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BOX:

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FOLDER:

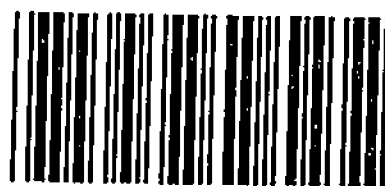
1704

DESCRIPTION:

Samhamer, Louis

DATE:

02/12/85



1704

POOR QUALITY
ORIGINALS

0417

135 / *Gabriel Day*
Filed 12 day of Feb 1885

Pleads *Not Guilty* 13.

THE PEOPLE
vs.
Assault in the First Degree.
(Firearms.)

Widow
Louis Samhammer

RANDOLPH B. MARTINE,
JOHN MCKEON,
District Attorney.

A TRUE BILL
[Signature]
Foreman.

*In the case of the People
vs. Louis Samhammer
a grand jury of 12
Feb 3 - June 892 -
Indictment dismissed*

*John Barton
1945 Third Ave
It appearing by the within affidavits
that it is impossible to secure the at-
tendance of
a material and necessary witness for
the People and without the concurrence
a conviction cannot be had. I there-
fore respectfully recommend that the
defendant be
discharged on his own recognizance.
N. Y. 188
District Attorney*

0418

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Sonir Samhammer

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

Sonir Samhammer

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

The said *Sonir Samhammer*,

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 *nine*, with force and arms, at the City and County aforesaid, in and upon the body of *Mary Dillert* in the peace of the said People then and there being, feloniously did make an assault, and to, at and against *her* the said *Mary Dillert*, a certain *gun* then and there loaded and charged with gunpowder and *lead*, which the said *Sonir Samhammer*, in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously, did then and there shoot off and discharge, with intent *her* the said *Mary Dillert* 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

Sonir Samhammer

of the Crime of assault in the second degree, committed as follows:

The said *Sonir Samhammer*

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 *Mary Dillert*, then and there being, feloniously did, wilfully and wrongfully, make an assault, and to, at and against *her* the said *Mary Dillert* a certain *gun* then and there loaded and charged with gunpowder and *lead*, which *he* the said

Sonir Samhammer in *his* right hand, then and there had and held, the same being an instrument likely to produce greivous bodily harm, feloniously did, wilfully and wrongfully then and there shoot off and discharge

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

RANDOLPH B. MARTINE.

JOHN McKEON, District Attorney.

Court of General Sessions.

THE PEOPLE *vs.* the Complaint of

Mary Albert

vs.

Louis Lumbard

Offense :

RANDOLPH B. MARTINE,
District Attorney.

Affidavit of

Fred M. Moore

Subpoena Server.

Failure to Find Witness.

04 19

GLUED PAGE

POOR QUALITY
ORIGINALS

0420

PART III.

THE COURT ROOM IS IN THE THIRD 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.]

SUBPOENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To Mary Hilbert
of No. 66 St. bet. 88 & Ave Street,

GREETING:

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

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

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall in our said City, the first Monday of May, in the year of our Lord 1887.

RANDOLPH B. MARTINE, District Attorney.

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 3d day of May 1887,

I called at 66 St. between 88 & 9 Ave

the alleged residence of Mary Hilbert

the complainant herein, to serve her with the annexed subpoena, and was informed by Louis Samhamer's daughter that Mary Hilbert had not lived there in over 14 months and that she is informed that she is a prostitute on the East Side some where and that she does not know where she now resides.

I was informed by a Mr. Nichols who keeps a grocery store at 67 St. + 9 Avenue that he knew the said Mary Hilbert but has not seen her for over one year but had heard that she was a prostitute living some where downtown.

I made diligent inquiry but was unable to ascertain the present whereabouts of the said Mary Hilbert -

Sworn to before me, this

5 day

of

1887

Rudolph L. Schief
COMMISSIONER OF DEEDS,
N. Y. CITY & COUNTY.

Fred M. Moore
Subpoena Server.

GLUED PAGE

POOR QUALITY
ORIGINALS

0421

Court of General Sessions.

PEOPLE

vs.

Louis Samhammer

City and County of New York, ss.:

Fred M. Moore

being duly

sworn, deposes and says: I reside at No. *236 West 126*
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 *3d* day of *May* 188*7*
I called at *66th Street between 8th & 9th Avenue*

the alleged residence of *Mary Hilbert*

the complainant herein, to serve her with the annexed subpoena, and was informed by *Louis Samhammer's daughter* that *Mary Hilbert* had not lived there in over 14 months and that she is informed that she is a prostitute on the East Side some where and that she does not know where she now resides.

I was informed by a Mr. Nichols who keeps a grocery store at 67 St. + 9 Avenue that he knew the said *Mary Hilbert* but has not seen her for over one year but had heard that she was a prostitute living some where downtown.

I made diligent inquiry but was unable to ascertain the present whereabouts of the said *Mary Hilbert* -

Sworn to before me, this

5 day

of

188

Rudolph P. Schuyler
COMMISSIONER OF DEEDS,
N. Y. CITY & COUNTY

Fred M. Moore
Subpoena Server.

0422

131
158
Police Court-- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Grace M. West
66 St. bet 8 & 9 St.

Lucia Schuchman

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Offence, *Adultery*

Dated *February 10* 188

A. M. White Magistrate.
W. H. Brown Officer.
G. J. Clark Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

No. *1500* to answer *per* Sessions.

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

Lucia Schuchman
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 *February 10* 188 *5* *Charles Smith* Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

0423

Police Court, 1 District.City and County } ss.
of New York,

of No.

66th Street bet 8th Ave Street, aged 28 years,

occupation

House Keeper being duly sworn, deposes and says,

that on the

9 day of February 1885, at the City of New

York, in the County of New York,

she was violently and feloniously assaulted by Louis Samhammer (now free) who pointed a gun at deponent which gun was loaded with powder and shot said defendant there fired said gun at deponent wounding her in the hands and arms, deponent therefore charges said defendant with felonious intent to take the life of deponent or do her grievous bodily harm without any justification on the part of the said defendant, wherefore this deponent prays that the said assault may be heard to answer for the above assault etc and be dealt with according to law

Mary Hilbert
markSworn to before me this
10th day of February 1885

Andrew J. White

Police Justice

0424

Sec. 198—200

CITY AND COUNTY }
OF NEW YORK } ss.

District Police Court.

Louis Samhamer 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.

Louis Samhamer

Question. How old are you?

Answer.

50 years

Question. Where were you born?

Answer.

Germany

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

Answer.

66 St 809 Ave. 11 years

Question. What is your business or profession?

Answer.

Senior gruder

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

Answer.

I am not guilty & I am innocent

Taken before me this

day of February 1884

Police Justice.

0425

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

Lewis Samuels

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself.

I had been drinking the day of the occurrence - I lived with the defendant as his housekeeper - I threw a piece of wood at him & made him open the door - he would not let me in - I was noisy and excited - He came out and fired the gun over my head & frightened me - He did not hurt me - If I said so I said wrong - I was very much excited at the Court - He would not hurt me I know -

Witness John M. Quinn
Chief Clerk

Mary O. Herbert
Mack

0426

BOX:

167

FOLDER:

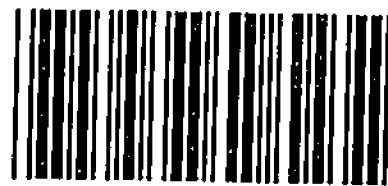
1704

DESCRIPTION:

Sauer, Catharine

DATE:

02/09/85



1704

POOR QUALITY
ORIGINALS

0427

Witnesses:

I am of opinion that
there is very little if any
chance of a conviction
in within case and
recommend that within
Indictment be dismissed.
March 11th 1885
Randolph B. Martine
District Attorney

Counsel,

Filed

day of

1885

Pleas,

April 11th

THE PEOPLE

vs.

B
Catharine Saver

RANDOLPH B. MARTINE,

District Attorney.

A True Bill

[Signature]

Foreman

[Signature]

Indictment dismissed

(See endorsement)

0428

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Catharine Sawyer

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

of the CRIME OF *Manslaughter in the first degree,*—

committed as follows:

The said Catharine Sawyer,—

late of the *First* Ward of the City of New York, in the County of New York aforesaid, on the *eight* day of *December*, in the year of our Lord one thousand eight hundred and eighty-*four*, at the Ward, City and County aforesaid, *with force and arms, in and upon the body of one Adèle Bohend, in the face of the said People, then and there being, the said Adèle Bohend being then and there a woman pregnant with child, willfully and feloniously did make an assault, and did then and there willfully and feloniously administer to the said Adèle Bohend, a certain medicine, drug and substance to the Grand Jury aforesaid unknown, with intent thereby to procure the miscarriage of the said Adèle Bohend, the same not being then and there necessary to preserve the life of the said Adèle Bohend; in consequence of which said administering of the medicine, drug and substance aforesaid, in manner aforesaid,*

said, the said Adèle Boland then and there became and was mortally sick and distempered in her body, of which said mortal sickness and distemper of body the said Adèle Boland, from the said eighth day of December, in the year aforesaid, until the third day of January, in the year of our Lord, one thousand, eight hundred and eighty five, at the Ward, City and County aforesaid, did languish, and languishing did live, on which said third day of January, in the year last aforesaid, at the Ward, City and County aforesaid, the said Adèle Boland, of the said mortal sickness and distemper of body, did die. And so the Grand Jury aforesaid do say, that the said Catharine Sawyer, her, the said Adèle Boland, in manner and form aforesaid, and by the means aforesaid, wilfully and feloniously did kill and slay, 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 Grand Jury aforesaid, by this Indictment, further accuse the said Catharine Sawyer of the crime of manslaughter in the first degree, committed as follows: That the said Catharine Sawyer, late of the Ward, City and County aforesaid, afterwards, to wit: on the said eighth day of December, in the year of our Lord, one

0430

Thousand eight hundred and eighty four, at the Ward, City and
 County aforesaid, with force and arms, in and upon one
 Adele Bland, she the said Adele Bland being then
 and there a woman pregnant with child, wilfully and
 feloniously did make an assault, and did then and
 there wilfully and feloniously use and employ in and
 upon the body and wounds of the said Adele Bland
 a certain instrument to the Grand Jury aforesaid
 unknown, with intent thereby to procure the mis-
 carriage of the said Adele Bland, the same
 not being then and there necessary to preserve
 the life of the said Adele Bland, by reason whereof
 the said Adele Bland then and there became and was
 rendered mortally sick, sore, and distempered in her body
 and of the said mortal sickness, soreness and distemper
 from the day and year aforesaid until the third day
 of January in the year of our Lord one thousand eight
 hundred and eighty five, at the Ward, City and County
 aforesaid, did languish, and languishing did die, on
 which said third day of January in the year last
 aforesaid, the said Adele Bland, at the Ward, City
 and County aforesaid, of the said mortal sickness,
 soreness and distemper, so as aforesaid occasioned,
 did die. And so the Grand Jury aforesaid do say, that
 the said Catharine Sawyer, then the said Adele
 Bland, in manner and form and by the means
 aforesaid, wilfully and feloniously did kill and
 slay, against the form of the Statute in such
 case made and provided, and against the peace
 of the People of the State of New York, and
 their dignity.

Randolph B. Martine,
 District Attorney.

POOR QUALITY
ORIGINALS

0431

54 / 83

District Attorney's Office.

Bailed by
at 4:15 PM

PEOPLE

^{U.S.}
Catharine Sawyer

Caroline Meyers

Johanna Weiss
112 Broadway St.

Papers on Complaint
of Abortion

Coroner's Inquisition.
Evidence before Committing
Magistrate.

~~Attest~~
~~Attest~~

Randolph B. Martine
District Attorney
New York County

No. 3 - Bailed

February 6 1885

\$1000 each deposited

No. 1 - Bailed by

Henry Bitter

\$500 each 33rd St.

POOR QUALITY
ORIGINALS

0432

Third District
Police Court

The People ^{and}
Richard Sullivan

against

William Sauer
Pauline Meyer
Johanna Weiss

Abortion

Before Hon

John J. Gorman

Police Justice

January 14th 1885.

Emma Dherd called on the
part of the people cases examined
by Mr Johnson!

Q where do you reside?

A 179 East Houston Street.

Q what is your age?

A 15 years

Q You were examined before the Coroner
were you not?

Answer Sir

Q Do you recollect stating this before
the Coroner? "She ^{very} ~~may~~ ^{never} ~~never~~
^{my mother}
gave me any medicine?"

A I don't say that she did give her

POOR QUALITY
ORIGINALS

0433

Q Did you see her give her any medicine?

A No my mother told me she had.

Q Did your mother know she was going to die at the time she told you?

A No she did not.

Q Your mother expected to recover?

A Yes she had no knowledge other than what you say your mother told you! You never saw Mrs Weiss give your mother any medicine.

Q No I didn't see Mrs Weiss give her any.

Q You saw no bottles?

A No medicine of any description.

Q Had your mother been sick, ailing?

A No she the day before she saw Mrs Weiss.

Q When was the first day you saw Mrs Weiss at your mother's house?

A The 27th of December in the morning it was just a little after 9 o'clock.

3
Q Pauline Trepper was there?
Answer

Q When was the next time that
you saw Mrs Weiss?

A I had to go ^{and} get her on Sunday.
Q Then she came down on Sunday?
Answer

Q What did Mrs Weiss ask you
to do for your mother, and did she
leave any directions?

A She told me to take the towel ^{and}
dip it in water ^{and} lay it on my
mother's stomach. which I did.

Q When was the next time you
saw Mrs Weiss?

A On the morning of the 29th.
Q Was your mother worse then or
better?

A She was the same.

Q When did you tell your father
Mrs Weiss had been there?

A I told him at noon time on
Saturday.

