

0009

BOX:

7

FOLDER:

90

DESCRIPTION:

Sabatello, Antonio

DATE:

02/24/80



90

00 10

47  
Filed 24 day of Dec  
Pleads

1880

THE PEOPLE

32  
116 mte.

vs.

Antonio Sabatello

Felony Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

C. W. Comstock  
Foreman.

Part pro Dec 25. 1880.  
pleads 2<sup>nd</sup> Count

S. P. Two years

0011

AFFIDAVIT—FELONIOUS ASSAULT, &c.

Second District Police Court.

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

*Zito Rocco*  
*Mulberry*

of No. 316

Street, being duly sworn, deposes and says  
that on the 28 day of February in the year

1880 at the City of New York, he was violently and feloniously assaulted and ~~beaten~~ <sup>stabbed</sup> by  
*Antonio Savatello* (now here)  
who wilfully and feloniously  
cut and stabbed deponent on  
the right arm with a Knife  
at the time held in the hand  
of the said defendant. That  
said assault was

with the felonious intent to take the life of deponent, or to do him 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 dealt  
with according to law.

Sworn to before me this 21 day  
of February 1880 }

*Zito x Rocco*  
(mark)

*Mervin Ottobauer* Police Justice.

00 12

Police Court—Second District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Antonio Sabatello*

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

Question.—What is your name?

Answer.—

*Antonio Sabatello*

Question.—How old are you?

Answer.—

*32 years*

Question.—Where were you born?

Answer.—

*Italy*

Question.—Where do you live?

Answer.—

*16 Mott street*

Question.—What is your occupation?

Answer.—

*Laborer*

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

Answer.—

*I was drunk*

*his*  
*Antonio X Sabatello*  
*mark*

Taken before me, this

*21*

day of *Feb*

*McKen*  
*Attest*

00 13

14  
POLICE COURT—Second District.

THE PEOPLE, &c. ☒  
ON THE COMPLAINT OF

*Yto Pocco*  
RECEIVED  
FEB 2 1882  
CLERK

OFFENCE—Felonious Assault and Battery

*Antonio Sabatello*

Dated *February 2 1882*

*Cotterbury* Magistrate.

*Gilger* Officer. */s/*  
Clerk.

Witnesses.

*Confess-Committed  
to the hands of relative  
in default of \$5000*

Committed in default of \$ *1000*, bail.

Bailed by

No.

Street.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

That *Antonio Sabatello*

late of the City of New York, in the County of New York, aforesaid, on the  
*twentieth* day of *February* in the year of our Lord  
one thousand eight hundred and *Eighty* with force and arms, at the City and  
County aforesaid, in and upon the body of *Gito Rocco*  
in the peace of the said people then and there being, feloniously did make an assault  
and *him* the said *Gito Rocco*  
with a certain *knife*  
which the said *Antonio Sabatello*

in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut, and wound  
with intent *him* the said *Gito Rocco*  
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 Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County  
aforesaid, the said *Antonio Sabatello*  
with force and arms, in and upon the body of the said *Gito Rocco*  
then and there being, wilfully and feloniously did make an  
assault and *him* the said *Gito Rocco*  
with a certain *knife* which the said *Antonio Sabatello*

in *his* right hand, then and there  
had and held, the same being then and there a sharp, dangerous weapon, wilfully  
and feloniously, and without justifiable and excusable cause, did then and there beat,  
strike, stab, cut, and wound, with intent to then and there wilfully and feloniously  
do bodily harm unto *him* the said *Gito Rocco*  
against the form of the Statute in such case made and provided, and against the  
peace of the People of the State of New York and their dignity.

#### THIRD COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-  
said, the said *Antonio Sabatello*

with force and arms, in and upon the body of *Gito Rocco*  
in the peace of the said people then and there being, feloniously, did make another  
assault and *him* the said *Gito Rocco*  
with a certain *knife*  
which the said *Antonio Sabatello*

in *his* right  
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,  
and wound, the same being such means and force as was likely to produce the death  
of *him* the said *Gito Rocco* with intent *him* the

00 15

said *Gito Rocco* 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.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said *Antonio Sabatello*

with force and arms, in and upon the body of the said *Gito Rocco* then and there being, wilfully and feloniously, did make another assault and the said *Gito Rocco* with a certain *knife* which the said *Antonio Sabatello* in *his* right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously maim *him* the said *Gito Rocco* against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

Filed 24 day of Dec 1880  
Pleas

THE PEOPLE

16/08

*Antonio Sabatello*

Felony Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*Wm. Bondy*  
Foreman.

Part for Oct 25. 1880.  
Heads 2nd Court

S. P. Owe year

00 16

BOX:

7

FOLDER:

90

DESCRIPTION:

Sallada, Antonio

DATE:

02/19/80



90

001

452  
R. H. Keary  
Filed 19 day of Feb 1880  
Pleads Not Guilty

27 Mulberry  
25  
THE PEOPLE  
vs.  
Antonio Sallada  
Felony Assault and Battery.

Mar 2  
BENJ. K. PHELPS,  
District Attorney.  
surrendered & com'd  
1<sup>st</sup> Feb 26. 1880 }

A True Bill.  
J. W. Corns  
Foreman.

Part two Mar 1. 1880  
Fried & convicted 2<sup>nd</sup> Ch  
S.P. Two years to us.

00 18

Form

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

Police Court—First District.

James Sonoran  
of No. 48 Centre Street, being duly sworn, deposes and says,  
that on the 9<sup>th</sup> day of February 1880  
at the City of New York, in the County of New York, he was violently and feloniously assaulted and  
beaten by Antonia Sallada

now present.  
who did cut or stab deponent on the on the  
hip with some sharp instrument then and there  
held in his hand

Deponent believes that said injury, as above set forth, was inflicted by said

Antonia Sallada

with the felonious intent to ~~take the life of deponent or to~~ do him 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 dealt with according  
to law.

James Sonoran

Sworn to, before me this

day of

February

1880

Police Justice.

00 19

**Police Court, First District.**

CITY AND COUNTY } ss.  
OF NEW YORK.

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

Question. What is your name?

Answer. Antonio Dallada

Question. How old are you.

Answer. 48 years

Question. Where were you born?

Answer. Italy

Question. Where do you live?

Answer. 35 Mulberry Street

Question. What is your occupation?

Answer. Laborer

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

Answer. I am not guilty

Antonio <sup>by</sup> Dallada  
mark

Taken before me this

15 day of February 1880

John J. McNamee  
POLICE JUSTICE.

0020

COUNSEL FOR COMPLAINANT:

Name

Address

COUNSEL FOR DEFENDANT:

Name

Address

452  
Police Court—First District.

THE PEOPLE, &c.

Complainant of

James Donovan  
vs.  
Antonio Ballada

Affidavit—Felony Assault and Battery.

1980

15 February  
Silbrette

Magistrate

Orwlen, Officer

14 Precinct  
Clerk

Dated

Witnesses

BAILED.

No. 1, by

Michael Cross  
35 Baylen St.

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

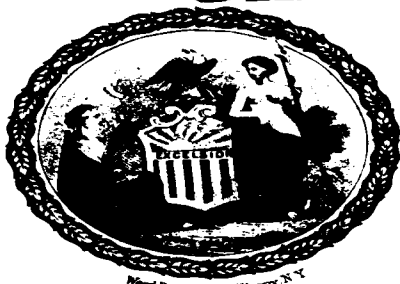
In answer

at General Sessions  
Committed

Received at Dist. Atty's Office,

0021

## STATE OF NEW YORK.



## Executive Chamber.

Albany, March 20, 1880

Sir: Application having been made to the Governor for the Pardon of Antonio Salada who was sentenced on March 1, 1880, in your County, for the crime of Assault to harm for the term of two years and six months to the State Prison you are respectfully requested (in pursuance of Chapter 310, Laws 1849) to furnish the Governor with a concise statement of the case as proven on the trial, together with any other facts or circumstances which may have a bearing on the question of granting or refusing a Pardon. Be pleased also to state the previous character of the convict.

Each letter of inquiry from this Department should be answered on a separate sheet.

Very respectfully, your obedient servant,

*Augustus B. Gould*  
Pardon Clerk.

To Benj. H. Phelps, Esq.  
District Attorney, &c.

Feb 1880

0022

CITY AND COUNTY } ss.  
OF NEW YORK, }THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present :

That

*Antonio Sallada*

late of the City of New York, in the County of New York, aforesaid, on the  
*ninth* day of *February* in the year of our Lord  
 one thousand eight hundred and *eighty* with force and arms, at the City and  
 County aforesaid, in and upon the body of *James Donovan*  
 in the peace of the said people then and there being, feloniously did make an assault  
 and *him* the said *James Donovan*  
 with a certain instrument and weapon, a description of which is to the jurors afore-  
 said unknown and cannot now be given, which the said

in *his* right hand then and there had and held, the same being a deadly and  
 dangerous weapon, wilfully and feloniously did beat, strike, stab, cut, and wound  
 with intent *him* the said *James Donovan*  
 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 Jurors aforesaid, upon their Oath aforesaid, do further present : That  
 afterwards, to wit, on the day and in the year aforesaid, at the City and County  
 aforesaid, the said

*Antonio Sallada*

with force and arms, in and upon the body of the said *James Donovan*  
 then and there being, wilfully and feloniously did make an  
 assault and *him* the said *James Donovan*  
 with a certain instrument and weapon, a description of which is to the jurors afore  
 said unknown and cannot now be given, which the said

*Antonio Sallada* in *his* right hand, then and there  
 had and held, the same being then and there a sharp, dangerous weapon, wilfully  
 and feloniously, and without justifiable and excusable cause, did then and there beat,  
 strike, stab, cut, and wound, with intent to then and there wilfully and feloniously  
 do bodily harm unto *him* the said *James Donovan*  
 against the form of the Statute in such case made and provided, and against the  
 peace of the People of the State of New York and their dignity.

