. 198—200.

1/24 District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

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

Question. What is your name.

Answer. *Mary Jane Scott*

Question. How old are you?

Answer. *48 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *N^o 510 East 18 Street & about 2 years*

Question. What is your business or profession?

Answer. *I have ~~now~~ House-keeper*

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

Answer. *I am not guilty*

Mary Jane Scott
Mark

Taken before me this

day of

1891

Police Justice.

0769

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

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

Dated Jan 17 1889 J. J. [Signature] Police Justice.

I have admitted the above-named [Signature] 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.

0770

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court

943 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Fannie Condon

370 vs. Court 18th St.
Mary James Scott

1

2

3

4

Offence *harassment*

Dated

June 17
2 Henry Ford
Trade

189

Magistrate

Officer.

Precinct.

Witnesses

Mary Finney
No. *510* *East 18th* Street.

No.

Street.

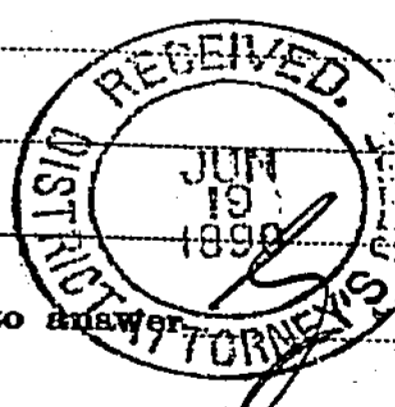
No.

Street.

\$

500

to answer



Com

943

0771

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Mary Jane Scott

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

Mary Jane Scott

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

The said

Mary Jane Scott

late of the City of New York, in the County of New York aforesaid, on the sixteenth day of June in the year of our Lord one thousand eight hundred and ninety, at the City and County aforesaid, with force and arms,

four coats of the value of seven dollars each, four vests of the value of three dollars each, four pair of trousers of the value of four dollars each pair, one dress of the value of fifteen dollars and two shirts of the value of four dollars each

of the goods, chattels and personal property of one

Fannie Conlon

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.

0772

SECOND COUNT—

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

Mary Jane Scott
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said

Mary Jane Scott

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

*four coats of the value of seven dollars each,
four vests of the value of three dollars each,
four pair of trousers of the value of four dollars
each pair, one dress of the value of fifteen
dollars, two skirts of the value of four
dollars each*

of the goods, chattels and personal property of one

Fannie Conlon

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

Fannie Conlon

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

Mary Jane Scott

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

JOHN R. FELLOWS,
District Attorney.

0773

BOX:

401

FOLDER:

3724

DESCRIPTION:

Scotto, Salvatore

DATE:

06/25/90



3724

0774

Witness
Officer Hughes

Counsel,
Filed *25* day of *June* 18*90*
Pleads,

438

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

JOHN R. FELLOWS,
District Attorney.

A True Bill.
Francis Higgins Foreman.
L. C. G. 27 1890

0775

Sec. 198-200.

1st District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Salvatore Scott 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.

Salvatore Scott

Question. How old are you?

Answer.

25 years

Question. Where were you born?

Answer.

Spain

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

Answer.

7 Oak Street - 2 months

Question. What is your business or profession?

Answer.

Saloon Keeper in Brooklyn

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 jury trial.

Salvatore Scott

Taken before me this

day of

188

W. J. Brown
Police Justice.

0776

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.....

Salvatore Scott
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 August 26 1888 John D. Over Police Justice.

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

Defendant
Dated Aug 27 1888 W. G. Brown Police Justice.

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

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

0777

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court---

1358 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John Gallagher
vs.
Salvatore Scott

2

3

4

Offence

Dated

August 26

188

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

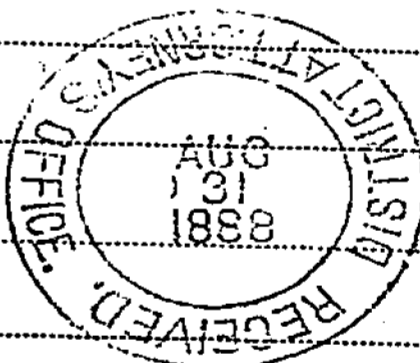
Street.

No.

Street.

\$

100 to answer



Quick

0778

Excise Violation-Selling on Sunday.

