

0404

BOX:

496

FOLDER:

4525

DESCRIPTION:

Sanders, Henry

DATE:

09/14/92



4525

POOR QUALITY ORIGINAL

0405

Witnesses:

Bar-Carl
137

Counsel,

Filed

Pleads,

130

day of

1892

THE PEOPLE

vs.

Henry Sanders

CRIME AGAINST NATURE.
[Sec. 303, Penal Code.]

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

John Sanders
John Sanders Foreman.
Henry Sanders
John Sanders
Sept 16/92

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

Nate Hawke of Villa Avenue Bedford Park N.Y. City being duly sworn deposes and says that at Jerome Park in the City of New York on the 31st day of March 1892. Henry Saunders (now here) did carnally know Henry Hawke who is defendant and of the age of 9 years in a manner contrary to nature in violation of subdivision 2. Section 303. of the Penal Code. as defendant verily believes. From the fact that defendant is now informed by the said Henry Hawke that on said date in said place. the said defendant caught hold of him. and turning him down. pulled down his pantaloons. and getting on top of him the said Henry he the defendant forcibly inserted his the defendant penis into his the said Henry's rectum. Wherefore defendant charges this defendant with the detestable and abominable crime against nature. as aforesaid and may he may be held and dealt with according to law. Nate Hawke

Sworn to before me
this 2 day of April 1892

John W. ...
Precis Justice

POOR QUALITY ORIGINAL

0407

CITY AND COUNTY }
OF NEW YORK, } ss.

1877.

Henry Hawke
aged *Nine* years, occupation *School boy* of No. *1111*
Van Ave Bedford Park Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of *Kate Hawke*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this *12* day of *Sept* 189*2* } *Henry Hawke*

John B. ...
Police Justice.

0408

POOR QUALITY ORIGINAL

Sec. 198-200

5

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Henry Saunders 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 sees fit, to answer the charge and explain the facts alleged against *him*; that he is at liberty to waive making a statement, and that *his* waiver cannot be used against *him* on the trial.

Question. What is your name?

Answer.

Henry Saunders

Question. How old are you?

Answer.

18 years

Question. Where were you born?

Answer.

Genoa

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

Answer.

no home.

Question. What is your business or profession?

Answer.

laborer

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

Answer.

I am Guilty.

Henry Saunders

Taken before me this

day of *September* 189 *7*

John B. ...

Police Justice.

0409

POOR QUALITY ORIGINAL

BAILIED,

No. 1, by _____
Residence _____ Street

No. 2, by _____
Residence _____ Street

No. 3, by _____
Residence _____ Street

No. 4, by _____
Residence _____ Street

130
Police Court... 3 District
1108
1894

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Kate Spangenberg
Marilyn as Bedford Park
Henry Spangenberg
Offense Crime
Against-Nature

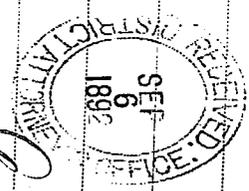
Dated, Sept 2 1894

Corbin Magistrate

Officer
Smyson

Witnesses
Henry Spangenberg

No. _____
Street _____
Marilyn as Bedford Park



No. _____
Street _____
to answer

\$ 500
to answer
J. J. [Signature]

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

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

Dated, Sept 2 1894 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Henry Sanders

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

indictment, accuse Henry Sanders

of the CRIME AGAINST NATURE, committed as follows:

The said Henry Sanders,

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

thirty first day of January, in the year of our Lord one thousand

eight hundred and ninety - two, at the City and County aforesaid,

with force and arms, in and upon one Henry Sanders,

a male person, then and there being, feloniously did make an assault, and

him, the said Henry Sanders, in a manner

contrary to nature, then and there feloniously did carnally know; 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.

Henry Sanders, Attorney

0411

BOX:

496

FOLDER:

4525

DESCRIPTION:

Saunders, David

DATE:

09/16/92



4525

POOR QUALITY ORIGINAL

0412

Best has been before
Circuit of P. H. from whom no rays
of a. suggested. - Phot. - P.S.A.

Witnesses:

157
D. A. Heyman
Counsel,
Filed *[Signature]* day of *[Signature]* 1892
Pleads, *[Signature]*

24 THE PEOPLE
vs.
115 Brown et
al
waiter

David Saunders

DE LANCEY NICOLL,
District Attorney.

Burglary in the Third Degree, 48
Section 498, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

A TRUE BILL, Sept 15/92

[Signature]

Foreman.
Sept 22, 1892.
Pleads Anglton 3rd Deg.
S. P. 2 yos 6 mo
P. B. M.

POOR QUALITY ORIGINAL

0413

Police Court 3 District.

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

of No. 344 Cherry Street, aged 19 years,
occupation Shirt maker being duly sworn

Fannie Miller

deposes and says, that the premises No. 344 Cherry Street, 7th Ward
in the City and County aforesaid the said being a Dwelling House

and which was occupied by deponent as a Dwelling House
and in which there was at the time a human being, by name

were **BURGLARIOUSLY** entered by means of forcibly breaking open
a door leading from the hallway of the
top floor into said premises

on the 7 day of September 1892 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

~~Two~~
Four cloth Coats, Three pair of pantaloons,
Two vests, one table cloth all of
the value of one hundred dollars

the property of Morris Miller deponents Brother
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away by
David Saunders (suspect)

for the reasons following, to wit: That deponent is informed
by officer James Haggarty that he found
said property in the possession of said
defendant on Clinton Street in said
City

Sworn to before me this
8 day of Sept 1892

Fannie Miller
Police Justice

POOR QUALITY ORIGINAL

0414

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 43 years, occupation James Haggerty of No. 7th Precinct Police Street, being duly sworn, deposes and

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

Sworn to before me, this 8 day of Sept 1897 } James Haggerty

[Signature]
Police Justice.

[Lined area for additional text or notes]

POOR QUALITY ORIGINAL

0415

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

David Saunders 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 sees 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. *David Saunders*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *England*

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

Answer. *Refused*

Question. What is your business or profession?

Answer. *Waiter*

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

Answer.

I am not guilty
David Saunders.

Taken before me this

day of

Sept

1895

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0415

BAILED,
 No. 1, by
 Residence
 Street

No. 2, by
 Residence
 Street

No. 3, by
 Residence
 Street

No. 4, by
 Residence
 Street

1137

Police Court, *First* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Mulligan
311 George St.
David Saunders

Offense, *Burglary*

Dated, *Sept 8* 189*2*

James Saunders Magistrate.
Officer

Witnesses *Officer*



No. *1000* Street *E 8*

COMMITTED

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named *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, *Sept 8* 189*2* *John J. Bugger* Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

POOR QUALITY
ORIGINAL

0417

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

David Saunders

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

David Saunders

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

The said

David Saunders

late of the *7th* Ward of the City of New York, in the County of New York aforesaid, on the *seventh* day of *September* in the year of our Lord one thousand eight hundred and ninety-*two*, with force and arms, in the *day*-time of the same day, at the Ward, City and County aforesaid, the dwelling house of one

Morris Miller

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

**POOR QUALITY
ORIGINAL**

0418

SECOND COUNT—

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

David Saunders

of the CRIME OF *Grand* LARCENY *of the second degree*, committed as follows:

The said

David Saunders

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

*four coats of the value of
fifteen dollars each, three
pairs of trousers of the value
of eight dollars each pair,
two vests of the value of six
dollars each, and one table cloth
of the value of five dollars*

of the goods, chattels and personal property of one

Morris Miller

in the dwelling house of the said

Morris Miller

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

**POOR QUALITY
ORIGINAL**

0419

THIRD COUNT:

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

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

The said *David Saunders*

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

four coats of the value of fifteen dollars each, three pairs of trousers of the value of eight dollars each pair, two vests of the value of six dollars each, and one table-cloth of the value of five dollars
of the goods, chattels and personal property of *Morris Miller*

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

Morris Miller

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

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

DE LANCEY NICOLL,

District Attorney.

0420

BOX:

496

FOLDER:

4525

DESCRIPTION:

Savellson, Jacob

DATE:

09/26/92



4525

POOR QUALITY ORIGINAL

0421

Witnesses:

Four vertical dotted lines for witness signatures.

Counsel,

Filed

Pleads,

Wm. P. [unclear]
Day of *Sept* 1881

THE PEOPLE

vs.

Jacob Savellon

De Lancey Nicoll
De Lancey Nicoll

DE LANCEY NICOLL,
District Attorney.

Grand Larceny,
[Sections 525, 531, Penal Code.]

A TRUE BILL.

Sept 23/92

John [unclear]
John [unclear] Foreman.

Spil & Son
Edw. R. J.

POOR QUALITY ORIGINAL

04222

Police Court 5 District.

Affidavit—Larceny.

City and County }
of New York, } ss :

Samuel A. Schiff
of No. 2265 Second Ave Street, aged 27 years,
occupation dealer in leaf tobacco being duly sworn,
deposes and says, that on the 8th day of September 1892 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the pos-
session of deponent, in the day time, the following property, viz :

A quantity of leaf tobacco
about twenty pounds of the
value of sixty dollars

the property of Deponent and David J. Schiff
doing business under the firm name
of Schiff Brothers. and in deponent
care and custody. 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 Jacob Savelle (now dead)
from the fact that deponent
missed said tobacco from his
place of business. at said address
and that defendant who has been
in deponent's employ for six years
admitted and confessed to deponent
that he had taken said tobacco and
had sold it for one dollar per
pound and that he had been
stealing tobacco from deponent
for the past month.

Wherefore deponent charges this
defendant with feloniously taking
stealing and carrying away said
property and prays he may be held
and dealt with according to law
Samuel A. Schiff

Sworn to before me, this 19 day of September 1892

John J. McCarroll
of New York
Justice

POOR QUALITY ORIGINAL

0423

Sec. 198-200.

31
.....District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Jacob Savellson 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 sees 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. *Jacob Savellson*

Question. How old are you?

Answer. *20 years old*

Question. Where were you born?

Answer. *Russia*

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

Answer. *2266 Second Ave New York*

Question. What is your business or profession?

Answer. *Sign 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*

Jacob Savellson

Taken before me this
[Signature]
1897
Police Service

POOR QUALITY ORIGINAL

0424

BAILED,

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

Police Court 274 1181
District 51

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John V. Schmitt
2365 29th Ave
Joseph Danforth

1
2
3
4

Offenses
Larceny (felony)

Dated *Sept 19* 189 *4*

John W. Leake Magistrate.
29 Precinct

Witnesses
Donald W. Leake
Street _____

No. *177* Street *177th Avenue St*
177th Avenue St
Street *177th Avenue St*

1000 Broadway, 24th Fl

NO. *1000* Street *177th Avenue St*
to Justice *177th Avenue St*

SEP 22 1894

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

Charles Smith
guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *200* 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, *Sept 19* 189 *2* *W. J. ...* Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

The People
vs
Jacob Savellson

Court of General Sessions. Part I
Before Judge Cowing. October 6. 1892
Indictment for grand larceny in second degree.
Samuel A. Schiff, sworn and examined,
testified: Where do you reside? No. 235
East Seventy eighth Street. Are you engaged
in business in this city? Yes. Whereabouts?
No. 2265 Second Avenue. What business are
you in? Cigar manufacturer and dealer
in leaf tobacco. How long have you been
so engaged? I have been there two years.
Do you know the defendant here at the bar?
Yes. How long have you known the def-
endant? Seven years. How long has he
been in your employ? He has been in
the firm's employ seven years. You charge
him with having taken some leaf tobacco?
Yes. Tell the jury what you know about
that? I found that the goods were stolen
I could not figure how much has been
missed because it has been missed
off and on. At that time how much did
you miss? Twenty five pounds; it was
taken from the ~~leaf~~ boxes which were in
the cellar. It was taken on a Sunday
afternoon after business hours were over.
Whereabouts in the cellar was these
boxes of tobacco? In my cellar locked.
What day did you miss the tobacco?

I missed it on Monday or Tuesday. I missed it after the 8th of Sept. it must be about the 12th or 14th I think. Had you seen it there on the 8th? Yes I had been selling out of the same lot of goods. You noticed it was gone on what day? About the 12th or 14th. How much was that tobacco worth a pound? Three dollars. Twenty or twenty five pounds were stolen? Yes. How many pounds did you have in the box? There was not much more at that time; there had been a lot sold about thirty pounds. Where you noticed it on the 14th about how many pounds were there? About four pounds left. What kind of tobacco was it? Sumatra tobacco. You say you missed that from the cellar? Yes. What did you do then? Of course I looked about my cellar and I found in the outside coal cellar a number of leaves, and in searching further I found two bundles of Sumatra tobacco was stuck in a secret corner of the coal cellar. I went and enquired. I thought it was the prisoner who had stolen it. I went and enquired of a party and he gave me some information. I came home and I accused the prisoner of stealing the tobacco. I said to him that

he had been robbing me. At first he would not give me any satisfaction. I gave him proofs. He says ^{to me}, "Come over and take the paper." We went to a saloon. I say, "All right, and I took this paper and I signed a promise that I would not prosecute him. Then I took him to a notary and he signed a paper which I now show to the jury. (District Attorney reads the paper.)

(State of New York, City and County of New York)

Jacob Savellson, being duly sworn, deposes that he sold to Jacob Smolisky of 175 Division street and others in New York City 25 pounds of Sumatra tobacco for one dollar per pound, said tobacco being worth three dollars a pound and was stolen from Schiff Bros. No. 22 65 Second Avenue.

Sworn to before me this 17th day of Sept. 1942.
J. B. Johnson, Jacob Savellson

Notary Public, New York Co. "

Did you tell this defendant what Mr. Smolisky told you? No. I told the defendant that he had offered my Sumatra tobacco down town for \$1.50 a pound. He broke down then and signed the paper. I told him that he offered it to Smolisky. What did he say in response to that? He said he did and he had sold him some for a dollar a pound. Did he tell

you any other persons that he had sold any to? He told me some parties in Brooklyn. He at first denied it. I could not find any of the goods. Did you have any other conversation with him? None at all.

Cross Examined. My brother and I constitute the firm in Second Avenue; we have been there two years. I was in the drug business before that. I had no drug store but I was working in one. The defendant had been working for my brother and present partner several years in the tobacco business. I have always found him honest in his transactions; he was a cigar maker. We had two or three others in our employ at the time the defendant was employed and at the time of this larceny. They all had access to the cellar and they were cigar makers and bunchers. They had not access to the cellar only as a general rule when they were sent by me. The cellar is generally locked. There are two entrances to the cellar. My brother and I had charge of the cellar. Suppose you had taken out 30 bundles of Sumatra tobacco were you supposed to report to your brother? Yes certainly, our Revenue book shows that you make a memorandum every time

you take out tobacos dont you? Certainly.
There were thirty pounds in this particular
box that you say this property was
taken from? Yes. How much was there?
About six pounds and a half. That meant
about 25 pounds stolen? About that I
calculate. Your mind is not changed
any since the day you made this
complaint is it? No. We missed tobacos
several times before this at different
times; we could not trace boxes of
cigars, at last we found out where it
had been going. I knew what was
in there about. You are a married man?
No. You personally have been intimate
with this boy for the past seven years? Yes.
You have sent him out to collect bills for
the firm? Yes, when there was anything to
collect, and to deliver parcels. Were they
much more valuable than the amount
claimed to have been stolen in this com-
plaint? No not as valuable. What was the
highest amount you sent that boy out to
collect? About twenty five dollars. He
brought it back? He did sometimes and
at one time he did not. How long ago
was that? That was about two or two
and a half months ago. I cannot
exactly tell you the time.

Did you keep him? Yes. He claimed he lost ten dollars. I found out differently since I had him arrested. He went to play cards that evening when he had no money. He brought back fifteen instead of twenty five dollars; he said he lost ten dollars. Didn't he say he was willing to make restitution? Yes. Did he work two weeks for nothing? Yes, he paid it up. That is the reason I kept him. Then you were square on that? Yes. You took that ten dollars out of his salary and he was satisfied to let you do that? Most certainly. When you found this property was lost you say you accused this boy? Yes. Give me the exact language? I says, "He stole my Sumatra. It was not I made the accusation, it was my brother. I was there at the time I accused him. He asked me to sign a paper that I would not prosecute him, and he signed this paper for me before a notary. What did you tell him when he signed that paper, did you say anything to him? Not that I remember. Did you make a statement about getting back money for this? No. Did you say anything

to him that you were going to have him arrested unless he signed that paper? No. You did not make any statement that you would send him to the State prison for ten years unless he would sign that paper? No sir. The paper was signed in your presence? Yes sir. You did not ~~order~~ ^{hear} your brother ~~to~~ make any such statement? Not to my knowledge I was present all the time. Do you mean to say that this defendant signed that paper and admitted that he had stolen this property without any force or coercion on your part? The only thing we said, we did not want to prosecute him, but we would prosecute the people who bought the goods. We did not tell him if he returned the money everything would be satisfactory. Our object in having him sign the paper was to have proof that he stole the goods. I did not see the defendant in jail about this case. He said to me in the Court room at the last session in the presence of witnesses that he would work for me six months for nothing if I would let him off.

Jacob H. Smolisky, sworn and examined
~~by Council for defendant~~
~~in this case~~ testified: Did the defend-
ant call upon you with certain samples
of tobacco sent by Mr. Schiff? Yes. I was
not at home at the time; the sample was
left for me on the 4th of September. I did
not know who left it. Mr. Schiff called
upon me and stated that I had bought
property from this defendant. I did buy
property from him. Three pounds were
left for a sample. Did you know whether
or not that was sent by Mr. Schiff? No sir.
~~Did you~~ purchase those three pounds?
I did. I did not know who left it.
Do you know what was paid for it?
The full value was paid. There was
asked a dollar and a half a pound
for it and a dollar was paid for it; it
was not worth that. I stripped it. I seen
it was of no use. I paid a dollar; it is
too much. I know the defendant; he learn-
ed the trade with me when he was a
small boy. I did not see him for seven
years until I saw him in the Marlboro
Police Court. I was not at home when
the goods were left at my place.
The jury rendered a verdict of guilty
with a recommendation to mercy.

**POOR QUALITY
ORIGINAL**

0433

Testimony in the
case of
Jacob Savellson
filed Sept.

1892

20 Va

POOR QUALITY ORIGINAL

0434

To Mds.

People 2
I promise I will not
assist J. Sabellson
arrested for stealing Sumatra
Tobacco. If he tells me,
The Person who bought
same from him knowing
it to be stolen he
acknowledges by sale and
sold for less than
market value.

S. J. Schiff
S. A. Schiff

People 4 & 6
State of New York }
City and County of New York } S.S.

Jacob Savellson being duly
sworn deposes that he sold to
Jacob Sabellson of 175 Division St. ^{and others}
New York City 25 lbs of Sumatra
Tobacco for \$400.00 said tobacco being
worth \$300.00 and was stolen from
Schiff Brothers No 7265 2nd Ave

Sworn to before me
this 17 day of September
1894
J. B. Johnson
Notary Public (11)
N.Y.C.

POOR QUALITY
ORIGINAL

0435

505

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Jacob Savellson

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

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

The said

Jacob Savellson

late of the City of New York, in the County of New York aforesaid, on the 8th
day of September in the year of our Lord one thousand eight hundred and
ninety-two, at the City and County aforesaid, with force and arms,

twenty pounds of tobacco of
the value of three dollars
each pound

of the goods, chattels and personal property of one

Samuel A. Schiff

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.

By Lancelot Nicoll
District Attorney

0436

BOX:

496

FOLDER:

4525

DESCRIPTION:

Savignano, Frank

DATE:

09/16/92



4525

POOR QUALITY ORIGINAL

0437

Witnesses:

Witness signature lines

[Signature]

Counsel,
Filed *16* day of *Sept* 1892
Plends *in default.*

THE PEOPLE
35 St. John vs. I
Frank Savignano

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

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

[Signature]
Foreman.

Part 3. Sept 23/92.
Tried and Convicted
Annulment 22 day
1913 Sept 23/92

POOR QUALITY ORIGINAL

0438

Police Court Fourth District.

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

of No. 14 Amsterdam Avenue Street, aged 28 years,
occupation Driver being duly sworn

deposes and says, that on 12 day of September 1897 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Frank Surigano (now here) who cut and stabbed deponent ~~in~~ in the stomach with a knife then and there held in his defendants hands and said assault was committed

James Meehan

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

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

Sworn before me, this 12 day of September 1897 } James Meehan

J. Mitchell Police Justice.

POOR QUALITY ORIGINAL

0439

Sec. 198-200.