## THIRD COUNT

And the Jurors aforesaid, upon their Oath aforesaid, do further present : That  
 afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-  
 said, the said

*Antonio Sallada*

with force and arms, in and upon the body of *James Donovan*  
 in the peace of the said people then and there being, feloniously, did make another  
 assault and *him* the said *James Donovan*  
 with a certain instrument and weapon, a description  
 of which is to the jurors aforesaid unknown and cannot now be given, which the said

*Antonio Sallada* in *his* right  
 hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,

0023

and wound, the same being such means and force as was likely to produce the death of *him* the said *James Donovan* with intent *him* the said *James Donovan* 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.

## FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said

*Antonio Sallada*  
with force and arms, in and upon the body of the said *James Donovan* then and there being, wilfully and feloniously, did make another assault and *him* the said *James Donovan* with a certain instrument and weapon, a description of which is to the jurors unknown and cannot now be given, which the said

*Antonio Sallada*  
in *his* right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously maim *him* the said *James Donovan* against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

452

R. H. Bacon

Filed 19 day of March 1885

Pleas Not Guilty

THE PEOPLE

vs.

*Antonio Sallada*

Felony Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

Nov 2

various other cases  
1884 24. 1885

A True Bill.

*Wm. L. Cornwell*  
Foreman.Sent for Mar 1. 1885  
Fried & advised 2. 1885  
S. P. has passed the

0024

BOX:

7

FOLDER:

90

DESCRIPTION:

Sauer, Media R.

DATE:

02/03/80



90

0025

Counsel, *W. H. Phelps*  
Filed *3* day of *Sept* 1887.  
Pleads *W. H. Phelps* (4)

INDICTMENT—Concealed Weapons.

THE PEOPLE

vs.

*P.*

*Media R. Saxon*

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*W. H. Phelps*

Foreman.

*J. H. H. H.*

*W. H. Phelps*  
*True Bill*

0026

Police Court—Third District.

CITY AND COUNTY  
OF NEW YORK, } ss.

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

Question.—What is your name?

Answer.—*Medin R. Bauer.*

Question.—How old are you?

Answer.—*16 years*

Question.—Where were you born?

Answer.—*France*

Question.—Where do you live?

Answer.—*247 Cherry*

Question.—What is your occupation?

Answer.—*Sailor*

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

Answer.—*I have nothing to say*

*Medin R. Bauer*  
*Waver*

*John J. [illegible]*  
Taken before me, this

0027

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

Third District Police Court.

of No. 7<sup>th</sup> Police Precinct

Street,

being duly sworn, deposes and says,

that on the night of the 31<sup>st</sup> day of January 1880  
at the City of New York, in the County of New York,

Media R. Swaner (now here)  
was at the corner of Jefferson and  
South Streets in said City and  
County of New York and did  
furtively and feloniously have con-  
cealed in the pocket of the over-  
coat then and there worn on  
the person of the said Swaner  
that certain unlawful weapon  
now her shown the same being  
commonly known as a slung  
shot with intent to use the same  
in violation of the Statute in such  
case made and provided.

Sworn to before me this  
1<sup>st</sup> day of February 1880 } Patrick English

Wm. H. H. H.  
Police Justice

0028

31

Police Court, Third District.

THE PEOPLE, &c.,

THE COMPLAINT OF



Media T. Stuart

Dated, February 1<sup>st</sup> 1880

Murray Magistrate.

English Officer.  
7<sup>th</sup> Feb

1000<sup>th</sup> Bond  
Forfeited

AFIDAVIT.

*Concealed Money*

*Handwritten scribbles*

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

That

*Media R Sauer*

late of the First Ward 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 ~~seventy~~ *Eighty* at the Ward, City and County  
aforesaid, with force and arms, at the Ward, City and County aforesaid, feloniously,  
knowingly and secretly, did conceal upon his person a certain instrument and weapon  
of the kind known as a *Stung shot* —, with intent then and there  
feloniously to use the same against some person or persons to the Jurors 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.

*And the Jurors aforesaid, upon their Oath aforesaid, do further present :* That  
the said *Media R Sauer* — late of the Ward,  
City and County aforesaid, afterwards, to wit, on the day and in the year aforesaid, at  
Ward, City and County aforesaid, with force and arms, feloniously, wilfully and  
furtively did possess a certain instrument and weapon of the kind known as a *Stung*  
*Shot* — with intent then and there feloniously to use the same against some  
person or persons to the Jurors 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.

**BENJ. K. PHELPS, District Attorney.**

0030

BOX:

7

FOLDER:

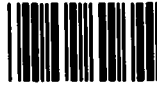
90

DESCRIPTION:

Saunders, Robert E.

DATE:

02/01/80



90

10/27/88

Counsel,  
Filed day of Dec 1888  
Pleads J. Lindley

THE PEOPLE.  
vs. J.  
Wolcott & Saunders  
aka.  
James Adams  
Picture in Paper getting by  
known as a poor thief  
BENJ. K. PHELPS,  
District Attorney.

Larceny, and Receiving Stolen Goods.

A True Bill.

W. Conner  
Foreman.

Part in Oct 17, 1888  
Fried & convicted G.L.  
S. P. Five years.

0032

Form 112.  
STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK } ss:

Police Court—First District.

of No. *103* *Sutton* Street, being duly sworn, deposes  
and says, that on the *2nd* day of *February* 18*90*  
at the City of New York, in the County of New York, was feloniously taken, stolen, and carried  
away from the possession of deponent,

the following property, viz:

*two dozen engraved gold  
Rings*

of the value of

*thirty*

Dollars,

the property of

*deponent*

and that this deponent has a probable cause to suspect, and does suspect, that the said property  
was feloniously taken, stolen, and carried away by *Robert C. Sanders*

*now present for the reasons following*  
*viz.* That the prisoner came into

*Said premises while deponent was*  
*engaged in showing to a man some*  
*jewelry with a view to selling him*  
*some articles thereof. That deponent*  
*saw the prisoner thrust his hand very*  
*quickly inside his coat and called to*  
*him to open his coat when he immediately*  
*that deponent followed shouting stop thief*  
*and after he was arrested and brought back*  
*the property in question was found in his possession*  
*in deponent's premises*

*Allen Lonsbury*

Sworn to before me, this

of *February*18*90*

Police Justice.

0033

City and County of New York  
 Joseph Glynn of the Police Department, District being duly sworn, says that he arrested the prisoner Robert Adams alias Frank Adams, in the premises No 71 John Street whither he had run to escape and at the time of such arrest he had in his possession the within described property. Department also found upon his person and tied around his body within his clothing that <sup>entering</sup> ~~placed~~ <sup>in</sup> ~~as a receipt~~ <sup>for the receipt</sup> of stolen goods as department believes and charges

Sworn to before me this }  
 2nd day of Feb'y 1888 }  
 R. S. Arch }  
 Police Justice }

0034

Police Court—First District.

CITY AND COUNTY } ss.  
OF NEW YORK.

*Robert C. Sanders* being duly examined before the under-  
signed, according to law, on the annexed charge; and being informed that he was at  
liberty to refuse to answer any question that may be put to him, states as follows,  
viz:

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live?

Answer.

Question. What is your occupation?

Answer.

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

Answer.

*I am not guilty*  
*W. L. Sanders.*

Taken before me, this

*2* *and*

*day of February*

*18*

*1897*

*at New York*

*Police Justice.*

0035

COUNSEL FOR COMPLAINANT.

Name,

Address,

COUNSEL FOR DEFENDANT.

Name,

Address,

137

Police Court—First District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Alton Crumley*  
*103 Fulton St.*  
*Robert E. Sanders*  
*Allen Trout*  
*Adams*

BAILED:

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

*February 2, 1898*  
Date

Magistrate.

*Joseph Glynn*  
Officer

Witnesses:

*Call the Officer*  
*(with false pocket)*

*Officer Hagen as to person*  
Character

*2000*  
to answer  
at  
Session  
1898  
Received at Dist. Atty's office

0036

Police Department of the City of New York,

Precinct No. ....

New York, ..... 18

Gallery No 949  
Frank Adams-  
arrested by Heidelberg Kelly  
for Shop lifting

Mark Hibbing

0037

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

That

*Robert C. Saunders otherwise called  
Frank Adams--*

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

*Twenty four rings of the value of one dollar  
and twenty five cents each*

of the goods, chattels, and personal property of one

*Allen Lounsberry*

then and

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

0038

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

**That** the said

*Robert C. Saunders otherwise called  
Frank Adams*

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

*Twenty four rings of the value of one  
dollar and twenty five cents each —*

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

*Allen Lounsberry*

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

*Allen Lounsberry*

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

*Robert C. Saunders otherwise called Frank Adams*  
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.