Q What day was it Mrs Weiss showed
you her hand ^{and} asked you to
wash it?

A Wednesday.

Q How was the room you were in

POOR QUALITY
ORIGINALS

0435

light or dark?

A light

Q Just show how Mrs Weiss presented
her hand to you?

A This way (showing)

Q Did you wash the back of the
hand?

A She dipped it in the water and washed
the back. the whole hand front
and back was soiled. from the beginning
of the fingers up to the wrist &
(showing) there was blood on
the back of the hand from the
fingers to here (showing)

Q Did Mrs Weiss speak to you
about having a bed pan for
your mother?

Answer

Q You are positive about that?

A Yes sir

Q Do you know that Mrs Weiss had
changed your mother in bed
putting a towel under her?

A I never noticed that! I got my
mother a the quilts I never
made the bed for my mother
her friend Mrs Kohl made the
bed.

POOR QUALITY
ORIGINALS

0436

Q Was it in warm or cold water
you washed Mrs Weiss hand?
A It was warm water the basin
was on the stove.

Q You used soap didn't you?
A No sir no soap.

Q Was your mother complaining of
being in pain that day?
A No sir

Q Or the next day?

A She never told me whenever I asked
her if she had pain she never told
me.

Q Did you ever hear her crying?
A No sir

Q Did you ever hear her moaning?
A Yes sir sometimes

Q Was it you told your father about
seeing blood on Mrs Weiss hand.
A I never told him

Q After you washed Mrs Weiss hand
did the water smell?

A I didn't take notice of that; after
I washed her hand she left the
room and said she was going
for a doctor.

Q Did she say to you, you go get a
doctor at once she seemed not

Keep her any more ?

A yes, she said she would not keep her any more she must go and get a doctor ?

Q Did your mother tell you to go and get a doctor ?

A No sir I didn't go for the doctor.

Q Did you hear Mrs Weiss say to your mother to go and get a good doctor ?

A My mother asked her what kind of a doctor she was going to get and she said she was going to get the best doctor she could.

Q Did you ever notice any stains upon the bed ?

A Yes sir

Q Did not Mrs Kase tell you to say that you saw blood on the bed ?

A Yes sir

Sworn to before me, }
this 14th day of January 1885 } Emma B. H.

John H. Gorman

Justice

POOR QUALITY
ORIGINALS

0438

John L. Weber called for cross
examination being duly sworn
deposed and says
By the Court.

Q where do you reside ?
A 44 Rivington Street.

Q what is your profession ?
A Physician.

Q what is your age ?
A 42 years.

Examined by Mr Johnson.

Q How long have you been practicing
doctor ?

A 18 years.

Q Do you know the lady, Bland ?
A Yes sir.

Q When did you see her first ?

A I saw her on the 31st of December.

Q What her symptoms then ?

A She had symptoms of Gastric
dyspepsia of the stomach
and intestines, high fever, she was
throwing up and had eructant gas
in the stomach.

Q did you make any examination
that day ?

A well I examined the stomach and
took the heat of the fever and looked

for the symptoms, she didn't complain
of the mother I made no examination
of the mother

Q Did her appearance indicate jaundice?
A Yes in it is a yellow look all through
the whole body.

Q Was this attended with purging doctor
A Yes in she threw up and had diarrhoea
and pain in the stomach and then I prescribed
some medicine for her

Q What medicines did you prescribe
A Muriatic acid and morphine and I
kept her then and went away and
I called the next day and she complained
of pains in the back after mother
I then examined the mother and
found she had an abortion I could
enter the vagina with two fingers
ordinarily I could only get one
in. and from the mother the stuff
came out very bad smelling stuff
comes out.

Q Did you observe any blood?

A It was only rather rotten matter.

Q For a person to get in that state it
would require first inflammation
to set in and second mortification
to set in.

POOR QUALITY
ORIGINALS

0440

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Answer it was not the result of any inflammation but the result of an abortion

Q Was there any pain when you made the examination?

Answer no excruciating pains

Q Now doctor judging from the appearance of the matter that was there and all of the symptoms you have testified about how long was it before the child was destroyed in the womb. In your opinion?

A It takes about 2 weeks before it comes to such a swell.

Q That is two weeks previous to the first of January?

A About that time

Q Did you notice if there were any clothes under the woman in the bed. any quilts? anything to ease the pains?

Answer

Q In making an examination you only inserted one finger didn't you?

Answer I brought in two fingers to the mother I brought in two fingers on the outside and with one finger I opened and went into the mouth

of the womb.

Q. There was no blood on your fingers after you were through?

Answer:

Q. What was the color of that matter?

A. It was a sort of yellowish matter.

Q. Would you believe it was possible

In making an examination on the 31st by inserting one finger

In the mouth of the womb to have

blood on the finger and hand and

back and palm of the hand in the

condition in which you saw this woman?

A. I don't think it was possible to get blood on the hand.

Examined by Mr Osborn

Q. What do you understand by the term abortion?

A. When a woman is in the family way between the first and seventh month that she goes away before the child lives, I call that an abortion.

Q. Is there any difference between the terms abortion and miscarriage the two terms which are generally used?

11
A. Is about the same.

Q. Isnt every miscarriage an abortion?
A. It could not be any miscarriage without being an abortion.

Q. When you use the term abortion, that a woman has had an abortion performed on her you dont wish to be understood that it must necessarily have been a criminal abortion?

Ans. si

Q. Can there be an abortion performed without using any instruments?
Ans. si

Q. You say the last time you went there was the 3rd of December?

Ans. si

Q. And the time you made the examination was on the first of January?

Ans. si

Q. How was there from the appearance as near as you can understand and as near as you can come to the conclusion a child born?

Ans. si the child had been born.

Q. The child being born is the cause of an abortion?

Ans. si

0443

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Q How long before the first of January
when you had made this examination
had the abortion been taken place
How long before the foetus had
been expelled from the womb?
Can you tell?

A It must have been fourteen days
before.

Q Was there anything in the condition
of the condition of this woman which
showed or led you to believe that
instruments had been used in this
woman?

A I could not find anything on the
woman that would show it. That
instruments had been used on her.

Q Did you use a speculum?

A No sir I don't use it, if it was cut
or lacerated I could tell it.

Q If any instrument had been used
on this woman how long after
the use of the instruments would
the abortion commence to take
place?

A If anybody had used any instruments
then the foetus would come the
next day. if no instruments were
used it would run from one to

0444

13

two weeks.

Q Then if any instrument had been used on this woman then it must have been used about the middle of December ^{and} if any instruments had been used would she have presented a different appearance?

A Yes sir.

Q Was there any evidence of any marks of any instruments being used on her?

A I didn't see any.

Q How long would it take drugs to have the same effect?

A Some drugs have no effect.

By Mr. Johnson:

Q Did I understand you to say that if the ~~marks~~ drugs were used it would take 2 weeks to cause mortification in the wound?

A To bring that state of mortification it would take two weeks?

Q Do you mean to be understood that it takes two weeks time to produce that effect?

A Yes sir.

Q Then if any instruments were used instead of drugs would the

0445

14

modification be more rapid?
Answer

Q Then it moved not ~~last~~ it any
quicker than if it was drugs?

Answer

Q How long would it take in the
case of instruments?

A About the same time
Mr Osborn.

Q Did you have any conversation with
Mrs Blend as to the cause of the
symptoms?

A On the second day when I was
there she said she lifted up
some thing in the stone and that
was the cause of it. And I told her
if she would tell me the whole
truth I will do all I can to help
her. And if you don't I cannot. And then
she told me she was by a female
physician

objected to, I object to the
last statement on the ground
that it is incompetent. It is
not a dying declaration, but
secondary evidence. And on the
further ground that it is the
evidence of an accomplice

0446

By the Court

Admitted Exception

Q Continue your statement Sir
A Well she went on and said she
was up by Mrs. Lauer in East 39th
Street she was there twice and
made an operation on her and
gave her medicine twice

Q Did she state the nature of the
operation?

A No Sir she was to pick.

I move to strike out his
apportion?

By the Court She is an expert
Admitted Counsel Exception

Q Who spoke first in regard to
this operation you or her?

A I told her the best thing she
could do was to tell me the
truth and I will do all I can for
you?

Q What did she say?

A She said I was up to Mrs. Lauer
in East 39th Street - she didn't know
the number I asked her how
many times she was there and she
said twice and when I asked her
what she did she said she

0447

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gave her medicines and no. 1 instruments
on her and I wanted to examine her
exactly in that case but she was
to me at.

Q How long after that did she die?
A It was in the forenoon about 9 o'clock
and she died about 11 or 12 o'clock
In the morning In the evening she
told me.

Q Did you have any other conversation
with her on that subject with
relation to medicine?

Answer

Q Did you inform this woman as to
her state, that she could not live
when she told you about this?

Answer

Q You say she didn't describe what
kind of medicines were used
on her?

Answer

Q And she didn't tell you the date of
her visits?

Answer

By the Court.

Q In your first visit you say you
administered to her morphiae
acid and morphine? - what results

0448

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did you expect from the use of
morphine and muriatic Acid?

A That is the best thing to give when
a person throws up, she had the
inflammation of the stomach and
muriatic Acid would stop the
pains and stop the throwing up
Q You say there was an abortion per-
formed?

Answer

Q An abortion is defined under our
laws as viz. a person who, with
intent thereby to procure the miscarriage
of a woman, unless the same is
necessary to preserve the life of
the woman, or of the child of which
she is pregnant either 1st prescribes
purges or administers to a woman
whether pregnant or not, or advises
or causes a woman to take any
medicine drug or substance or
uses or causes to be used any
instrument or other means. Is guilty
of abortion Now do you still say
that an abortion was committed
upon that woman without the
knowledge and meaning of the
term?

Answer

Q As a physician do you know or can you judge how that abortion had been produced, & by what means.
A I don't know I cannot know.

By Mrs Ashorn

Q It could have been produced by a fall?

Answer

Q And by fright?

Answer

Q With the same symptoms?

Answer

Q And have the same effect?

Answer

Q And it would take the same length of time to have it get out of the womb. And have the same matter?

Answer

By the Court

Q If an abortion or miscarriage is produced by a fall would the foetus be expelled from the womb at once and if not how soon after would it be from a fall.

A It has the same effect if they fall or use instruments.

Q Do you know who it was that

0450

19

sent for you. "

Anasui I bore a slate in my house
but when I got home I found on it
I should call at 179 Delaney Street
you know who this party was?
Anasui

Sworn to before me
this 14 day of January, 1885 } John G. Weber M.D.

John Gorman

Police Justice

0451

20

Pauline Karl being duly sworn
deposes and says.

Q Where do you reside?

A 35 1st Street

Q What is your business?

A Laundry

Q Be kind enough to tell us what you
know of the death and the cause
of death of Mrs. Bland, tell us
what you know of the case in
your own way?

A Sunday night the 28th of December
her daughter came to me and
told me her mother was sick
and if I would come down and
find I would and I found her in
bed. And she said she fell on Friday
the 26th.

Q Did she tell you where she fell?

A First Street and Avenue A. I saw
Mrs. Weiss there I saw her there
on Friday ladies day the 2d of
January between the hours of
4 and 5 o'clock

Q What did you see her do?

A I don't see her do anything she
closed the bed room door and
Mrs. Weiss and Meyer went in

0452

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together and she wanted me to take
the feather pillow away and I took
it away and brought her a lighter
one and then Pauline Meyer came
out and said please give me a
glass of water and Mrs Meyer sat
down in the kitchen and I stayed in
the kitchen and Mrs Weiss closed
the door.

Q Do you know what Pauline Meyer
or Mrs Weiss did in the room
at any time?

A Yes.

Q Did you see them do anything?

A Yes. I had to carry backward
and forward with the pillow.

Q Were there at any time while
you visited her that she said to
you that she thought she would die
A Yes. I told her she would die
and she said she would not.

Q Do you know of any other woman
being there except those named
by you?

A Yes.

Pauline Carl.

Sworn to before me
this 24th day of January 88

John Gorman

Pauline Carl.

0453

22

Jacob Shend being duly sworn
says:

Q Where do you reside?
A 149 ^{East Hayes St.} ~~Washington St.~~ St. L.

Q What is your business?
A Furniture store.

Q Now I want you to tell the court
all you know about this case?

A On the 26th of December in the
evening my wife said she was
sick ^{and} she felt on the bed. I didn't
see that she hurt herself much
and we both went to bed. And the
next morning I went to my
business and she went to her
store. And I had some business
that called me home. And I got there
about 11 o'clock. And I found my
wife in bed. And I asked her what
was the matter with her. What
are you doing in bed? And she said
you knew I fell yesterday. And
I injured my mouth. And I said what
are you doing now? And she said
I have a good wife doctor. And she
will bone me all right very soon.
And I said why don't you have a
good doctor right away. And I asked

0454

her what she was doing and she said
 she replaced the womb again she
 put her hand in the womb and put
 it back again and I wanted to know
 what her name was and she said
 it was Madame Weiss of 112 Fifth
 Street and she said don't have any
 fear in a few days it will be
 all right the woman always
 came to the house I didn't see her
 well she commenced to get worse
 and she sent for doctor Treber I was
 informed and he didn't come and I
 went for him myself and I saw
 it was getting worse and I said
 doctor I know my wife 16 years
 and she was always well and never
 sick and I don't understand it
 Defendants Counsel moves to strike
 out all the testimony of this witness
 By the Court Motion Denied
 I was your wife's sole and hearty friend
 to the 26th of December
 and I don't know anything about her
 being sick
 of she was well on the first of December
 and up to the 26th
 Ayes sir

0455

24

Were you in your wife's room
after between the 28th & 30th of December
Ayes. Once. I slept there.