4th

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Frank Savignani 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 sees 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. *Frank Savignani*

Question. How old are you?

Answer. *35 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *No 951 ~~East~~ Elizabeth Street and about 16 months*

Question. What is your business or profession?

Answer. *Stone mason*

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.
Pro Lari*

Taken before me this *12* day of *April* 189*2*

Police Justice. *J. J. [Signature]*

POOR QUALITY ORIGINAL

0440

DAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court---

District

THE PEOPLE, Ec.,
ON THE COMPLAINT OF

James Melway
1st Assistant

Frank Simpson

1
2
3
4
Offence

Dated

Sept 12 1892

Residence

Magistrate

Residence

Officer

Residence

Prisoner

Witnesses

No.

Witness

No.

Witness

No.

Witness

No.

Witness

\$

1000 to answer

No.

Witness

Witness



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 *10* 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 *Sept 12 1892* *Police Justice*

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

Dated 18 Police Justice.

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

Dated 18 Police Justice.

POOR QUALITY
ORIGINAL

0441

JOHN B. MAYO,
ATTORNEY AND COUNSELOR AT LAW,
320 BROADWAY.

NEW YORK, 11th Feby 1893.

Dear Mr. Muger,

I send as fair an exhibit of the contents of the petition in the matter of the application for a pardon of Frank Savignais as I am now able to give, together with as many of the names of the signers thereof as I can recall.

Please excuse its meagreness, and do above all things do me the very great favor of hastening a report to his Excellency, the Governor.

Hon. Gunning T. Bedford was the prosecuting Assistant.

H. W. Muger, Esq.

Very truly yours
John B. Mayo

COURT OF GENERAL SESSIONS-Part III.

-----X
 The People of the State of New York, : Before Hon. James
 against : : FITZGERALD, and
 F R A N K S A V I G N A R O . : : a Jury.
 -----X

Indictment filed September 16th 1892.
Indicted for assault in the first degree.

N e w Y o r k, September 23rd 1892.

APPEARANCES: For the People Assistant District At-
torney Gunning S. Bedford.

For the defendant Mr. John B/ Mayo.

JAMES MEEHAN, a witness for the People, sworn, testified:

I am a truck driver and live at No. 14 Amsterdam Avenue in this city. On the 12th of September I was driving my truck at 68th street near Amsterdam Avenue. It was dinner time and I gave the horses their dinner. . I saw four or five Italixⁿas about 10 or 12 feet away from me. One of them hollered to me to stop throwing dirt at them. I told them I was not doing anything. Everything was peacable then for a while. I took the feed bags off the horses head. Then the defendant came over and hit me on the back of the neck with a spirit level; he also hit me with a stone and when he hit me with the stone I grabbed hold of him and asked him whath~~h~~ did that for. He said that I threw dirt at his father. I said I had not done anything of the kind. He then pulled out a knife and stabbed me with it in the side. I feel . He ran.

2

He was arrested about thirty yards away from me. I was able to identify the man and he was taken to the station house. I used no weapon on the defendant at all. I was taken to the hospital and had my wound dressed. They wanted me to remain there, but I would not as I had my home to go to. I have been going to the hospital every second day since the 12th of September.

CROSS EXAMINATION:

I walked to the hospital. I have been there only four times since this occurrence. I did not know this man's father. I did not throw any dirt at him. If any was thrown I did not have anything to do with it.

HENRY A. RUPPERT, a witness for the People, sworn, testified:

I arrested the defendant. I took him before the complainant and he identified him as the person who had stabbed him. I did not notice any marks whatever on the defendant. The complainant was taken to the hospital and had his wounds dressed.

CROSS EXAMINATION:

The defendant was searched at the station house. I did not find any knife on the defendant. A knife was found and shown to the complainant but he could not say that it was the knife that stabbed him.

D E F E N S E .

SAVINO NICOLINE, a witness for the defendant sworn, testified:

I live at No. 51 Mulberry street. I have lived there about twenty years. I have known the defendant about ten years. His reputation for peace and quietness is good. I had an interview with the complainant in

3

which he said that he did not know the man who stabbed him. He said he could not tell who it was .

ALBERTO PACE, a witness for the People, sworn, testified:

I have known the prisoner for three years. His character for peace and quietness is good. His character for honesty is also good.

for
NICOLA SPINELLO, the defendant, sworn, testified:

I live at No. 147 Mulberry street. ~~XXXXXXXXXXXX~~
I was a laborer employed in the vicinity of where this row occurred . There was a fight in the early morning at seven o'clock. I saw men throwing stones and hitting the prisoner's father. Between twelve and one o'clock we were all sitting and eating our lunch when some stones were fired at us. The defendant protested against this and shouted to the complainant to stop it. I saw the complainant throw some stones at the father of the ~~complainant~~ defendant. The defendant said "Why do you not stop throwing stones, he is not doing you any harm". The complainant then made a show to fight with the prisoner. He said "Come on and fight". Then the defendant got the spirit level--seven or eight men were against him and he struck with this level. He hit the complainant on the arm. With that they clinched together and both fell down. The father of the defendant then cut the complainant with a knife. The defendant did not cut him. The defendant was arrested and we all went back to work again.

FRANK SAVIGNARO, the defendant, sworn, testified:

I live at No. 251 Elizabeth street. I have lived there sixteen months. I was working at the corner of 68th street and 11th avenue on the day of this occurrence. I am a stone mason. I have been in this country nine years. I saw the complainant Meehan on that morning between seven and eight o'clock. He, in company with a lot of other English speaking men, were throwing stones at the Italians. MY father was hit by some of the stone^s. I went to the complainant and asked him to stop. At noon time while we were eating our lunch they commenced again throwing the stones and dirt. I asked him again to stop. They did not do it. I got up and went over to talk to him. He called me vile names. There were seven or eight of them against me. I picked up this spirit level which was standing there and I struck this man on the arm with it. I can swear positively that I did not stab the man. I was in the row with him and struck him with the spirit level but I did not stab him. I did not see my father or anybody else cutting him.

CROSS EXAMINATION:

I have been in this country nine years. The policeman did not tell me that I was charged with stabbing this man. He said he just wanted to see me at the station house for a few minutes and I went with him. I spoke in english to the policeman and asked him not to arrest me, as I had a wife and three children.

OFFICER RUPPERT? recalled:

The prisoner was standing at the time I arrested him. I did not see him run. There were a number of

**POOR QUALITY
ORIGINAL**

0446

5

others around at the time. The defendant said nothing to me until the time I had him in Court. The complainant was sober at the time I found him.

MICHAEL CUSTALLY? a witness for the defendant sworn, testified:

I am a clerk in the Wsestern National Bank. I have known the prisoner six or seven years. His character for peace and quiteness is good.

The jury returned a verdict of guilty of assault in the second degree.

POOR QUALITY ORIGINAL

0447

of said son his substance at the time. The defendant said nothing to
others around at the time. I said the time I said the time I
was in the court. The court found me
sober at the time I found him.

that I was a witness for the defendant's sword.

I am a clerk in the Western National Bank. I
have known the prisoner six or seven years. His character
for peace and quietness is good.

The jury returned a verdict of guilty of assault
in the second degree.

Indictment filed Sept. 16-1892

COURT OF GENERAL SESSIONS

Part III.

THE PEOPLE &c.

a. against

FRANK SAVIGNARO.

Abstract of testimony on

trial New York, Sept. 23rd

1892.

**POOR QUALITY
ORIGINAL**

0449

plainant arose out of an encounter between complainant and prisoner's father, who is an old man some seventy years of age.

That as soon as released, Mess. C.A. Andruss & Son, Contractors & Builders at Broadway & 40th Street, New York City, with whom he had worked a long time as a stone mason, will give the prisoner immediate employment. (Mr. C. A. Andruss of that firm, signs the petition and connects the above statement with his signature)

That the prisoner can earn some three dollars or more per diem at his work of stone-masonry.

The petition is signed by about seventy five of the employees of Mess. Andruss & Son, who had worked with the prisoner, as well as by Mr. Andruss himself.

Also signed by Dr. Kennedy

Dr. Morrow of Second Avenue-

R. Napier Anderson, Architect, 74 Fifth Ave.

Mr. Kelly, Hotel Proprietor, 73 Cortland St.

Mr. L. Breckinridge Cabell, Financial Agent, 53 Broadway,

Mr. Jones, of Mess. Jones & Eddy, Managers of New York Branch

of th National Shoe & Leather Exchange, 320 B'way,

Four of the trial-juty- Mess. Oesterlein, Fay, Spindler and Rosenstock.

(Other members of the trial jury were sought for by prisoner's counsel, but they had changed their residences and could not be found.)

The petition is also signed by many other equally respectable and responsible citizens, whose names now escape me.

**POOR QUALITY
ORIGINAL**

0450

James Meehan, the complainant, told the prisoner's brother, Joseph Savignano, that he was anxious to sign the petition and help to get the prisoner pardoned, but on inquiry at his former home, in Amsterday Avenue, it was learned that he had moved away, and a long and diligent search failed to discover him.

**POOR QUALITY
ORIGINAL**

0451

In the Matter of the Appli-
cation for pardon

of

Frank Savignano.

Brief analysis of contents of
Petition for Pardon.

POOR QUALITY ORIGINAL

0452

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

Frank Savignano

The Grand Jury of the City and County of New York, by this indictment, accuse
Frank Savignano
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *Frank Savignano*
late of the City of New York, in the County of New York aforesaid, on the *twelfth*
day of *September* in the year of our Lord one thousand eight hundred and
ninety-*two*, with force and arms, at the City and County aforesaid, in and upon
the body of one *James Meekaw* in the peace of the said People
then and there being, feloniously did make an assault and *him* the said
James Meekaw with a certain *knife*,

which the said *Frank Savignano*
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and
wound,

with intent *him* the said *James Meekaw*
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York and
their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said
Frank Savignano
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Frank Savignano*
late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,
at the City and County aforesaid, with force and arms, in and upon the body of the said
James Meekaw in the peace of the said
People then and there being, feloniously did wilfully and wrongfully make another assault,
and *him* the said *James Meekaw*
with a certain *knife*,

which the said *Frank Savignano*
in *his* right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully
and wrongfully strike, beat, cut, stab and wound, against the form of the statute in such case
made and provided, and against the peace of the People of the State of New York and their
dignity.

POOR QUALITY
ORIGINAL

0453

THIRD COUNT—

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

Frank Savignans

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

The said

Frank Savignans

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the said *James Meekaw* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault and *him* the said

with a certain

knife, James Meekaw

which

he

the said

Frank Savignans

in

his

right hand then and there had and held, in and upon the

stomach

of

him

the said

James Meekaw

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said

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.

James Meekaw

DE LANCEY NICOLL, District Attorney.

0454

BOX:

496

FOLDER:

4525

DESCRIPTION:

Schlamp, Frank H.

DATE:

09/16/92



4525

POOR QUALITY ORIGINAL

0455

1157

1892

Counsel,

Filed

Plends,

day of

1892

THE PEOPLE

vs.

Grand Larceny, Second Degree, [Sections 529, 531, Penal Code.]

Frank H. Schlang

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

[Signature]
Foreman.

[Signature]
Sept 23/92

23

Witnesses:

[Signature]

[Signature]

[Signature]

For

[Signature]

POOR QUALITY ORIGINAL

0456

Police Court

4 District.

Affidavit—Larceny.

City and County of New York, ss:

of No. 300 Bowery Street, aged 46 years, occupation Hotel Clerk, being duly sworn, deposes and says, that on the 2 day of September 1892 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

One hundred and fifty five dollars and other property

the property of Carlo Pesotte but in deposit charge

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 Frank St. Schamp. I am here, from the fact that deponent having charge of said money left the same in a money drawer in said premises where no person but the defendant had access. That after said Schamp had taken possession of said property the same was stolen and carried away

Max Hirsch

Sworn to before me this 2 day of September 1892 at New York Police Justice.

POOR QUALITY ORIGINAL

0457

(1885)

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Frank H. Schlamp 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. *Frank H. Schlamp*

Question. How old are you?

Answer. *35 years*

Question. Where were you born?

Answer. *MS*

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

Answer. *595 Elizabeth St*

Question. What is your business or profession?

Answer. *Book*

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

Answer. *I am guilty*

Frank H. Schlamp

Taken before me this *14* day of *Sept* 188*9*
[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0450

M. Shick
31st + 1st Ave

Shick

BATED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District

1894 1151

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Max Shick
vs.
Frank R. Shick

Offense

Dated

Magistrate

Officer

Witnesses

No.

No.

No.

\$



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 Twenty 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, Sept 13 1894 A. J. White Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

POOR QUALITY ORIGINAL

0459

505

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Frank N. Schlamp

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

Frank N. Schlamp

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

The said *Frank N. Schlamp*

late of the City of New York, in the County of New York aforesaid, on the *2nd* day of *September* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with force and arms,

the sum of one hundred and sixty-five dollars in money, lawful money of the United States of America, and of the value of one hundred and sixty-five dollars and several other goods, chattels and personal property (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of fifty dollars

of the goods, chattels and personal property of one *Max Carl Perrotte*

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.

*Re Lancey Nicoll
District Attorney.*

0460

BOX:

496

FOLDER:

4525

DESCRIPTION:

Schmidt, John

DATE:

09/14/92



4525

046 1

BOX:

496

FOLDER:

4525

DESCRIPTION:

Gormley, William

DATE:

09/14/92



4525

POOR QUALITY ORIGINAL

0462

133

Counsel

Filed

day of

1892

Pleads,

THE PEOPLE

John E. H. H. vs.
Hemmer Knapp

John Schmidt
527 1/2 and
William Tornley

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

James T. ...
Sept. 19, 1892 Foreman.
Bertie ...
Bertie ...
Bertie ...
RBA

Section 198, etc. vs. 8 1892
Error in the Third Degree.

Witnesses:

POOR QUALITY
ORIGINAL

0463

Police Court 3 District. 1

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

Ralph Weild
of No. 165 and 167 Avenue A Street, aged 40 years,
occupation Dry goods being duly sworn

deposes and says, that the premises No. 165 and 167 Avenue A Street, 17th Ward

in the City and County aforesaid the said being dwelling houses, the

store floor of each building

and which was occupied by deponent as a dry goods store

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

were **BURGLARIOUSLY** entered by means of forcibly inserting a hand

through an open window and between

iron bars

on the 2nd day of September 1897 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

A piece of cloth of the value of about

Twenty dollars

the property of deponent and his co-partners

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen and carried away by

John Smith and William Cornley (both now here)

who were in company with each other and acting

in concert

for the reasons following, to wit: that said property was

lying on a shelf near the open window

in the rear of the store No. 167. That

said window is barred and protected

by perpendicular iron bars. Deponent

is informed by Mollie Meyer (now here)

one of deponent's employees that at about

the hour of four o'clock P.M. she saw

the defendant ^{Smith} holding himself on said

POOR QUALITY ORIGINAL

0464

bars and insert one of his hands between said bars and seize said piece of cloth and turn it upon its end to draw it ~~through~~ through the bars. Said Smith upon seeing Mollie jumped into the yard. Deponent is informed by Max Schmidt (now here also an employe that he went into the yard and saw the defendant Gornuley hide himself behind a water closet in the yard. Deponent charges the defendant Smith with stealing said property in the manner aforesaid and Gornuley with aiding and assisting Smith in the commission of said crime.

Sworn to before me
this 3rd September 1892 } *Ralph Weil*
[Signature]
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 1888
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1888
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1888
Police Justice.

Police Court, District,

THE PEOPLE, vs.,
on the complaint of
vs.
1
2
3
4
Offence—BURGLARY.

Dated 1888
Magistrate.
Officer.
Clerk.
Witnesses.
No. Street.
No. Street.
No. Street.
\$ to answer General Sessions.

POOR QUALITY ORIGINAL

0465

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 19 years, occupation Maids of No. 1338 - 2. Ave

Mollie Meyer

Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Ralph Weeld and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 3 day of Sept 1892 Miss Mollie Meyer

[Signature]
Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 25 years, occupation Salesman of No. 416. 6 23

Max Schmidt

Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Ralph Weeld and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 3 day of Sept 1892 Max Schmidt

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0466

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

John Smith

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

Question. What is your name?

Answer.

John Smith

Question. How old are you?

Answer.

28 years

Question. Where were you born?

Answer

New York

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

Answer.

514 East 14 St

Question. What is your business or profession?

Answer.

Hardware maker

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

Answer.

*I am not guilty
John Schmidt*

Taken before me this

Sept 11

1891

Police Justice.

[Signature]

POOR QUALITY ORIGINAL

0467

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

William Gormley 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 sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *William Gormley*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *Mewlish*

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

Answer. *Refused*

Question. What is your business or profession?

Answer. *Laborer.*

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

Answer. *I am not guilty
William Gormley
Mark*

Taken before me this

day of *Sept* 189*9*

Police Justice.

[Signature]

POOR QUALITY ORIGINAL

0468

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

1108
10.3
1167 Ege. St.
John Smith

William Smith

Offense
Burglary

Dated

Sept 3 1892
Magistrate

Adm
Officer

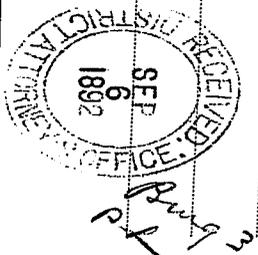
Witnesses

No. 504 E. 13
John Schurber

No. 1333 - 2
Maurice Meyer

No. 416 E. 25
Max Schmidt

No. 1801
Street



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

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, each and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, Sept 3 1892 [Signature] Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

POOR QUALITY
ORIGINAL

0469

483

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*John Schmidt
and
William Gormley*

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

John Schmidt and William Gormley

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

The said

*John Schmidt and
William Gormley, both*

late of the *17th* Ward of the City of New York, in the County of New York aforesaid, on the
second day of *September* in the year of our Lord one
thousand eight hundred and ninety-*two* in the *day* time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of

one

Ralph Weil

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

Weil in the said *store*

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

POOR QUALITY ORIGINAL

0470

SECOND COUNT—

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

John Schmidt and William Gornley

of the CRIME OF *Petit* LARCENY

committed as follows:

The said

John Schmidt and William Gornley, both

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

one piece of cloth of the value of twenty dollars

[Large decorative flourish]

of the goods, chattels and personal property of one

Ralph Weil

in the

store

of the said

Ralph Weil

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

*DeLancey Nicoll,
District Attorney.*

0471

BOX:

496

FOLDER:

4525

DESCRIPTION:

Schneider, Henry

DATE:

09/30/92



4525

0472

BOX:

496

FOLDER:

4525

DESCRIPTION:

Schneider, Henry

DATE:

09/30/92



4525

POOR QUALITY ORIGINAL

0473

361 1076
[Handwritten signature]

Counsel,

Filed, 30 day of Sept 1892

Pleads,

THE PEOPLE

vs.

B
Henry Schneider

Transferred to the Court of Sessions for trial and final decision
Part 2 M. 29 1892

VIOLATION OF THE EXCISE LAW,
[Chap. 10, Laws of 1892, § 23]
[Selling, etc., on Sunday]

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

[Handwritten signature]

Foreman.

Witnesses:

Witness signature lines

**POOR QUALITY
ORIGINAL**

0474

Court of General Sessions of the Peace

1997

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Henry Schneider

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

of the CRIME OF *Henry Schneider* SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

Henry Schneider
late of the City of New York, in the County of New York aforesaid, on the *twenty-eighth* day of *August* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to~~

~~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 New York and their dignity.

SECOND COUNT—

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

Henry Schneider
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

Henry Schneider
late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

Robert W. Day
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.

DE LANCEY NICOLL

District Attorney.

0475

BOX:

496

FOLDER:

4525

DESCRIPTION:

Shannon, Michael

DATE:

09/27/92



4525

POOR QUALITY ORIGINAL

0476

310

1205
~~Keyman~~

Counsel,

Filed

day of

1892

Pleas,

32

THE PEOPLE

185th + 18th St

vs.

St. P. Prisoner

A

Michael Shannon

Robbery, second Degree,
(Sections 224 and 229, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

~~James T. ...~~

Sept 2 - Sept. 30, 1892 Foreman.

Pleas Attorney

S.P. 3 1/2 1892 S.M.O.

PRM

27th Sep. 1892

Witnesses:

POOR QUALITY ORIGINAL

0477

Police Court 6th District.