**BENJAMIN K. PHELPS, District Attorney.**

0039

BOX:

7

FOLDER:

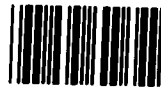
90

DESCRIPTION:

Schmidt, Charles

DATE:

02/16/80



90

0040

283

Day of Trial

Counsel,

Filed *17* day of *Feb* 1880

Pleads

THE PEOPLE

vs.

*Charles Schuith*  
*B*

Violation Excise Law.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*W. Conover*

Foreman.

Put in Feb 17, 1880.

*plead guilty*  
*fine \$10. p. d.*

0041

Third District Police Court.

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK

of No. 10th Avenue Street,  
of the City of New York, being duly sworn, deposes and says, that on the 12  
day of January 1880, at the City of New York, in the County of New York,  
at No. 127 Street,  
Charlie Schmidt

did sell, or caused, suffered or permitted to be sold, or exposed for sale, under his direction or authority,  
strong or spirituous liquors or wines, to be drunk in his house or premises aforesaid, in quantities less than  
five gallons at a time, contrary to and in violation of the Excise Laws of the State of New York, entitled  
"An Act to Suppress Intemperance and to Regulate the Sale of Intoxicating Liquors," passed April 16, 1857.

Sworn to before me, this 12  
day of January 1880 } Etienne Bayer  
Wm. Murray }  
POLICE JUSTICE.

0042



124

Police Court Third District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Eleven Rags*

27.

*Charles Schmidt*

MISDEMEANOR.

Violation Excise Laws.

Dated the 22<sup>nd</sup> day of *July* 1880

*Murray* Magistrate.

*Rager* 10 *Officers.*

Witness.

Bailed \$ 100— to Ans., G. S.

By

*Wm. H. H. H.*

*113* Street.

*Perated*

0043

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

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

*That - Charles Schmidt*

late of the *Seventeenth* Ward of the City of New York, in the County of  
New York, aforesaid, on the *Twenty-third* day of *January* in the year  
of our Lord one thousand eight hundred and ~~eighty~~ *eighty*, at the Ward,  
City and County aforesaid, certain strong and spirituous liquors, and certain wines, to  
wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of  
whisky, 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  
jurors aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one  
time, to one

*Etienne Beyer*

; without having a  
license therefor, as required by law, contrary to the form of the statute in such case made  
and provided, and against the peace and dignity of the People of the State of New York.

SECOND COUNT.—*And the Jurors aforesaid, upon their Oath aforesaid, do further  
present: THAT the said*

late of the Ward, City, and County aforesaid, then and there being a person duly  
licensed according to law to sell spirituous liquors and wines on the day  
and in the year aforesaid, at the Ward, City and County aforesaid, the same  
being the first day of the week, commonly called and known as Sunday, with  
force and arms, certain strong and spirituous liquors and certain wines, to wit: One  
gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, 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 jurors  
aforesaid unknown, unlawfully did sell, as a beverage, to one

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

**BENJ. K. PHELPS, District Attorney.**

0044

BOX:

7

FOLDER:

90

DESCRIPTION:

Schortan, Charles

DATE:

02/03/80



90

0045

35

Day of Trial

Counsel, *g*

Filed *3* day of *Oct* 188*8*

Pleads,

THE PEOPLE

vs.

*Charles S. Roberts*  
*vs. before*  
*J. J. Jones*

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*J. M. Condit*

Foreman.

*True found*

0046

Police Court, Second District.

City and County } ss.  
of New York,

Charles Ellrich

of No. 33 Rivington Street, being duly sworn,

deposes and says, that the premises Nos. 129 & 131 Mercer

Street, 2nd Ward, in the City and County aforesaid, the said being a fire story

and which was occupied by deponent as a wash place for the

manufacture of hats and ~~was~~ **BURGLARIOUSLY**

entered by means of forcing open the door

leading to deponent's premises

on the Night of the 23 day of January 1880

and the following property feloniously taken, stolen, and carried away, viz.:

Steel taps valued thirty dollars.  
Steel dress lathe chucks value  
fifty dollars

all of the value of Eighty dollars.

the property of Complainant

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 Charles Schortan (pimp)

for the reasons following, to wit: from the fact that  
Said Schortan pointed out to  
deponent the place where he  
had sold portions of the above  
described property which was at

0047

Charles Jordans 346 East  
Hunt St. Dept. full  
identified the property found  
as portion of that which was  
stolen from his room  
No 129 Menard St.  
I am to inform you  
that I have found  
J. L. Jordan  
Police Officer

0048

Police Court—Second District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question.—What is your name?

Answer.—*Charles Schortan*

Question.—How old are you?

Answer.—*Connecticut twenty Eight years*

Question.—Where were you born?

Answer.—*Connecticut*

Question.—Where do you live?

Answer.—*26 Bedford St*

Question.—What is your occupation?

Answer.—*Machinist*

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

Answer.—*I am guilty*  
*Charles Schortan*

Taken before me, this

26th day of January 1880

Police Justice.

0049



POLICE COURT—Second District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
176  
Charles Eltrieh  
32 Broughton St.  
vs.

OFFENCE—Burglary and Larceny.

Charles Chotan

Dated January 30 1880

Magistrate.

Officer.

Clerk.

Witnesses,

George Brauer  
31 Green St.  
James Jordan  
246 East Houston St.

Committed in default of \$ 1000 bail. Can

Bailed by

No.

Street.

X

0050

Police Court, Second District.

City and County } ss.  
of New York, }John C. Cassidy  
of No. 124 ~~W. 129 St.~~ Street, being duly sworn,  
deposes and says, that the premises No. 129 of 81<sup>st</sup> Street

and which was occupied by deponent as a place for the  
manufacture of gas fixtures, were **BURGLARIOUSLY**  
entered by means of a rear window  
leading to the premises above  
described

on the night of the 23 day of January 1880.  
and the following property feloniously taken, stolen, and carried away, viz.:

Steel taps value thirty dollars  
Steel dies value twenty dollars  
Twenty five steel files value  
twenty five dollars

all of the value of Seventy five dollars.

the property of John C. Cassidy and John C. Cassidy  
and deponent further says, that he has great cause to believe, and does believe, that  
the aforeaid **BURGLARY** was committed and the aforeaid property taken, stolen  
and carried away by Charles Schortan (purport)

for the reasons following, to wit: from the fact that  
said Schortan pointed out the  
place where he had sold  
portion of the above described property  
which was at Charles Jordan 246

0051

East Houston St. DeFurment fully  
identified the property found  
as the same that was missing  
from his premises No 129 Market  
Street

John C. Cassion,  
Imm. to Defurment  
this 30 day of January 1883  
J. C. Cassion

0052

Police Court—Second District.

CITY AND COUNTY }  
OF NEW YORK, }

*Charles Schntau*

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

Question.—What is your name ?

Answer.—*Charles Schntau*

Question.—How old are you ?

Answer.—*Twenty Eight Years*

Question.—Where were you born ?

Answer.—*Connecticut*

Question.—Where do you live ?

Answer.—*26 Bedford St*

Question.—What is your occupation ?

Answer.—*Machinist*

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

Answer.—*I am not guilty*  
*Charles Schntau*

Taken before me, this

day of *August* 1880

Police Justice.

0053



30

POLICE COURT—Second District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

OFFENSE—Burglary and Larceny.

*John C. Cassidy*  
*129 Mercer St.*

*Charles Shortall*

Dated *January 30* 18*80*

*John Duffy* Magistrate.  
*John Dempsey* Officer

Clerk.

Witnesses,

*George Bracher*  
*131 Mercer St.*  
*Charles Jordan*  
*246 East Houston St.*

Committed in default of \$*1000* bail.

Bailed by

*Cum*

No.

Street.

4

0054

CITY AND COUNTY }  
OF NEW YORK. }

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

That *Charles Schortan*

late of the *Eighth* Ward of the City of New York, in the County of  
New York aforesaid, on the *twenty third* day of *January* in the  
year of our Lord one thousand eight hundred and ~~eighty~~ *eighty* with force and  
arms, at the Ward, City and County aforesaid, the *factory* of

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

*John C Cassidy*  
then and there being, then and there feloniously and burglariously to steal, take and carry  
away, and

*Thirty taps of the value of one dollar each*  
*Twenty chess of the value of one dollar each*  
*Twenty five files of the value of one dollar each.*

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

*John C Cassidy*

so kept as aforesaid in the said *factory* then and there being, then and  
there feloniously did steal, take and carry away against the form of the Statute in such case  
made and provided, and against the peace of the People of the State of New York and their  
dignity.

0055

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

*Charles Shortan*

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,

*Thirty Taps of the value of one dollar each  
Twenty dies of the value of one dollar each  
Twenty five files of the value of one dollar each*

of the goods, chattels, and personal property of

*John - C. Cassidy*

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

*John - C. Cassidy*

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

*Charles Shortan*

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.