POLICE COURT-

DISTRICT.

City and County } ss.
of New York,

of the 4th Precinct Police

John J. Gallagher

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 26th day

of August 1888, in the City of New York, in the County of New York, at

premises No. 88 New Chambers Street,

Salvatore Scotti (now here)

did then and there ~~SALVATORE SCOTTI~~ ~~SELL~~ ~~AND~~ ~~GIVE 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 Salvatore Scotti

may be arrested and dealt with according to law.

Sworn to before me, this 26th day

of August 1888

John J. Gallagher

by 5 mer Police Justice.

0779

Court of General Sessions of the Peace,

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Salvatore Scotti

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

The said

Salvatore Scotti

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

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

Salvatore Scotti
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

Salvatore Scotti

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

JOHN R. FELLOWS,

District Attorney.

0780

BOX:

401

FOLDER:

3724

DESCRIPTION:

Sebastian, James

DATE:

06/04/90



3724

0781

Witnesses:

A. Lamberton

Counsel,

Filed *4* day of *June* 188*0*

Pleads *Not guilty*

THE PEOPLE

vs *James Sebastian*
541

POLICY.
[S 844, Pennl Code].

JOHN R. FELLOWS,
District Attorney.

Case 20425, 1892

A TRUE BILL.

James H. Rogers
Forfeited
Sept 2 - April 26, 1892
James H. Rogers
Forfeited
April 7, 1892

0782

Box No 25
11.28.39/10.

0783

26 Counties St.
March 25 1890

AFFIDAVIT-Selling Lottery Policies.

CITY AND COUNTY
OF NEW YORK, } ss.

District Police Court,

Andrew Lambertini
of No. 6 *Baxter* Street, being duly sworn,
deposes and says, that on the *25th* day of *March*
1890, at premises No. 26 *Counties St.* Street,
in the City and County of New York,

John Doe (now here)
did unlawfully and feloniously sell and vend to *deponent*

a certain paper and document, the same being what is commonly
known as, and is called a Lottery Policy, and which said Lottery
Policy, writing, paper, and document is as follows, that is to say:

the lottery policy hereto annexed
for which deponent gave the defendant
ten cents

Which deponent charges was in violation of the statute in such
case made and provided, and prays that the said *John Doe*
be arrested and may be dealt with according to law.

Sworn to before me, this *28th*
day of *March* 1890 } *Andrew Lambertini*

John Hannon
Police Justice.

0784

Sec. 151.

Police Court District.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by *Audrew Lamberton*

of No. *6 Baxter* Street, that on the *25* day of *March*

18*90* at the City of New York, in the County of New York,

*John Doe, as premises
26 Coenties Slip, did unlawfully sell
what is commonly known as a
lottery policy, in violation of the Statute
in such case made and provided*

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

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

Dated at the City of New York, this *28* day of *March* 18*90*

John Gorman POLICE JUSTICE.

0785

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer. *James Sebastian*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *141 Cherry 25 years*

Question. What is your business or profession?

Answer. *Stationer*

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

Answer. *I am not guilty*
James Sebastian

Taken before me this

day of

March

1883

Police Justice

0786

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 Olegumun

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

Dated April 9th 1890 W. W. Madison Police Justice.

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

Dated April 9th 1890 W. W. Madison Police Justice.

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

Dated _____ 18 _____ Police Justice.

0787

500 case for
2 Pm. Mark 3/90
Ex April 9th 2 Pm

BAILED,

No. 1, by Eustis Crawford
Residence 220 W 28th Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

The Magistrate presiding
will please hear and
determine the within case
by reason of my absence

John J. Horner
Plaintiff

Police Court--- 553 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Augustus Roubertine
vs Robert W
James Sebastian

1 _____
2 _____
3 _____
4 _____

Dated March 28 1890

Gordon Magistrate.
Capt. W. Houghlin Officer.
Precinct. 1

Witnesses _____

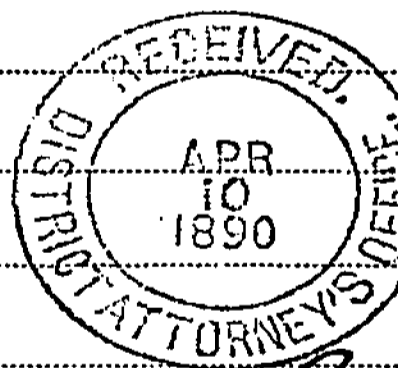
No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 500 to answer G. S.