Sworn to before me
this 14th day of January 1885 } J. B. Hunt
John J. Gorman
Deputy Justice

Police Court, Third District.

THE PEOPLE, &C.,
ON THE COMPLAINT OF

Richard Sullivan

vs. James

Pauline Meyer
Julianne Weiss

Dated, Jan'y 4 1893

Magistrate.

Officer.

Ex. Jan'y 8-2 P.M.
" 14 2 P.M.

0456

0457

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

Third District Police Court.

of *the 10th Precinct* *Richard Sullivan*
Police

Street,

being duly sworn, deposes and says,

that on the

3rd

day of

January

1885

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

deponent is informed that one Adelia Bend, residing at No 179 East Maustan Street had died, from the effect of an abortion having been performed upon her, Deponent was informed by Dr. (Member of No 44 Ripplington Street that he was attending said Adelia before her death, that she informed him that one Catharine Bauer residing at 343 East 39th Street had supplied her with medicine and that she inserted instruments into her vagina for the purpose of procuring a miscarriage, she ~~has~~ Adelia having then been pregnant

Deponent is further informed by the daughter of said Adelia Bend that Pauline Meier (now here) ~~was present at the time when said~~ and one Johanna Weiss did visit her mother and that they gave her mother medicine and made hot applications upon the body of her mother

Deponent believes that said information is true and therefore prays that said defendants may be committed for examination and for the purpose to obtain further evidence

Richard Sullivan

*Deposition taken before me
this 4th January 1885
John J. McKeown
John J. McKeown*

0458

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

Third District Police Court.

of No. ^{years} 149 East Houston

Emma Bend aged 14

Street,

being duly sworn, deposes and says,

that on the

27

day of

December

1884

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

deponent was in her Rooms at the aforesaid premises, that between the hours of 9 & 10 O'clock in the morning of said day Pauline Meyers (nowhere) and another person whose name deponent is informed to be Johanna Weiss came in to said Rooms, and requested to see deponent's mother. Deponent asked said two persons what they wanted to see her mother for, and they told deponent that they were doctors, and that deponent's mother was sick, and they want to see her. Deponent at that time was in the furniture Store at No. 1 First Avenue, and deponent sent her sister Lena Bend aged 9 years to No. 1 First Avenue, and to call deponent's mother to come home to her premises 149 East Houston Street.

That when deponent's mother returned from said furniture Store, after being requested to come, the said Pauline and said Johanna then told deponent's mother that deponent must go out of the Room, and deponent's mother told deponent to go over to the Store No. 1 First Avenue.

That deponent was for about one hour in said Store when one of the Workmen employed by deponent's father came to said Store and told deponent that her mother wants her, that when deponent came

0459

to her home, defendant's mother was lying in bed, defendant asked her mother ~~what~~ what was the matter with her and she answered she was sick. I then asked her who these women were that were there, and she said they were her doctors, I asked what did they do to you and she said, they give me drops, and I must lay in bed for 4 days.

That on the 28th day of December 1884. My mother told me that she was very sick and she requested me to go to the Lady that was there a day before. I asked her where the Lady lived and she told me 112 Forsyth Street.

I went for ~~the~~ Mrs Meis and she came immediately with me, that said Mrs Meis after examining my mother told me to get some water and take a Towel over it and lay it upon the private part of the person of my mother and requested me to do this every 5 minutes.

The following morning on the 29th of December said Mrs Meis and said Pauline Meyer came to gether, they went to my mother's Room and when they came out of the Room said Mrs Meis told me to take hot water in lecture.

That on the 30th day of December 1884 said Pauline Meyer and said Johanna Meis came to gether at about 9 o'clock in the morning, they went to my mother's

Police Court, Third District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

AFFIDAVIT.

vs.

Dated,

187

Magistrate.

Officer.

0460

Room, and when they came out
of said Room after being in
there about 1/2 hour, said Johanna
^{had blood on her hand and she}
made me wash her hand,
and told me that she can not
do any thing for my mother
that she has to get a doctor
and that she would get a
good one, my mother told
her to get the best one,
Doctor Webber (nowhere) came
about 11 o'clock

My mother died, on the
3rd day of January
My mother further says that
from the time my mother went
to bed, on the first visit of said
Pauline Meyer and said Johanna
Miss and up to the time of her
death she did not get out of
her bed, that up to the time
Dr. Webber was called in by
said Johanna, no other doctor
visited her.

Given to before me this } Emma Blend
5th day of January 1885 }
John J. German Notary Public

POOR QUALITY ORIGINALS

0461

Examination
January 14 - 2:15
" " 15 - 2:15
" " 17 - 2:15
" " 18 - 9:15 a.m.

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

Police Court - 3 District. 83

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Richard C. Cullen

1. Catharine Sauer
2. Pauline Meyer
3. Johanna Weiss
4. _____

Offence abortion & Manu. l. &c.

Dated January 18 1885
Magistrate. James C. Sauer

Witnesses James C. Sauer
No. 149 East Main Street
Pauline Cull
No. 367 1st St.
John O. Weber
No. 74 West 14th Street
\$ Guaranteed to answer Q. J.

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 Catharine Sauer
Pauline Meyer and Johanna Weiss
guilty thereof, I order that They be held to answer the same and ~~he~~ be legally discharged
~~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 January 18 1885 John J. Gorman Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0462

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, { ss

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

Question. What is your name?

Answer. *Pauline Meyers*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *Russia*

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

Answer. *112 Broadway Street 4 years*

Question. What is your business or profession?

Answer. *Scarf 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*

Pauline Meyers

Taken before me this

day of *June* 188*1*

Samuel J. Brown
Police Justice.

0463

Sec. 198-200.

District Police Court.

CITY AND COUNTY {
OF NEW YORK, } ss

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

Question. What is your name?

Answer.

Johanna Weiss

Question. How old are you?

Answer.

38 years

Question. Where were you born?

Answer.

Germany

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

Answer.

112 Fort 24th Street New York

Question. What is your business or profession?

Answer.

Midwife

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

Johanna Weiss

Taken before me this

day of

1887

Police Justice.

0464

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY
OF NEW YORK.

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

Question. What is your name?

Answer. *Catharine Sauer*

Question. How old are you?

Answer. *45 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *343 East 39 Street 2 years*

Question. What is your business or profession?

Answer. *Midwife*

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*

Catharine Sauer
mark

Taken before me this

day of *May* 188 *8*

John J. Ingram
Police Justice.

0465

City & County of New York

Philip E. Doulin M.D. being duly sworn says on January 4th 1885 -
at No 179 E Houston Street
I made a post-mortem examination of the body of Alice B. Hend
and found the peritoneal ^{avity} containing
a small quantity of semi-purulent
serum, and the peritoneum inflamed
the uterus was enlarged and had
apparently recently given birth to a
fetus at about the 3rd month of ~~gestation~~
Meto-gestation - some remnants of
the after birth were still adherent
to the lining membrane of the uterus
all other organs were normal
From a careful autopsy I am of the
opinion that death was due to
Exhaustion from meto-purulent
following an abortion at the 3rd
month of of Meto gestation

Cross E

I observed no mark of violence on
the uterus or womb. there was nothing to
indicate that a criminal abortion had
taken place. if there had been one find
evid before it would have been attended

POOR QUALITY
ORIGINALS

0466

some laceration of the neck of the womb
which would have been noticed at the
autopsy - no matter what mechanical
means had been used. It is ^{not} possible
~~but not~~ that the abortion could have
been produced by any operation per-
formed six weeks previous to the
~~autopsy~~ miscarriage. A criminal
abortion can't be produced without the
use of instruments and leave no mark
or laceration behind - the appear-
ance of the parts would show no
indication of an abortion having
been performed. ~~by~~ The use of the
fingers would not produce an
abortion without leaving marks
behind -

Dr. Duncan being further examined
~~at day~~ sup

Ques Would it be possible for a person
to introduce a finger into the mouth of
the womb so as to produce a criminal
abortion ~~would it~~ ^{and} not be apparent at
the autopsy five days after

Ans It would not

Ques Would it be possible to insert into
the neck of the womb a soft
substance like a padded finger
without the loss of blood

Ans It would not

J. E. McIntire

Examined & before me this
17th day of June 1885
J. E. McIntire
Notary Public

0467

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

POLICE COURT, 3 DISTRICT.

aged 36 years Pauline Carl
of No. 35 1st Street, being duly sworn, deposes and says,

that on the 5 day of January 1885

at the City of New York, in the County of New York, she heard read

the affidavit of Emma Bend
and knows the contents thereof
that all the statements made
by her in said affidavit
are true & correct
to her knowledge.

Pauline Carl

Sworn to before me, this 5 day of January 1885
John J. Morrison Police Justice.

0468

CITY AND COUNTY }
OF NEW YORK, } ss.

John G. Webster
aged 41 years, occupation Doctor of No.

74 Livingston Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of *Richard Sullivan*

and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 5
day of January 1885 *John G. Weber M.D.*

John J. Gorman
Police Justice.

0469

City and County of New York, ss.

Statement of *Adela Bhend* now lying
dangerously wounded at 179 E. Houston St in the 10th Ward
of said City and County, on the 3rd day of *January* 1885

Question—What is your name?

Answer—*Adela Bhend*

Question—Where do you live?

Answer—*179 E. Houston St*

Question—Do you now believe that you are about to die?

Answer—

Question—Have you any hope of recovery from the effects of the injury you have received?

Answer—

Question—Are you willing to make a true statement, how, and in what manner, you came by the injury from which you are now suffering?

Answer—

Emma Bhend being duly sworn says - I am the daughter of *Adela Bhend* residing at 179 E. Houston St. On Saturday morning Dec-27th 1884 two women called, at our house - namely - Mrs. Weiss - a doctor's and her lady companion - Mrs. Weiss asked for my mother and I sent for her - she being at that time in father's store No 1-1st Ave - (Groceries business) She then conversed with my mother but before they commenced talking - they told me to go out, which I did - About an hour afterwards I returned and mother was in bed I then asked her what was the matter and what those women did to her and she told me that they gave her drops and that she must stay in bed until the medicine has its effect

0470

About noon father came home and asked her why she was in bed and she ~~told~~ ~~him~~ spoke to him - but I did not hear that conversation. Mother told me that Mrs. Mrs. The Doctor lives at No 112 Forsyth St. near Riverington St. The next day Sunday Dec. 27th my mother felt so sick that she asked to see Mrs. I went for her and she came with me - she went into the bedroom and spoke to mother about 15 minutes and closed the door during that time. She then went away - On Monday morning she called again and mother was worse. Mrs. Doctors told me to put a bowl of hot water which I did - In the afternoon she called again and told me to do the same thing - which I did - she came Tuesday Dec. 30 - and told me to continue with treatment. She came in to see mother 3 times that ^{day} she also called on Wednesday Dec. 31st and told mother she could not help her any further and she would have to get a doctor. About 11³⁰ A.M. Dr. Weber of 74 Riverington St. came and examined mother and gave me a prescription and I ~~got~~ went to the drugstore and got the medicine. He came that next day - Jan. 1/85 and prescribed again. He came again yesterday and prescribed again - and was here to-day - and told me to give medicine every 2 hours - Mother has been in bed for one week -

Given by me (Emma Rhend)
 Jan. 3 - 1885
 Ferdinand Levy
 Coroner

POOR QUALITY
ORIGINALS

0471

MEMORANDA.

AGE.			PLACE OF NATIVITY.	WHERE FOUND.
Years.	Months.	Days.		

Jacob Phrud being sworn says I reside at 179 E. Houston St. - My wife Adele has been sick since a week and is now suffering great pains. I asked Dr. Weber to tell me the whole truth to-day about my wife's condition. He said I have just examined your wife thoroughly and find she is about 2 months in pregnancy - and has had a miscarriage - and that the same was done by force - and that he believes it was the result of the treatment received ^{at the hands of} those two women - one of which he said had served 4 years in the Prison. He told me that my wife was in a critical condition and that he would notify the Coroner - and would do so at once. On Saturday last my wife told me she fell and injured herself in the stomach and had been treated by a good female physician Mrs. Weiss of 112 Forsyth St. and that she told her it would be all right again in a few days. My wife has grown poorer ever since and is now very low - Before that she had been a healthy woman - as far as I know -

Jacob Phrud.

Sworn before
Jan 3 1885

Ferdinand Levy Coroner

AN ANTE-MORTEM INQUISTION

On the VIEW of the BODY of

whereby it is found that he was injured by

Taken on the

day
1885

before

Coroner.

Committed

Obtained

Discharged

0472

Coroner's Office,

TESTIMONY.

Philip Edmund M.D. being sworn
 says - on Jan 4. 1885 at 179 Houston
 St I made a post-mortem examination
 of the body of ~~female~~ ^{female} and found
 the ~~peritoneum~~ ^{ovary} containing a small
 quantity of semi-purulent serum, and the
 peritoneum inflamed. The uterus was
 enlarged and had apparently recently
 given birth to a foetus at about the
 3rd month of Utero-gestation - some
 remnants of the afterbirth were still adherent
 to the living membrane of the uterus.

All other organs were normal.
 From said autopsy I am of the opinion
 that death was due to Exhaustion from
 Metro-peritonitis following an abortion
 at the 3rd month of Utero-gestation.

P. E. M.D.

Taken before me

this

8th

day of

January

1885

Ferdinand Levy

CORONER.

