

0380

BOX:

432

FOLDER:

3984

DESCRIPTION:

Sistare, William H.

DATE:

03/10/91



3984

0381

BOX:

432

FOLDER:

3984

DESCRIPTION:

Clemens, Harold

DATE:

03/10/91



3984

POOR QUALITY
ORIGINAL

0382

Pl March 23 1899

Richard Wickert
Counsel,
Filed
Pleads,
March 1899
Not Enrolled April 17

THE PEOPLE
vs.
William D. McSister
And
Marcella Clemens
(5 cases)
B.

DE LANCEY NICHOL
JOHN R. FELLERS

District Attorney
Ordered to the Court of the County of New York
for trial in the Criminal Court
for the City and County of New York
March 23 1899
Not Enrolled April 17
Recorder N.M.D.
March 29 1899

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

*William H. M. Siskare
and Harold Clements*

The Grand Jury of the City and County of New York, by this indictment, accuse
William H. M. Siskare and Harold Clements
of the CRIME OF *Grand LARCENY, in the first degree,* committed
as follows:

The said *William H. M. Siskare and
Harold Clements, both*
late of the City of New York, in the County of New York aforesaid, on the
twenty-first day of *January*, in the year of our Lord
one thousand eight hundred and *ninety*, at the City and County aforesaid, being
then and there the clerks and servants of *one Richard Wedardner,*

and as such clerks and servants then and there having in ^{*his*} possession, custody and control
certain moneys, goods, chattels and personal property of the said

Richard Wedardner,
the true owner thereof, to wit: *nine written instruments, valuable
receipts and evidences of debt, that is to
say, nine certain bonds and written obligations
of the kind called Second Mortgage Bonds,
issued by the Watoh Railroad Company, of
the denomination and for the payment of
one thousand dollars each, (a more particular
description whereof is to be found in the
inducement) of the value of one thousand dollars each,*
the said *William H. M. Siskare and Harold Clements,* afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
did feloniously appropriate the said *bonds and written obligations*

^{*to his*} own use, with intent to deprive and defraud the said *Richard Wedardner*

of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and
personal property of the said *Richard Wedardner,*

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

JOHN R. FELLOWS,
District Attorney.

AND THE GRAND JURY AFORESAID, by this indictment further
accuse the said William D. M. Sullivan
of the same CRIME of Grand LARCENY, in the
first degree, _____ committed as follows:

one Richard Hedgesher.

Richard Wedarsner.

the true owner thereof, to wit: nine written instruments, valuable securities and evidences of debt, that is to say: nine certain bonds and written obligations of the kind called Second Mortgage Bonds, issued by the Western Railroad Company, of the denomination and for the payment of one thousand dollars each, (a more particular description whereof is to the Agent furnished in an annex) of the value of one thousand dollars each.

_____ did afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
feloniously appropriate the said lands and millen, etc.

to ~~their~~ own use, with intent to deprive and defraud the said Richard Hedden

of the same, and of the use and benefit thereof; and the same ~~moneys~~, goods, chattels and personal property of the said Richard Medardus.

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

~~JOHN R. FELLOWS, District Attorney.~~

Third COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further
accuse the said *William H. M. Siskare*
and *Wanda Clements*
of the same CRIME of *Grand LARCENY, in the*
first degree, — committed as follows:

The said *William H. M. Siskare*
and *Wanda Clements*, both
late of the City of New York, in the County of New York aforesaid, on the
Twenty third day of *January* in the year of our Lord
one thousand eight hundred and eighty *ninety*, at the City and County aforesaid, being
then and there the *Debtors and servants* of *Richard*
Hedardner, Juliaa LeBrun, Richard
P. Hedardner and Maurice Hedardner,

and as such *Debtors and servants* then and there having in *their* possession,
custody and control certain ~~moneys~~, goods, chattels and personal property of the said
Richard Hedardner, Juliaa LeBrun,
Richard P. Hedardner and Maurice Hedardner,
the true owners thereof, to wit: *nine written instruments,*
valuable securities and evidences of debt, that
is to say: nine certain bonds and written
obligations of the said called Second Mortgage
Bonds, issued by the Watash Railroad Company,
of the denomination and for the payment of one
thousand dollars each, a more particular description
whereof is to the Grand Jury aforesaid unknown,
of the value of one thousand dollars each.

did afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
feloniously appropriate the said *bonds and written obligations*

to *their* own use, with intent to deprive and defraud the said *Richard Hedardner*
Juliaa LeBrun, Richard P. Hedardner & Maurice Hedardner
of the same, and of the use and benefit thereof; and the same ~~moneys~~, goods, chattels and
personal property of the said *Richard Hedardner, Juliaa Le*
Brun, Richard P. Hedardner and Maurice Hedardner
did then and there and thereby feloniously steal, against the form of the Statute in such
case made and provided, and against the peace of the People of the State of New York and
their dignity.

JOHN R. FELLOWS, District Attorney.