CITY AND COUNTY }
OF NEW YORK. } ss.

William A. Mick

of No 3733 - 3rd Avenue Street, aged 24 years - occupation Painter
being duly sworn; deposeseth and saith, that on the 26th day of September
1892, at the Twenty - Three Ward of the City of New York, in the County
of New York, was feloniously taken, stolen, and carried away, from the person of deponent
by force and violence, without his consent and against his will, the FOLLOWING PROPERTY, VIZ:

Five and lawful money to the
amount and value of Twenty -
five cents

of the value of Twenty - 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 force and violence as aforesaid by

Michael Shorrson (now true) from the
fact that on the 26th day of about
2 O'clock A.M. on said day deponent
was going home - and was accosted
by said defendant who seized deponent
violently by the arm and demanded
money at the same time saying "if
you don't give me money I will knock
you down" that deponent being in fear
of bodily harm from said defendant
gave him the sum of Twenty - five
Cents - and immediately thereafter deponent
caused the arrest of said defendant

Wm. A. Mick

Sworn before me, this 26th

day of September - 1892

Police Court

POOR QUALITY ORIGINAL

0478

Sec. 198-200.

Cotto

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Michael Shannon 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.

Michael Shannon

Question. How old are you?

Answer.

31 years -

Question. Where were you born?

Answer.

New York

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

Answer.

Fordham 1 5 years -

Question. What is your business or profession?

Answer.

Mason

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

Answer.

*I am not guilty of the charge
OK - I have no other*

Taken before me this

26th

day of *September*

1892

[Signature]
Police Justice

POOR QUALITY ORIGINAL

0479

BAILIED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Police Court... *1205*
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William A. Mucke
37 St. 3rd Ave

Michael Shannan

1 _____
2 _____
3 _____
4 _____

Offence *Robbery*

Dated *Sept 26th* 1892

Murphy Magistrate.

Thomas Brattwagner Officer.

303rd Precinct.

Witnesses

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *11111111* to answer *B.S.*

Conc...

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 *Alfred...*

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

Dated *September 26th* 1892 *Alfred...* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY ORIGINAL

0480

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Michael Shannon

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

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

The said Michael Shannon

late of the City of New York, in the County of New York aforesaid, on the 26th day of September in the year of our Lord one thousand eight hundred and ninety-two, in the night-time of the said day, at the City and County aforesaid, with force and arms, in and upon one William A. Mick in the peace of the said People then and there being, feloniously did make an assault; and

one silver coin of the kind called quarter dollars, of the value of twenty-five cents, two silver coins of the kind called dimes of the value of ten cents each, five nickel coins of the kind called five cent pieces of the value of five cents each, ten coins of the kind called cents of the value of one cent each,

of the goods, chattels and personal property of the said William A. Mick from the person of the said William A. Mick against the will and by violence to the person of the said William A. Mick, and by putting the said William A. Mick in fear of immediate injury to his person, then and there violently and feloniously did rob, steal, take and carry away,

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

Wm Lacey Neall District Attorney

0481

BOX:

496

FOLDER:

4525

DESCRIPTION:

Sharp, George H.

DATE:

09/26/92



4525

0482

BOX:

496

FOLDER:

4525

DESCRIPTION:

Sharp, George H.

DATE:

09/26/92



4525

0483

BOX:

496

FOLDER:

4525

DESCRIPTION:

McDermott, John

DATE:

09/26/92



4525

POOR QUALITY ORIGINAL

0484

Witnesses:

Counsel,

Filed

Pleads,

THE PEOPLE

vs.

George H. Sharp

Grand Jurors

John J. De Witt

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Foreman.

Sept 20, 1892

North Street City of New York

No. 1 Per 1 yr.

" 2 " 6 mos.

R.M.

Grand Larceny (Sections 828, 829, Penal Code)

279
1892
[Signature]

Sept 23/92

POOR QUALITY ORIGINAL

0485

Police Court 2 District. Affidavit—Larceny.

City and County of New York, ss: John O'Neill

of No. 43 Harrison Street, aged 20 years, occupation Crime being duly sworn,

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

two chests of
clothes the value of about
fifty dollars \$ 50

the property of H. A. Palmer & Co and in deponent's care

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 George H. Sharp and John Mc Dermott both (now here) the said property was taken from deponent's wagon while deponent was waiting in line to deliver said goods at the ferry boat and deponent was absent a few moments while said property was taken - deponent is informed by Officer John R. Mc Clarke now here that by capt the mercantile with the said stolen property in his possession a few moments after said property was stolen.

John O'Neill

Sworn to before me this 21 day of Sept 1892 at New York Police Justice.

POOR QUALITY ORIGINAL

0486

(1335)

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK }

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

Question. What is your name?

Answer.

John Mc Donnell

Question. How old are you?

Answer.

19 years

Question. Where were you born?

Answer.

N. Y.

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

Answer.

49 13th Avenue

Question. What is your business or profession?

Answer.

N. Y. Brewster

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 Mc Donnell

day of

Taken before me this

John Mc Donnell
1897

Police Justice.

POOR QUALITY ORIGINAL

0487

(1835)

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

Geo H Sharp

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?

Geo H Sharp

Answer.

Question. How old are you?

22 years

Answer.

Question. Where were you born?

N. Y.

Answer.

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

No home

Answer.

Question. What is your business or profession?

Farmer

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 guilty

George H Sharp

Taken before me this

[Signature]

Police Justice.

POOR QUALITY ORIGINAL

0488

BATED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court... District.

THE PEOPLE, Ec.

ON THE COMPLAINT OF

John J. West
2113 Broadway
John H. Shaw
John Mc Dermott
Offense: Larceny

Offense

Dated

Sept 19 1892

Residence

Magistrate

No. 3, by

John C. Clark

Residence

9th Precinct

Witnesses

No. Street

No. Street

No. Street

No. Street

No. Street

No. Street

1077 E. 46th St - 30th
of Con

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

John H. Shaw guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 100 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, Sept 19 1892 John H. Ryan Police Justice.

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

Dated, 1892 Police Justice.

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

Dated, 1892 Police Justice.

POOR QUALITY
ORIGINAL

0489

505

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

George N. Sharp
and
John Mc Dermott

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

George N. Sharp and John Mc Dermott

of the CRIME OF GRAND LARCENY IN THE SECOND DEGREE, committed

as follows:

The said

George N. Sharp and John Mc Dermott, both

late of the City of New York, in the County of New York aforesaid, on the 20th
day of September in the year of our Lord one thousand eight hundred and
ninety-two, at the City and County aforesaid, with force and arms,

two chests of tea of the value of
twenty-five dollars each chest

of the goods, chattels and personal property of one

Harvey H. Palmer

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.

**POOR QUALITY
ORIGINAL**

0490

SECOND COUNT—

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

George N. Sharp and John McDermott
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *George N. Sharp and John McDermott, both*

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,

*two chests, ^{of tea} of the value of twenty
five dollars each chest*

of the goods, chattels and personal property of one

Harvey W. Palmer

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

Harvey W. Palmer

unlawfully and unjustly did feloniously receive and have; the said

George N. Sharp and John McDermott

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.

DE LANCEY NICOLL,

District Attorney.

0491

BOX:

496

FOLDER:

4525

DESCRIPTION:

Shenswit, David

DATE:

09/07/92



4525

POOR QUALITY ORIGINAL

0492

Witnesses:

Counsel,

Filed

Pleads,

189

THE PEOPLE

Grand Larceny, second Degree, [Sections 828, 68, 152 Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Foreman.

Spent & Acquitted

17

Handwritten signature and notes

David Shensworth

Paul I. Sept. 20, 1912 at 11:15 a.m. 1891

Handwritten signature



POOR QUALITY ORIGINAL

0493

(1805)

Police Court—3—District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Gedalia Reichgoel
of No. 82 Norfolk Street, aged 26 years,
occupation Jeweler being duly sworn,

deposes and says, that on the 19 day of August 1897 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

Two gold watches of the
of about sixty dollars
\$ 60 ⁰⁰/₁₀₀

the property of customers in the care and
custody of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by David Shansur (number) from the fact that said property was in said premises, Deponent is informed by Gedalia Reichgoel that he caught defendant in said premises with said property in his possession. Deponent therefore charges the defendant with having stolen said property and he prays that the defendant be held to answer

Gedalia Reichgoel

Sworn to before me, this _____ day of _____ 1897
of _____
Police Justice.

POOR QUALITY ORIGINAL

0494

Sec. 198-200.

3rd District Police Court.

CITY AND COUNTY OF NEW YORK, } ss:

David Shausuit 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 sees 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.

David Shausuit

Question. How old are you?

Answer.

23 yrs

Question. Where were you born?

Answer.

Russia

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

Answer.

114 Jersey Ave 8 months

Question. What is your business or profession?

Answer.

Plumber

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
David Shausuit.*

Taken before me this

day of

20

John J. Decker
189
Police Justice

POOR QUALITY ORIGINAL

0495

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

Police Court, 17 1039
3 District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Yehuda Reichman
 82 1/2 St. of East St.
 David Chansick
 Larceny
 1 _____
 2 _____
 3 _____
 4 _____
 Offense, _____

Dated, August 20 1892

Magistrate, _____

Officer, _____

137 Precinct

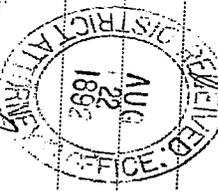
Witnesses

Yehuda Reichman

No. 82 1/2 St. of East St.

Street

No. _____ Street _____



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

_____ guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of _____ 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 20 1892 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

POOR QUALITY
ORIGINAL

0496

505

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

David Shenswit

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

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

The said David Shenswit

late of the City of New York, in the County of New York aforesaid, on the 19th
day of August in the year of our Lord one thousand eight hundred and
ninety-two, at the City and County aforesaid, with force and arms,

two watches of the value of
thirty dollars each

of the goods, chattels and personal property of one

Gedalia Ruchgott

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.

**POOR QUALITY
ORIGINAL**

0497

SECOND COUNT—

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

David Shenswit
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *David Shenswit*

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,

*two watches of the value of
thirty dollars each*

of the goods, chattels and personal property of one

Edolia Reichgott

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

Edolia Reichgott

unlawfully and unjustly did feloniously receive and have; the said

David Shenswit
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.

DE LANCEY NICOLL,

District Attorney.

0498

BOX:

496

FOLDER:

4525

DESCRIPTION:

Shereshevesky, Harry

DATE:

09/20/92



4525

POOR QUALITY ORIGINAL

0499

Witnesses:

clerk for official

213
Counsel,
Filed *20*
Plends,
day of *Sept* 189*2*

Grand Larceny Degree.
[Sections 228, 231
Fornal Code.]

THE PEOPLE

vs.

Harry Shereshevsky

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

John F. [unclear]
Foreman.
Heads of [unclear] 21st
[unclear]
[unclear]

23

POOR QUALITY ORIGINAL

0500

(1365)

Police Court— 3 — District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Charlotte F Howard

of No. 113 E 109th Street, aged 45 years,

occupation School Teacher being duly sworn,

deposes and says, that on the 16 day of September 1892 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

A pocket book containing good and lawful money of the amount and value of thirty two 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 Harry Sherekefsky (nick name)

from the fact that deponent is informed by officer John Hodge that he found said property in the possession of said deponent Charlotte F. Howard

Sworn to before me, this 16 day of September 1892

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0501

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 23 years, occupation John Hodger of No. 11th Precinct Office Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Charlotte F Howard and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 16 day of Sept 1892

John Hodger

[Signature] Police Justice.

[Lined area for additional text]

POOR QUALITY ORIGINAL

0502

3

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss:

Harry Sherepshesky 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 sees 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. *Harry Sherepshesky*

Question. How old are you?

Answer. *13 years past*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *81 Canal St Bmas*

Question. What is your business or profession?

Answer. *School boy*

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

Answer. *I am guilty of taking the money Harry Sherepshesky*

Taken before me this

day of

Sept

189

16

W. J. [Signature]

Police Justice

POOR QUALITY ORIGINAL

0503

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

Police Court, 213 / 3

District, 1169

THE PEOPLE, M.
ON THE COMPLAINT

Charles F. Bennett
113 E 109th St
Henry Stuchinsky

1
 2
 3
 4
 Offense

Dated, Sept 16 1892

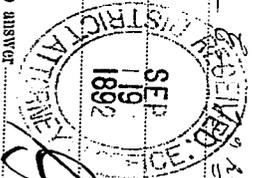
Magistrate: Duffy
Officer: Rucke

Witness: John Rodas

No. 1111 K. Pennad
Residence: Andrew Schmidt

No. 106 -
Residence: Street

No. 500
Residence: Street



Commenced by

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 Byrdard

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, Sept-16 189 [Signature] Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

POOR QUALITY ORIGINAL

0504

Court of General Sessions

The People
VS

Harry Shershefsky

REPORT OF THE NEW YORK SOCIETY FOR
THE PREVENTION OF CRUELTY
TO CHILDREN.

100 EAST 23D STREET,

New York, Sept 18th 1892

CASE NO. 67646

DATE OF ARREST

OFFICER

September 16th

CHARGE

Grand Larceny

AGE OF CHILD

13 years

RELIGION

Hebrew

FATHER

Markus Shershefsky

MOTHER

Mary Shershefsky

RESIDENCE

81 Canal str

AN INVESTIGATION BY THE SOCIETY SHOWS THAT The boy has a comfortable home and his parents are very respectable people, he has been arrested before charged with Vagrancy on May 10th 1892 he at that time told Officer's that he lived in a place called Malachi near Phila, but it was afterward learned that he lived at 81 Canal str New York, the boy was then returned to his parents. Boy has been in the Juvenile Asylum once before.

All which is respectfully submitted,

J. Hellows Secretary
Rpt

To Dist Atty

POOR QUALITY ORIGINAL

0505

Court of

General Sessions

The People

VS

Harry Christofsky

Grand Jurors

FENAL CODE, §

Report of the New York Society
for the Prevention of Cruelty
to Children.

ELBRIDGE T. GERRY,

President, &c.,

100 East 23d Street,

NEW YORK CITY.

POOR QUALITY
ORIGINAL

0506

505

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Harry Shereshevsky

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

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

The said

Harry Shereshevsky

late of the City of New York, in the County of New York aforesaid, on the *16th*
day of *September* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, with force and arms,

*the sum of thirty-two dollars
in money, lawful money of the
United States of America, and
of the value of thirty-two
dollars, and one pocketbook of the value
of one dollar*

of the goods, chattels and personal property of one

Charlotte F. Howard

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

*De Lancey Nicoll
District Attorney.*

0507

BOX:

496

FOLDER:

4525

DESCRIPTION:

Siebert, Otto

DATE:

09/22/92



4525

POOR QUALITY ORIGINAL

0508

Witnesses:

Ray A. ...
Mc ... J.P.
du ...

[Handwritten mark]

Counsel,

Filed,

Pleads,

THE PEOPLE

vs.

Otto Siebert

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

[Signatures]
Foreman.

Burglary in the Third Degree.
Section 498, ...

189

224

POOR QUALITY
ORIGINAL

0509

Police Court— 3 District.

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

Catharine Koch
of No. 250 Division Street, aged 52 years,
occupation Keep house being duly sworn

deposes and says, that the premises No. 250 Division Street, 13^e Ward
in the City and County aforesaid the said being a dwelling house; the apart-
ments on the second floor of
~~and~~ which was occupied by deponent as a dwelling
~~and in which there was at the time a human being, by name~~

were **BURGLARIOUSLY** entered by means of forcibly opening the door
leading to said apartments by means of false
and imitation keys

on the 2nd day of September 1892 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

A quantity of men's wearing apparel
of the value of about One hundred and
forty dollars

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

Otto Siebert (now here) and a man
not arrested

for the reasons following, to wit: that at about the hour of
eleven o'clock a.m. deponent securely
locked and fastened the door leading
to said apartments and said property was
therein. Deponent in about fifteen minutes
thereafter returned to the house and
on the stairway deponent met the unknown
man coming ~~down~~ down stairs and
was immediately followed by the

POOR QUALITY ORIGINAL

0510

defendant Siebert. Deponent went to her apartments and found the said door open which door is situated at the rear of the apartment and deponent found the said property in a bundle lying at the foot of the stairs where deponent's front door is situated. Shortly thereafter deponent noticed the defendant sneaking through the hallway and deponent went down stairs and the defendant upon seeing deponent, asked deponent if a person (naming him) lived there which name was unknown to deponent and deponent seized the defendant and caused his arrest.

Sworn to before me this 2nd September, 1895
Police Justice
M. Hoffman

It appearing to me by the within depositions and statements that the crime herein 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 offense within mentioned, I order he to be discharged.
Dated 188
Police Justice.

Police Court, District

THE PEOPLE, &c.,
on the complaint of
No.
1
2
3
4

Offense—BURGLARY.

Direct 188

Magistrate

Officer

Clerk

Witnesses

Street

Street

Street

No. to answer General Sessions.

POOR QUALITY ORIGINAL

0511

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Otto Siebert

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 sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. Otto Siebert

Question. How old are you?

Answer. 23 years

Question. Where were you born?

Answer. Germany

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

Answer. 16 East Broadway; 3 months

Question. What is your business or profession?

Answer. Shoemaker

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

Otto Siebert

Taken before me this 25 day of September 1892

Police Justice

POOR QUALITY ORIGINAL

0512

BAILED,

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

224
1107

Police Court, 3
District, 1107

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Bartholme Rich
250 Avenue 87
Off. Sheriff

Offense Burglary

1 _____
2 _____
3 _____
4 _____

Dated, Sept 2
1892

Morgan Magistrate.
J. H. Day Officer.

Witnesses James Baker
350 Mission Street.

No. _____ Street.
No. _____ Street.

\$ 2000 to answer



Aug 30 1892
1107

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 Twenty 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, Sept 2 1892 Morgan Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

POOR QUALITY
ORIGINAL

0513

Police Department of the City of New York.

Precinct No. 11

New York, July 13th 1890

Otto Seibert arrested July 13th 1890
for stealing a pocket book
containing the sum of \$2.28

Pleady Guilty G. S.
July 18th 1890

Received 2 Years & 2 Months
By Judge Martine

Officer Snyder

POOR QUALITY
ORIGINAL

0514

462

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Otto Siebert

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

Otto Siebert

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

The said

Otto Siebert

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

John Koch

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

SECOND COUNT—

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

Otto Siebert

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

The said

Otto Siebert

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

*divers articles of clothing and
wearing apparel, of a number
and description to the Grand
Jury aforesaid unknown, of
the value of one hundred and
forty dollars*

of the goods, chattels and personal property of one

John Koch

in the dwelling house of the said

John Koch

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

*De Launcey Nicoll,
District Attorney.*

05 16

BOX:

496

FOLDER:

4525

DESCRIPTION:

Skelton, Nellie

DATE:

09/16/92



4525

POOR QUALITY ORIGINAL

0517

199

Counsel,

Filed

Day of

1892

Plends,

THE PEOPLE

vs.

Hellie Skelton

H.D.

Grand Larceny, (From the Person, Degree, [Sections 528, 529, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

James T. Beck

Part 3. Sept. 26/92. Foreman.

was acquitted.

Sept. 23

Sept. 26/92
S. J. A.

Witnesses:

POOR QUALITY ORIGINAL

0518

CITY AND COUNTY } ss. POLICE COURT, 3 DISTRICT.
OF NEW YORK.

of No. 14 Queens Street, aged years,
occupation Police officer being duly sworn, deposes and says

that on the 14 day of September 1892
at the City of New York, in the County of New York Norman Miller

(now here) is complainant
against one Nellie Skelton
who he charges with larceny
from the person

Deponent further says
that he believes that if said
Miller is allowed to go that
he will not be forth coming when
warranted

Wherefore deponent asks
that Miller be committed to the house of
detention James Morris

Sworn to before me this
1892
[Signature]
Police Justice

POOR QUALITY ORIGINAL

0519

3rd District.

(1385)

Police Court—

District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 16 Seventh Herman Miller Street, aged 30 years,
occupation Waiter

being duly sworn,
deposes and says, that on the 14 day of September 1897 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the night time, the following property, viz:

One pocket book containing
good and lawful money
to the amount of seven
dollars. (\$7.00)

the property of Deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen
and carried away by Heller Skelton (nowhere)

from the fact that deponent was
sitting at a table with the said
defendant at 393 Bowery, that
deponent had the said property
in his right hand; pants pocket,
that deponent felt a hand in the
pocket, where the said property
was that shortly thereafter deponent
missed the said property.