**BENJAMIN K. PHELPS, District Attorney.**

0056

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

*Charles Shortan*

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,

*Thirty Taps of the value of one dollar each  
Twenty dies of the value of one dollar each  
Twenty five files of the value of one dollar each*

of the goods, chattels, and personal property of

*John - C. Cassidy*

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

*John - C. Cassidy*

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

*Charles Shortan*

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.

**BENJAMIN K. PHELPS, District Attorney.**

*with own*

0057

30

Day of Trial

Counsel, of

Filed

day of

1876

Pleads,

THE PEOPLE

vs.

Burglary—Third Degree, and Receiving  
Stolen Goods.

Charles Schotten

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*W. C. Conover*

Foreman.

Part 2nd Feb 4. 1880

(Signed Jury 3)

*W. C. Conover*  
S.P. Fine years

0058

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

That *Charles Schottan*

late of the *Eighth* Ward of the City of New York, in the County of  
New York aforesaid, on the *twenty third* day of *January* in the  
year of our Lord one thousand eight hundred and ~~seventy~~ *Eighty* with force and  
arms, at the Ward, City and County aforesaid, the *factory* of  
*Charles Ellerick* there situate, feloniously and burglariously, did break into and enter, the same being a  
building in which divers goods, merchandise, and valuable things were then and there kept for  
use, sale and deposit, to wit: the goods, chattels and personal property hereinafter described,  
with intent the said goods, chattels and personal property of the said

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

*Thirty* baps of the value of one dollar each -  
*Fifty* duns of the value of one dollar each -  
*Fifty* paper checks of the value of one  
dollar each

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

*Charles Ellerick*

so kept as aforesaid in the said *factory*, then and there being, then and  
there feloniously did steal, take and carry away, against the form of the Statute in such case  
made and provided, and against the peace of the People of the State of New York and their  
dignity.

0060

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

*Charles Schottan*

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,

*Thirty tops of the value of one dollar each -  
Fifty die of the value of one dollar each -  
Fifty lathe chucks of the value of one  
dollar each -*

of the goods, chattels, and personal property of *Charles Esterich*

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

*Charles Esterich*

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

*Charles Schottan*

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.

**BENJAMIN K. PHELPS, District Attorney.**

0061

BOX:

7

FOLDER:

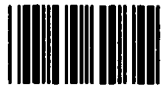
90

DESCRIPTION:

Schwartz, Conrad

DATE:

02/20/80



90

0062

439

Day of Trial

Counsel,

Filed 20 day of

Feb 1880

Pleads

THE PEOPLE

vs.  
B

Violation Excise Law.

Conrad Schwartz

BENJ. K. PHELPS,

District Attorney.

A True Bill.

M. C. Crutcher

Foreman.

Part no Feb 24, 1880.

pleads guilty.

Fined \$500

0063

Police Court, Fifth District.

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

of the *31<sup>st</sup> Precinct Police* *Patrick Stapleton*  
of the City of New York, being duly sworn, deposes and says, that on the *22<sup>nd</sup>* day  
of *January* *1880* in the City of New York, in the County of New York, at  
*Primm North side 68<sup>th</sup> street between 10<sup>th</sup> & 11<sup>th</sup> Avenue*  
*Samuel Schwartz (now present)*  
did then and there sell, and caused, suffered and permitted to be sold, under his direction and authority, strong and  
spirituous liquors, wines, ale and beer, being intoxicating liquors, in quantities less than five gallons at a time, to be drunk  
in the house or premises aforesaid, contrary to and in violation of law. *and without license*

WHEREFORE, deponent prays that said *Samuel Schwartz*  
may be ~~assessed and~~ dealt with according to law.

*Suborn to before me, this 23<sup>rd</sup> day*  
*of January 1880.*

*Patrick Stapleton*  
*A. L. Morgan* - POLICE JUSTICE.

0064

439  
Police Court, Fifth District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Patrick Stapleton

vs.

Emmanuel Schwartz

Violation Excise Law.

Dated 23 day of January 1880

Morgan Magistrate.

Stapleton 31 Officer.

Witness,

Bailed \$ 100 to Anna. *Em. Schwartz*

By Emmanuel Schwartz  
North Line 84<sup>th</sup> Street.



0065

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

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

That

*Conrad Schwartz*

late of the *twenty-second* Ward of the City of New York, in the County of  
New York, aforesaid, on the *twenty-second* day of *January* in the year  
of our Lord one thousand eight hundred and ~~eighty~~ *eighty*, at the Ward,  
City and County aforesaid, certain strong and spirituous liquors, and certain wines, to  
wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of  
whisky, 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  
jurors aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one  
time, to one

*Patrick Stapleton*

; without having a  
license therefor, as required by law, contrary to the form of the statute in such case made  
and provided, and against the peace and dignity of the People of the State of New York.

~~SECOND COUNT.—And the Jurors aforesaid, upon their Oath aforesaid, do further  
present: THAT the said~~

~~late of the Ward, City, and County aforesaid, then and there being a person duly  
licensed according to law to sell spirituous liquors and wines on the day  
and in the year aforesaid, at the Ward, City and County aforesaid, the same  
being the first day of the week, commonly called and known as Sunday, with  
force and arms, certain strong and spirituous liquors and certain wines, to wit: One  
gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, 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 jurors  
aforesaid unknown, unlawfully did sell, as a beverage, to one~~

~~contrary to the form of the Statute in such case made and provided, and against the  
peace of the People of the State of New York, and their dignity.~~

**BENJ. K. PHELPS, District Attorney.**

0066

BOX:

7

FOLDER:

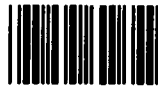
90

DESCRIPTION:

Scott, Edward S.

DATE:

02/26/80



90

0067

of Trial,

Counsel,

Filed 21 day of Feb 1878

Pleads

THE PEOPLE

vs.

B

Edward P. Scott

BENJ. K. PHELPS,

District Attorney.

A True Bill.

J. W. Condit

March 11, 1878 Foreman.

Quadrant

Violation of Gambling Laws.

0068

POLICE COURT— DISTRICT.

CITY AND COUNTY } ss.  
OF NEW YORK,

RECOGNIZANCE FOR TRIAL OR EXAMINATION.

BE IT REMEMBERED, That on

the 23<sup>d</sup> day of January in the year of Lord 1880  
Edward F. Scott  
 of No. 687 Second Avenue Street, in the City of New York,  
 and B. G. Jayne  
 of No. 5 East 90<sup>th</sup> Street, in the said City,  
 and James J. Murphy  
 of No. 189 Christy Street, in the said City,

personally came before the undersigned, one of the Police Justices in the City of New York, and acknowledged themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say: the said

Edward F. Scott  
 the sum of Ten Hundred Dollars; the said

B. G. Jayne  
 the sum of Ten Hundred Dollars, and the said

James J. Murphy  
 the sum of Ten Hundred Dollars, separately, of

good and law money of the State of New York, to be levied and made of their respective goods and chattels, lands, and tenements, to the use of said People, if default shall be made in the condition following, viz.:

WHEREAS, the said Edward F. Scott was charged, before the undersigned, Police Justice as aforesaid, on the oath of John A. Falto

with an offence for having, on the 21<sup>st</sup> day of January 1880  
 in the City and County of New York, aforesaid, kept and maintained a  
Gambling House and knowingly permitted divers  
idle disorderly and evil disposed persons to resort there  
to gamble and play at cards and games of chance for money  
in violation of the Law and to the common nuisance  
of the People of the State of New York

And Whereas, he has been brought before said Justice to answer said charge and the said offence with which he is charged being bailable by said Justice, and he having demanded an examination on said complaint, and it having been made to appear to the satisfaction of said Justice that said examination should be continued to some other day, he did thereupon order the said accused to find sufficient Bail in the sum of Ten

Hundred Dollars, for his appearance at the Second District Police Court, No. 180 street, on the 24<sup>th</sup> day of January 1880 at 10 o'clock, in the fore noon of that day, to answer to said charge.

Now Therefore, the condition of this Recognizance is such, that if the above named Edward F. Scott

shall personally appear before said Justice at the said Second District Police Court in the City of New York, on the 24<sup>th</sup> day of January 1880 at 10 o'clock, A. M. and at such other times and days as the said examination may be adjourned to, and abide the final decision of said Justice, and not depart therefrom without leave, then this Recognizance to be void, otherwise to remain in full force.

Taken and acknowledged before me, the }  
 day and year aforesaid

Mr. J. A. Falto  
 POLICE JUSTICE

Edward F. Scott  
B. G. Jayne  
James J. Murphy

0069

CITY AND COUNTY OF NEW YORK, ss.

*B. G. Jayne*

named Sureties, being duly sworn, says that he is a *Free* holder and resident in said City, and is worth *Ten* Hundred Dollars, over and above the amount of all his debts and liabilities; and that his property consists of

*house and lot situate at no 5 East 90th Street in said City and County of New York of the value of Twenty five thousand dollars and with an incumbrance of four thousand dollars thereon*

Sworn to before me this

23

day of January 187

Police Justice

CITY AND COUNTY OF NEW YORK, ss.