Bailed Seeling
Policy



0788

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before John J. Hermann a Police Justice
of the City of New York, charging James Sebastian Defendant with
the offence of Violated Lottery Law

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

We,

James Sebastian

Defendant of No. 141

Cherry

Street; by occupation a

Stationer.

and Erastus Crawford of No. 220 West 28

Street, by occupation a Real Estate

Surety, hereby jointly and severally undertake that

the above named James Sebastian Defendant

shall personally appear before the said Justice, at the District Police Court in the City of New York,

during the said examination, or that we will pay to the People of the State of New York the sum of five
Hundred Dollars.

Taken and acknowledged before me, this

28

day of

March

188

James Sebastian
Erastus Crawford

POLICE JUSTICE.

0790

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

Andrew Lambeth

of No. *6 Bayler* Street, being duly sworn, deposes and says,

that *James Sebastian* (now present) is the person of the name of

John mentioned in deponent's affidavit of the *28*

day of *March* 18*90*, hereunto annexed.

Sworn to before me, this *28*

day of *March* 18*90*

Andrew Lambeth

John J. Murray POLICE JUSTICE.

0791

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 Sebastian

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

James Sebastian
of the CRIME OF SELLING WHAT IS COMMONLY CALLED A LOTTERY POLICY, committed as follows:

The said

James Sebastian

late of the City of New York in the County of New York aforesaid, on the *twenty fifth* day of *March* in the year of our Lord one thousand eight hundred and eighty *ninety*, at the City and County aforesaid, feloniously did sell to one

Andrew Lambertini
what is commonly called a Lottery Policy, the same being a certain paper, and writing, as follows, that is to say:

B N M 25
11 28 39 9 10

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

SECOND COUNT.

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

James Sebastian

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

The said

James Sebastian

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

Andrew Lambertini

0792

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

B n m 25
11 28 39 9 10

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

THIRD COUNT.

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

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

The said

James Sebastian
late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,
at the City and County aforesaid, feloniously did sell to one *Andrew Lambertini*

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

B n m 25
11 28 39 9 10

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

FOURTH COUNT.

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

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

0793

The said

James Sebastian

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

Andrew Lambertini

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

B N M 25
11. 28 39 9 10

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

FIFTH COUNT.

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

James Sebastian

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

The said

James Sebastian

late of the City and County aforesaid, afterwards, to wit : On the day and in the year aforesaid,
at the City and County aforesaid, feloniously did sell to one

Andrew Lambertini

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

B N M 25
11. 28 39 9 10

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

JOHN R. FELLOWS,

District Attorney.

0794

BOX:

401

FOLDER:

3724

DESCRIPTION:

Semler, Julius

DATE:

06/09/90



3724

0795

Witnesses:

Off Rathchild

Counsel,

Filed,

Pleads,

day of

1880

THE PEOPLE,

vs.

VIOLETION OF EXCISE LAW

(Keeping Open on Sunday.)
[III Rev. Stat. (7th Edition), Page 1080, Sec. 6.]

upon investigation, I recommend
the dismissal of this indictment

June 24/90. *Attest*

Loftis

(deed)

Julius Sander

JOHN R. FELLOWS.

prosecutor

District Attorney

on recon. of prob. atty

indict. atty - P.B.M.

A True Bill.

Francis Higgins

Foreman.

0796

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

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

Question. What is your name

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty and
demand an Examination
and if I am found a
waive by Jury

Julius J. J. J.

Taken before me this

day of

[Signature]

Police Justice.

0797

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 Coffman

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 Aug 20 1888 J. J. Duffy Police Justice.

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

Dated Aug 23 1888 J. J. Duffy 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.

0798

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Jan 23rd August
2:00 PM
Patented in custody
Counselor John F. Fennell
19 Avenue A

Police Court

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.
Julius J. J. J.

2.

3.

4.

Dated

188

Magistrate.

Precinct.

Witnesses

No.

Street.

No.