Deponent further says that the
said defendant was the only person
that could have taken the said
property from the time he saw it
until it was missing.

Herman Miller.

Sworn to before me, this
14th day of
September 1897
at New York
Police Justice.

POOR QUALITY ORIGINAL

0520

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY OF NEW YORK

Ellie Skellon

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 sees 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. *Ellie Skellon*

Question. How old are you?

Answer. *31 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *4 Second St. 9 Months*

Question. What is your business or profession?

Answer. *Domestic*

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*

Ellie Skellon

Taken before me this

day of

Sept 18 1894

Police Justice.

POOR QUALITY ORIGINAL

0521

BAILED,

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

Police Court, 179
1149

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Thomas Butler
HOUSTON DETENTION CASE
Police Officer

1 _____
2 _____
3 _____
4 _____
Offense, Armed robbery

Dated, Sept. 14
1892

W. J. Murphy Magistrate.
W. J. Murphy Officer.

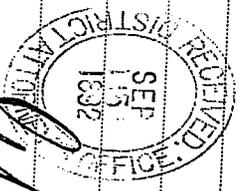
Witnesses Amos Plummer
Street of Butler
No. _____
Street _____

No. _____
Street _____

No. _____
Street _____

\$ 1000 to answer

COMMITTED



Person

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, Sept 14 1892 W. J. Murphy Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

**POOR QUALITY
ORIGINAL**

0522

504

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Nellie Skelton

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

Nellie Skelton

of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

Nellie Skelton

late of the City of New York, in the County of New York aforesaid, on the *14th*
day of *September* in the year of our Lord one thousand eight hundred and
ninety-*two*, in the *night*time of the said day, at the City and County aforesaid,
with force and arms,

*the sum of seven dollars
in money, lawful money of the
United States of America, and
of the value of seven dollars,
and one pocketbook of the
value of one dollar*

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

Hermann Miller
He Lacey Nicoll,
District Attorney.

0523

BOX:

496

FOLDER:

4525

DESCRIPTION:

Smith, George

DATE:

09/26/92



4525

0524

BOX:

496

FOLDER:

4525

DESCRIPTION:

Smith, George

DATE:

09/26/92



4525

POOR QUALITY ORIGINAL

0525

Witnesses:

I appearing before
and as proof that
the complainant as
witnesses in another
forum and the length
being in my power
to continue with the
Prosecution of
in defendant's
recognition of
Chesley on his
own recognition and
Nov 1979
Ray Wilkes
Alaska
I. Caucen
D. Frank Lloyd
C. Chod

N 2600 PA
Judge Tapan
Counsel,
Filed 189
Pleads, day of
Subject of

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

THE PEOPLE

vs.
George Smith

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Sept 23/92

Foreman.

Discharged on his
own recogn. on motion of
D. Frank Lloyd
Nov. 18 92

POOR QUALITY ORIGINAL

0526

Police Court 2 District.

City and County of New York, ss.:

Edward Mosely
of No. 16 1/2 ~~13~~ ¹³ ~~Monte~~ ^{Monte} ~~Street~~ ^{Street}, aged 37 years,
occupation Truck Driver being duly sworn

deposes and says, that on the 7th day of August 1882 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by George Smith (now here), who did unlawfully and maliciously cut, and stab, deponent in the abdomen, with some sharp instrument that he held in his hand, and that said assault was done -

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

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

Sworn to before me, this

3 day of September 1882

Edward Mosely

A. White Police Justice.

POOR QUALITY ORIGINAL

0527

(1335)

Sec. 198-206.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

George Smith

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

Question. What is your name?

Answer *George Smith*

Question. How old are you?

Answer *27 years -*

Question. Where were you born?

Answer *U.S.*

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

Answer *No 16 1/2 Downing Street 2 months*

Question. What is your business or profession?

Answer *Truck Driver*

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

Answer.

I am not guilty -
Geo. Smith

Subscribed before me this *20* day of *July* 188*8*
[Signature]
Police Justice

POOR QUALITY ORIGINAL

0528

BAILED

No. 1, by Malcolm J. Johnston
 Residence 153 W. 13th St.

No. 2, by _____
 Residence _____

No. 3, by _____
 Residence _____

No. 4, by _____
 Residence _____

Police Court... 250
 District... 1004
 1894

THE PEOPLE, N.C.,
 ON THE COMPLAINT OF
Alfred M. Welch
 16 1/2 Broadway
 13th Precinct
 George M. Welch

Dated Sept 3 1892
Malcolm J. Johnston
 Magistrate

Officer Paul M. Doyle
 Precinct 13th

Witnesses
16 1/2 Broadway
Nancy Corbin
16 1/2 Broadway
Marcella Taylor
16 1/2 Broadway
300

to answer

SEP 6 1892

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

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Two Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.
 Dated, Sept 3 1892 A. J. White Police Justice.

I have admitted the above-named defendants to bail to answer by the undertaking hereto annexed.
 Dated, September 3 1892 A. J. White Police Justice.

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

POOR QUALITY ORIGINAL

0529

CITY AND COUNTY OF NEW YORK } ss. POLICE COURT, 2 DISTRICT.

I, Ralph Boyland
of No. 111 Duane Street, aged 34 years,
occupation Police Officer being duly sworn deposes and says,
that on the 7th day of August 1889
at the City of New York, in the County of New York, he arrested

George Smith on the complaint
of Edward Howley now
confined in St Vincent's Hospital
suffering from a stab wound
in the abdomen which he
stated in depositions furnished
had been feloniously
inflicted by said Smith

Ralph Boyland

Sworn to before me this Aug day of 1889
[Signature]
Police Justice

POOR QUALITY ORIGINAL

0530

Police Court, 234 District.

Ex. Aug. 12/92 - 10th Co. Pa.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Geo Smith
vs.

AFFIDAVIT.

Dated

Aug 12 1892

Magistrate.

W. H. Royland
Officer.

Witness,

9

Disposition,

Held to await
the result of injuries
Sept 26th 9 PM
Sept 27th 9 PM
Sept 28th 9 PM

POOR QUALITY ORIGINAL

0531

C. R. 3603

SUBPCENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

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

To Marcella Frazier
of No. 204 E 98th Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the New Criminal Court House on Centre Street, between Franklin and White Streets, in the City of New York, on the 15 day of November 1897, at 10 o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Geo Smith

Dated at the City of New York, the first Monday of
in the year of our Lord 189

WILLIAM M. K. OLCOTT, *District Attorney.*

PART I.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

GLUED PAGE

POOR QUALITY ORIGINAL

0532

204 898

Address
Housekeeper
no one by that
name
Relative -
over a year

was not there brought out, please state the same to the
District Attorney or one of his Assistants.

GLUED PAGE

POOR QUALITY ORIGINAL

0533

Court of General Sessions.

If you know of more testimony than was produced before the Magistrate, or if a fact which you think material was not there brought out, please state the same to the District Attorney or one of his Assistants.

THE PEOPLE

Ma Frazier

vs.

Smith

County of New York, ss:

William Rosenthal
1269 First Ave

being duly

ses and says: I reside at No.

Street, in the City of New York. I am a Subpoena Server in the office of the District Attorney of the City and County of New York. On the 10 day of November 1897, I called at 204 E 98th Street

the alleged

residence

of

Marcella Frazier

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

Mr. Hedden the janitor that no such person lives there. I also made further inquiries from Mr. Deatus & others (names unknown) but met with no better success. The house 204 E 98 is composed of Cubans & Africans.

Sworn to before me, this 12th day of November 1897.

William Rosenthal
Subpoena Server.

James Rely

COURT OF DEEDS
NEW YORK COUNTY.

POOR QUALITY ORIGINAL

0534

Court of General Sessions.

THE PEOPLE, on the Complaint of
Marcella Grayson
 vs.
George Smith
 Offense:

JOHN R. FELLOWS,
District Attorney.

Affidavit of
William Rosenthal
 Subpoena Server.

Failure to Find Witness.

GLUED PAGE

POOR QUALITY ORIGINAL

0535

C. R. 3803

SUBPCENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

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

To Nancy Cooper
of No. 16 1/2 Downing Street.

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the New Criminal Court House on Centre Street, between Franklin and White Streets, in the City of New York, on the 15 day of November 1897, at 10 o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Geo. Smith

Dated at the City of New York, the first Monday of
in the year of our Lord 189

WILLIAM M. K. OLCOTT, District Attorney.

PART I.

THE COURT ROOM IS IN THE SECOND STORY.
If this Subpcena is disobeyed, an attachment will immediately issue.
Bring this Subpcena with you, and give it to the officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

GLUED PAGE

POOR QUALITY ORIGINAL

0536

Court of General Sessions.

THE PEOPLE

vs.

George Smith

City and County of New York, ss:

Bernard Lynch being duly sworn,

deposes and says: I reside at No. *309 Spring* Street, in the City of New York. I am a Subpoena Server in the office of the District Attorney of the City and County of New York. On the *11th* day of *November* 189*9*, I called at *16 1/2 Downing St*

the alleged *address* of *Nancy Cooper* the complainant herein, to serve her with the annexed subpoena, and was informed by

the tenants of the house that said Nancy Cooper had moved to some place in New Jersey and did not know where

Sworn to before me, this *12th* day of *November* 189*9*

Bernard Lynch
Subpoena Server.
James Riley

COMMISSIONER OF DEEDS
NEW YORK COUNTY.

state this entry to the District Attorney, in the Court.
If in when served, please send timely word to the District Attorney's Office.
If you know of more testimony than was produced before the Magistrate, or if a fact which you think material was not there brought out, please state the same to the District Attorney or one of his Assistants.

POOR QUALITY ORIGINAL

0537

Court of General Sessions.

THE PEOPLE, on the Complaint of

Edward Morley

George Smith

JOHN TR. FELLOWS,

District Attorney.

Affidavit of

Bernard Lynch

Subpoena Server.

Failure to Find Witness.

GLUED PAGE

POOR QUALITY ORIGINAL

0538

C. R. 3608

SUBPCENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

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

To Demis Crump

of No. 16 1/2 Downing Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the New Criminal Court House on Centre Street, between Franklin and White Streets, in the City of New York, on the 15 day of Nov 1897, at 10 o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Geo. Smith

Dated at the City of New York, the first Monday of

in the year of our Lord 189

WILLIAM M. K. OLCOTT, District Attorney.

PART I.

THE COURT ROOM IS IN THE SECOND STORY
If this Subpcena is disobeyed, an attachment will immediately issue.
Bring this Subpcena with you, and give it to the officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

GLUED PAGE

POOR QUALITY
ORIGINAL

0539

ing in Washington

If the case not be called on for trial, and no reason
is given in Court, please inquire in the District Attorney's
Office about it, and you may save time.

If inconvenient to remain, and you prefer another day,
state this early to the District Attorney, in the Court.

If ill when served, please send timely word to the District
Attorney's Office.

If you know of more testimony than was produced be-
fore the Magistrate, or if a fact which you think material
was not there brought out, please state the same to the
District Attorney or one of his Assistants.

GLUED PAGE

POOR QUALITY ORIGINAL

0540

Court of General Sessions.

THE PEOPLE

vs.

George Smith

City and County of New York, ss:

Bernard Lynch

being duly

sworn, deposes and says: I reside at No. *309 Spring* Street, in the City of New York. I am a Subpoena Server in the office of the District Attorney of the City and County of New York. On the *11th* day of *November* 189*7*, I called at *16 1/2 Downing*

the alleged *adress*

of

Dennis Crump

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

the tenants of the said house that said Dennis Crump had gone to live in Washington D.C. for good

Sworn to before me, this *12th* day of *November* 189*7*

Bernard Lynch
Subpoena Server.
James Riley

COMMISSIONER OF DEEDS
NEW YORK COUNTY.

POOR QUALITY ORIGINAL

0541

Court of General Sessions.

THE PEOPLE, on the Complaint of

Edward Morley

George Smith

JOHN R. FELLOWS,

District Attorney.

Affidavit of

Bernard Lynch

Subpoena Server.

Failure to Find Witness.

POOR QUALITY ORIGINAL

0542

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

George Smith

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

George Smith

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

The said *George Smith*

late of the City of New York, in the County of New York aforesaid, on the *seventh* day of *August* in the year of our Lord one thousand eight hundred and ninety-*two*, with force and arms, at the City and County aforesaid, in and upon the body of one *Edward Mosely* in the peace of the said People then and there being, feloniously did make an assault and *him* the said

Edward Mosely with a certain *sharp instrument* to the Grand Jury, aforesaid unknown

which the said *George Smith* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and wound,

with intent *him* the said *Edward Mosely* thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

George Smith

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

The said *George Smith*

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *Edward Mosely* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *him* the said *Edward Mosely*

with a certain *sharp instrument* to the Grand Jury, aforesaid unknown

which the said *George Smith* in *his* right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

**POOR QUALITY
ORIGINAL**

0543

THIRD COUNT—

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

George Smith

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

The said

George Smith

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the said *Edward*
Moseley in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault and *him* the said

with a certain *sharp instrument to the Grand Jury aforesaid,*
unknown

which *he* the said *George Smith*

in *his* right hand then and there had and held, in and upon the
abdomen of *him* the said

then and there feloniously did wilfully and wrongfully strike, *Edward Moseley*
beat, stab, cut bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said

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

DE LANCEY NICOLL, *District Attorney.*

0544

BOX:

496

FOLDER:

4525

DESCRIPTION:

Smith, John

DATE:

09/16/92



4525

POOR QUALITY ORIGINAL

0545

Witnesses:

Witness signature lines

169 *[Signature]*

Counsel,

Filed

day of

1892

Pleads,

[Signature]

THE PEOPLE

vs.

John Smith

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

DE LANCEY NICOLL,

District Attorney.

113-11120

A TRUE BILL.

James T. Clark

Part 3, Sept 28/92 Foreman.

James and Augustus

Sept 10/92

[Signature]

POOR QUALITY ORIGINAL

0546

Police Court 4 District.

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

of No. 424 West 24th Street, aged 44 years,
occupation liquor dealer being duly sworn

deposes and says, that the premises No. 145 Third Avenue 18th Ward

in the City and County aforesaid the said being a three story brick
building, the ground floor of
and which was occupied by deponent as a saloon

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

attempted to be
were BURGLARIOUSLY entered by means of forcibly breaking open
a plate glass door leading to said
saloon from the side entrance

on the 29 day of August 1892 in the night time, and the
was attempted to be
following property feloniously taken, stolen, and carried away, viz:

A quantity of liquors and cigars,
the whole being of the value of
One Hundred Dollars

\$100.00

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

John Smith (worker)

for the reasons following, to wit: Deponent saw said door
securely locked and fastened on the
evening of August 28th 1892, at about
7 P.M. Deponent is informed by one
Michael Dooly, of No. 651 Third
Avenue, in this city, that at about
4 A.M. on the above date he heard
the crash of broken glass in said
door and saw defendant standing attend

door attempting to hide the place where
 the pass was broken. That he, Doyle,
 procured the arrest of defendant and
 defendant offered said Doyle Five Dollars
 (\$5.00) to let him go. That deponent
 is also informed by Officer McHenry,
 of the Eighteenth Precinct Police, who arrested
 defendant that his hands were covered
 with blood. Wherefore deponent accuses
 defendant of having attempted to bribe
 said deponent and pray that he may be
 dealt with as the law directs.

Sworn to before me this } James Lynch
 24th day of August 1892 }
 Charles J. Linton
 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 1888
 Police Justice.

I have admitted the above named
 to bail to answer by the undertaking hereto annexed.
 Dated 1888
 Police Justice.

There being no sufficient cause to believe the within named
 guilty of the offence within mentioned, I order he to be discharged.
 Dated 1888
 Police Justice.

Police Court, District, _____

THE PEOPLE, etc.,
 on the complaint of _____

vs.

1 _____
 2 _____
 3 _____
 4 _____

Offence—BURGLARY.

Dated _____ 1888

Magistrate _____
 Officer _____
 Clerk _____

Witnesses, _____
 No. _____ Street, _____
 No. _____ Street, _____
 No. _____ Street, _____

\$ _____ to answer General Sessions.

POOR QUALITY ORIGINAL

0548

CITY AND COUNTY }
OF NEW YORK, } ss.

1877.

Michael Dooley

aged 42 years, occupation watchman of No.

651 - 3rd Ave Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of James Lynch

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

knowledge.

Sworn to before me, this 28

day of August 1899

Michael Dooley

Charles W. Linton

Police Justice.

POOR QUALITY ORIGINAL

0549

Sec. 198-200.

.....District Police Court.

CITY AND COUNTY OF NEW YORK } ss:

John Smith being duly examined before the undersigned 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, that the statement is designed to enable h if he sees fit, to answer the charge and explain the facts alleged against h; that he is at liberty to waive making a statement, and that h waiver cannot be used against h on the trial.

Question. What is your name?

Answer. *John Smith*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *304 E. 17 St. 2 yrs.*

Question. What is your business or profession?

Answer. *Coal*

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

Answer. *I am not guilty -*

John Smith

Taken before me this *19* day of *October* 189*9* by *Charles J. Hunter* Police Justice.

POOR QUALITY ORIGINAL

0550

PAIDED,
 No. 1, by _____
 Residence _____ Street _____
 No. 2, by _____
 Residence _____ Street _____
 No. 3, by _____
 Residence _____ Street _____
 No. 4, by _____
 Residence _____ Street _____

Police Court... 169 1083 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James S. Smith
John Smith

Offence Attempted Rape

Dated August 29 1892

Magistrate

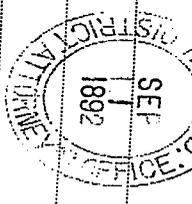
Officer

Precinct

Witnesses

No. 651
Street

No. _____
Street



No. 1000
to answer

Signature

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 1000 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated August 29 1892 Charles N. Linton 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.

POOR QUALITY
ORIGINAL

0551

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

483

THE PEOPLE OF THE STATE OF NEW YORK

against

John Smith

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

John Smith

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

The said

John Smith

late of the 18th Ward of the City of New York, in the County of New York aforesaid, on the
29th day of August in the year of our Lord one
thousand eight hundred and ninety-two in the night-time of the same day, at the
Ward, City and County aforesaid a certain building there situate, to wit, the saloon of
one

James Lynch

there situate, feloniously and burglariously did break into and enter, with intent to commit some
crime therein, to wit: with intent the goods, chattels and personal property of the said James
Lynch in the said saloon
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.

Wm Lancelotti,
District Attorney.

0552

BOX:

496

FOLDER:

4525

DESCRIPTION:

Smith, Joseph

DATE:

09/08/92



4525

POOR QUALITY ORIGINAL

0553

44

D. J. C. [Signature]
Counsel,
Filed *1892*
day of *Sept*
Pleas: *Myself*

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

THE PEOPLE

vs.

P

Joseph Smith

DE LANCEY NICOLL,

District Attorney.

Chas. J. [Signature] 28 92
of [Signature] 28 92

A TRUE BILL.

[Signature] Foreman.
[Signature]
[Signature]
[Signature]

Witnesses:

[Signature]
[Signature]

It being impossible to find the complainant & his testimony being necessary I recommend to discharge on his own recognizance Oct 14 92 per J. C. [Signature]

POOR QUALITY ORIGINAL

0554

Police Court _____ District.

1081

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

of No. 46 New Bowery Street, aged 29 years,
occupation Clerk being duly sworn,

deposes and says, that on the 27 day of August 1892 at the City of New York, in the County of New York, in New Bowery

he was violently and feloniously ASSAULTED and BEATEN by Charles Smith (now here) who did cut and slash deponent in the chin with a razor then and there held in his hand -
John H. Lacey

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

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

Sworn to before me, this 28 day of August 1892 } John H. Lacey
of _____ }
W. M. Mahan Police Justice.

POOR QUALITY ORIGINAL

0555

(1885)

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss

District Police Court.

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

Question. What is your name?

Answer. Joseph Smith

Question. How old are you?

Answer. 27 years

Question. Where were you born?

Answer. New York

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

Answer. 41 Hamilton Street 2 years

Question. What is your business or profession?

Answer. Driver

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

Answer. I am not guilty Joseph Smith

Taken before me this

28

day of Nov 1894

Almon A. Johnson

Police Justice.