*James J. Murphy*

named Sureties, being duly sworn, says that he is a *Free* holder and resident in said City, and is worth *Ten* Hundred Dollars, over and above the amount of all his debts and liabilities; and that his property consists of

*Furniture in house no 189 Christy Street of the value of Eleven hundred dollars, free of any incumbrance*

Sworn to before me, the 23

day of January 187

Police Justice

RECOGNIZANCE FOR TRIAL OR EXAMINATION

THE PEOPLE, & C.,

ON THE COMPLAINT OF

*John A. Pate*

vs.

*Edward F. Scott*

Taken the 23<sup>rd</sup> day

of January 187

*U. Otterbein, Justice.*

Filed day of 187

Sureties identified by

No. Street.

0070

January 26<sup>th</sup> 1880. 4 P. M.

Complainant recalled.

I met Mrs. Sutton on Wednesday  
I came from my house when  
I met defendant on Wednesday  
I went to the Knickerbocker Cottage  
to find him. - I found him  
there. - It was in the morning  
at ten o'clock. - The Knicker-  
bocker Cottage is not the same  
place where the barkeeper is  
employed who testified here.  
I spoke to defendant he took  
me around to show me the game  
how it worked. - I went to the  
Gaming Room on Wednesday  
Evening. - After the game was  
over I stayed with defendant about  
15 minutes. I met him again  
• next morning Corner 28<sup>th</sup>  
Street and Fifth Ave. - In the eve-  
ning he was talking to an old  
Gentleman. I did not speak to  
him then. - He did go away  
from the old Gentleman and  
went into a liquor store and waited for  
some time outside. I waited  
there for a full hour; then I went  
in and found him there - I  
did not speak to him -

I then had the conversation  
 already referred to with the  
 his Keeper. — my object in looking  
 for the defendant was I thought  
 he would say something to  
 me. The defendant had promised  
 to meet me on Thursday at  
 one o'clock P. M. at the  
 Rivierbaker Cottage. — I had  
~~nothing else~~ I went to look  
 for him at ten o'clock. —  
 because I wanted to be  
 ahead of time because I  
 thought he might have some  
 thing to say to me. The last  
 conversation I had with the  
 defendant on Wednesday  
 night after I had lost my  
 money was to the effect  
 that I should meet him  
 on Thursday noon at one o'clock  
 he would raise money enough  
 to play and get my money back  
 I had in all four conversations  
 with defendant the first on  
 Sunday evening. The second  
 Thursday, between one and  
 two o'clock P. M. The third on Wednesday

0072

morning at ten o'clock on  
 the fourth of ~~Thursday~~  
 Wednesday in the Evening about  
 15 minutes to ten o'clock  
 I was with him on Wednesday  
 Evening from 15 minutes to  
 seven until nearly eight o'clock  
 It might have been a little  
 after eight, my watch was  
 not going. -- I am positive  
 without any doubt that  
 the defendant present is the  
 man -- That is the man  
 Croft examined by counsel  
 He had on a spring overcoat  
 I am talking about his over-  
 coat -- It was a black over-  
 coat but it was lighter than  
 the one he wears at present --  
 That is not the coat -- I am  
 satisfied that is not the coat  
 I am as positive that the over-  
 coat the Gulliver has on now  
 is not the same he had on  
 when I saw him last, as I  
 am that he is the man, ~~who~~  
~~I have accused~~ against whom  
 I made this charge -- He had  
 a small hat, like this

4.

my own hat. He wore this kind of hat a square top Derby hat. - He did not wear a high hat. I met defendant on Thursday at ten o'clock.

Q. On Thursday are you positive that you met defendant between the hours of one and two o'clock. -

Ans. Yes.

Q. That you are as positive of, as to his identity?

Q. What time on Thursday between the hours of one and two o'clock did you leave the house in 26th Street taken. First and second Ave.

Ans. Never two o'clock.

By Judge Alb.

I walked through 26th Street on Thursday evening when I left the house in to 6th Avenue I turned in to 6th Ave at 26th Street - I found I first went to the Knickerbocker Cottage and inquired for the defendant mentioning the name of Charles Wall he had given me that name

0074

on Wednesday morning when  
I left him. They told me  
at the Cottage they don't know  
a man by that name. I then  
came out & went as far  
as the corner of 28th Street  
where I subsequently saw  
defendant -- I did not  
mention the name of Wall  
to the barkeepers at the Legion  
store <sup>by car</sup>  
I. When you applied for the  
warrant -- I at 18th

18th

Council makes the motion  
to be allowed to rebut  
the testimony of the complainant  
as to the time of meeting on  
Thursday between one and two  
o'clock -- Motion denied  
on the ground: that sufficient  
evidence has been produced  
by the defense as to the  
whereabouts of the defendant  
on the Thursday mentioned  
Exception.

18th

Present before me  
January 27/1887  
M. J. Barber  
J. C. Barber

18th

0075

Compliment!

Money The time was  
between 7 & 8 o'clock  
PM - He met me at  
the Kriemhild  
Cottage at about  
7 o'clock & went from  
there to No 41 West  
2nd St, parlor floor  
He had a key and  
passed me in, I took  
off my coat & hat &  
hung them up in  
a closet. He told me  
to sit down at the  
table & buy my checker  
& then saw two others  
playing at the table  
I took me about 15  
minutes to get from  
the Cottage to the house  
& commenced playing  
I played up to about  
8 o'clock, then my  
money was all gone  
He wanted me then  
to pawn my watch  
& chain I told him  
no concerning about  
15 minutes more on

0076

on the sidewalk &  
that was about 5/4  
o'clock. You was in  
West 2<sup>nd</sup> St for bet.  
Brownway & 6<sup>th</sup> Ave  
Driver - The man is now  
here the person whom  
I have identified  
When he met us he  
said Come right  
around there are  
some men several  
playing - He said  
he would donate  
my money at the  
game of "Faro"  
I voluntarily played  
the game after I went  
to the house John a Pitt

Wormholesperken  
this 24<sup>th</sup> day of  
January 1942  
Murray Utterbury  
Police Justice

0077

- 3 -

Ally & Family  
of New York NY

Johnny DePolsi  
317 East 26<sup>th</sup> St for brief  
evening sleep. I am  
in a state of great  
compassion. I am  
entering the gentleman  
seeing at my house  
I know the

Department in civil  
action. I find you  
here where he called  
on Sunday evening  
last & saw, the  
week. I took him in  
the park, he is  
lump in my hand  
and placed the  
lamp on the end  
of the candle

He sat down  
under a lamp  
the light was  
on his face. He  
had a blue mark  
on the side of  
our right hands  
& I noticed that

0078

4

man as a friend, would  
distinctly, I never  
positively knew but  
defendant is the  
person. On several  
occasions afterwards  
I suppose I was in  
his company about  
5 minutes  
over it

On Tuesday at 1  
o'clock I am  
positive he <sup>was</sup> ~~was~~  
at my house he  
remained until near  
two o'clock

Jennie Patt

Deacon G. G. G. G.

Dec. 24th 1880

Jenny 1880, Merrill & Co.

For the Court

0079

-5-

City of Albany  
of New York

Ellen Campbell  
being an ex-slave woman says  
that she resides at  
317. From 26<sup>th</sup> of  
March on the 23<sup>rd</sup>  
day of January I  
was conversed with  
2<sup>nd</sup> time. I never  
before to identify  
a person for whom  
I had opened the  
door of said prison  
on Tuesday last -  
Seeing so many pretty  
men I picked out  
a man whom I  
thought looked  
like the man. On  
the day I opened  
the door I did  
not look away  
particularly at the  
man but I knew  
he had dark eyes  
I picked out a man  
who was not the

0080

- 6.

Defendant ~~Miss~~ Cornell  
Lynn Coleman  
on Oct. 24<sup>th</sup>  
day of January 1880.

Wm. W. W. W.  
Rice Linn

Oct. 24<sup>th</sup>  
of many other.

George T. W. W.  
being duly sworn  
says I saw the above  
Oct. 24<sup>th</sup> and know  
the above name of  
lives in my mother's  
house I remember  
last December  
Evening, and <sup>that</sup> I saw  
I saw him at the  
house in which I  
live in the Hallway  
I remember it was  
about 1/4 of Eight O.  
clock because I was  
going to the house  
making out the

0081

7

about 14 hours later  
the usual time was  
7 1/2 o'clock, I was  
going up stairs & he  
was coming down  
& going out - and I  
I spoke to him, He  
spoke to me, He asked  
me how my mother  
was. He then went  
out.  
Then there was  
a light in the  
hallway, there  
are still some  
in the house, their  
voices about 14 of 8 AM  
from above  
24 in all, Geo. G. Pell.  
08 January 1880.  
Mongolian  
1880.