0473

STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK, ss:

AN INQUISITION,

Taken at the *Coroner's Office*
 No. 13 & 15 *Chatham* Street, in the *14th* Ward of the City of
 New York, in the County of New York, this *3rd* ~~8th~~ ^{12th} day of *January*
 in the year of our Lord one thousand eight hundred and *85* before
 FERDINAND LEVY, Coroner,
 of the City and County aforesaid, on view of the Body of *Adele Bhend*
 now lying dead at

E Houston St, January *4/85* Upon the Oaths and Affirmations of
 10 good and lawful men of the State of New York, duly chosen and
 sworn or affirmed and charged to inquire, on behalf of said people, how
 and in what manner the said *Adele Bhend* came to her
 death, do upon their Oaths and Affirmations say, That the said *Adele Bhend*
 came to her death by

Exhaustion from Metro Peritonitis following
an abortion on the third month of 11th
gestation caused by medicines and
treatment administered by Mrs Catharine
Sauer Mrs Johanna Weiss and Mrs Pauline
Meyers, death resulting therefrom at 179
E Houston Street January 3rd 1885.

In Witness Whereof, We, the said Jurors as well as the **CORONER**, have to
 this Inquisition set our hands and seals on the day and place aforesaid.

JURORS.

Thos C. Kaufman
261 Spring St
James A. Holden
187 Spring St
M. D. Probst
295 Spring St
Charles L. Lock
265 Spring St
James H. Redmond
330 Spring St
Otto Kugler
35 Ave R.

David Weithimer
219 Spring St
Gar L. Lippin
258 Spring
Richard Nash
318 Spring St
Henry Menne

257 Spring St
Ferdinand Levy

CORONER, [L. S.]

0474

Coroner's Office

TESTIMONY.

Miss Emma Rhend resides 179
 E. Houston Str. being sworn says
 Mrs Wise called at my house
 accompanied by Miss Meyers
 about five times, on one occasion
 Mrs Wise asked me to wash her hand
 which I did there was blood on
 her hands, My mother never told
 me the nature of Mrs Wise
 visits ~~at~~ ^{the conversation} always took place
 privately, I told my father of
 the visits. My mother always
 remained at home, Mrs Wise
 never gave my mother any
 medicine, The ladies always
 carried satchels, I never saw
 them take anything from their
 satchels, I never heard any
 outcry from my mother during
 the ladies visits. My parents
 never quarrelled. I am generally
 at home, I am 15 years old and
 have one sister aged 9. My father
 never saw Mrs Wise although I
 told him of her visits. I never
 saw either Mrs Cameron or Mrs
 Eckert at my house. I never
 was sent to either of their houses
 for medicine.

Taken before me
 this 8th day of Jan'y 1885. Rhend.

Ferdinand Levy

CORONER.

0475

Coroner's Office

TESTIMONY.

Dr. John L. Weber of 74 Livingston
being duly sworn says -

Mrs. Bhead never mentioned
the name of Mrs. Eckert to me.

~~In my opinion~~ I could not
find any traces of instruments
being used on the deceased.

The jaundice which deceased
was affected with were not
blood poisoning. On my second
visit I found some discharge
from the wound.

John G. Weber M.D.

Taken before me
this 8th day of

January 1885
Ferdinand Levy CORONER.

POOR QUALITY
ORIGINALS

0476

Catherine Lauer of N. 343 East 39 St. being informed
of her rights to make or refuse to make a statement
stated that a Swiss woman called on her ^{last} ~~few~~ weeks
ago ~~last~~ Monday and stated to her that she was
braving into her friends in Houston St. that she wished
to return to her husband and she wanted Depment to operate
on her and Depment refused. She gave her so called
Kaiserpullen two performed no operation except giving her
an injection with clear water into a common syringe of rubber
the water being lukewarm. She paid Depment for it.
The woman paid \$25 ^{to me} ~~for it~~ and she promised to
pay \$25 or \$50 more as the injection had no effect.
The woman called 4 or 5 times on Depment. She told
Depment that she knew a woman in Forsyth St.
Depment is a regular midwife. She never visited
the woman's house. She had not seen her since December
8th. She was always alone. She told Depment that she
was four weeks pregnant. I was now in trouble before
I make this statement voluntarily and it is correct in
every particular on this the third day of January 1885.

Taken before me this
3rd day of January 1885

Edw. J. Lauer

Edw. J. Lauer

Coroner

City & County of
New York

POOR QUALITY
ORIGINALS

0477

MEMORANDA.

AGE.			PLACE OF NATIVITY.	WHERE FOUND.	DATE. When Reported.
40 Years.	Months.	Days.	Switzerland	179 E Houston St	Jan'y 4. 1885

F. L.

No. 25

Quar 1885

AN INQUISITION

On the VIEW of the BODY of

Charles Alfred
Gammage

whereby it is found that he
came to his Death by Suicide
from the the Occident
following an abortion.
Handed by Mrs Catherine
Gammage Mrs Johanna Weiss
& Mrs Caroline Meyer
at 179 E Houston St

Inquest taken on the 8th day
of January 1885
before

FERDINAND LEVY, Coroner.

POOR QUALITY
ORIGINALS

0478



Coroner's Office.

43 & 45 Chatham St.

New York

188

Dr. John L. Weber of 74 Rivington
St. being duly sworn deposes & says: I am
a regular practicing physician. On Dec.
31st at about 11 o'clock A.M. I found
on my state a call from 179 E. Houston St.
On my reaching the rooms of Jacob Rhoads
in said house I found his wife in bed & she
was apparently suffering from jaundice &
gastro-enteritis. She was vomiting &
purging and showed jaundiced color. I
could not discover any tenderness indicating
any trouble or disease of the genital
organs. I prescribed proper remedies
& called the following day when I found
the patient improved. She then complained
of acute pain in the umb. On examina-
tion I found that an abortion was
in progress, which Mr. Rhoads claimed

POOR QUALITY
ORIGINALS

0479



2-
Coroner's Office.

13 & 15 Chatham St.

New York. 188

has been caused by overstraining while
in Mr. Burdett's store. Proper remedies
were applied but the woman's condition
grew worse. On Friday night she became
so bad that her husband called on
me early this morning to request my
attendance at once, as his wife was
dying.

I called at 9 A. M. & found
Mr. Burdett in a critical condition.
Suspecting that something was wrong
about the case, I closed the door of
the room in which Mr. Burdett was
lying and persuaded her to tell me the
truth. I told her that her life was
in immediate danger, and that she
had better make an open confession.

POOR QUALITY
ORIGINALS

0480



Coroner's Office.

13 & 15 Chatham St.

New York.

188

Therupia Mrs. Rhine stated that
she had first called on Mr. Marpante
Lauer No. 343 East 37 St, whose
advice she had read in a German
paper. She had paid him \$10 and
that Mrs. Lauer had ~~the~~ two differ-
ent occasions inserted instruments into
her womb & given her injections. These
operations were performed in Mrs. Lauer's
house. Afterward she had engaged another
female physician, but by that time
Mrs. Rhine became so feeble that
she could not pursue her any longer.
This statement was made to me at
a recent visit to day at about noon.
I thus deem it my duty to request
the Police to call the Council so that

POOR QUALITY
ORIGINALS

0481



Coroner's Office.

13 & 15 Chatham St.

New York.

188

an ante mortem statement might be
taken before it would be too late.
Mr. Rhine told me that Mr. Sauer
had operated on her, to prevent her
giving birth to a child. That when she
cashed on Mr. Sauer, the latter had
promised to secure a return of her
money at once.

Sworn to before

3^d day of January 1888

before me

Hermann Levy

Coroner

City & Co of New York

John G. Weber M.D.

POOR QUALITY
ORIGINALS

0482

Coroner's Office,

TESTIMONY.

Jacob Bhend of 179 East Houston St
being sworn says: I am in business
at No 1 First Ave. I am the husband
of Adele Bhend. Have been married
15 1/2 years. My wife was sick 8 or 9
days previous to her death. She did
not tell me correctly the cause of
her sickness. On the Friday before
yesterday, Dec 26, she came home and
told me that she fell. When I came
home on Saturday I found her in
bed. I said: What is the matter with
you? She replied, "you know that I
fell. My nose was moved to one
side. I sent for a female physician
and she made it all right again.
I said then, "Why didn't you at once
take a doctor?" She replied "I have a
good female physician, Mrs Weiss
who resides at 112 Forsythe St.
I wanted to know what had been
done to her. She said that she handed
in something and made it all right.
Then Dr Webb of 74 Remington St was
sent for and attended my wife.
He was there several times. I asked
him what he thought about my
wife's condition and he replied that she

Taken before me
this 12th day of

January 1885
Ferdinand Henry

CORONER.

POOR QUALITY
ORIGINALS

0483

Coroner's Office

TESTIMONY.

2

was improving. She subsequently sent
nurse. I then called at Dr Weber's office
and told him that I could not
account for her condition and that
there must be something wrong.
He called on Sat Jan 3 in
the morning and made an examination.
I was at home at the time. I am
not sure that he said she had been
operated upon, but he did say
that she had had a miscarriage.
The doctor stated ^{that} Mrs. Sauer, Mrs.
Weber and Mrs. Eckert had been
operating on her without
her knowledge.
The doctor told me that my wife had
visited Mrs. Sauer, Mr. Weber and
Mrs. Eckert. My wife never told me that
she had been operated upon by these
women. I did not know my wife was
pregnant. Had I known it, this
would not have happened. My wife
was not in the habit of drinking,
though she did take a glass of beer
now and then. My daughter never
told me that she saw blood on
^{Mrs. Weber's} ~~my wife's~~ hand. My daughter told
me this after my wife had confessed
that she had the baby of the woman.

Taken before me

this

17

day of

January

1885

Fredman and Long

CORONER.

(W)

POOR QUALITY
ORIGINALS

0484

Coroner's Office.

TESTIMONY.

3

B

I will not swear that Dr Weber told me
that my wife had visited Mrs Eckert.
He stated that Dr Weber made
to me was before the death of my
wife. I cannot tell whether it was the
same day that my daughter saw
Mrs Weiss washing her hands, that my
wife made the confession concerning
the falling of the crown.

J. B. B. B.

Taken before me
this 17 day of

July 1885
Frederick L. L. L.
CORONER.

POOR QUALITY
ORIGINALS

0485

Coroner's Office,

TESTIMONY.

Pauline Carl - resides 35, 1st St.
being duly sworn &c. I was
a school companion of the deceased
On Sunday after noon the 28th Dec
my servant girl told me Mrs
Brend was sick I called on
her and she told me she
fell & received internal injuries
and was attended by female
doctors she said her womb
fell and the doctors had
lifted it up - I told her although
there was something else the
matter and that she was in the
family way and had something
wrong done to her. but she
insisted that she fell. So I told
her she had better take a good
doctor as the women doctors were
no good. & she said this lady
had been recommended to her.
She told me she had employed
Mrs Wise of Gory St. I left
at 10 o'clock that night and returned
next day but could not
ascertain anything in reference to
Dickens. I saw Mrs Wise there

Taken before me
this 8th day of

January 1885
Frederick Levy CORONER.

0486

2
 on Tuesday she was accompanied
 by Miss Meyers. She asked for
 a glass of water and shut the
 door and left both Miss
 Meyers & myself in the other room.
 Mr. & Mrs. Rhoads were always
 on good terms. I did not
 inform Mr. Rhoads of the
 condition of his wife. She
 did not tell me who recommended
 Mrs. Wise to her. I do not
 know Mrs. Eckert. Mrs. Rhoads
 never mentioned her name to
 me.

Mrs. Pauline Carl

0487

Coroner's Office,

TESTIMONY.

Mr. Hyde

Johanna Weiss Res 112 Forsyth
 St. being sworn says: I am
 a licensed midwife. Mrs
 Behnd called at my house
 on Dec 27/84. she said I should
 call and see her as she
 was sick she said she
 had fallen and was hurt.
 I called next day 1/29 E.
 Hounston St. with a Miss
 Pauline Meyers. I called
 she said she had fallen I
 told her to lay still in
 bed and put wet clothes on
 her side and hip. I did
 not prescribe for her. She
 sent for me again on the
 Dec 29/84 and I called. she
 complained of pains all over
 I called at Mrs Behnd house
 altogether four times. I never
 prescribed for her. When I
 called on Monday I found
 she was suffering from dextery
 I took off my gloves placed
 a wet cloth on her. and then

Taken before me
 this 12 day of Jan 1885

Ferdinand Levy

CORONER.

POOR QUALITY
ORIGINALS

0488

Coroner's Office,

TESTIMONY.

2

her daughter

asked the girl to wash my
hand I advised her to get
a good doctor. She said
she had got Dr. Weber. I
never made an insertion
of any kind. I had nothing
in my satchel. I have
been midwife 20 years.
have been ~~for~~ midwife 16 years
in this City. Dr. Schmidt told
me she had taken some
medicine an injection
prescribed by Dr. Souer in
39th Street she told me it an
Friday Jan 2/5 - My license has
never been revoked.

Lotomae Weiss

Taken before me

this 12 day of

June 1885
Ferdinand Levy

CORONER.

0489

Coroner's Office.

TESTIMONY.

~~Miss~~ Pauline Meyers 112 Forsyth
St. being sworn says! I am
a relative of Mrs Weiss I
accompanied her every time
she called to see Mrs Behnd.
I know nothing different
to what Mrs Weiss had testified
to. I am 24 years of age have
lived with Mrs Weiss 6 years.
she has never been in any
trouble to my knowledge

Pauline Meyers

Taken before me
this 12th day of

January 1885
Friedrich Levy CORONER.

POOR QUALITY
ORIGINALS

0490

New York General Sessions of the Peace,

THE PEOPLE

OF THE STATE OF NEW YORK

against

Catherine Gauer

Dated

March 11th 1885

COPY OF ORDER OF COURT.