POOR QUALITY ORIGINAL

0556

BATED,

No. 1, by _____
Residence _____ Street _____

No. 2, by _____
Residence _____ Street _____

No. 3, by _____
Residence _____ Street _____

No. 4, by _____
Residence _____ Street _____

Police Court... 444
District... 1069

THE PEOPLE, &c.,
OF THE COUNTY OF _____
vs. _____
1 Jack Smith
2
3
4
Offense Assault
felony

Dated May 28 1892
Magistrate

William & McHenry
Officer

Witnesses _____
Street _____

Office of the Clerk of the Court
No. 2300
Street N.Y.C.

Committed by _____



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 Twenty four 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, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

GLUED PAGE

POOR QUALITY ORIGINAL

0557

1701

SUBPCENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

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

Wolfe

To *John H. DeLoach*
of No. *46 New Rowen* Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of **OCTOBER** 1892, at 10.30 o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Joseph Smith
Dated at the City of New York, the first Monday of **OCTOBER** in the year of our Lord 1892.

DE LANCEY NICOLL, *District Attorney.*

PART I.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

GLUED PAGE

POOR QUALITY
ORIGINAL

0558

46 M. Borney

Hand

If inconvenient to remain, and you prefer another day, state this early to the District Attorney, in the Court.

If ill when served, please send timely word to the District Attorney's Office.

If you know of more testimony than was produced before the Magistrate, or if a fact which you think material was not there brought out, please state the same to the District Attorney or one of his Assistants.

GLUED PAGE

POOR QUALITY ORIGINAL

0559

Court of General Sessions.

If inconvenient to remain, and you prefer another day, state this early to the District Attorney, in the Court.
If ill when served, please send timely word to the District Attorney's Office.
If you know of more testimony than was produced before the Magistrate, or if a fact which you think material was not there brought out, please state the same to the District Attorney or one of his Assistants.

THE PEOPLE

John H. Lacey

vs.

Joseph Smitt

City and County of New York, ss:

Abraham Maas being duly sworn, deposes and says: I reside at No. *35 Ridge Street*

Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the City and County of New York. On the *10th* day of *Oct* 189*2*

I called at *46 New Bowery*

the alleged *Residence* of *John H. Lacey*

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

of the *Lodging house* that said *John H. Lacey* has not been there in about *5 weeks*.

I also call on several other *accatins* with *same* result

Sworn to before me, this *13th* day of *October* 189*2*

John A. Ferguson
Clerk of Court

Abraham Maas
Subpoena Server.

GLUED PAGE

POOR QUALITY
ORIGINAL

0560

Court of General Sessions.

THE PEOPLE, on the Complaint of

John H. Lacey

vs.

Joe. Smith

Offense:

JOHN R. FELLOWS,
District Attorney.

Affidavit of

Abraham Wood

Subjenna Server.

Failure to find Witness.

POOR QUALITY ORIGINAL

0561

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

Joseph Smith

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

Joseph Smith

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

The said

Joseph Smith

late of the City of New York, in the County of New York aforesaid, on the ~~twenty-seventh~~
day of *August* in the year of our Lord one thousand eight hundred and
ninety-*two*

, with force and arms, at the City and County aforesaid, in and upon
the body of one *John J. Casey* in the peace of the said People
then and there being, feloniously did make an assault and *him* the said

John J. Casey with a certain *razor*

which the said
in *his*
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and
wound,

Joseph Smith

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

with intent *him* the said *John J. Casey*
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York and
their dignity.

SECOND COUNT—

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

Joseph Smith

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

The said

Joseph Smith

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

John J. Casey in the peace of the said
People then and there being, feloniously did wilfully and wrongfully make another assault,
and *him* the said

John J. Casey
with a certain *razor*

which the said
in *his*
an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully
and wrongfully strike, beat, cut, stab and wound, against the form of the statute in such case
made and provided, and against the peace of the People of the State of New York and their
dignity.

Joseph Smith

right hand then and there had and held, the same being a weapon and

**POOR QUALITY
ORIGINAL**

0562

THIRD COUNT—

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

Joseph Smith

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

The said

Joseph Smith

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the said *John J. C. Lacey* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault and *him* the said with a certain *razor*, — *John J. C. Lacey* —

which *he* the said *Joseph Smith* in *his* right hand then and there had and held, in and upon the *face* of *him* the said

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said *John J. C. Lacey*

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

DE LANCEY NICOLL, *District Attorney.*

0563

BOX:

496

FOLDER:

4525

DESCRIPTION:

Smith, Sandford

DATE:

09/27/92



4525

214

1205

W. J. Boyd

Counsel,

Filed

day of

Sept 1892

Pleas,

Iniquity

vs

THE PEOPLE

vs.

Robbery, (Sections 224 and 231, Penal Code), Degree.

28
284441
200/5

Samford Smith

DE LANCEY NICOLL,

District Attorney.

24m. 9. m. v. 5. 7.
10-2/1892

A TRUE BILL.

John T. Lacey

Foreman.

Sept 2 - 5
Sept 3, 1892
Ready for trial 29 m. 1892

27th Ap. 1892

May 14/92

W. J. Boyd
Counsel
Filed
Pleas
Iniquity

C. C. Russell

Cheman Spence

W. J. M. Boyd

D. M. Mearns

78. 6. 79. 6. 79.

John Lacey
58th St. + Bway
Not despoiled of his
Case correct vide. Case
Lacey
AM

POOR QUALITY ORIGINAL

0565

Police Court South District.

CITY AND COUNTY }
OF NEW YORK, } ss

Stella Ackerson
of No. 127 West 46th Street, Aged 27 Years
Occupation Housekeeper being duly sworn, deposes and says, that on the
24 day of Sept 1892, at the 22nd Ward of the City of New York,
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-
ponent by force and violence, without his consent and against his will, the following property, viz:

One pocket book containing United States silver coins and one copper coin in all

of the value of Ninety one cents ~~DOLLARS~~
the property of Deponent.

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away, by force and violence as aforesaid by

Davidford Smith, now present.

That about 11 1/2 o'clock on the night of said day as deponent was passing through said street with the pocket book containing said money in her hand. The defendant followed and struck her, seized her by the arm and wrist, and wrenched said pocket book and contents from her hand. That deponent was informed by Officer Patrick H. Fox, that he pursued and captured said defendant, with the aforesaid property in his possession.

Stella Ackerson

day of

Sworn to before me this

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0566

CITY AND COUNTY }
OF NEW YORK, } ss.

1877.

Patrick H. Fox

aged 31 years, occupation Police man of No.

20 Precinct Station Street, being duly sworn, deposes and

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

Sworn to before me, this

25

Patrick H. Fox

day of

Sept

1892

[Signature]
Police Justice.

[Lined area for additional text]

Sec. 198-200.

H District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Sanford Smith being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if, he sees 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. *Sanford Smith.*

Question. How old are you?

Answer. *28 years.*

Question. Where were you born?

Answer. *In West Indies.*

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

Answer. *248 N. 47 St. 3 years.*

Question. What is your business or profession?

Answer. *Waiter.*

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

Answer. *I am not guilty.*
Sanford Smith

Taken before me this 28th day of *Dec* 1908
[Signature]
Police Justice

POOR QUALITY ORIGINAL

0568

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

Police Court... 4 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

127 W. 46th St.
 Charles Smith
 Offence Robbery

1
 2
 3
 4

Dated 25 September 1894

Magistrate
Officer

Witnesses
32 Precinct

No. 377. P. O. Precinct
 District Court
 No. 22 Precinct

No. _____
 Commissioner
 1894

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

Stephen J. ...

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

Dated 25 Sept. 1894 ... Police Justice.

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

Dated ... 18 ... Police Justice.

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

Dated ... 18 ... Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Sanford Smith

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

Sanford Smith

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

The said Sanford Smith

late of the City of New York, in the County of New York aforesaid, on the 24th day of September in the year of our Lord one thousand eight hundred and ninety-two, in the night time of the said day, at the City and County aforesaid, with force and arms, in and upon one Stella Ackerson in the peace of the said People then and there being, feloniously did make an assault; and

three silver coins of the United States of the kind called quarter dollars, of the value of twenty-five cents each, nine silver coins of the kind called dimes of the value of ten cents each, one coin of the kind called cents of the value of one cent each, and one pocketbook of the value of fifty cents

of the goods, chattels and personal property of the said Stella Ackerson from the person of the said Stella Ackerson against the will and by violence to the person of the said Stella Ackerson then and there violently and feloniously did rob, steal, take and carry away,

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

He Lancy Ricall, District Attorney.

0571

BOX:

496

FOLDER:

4526

DESCRIPTION:

Spitz, Frederick

DATE:

09/22/92



4526

POOR QUALITY ORIGINAL

0572

Witnesses:

In my opinion the evidence in this case will not warrant the conviction of defendant. The evidence of guilty knowledge of defendant is entirely lacking.

I recommend the dismissal of this indictment.

Aug 27 1893

Vernon M. Skyles
Clerk

195

Wm. G. Hayes
N. G. Brown

Counsel,

Filed

1893

Pleads,

THE PEOPLE

vs.

D

Frederick Spitz

LANCEY, 2nd degree
(False Pretenses)
[Section 528, and 531, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

James T. ...

Foreman.

27 Aug 30. 1893

Sworn to and returned

POOR QUALITY ORIGINAL

0573

195
Counsel,
Filed
Pleads,
THE PEOPLE

THE PEOPLE
78.
[Section 528, and 531, Penal Code.]
LARBONY, 2nd Degree
(False Pretenses)

Frederick Spitz

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

James [Signature]

Foreman.

27 Aug 30. 1893

Sworn to and signed

Witnesses:

In my opinion the evidence
in this case will not
warrant the conviction of
defendant. The evidence
is fully knowledge of
defendant is entirely lacking.
I recommend the dismissal
of the indictment.

Aug 24 1893.
Vernon M. Skyles
[Signature]

Solomon Friedman.

I do business at 522 Broadway, N.Y. City. I was in Florida in March, 1892, and returned in the first week of April. The note was shown me and circumstances explained.

Goods were billed and sent to Universal Mfg Co: defendant was doing business under that name, and said his brother-in-law Trautman, was with him as a dummy, as he, the defendant, could not do business in his own name (said to Edwin Mayer). At different times during the year 1891 I had refused to sell defendant on credit.

About the last Saturday of April 1892, Mr Goldsmith, Attorney, 320 Broadway came to me and said you hold a note made by W.H. Roberts & Co: you received it from Spitz: the note will never be paid: Spitz only paid \$55 for it: that Spitz was anxious to see me alright: that Spitz had told him about it: that Neil McCallum had sold the note to Spitz: that I had better call at his ^{Goldsmith's} office and see if we could fix it up.

Spitz was brought into my store, by Edwin Mayer, about the first Monday in May 1892. I told him he had gotten the goods under false pretenses: that he had not

gotten the note in a real estate transaction: that he had only paid \$85: Spitz that was true: that he had only paid \$85 for it.

I went to Goldsmith's office, a few days later, I received three notes from Spitz signed by his brother-in-law Brautman, secured by a chattel mortgage on his (dependants) machinery. The notes were not paid, and when the first note fell due, Spitz said he was unable to take it up, but that he would pay me \$10 or \$15 a week: he failed to do so, and sent me the keys of his store, and said to take everything. I foreclosed the mortgage and realized about \$35 above expenses.

Early in August 1892, I went to No 10 Wall St. N.Y.C., in company with my attorney Leonard Bronner, 320 Broadway, He saw Roberts: he said he was the maker, but was unable to take it up: he said the note had been sold to Spitz with the understanding that \$250 was to be paid in cash, and Spitz was to give his note for the balance, but that he had only received \$85 in cash.

People
Spitz

Erwin Mayer.

I am in the employ of Sol Friedman & Co. I knew the defendant Frederick Spritz for about one year. I had previously sold him goods for E. Read Goodrich manufg, in whose employ he had been. I had never sold him any goods in his own name. (Mr Friedman had previously refused to sell defendant goods on credit) On the 19th day of March 1892 the defendant came to ^{me} and said he wanted to buy some goods and said he had a note to give in payment ^{Mr Friedman was then out of town} produced the note of W.H. Roberts & Co, of March 10, 1892 and said he had received it in part payment of a sale of Real Estate in Yonkers which he had owned: he showed me a diagram and pointed out the lots on the diagram, saying he had sold them and received said note (I do not remember what else he said). I said looked up W.H. Roberts in Bradstreet's found they had a good rating: then said if he would leave the note

until Monday, we would perform
 him if he would accept the note in
 payment for the goods: I said
 we would communicate with W.H.
 Roberts ^{see} of Marion N.C. and if
 the note were genuine. He then made
 a selection: I did not allow him
 to take any of the goods with
 him: He wrote W.H. Roberts asking
 if the note were genuine and
 received a telegram saying the
 note was alright. The defendant
 came in on Monday March 21st and
 we sent him the goods.

I saw Spitz early in May and told
 him the note was no good. I brought
 him in to Ole Max Friedman,
 but did not remain while they had
 the conversation.

People
 as
 Spitz

POOR QUALITY
ORIGINAL

0578

CHAS. GOLDZIER.

CHAS. L. ULLMAN.

GOLDZIER & ULLMAN,
COUNSELORS AT LAW,
93 TO 99 NASSAU STREET,
BENNETT BUILDING.

New York, June 27. 1893

Honorable H. Davis Esq.

Assistant District Attorney
City

Dear Sir.

In the case of People v. Frederick
Spitz, wherein you requested the produc-
tion of an affidavit with a view to a
wob. pro. I beg to state, that my client
is at present absent from the City in
his capacity of traveling salesman
and will not return until the middle
of July when I will furnish the
 requisite proof.

Until then I beg you to suspend
action and to retain the papers.

Respectfully Yours.

Chas Goldzier
Atty for F. Spitz

POOR QUALITY ORIGINAL

0579

NATE PARK BANK.
NO PROTEST.
IF NOT PAID, PLEASE RETURN IMMEDIATELY.
PLEASE TAKE THIS OFF BEFORE PRESENTING.

one has given order to de-
mand payment - all gone
to parts unknown,
8th July 1892
RECEIVED
1892
ANSWERED
Smith

POOR QUALITY ORIGINAL

0580

\$500⁰⁰/₁₀₀



Morion, N. C. March 10th 1897
Four months after date as promise to pay to
the order of Consuela
Five Hundred ¹⁰⁰ Dollars
at the Banking House of Morion, N. C.
Value received.

No. _____

Due _____

M. K. Roberts

POOR QUALITY ORIGINAL

0581

For Collection on
 OF MONEY
 S. P. Peabody, Cashier

FOR COLLECTION ON

Wm. G. Peabody

Wm. G. Peabody

J. J. Peabody

DEMAND PRESENTMENT FOR
 PAYMENT & WAIVER OF
 PROTEST IS HEREBY MADE
 THIS 29th DAY OF JUNE 1892
 BY *J. J. Peabody*
 (522 N. 1st St.)

FOR COLLECTION FOR ACCOUNT OF
 THE NAT'L B'K OF COMMERCE
 PAY TO THE ORDER OF
 BRANSON, N. D.
 WILSON, N. D.
 Geo. S. Hickok, Cashier

J. J. Peabody

FOR COLLECTION

POOR QUALITY ORIGINAL

0582

TO THE CHIEF CLERK.

Please send me the Papers in the Case of
PEOPLE

vs.

Spitz

Part I balance

Aug 25. for dismissal

To witness

M. Adams

District Attorney.

TO THE CHIEF CLERK.

Please send me the Papers in the Case of
PEOPLE

vs.

Subpoena

W. J. Roberts

72 Wall Street

District Attorney.

POOR QUALITY ORIGINAL

0584

That the note was not any good
 whereas Depman says that the
 defendant presented said note
 with intent to cheat and defraud
 Depman whereas Depman says
 he may be held responsible and
 liable for a according to law
 sworn to before me this
 17 day of August 1992 } Solomon Friedman
 John Ryan }
 Police Justice

Police Court, 2 District.

City and County of New York, ss.

of No.

522 Broadway

Street, aged

37 years,

occupation

Merchant

being duly sworn, deposes and says,

that on the

23 day of

August

188

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

Samuel Friedman

and William Roberts from the fact that the deponent Spirit admitted and confessed that he said Spirit had bought the annexed note from Neil McAllum for five dollars when the annexed note became due and was returned to deponent unpaid deponent in company with his attorney called upon William Roberts at 70 Wall Street and presented the annexed note for payment said deponent Roberts stated that he had made said note and that he sent a telegram to deponent which deponent had received stating that the note was good in answer to a letter sent by deponent to W. H. Roberts & Co. Mayor North Carolina and deponent charges said Roberts and McAllum with acting in concert with the deponent Spirit with intent to cheat and defraud deponent by said worthless note and says they may be apprehended and dealt with according to law

Sworn to before me this

23rd day of August 1892

Samuel Friedman

John Ryan Police Justice

POOR QUALITY ORIGINAL

0586

Sec. 151.

Police Court 2nd 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 Solomon Friedman of No. 522 Broadway Street, that on the 19 day of March 1888 at the City of New York, in the County of New York, the following article to wit:

A quantity of Pocketknives
of the value of Five Hundred and Seventy five Dollars,
the property of Complainant
w. as taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by Chris

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 body of the said Defendant and forthwith bring him before me, at the 2nd 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 17 day of August 1888
[Signature] POLICE JUSTICE.

Dated _____ Police Justice.

POOR QUALITY ORIGINAL

0587

(1385)

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

2 District Police Court.

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

Question. What is your name?

Answer. *Refused*

Question. How old are you?

Answer. *Refused*

Question. Where were you born?

Answer. *Refused*

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

Answer. *Refused*

Question. What is your business or profession?

Answer. *Refused*

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. *Refused*

Taken before me this *23* day of *August* 1889
[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0588

2 DISTRICT POLICE COURT.

THE PEOPLE
ON COMPLAINT OF

Solomon Friedman
Frederick Sprutz

Examination had August 23 1892
Before John J. Ryan Police Justice.

I, Walterman L. Ormsby Stenographer of the 2 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 Solomon Friedman
Edwin Mager

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

Dated August 25 1892 W. L. Ormsby
Stenographer.

John J. Ryan
Police Justice.

FOLICE COURT,
SECOND DISTRICT,
W. L. GRISBY, JR.
STENOGRAPHER.

Police Court
Second District

The People vs.
Solomon Friedman

vs.
Frederick Spritz

Examination Before Justice Ryan
Aug 27 1892

For the defendant Charles Goldagen

Solomon Friedman the complaining
witness being cross-examined on his
affidavit deposes and says:-

Q You state in your affidavit that
Mr Spritz told you that note
annexed to your affidavit was
a note in a land transaction?

Is that so.

A He made that statement to the
gentleman who sold him the goods

Q Did he make that statement
to you?

A - He made that statement to

my representative

Q Did he make that statement to you? I ask the court to instruct the witness to answer.

A He made that statement later
By the Court

Q - Did he make it to you?

A Yes.

By Mr Goldzie

Q - At the time the note was given did he make it to you?

A Not to me.

Q Were you present when that statement was made?

A No, sir.

Q And when you refer in your affidavit to the fact that the statement was made to you that the defendant had received the note in payment of a land transaction, you do not mean to refer to the statement made when the note was given do you?

2 A Certainly.

Q You do not pretend to swear of your own knowledge as to anything that occurred when you were not present?

A No Sir

Q All that you say in your affidavit about the alleged statements made at the time when the note was given and the merchandise received is upon information received by you from somebody else - is that so?

A By my representative

Q Some other person than you?

A My representative

Q Where is your representative?

A Right here

Q Here in your affidavit you say the statement was made to you that the note was in settlement of a loan transaction

A I do not say that - I am the deponent

Q (By the Court) Was the
affidavit read over to you

A Yes sir

Q You swear here in your affidavit
that the defendant made repre-
sentations to you:

A - To my representative

Q - It is not so in your affidavit.
(Affidavit read) That is not
so?

A He made the statement to
Mr Meyer

By Mr Goldner

Q You do not pretend to say
that he made it to you?

A No, sir

Q You do not know what took
place when this statement was
made do you?

A No, sir

Q You wish to correct your
statement that the statement
was made to you?

A It was not made to me
personally - but to my friend.

Q It was not made to you
personally?

A No, sir.

Q How long after that did
you meet the defendant Spritz?

A A month after - the month
of April I believe.

Q Before the note was due?

A Yes, sir.

Q Was anything said about the
note then?

A Well, we found out -

Q What was said?