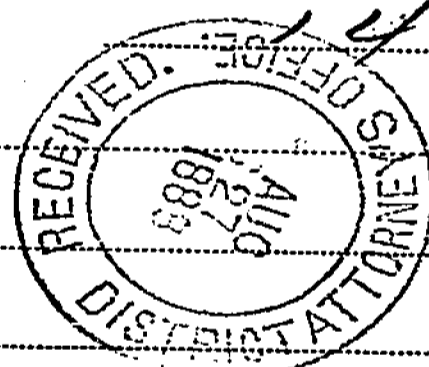
Street.

No.

Street.

to answer

Barr



0799

New York, June 9, 1890

A Transcript from the Records of the Deaths Reported to the Health Department of the City of New York.

COUNTY OF NEW YORK.

STATE OF NEW YORK.

CITY OF NEW YORK

CERTIFICATE AND RECORD OF DEATH

No. of Certificate,

10431

OF
Julius Semler

I hereby certify that I attended deceased from March 22, 1889 to March 28, 1889, that I last saw him alive on the 28th day of March, 1889, that he died on the 28th day of March, 1889, about 11 o'clock A. M. or P. M., and that to best of my knowledge and belief, the cause of his death was as hereunder written:

Chief Cause,

Crysipelas of the Neck and right Arm

Duration of Disease.

14 days

Sanitary Observations.

Witness my hand this 29 day of March, 1889

Place of Burial,

Catheteria Co. (SIGNATURE),

Date of Burial,

March 31, '89Howard Lange

M. D.

Undertaker,

A. Stolzenberger

RESIDENCE,

Residence,

82 Stanton St - 271 Senoy Ave

Burial permits issued at 301 Mott Street, Room 38, Week days, 7 A. M.-6 P. M. Sundays and Holidays, 8 A. M.-5 P. M.

Date of Death.	Full Name.	Age, in years, months, and days.	Color.	Single, Married or Widowed.	Occupation.	Birthplace.	How long in U. S. if foreign born.	How long resident in New York City.	Father's Name.	Father's Birthplace.	Mother's Name.	Mother's Birthplace.	Place of Death.	Last place of Residence.	Class of Dwelling (A tenement being a house occupied by more than two families).	Direct cause of Death.	Indirect cause of Death.	Date of Record.
March 28, 1889	Julius Semler	39 years	White	Married	Peas Saloon	Germany	20 years	"	Heinrich Semler	Germany	Julius Semler	Germany	11 E. 74th St.	"	"	Neurament	Crysipelas	March 30, 1889.

A True Copy.

C. H. H. H. H.
Chief Clerk.

NOTICE.—In issuing this transcript of record, the Health Department of the City of New York does not certify to the truth of the record transcribed. The seal of the Board of Health attests only the correctness of the transcript, and no inquiry as to the facts reported has been provided for by law.

0800

Court of General Sessions, PART *ONE*

INDICTMENT

THE PEOPLE

For

Julius Samler

To

M

F. J. Hellyer

No.

413 East 24

Street.

The indictment against the above-named defendant, for the appearance of ~~as a witness, at whose trial you are~~ *Heads* bound, has been placed upon the Calendar for ~~trial~~ at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House, in the Park of the said City, on _____ the *9* day of

June instant, at eleven o'clock in the forenoon.

Defendant If the ~~witness~~ is not produced at that time, your bond will be forfeited.

JOHN R. FELLOWS,

District Attorney.

0001

F. J. Heller

413. 224

1 + a

0802

Excise Violation-Keeping Open on Sunday.

POLICE COURT 3 DISTRICT.

City and County } ss.
of New York,

of No. 1st Premier Police Edwin Rothschild Street,

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 19 day
of August 1888, in the City of New York, in the County of New York,

Julius Semler (now here)
being then and there in lawful charge of the premises No. 11 - 7
Street, a place duly licensed for the sale of strong and spirituous liquors, wines, ale and beer, to be
drunk upon the premises DID NOT KEEP SAID PLACE CLOSED contrary to and in violation of
the statute in such case made and provided.

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

Sworn to before me, this 20 day of Aug 1888 Edward Rothchild
Police Justice.

0803

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Julius Semler

The Grand Jury of the City and County of New York, by this indictment, accuse *Julius Semler* 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 *Julius Semler* late of the City of New York, in the County of New York aforesaid, on the *nineteenth* day of *August* in the year of our Lord one thousand eight hundred and eighty-*eight*, 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 open and cause and procure, and suffer and permit to be open, and to remain open, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.