0082

8

Many E. Smith of the  
 city & some very  
 famous ones, I received  
 with my husband at  
 the above Hotel. I  
 know the difference  
 it was in an afternoon  
 Every day. I was  
 at 12 noon & at 1  
 7 o'clock I had  
 to go out to see  
 an apartment in  
 the 2nd floor of the  
 a Mr. Hyatt, having foot-  
 step, on the stairs  
 I heard the door  
 chiming. It was the  
 Hyatt, I then saw  
 it was Mr. Seville  
 I saw him again  
 going out at about  
 11 P.M. to 12 P.M. I closed  
 going out. He had  
 been. I saw that on  
 going lower stairs  
 the Hyatt came back

0083

9  
about 8 1/2 o'clock K. & I  
went into the  
door of his room  
and mine. He is a  
very gentleman that  
resides on that floor  
I am to begin  
with 24 hours  
of Jan., 1880 Mary E. Smith  
1140 W. 11th St.  
Philadelphia

July 8 Sunday  
of New York

John. L. L. of  
629 2nd Ave. being  
saying that he knows  
the apartment. He  
said I should in my  
shop at 629 2nd  
Ave. I had shown  
him last evening  
Even at my shop  
he was in about  
the middle of 8 o'clock  
and I go.  
Living with him.

0084

10

12<sup>30</sup> o'clock. I fix  
the time because when  
he came in he asked  
of the covered get-  
down & remarked  
that he thought he was  
closed up in it &  
& that he was lat-

her - Washington  
Dec. 24<sup>th</sup> 1880

on Dec. 1880. John Lutz

Wentworth House  
Riverside

- 11 -

City & County  
of New York

Ann Scott's con-  
dition was very dependent  
on her health. I  
reside at 117 6th Ave. I re-  
member that he came home  
on Wednesdays. Every  
week at about 11  
past 7, O'clock. I  
told me to run up  
his supper as he was  
told to go to the  
Barber's. He was afraid  
the shop would be  
closed - He left his  
home about 11  
O'clock, he came  
back about 11:25  
minutes, past 8 O'clock  
& did not go out  
again that night.

Mrs. Annie Scott

Heavenly Father  
Jan 24th 1882  
117 6th Ave  
New York  
City

0086

12

Col. & family,  
New York

Bl. Jayne of no  
5 East 30th Street  
very much, from  
last I know and  
definitely. He is  
every day. I have  
known on Thursday  
last & before that  
day, I know that  
age Thursday. Last  
he was in my office  
when I got him  
in the morning. At  
Eleven & 10:30, and  
Eleven & I told him  
not to go away  
until I have an  
chance to talk to  
him. I have a number  
of officers coming  
- 6. J. of you. room  
at 5, 20 Broadway  
He was in one of  
the rooms. Believe  
me, I will not  
for him to the other



0087

73.

office & shortly after  
 came in & I asked  
 him to remain as  
 I was busy at some  
 thing & I was here  
 not to go away  
 during the afternoon  
 I passed in and  
 out and over his  
 shoulder - He was  
 in my office, and  
 he was here last &  
 he reported to me  
 from before - B. J. Payne  
 on this 24th day  
 of January, 1880.  
 M. J. Payne  
 Police Justice

0088

-14

Very truly  
of new, - - -

Thence to a meeting  
of No 122 Lane 29<sup>th</sup>  
very early, soon  
after. When he saw  
Miss Potts by seeing  
her in Court yesterday  
I had a conversation  
with her yesterday  
she asked me to go  
her husband's trial  
to appear this case  
as a witness. Then  
Monday I had a  
conversation with  
her & I referred to  
the good witness  
whom the defendant  
had as to his character  
when she replied  
that she could not be  
mistaken in the person  
as the man who came  
to the house had a  
blue mark on his hand  
on the nail cord  
she thought it was

0089

-18-

The night-herald of the  
asked me to go  
and look. I declined  
to go to the  
up 2 yards of  
August 1880  
D. A. Hamilton  
Police Officer

0090

- 16

Oliver & Company  
of New York & Co

Edward J. Farrell  
being duly sworn  
says I am the Dy-  
rector. The  
first time the  
place was on Wed-  
nesday last in a  
room under N. E. Co.  
20 in St. T. & Co. Ave.  
I was in the room in  
connection with business  
for my Employer  
Mr. Jay, who, I was  
never in the room in  
No. 41 (the 28th St.)  
I was not in the  
premises of the  
Rolls-on Laundry  
during that day &  
from 10 1/2 o'clock  
am until 5 1/2 o'clock  
pm I was in the  
the Equitable Building  
and on Wednesday  
between 7 1/4 & 1 1/4 1/8  
I was in my own

0091

16/12

house & then went out  
to the Barber's got  
shaved & returned  
directly home & did  
not go out a gain  
till night.

On 4th saw the Blackbeard  
two or three times  
& noticed him several  
times. I thought he was  
going to see me  
and.

To the Canal. I saw him  
in the bar-room on  
Wednesday afternoon.  
I was in the bar room  
later times that day  
between 2 & 3 o'clock.  
He was not  
there in the morning.

before me the  
day of the  
Blackbeard  
being in the

Edna B. Scott  
H. B. Scott

0092

17

Letter to Comman-  
or New York C.D.

Frank Kent - 57  
No 331, Seventh Ave  
New York City  
I have been of duty  
from 10:30 to 11:00  
and have been at  
the 21, E, Cor of 28th  
St. & 6th Ave since  
then. I have not  
heard of the 21st  
day of January, 1900  
I have seen the Dep.  
in the photo several  
times. I think we  
Wednesday since  
we - he possibly  
do not remember  
to have been here  
before. I have seen  
the complaint -  
on the same day  
on which I saw  
the Dep. He asked  
me if I knew the  
Dep. I think it  
was in the afternoon

0093

18.

I saw the Dept on  
 2 days, cannot  
 say if it was on  
 Tuesday & Wednesday  
 or Wednesday and  
 Thursday, I have  
 saw him before & to  
 my knowledge, at  
 the time he (the Corp)  
 said "who",  
 "that man" They  
 had no commu-  
 tion with each  
 other at all in  
 my presence, The  
 Dept asked me at  
 one time if he  
 came full down  
 the shade cannot  
 swear that the  
 complainant was  
 or was not in the  
 room at that time  
 think not however.  
 I go to bed at  
 12 & sleep about  
 1 - it was open  
 October. When the  
 complainant spoke

0094

29.

to me about the -  
wage. I think the  
fund "I will fix  
it in"

from before Frank Kemp  
was this 24 in -  
day of Jan., 1880.

Mount Pleasant  
Polecat, Iowa

J.

0095

Police Court—Second District.

CITY AND COUNTY  
OF NEW YORK,

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

Question.—What is your name?

Answer.—

*Edward S. Seavey*

Question.—How old are you?

Answer.—

*38 years*

Question.—Where were you born?

Answer.—

*Massachusetts*

Question.—Where do you live?

Answer.—

*687 Second Avenue*

Question.—What is your occupation?

Answer.—

*Private Detective*

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

Answer.—

*I am not guilty  
of the charge*

Taken before me, this

*Michael J. Murphy*

Police Justice.

*27*  
day of *Dec*  
189*7*

0096

Police Court--~~Second~~ District.

John A Potts  
of No 317 East 26<sup>th</sup> Street  
upon his oath complains that Edward S Scott  
at premises No. 41 West 28<sup>th</sup>

Street, in the City

and County of New York, unlawfully keeps and maintains a Gambling House, and knowingly permits divers idle, disorderly and evil disposed persons to resort there, to gamble and play at cards and games of chance for money, in violation of the law, and to the common nuisance of the People of the State of New York.

Deponent further says that in said premises on the 21<sup>st</sup> day of

January 1880 said Edward S Scott

did unlawfully and feloniously deal the game called Faro, and did then and there within the space of twenty-four hours win from deponent the sum of five hundred dollars at said game, and that within said premises are exhibited, kept and used by said

Edward S Scott

faro and other gambling tables, checks, cards, devices and apparatus, for the purpose of gambling, and did then and there deal the cards at the time deponent lost the money, the discovery of which would tend to establish the truth of the charge herein made. The deponent asks that said Scott be held to answer and be dealt with as the law directs.

Sworn to before me this

day of January 1880.

McKen Deerbauer  
POLICE JUSTICE.

John A Potts

0097

COUNSEL FOR DEFENDANT.

Name,  
Address,

Date, January 23rd 1880  
Magistrate,  
Officer

Captain Berglund  
29th Precinct

Witnesses

Arrive in appearance on Examination  
by A. B. Payne of N. Y. East 80 St.  
and James Murphy of 109th St.  
held in 1740 G. A. S. S.  
bailed by 12.00 day out  
to East 30th St. to answer

at completing 300 for in  
appearance before the O. S. S.  
Received in Dist. Atty's Office, 122 & 24th St.

Ex Jan 24  
Ex Jan 25 10 am  
4 PM



Police Court Second District.

THE PEOPLE, &c.

ON THE COMPLAINT OF Basile

John A. Pitts  
377 East 20th  
Edward Scott

Office, Keating and main building  
a Court being shown

No. 1, by \_\_\_\_\_  
Residence, \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence, \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence, \_\_\_\_\_

No. 4, by \_\_\_\_\_  
Residence, \_\_\_\_\_  
No. 5, by \_\_\_\_\_  
Residence, \_\_\_\_\_

Charles E. ...  
169 Broadway  
Room 16

for appearance  
in ...