A Mr Spritz was brought into
the store. I told Mr Spritz that
I had positive information that
the note was no good. - That
he had bought the note for
eighty five dollars.

Q He told you that he had
bought the note for \$85?

A Yes.

Q Did he say anything else to
you?

5 A Nothing further that I

remember.

Q Did you not hear a statement made by Spritz about that time that the note was no good.

A Yes Sir.

Q You had heard the statements referred to in your affidavit?

A Yes. I did not mean to swear in the affidavit that the statements were made to me, but to my representative.

Q After the statement was made

A when I told Spritz that we would undoubtedly make criminal proceedings against him he wanted to make an arrangement that would secure us - after a good deal of talk between his lawyer and our lawyer they came to the conclusion

Q You had a settlement?

A He made a settlement that he would give a chattel mortgage on his place - He did give a chattel mortgage

Q And you precluded the chattel mortgage?

A Yes Sir.

Q That was long before the note was due?

A I can not remember without looking at our books.

Q At that time you knew that a crime had been committed?

A Yes Sir.

Q And you were willing to discharge him if you got your money?

A We had no further interest at that time in the matter than to get the money on that note.

Q You were willing if the money was paid to drop the prosecution?

A I decline to answer.

The Court - That is a fair question.

A - I have no further interest except to get our money for that note - that was all I wanted.

By Mr Goldner

Q Did you not have some papers from Mr Spitz besides the

chattel mortgage;

A Yes; I had some notes made

Q Note by whom?

A Made by a man named
Trasboren (C)

Q Given to you in settlement of
your claim?

A Yes sir; the note have not
been paid.

Q How long after the note had
come into your possession was
this settlement that you refer
to made by Mr. City

A Some time in the month of April.

Q You got the note on the 19th of
March

A On the 21st, it was accepted

Q When was the merchandise
delivered?

A When we accepted the note

Q Were you present when the
merchandise was delivered?

A No sir

Q Did you see it in his possession?

8 A - No sir - I saw part of it.

Q In his possession;

A Yes Sir

Q You recognize it as your merchandise?

A Yes Sir

Q He kept a store.

A I do not know anything about it;

A I do not - I never was in
his place.

Q Where did you see the merchandise?

A I was at his place in Elm Street,

Q When you were at his place?

A At the place where I saw
the goods - at the last place
where he removed to

Q He carried on business there?

A Yes Sir

Q When did you see these goods
there?

A I do not recollect the exact date

Q About when?

A A short time after we discovered
that the note was not good

Q When?

A In April

Q How long after did you

make the settlement;

A About a week or ten days
Q with a lounge?

A Yes.

Q They were made satisfactory to you.
You were satisfied

A No sir - we were not satisfied -
but under the circumstances we
had to take what we could get

Q You were willing at that time to
take it in satisfaction of your claim

A No sir

Q Did you tell him when he
gave the chattel mortgage
that you intended to prosecute
him criminally.

A No sir

Q You did not intend to prosecute
him at that time?

A I had no idea as to what
I would do.

Q Did you just say to him that
if this thing was done that
you would not prosecute him?

A I do not remember

Q Is that the best answer you can give?

A Yes sir

Q Did you not promise that if he would put you a chattel mortgage on satisfaction that you would not proceed?

A No sir

Edwin Mayer being duly sworn and examined as a witness for the People before me and says: I am 24 years old. My place of business is at 522 Broadway. I am employed by Arlowson Friedman & Co.

Q Do you recollect this day in question the 19th day of March?

A I recollect it.

Q What was the transaction?

A He came in Mr. Aptz, and wanted to buy goods. We had previously

Know him for a little while. He
had been buying for cash. He
said he wanted to buy some goods
and did not want to pay cash.
We asked him how he proposed
to pay. He said he proposed
to pay with the note in question.
I asked him

(Excused to)

I asked him how he had obtained
the note. He told me he got it
in a real estate transaction; that
he had received five hundred
dollars in cash; that it was
a real estate transaction, and that
he had received a balance in
cash. Subsequently he left the
note from Saturday to Monday
morning and told us to telegraph
Roberts and inquire about the
note, and we telegraphed and
received an answer by telegraph
from W. H. Roberts & Co. that
it was all right.

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2

He told you he had received

that note from W. H. Roberts, Jr.
A Yes. and on that and the
statement by Spitz that he
had received that note in the
regular course of business we
sold him the goods and delivered
them. The note was paid over
to Adv. Friedman & Co and that's
all I had to do with it.

Lesson Examined by Mr. Goldstein

Q - You say you relied upon the
statement made by defendant
that this note had been received
in the regular course of business?
when you sold these goods?

A Yes based the testimony -

Q answer the question?

A Yes

Q Did Spitz make that statement
that the note had been received
in the regular course of business?

A He told me most positively that
it had been received in the regular
course of business - Yes sir

Q How is it when you gave your statement before you said nothing about the note having been received in the regular course of business.

A What statement before?

Q Your direct examination.

A I did state it most emphatically

The Court He did state that

By Mr. Goldgrin

Q Where is your place of business?

A At 522 Broadway

Q Do you speak German?

A I do.

Q How did you speak to Mr. Stuby

A In English

Q Is he deeply familiar with the English language?

A Yes - deeply familiar to my knowledge.

Q You knew he was a German?

A Yes - certainly

Q You ~~may~~ never spoke German with him?

A I may have

Q You did not inquire of the dependent what this real estate transaction was?

A Yes; I asked him.

Q What did you ask him

A He told me that he had some land that he had been selling to W.H. Roberts - He had a diagram of it.

Q Did he ever tell you he had not sold land to Roberts?

A After that he did acknowledge it most emphatically.

Q When was that conversation?

A I can't recollect the day

By the Court

Q On or about

A I can't recollect when it was,

Q a week or a month?

A Two or three months ago.

By the Court

Q How did you come to have that conversation at that time?

15 A Because when we first found out

That the note was fraudulent I met him in the street and I told that he from knew about it, and in that conversation he admitted that that note never had been given for the purpose he had said.

Q What did he say?

A I told him that Mr. Friedman was looking for him, on the way to the store I asked him what he was going to do about the note. He secured himself.

Q What did he say?

A He admitted in the course of conversation

(Omitted to)

A (Continued) That he had not sold the property; that he had made a false representation.

Q What is all you remember of that conversation?

A That is all.

Q He told you that he had made a false representation?

16 A He told me that that note

was not given in a real estate
transaction as he had previously represented
Q Was that statement made perfectly
voluntarily?

A Mr Friedman accused him - I
do not think it was voluntary
- He was nervous and excited -
I know nothing after that -
Mr Friedman attended to it.

Q You knew he had given a
chattel mortgage?

A Nothing at all.

Q And a foreclosure?

A Never - I had nothing to do
with it.

Q You heard nothing about it
until you came to court?

A Yes, sir I heard some statement
that was made

Q Was not this before the promissory
note had become payable?

A I believe it was

Q Did you have a conversation
after the promissory note became
due?

A No.

Q Where did you get the information that the note was not good?

A I know nothing further - Mr. Friedman had charge of it -
Joseph Lane Pearson.

Q What first brought the note into question?

A Mr. Friedman got the information that W. H. Roberts & Co were in the ~~habit~~ habit of making
making these bogus notes.

Q He got that information?

A Yes - after we received that information we inquired to see what was the chance of the note being paid.

Q Whom do you mean by "we"?

A Friedman & Co

Q Who told you about it?

A Mr. Friedman heard it, and I subsequently learned it from Mr. Friedman in conversation - that it was a bogus note.

14 Q Then he had a conversation

with the defendant;

A Yes Sir.

Q And in that conversation did he say to you that he had been swindled?

A He did.

The Court - Friedman swear to that.

By Mr. Goldberg

Q Were you present at any conversation where Spitz claimed that he himself had been swindled?

A No Sir.

Below Friedman recalled by Mr. Goldberg

Q You say that Spitz told you that he had been swindled?

A Spitz told me that he had been swindled.

Q When was that?

A That was after Mr. Mayer brought him into the store.

Q At what time could you not have found him if you liked?

A I could not. He had moved and I did not know where to find him.

Q You afterwards found his address?

A Yes - a Bond sheet

Q Was this connection when you say he said he had paid \$85 for the note, and the one when he said he had been provided over that part of the same connection?

A I can't recollect.

Q Did you inquire as to whether the note was good?

A No sir - Information was brought to me by an attorney

Q Whose attorney?

A Mr. Spitz's attorney

Q Then Mr. Spitz first informed you that I had ascertained that the note was not good?

A No.

The Court - You do not show that
unless you show that Mr Spitz
authorized the attorney to act for
him

By Mr Goldstein

Q - What did Spitz attorney inform
you about it?

A - He informed me that the
note had been bought for \$85.
that he believed that the firm
of W.H. Roberts & Co. was a
"snide" concern. That's what
he said: that he had looked
them up.

Q - That was in April?

A - Yes.

Q - Long before the note was due.

Q - After you had received this
information from Spitz attorney
you went on and made further
inquiry and did not wait
until the note became due. Is
not that the fact?

A - Exactly.

Q - Who was the attorney for

Spitz?

A Mr Goldgrin ^{Goldman}

Q He was not your attorney?

A No Sir

Q He was Spitz's attorney?

A Yes Sir

Q Is it not a fact that he wanted to make an arrangement for Mr Spitz?

A Yes.

Q That is the way you came to be acquainted with him? He said he came on behalf of Mr Spitz, didn't he?

A - W; He said he was a lawyer I knew who he came for. He said "you have got a note from Mr Spitz; Mr Spitz came to me and told me that you held a note that he had given you; that you had heard that he bought it for \$15 and that you said he had used false pretenses and would have been arrested"

Q What did he do?

A He said "He has got no money and can't give you anything. He will give you a chattel mortgage."

Q Then you knew that this lawyer acted for Mr. Spitz?

A Yes - I guess he acted to protect him.

Q Is it not a fact that after you had received that information from him - and before the note was due - that this note was not good, and that Spitz was willing to rectify it, that he made the statement that he would give you a chattel mortgage?

A I accepted the chattel mortgage to secure me.

Q That was after all these things occurred - the statement of the lawyer to you?

A Yes Sir

Q It was before the promissory note became due?

A Yes Sir.

Q You had made up your mind that that was the best thing that Spitz could do.

A Yes Sir I don't remember - that was the best thing to do under the circumstances.

By the Court

Q It was after the lawyer came to you that you received information that the note was fraudulent and was bought for \$85?

A Yes Sir.

Mr. Goldstein - I move to dismiss the complaint on the ground that no fraud is shown as appears from the statement of the complainant. That when the defendant found that he was overruled himself he tried in good faith ^{to} the best he could at the time, and before the note fell due

The Court - The motion is denied -
do you rest your case?
Mr Goldgrin - Yes sir

The Court The defendant is held
in fifteen hundred dollar bond
to answer.

POLICE COURT,
SECOND DISTRICT,
W. L. ORESEY, JR.,
STENOGRAPHER.

Examination as to
Wm H. Roberts
Nat H. Callum

Aug 29 1890

Before Justice Ryan

In the case last said Atty Bradley
vs. Est. Benjamin Mc Mahon Esq.

Abraham Friedman being duly sworn
and examined as a witness for the
defendant and says:

By Mr Bradley.

Q - What is your name and occupation

A My name is Abraham Friedman

I am a merchant at 372 Broadway

Q Did you receive a note for five
hundred dollars in March 1892

A I can identify it: it was handed
to me on March 19 and accepted
on March 21 1892.

(Note attached to complaint
is shown to witness)

That is the note - It was not
given to me personally: it was

given to my representative.

Q Received on March 19 and accepted
March 24?

A Yes Sir

Q From whom did you receive it?

A We received it from Frederick
Stutz.

Q Is that the Stutz who has
been led to answer on the
complaint on a charge of Fraud
Lacey?

A Yes Sir

Q What was the reason of the
delay in accepting it?

A The maker of the note was
not known to us. The first thing
that they did was to look at
the ratings of these people.

Q Who were these people?

A - W. H. Roberts, Sec of Marine
North Carolina. We found
that in Bradstreet they were
rated at \$100,000. When we
found that the note was
made by those people and that

they had that rating we accepted it. Our people sent on to Marion to inquire whether such notes were made by W. H. Roberts, &c., and whether it was good.

Q Was that done with your knowledge?

A Yes; I asked them to telegraph a reply and on the next we received a telegram from W. H.

Roberts &c. stating —
Objected to.

A (continued) I have not got the telegram in.

The court — Give the substance of it

A The answer we received by telegram was that such a note had been made by them and that such a note was all right.

Q Were you led to believe that the note would be paid when due by W. H. Roberts, &c.?

A Yes sir

Q And that the note was paid?

28 A Yes sir

Q And on the sheet of that telegraphic despatch did you accept that note?

A Yes sir

Q And therefore gave Mr Spritz the goods

A Yes

Q What was the value of the goods?

A Four hundred and seventy five dollars, about

Q What was the first thing that led you to believe that the note was fraudulent?

Objected to

Q That note you held how long?

A Notice a few days before it fell due and then we sent it to North Carolina for collection and it was returned not paid.

Q a few days before July ¹³ ~~12~~ you sent it to North Carolina?

A Yes

29 Q Did you get it returned

from there if the money
A No sir,

Q What was the next thing you
learned first:

A The note was returned to us
with the endorsement. "No
one knew from whom to ask
payment - all gone to parts
unknown". I deposited the
note for collection in the
National Bank Bank

Q These men were unknown to you:

A Yes sir

Q Did you then go to No 10 Wall St;

A On the 8th day of August -
I thought I had been deceived
objected to

A (Continued) I let the matter
rest until Aug. 8 and then I
went to No 10 Wall Street - on
Monday.

Q What led you to go to No 10
Wall Street

A To see the maker of the note

Q What led you to think you would

see the maker of the note at
No 10 Wall St?

A I was told so

Q By whom were you told?

A By Mr Goldgrin

Q Whom did you see there?

A I saw a gentleman who represented
himself as Wm H. Roberts and
I saw this man Mr Mc Callum

Q By whom were you accompanied?

A By my Attorney - he was the
spokesman.

Q You did not say anything?

A - Until afterwards - after he
had spoken.

Q What did you say when you
spoke?

A I said "You acknowledge
that you made this note?"
and he acknowledged it.

Q What else?

A "And you also acknowledge
you sent the telegram?"

Q He acknowledged making
the note?

X
Q He acknowledged that he had sent from Marion North Carolina in reply to an inquiry whether the note was good - that he sent a reply by telegraph that the note was good:

A Yes sir - a telegraphic despatch which I then held in my hand.

Q Did you have any conversation with Mr. Cullom.

A I did see him after Roberts I told him that this ^{was a high} ~~matter~~ ^{landed} crime and ~~would come out~~ ^{and} ~~ought to be~~ exposed - and that I would expose it - I told him that unless he made the note good to me I would carry the matter through the police

Q Did he make any admission in regard to his connection with it other than what you have stated?

A No sir.

Q That interview with Mr Callum
was on the 8th of August
last

A That is the only time that I
saw Mr Callum.

Q This is the man that you
allude to?

A Yes sir; he kept very dark
as far as he was concerned.

Q That is the only time you saw
him?

A Yes.

Q Can you repeat the conversation
- merely the words that occurred.

A I went into the office. My
attorney asked for Mr H. Roberts.
Mr H. Callum said "Mr W. H.
Roberts is here, wait a minute
I did not have to wait
longer than about a minute.
My attorney then stepped up
- I allowed my attorney to
talk.

Q What was said by you and
your attorney and Mr Roberts

A My Attorney asked Mr Roberts if he would pay that note
Q Did he exhibit the note to him?

A Yes. He showed him this note [the note attached to the complaint] and asked him if he was prepared to pay the note. He said no he was not prepared to pay the note. He said "you admit you made that note" Roberts said "Yes" He showed him the telegram as I said before.

Q The telegram before described?

A Yes.

Q Then you talked to him afterwards?

A Yes. And asked him if he sent that and he acknowledged that he had sent it. Then he said "You are worth \$100,000?"

Q Who said that?

A My Attorney

98 By the Court —

Q To Mr Roberts:

A Yes.

Q By Mr McArthur

Q What answer did he make?

A He said "I decline to go into any speculation."

Q Anything else:

A Yes: There was some conversation Mr Roberts had very little to say - Mr McCallum did all the talking. My attorney then said "I believe this is a high handed crime and that we should hand the matter over to the Police and he advised his client to do so: we have here a letter which we shall send to the Police - to Mr Byrnes. The Superintendent."

Q Have you got that letter?

A I have a copy at my office

Q What did you do with the letter?

A The letter was sent to the Superintendent of Police on that

afternoon or on the 9th of August
Q anything else?

A My attorney then stated to
Mr McCallum that he had
had business with him before
and that he knew that he
was not a man of his word
- or something to that effect
and that he would get satis-
faction from him on this -

Q Was any reply made - state
what took place

A I think that something else
took place - my attorney con-
tinued speaking.

Q That is substantively the inter-
view?

A Yes Sir

Q On what day did you
receive that note?

A On the 19th of March, and
it was accepted on the 21st
day of March

Q Then you sent to Robert Dew
and received this telegram?

A Yes sir

Q Now examined the rating at Bradstreet's?

A Yes - My father did - when I came home my people looked me and I looked at the rating in Bradstreet and told him it was correct.

Q With whom was the bargain made?

A Mr. Spritz

Q What bargain was made with him?

A For the sale of the goods we accepted that note in payment for the goods on the strength of that rating of these people - on that report which we got through Bradstreet, and their statement.

Q Did you have any conversation or interview with Mr. Robert?

A No sir

Q Or with Mr. Mr. Callum prior to your taking this note?

A No on.

Q The first interview with Shen was the one you have detailed? You

A Had none other.

A Nothing.

Q You had not seen Shen?

A We did not know at that time that these people were in existence. The first we did was to telegraph to Murio North Carolina.

Q The first interview you had with Defendants was after the note was done?

A Yes sir.

Q When did you part with your goods on the faith of that note?

A After we received the telegram from W. H. Robert & Co that the note was all right.

Q You did not say "all right" before you said "It was good"?

A I believe it was "all right" -

Q I cannot remember the exact

words of the telegram

Q Did you send any of these goods to Marion North Cauden?

A No Sir

Q Did you send any of these goods to Mr Callum or Roberts?

A No Sir.

Q To whom did you deliver your goods?

A Judah Spitz

Q What was his business?

A A band maker.

Q Where did he do business?

A In Long Island City.

Q Did you take any security from Spitz when you found out the note was bad?

A We took some security

Q What?

A We took notes as security and a chattel mortgage on his place - on machinery and stock in his place

Q Whose note did you take

39 A Mr Traubman

Q In Mr. Fraubman's endorsement on the note?

A Yes sir

Q at what date were the notes that you took as security?

A I do not remember. - I believe they were at 30, 60, and 90 days. - I could not exactly remember

Q do you remember when the notes matured?

A I believe two out of three matured - I do not know

Q when you found the notes were not paid you foreclosed the mortgage?

A When Mr. Fraubman could not meet the note they promised to give us fifteen dollars a week after a certain date the day before the first payment was due Mr. Fraubman sent me word to foreclose - that he could not go on any longer and could not meet the note

me did you close

Q what did you receive?

A Thirty five dollars net -

Q after paying expenses?

A Yes

Q who was Traubman?

A The Brother in Law of the former
defendant Spritz

Q was he proprietor of the business?

A No Sir - Mr Spritz could
not do business in his own
name and used Mr Traubman

Q direct

Q Did Mr Mc Callum make
any admission to you while you
were visiting at 10 Wall street in
company with your attorney, as to
how the note passed from
them down - what return they
got for it?

A Yes Sir

Q How much did they say
they got for it?

A Eighty five dollars.

Q Mr. Mahon

Q who said that

A My attorney asked him

Q Mr. Bradley

Q asked whom?

A asked Roberts - as near as I can remember told him

"You sold this note for \$85 - that is all that Spritz paid for it" He said "yes"

Q and he did not make any explanation in what way the note was obtained?

A No sir

Q Mr. Callum admitted it?

Objected to

A Mr. Roberts

Q Your attorney was present at the time this admission was made?

A Yes sir. It was made to him.

Q Did not attempt to give any explanation?

A No sir - - refused to make any.

Q You inquired whether they

were worth \$100,000 at any
time?

A Yes Sir.

Q They refused to make any
explanation in regard to that?

A Only I think he said "I
might have been and may not."

Q Would not give you any ex-
planation?

A No Sir.