POOR QUALITY
ORIGINALS

0491

At a Court of General Sessions of the Peace,
holden in and for the City and County of New York, at
the City Hall of the said City, on Wednesday, the
Seventeenth day of March, in the year of Our
Lord One Thousand Eight Hundred and Eighty-five,

PRESENT,

The Honorable Henry A. Goldensleeve
Judge of said Court of the City of New York. } Justice of the Sessions.

THE PEOPLE OF THE STATE
OF NEW YORK.

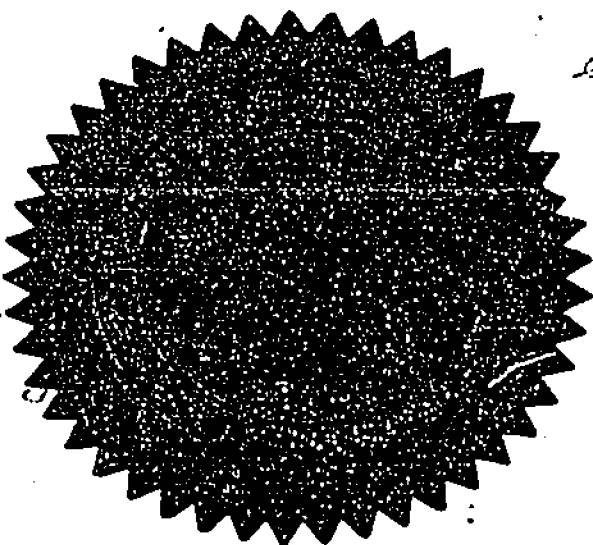
against

Catharine Lauer

On indictment for Manslaughter
in first degree of Adele Phend,
(filed 9. Feby 1885.)

Upon application of the District Attorney -
It is ordered by the Court that the indictment
against the defendant be and the same is
hereby dismissed, and It is further ordered
that the defendant and Henry Pitter her
surety be severally discharged from their recognizance.

I, John Sparks, Clerk of the Court of General Sessions of the Peace, in and
for the City and County of New York, do certify that the above is a true extract
from the minutes of said Court, now on file in my office, and that the same has been
compared by me with the original entry, and is a correct transcript therefrom, and of
the whole of such original



Given under my hand, and attested by the seal of the said Court,
this Eighteenth day of March in the year of
Our Lord one thousand eight hundred and eighty-five

[Signature]

POOR QUALITY
ORIGINALS

0492

People &c

vs

Catharine Sauer
Pauline Meyers
Johanna Weiss

List of Witnesses

POOR QUALITY
ORIGINALS

0493

List of Witnesses:-

Emma Bhend 179 E. Houston St.
Dr. John G. Weber 74 Rivington St.
Pauline Carl 35 1st St.
Jacob Bhend 179 E. Houston St.
Off Richard Sullivan 10th Ave.
Dr. Ch. E. Darlin Dep. Coroner

0494

The People etc.

12

Capitaine Sauer
Pauline Meyer
Johanna Weiss.

Report

Wm M. Davis

Dep. Asst. Dir. of

0495

The People, &c., :
 - vs. - :
 Catharine Sauer, :
 Pauline Meyer and :
 Johanna Weiss. :
 -----x

The questions submitted for examination is whether the defendants above named are guilty of manslaughter or abortion under sections 191 and 294 of the penal Code. The facts as gathered from the papers sent from the Police Magistrate are, briefly, as follows: The deceased, Adele Bhend, died January 3rd., 1885, from exhaustion caused by metro-peritonitis following an abortion at the third month of utero-gestation (Examination of Philip E. Donlin, M. D., sworn to 7' day of January, 1885; also examination of John G. Weber, M. D., sworn to the 14' day of January, 1885). On the 8' of December, 1884, as it appears from the affidavit of the accused, Catharine Sauer, verified the 3rd. day of January, 1885, the deceased called on the said Catharine Sauer at 343 East 39' street, for the purpose of having said Sauer operate on her, which said Sauer refused to do. She gave, however, the accused an injection with clear water with a common syringe of rubber, the water being lukewarm, for which she was paid \$25. After this visit the deceased called four or five times on said Sauer. She ^{Sauer} never visited the deceased's house and never saw deceased after the 8' day of December.

and on the 27th December 1884.
 Subsequently, as appears from the affidavit of Emma Bhend, daughter of deceased, (sworn to the 5' day of January, 1885,) the accused, Johanna Weiss, ^{and Pauline Meyer} called at 179 East Houston street, the residence of deceased, and requested to see the deceased, for the purpose of treating her, as they were doctors. The deceased was then away from home, in a furniture store No. 1 First Avenue. She was sent for, and she came and saw Weiss and

0496

Meyer. During the time that Weiss and Meyer were with the deceased the daughter, Emma Behnd, was absent from the house; she was absent about an hour, when she was sent for to return to her home, where she found her mother, the deceased, lying in bed. Her mother told her she was sick, that the ladies who had been there were doctors, that they had given her drops and that she must lie in bed for four days. On the 28' of December, 1884, Weiss was called in again by the ~~deceased~~ deceased. On the 29' of December, 1884, Weiss and Meyer called together. On the 30' of December, 1884, they called again. On this day, after being in the deceased's room about half an hour, Weiss came out, having blood on her hand, and stated to the Daughter, Emma, that she would have to get a good doctor for her mother. Dr. John G. Weber, of 74 Rivington Street, was then called in. He came about 11 o'clock on the morning of the 30' of December, 1884, and took entire charge of the deceased, who subsequently died on the 3rd. of January, 1885.

First, as to the case against Weiss and Meyer:

It appears that Weiss and Meyer saw the deceased for the first time on the 27' day of December, 1884, that is about seven days before the death of Mrs. Behnd. If this is true it was quite impossible that either Weiss or Meyer could have been instrumental in producing an abortion upon the deceased, as will appear from the statements made by Dr. Donlin, based upon his post mortem examination, and those of Dr. Weber, based upon his examination of the deceased, made between the 30' of December, 1884, and the day of the death of Mrs. Behnd. Dr. Donlin states in his cross-examination on the 17' day of January, 1885, that he "observed no mark of violence on the uterus or womb. There was

0497

nothing to indicate that a criminal abortion had taken place. If there had been one five days before it would have been attended by some lacerations of the neck of the womb, which would have been noticed at the autopsy, no matter what mechanical means had been used. It is not possible that the abortion could have been produced by any operation performed six weeks prior to the miscarriage."

Dr. Weber, in his examination, states in substance that from his examination of the deceased her condition was such that the abortion, if any, must have been procured at least two weeks prior to the 1st. of January, 1885; that it would take at least two weeks for the womb of the deceased to get in the condition in which he found it on his examination.

I have had an interview with Dr. Weber and have examined him closely concerning the case. He has stated to me that he could not swear that a criminal abortion had been procured; that his examination revealed no evidence whatever of such a state of affairs, though he was inclined to believe that the deceased had been operated upon, but that this belief was based upon statements made to him by the deceased and upon nothing else. He also stated that no abortion could have been procured so near the day of the death as the 27th of December, 1884, the day on which Weiss and Meyer saw Mrs. Behnd for the first time.

It is my opinion, based upon these facts, that the People can prove no case against Mrs. Weiss and the woman Meyer.

Second, As to the case against Mrs. Sauer: The only evidence against Sauer is her own statement, referred to above, and the statement of the deceased, which Dr. Weber says she made to him just before her death.

0498

The statements of the deceased made to Dr. Weber were not dying declarations, and therefore cannot be evidence.

The statement of Mrs Sauer in writing contains nothing to criminate her. Even if it amounted to a confession, the lack of other evidence to show that the crime had been committed would render it quite impossible to secure a conviction.

There is nothing in the papers to show any complicity between Sauer on the one hand and Weiss and Meyer on the other.

I therefore respectfully recommend that the papers be sent to the grand jury with the advice that the people have no case against the accused Johanna Weiss and Pauline Meyer, and that there is no probability of conviction in the case of the accused Sauer.

N. Y. January 29th 1885.

Respectfully submitted,

Wm M Davis.

Dep. Asst. Dist. Atty.

Honorable Randolph B. Martin.
District Attorney.

POOR QUALITY
ORIGINALS

0499

People vs

vs

Catharine Sauer
Pauline Myers
Johanna Weiss

mem. of facts + conclusions

Adelia Bend a married woman
died on the 3rd of January
1885, at No 179 East Houston St.
The death of said Adelia was
caused by an abortion or what
is the same thing a miscarriage.

On the 27th day of Dec, the
Prisoners Meyer and Weiss called
at the residence of the deceased
and requested to see her stating
that they were Doctors and that
deceased was sick, The deceased
was not at her home, but at her
place of business, No 1 - First Ave,
from whence on being sent for
she came home. On the arrival
of the deceased, the witness
Emma Bend (deceased daughter)
was directed by both the deceased
and the Prisoners Meyer + Weiss
to leave the room, The witness
Emma Bend then went away

POOR QUALITY
ORIGINALS

0500

to the store, in First Ave, and remained about an hour, on her return she found the deceased sick and in bed. On the 28th the deceased being still sick the Prisoner Weiss was sent for, and on coming to the deceased directed that applications of warm water she made to the private parts of the deceased every five minutes. On the 29th the Prisoners Weiss and Myer visited the deceased & remained sometime in her room and Prisoner Weiss directed applications of hot water every five minutes. On the 30th of Dec at 9- A.M. the Prisoners Weiss and Myer again called and after remaining in the room of deceased about half an hour the Prisoner Weiss came out and had blood on her hand, and stated to witness Emma Bonds that she (Weiss) could not do any thing for deceased and recommended the calling in at once of a good Doctor. On the 31st -

POOR QUALITY
ORIGINALS

0501

Dr. Weber called and found the deceased suffering from the effects of an abortion; the deceased died on the 3rd of Jan. from the effects of an abortion which the uncontradicted medicine evidence in the case shows must have taken place at least fourteen days before the first of January (see evidence of Dr. Weber) which would be at least ten days before the evidence shows the Prisoners Weiss and Myer to have had anything to do with deceased.

Conclusion

From the above facts and from an examination of all the evidence I do not think either of the Prisoners can be convicted of Manslaughter under Sec. 191 or Abortion under Sec. 294.

As to the prisoner Sauer there does not appear to be any evidence, she is suspected by reason of the declaration of the deceased, but these declarations are clearly not admissible either as "dying declarations" or as part of the "res gestae".

As to the other prisoners Meyer and Weiss all their acts are perfectly consistent

POOR QUALITY
ORIGINALS

0502

with the theory that they were doing what they could to aid the deceased when she was suffering from the effects of an abortion which had taken place long before they were called in and with which they had no connection or knowledge. Even the declaration of the deceased does not charge them with the abortion but points to Sauer.

For the purpose of this examination I have assumed that the deceased died from the effects of a criminal abortion, but it is right to state that the evidence does not clearly show that such was the fact. The Medical Witnesses do not positively state that the abortion was caused by drugs, medicines or manipulations, but leave a wide field for conjecture as to the cause of the miscarriage, it might have occurred by accident, a fall, or some means caused by the deceased herself. (She declared she had fallen), of course no conviction could be had if the "corpus delicti" was in doubt. But although in my judgment no conviction can be sustained, still as the jury at the inquest charged the Prisoners with crime the District Attorney is to say

POOR QUALITY
ORIGINALS

0503

whether an indictment should be
procured or not.

KHP

POOR QUALITY
ORIGINALS

0504

People

US.
Lutheran Church.
Berlin Meyer.
Johanna Weiss.

Ref.

POOR QUALITY
ORIGINALS

0505

The statements made to Doctor Weber by the deceased were not dying declarations, and therefore can not be evidence.

Mrs Sauer's own statement contains nothing to exonerate her. Even if it amounted to a confession, the lack of other evidence to show that the crime had been committed would render it quite impossible to secure a conviction.

There is nothing in the papers to show any complicity between Sauer on the one hand, and Weiss & Meyer on the other.

I respectfully recommend that the papers be sent to the Grand Jury with the District Attorney's advise that the People have no case against ^{the accused} Weiss & Meyer, and that there is no probability of conviction in the case of the accused Sauer.

N.Y. Jan. 29. 1885.

Resp. Sub.

Vernon M Davis

Dep Asst. Dist. Atty.

Anson Randolph B. McIntire.
Dist. Atty.

0506

The People, &c., :
- vs. - :
Catharine Sauer, :
Pauline Meyer and :
Johanna Weiss. :
-----X

The questions submitted for examination is whether the defendants above named are guilty of manslaughter or abortion under sections 191 and 294 of the Penal Code. The facts as gathered from the papers sent from the Police Magistrate are, briefly, as follows: The deceased, Adele Bhend, died January 3rd., 1885, from exhaustion caused by metro-peritonitis following an abortion at the third month of utero-gestation (Examination of Philip E. Donlin, M. D., sworn to 7' day of January, 1885; also examination of John G. Weber, M. D., sworn to the 14' day of January, 1885). On the 8' of December, 1884, as it appears from the affidavit of the accused, Catharine Sauer, verified the 3rd. day of January, 1885, the deceased called on the said Catharine Sauer at 343 East 39' street, for the purpose of having said Sauer operate on her, which said Sauer refused to do. She gave, however, the accused an injection with clear water with a common syringe of rubber, the water being lukewarm, for which she was paid \$25. After this visit the deceased called four or five times on said Sauer. She never visited the deceased's house and never saw deceased after the 8' day of December.

Subsequently, as appears from the affidavit of Emma Bhend, daughter of deceased, sworn to the 5' day of January, 1885, the accused, Johanna Weiss, called at 179 East Houston street, the residence of deceased, and requested to see the deceased, for the purpose of treating her, as they were doctors.

The deceased was then away from home, in a furniture store No. 1 First Avenue. She was sent for, and she came and saw Weiss and

0507

Meyer. During the time that Weiss and Meyer were with the deceased the daughter, Emma Behnd, was absent from the house; she was absent about an hour, when she was sent for to return to her home, where she found her mother, the deceased, lying in bed.