BAILED

0098

CITY AND COUNTY  
OF NEW YORK.

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

That *Edward S. Scott*

late of the *Twenty first* Ward of the City of New York in the County of New  
York aforesaid, on the *Twenty first* day of *January*,  
in the year of our Lord one thousand eight hundred and ~~twenty~~ *Eighty*, at the Ward, City, and  
County aforesaid, with force and arms, feloniously and unlawfully did keep a certain room in a  
certain building, known as number *Forty one West Twenty*  
*Eight Street* —  
in said Ward, City, and County, to be used and occupied for gambling, and did knowingly permit  
the said room to be used and occupied for gambling.

§ 40,  
2 Banks, 920.

**Second Count.** AND the Jurors aforesaid, upon their oath aforesaid, do further  
present :

THAT the said

*Edward S. Scott*

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, being then and there the owner of a certain room in a certain  
building, known as number *Forty one West Twenty*  
*Eight Street*, in said Ward, City, and County, did rent the same  
to some person or persons to the jurors aforesaid unknown, to be used and occupied for gambling.

§ 40,  
2 Banks, 920.

**Third Count.** AND the Jurors aforesaid, upon their oath aforesaid, do further  
present :

THAT the said

*Edward S. Scott* - -

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, being then and there agent for the renting of a certain  
room in a certain building, known as number *Twenty one West*  
*Twenty Eight Street* -  
in said Ward, City, and County, did rent the same to some person or persons to the jurors aforesaid  
unknown, to be used and occupied for gambling.

§ 40,  
2 Banks, 920.

**Fourth Count.** AND the Jurors aforesaid, upon their oath aforesaid, do further  
present :

THAT the said

*Edward S. Scott*

late of the Ward, City, and County aforesaid, on the day and in the year aforesaid, and on divers  
other days, was and yet is a common gambler ; and that he the said

*Edward S. Scott*  
at the Ward, City, and County aforesaid, with force and arms, feloniously and unlawfully did keep  
and exhibit in a certain building known as number *Forty one West*  
*Twenty Eight Street* -  
in said Ward, City, and County, a certain gambling table, and certain cards, chips, devices, and  
appartus, a more particular description of which is to the jurors aforesaid unknown, and cannot now  
be given, the same being suitable for gambling purposes, and which were then and there intended to  
be used for gambling purposes.

§ 41,  
2 Banks, 921.

**Fifth Count.** AND the Jurors aforesaid, upon their oath aforesaid, do further present :

THAT the said

*Edward S. Scott*

§ 41,  
2 Banks, 920.

late of the Ward, City, and County aforesaid, on the day and in the year aforesaid, and on divers other days, was and yet is a common gambler; and that he the said

*Edward S. Scott*

on the day and in the year aforesaid, at the Ward, City, and County aforesaid, with force and arms, at and in a certain room in a certain building, known as number

*Forty one west Twenty Eight Street*  
in said Ward, City, and County, wilfully and feloniously did deal and did act as dealer for a certain banking game commonly known as "*Faro*" whereof the name and a more particular description is to the Jurors aforesaid unknown, and cannot now be given, the same being a banking game upon the result whereof money was then and there dependent.

**Sixth Count.** AND the Jurors aforesaid, upon their oath aforesaid, do further present :

THAT the said

*Edward S. Scott*

§ 41,  
2 Banks, 920.

late of the Ward, City, and County aforesaid, on the day and in the year aforesaid, and on divers other days, was and yet is a common gambler; and that he the said

*Edward S. Scott*

on the day and in the year aforesaid, with force and arms, at and in a certain room in a certain building, known as number *Forty one West Twenty Eight Street* in said Ward, City, and County, wilfully and feloniously did act as "look-out" for a certain banking game commonly known as "*Faro*", whereof the name and a more particular description is to the Jurors aforesaid unknown, and cannot now be given, the same being a banking game, upon the result whereof money was then and there dependent.

**Seventh Count.** AND the Jurors aforesaid, upon their oath aforesaid, do further present :

THAT the said

*Edward S. Scott*

§ 41,  
2 Banks, 920.

late of the Ward, City, and County aforesaid, on the day and in the year aforesaid, and on divers other days, was and yet is a common gambler; and that he the said

*Edward S. Scott*

on the day and in the year aforesaid, at the Ward, City, and County aforesaid, with force and arms, at and in a certain room in a certain building, known as number *Forty one*

*West Twenty Eight Street*  
in said Ward, City, and County, wilfully and feloniously did act as game-keeper for a certain banking game commonly known as "*Faro*", whereof the name and a more particular description is to the Jurors aforesaid unknown, and cannot now be given, the same being a banking game upon the result whereof money was then and there dependent.

0100

**Eighth Count.** AND the Jurors aforesaid, upon their oath aforesaid, do further present:

THAT the said

*Edward J. Scott*

late of the Ward, City, and County aforesaid, afterwards, to wit: On the day and year aforesaid, at the Ward, City, and County aforesaid, knowingly and feloniously did persuade and prevail on one

§ 44,  
2 Banks, 921.

*John A. Potts*  
through invitation and through device, to visit a certain room in a certain building, known as number

*Forty one West Twenty Eight Street*  
in said Ward, City, and County, the same being a room in the aforesaid building then and there kept for the purpose of gambling therein; and that the said

*John A. Potts*  
then and there whilst so visiting the said room, in the aforesaid building, after being persuaded and prevailed upon so as aforesaid, did gamble therein, and did lose by gambling therein a certain sum of

money to wit: the sum of *Five Hundred dollars*  
against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

BENJ. K. PHELPS.  
*District Attorney.*

0101

BOX:

7

FOLDER:

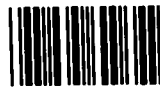
90

DESCRIPTION:

Sebastine, Antonio

DATE:

02/09/80



90

12/

Day of Trial

Counsel,

Filed 9 day of Feb 1880

Pleads

THE PEOPLE

vs.

Violation Excise Law.

B

Antonio Sebastine

Wm. K. PHELPS,

District Attorney.

A True Bill.

Wm. C. Smith

Foreman.

0 103

**First District Police Court.**

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

of N *the 14<sup>th</sup> Precinct Police* Street,

of the City of New York, being duly sworn, deposes and says, that on the *19<sup>th</sup>*

day of *January* 18*78*, at the City of New York, in the County of New York,

at No. *95 Mulberry* Street,

*Antonio Sebastiano*

did sell, or caused, suffered or permitted to be sold, under his direction or authority, strong or spirituous liquors or wines, to be drunk in his house or premises aforesaid, in quantities less than five gallons at a time, contrary to and in violation of the Sections 13 and 14 of the Act of the Legislature of the State of New York, entitled "An Act to Suppress Intemperance and to Regulate the Sale of Intoxicating Liquors," passed April 16, 1857.

Sworn to before me, this *20*  
day of *January* 18*78*

*B. V. R. R. R.*

POLICE JUSTICE.

*Michael J. Lynch*

0104

18  
15  
Police Court—First District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Michael Lynch

vs.  
Antonio Sebastian

WIDENEANOR,  
Selling Liquor, &c. without License.

Dated the 20<sup>th</sup> day of Jan'y 1878

R. A. Bieby

Magistrate.

Officers.

Witness

Bailed \$1.00 to Ans.

By Michael Bono

53 Mulberry Street.

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

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

That

*Antonio Sebastine*

late of the *sixth* Ward of the City of New York, in the County of  
New York, aforesaid, on the *nineteenth* day of *January*, in the year  
of our Lord one thousand eight hundred and ~~seventy~~ *eighty*, at the Ward,  
City and County aforesaid, certain strong and spirituous liquors, and certain wines, to  
wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of  
whisky, 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  
jurors aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one  
time, to one

*Michael Lynch*

; without having a  
license therefor, as required by law, contrary to the form of the statute in such case made  
and provided, and against the peace and dignity of the People of the State of New York.

~~SECOND COUNT,—And the Jurors aforesaid, upon their Oath aforesaid, do further  
present: THAT the said~~

~~late of the Ward, City, and County aforesaid, then and there being a person duly  
licensed according to law to sell spirituous liquors and wines on the day  
and in the year aforesaid, at the Ward, City and County aforesaid, the same  
being the first day of the week, commonly called and known as Sunday, with  
force and arms, certain strong and spirituous liquors and certain wines, to wit: One  
gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, 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 jurors  
aforesaid unknown, unlawfully did sell, as a beverage, to one~~

~~contrary to the form of the Statute in such case made and provided, and against the  
peace of the People of the State of New York, and their dignity.~~

**BENJ. K. PHELPS, District Attorney.**

0106

BOX:

7

FOLDER:

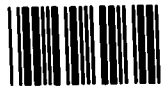
90

DESCRIPTION:

Shea, Timothy

DATE:

02/17/80



90

337

Day of Trial

Counsel,

Filed 17 day of Feb 1880

Pleads,

THE PEOPLE  
vs.  
James Shear  
Burglary—Third Degree, and Receiving  
Stolen Goods.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

W. Connelley

Foreman.

24.6 m J.P.

18.6 m J.P.

Feb. 18. 1880.

0108

Police Court, Second District.