Re. cross

Q Did you have any other interview
on the business with Mr. Callum
before the time you wrote the
note about it and signed it?

A No Sir.

Q Did you have any interview with
Mr. Roberts?

A No Sir.

Q Did not Mr. McArthur tell
you at that time that Spitzer
had got this note of them by
fraud & that they had demanded
the note back and that all they
could get out of him was

Seventy five dollars at one time, and ten dollars at another?

A No sir

Q You calculated the question?

A Yes sir.

Q When you went out of the office did not Mr. Heiber ask your name and did you not refuse to give it?

A Yes sir.

Leonard Brouner being duly sworn as a witness for the people deposes and says: - I am an attorney at law. My office is at 220 Broadway. I have done business for Mr. Friedman.

Q When did you first become

Q When was your attention first called to this note of W.H. Roberts & Co?

44 A Objected to.

A In the best of my remembrance in the early part of April 1892 by Mr. Friedman

Q When did you meet Roberts or Mr. Callum from the time your attention was first called to it - about the 7th or 8th of August 1892

Objected to

Objection sustained

Q Tell the court whether you had any interview with these men that day.

A About the 8th of August on that day I think, that is the form I called on at 10 Wall Street about 11 a.m., I inquired whether Roberts was in and this gentleman said:-

Q Give the words

A I said "Pardon me I would like to speak to you in reference to a matter." He said "He is engaged; wait

a minute, Mr Roberts will
be deservap. I said "to
Mr Robert" I am an attorney
at law. I have a note here
which I would like to inquire
of you about" I showed him
the note. He looked at it.
I said "are you the maker
of the note?" He said "Yes"
Mr Mc Callum was about two
or three feet from me. I
told Mr Roberts that this note
was given to Mr Freedman by
Mr Spry, that Mr Freedman
called upon ^{in April} me in April and
said that he thought that
I had been imposed upon
in getting the note

Objected to

(Continued) I told Roberts that Mr.
Freedman called upon me and
told me that he had been
imposed upon; that the note
was delivered to him by a
person by the name of Spry

That Mr. Spitz informed me
that the note was bought for
\$85; that Spitz came voluntarily
to my office and gave a mortgage
upon the fixtures and property;
that Mr. Ironbman had secured
the note; that Mr. Freedman
was told when the note matured
that they were unable that Mr.
Spitz was unable to meet the
note; that the mortgage was
foreclosed and secured \$95.
I said "How about that
Mr. Roberts?" How about selling
your note for \$85 when you
are represented that you were
worth \$100,000; have you any
alternatives to give of it?" At
that Mr. McCallum joined in.
He said "He may have been"
worth \$100,000 at the time."
I said "I am not talking to
you; I have had experience
with you before." I said
to Mr. Roberts "What do you

intend to do? He said "I
won't do anything with the
note. I said Mr Roberts
I would advise Mr Freedman
that the matter was a fraud
and that Mr Freedman should
place it in the hands of
Inspector Byrne. As I was
about to go Mr Mc Callum
called me back. I said
Mr Mc Callum I have had
sufficient experience with you
I don't want to talk with you
about it; any way if you
can tell me how a note
is sold for \$85 if it is
worth \$500." He said
"You won't get paid that note
that is all that is about it."
and I left. Mr Freedman
stepped up and said "This
matter shall be exposed. Other
merchants will suffer the same
way; I am going to send the
matter to Mr Byrne

Q Was there an admission made by Roberts or Mr. Callum that this note was disposed of to Spry for \$85?

A - I think Mr. Roberts said the note was disposed of for \$85

Q Are you certain that either of them said it?

A - I am sure.

Q Do you know which one said it?

A - I could not be positive.

Q Were anybody else present?

A - There was nobody else but the stenographer who heard every word that was said.

Q Was there any explanation made by either of them defendants at that connection of August 8 of the way that this note calling for \$500 payable in four months was disposed of for \$85?

449 A - not a word.

Q. Did you make any inquiry as to their rating - whether they were worth \$100,000?

A. I heard the rating and simply repeated it.

Q. Did you make any inquiry of Roberts?

A. Certainly.

Q. Did Roberts make any recommendation?

A. He said that he may have been worth it.

Q. Was it in Roberts' report that?

A. First in Roberts' and then Mr. Callum joined - I said to Mr. Callum that I did not wish to talk with him as I had previous experience.

Person Examined by the Deaf Labor

Q. Please state how long that interview was?

A. I do not think it would exceed five minutes - seven or eight minutes.

Q. Was anybody else there but

Robert, Mr Callum and the
lyde writer

A W.

I Tell me what language you
need to Roberts?

A I said to Mr Roberts "I am
an Attorney at Law. I wish
to present this note to you
for payment." He said "Let
me look at it" He looked
at it. I said "Did you
make that note?" He said
"Yes" I said to Mr Freedman

+

Let me have the telegram of
you please. I handed the
telegram to Roberts and asked
him if he sent such a telegram?

+

He said "Yes" I said "Mr.
Roberts what are you prepared
to ~~arrange~~ ~~to~~ ~~pay~~ the note?" He said "I am
not" I said "You claim
to be worth \$100,000 why is
it you cannot pay that note?"
He said I have nothing to say

upon that subject: I may have been worth \$100,000 but I don't desire to say anything about it." I said to Mr Roberts "Mr Spritz told me that he purchased the note for \$85 is that true?" He said "I do not choose to have any connection on the subject. I had ^{said} ~~been~~ ~~heard~~ and Mr Freedman came up to my office and said that he had been imposed upon; that Mr Spritz had given a mortgage and note to secure the note, that the mortgage had been foreclosed, and the amount realized was \$95 net - I can't say whether I said anything about the amount realized. I said "Can you do anything in the matter?" Then Mr Mc Callum identified and said ^{something} ~~do not~~ ^{exactly} remember about ^{providing for} ~~fruits~~ that note - I know that it is his note

FR

was given it was a note for
the profit of Mr Spritz. I
said to Mr Roberts "I think
the best I can see in the
matter is an attorney, is to
have it investigated by the
Police Department" Mr Friedman
said that a letter which he
had would be sent to the
Police for investigation

2 Have you stated distinctly
all that you recollect?

A I have unless Mr Callum
may have asked me what our
intention was, and as I
said before I did not choose
to have any conversation with
him I know he sent the
note was used for \$85

2 Do you recollect distinctly
of saying in language to Mr
Callum at that interview anything
as to whether or not he had
given that note to Mr Spritz for
\$85?

A I am positive I did because
I knew it was given for \$85
Mr Spry told me - and Mr
Spry's Attorney told me.

Q What did Mr Mc Callum say
to you?

A All he said was he had no
recollection to give

Q To you?

A To me.

Q Had you called on Mr Mc Callum
before?

A Never in my life

Q You said you knew him?

A I had him up on an order
of arrest.

Q You were endeavouring to collect
debt -

A I never did - I had had
reference with him before - I had
had litigation

Q Do you say you had him up
on an order of arrest?

A I can't say it was an
order of arrest

The People's Rest

William H. Roberts, the defendant
being duly sworn and examined as
a witness in his own behalf
deposes and says:-

Q. Where have you resided prior
to the ^{month} ~~last~~ of June?

A. Prior to the month of June
I resided at Marion North
Carolina.

Q. What was your business there?

A. Banking and Brokerage, in
addition to other interests in the
development of land in North
Carolina.

Q. Were you a large land holder?

A. I had landed interests

Q. What was the name of your
firm?

A. William H. Roberts & Co

Q. Was the defendant the Callum
the company?

A. No sir.

55 Q. Had he any interest in your

business at that time,

A No Sir.

Q As to this note - did you receive a telegram in North Carolina about that note?

A I did not; but it was sent to my office.

Q Was it reflected to from your office?

A As they told me I know nothing about it except that I understand so from those in the office.

Q You yourself did not answer it?

A I was in New York at the time.

Q When did your banking house close up there?

A I cannot tell the date - some time about the middle of May - between the 20th and the 1st.

Q Did you close up your business there?

A I had sent letters to my correspondents saying that the banking department of the Bureau would be closed discontinued and that the Bureau would be liquidated by W. H. Roberts at 10 Wall Street who would liquidate all claims.

Q When was that?

A That was about the 25th of May.

Q When did you open your office?

A I do not know when it was - early in May - I think it was the first of May - I am quite sure it was.

Q State now how that note came into the possession of Mr. Strutz:

A When I came first from Marion N. C. I had some sticks in some envelopes, while in New York I went up to the Collins office on Broadway and I gave the Collins some business paper made by William H. Roberts.

Q and asked him to negotiate
it for me. He was to negotiate
the paper without my knowledge
as to who had it.

Q What business did Mr. Callum
do?

A He was a note broker - dealing
in Commercial Paper. He was
to make returns to me and
my instructions were not for
less than 100 cents on the dollar.

Q Do you identify this note as
one of your notes?

X A - That is my note you see.

Q One of the notes Mr. Callum
sold for you?

X A Yes Sir.

Q Were you present when the
note was sold by Mr. Callum?

A I knew nothing about the
day of the sale - nothing of
it.

Q Were any returns made to you
for the note?

58 A I received \$175 at one time and

|| \$10 at another, making \$85
in all on the transaction

Q Did you sell that note for
\$85

A I did not

Q Did you ever declare to Mr.
Bronner in answer to a question
by him to you, that you had
sold that note for \$85?

A I have no recollection of ever
having that question put to me
should he have asked me
that question —
obscured to

Q Did you ever meet Mr. Frederich
Spry?

A I did: yes sir

Q Were you present when the
note was put in his hands?

|| A I was yes sir

Q Did you receive one payment

A I did

Q You were present at the
time

39 A Yes sir

Q and the receipt in your handwriting?

A Mr Mc Callum was suggested and asked me to write a receipt and I did so

Q Have you ever seen Drury before?

A Not until I met him in his office

Q That was at 258 Broadway

A Yes

Q You had no office there?

A No office in New York at that time.

Q Did you see Drury upon that receipt

A I did.

Receipt offered in evidence and marked Dfg E. A.

Aug. 29 1892

Where is it?

N.Y. March 17 1892. Recd of Neil Mc Callum one note of W. G. Robert, Sec Adm'd March 1 1892 for \$500. Payable four months after date, to be negotiated and half cash paid

and my note for other half
to be returned not later than ²⁹

2 Were any returns made by Spritz
to you for that \$500 note

A Not to me direct, no one. He
made returns to Mr Callum - I
was in the office of Mr Callum
then or there time. While I
was in there Mr Callum asked
me to make out a receipt and
I made out receipt for \$75
and \$10

2 When were those amounts
paid?

A I cannot tell

2 After the maturity of the note
or before?

A Before - at 25 + Broadway at
Mr Callum's office

2 Did you make any effort
to get back the note from
Mr Spritz?

61 A I did not because I had

delivered it to Mr M Callum
who was to return the note &
the money. Mr Spry made a
statement to my partners and
afterwards to Mr M Callum
that he understood the note
would not be paid and for
that reason he would not
make returns. He had paid
£5 on account and did not
intend to pay any more

Q What did you say to him?

A I said nothing to him I
told Mr Callum he had
better manage to settle it
with Spry to return the note
or get it surrendered.

Q Would that note have been
paid if returns had been
made for it?

A Most assuredly. I never
declined to pay a note that
I saw fit value for

Q on the 8th of August 1892

did you pay and Mr

Brunner call upon you and have
an interview?

A I cannot verify the date these
gentlemen who represented themselves
as the attorney for Brunner and
McFriedman came to my
office

Q where was it?

A At 10 Wall street and they
wanted to see me. I told
them I would see them in a
minute. They did not hand
a card or introduce themselves
as is the custom among business
men. - asked me some question
about the note - possibly showed
the note; possibly I took the
note in my hand. I said
yes. They asked me if I had
received a telegram asking whether
the note was good or genuine and
would be paid. I told them
that I did not but I presumed
my men did. They showed
a telegram and asked me

if I sent it. I told them that I had not but my men had. That the man who had charge of it was at Marion N.C. They asked me if I had received a letter from them asking me if it was genuine. I told them it was impossible for me to receive the letter. He asked me if I would pay the note and I said "no for the simple reason that I had not received value for it" that I considered the note stolen simply because return had not ~~been made~~ ^{been made} to me. Then they wanted to know why I represented myself as worth \$100,000. I told them that I was worth \$100,000 and a good deal more - something to that effect. I told them that I had a large concern at the back of me. In the first place I did not know who they were

I asked them for their cards
and they declined to give
them.

Q Have you stated fully all that
occurred at that interview?

A To the best of my knowledge.

Q Did you at any time in that
interview state that you had
over the note, or that it had
been over through your house
for \$85?

A I made no such statement

Q nor any such statement
made?

A None to my knowledge, except
that I myself stated that
\$85 had been paid on
account

Q By whom?

A By my Spritz

Q In other words that that
was all that you had received

A That was all - yes sir

Q Did you ever have a fraudu-
65 lent banking establishment at

Marion?

A No sir

Q What was the reason that you broke up your banking establishment at Marion?

A Because it was not profitable. It was my intention to devote my time to the development of companies in which I was interested, and to retire from the banking and brokerage business.

Q You were then and are now interested & returning in land and stockholding?

A I am; largely; yes sir.

Q Could a sum of money be collected if you owed them - any honest debt?

A Any honest debt.

Q I have here a number of newspaper clippings - favorable notes of your firm - were they published at Marion?

BC A Published in different

parts of the country here
Q Have you ever received any
of these "Pocketing" that were
procured by Mr Spritz.

A I do not know what
Pocketing is - I did not

Q Did you ever authorize
Spritz to go and procure this
Pocketing.

A No sir.

Q Have you ever participated
in any way in the money that
was received from Spritz

A I have not - no sir

Q When did you receive this
\$75 and \$10

A I could not give the date

Q Did you ever intend to
steal, cheat, defraud or
commit larceny with reference
to Mr Friedman?

A I did not know Mr Friedman
in the transaction only nor
Mr Spritz. I looked to Mr.
Mr Callum to make proper

relatives to me at the proper
time

cross examined by Mr Bradley

Q - How long have you been known
as a barber and broker?

A nearly two years

Q. You say that if these papers
had come to you in a proper
manner you would have answered
the question?

A I would have answered in the
same way

Q You saw your note

A I saw my note

Q You say you are prepared
to meet all your obligations?

A Yes.

Q You say that prior to June
you that Mr Mc Callum was
not a member of the firm of
W H Roberts & Co?

A Yes sir

Q Is Mr Callum a member
of your firm now?

68 A No.

- 2 - Is by a member of it?
1 - Nothing of the kind.
2 - Set your company put in a
New York newspaper an ad-
vertisement signed W. Henry
Robert, President and Neil
Mc Callum Secretary with a
capital of one million dollars
and an office at 10 Wall St.
Paper introduced in
evidence marked
People Exhibit A Aug
29 1892.

POOR QUALITY ORIGINAL

0658

Order R₂ A Aug 29
1892

NEW YORK HERALD SUNDAY, JUNE 5, 1892

39

<p>HOUSEHOLD FURNITURE Household furniture always found in our store. We have a large stock of the latest styles in Oil Stoves, Ranges, Washers, Sewing Machines, and all the household articles you can desire. Call on us at 122 West 22d St. N.Y.C.</p>	<p>AMERICAN RAILWAY CO. LIMITED COLUMBUS, OHIO ROCHESTER, N.Y. SYRACUSE, N.Y. LOUISVILLE, KY. INDIANAPOLIS, IND. CINCINNATI, OHIO ST. LOUIS, MO. CHICAGO, ILL. PHILADELPHIA, PA. PITTSBURGH, PA. BALTIMORE, MD. WASHINGTON, D.C. NEW YORK, N.Y.</p>
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CHAMBERLAIN'S
 Chamberlain's Colic, Cholera and Diarrhoea Remedy is the best
 remedy for all these ailments. It is a safe and reliable
 remedy for all ages. It is sold everywhere.

FINANCIAL TRADING CO. 10 AVALL ST. CAP
 ital one million. References: Bradstreet and Union Co.
 President and Secretary: HENRY K. BROWN
 Cashier and Secretary: NIGEL McCALLUM

LOAN OF \$4,000 PAID ON FIRST MORTGAGE
 on New York City property. Call on
 GEORGE W. BROWN, 111 Broadway, N.Y.C.

MONEY TO LOAN ON REAL ESTATE. SECOND
 mortgages and leasehold mortgages bought
 and sold. Call on GEORGE W. BROWN, 111 Broadway, N.Y.C.

H

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POOR QUALITY ORIGINAL

0659

Defer R. A. Aug. 29
1892

NEW YORK HERALD, SUNDAY, JUNE 5, 1892.

39

<p>SALE: HOUSEHOLD FURNITURE. Will sell at a sacrifice elegant magnificent Upright Pianos, Pianos, Oil Paintings, Pictures, Curtains, etc. The Chamber Suits, Rug Suits, a leather Extension Table, some of Carpets and other goods. 128 West 42d st., b5.</p>	<p>FINANCIAL STREET RAILWAY ST. CAR. A SPECIALTY. Columbus, Buffalo, Rochester, Syracuse, Louisville, Milwaukee, Newark, bought and sold by GUST. VAN MAAS, 23 Broad st. CHAMBERLAIN North... of value... Times Building, New York. JOHN FULLMAN, 741 Union st., Brooklyn.</p>
<p>WATER private residence, must be used. Furniture, sacrifice: Bul. Wilton and Mack Par- 3 Sts., Mirro, etc.</p>	<p>FINANCIAL TRADING CO., 10 WALL ST., CAP- ital one million; references, Bradstreet and Dun & Co. President, W. HENRY ROBERTS Cashier and Secretary, NIEL McQUEEN</p>
<p>QUON STORE CIGAR goods, etc. any Goods, Store, etc. MITCHELL</p>	<p>LOAN OF \$1000 WANTED ON FIRST MORTGAGE bond New York... WILLIAM K. GILCHRIST, 7 Beekman st.</p>
<p>MATERIAL or, Balling, Stone, copy- Store and Office... SONS, 409 East 107th.</p>	<p>MONEY TO LOAN ON REAL ESTATE; SECOND mortgages and household mortgages bought. ISIDOR ROSENHEIM, Court, 7 Beekman st.</p>

#

Q - Have you ever placed an advertisement in any paper of the New York Trading Co with an office at 10 Wall St with reference to Bradshirts and Dunn & Co, W.H. Roberts & Co President, Neil Mc Callum Secretary?

A No Sir

E & A. is admitted in evidence for the People.

Q You say you did not send a reply to the letter that was addressed to Marion North Cardin on or about the 12th of March.

A I say I was not present

Q You did not direct any of your employees to do it.

A Absent or not - any memoranda - they were understood to reply

Q Did you not admit that you had sent such a reply

Q And when these two gentlemen swear that you admitted they had sent that reply they

Q mean falsely do they?
A I do not know that I understood the question.

Objected to

Q. You heard the testimony of the witness that you had admitted to them that you sent such a telegram

A I heard their testimony - yes
Q and you now say that you did not make any such reply?

A I could not have made any such statement. I stated to these gentlemen when I ^{was} asked by them whether I sent the despatch - that I had not sent it, but my men might possibly have done it.

Q By your direction:

1. No such thing said by me

2. You say your bank was closed about May 20

A That was about the time.

71 Q Was not the circumstance that

led you to leave North Carolina
the fact that the sheriff of
North Carolina was after you
so that you had to leave?

A. No Sir

Q That was not so

A That was not so - my
absence was due to my wife
ill health

Q What was the firm that
succeeded W. H. Roberts
that was to liquidate the debts
of W. H. Roberts?

A I wrote to the correspondents
of the bank that the debts
of W. H. Roberts would be
liquidated by W. H. Roberts of
10 Wall Street.

Q Was this New York Trading
Co incorporated?

A It was not incorporated

Q Now as to this note - you say
that you gave this note to
Mr Callum to be discounted?

72 A Court

Q Is it not a fact that the attorney to Mr. Spry wrote to you and asked you to pay back the \$85 that had been given on account and saying that upon such being done he would give up the note?

A I was present when such letter was received.

Q Was anybody else present?

A My typewriter woman.

Q Do you type writer open your mail?

A My cashier open my mail.

Q Did you see of any such note or letter being sent to 10 Wall St. and opened by your cashier?

A I was present when Mr. McCallum called my attention to such a letter having been received at the office. He consented to refund the \$85 if the note was surrendered.

Q Do you know what date that was?