Her mother told her she was sick, that the ladies who had been there were doctors, that they had given her drops and that she must lie in bed for four days. On the 28th of December, 1884, Weiss was called in again by the ~~deceased~~ deceased. On the 29th of December, 1884, Weiss and Meyer called together. On the 30th of December, 1884, they called again. On this day, after being in the deceased's room about half an hour, Weiss came out, having blood on her hand, and stated to the Daughter, Emma, that she would have to get a good doctor for her mother. Dr. John G. Weber, of 74 Rivington street, was then called in. He came about 11 o'clock on the morning of the 30th of December, 1884, and took entire charge of the deceased, who subsequently died on the 3rd. of January, 1885.

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0508

nothing to indicate that a criminal abortion had taken place. If there had been one five days before it would have been attended by some lacerations of the neck of the womb, which would have been noticed at the autopsy, no matter what mechanical means had been used. It is not possible that the abortion could have been produced by an operation performed six weeks prior to the miscarriage."

Dr. Weber, in his examination, states in substance that from his examination of the deceased her condition was such that the abortion, if any, must have been procured at least two weeks prior to the 1st. of January, 1885; that it would take at least two weeks for the womb of the deceased to get in the condition in which he found it on his examination.

I have had an interview with Dr. Weber and have examined him closely concerning the case. He has stated to me that he could not swear that a criminal abortion had been procured; that his examination revealed no evidence whatever of such a state of affairs, though he was inclined to believe that the deceased had been operated upon, but that this belief was based upon statements made to him by the deceased and upon nothing else. He also stated that no abortion could have been procured so near the day of the death as the 27th of December, 1884, the day on which Weiss and Meyer saw Mrs. Behnd for the first time.

It is my opinion, based upon these facts, that the People can prove no case against Mrs. Weiss and the woman Meyer. Second, As to the case against Mrs. Sauer: The only evidence against Sauer is her own statement, referred to above, and the statement of the deceased, which Dr. Weber says she made to him just before her death.

0509

BOX:

167

FOLDER:

1704

DESCRIPTION:

Schmacker, Louis

DATE:

02/18/85



1704

Witnesses:

Deputy Officer
Sept. 1, 1885
Up to Police when
he be seen & then

FD

1885
Counsel,
Filed *18* day of *Feb* 1885
Pleads *Wash July 19.*

THE PEOPLE
vs.
Louis Schmacker
Grand Larceny in the *second* degree.
(Sec. 598 and 591, Penal Code.)

RANDOLPH B. MARTINE,
District Attorney.

A True Bill
J. H. Harg
Feb 26/85
Foreman.
James Paul
Feb 27/85

05 10

05 11

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

Salvo Schmadack

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

Salvo Schmadack
of the crime of GRAND LARCENY IN THE *Second* DEGREE, committed as follows:
The said *Salvo Schmadack*,

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the *Eighteen* day of *February* in the year of our Lord one thousand eight hundred and eighty-*five*, at the Ward, City and County aforesaid, with force and arms, in the *day* time of the same day, *one* promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars; *one* promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars; *two* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars *each*; *six* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars *each*; *seven* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar *each*; *one* promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars; *one* promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars; *two* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars *each*; and divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of *Twenty eight* dollars,

of the proper moneys, goods, chattels, and personal property of one ~~on the person of the said~~ *Peter E. de la Riva*, then and there being found, ~~from the person of the said~~ 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.

RANDOLPH B. MARTINE,
District Attorney.

Dated 188 *Police Justice.*

0513

Sec. 198-200.

2d

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss

Louis Schmaetler 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 Louis Schmaetler

Question. How old are you?

Answer 28 years

Question. Where were you born?

Answer. Germany

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

Answer. No 512 West 49 street, 18 months

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 guilty as charged. I had
great family troubles and was
drinking and forgot myself

Louis Schmaetler

Taken before me this

day of

1895

John J. [Signature]

Police Justice.

05 14

Police Court— 2^d District.

Affidavit—Larceny.

City and County } ss.:
of New York,

Peter Ertz junior

of No. 167 Avenue A Street, aged 28 years,
occupation Produce Dealer being duly sworn

deposes and says, that on the 8th day of February 1885 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:

Bills or notes
good and lawful money of the United
States of values and denominations as
follows: One of Ten Dollars, Two of
Five Dollars and others of Two and
One Dollar in all of the value of
Twenty Eight 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 Louis Schmaetzer, now here,
from the facts that deponent gave said
money on said day to said Schmaetzer,
then employed by deponent, to pay
a freight bill and said Schmaetzer
never paid over or accounted for
said money, which he admits
and confesses that he converted
to his own use.

Peter Ertz, Jr

Sworn to before me, this 14th day of February 1885
Police Justice.

05 15

BOX:

167

FOLDER:

1704

DESCRIPTION:

Schultz, Louise

DATE:

02/18/85



1704

POOR QUALITY
ORIGINALS

05 16

(II)

Day of Trial

Counsel,

Filed

day of

1888

Pleas

Proquellay (19)

THE PEOPLE

vs.

B

Louise Schultz

RANDOLPH B. MARTINE,

JOHN McKEON,

off from off 2 District Attorney.

A True Bill.

[Signature]

Foreman

July 19/88

Paul E. Deshayes

I am informed that not
which in the past have in common
be found. According to
recommend that soft be
discharged on her own recogni-
tance.

June 19/88.

A. B. Barker

October 1900

0517

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Samuel Schultz

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

Samuel Schultz

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL FAME, committed as follows:

The said *Samuel Schultz*,

late of the *South* Ward 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-*five*, and on divers other days and times as well before as afterwards, to the day of the taking this inquisition, at the Ward, City and County aforesaid, a certain common house of ill fame, unlawfully and wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said *Samuel Schultz*,

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offences as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of, and against good morals and good manners, 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 *Samuel Schultz*,

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said *Samuel Schultz*,

late of the *South* Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: on the *ninth* day of *February*, in the year of our Lord one thousand eight hundred and eighty-*five*, and on divers other days and times between the said

0518

day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did maintain a certain common, ill-governed house, and in ~~Said~~ said house, for ~~Said~~ own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and willfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and willfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common annoyance of the said citizens, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT.—And the Grand Jury aforesaid, by this indictment, further accuse the said ~~Samuel Schultz~~ —

of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said ~~Samuel Schultz~~ —

late of the ~~South~~ Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: on the ~~ninth~~ day of ~~January~~ in the year of our Lord one thousand eight hundred and eighty~~five~~, and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in ~~Said~~ — said house and place of public resort, for ~~Said~~ own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women, in ~~Said~~ — said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully, did permit, and yet continues to permit, by which the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, against the form of the Statute in such case made and provided and against the peace of the People of the State of New York and their dignity.

RANDOLPH B. MARTINE.

~~JOHN MCKEON,~~

District Attorney.

05 19

Emma Giff.
Court: for 6 Months.

Feb. 14th 1883 -
Taken out - by her sister
Aug. 14th 1883. Co
Keep house for her
Father Florence Giff.
763 Tenth Avenue
673

0520

POLICE COURT 3 DISTRICT.

City and County of New York, ss.:

THE PEOPLE,

On Complaint of

Etienne Luyer.

For

Disorderly House.

vs.

Louise Schulte.

After being informed of my rights under the law, I hereby ~~wave~~ ^{demand} a trial, by Jury, on this ~~complaint, and my right to make a statement in relation to it~~ and demand a trial at the COURT OF ~~Special~~ ^{Special} SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated

Feb 14 188

✓

Louise Schulte.

M. A. Peude

Police Justice.

0521

Sec. 151.

Police Court—3 District.

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

Whereas, Complaint in writing and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Stephen Beyer,
of No. 1010 Avenue C, that on the 9th day of February,
1887, at the City of New York, in the County of New York, Mrs. Schultz
did keep and maintain at the premises known as Number 123 Orchard
Street, in said City, at House of Prostitution
and there unlawfully procure and permit as well men as women of evil name and fame, and of dishonest conversation to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution, and there unlawfully and wilfully did permit said men and women of evil name and fame there to be and remain drinking, dancing, fighting, disturbing the peace, whoring and misbehaving themselves whereby the peace, comfort, and decency of persons inhabiting and residing in the neighborhood and there passing is habitually disturbed in violation of the statute in such case made and provided.

THESE ARE, THEREFORE, in the name of the People of the State of New York, to Command you, the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the body of the said

Schultz
and all vile, disorderly and improper persons found upon the premises occupied by said Schultz and forthwith bring them before me, at the 3 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 13 day of February 1887

M. H. Hule POLICE JUSTICE.

0522

Police Court— 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Mrs. Schuch

Dated July 13 188

Heule Magistrate

Bayer Officer.

10 Precinct.

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

Officer.

Dated _____ 188

This Warrant may be executed on Sunday or at
night.

W. H. P. Police Justice.

WARRANT—Keeping Disorderly House, &c.

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

Dated _____ 188

Police Justice.

The within named

0523

Police Court—3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Etienne Bayer
vs.

Mrs Schuyler

Dated

Feb 13 1887

W. H. H. H. Justice.

Bayer Officer.

10 Precinct.

WITNESSES :

Louis Bar Telles
763. 10th Avenue.

0524

Sec. 322, Penal Code.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Etienne Beyer
of No. *The 10th Precinct Police* Street, in said City, being duly sworn says,
that at the premises known as Number *123 Orchard* Street,
in the City and County of New York, on the *9th* day of *February* 188*8*, and on divers
other days and times, between that day and the day of making this complaint

Mrs. Louise Schultz
did unlawfully keep and maintain and yet continue to keep and maintain a *House of Dissipation*
and Prostitution and did then, and on the said other days and times, there unlawfully procure
and permit as well men as women of evil name and fame and of dishonest conversation to visit, frequent and come
together for unlawful sexual intercourse, and for the purpose of prostitution and lewdness, and then and on the said
other days and times, unlawfully and wilfully did permit and yet continues to permit said men and women of evil
name and fame there to be and remain ~~and~~ disturbing the peace, whoring and misbehaving
themselves, whereby the peace, comfort and decency of persons inhabiting and residing in the neighborhood, and
there passing is habitually disturbed, in violation of the statute in such case made and provided

Deponent therefore prays, that the said *Schultz*
and all vile, disorderly and improper persons found upon the premises occupied by said

Louise Schultz
may be apprehended and dealt with as the law in such cases made and provided may direct.

Subscribed and sworn to before me, this *10th* day of *February* 188*8*,
of *Manhatten* Police Justice.

Etienne Beyer

0525

187
Police Court District.

THE PEOPLE, &c.,

ON FILE COMPLAINT OF

Charles H. Hays

10th Precinct

James H. Schultz

10th Precinct

Offence: Disorderly
Arrest.

Dated February 14 188

Magistrate.

Officer.

11th Precinct.

Witnesses: James H. Hays

No. 10078

No. 10078

No. 10078

No. 10078

No. 10078

No. 10078

No. 10078

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

James H. Schultz

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 February 14 188

Police Justice.

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

Dated Feb 14 188

Police Justice.

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

Dated 188

Police Justice.

0526

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ^{SS}

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

Question. What is your name?

Answer

Louise Schults

Question. How old are you?

Answer

40 Years.

Question. Where were you born?

Answer

Germany

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

Answer.

123 Orchard Street 2 Months

Question. What is your business or profession?

Answer

Furnish Rooms.

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
Louise Schults.

Taken before me this

day of *April* 188*8*

Police Justice.

0527

BOX:

167

FOLDER:

1704

DESCRIPTION:

Schwab, Justus H.

DATE:

02/28/85



1704

Witnesses:

Cap J. H. M. Cullough

Bailed in \$2,000, on
this indictment by
Jear. Barrow,
181 Webster Street.

But declares
on his & family
Apr 24th/85

Counsel,

Filed

day of May 1885.

Plends, Defendant pleads guilty, and
admits of not guilty answers by

THE PEOPLE

vs. J. H. M. Cullough

B

Justices School

RANDOLPH B. MARTINE,

Dist. Attorney.

A True Bill

Foreman

But declares at \$2,500

Apr 24th/85

for the money that

POOR QUALITY
ORIGINALS

0528

0529

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Justus M. Schwab

The Grand Jury of the City and County of New York, by this indictment, accuse Justus M. Schwab

of the CRIME OF Assault in the second degree,

committed as follows:

The said Justus M. Schwab,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the second — day of January in the year of our Lord one thousand eight hundred and eighty-five, at the Ward, City and County aforesaid, with force and arms, in and upon one Louis Bott, then and there lawfully, feloniously, wilfully and wrongfully made an assault, and him the said Louis Bott, with the hands of him the said Justus M. Schwab, in and upon the head of him the said Louis Bott, then and there feloniously, wilfully and wrongfully did strike, beat, bruise and wound, and him the said Louis Bott, down onto and upon the floor of a certain building there, with great force and violence, then and there feloniously, wilfully and wrongfully did cast and throw, and upon the said Louis Bott, then and there and thereby

0530

feloniously, willfully and wrongfully
did inflict grievous bodily harm:
against the form of the Statute in
such case made and provided, and
against the peace of the People of the
State of New York, and their dignity:

Randolph B. Martin,

District Attorney.

Dated 188 *Police Justice.*

POOR QUALITY
ORIGINALS

0532

Sec. 198—200.

3

District Police Court.

CITY AND COUNTY { ss
OF NEW YORK,

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

Question. What is your name?

Answer. *Justus H. Schwab.*

Question. How old are you?

Answer. *37 Years.*

Question. Where were you born?