City and County } ss.  
of New York,

Patrick Mc Ardle

of No. 390 West Street, being duly sworn,  
deposes and says, that the premises No. 390 East Corner of Clarkson and  
West Street, 9 Ward, in the City and County aforesaid, the said being a brick building  
and which was occupied by deponent as a storage warehouse  
for 2111 were **BURGLARIOUSLY**  
entered by means of forcing open the door  
leading off the street.

on the evening of the 11<sup>th</sup> day of February 1880.  
and the following property feloniously taken, stolen and carried away, viz.:

Two hundred pounds of iron

all of the value of two dollars

the property of Patrick Mc Ardle  
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 Timothy Shea now present.

for the reasons following, to wit:

from the fact that  
deponent is informed by officer  
George Van Buziak Western Steam  
-boat Squad that he saw said  
Timothy coming out of premises

as above described with two pieces  
of iron in his possession Defendant  
fully identifies the property found  
as belonging to him  
Sum to before me **Patrick Maguire**  
this 11th day of May 1880.

~~John J. Maguire~~  
John J. Maguire  
City and County  
of New York

George Van Burskirk  
police officer Western Steamboat  
Company being sworn says that  
on Wednesday Feb 11/1880  
Defendant saw Timothy Sheay  
(from name) coming out of  
premises north East corner  
of Clarkson & West Street with  
two pieces of iron in his  
possession

George Van Burskirk  
Sum to before me  
this 11th day of May 1880.  
~~Patrick Maguire~~  
Patrick Maguire

0110

Police Court—Second District.

CITY AND COUNTY OF NEW YORK.

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

Question.—What is your name?

Answer.—

Question.—How old are you?

Answer.—

Question.—Where were you born?

Answer.—

Question.—Where do you live?

Answer.—

Question.—What is your occupation?

Answer.—

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

Answer.—

Taken before me this

day of February 1880

Police Justice.

367

POLICE COURT—Second District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Patrick McQuillan  
240 West (211)

Matthew Shea

Dated February 11 1880.

Deputy Magistrate.

Van Buren's Officer.

William Stearns Clerk.



Witnesses

Committed in default of \$500 bail.

Bailed by None

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

*g.s.*

0112

CITY AND COUNTY }  
OF NEW YORK, ss.

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

That

*Timothy Shea*

late of the *Fourth* Ward of the City of New York, in the County of  
New York aforesaid, on the *Eleventh* day of *February* in the  
year of our Lord one thousand eight hundred and ~~seventy~~ *Eighty* with force and  
arms at the Ward, City and County aforesaid, the *warehouse* of  
*Patrick McCredle* there situate, feloniously and burglariously, did break into and enter, the same being a  
building in which divers goods, merchandise, and valuable things were then and there kept for  
use, sale and deposit, to wit: the goods, chattels and personal property hereinafter described,  
with intent the said goods, chattels and personal property of the said  
*Patrick McCredle* then and there being, then and there feloniously and burglariously to steal, take and carry  
away, and

*Two hundred pounds of iron of the value  
of one cent each pound*

of the goods, chattels, and personal property of the said *Patrick McCredle*

so kept as aforesaid in the said *warehouse* then and there being, then and  
there feloniously did steal, take and carry away, against the form of the Statute in such case  
made and provided, and against the peace of the People of the State of New York and their  
dignity.

0113

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

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

*Two Hundred pounds of iron of the  
value of one cent each pound*

of the goods, chattels, and personal property of *Patrick McFrdle*

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

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

*Timothy Shea*

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.

**BENJAMIN K. PHELPS, District Attorney.**

0114

BOX:

7

FOLDER:

90

DESCRIPTION:

Sherry, John

DATE:

02/25/80



90

0115

*W. J. [unclear]*

Counsel,  
Filed 25 day of Feb 1880.  
Pleads, *in [unclear]*

THE PEOPLE  
vs.  
P  
*John Sherry*

BENJ. K. PHELPS,  
District Attorney.

A True Bill.

*W. J. Connelley*

Foreman.  
Pant on Mar 9, 1880  
died & acquitted.

0116

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT—FOURTH DISTRICT.

of No. 28 West 13<sup>th</sup> Street,being duly sworn, deposes and saith that on the 23<sup>d</sup> day of February 1880, at the 31<sup>st</sup> 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:

Two ~~One~~ silver coins of the value of ten cents each. One gold plated ring of the value of three dollars. One shirt stud of the value of twenty-five cents in all of the value of three dollars and forty-five cents

of the value of 3.45 Dollars,  
the property of deponent

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

James McKenna and John Cherry (both now here) for the following reasons to-wit: That at about half past one o'clock on the night of the said 23<sup>d</sup> day of February deponent was walking along West Avenue when at the corner of 32<sup>d</sup> Street he was accosted by a man who asked deponent to go and have a drink; at the time there were four other men standing on the corner; deponent refused to go with said man, when one of the other men came to deponent and the two men then forced deponent in a hallway of a building near the corner of 32<sup>d</sup> Street and West Avenue, the other three men following in said hallway at the time. That immediately after entering said hallway all five of the men assaulted deponent and forcibly took from deponent's person the above described property. That deponent immediately after getting free from the said men notified an officer who

day of

Signed to before me, this

187

Police Justice

0117

arrested the said McKenna and said Sherry  
deponent is positive that the said McKenna  
and said Sherry are two of the men who  
took deponent in said hallway and robbed  
deponent.

Sworn to before me this 28 day  
of February 1880  
John Maguire  
City of New York  
Police Officer of the 21<sup>st</sup> Precinct. being duly  
sworn deposes and says that on the night of the  
22 day of February, deponent was informed by Thomas  
Carpenter that he (Carpenter) had been robbed on  
32<sup>nd</sup> Street. Deponent immediately went toward  
said corner and there saw the James McKenna  
and John Sherry together with three other men  
who all ran away at the approach of  
deponent, through a hallway and crossed over  
a fence escaping from deponent. That deponent  
is well acquainted with said McKenna  
and said Sherry and is positive they were  
on said corner at said time.

Sworn to before me this 23 day  
of February 1880  
John Maguire  
City of New York  
Police Officer

Police Court—Fourth District.

THE PEOPLE, &c.,

OF THE COMPLAIN OF

vs.

AFFIDAVIT—Robbery.

Date

187

Magistrate.

Officer.

Witness:

0118

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

Police Court—Fourth District.

*James Lawler*  
of *the 21<sup>st</sup> Precinct Police*, being duly sworn, deposes and says,  
that on the *22<sup>nd</sup>* day of *February* 18*88*  
at the City of New York, in the County of New York,

*he was informed by Thomas Carpenter, that he (Carpenter) had been robbed. That deponent together with Roundsman Delaney of the 21<sup>st</sup> Precinct arresting James McKenna and John Sherry (both now here) who were identified by said Carpenter as being the men who robbed him*

*James Lawler*

Sworn to before me this

day

*23<sup>rd</sup>*

18*88*

at

*City of New York*

*Fourth Precinct*

0119

**Police Court, Fourth District.**

CITY AND COUNTY } ss.  
OF NEW YORK

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

Question. What is your name?

Answer.

*John Sherry*

Question. How old are you?

Answer.

*28 years*

Question. Where were you born?

Answer.

*New York*

Question. Where do you live?

Answer.

*314 East 33<sup>d</sup> Street*

Question. What is your occupation?

Answer.

*Laborer*

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

Answer.

*I am not guilty* *John Sherry*

Taken before me this

*23 day of December*

*Police Justice.*

45

## Police Court—Fourth District.

THE PEOPLE &c.

FOR THE COMPTROLLER OF

James C. Hunter  
28 Nov 13 5-41

12

James McNamee

John Cherry

33

—

15

—

11

1974

10-11-91

Erman 26

Wm. H. Murray

James B. 1822

Clerk.

Wines.

of M. G. and

N.º 1 Discharge

2-2007 B to Curo

General Sessions  
Received in District Atty's Office. C-112

0121

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

That *John Sherry*

late of the First Ward of the City of New York, in the County of New York aforesaid,  
on the *Twenty first* day of *February* in the year of our Lord  
one thousand eight hundred and ~~seventy~~ *Eighty* at the Ward, City and County  
aforesaid, with force and arms, in and upon one *Thomas Carpenter*  
in the peace of the said People then and there being, feloniously did make an assault and

*Two Coins (of the kind commonly  
called dimes) of the value of ten cents  
each  
one ring of the value of three dollars  
one stud (of the kind commonly  
called shirt stud) of the value of twenty  
five cents*

of the goods, chattels, and personal property of the said *Thomas Carpenter*  
from the person of said *Thomas Carpenter* and against  
the will and by violence to the person of the said *Thomas Carpenter*  
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.

*Benjamin R Phelps*  
*District Attorney*

2210

~~BENJAMIN H. PHILIPS, District Attorney~~

~~people of the State of New York, and their dignity.~~  
~~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~~

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

~~and certain other persons to the same, feloniously stolen of the said~~

~~by~~

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

~~with force and arms, at the Ward, City, and County aforesaid,~~

~~late of the Ward, City, and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,~~

~~that the said~~

~~And the Jurors aforesaid, upon their oath aforesaid, do, within precept~~