A No sir.

Q Mr Callum consented?

A He consented to refund the \$45 to the attorney if he would refund on me the note of W. H. Roberts, Dec

Q You did not tell them on the day they came about the note that you were worth two dollars for every one that you owed

A For every honest dollar of debt.

Q Was this note an honest debt?

A No sir. I had not received value

Q You did not know that Mr Mc Callum had disposed of your note?

A Mr Callum was in charge of the paper - selling some of my paper.

Q After he disposed of your note to Mr Spritz you were willing he should pay the \$45

back of the note was given back.

A Returned to me.

Q How attorney has shown you some newspaper clippings. Do you know a newspaper called the Western Free Press?

A Yes Sir

Q Do you know of any reports that were made that the firm of W. H. Roberts were swindlers?

A I have read that article; yes Sir

Q Did you ever receive such a newspaper?

A The article is libellous as far as I am concerned.

Q You have testified that you are able to pay two dollars for every one of your honest debts

A Yes.

Q Have there been any other notes that have been obtained from you by fraud, or possession of any other form, except this note?

A There have been notes that have been obtained by misrepresentation.

Q Was one of these notes the one that was held by M and B of 511 Broadway;

A That note was the given to a gentleman in New York state for a lot of horses. I looked around a good deal and could not locate the horse, and I came to the conclusion that I had been swindled. I could learn nothing from them. I could get no reply and so far have not found the horses.

Q What was the fraud with reference to a note held by Lloyd & Broadway

A I cannot locate that note

Q Do you recollect any such note that was held by Lloyd or Butler

A I know of no note - I know of an acceptance that went to

Protest

Q And do you know of a note being obtained through misrepresentation that got into the hands of Freckison 177 87th Street?

A - It was not a note

Q Do you know Mr. Freckison?

A I met him twice

Q Did he have a note of yours?

A It was a draft

Q Did you pay this?

A I asked for a little time - it is ~~extensive~~ - not infrequent for men of wealth to be occasionally embarrassed.

Q Are you embarrassed now?

A I have been embarrassed for ^{two} ~~that~~ months - my wife has been sick and I have not been able to attend to business.

Q You were not obliged to leave North Carolina?

A No sir

Q Was one of these notes obtained by misrepresentation that

Came into the hands of Friedrich (?)
a merchant of this City?

A I do not know of any such
note

Q Do you recollect ever stating
that that note had been
obtained by misrepresentation

A I have the stock in my office
now. If they will give me
my note I will give the
stuff back. The stock is
valuable. I have the stock
in my office and will surrender
it if they will surrender the
note

Q You gave your note for
some stock:

A I bought \$20,000 share of the
Navvood Company
of Baltimore and I gave my
note for \$10,000 - I cannot
remember - Two weeks after the
transfer was made they showed
the company in the hands of a
receiver for the purpose apparently

of making my stock valueless when that note that you refer to was presented at my office I explained the circumstances to the gentleman and told him that I had not received value for it and that I was ready at any moment to return the stock upon the surrender of my note.

Q In these different cases you have been importunately retained by so many persons

A with the exception of Butler & and Dickson - those were honest debts and will be paid

Q You did not authorize Mr Mc Callum to negotiate any of your notes for less than par?

A as near as I can remember those were my instructions

Q When Mr Callum disposed of that note for \$85 he went

outside your instructions;
obeyed to

A He violated my instructions
if he did or - if he did or -
I say if he did or

Q at the time you left Marion
where did you go to?

A - I left Marion some time
in February and went south.

Q What time did you come to
New York

A Between the 10th and 15th
of March

Q where did you room in
New York?

A at the Continental Hotel

Q and remained up to what
time?

A I remained here up to the
31st of May - I was called
Q away by telegram

Q up to what time did you
ever know of the publication
or did you authorize it relating
to the Financial Trading Co with

A capital of one million
dollars?

A I know of no such publication
as far as I know. I have
never authorized such an
advertisement. I had nothing
to do in any way with that
advertisement.

Q Did you know of such
a company up to that
time?

A - It was merely con-
templated - we were preparing
the company.

Q And you were called away
on May 31?

A Yes.

Q Went away with your wife?

A Yes.

Q How long were you away?

A Something over 30 days. On
the night of the 31st we
came back - on the morning
of the 4th.

Q Where did you go?

A To Port Jervis

Q Was you wife with you?

A Yes. I was with her five
or six weeks ^{in New Jersey} she was sick,
I was unable to leave her
for a day.

Q When did you come down to
the city of New York

A I must have arrived on
the 7th of August

Q On the 8th of August you
recollect Mrs. Jentzen came
down to see you?

A — I can verify the date

I was looking over my mail

Q Did you have any knowledge
whatever at that time of the
Spray matter?

A Nothing about it at all.

Q Did they act so that you
formed the conclusion that
they had an attachment for
you?

objected to

Q The Court you cannot ask

Q him his conclusion
I was there anything in these
manner that led you to
refuse to answer questions

A They declined to identify
themselves - It is customary
among business men to
identify themselves and they
declined to give any infor-
mation. They turned to leave
the office and said they were
going to call the landlord
of the Astor Building to
ask us: that we were
carrying on a fraud business.

Q They say you would not
answer their questions.

A I answered everything that
they asked, as far as I
could relative to my note
- that is all they wanted to know
apparently.

Neil Mc Callum being duly
83 sworn and examined as a witness

in his own behalf before and
say.

Q Do you know Frederick Spry?

A Yes.

Q State to the court how this
note got into the possession
of Spry?

A I gave it to him

Q - How - state how?

A - He wanted to know if I
could raise some money for
him

Q How?

A He wanted for me to raise
some money for him - I
asked what rating he had
He told me he was a manu-
facturer - as I understood it -
shut bands, waists, russia,
frills. I asked him how he
stood. He said he had
three or four thousand dollars
worth of machinery and such;
that he proposed to do more
business if I could get

notes discounted. Then I offered to let him have the note

Q Where did you receive the note?

A From Mr Roberts

Q What authority did Mr Roberts give you in regard to it?

A That I should return him 100 cents on the dollar - one half in cash and one half in notes

Q What was on the authority given to you?

A Yes Sir.

Q At that time where were you occupied?

A At 257 Broadway corner of Warren St on the 4th floor

Q When did you deliver the note to Spitz?

A March 19

Q Did you take a receipt from him?

55

A Yes Sir.

Q according to that receipt
he was to return the amount
the following Monday?

A Yes Sir

Q Did he make return the
following Monday?

A No Sir

Q When did he make any
return

A I do not remember the date
that he made return - I know
that he paid \$75 and the
\$10 at another time. Then
he refused to make return -
I wrote daily and tried
to get the note and settle
the thing

Q after the payment of the
\$75 did you try to get
back the note?

A Yes

Q what did you do?

A I told him he had better

St. return the note if he could not

do anything with it? He
did not do it.

Q Did he tell you he would
give back the note if you
gave back the \$55?

A No sir. I met him coming
from Astoria. He told me
he had mortgaged his mother
and that he was prepared to
give a chattel mortgage on his
machinery and tools.

Q When was that?

A About six weeks after.

Q Between the 22nd of March
and the time the note became
due, how many times did you
make application to Spritz to
either give the note back or
the money for it?

A Probably 20 times - I
kept writing every day for
him to bring it to the office.

Q He never did bring it back.

A No sir. He promised - I
told him to bring it back.

Q What did Nerty say when he gave the \$75?

A Well - I was engaged at the time - that he would try to do it.

Q How long after he gave you the \$75 did he bring the \$10?

A About four or five days. I did not receive the money. Mr Roberts was there and received it.

Q What explanation did he give to you after the payment of this \$75 and \$10 why he did not make returns of the balance.

A That he would pay it.

Q Did you at any time - either you or Mr Roberts receive any portion of this property,

A No Sir; nothing of the furniture or anything else.

Q Were you present when Mr Freedman and Mr Brown

St

Came in?

A Yes Sir

Q Will you give your version of
the occurrence?

A Mr Browner and Mr Freedman
came in to my desk and
asked if Mr Robertson is.

I said "yes sir" and he passed
in and spoke to Mr Roberts
and I went on attending to
my business and had nothing
at all to say in regard to it.
They commenced talking. I
told them that the note
had been given to Mr Sprig
and that he had receipted
for it, and never accounted
for it. They said he had
given a chattel mortgage and
a note and his brother in
law had endorsed it, and
we got no returns from the
note.

Q Did Mr Roberts say or did
you yourself say to them at

89

that time that this note for
\$500 had been used for
\$85?

A - Just the opposite - that
was the point - that there
was no value given for it.

Q - Did you ^{hear} say to Friedman
or his lawyer say that they
would return the note if you
would pay back the \$85?

A - I did not see

Q - Did you hear Roberts say
that?

A - No sir. Mr. Browner was
talking to me, and referring to
me, as that scoundrel Mr. Collins.
- that he had had business with
me before

Q - Did you have any connection
with Mr. Friedman

A - Yes. Mr. Browner was a
clerk for the firm of
Blumenthal & _____

Q - I ask you whether you had
any connection with Mr.

Friedman.

Q I never saw Mr Friedman until the day that he came in there I asked him to please leave his card and he would not do it.

Q Then you did have a connection with Mr Friedman

A I did not know any such man until he came into the office

Q Did you have a connection with Browne

A Yes Sir - He was a clerk with Blumenthal & Horch

Q Is it true that he ever had an order of arrest for you?

A No Sir - never.

Q You had some litigation in which Blumenthal and Horch were counsel?

A Yes - and the action was decided in my favor and they had to pay costs

Q Did you ever intend to

Defendant Mr. Freedman of any
property: by giving this note
to Spitz?

A - I never did - I knew
Spitz 12 or 13 years.

Q Did you ever intend to
defraud Spitz of his property?

A No, Sir: I did not know
anything about the property

Q You say you knew Spitz
12 to 15 years?

A - I should think I knew
him 12 to 20 years

Q What was Spitz's business?

A I think he used to
bind ribbons

Q You
never examined

Q - You say you received a
receipt signed by him - you
were to receive a note for
\$250. and \$215 cash?

A That was it.

Q You were to?

92 A Yes

Q He told you he had four or five thousand dollars worth of property?

A Yes

Q Did you give him any other note?

A There was another - I gave him a note for \$1,200

Q You want me to believe that you let this man have these notes on his representation as to his property - you let him have a note for \$12,000 without making any investigation?

A Yes ma

Q Did you ask him how much he was worth?

A No sir. I did not give him the note

Q You sold it?

A He brought it to me - he could not get it recorded

Q I ask you again - did you at the time you gave this note inquire how much

He was work

A I think not

Q Where do you do business?

A at 10 Wall Street

Q How long have you been there?

A Since the 5th day of May.

Q Are Mr Roberts an office there?

A Yes: I am in the same office with Mr Roberts

Q How long has Mr Roberts been in the office

A Roberts was there some time in April.

Q Where was you prior to April

A I think on the 5th or 6th day of May I left 258 Broadway

Q You had seen him there before?

A Yes Sir

Q He testifies that he closed up his business in South Carolina at the close of May and

A He must be mistaken
about that time about the
5th 6th or 7th of May - He
was in New York I guess
15 days before

Q How long have you known
Roberts?

A About five months

Q Tell how you got acquainted
with Roberts?

A I can't recollect just now.

Q Did he ever write to you?

A My first acquaintance was
by correspondence

Q How did you know that was
such a firm as W.H. Roberts, &c.?

A I do not know; I can't remember
how I knew that. I am
sick - I have not slept for
five days.

Q Then you don't recollect how
you secured acquaintance
with Roberts?

A No sir - I cannot remember
95 when I met him.

Q You dont recollect who introduced you to him?

A Not now

Q Do you recollect who put in the advertisement in the New York Newspaper? ~~XXXXXXXXXX~~

A I do not - it was a ~~broker~~ of a broker

Q Do you know the name of the broker?

A I cant remember - no sir

Q Have you known about it?

A I think I can remember the name - I cant remember it now - I met him down in Thayer St. at "Old Jones" restaurant. He gave me a card.

Q On his recommendation did you write to Robert?

A - I wrote on the strength of information I received to Mr. W. Robert Marion North Carolina

Q Did you register any paper for him prior to this batch

of notes?

A I received a letter that he would be in New York in 10 or 15 days, and call upon me - we commenced that way.

Q - Have you ever negotiated any paper of his prior to that time?

A I do not think I did

Q Then on this short acquaintance without your being introduced to him before he gave you these notes to dispose of without your giving him any security of any kind or description?

A No sir.

Q Then you met Sparty on the 18th and gave him this note for \$500

A Intended to be secured.

Q You did not know the goods he had - I had a receipt for the note

Q Mr Sparty came to you and you knew him 18 years, about

and he said he needed money and you gave him this note for \$500 that has been put in evidence:

A That was the second note I gave to Spitz.

Q You gave that note to Spitz upon that receipt that you showed us - that he promised to pay one half cash and one half in notes,

A Yes sir

Q Did you ever lend notes to Spitz before that time

A Yes sir

Q You always found him trustworthy?

A Yes

Q Give us an instance of any time in those 10 years experience that he attempted to keep a note without paying the money which he agreed to pay - without giving the security he agreed to give?

A About 27 weeks after
Ie told ^{me} he he would give
a chattel mortgage to secure
the note

Q Did you ^{see} learn that a note
^{that} was sent by the Goldberger-
Spitz's Attorney that the
note would be returned if
I got back the \$85?

A No Sir I did not see it -
I heard that Spitz's lawyer
sent around stating that they
would return the note on
payment of the \$85.

Q The reason the note was
not paid was because the
Spitz did not keep his
agreement stated in the
receipt?

A That was the reason
2 when the Browner the
Attorney for the Freedman
called you did not make
any such representation

Q9 A They did not were told

Distinctly about it

Q About the agreement to pay \$165 more in cash and notes for the other roof?

A That was the agreement

Q was not the agreement to pay you in cash?

A He offered it.

Q There was \$165 unpaid then?

A Yes sir

Q Did you make any statement to Browner or to Mr. Friedman that this \$165 in cash was remaining unpaid and \$250 in notes

A That is all that was given - the \$85

Q What you said about the \$15-

A It was received on account - \$10 at one ^{time} and \$75 at another time.

Q You did not state that that there was \$165 remaining unpaid and \$250 in notes?

250
165
315

100

A It all came to the same thing

Q You did not make that explanation to Mr. Friedman's Attorney?

A He knew about it - that there was \$85 paid and that was all

Q You never showed the receipt for the note?

A No.

Q You did not say anything to her about the explanation?

A - I would have done so but they did not want.

Q You did not make that explanation to them?

A No sir I did not - No.

Q You would asked her whether you desired to deprive Mr. Friedman of his property and you answered now you did not care who was to be deprived of his property

109 A Yes Sir I did

Q You deny that you were a member of the firm of W. H. Roberts & Co?

A Yes.

Q Were you the secretary of the trading Co of which W. H. Roberts was a member and a President at 10 Wall St.

A No sir nothing of the sort.

Q Then if Mr Roberts testified that he had entered into an agreement which you had drawn up and you were to be secretary he made a mistake.

A Mr Roberts did not state that.

Q Then as to the announcement in the advertisement about the incorporation of the company and the rating at Bradstreet and Dun & Co.

A It was never true.

Q If any such advertisement was inserted it must have

been absolutely false?

A- It was not only false
but foolish - That advertisement
was put in the Herald by
a woman named Eden - I
met her at the Trigon
Club. I am well known
here as a man of business - I
had a check for \$2,200 which
I got from H. H. King & Co.
I got Mr Campbell the ^{jointly} cashier
of this building to protect it
and we came in this very
room.

Q Did you negotiate a
note for Moseley & Beckman

A ~~Yes~~ I did
absolutely

Q That note has not been
paid has it?

A No; not been paid - That
was a note given in
a real estate transaction.

The Dependant Roberts - In
reply to the note of Morley
& Breeman (D). I was mistaken
when I said it was given in
a horse transaction - it was
a real estate transaction.

Dependant Debt.

Dependant Debt to mortgage
\$1500 lent

The Dependent Roberts - In
reply to the note of Morley
& Breeman (D) I was mistaken
when I said it was given as
a home transaction - it was
a real estate transaction.

Dependent Debt.

Dependent Debt to amount
\$1500 lent

POOR QUALITY ORIGINAL

0696

(1885)

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK.

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

Question. What is your name?

Answer. William H Roberts

Question. How old are you?

Answer. 26 years

Question. Where were you born?

Answer. Georgia

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

Answer. West 4th & Chambers St New York

Question. What is your business or profession?

Answer. Broker

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

Wm H Roberts

Taken before me this

day of

Sept 1897

Police Justice.

POOR QUALITY ORIGINAL

0697

(1385)

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK, }

2 District Police Court.

Neal McCallum 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. Neal McCallum

Question. How old are you?

Answer. 43 years

Question. Where were you born?

Answer. Scotland

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

Answer. 62 East 145th St Hyattsville

Question. What is your business or profession?

Answer. Broker

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
Neal McCallum

Taken before me this 19 day of August 1897
Frank Egan
Police Justice.

POOR QUALITY ORIGINAL

0598

DATED
 No. 1, by Jordan A. Stern
 Residence Harlem
 Street
 No. 2, by
 Residence
 Street
 No. 3, by
 Residence
 Street
 No. 4, by
 Residence
 Street

Police Court
 District
 No. 26
 12/26/1895
 130
 William A. Roberts
 Neil McWilliam
 James J. Ryan
 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 Robert A. Ryan 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, Aug 23 1895
James J. Ryan 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 William A. Roberts & Neil McWilliam 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, each, 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 29 1895
James J. Ryan 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 William A. Roberts & Neil McWilliam 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, each, 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 29 1895
James J. Ryan Police Justice

committed the above-named
 by the undertaking hereto annexed.

POOR QUALITY ORIGINAL

0699

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Frederick Spitz

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

Frederick Spitz

of the CRIME OF Grand LARCENY in the second degree, committed as follows:

The said Frederick Spitz,

late of the City of New York, in the County of New York aforesaid, on the nineteenth day of March in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, with force and arms, with intent to deprive and defraud Solomon Friedman and Lewis

Friedman,

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 Solomon

Friedman and Lewis Friedman,

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

\$500.00

Marion N.C. March 10th 1892

Four months after date we promise to pay to the order of ourselves Five Hundred Dollars at our Banking House Marion N.C. Value Received. W. H. Roberts & Co.

and endorsed "W. H. Roberts & Co." - which he the said Frederick Spitz then and there produced and delivered to the said Solomon Friedman and Lewis Friedman, was then and there a good and

valuable promissory note and of the value of five hundred dollars; that he the said Frederick Spitz had received the said note in a real estate transaction, out of which he had realized five hundred dollars in cash besides the said note; that he knew the firm of W. H. Roberts and Company of Marion, North Carolina, and knew the said firm to be solid, substantial, solvent and financially responsible; that he had come by the said note in a legitimate manner and in the course of business, and that the same was perfectly good and safe commercial paper.

By color and by aid of which said false and fraudulent pretenses and representations, the said

Frederick Spitz

did then and there feloniously and fraudulently obtain from the possession of the said Solomon

Friedman and Lewis Friedman a quantity of goods, wares and merchandise known as pocketknives (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of four hundred and seventy five dollars,

of the proper moneys, goods, chattels and personal property of the said Solomon Friedman and Lewis Friedman

with intent to deprive and defraud the said Solomon Friedman and Lewis Friedman

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 Frederick Spitz so as aforesaid then and there produced and delivered to the said Solomon Friedman and Lewis Friedman was not then and there a good or valuable promissory note, and was not of the value of five hundred dollars, or of any value; and the said Frederick

Spitz had not received the said note in a real estate transaction out of which he had realized five hundred dollars in cash besides the said note; and he did not know the said firm of W. M. Roberts and Company to be solid, substantial, solvent or financially responsible; and he had not come by the said note in a legitimate manner or in the course of business, and the same was not perfectly good, or safe commercial paper.

And Whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said Frederick Spitz to the said Solomon Friedman and Lewis Friedman was and were then and there in all respects utterly false and untrue, as he the said Frederick Spitz at the time of making the same then and there well knew;

And so the Grand Jury Aforesaid, do say that the said Frederick Spitz in the manner and form aforesaid and by the means aforesaid, the said proper moneys, goods, chattels and personal property of the said Solomon Friedman and Lewis Friedman 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.

DE LANCEY NICOLL,
District Attorney.