Answer. *Germany*

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

Answer. *10. Irish Street 8 Years.*

Question. What is your business or profession?

Answer. *Saloon Keeper.*

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

Answer.

Taken before me this 3rd day of March 1887

John J. Smith

Police Justice.

POOR QUALITY
ORIGINALS

0533

Form 11.

Police Court—Third District, Halls of Justice.

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

of No. *The 1st Precinct Police* being duly sworn, deposes and says, that

Monday the *Second* day of *February*

in the year 188*7*, at the City of New York, in the County of New York,

he was violently ASSAULTED and BEATEN by *Frishtis H. Schwab*

(now here) who struck deponent on

Violent blow on the face with his

clenched hand. Knocking deponent

down and discolored deponent's eye and

just while deponent was in the discharge of his

duty as a Police Officer.

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 the

above assault, &c., and be dealt with according to law.

Sworn to before me, this *3* day of *February*, 188*7*

W. H. Frank POLICE JUSTICE.

Louis Rod.

0534

Sec. 192.

34

District Police Court.

Undertaking to appear during the Examination

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Charles Walder a Police Justice
of the City of New York, charging Justus Lemuel Defendant with
the offence of Robbery & Battery

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

We, Justus Lemuel Defendant of No. 370
John Barrow Street; by occupation a Tavern Keeper
and John Barrow of No. 181 Blanch
Street, by occupation a Waiter Surety, hereby jointly and severally undertake that
the above named Justus Lemuel Defendant
shall personally appear before the said Justice at the 3 District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York, the sum of ten
Hundred Dollars.

Taken and acknowledged before me, this 3
day of February 188 5

Mar. Rude POLICE JUSTICE

Justus H. Schwarz
J. Barrow

0535

CITY AND COUNTY
OF NEW YORK, } ss,

Sworn to before me, this
day of February 1885
John J. Baran
Police Justice.

the within named Bail and Surety being duly sworn, says, that he is a resident and free
holder within the said County and State, and is worth Twenty Hundred Dollars,
exclusive of property exempt from execution, and over and above the amount of all his debts and
liabilities, and that his property consists of House and lot of land
at 181 Bleeker Street in said City of
the value of twelve thousand dollars
and of all his other property

J. Baran

1 District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Under taking to appear during
the Examination.
John J. Baran
ss,

Taken the 3 day of February 1885

John J. Baran
Justice.

0536

1
District Attorney's Office.

PEOPLE

vs.

Schmidt

Points

Capt. McLaughlin
must be taken
in hand and softened
down the discipline
too much bitterness.
His attitude should
be that of true
patient policeman
who interferes only
when a riot was
imminent. he should
not appear as too
ready with the
club. The other
officers should.

2
District Attorney's Office.

PEOPLE

vs.

if they can
be prevented
the people
will attack police
and claim that
it was their
efficiency
that caused
the riot. &
much suggest
about.

Point

0537

2.

District Attorney's Office.

PEOPLE

vs.

if they can
be proven
the Defense
will attack Police
and claim that
it was their
efficiency
that caused
the war. &
much suggest
above.

Pratt

0538

The People
VS
Justus Schwab

0539

also he drilled
The officer who
says Schaub
broke his nose
and on who ~~drilled~~
the indictment
for assault was
present should
not be called
in by ~~prosecution~~
and no mention
of that circumstance
brought out. I
don't believe such
was the fact.
The defense might
turn the issue
off on that matter
and we are now
staying there.
It would also
be well to have
Citizens ~~drilled~~

0540

District Attorney's Office.

PEOPLE

vs.

Schmidt.

Points

Capt. McLaughlin
Must be taken
in hand and softened
down the displays
too much bitterness
His attitude should
be that of the
patient policeman
who interferes only
when a riot was
imminent. He should
not appear as too
ready with the
club. The other
officers should.

POOR QUALITY
ORIGINALS

0541

No 2 For Ireland
An die Arbeiter aller Länder!

Irland blutet aus tausend entsetzlichen Wunden. Seine besten Söhne schmachten im Zuchthaus, starben am Galgen als Märtyrer für Freiheit und Gerechtigkeit oder leben im Exil. Ungeheuer in menschlicher Gestalt saugen dem Volke das Mark aus den Knochen.

Die herrschende Klasse des britischen Reiches erweckt durch ihre Missethaten längst einen Schrei des Entsetzens von einem Ende der Welt zum andern. Sie ist ein Fluch für England selbst, mehr aber noch für Irland und fordert heraus zur Rache und Empörung.

Schon hat auch das Werk der Sühne begonnen, sich zu zeigen. Donnernd hat es im Herzen Albions eingeschlagen — leider ohne die Herrschafts-Sippe sammt und sonders zu vernichten.

Vom ganzen Herzen rufen wir daher den Kämpfern zu:

Glück auf, Ihr Söhne Irlands! Vorwärts mit Dynamit und allen Mitteln der Zerstörung! Wir drücken Euch die Hände, Ihr Revolutionäre der grünen Insel. Wir zollen Euren Thaten Beifall. Möge bald gegen jede Herrschaft mit gleicher Energie der Krieg begonnen werden.

Die amerikanischen Senatoren und sonstigen politischen Bagabunden aber, welche sich erfrechten, „im Namen des Volkes“ Anti-Dynamitgesetze vorzuschlagen und Entrüstungs-Resolutionen gegen die Soldaten der Revolution zu schleudern, rufen wir zur Scham auf.

Wir protestiren gegen ihr freiheitsmörderisches Beginnen und geloben, ihre anmaßliche Gesetzgeberei nimmermehr zu respectiren.

Ebenso protestiren wir gegenüber jenem heuchlerischen Beginnen, das sich die Wortführer der „Socialistischen Arbeiter-Partei“ zu schulden kommen lassen, wenn sie, statt klare Stellung zu Gunsten aller revolutionären Akte einzunehmen, die Ursachen der Rebellion erklären und die Wirkung tadeln wollen. Nieder mit diesen Fälschern der öffentlichen Meinung!

Frische Revolutionäre, Ihr seid ein Glied in jener großen Kette von Organisationen, welche über den ganzen Erdball ausgebreitet ist, und welche die Männer der That von allen Nationen mehr und mehr zu einer einzigen Armee formirt.

Eure Werke sind auch unsere Werke. Zählet stets in Eurem Ringen auf unseren Beistand!

Nieder mit allen Burgen und Palästen! Nieder mit der erraubten Pracht und Herrlichkeit des privilegierten Lumpenthums! Nieder mit dem Landlordismus und Allen, die uns bitteln!

Nur über den Ruinen der Tyrannei vermag die Freiheitssonne ihre Strahlen zu entsenden.

Es lebe die allgemeine und sociale Revolution!

New York, den 2. Februar 1885

Die Internationale Arbeiter-Association.

TO THE WORKERS OF ALL COUNTRIES!

Ireland bleeds out of a thousand ugly wounds. Her noblest sons are buried in Dungeons, died as martyrs or live as exiles. Poisonous vampyrs drink the blood of her people.

ENGLANDS ARISTOCRACY

A murmur of horror vibrates the universe, a curse to the British, a cry for Revenge, revenge, revenge! There she came! Thundering did she aim at Albions heart—we mourn she failed her mark.

Hurrah Irishmen, go ahead! Our hands you revolutionists of the smaragd island. We applaude your deeds.

Down with British castles! Down with Londons stolen splendor! Down with the bloody robbery of english Landlordisme!

Only on the ruins of tyranny can shine the sun of liberty.

Hurrah the universal revolution!

New York, February 2d, 1885.

THE INTERNATIONAL WORKERS ASSOCIATION

Irländer nehmt Euere Feinde aufs Korn!

Nachstehende Gemeinheit war in der „New Yorker Volkszeitung“ (sogenanntes Arbeiterblatt) vom letzten Montag zu lesen:

„Die Londoner Anallerei.“

Wir haben bereits gestern unsere Ansicht über die Londoner Dynamit-Attentate ausgesprochen; sie ist dieselbe geblieben seit den ersten Ereignissen dieser Art. Wir sind—um das noch hinzuzufügen—der festen Ueberzeugung, daß das irische Volk, trotz seines durchaus gerechtfertigten Grimmes gegen die englische Regierung, eine solche geradezu wahnsinnige Kriegführung verwirft, und daß daher die Attentäter weder formell noch moralisch „im Auftrage“ handeln. Sie schädigen durch ihre Action die Sache des irischen Volkes auf's schändlichste.

Irishmen mark your fiends!

The following mean editorial has been published in No. 22 of the „New Yorker Volkszeitung“ (so called Organ of the Socialistic (?) Labor Party):

„The London piss-passerie.“

We have already yesterday given our opinion about the dynamit outrages committed in London, and this opinion remains alike since the first events of this character. We add, it is our conviction that the Irish people in spite of its justifiable anger against the english government **condemnes such a crazy warfare** and that the Irish do not sanction in any way such deeds. These dynamiters hurt most scandalously the couse of the Irishy.

POOR QUALITY
ORIGINALS

0542

SOCIALISTS, ANARCHISTS AND IRISH DYNAMITERS.

Whereas brutal outrages, like the dynamite explosions at London, whereby private citizens and even women and children were severely injured, have been advocated and practiced by certain Irish nationalists as means of political warfare, and whereas in New York and Chicago anarchists, under the name of socialists or communists, have openly approved of these explosions and have declared them to be the best means of propaganda for the attainment of the ends of socialism, and whereas the capitalistic press all over the world has falsely and maliciously identified socialists with these Irish dynamiters and their anarchistic defenders, for the purpose of denouncing socialism to the popular indignation aroused by the late explosions, therefore we hereby openly and publicly declare:

That the socialists repudiate and abhor such acts of violence as have lately been committed in England and their proclamation as means of political tactics, and from their authors they differ not less widely than from the anarchists, who declared their "solidarity" as well with those dynamiters as with common murderers and robbers.

Always and in all countries have the socialists alone loudly and energetically protested against all wars, because they drive peoples, who have all interest to fraternise, against one another in barbarous bloodshed, because they destroy humanity and civilization.

We protested in Germany and France against the war of 1870, we have protested against the brutal warfare of the Russians, against the cruelty of the French, and not the least against the revolting barbarity of the English in Africa, in India and China. We do now protest against those so-called patriots, who in the name of Ireland wage a national war against the people of England and apply against them the inhuman tactics, that all means are justified in war. The real enfranchisement of the Irish people is only possible if the Irish unite with the English proletariats and with joint efforts strive for the overthrow of landlordism and of its source and supporter: capitalism. All movements of the Irish people tending to that end have our heartiest support.

If nevertheless the press, pointing as a proof to the wild declamations of the Anarchists, records the Socialists as partisans of the Dynamiters and undertakes to stamp them as accomplices of criminals, then we must warn against a press that so, unscrupulously and knowingly, misleads the public. For not only have the Socialists in numerous publications, but the anarchists themselves have on occasions, where the attention of the whole world was turned upon their words, declared, that there is not only no fellowship between socialists and anarchists, but on the contrary bitterest war. And in order to again expose to the working people the calumnies and slanderous falsifications of the press in regard to our movement, we here repeat, that the press insists on connecting us with such "deeds" after we have, over and over again, publicly and positively repudiated the anarchistic advocates of dynamite and terrorism. Although we shall at all times sympathize with acts of self-defence of oppressed individuals and peoples, we are far from regarding common crimes and terrorism in the style of the Irish dynamiters as political means of enfranchisement.

The Irish dynamiters will, notwithstanding their invincible means, sooner or later be suppressed; the anarchists will faster destroy themselves than their opponents; but the socialists will go on organizing the working class and some day put an end to all oppression. That will be daily better understood by the capitalists and their press, and they will ever more eagerly use the "deeds" of anarchists and dynamiters against us, now for the purpose of prejudicing the working people against socialism. Then as a welcome pretext for inflicting persecutions upon us in order to stop our threatening growth. But the workingmen will sooner and sooner find out the truth about the capitalistic lies and will help the socialists, by the establishment of a better order of society, to remove all motives and all desire for violence.

THE NATIONAL EXECUTIVE COMMITTEE OF THE SOCIALISTIC
LABOR PARTY.

NEW YORK, January 29th 1885.

For Identification
May 18/82

No 1

**POOR QUALITY
ORIGINALS**

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John Thompson
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W. 2nd St.

POOR QUALITY
ORIGINALS

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Sec. 193.

3d District Police Court.

Undertaking to appear during the Examination

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Charles H. Scheraga a Police Justice
of the City of New York, charging Justus Scheraga Defendant with
the offence of Riot

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

We, Justus Scheraga Defendant of No. 50
West Street; by occupation a Leather Worker
and John Barry of No. 181 Blocker
Street, by occupation a Henry Bergman Surety, hereby jointly and severally undertake that
the above named Justus Scheraga Defendant
shall personally appear before the said Justice at the 3 District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York, the sum of fifteen
Hundred Dollars.

Taken and acknowledged before me, this 3
day of February 188 5

Wm. H. Hinde POLICE JUSTICE

Justus H. Scheraga
J. Barry

POOR QUALITY
ORIGINALS

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CITY AND COUNTY
OF NEW YORK, } ss,

Police Justice.

Sworn to before me, this
day of February 1885
W. J. Barron

the within named Bail and Surety being duly sworn, says, that he is a resident and free
holder within the said County and State, and is worth thirty Hundred Dollars,
exclusive of property exempt from execution, and over and above the amount of all his debts and
liabilities, and that his property consists of House and lot of land
at 181 Blauvelt Street in said city
of the value of twelve thousand
dollars free of all incumbrances

J. Barron

District Police Court.

THE PEOPLE, & c.,
ON THE COMPLAINT OF

Undertaking to appear during
the Examination.

vs,

Justus Sobocinski

Taken the

3 day of February 1885

Justice,

W. J. Barron

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257
Police Court
District

THE PEOPLE, &c.,

~~ON THE COMPLAINT OF~~

ON THE COMPLAINT OF
JAMES A. McLEOD

BAILED,

Mo 1, by

Residence

No. 2, by.

Residence

No. 2, by

Residence:

No. 4, by -

Residence

Dated

Yellow

189

Abstract

Magistrate.

W. H. Beckwith, Officer.

/

Precinct, _____

Witness

[Signature]

NO.

McCormick, Oliver
Street, I.

✓

11/11/2023

22

Michael Brown

by

100

1

[Handwritten signature]

—

30/11/1945

Dated _____ 188 . _____ *Police Justice.*

POOR QUALITY
ORIGINALS

0547

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

Third District Police Court.

Captain of No. 17th Precinct Police, aged 42.

Street, being duly sworn, deposes and says,

that on the Second day of February 1885

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

Justus H. Schwab. (now here)
did unlawfully and wilfully
in company with ten other persons
unknown to deponents and not
yet arrested ~~at~~ at premises
Nos. 28 and 30 Avenue A in said
city did by force and violence
instigate promote and aid in
a riot in said premises on said
date from the fact that at or about
the hour of seven o'clock ^{thirty minutes}
on the night of said date deponents in
company with Sergeant Joseph
Haggert and several Police officers
of the 17th Precinct Police entered
said premises there being a lawful
meeting called by the National
Executive Committee of the
Socialistic Labor Party in said
premises and there saw the said
Schwab in company with others
instigating ~~and~~ promoting and
aiding a riot in said premises
by calling there goes Captain
McBullagh kill him the son of
a bitch and other vile names
that the said Schwab did then and
there instigate the assault on deponents
and the other officers in deponents
company and continued to
shout Kill the Police and that
the said unknown persons did
then and there violently assault
and beat deponents and the
other officers in company with

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Mr. Asst. Sec. Police Justice

Officer:

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Sec. 198—200.

CITY AND COUNTY
OF NEW YORK, ss

3^d District Police Court.

Justus H. Schwab. 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

Justus H. Schwab.

Question. How old are you?

Answer

37 Years.

Question. Where were you born?

Answer

Germany

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

Answer.

177 Third Street 8 Years.

Question. What is your business or profession?

Answer

Saloon Keeper.

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

Answer.

Taken before me this

day of February 1887

Wm. H. Smith

Police Justice.

POOR QUALITY
ORIGINALS

0550

Witnesses:

Capt J H McCallagh

Offs Louis Roth

" Hall

" Kearney

" Robinson

" Besset

" Rowell

Rebaild, May 24/85

In Jean Baron,

181 Bleeker Street

Content of exchange

Nov 20, 1885

Paula esch. 200

Mrs of N. A. A.

7/2

Counsel,

Filed

Pleads, May 4, 1885

THE PEOPLE

vs.

B

Justice H.

Schwal

RANDOLPH N. MARTINE

District Attorney

A True Bill

Foreman

May 21, 1885

Remitted to Grand Jury for discharge

0551

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Justus H. Schwab

The Grand Jury of the City and County of New York, by this Indictment, accuse
Justus H. Schwab of the Crime of **Riot**,
committed as follows: The said Justus
H. Schwab, late of the Ward of
the City of New York, in the County of
New York aforesaid, together with divers
evil-disposed persons to the number
of twenty and upwards, whose names
are to the Grand Jury aforesaid un-
known, on the second day of February
in the year of our Lord, one thousand
eight hundred and eighty five, at the
Ward, City and County aforesaid, with
force and arms, to wit: with loaded
pistols, knives, clubs and other danger-
ous weapons, as rioters, ruffians and dis-
turbers of the peace, feloniously, riot-
ously, contumaciously, tumultuously and
unlawfully did assemble and gather
themselves together to disturb the
public peace, and being so then and
there assembled and gathered together
did then and there feloniously make
a great noise, riot, tumult and dis-

0552

troubles, and did then and there feloniously, riotously, rontously and tumultuously remain and continue together, making such noises, tumults and disturbances, for a space of time to wit: for the space of one half hour and more, and then and there, with force and arms, to wit: with the pistols, knives, clubs and other weapons aforesaid, in and upon one John St. McCullagh, James Bott, and divers other persons whose names are to the Grand Jury aforesaid unknown, in the face of the said People then and there being, feloniously, riotously, rontously, and tumultuously did make divers assaults, and then the said John St. McCullagh, James Bott, and said divers other persons, did thereby then feloniously, riotously, rontously and tumultuously strike, beat, cut, drag about, wound and otherwise ill treat, and the public peace of the said State did then and there and thereby greatly disturb, to the great terror of all the good citizens of the said State then inhabiting and residing, passing and repassing in and along the public streets and common highways there situate, to the evil example of all other

in like cases of judging, 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
 Justice of the Peace of the County of **Riot**,
 committed as follows:- The said Justice
 of the Peace, late of the 14th Ward of the
 City of New York, in the County of New
 York aforesaid, together with divers other
 persons to the Grand Jury aforesaid,
 unknown, to the number of twenty
 and upwards, on the second day of
 February in the year of our Lord one
 thousand eight hundred and eighty
 nine, at the Ward, City and County
 aforesaid, did unlawfully assemble
 for the purpose of then and there, wil-
 fully and without authority of law,
 disturbing a certain other assembly and
 meeting, not unlawful in its character,
 then being held at and in a certain
 place there situate, commonly called
 Concordia Assembly Rooms. And being
 so assembled for the purpose aforesaid,

0554

the said Justice St. Schwab, and the
 said other persons, then and there car-
 rying loaded pistols, knives, clubs and
 other dangerous weapons, with force and
 arms, in and upon one John St. McEl-
 Louis Rott,
 and several other persons whose names
 are to the Grand Jury aforesaid unknown,
 in the face of the said People, then
 and there being, feloniously did make
 divers assaults, and then the said
 Louis Rott, and said divers other persons
 John St. McEl Louis, with the pistols,
 knives, clubs and other dangerous weap-
 ons aforesaid, and with the hands and
 feet of them the said Justice St. Schwab,
 and said first mentioned other persons,
 then and there violently and felon-
 iously did strike, beat, kick, bruise,
 wound and otherwise ill treat, and the
 public peace did then and there and
 thereby feloniously disturb: against
 the form of the Statute in such case
 made and provided, and against the
 peace of the People of the State of
 New York, and their dignity.

Third Count.

And the Grand Jury aforesaid, by this indictment, further accuse the said Justice St. Schwab, of the crime of Disturbing an assembly and meeting, committed as follows. The said Justice St. Schwab, late of the 17th 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 eighty four, at the Ward, City and County aforesaid, with force and arms, unlawfully, wilfully, and without authority of law, did disturb a certain assembly and meeting of people then being held at and within a certain place there situate, known as Concordia Assembly Rooms, the same not being unlawful in its character, by then and there, together with divers and disposed persons to the Grand Jury aforesaid unknown, entering the said place, and there and therein making loud noises, disturbances and tumults, and by then and there and therein, causing procuring, instigating, commanding and inducing the said and disposed persons like loud noises, disturbances and tumults then and there to make against

0556

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

Randolph B. Martin,

District Attorney

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Oyer and Terminer
Court of ~~General Sessions~~ ~~Part~~

Before Hon. *Charles H. Van Brunt*
Assistant District Attorney *John R. Fellows* for the People.
Calendar for *May 18th* 1885

No. 1 THE PEOPLE, &C.

Justus H. Schwab
(2 cases)
Assault & Riot

Capt. McNeillough
Off. Rott
" Bissari
" Keating
" Hall
" Rourke
" Robinson
Sergh. Haggerty

No. 2 THE PEOPLE, &C.
vs.

No. 3 THE PEOPLE, &C.
vs.

No. 4 THE PEOPLE, &C.
vs.

0550



Ex A J. 25/885 West Ave. A

0559

The People
vs.
Schwab.

Witnesses:—

Genl. Jos. Haggerty,

Off. Michael Binart,

" John A. Hating,

" Robert H. Hall,

" ——— Roth,

0560

THE PEOPLE :
- vs. - :
SCHWAB. :
-----X :

SERGEANT JOSEPH HAGGERTY.- I recollect the night of the riot at Concordia Hall; I went there with Captain Mc'Cullough very near eight o'clock; I went in plain clothes; the Captain and I went first in the bar room and up the back stairway, and in up through the stairway reaching to the main hall, and from thence we went up to the balcony on the North side of the hall; the first difficulty I saw there was on the platform; there seemed to be a kind of a commotion as to the presidency or chairmanship of the meeting; there was a squabble there; a part of the men came over on the platform and undertook to take the gavel from the chairman who undertook to call the meeting to order; then the chairman was reinforced by some friends of his and the two parties came together; there seemed to be opposition there; the Captain and I stood looking on and presently we saw a terrible fight going on and blows were struck, and the Captain said to me "They are fighting"; when I first went on the balcony I saw Schwab; when the fight began on the platform the audience was all up in the principal part of the hall, and then they seemed to be fighting all over, shouting and fighting; they seemed to be all mixed up; the Captain and I hurried down from the balcony; the door leading to the balcony was shut; when we went up there there was a man there and he opened it; when we started for the platform, in going through the hallway I lost the Captain; before I got to the platform there was fighting going on all over; I saw our men trying to suppress

0561

it; I saw the Captain knocked down by somebody; I fell over a chair, and when I got up, after we were on the platform, the Captain told them they must not go on with the meeting, that he was Captain and they should not go on until he got a number of men to protect them; and while we were talking he drew my attention to Schwab and said "There is Schwab"; he was on the left and I was on the front of the platform, and Schwab was on the left, and he struck somebody; I think it was Roth; soon the men came and arrested Schwab; Schwab had a crowd around him and he was jesticulating with his hand; I did not understand what he said; those around him would turn around occasionally and look towards the platform where we were; I said to the Captain I thought they intended to attack us, and the Captain said it looks like it; the Captain meantime had sent for the reserves to the Station House, and just as the reserve was coming in they commenced to fight again in the middle of the hall.

0562

OFFICER MICHAEL BISSERT.- I received orders from Captain Mc'Cullough to be at Concordia Hall at 8 o'clock, in citizen's clothes, on the night of the riot; I went there about half past seven and was sitting down in the lower hall; a little before 8 o'clock Captain Mc'Cullough and Sergeant Haggerty came down and I went with them up to the balcony; we were sitting up there and about 8 o'clock a man jumped on the platform and rapped; as soon as he did three or four men got hold of him and pulled him down and a general fight commenced at once; some friends came to help him; the Captain said "Let's get down where they are fighting"; I saw Schwab when I was on the balcony; Schwab was talking loud; I could not hear what he said; he was jesticulating and talking loud; he was raised up, standing on something, a kind of little seat, and urging the people on, and shouting; I could not hear what he said; when I got on the platform I saw a man with blood running down his face; I saw a man with an iron bar and another man caught hold of it; I did the best I could to stop the fight there; I was on the North-East corner and Schwab was on the South-East corner of the platform; he was pointing towards the Captain and Jesticulating and it seemed to me he was urging his men on; I could not distinguish what he said; I was too far away to hear what he said; I saw a man knock the Captain down.

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OFFICER JOHN A. KATING.- I went to Concordia Hall the night of the riot with the Captain in Citizen's clothes; I went there about 8 o'clock, and I stood on the side as you go upstairs, the first landing; they were calling the men to order and a man came up and said they were fighting, and so I jumped up on the top of the seat, and I saw the Captain go right up to the middle of the hall, and Sergeant Haggerty and officer Bissert and I immediately went to the aid of the Captain; the Captain jumped up and said "I am Captain" and I want you to stop this"; the fight was going on then; I saw a man full of blood, and Schwab said "There is Captain Mc'Cullough, the son of a bitch; kill the police", and he had his hands up like that (indicating); the audience was all in the muss and were wildly excited and the fight was going on on the platform; there were only two or three between Schwab and me; the Captain was knocked down immediately afterwards; Schwab was shouting both in German and in English; I could not understand what he said; Schwab was urging the crowd on to attack the Captain, and the audience was in a wild uproar, all like wild beasts, running here and there; Roth was also knocked down; as soon as the fight commenced I lost all sight of Schwab; I was absolutely engaged in protecting myself; you couldn't stand in one place a second, you would be taken away by the drift of the people; a man with a bar of iron was going to hit me only for another man; when the reserves came they cleared the hall and got the people out.

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OFFICER ROBERT H. HALL.- On the night of the riot I was on post on Avenue "A", passing by the hall; the citizens came running down stairs and said "Officer, there is a terrible fight upstairs;" so I rushed up the stairs and made my way through the crowd; they were very excited and I pushed in amongst them and went up to the platform and saw Schwab and a quantity of them on the platform; they were in a kind of a wrangle among themselves; there were three or four of them fighting on the South-East corner; one had something like the rung of a chair in his hand, and whether he went to strike Roth or somebody I can't say; Schwab came over and struck Roth with an iron and knocked him down; Roth got up, and I said to the Captain "Shall I arrest that man?" and he said "No; that is Schwab; try and keep the crowd as peaceable as you can until we get more assistance". When Roth was knocked down I heard Schwab say "Kill the son of a bitch". Schwab was hurrahing and was very excited and urging the people on to the general fight; I would have arrested the man but the Captain said not to; I had never seen Schwab before but I recognized him as the same man that knocked Roth down.

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OFFICER ROTH.- I immediately made a complaint that Schwab had knocked me down; I told the doctor who it was that knocked me down; I told him that it was Schwab; I told Drs. Mc'Lean and Mc'Guire at Bellevue Hospital.