Fourth COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further
accuse the said William H. M. Siskare
and Harold Clemens
of the same CRIME of Grand LARCENY, in the
first degree, — committed as follows:

The said William H. M. Siskare
and Harold Clemens, both —
late of the City of New York, in the County of New York aforesaid, on the
twenty-first day of January, in the year of our Lord
one thousand eight hundred and eighty ninth, at the City and County aforesaid, being
then and there the agents and trailers of Richard
Hedersche, Juliana SeBrun,
Richard P. Hedersche and Maurice
Hedersche, —

and as such agents and trailers then and there having in their possession,
custody and control certain moneys, goods, chattels and personal property of the said
Richard Hedersche, Juliana SeBrun
Richard P. Hedersche and Maurice Hedersche
the true owners thereof, to wit: five written instruments,
valuable securities and evidences of debt,
that is to say, five certain bonds and
written obligations of the kind called
Second Mortgage Bonds, issued by the
Western Railroad Company, of the
denomination and for the payment of one
thousand dollars each, (a more particular
description whereof is to the Grand Jury
aforesaid unknown) of the value of
one thousand dollars each, did afterwards, to wit:

on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
feloniously appropriate the said bonds and written obligations

to their own use, with intent to deprive and defraud the said Richard Hedersche,
Juliana SeBrun, Richard P. Hedersche and Maurice Hedersche
of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and
personal property of the said Richard Hedersche, Juliana Se
Brun, Richard P. Hedersche and Maurice Hedersche
did then and there and thereby feloniously steal, against the form of the Statute in such
case made and provided, and against the peace of the People of the State of New York and
their dignity.

DE LANCEY NICOLL,
JOHN R. FELLOWS, District Attorney.

0387

POOR QUALITY
ORIGINAL

0388

PART

THE COURT ROOM IS IN THE BROWN STONE BUILDING, AND FRONTING THE CITY HALL.

If this Subpoena be 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—(DUCES TECUM)

FOR A WITNESS TO ATTEND THE

Court of *Grand Jury*
General Sessions

The People of the State of New York,

To *William Brewster Cashin National*
Hudson River Bank

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you appear in your proper person, before the Court of *Grand Jury*, to be holden in and for the City and County of New York, at the *2032 Chambers Street or in Brown Stone Building* in the Park of the said City on the *13th* day of *October* 1890 instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf against

J. F. Owens Clemens

in a case of felony, whereof ~~he is~~ indicted, and that you bring with you and produce, at the time and place aforesaid, a certain *promissory or stock note purporting to be made by the firm of George K. Siskari's Sons to the order of the National Hudson River Bank for the sum of \$25000 dollars dated the 3rd July 1889 and a certain check drawn by William Brewster Cashin upon the said National Hudson River Bank to the order of Geo. K. Siskari's Sons for \$25000 dated about July 8th 1889* now in your custody, and all other deeds, evidences and writings, which you have in your custody or power, concerning the premises. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, HON. *Rufus B. Cowing* *City* Presiding Judge of our said Court, at the City Hall in our said City, the first Monday of *October* in the year of our Lord 1890.

JOHN R. FELLOWS, District Attorney.

0389

There being no sufficient cause to believe the within named.....
 guilty of the offence within mentioned. I order h to be discharged.
 Dated.....18.....Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against
William W. M. Sistar
and Harold Clemens

The Grand Jury of the City and County of New York, by this indictment, accuse
William W. M. Sistar and Harold Clemens
of the CRIME OF *Grand* LARCENY, in the first degree committed
as follows:

The said *William W. M. Sistar and*
Harold Clemens, both
late of the City of New York, in the County of New York aforesaid, on the
third day of *February* in the year of our Lord
one thousand eight hundred and *ninety*, at the City and County aforesaid, being
then and there the clerk and servant of *one Richard Heckscher*

and as such clerk and servant then and there having in *their* possession, custody and control
certain ~~monies~~, goods, chattels and personal property of the said

Richard Heckscher
the true owner thereof, to wit: *seven written instruments*
valuable securities and evidences of debt that
is to say: seven certain bonds and written
obligations of the kind called Second Mortgage
Bonds issued by the Wabash Railroad Company,
of the denomination and for the payment of
one thousand dollars each, (a more particular
description whereof is to the Grand Jury aforesaid
unknown, of the value of one thousand dollars each,
the said *William W. M. Sistar and Harold Clemens* afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
did feloniously appropriate the said *bonds and written obligations*
their
to ~~his~~ own use, with intent to deprive and defraud the said *Richard Heckscher*

of the same, and of the use and benefit thereof; and the same ~~monies~~, goods, chattels and
personal property of the said *Richard Heckscher*

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

JOHN R. FELLOWS,
District Attorney.

Second COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further
accuse the said *William H. M. Sistare*
and *Harold Clemens*
of the same CRIME of *Grand LARCENY*, in the
first degree committed as follows:

The said *William H. M. Sistare* and *Harold Clemens* both
late of the City of New York, in the County of New York aforesaid, on the
third day of *February* in the year of our Lord
one thousand eight hundred and *eighty nine*, at the City and County aforesaid, being
then and there the *agents and bailees* of
one Richard Heckscher

and as such *agents and bailees* then and there having in *their* possession,
custody and control certain *moneys, goods, chattels and personal property* of the said

Richard Heckscher
the true owner thereof, to wit: *seven written instruments*
valuable securities and evidences of debt, that
is to say: seven certain bonds and written
obligations of the kind called Second Mortgage
Bonds issued by the Wabash Railroad Company,
of the denomination and for the payment of
one thousand dollars each (a more particular
description whereof is the Grand Jury aforesaid
unknown) of the value of one thousand
dollars each,

did afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
feloniously appropriate the said *bonds and written obligations*

to *their* own use, with intent to deprive and defraud the said *Richard Heckscher*

of the same, and of the use and benefit thereof; and the *same* *moneys, goods, chattels and*
personal property of the said *Richard Heckscher*

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

JOHN R. FELLOWS, District Attorney

Third COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further
accuse the said *William N. M. Sistare*
and *Harold Clemens*
of the same CRIME of *Grand LARCENY*, in the
first degree, — committed as follows:

The said *William N. M. Sistare*
late of the City of New York, in the County of New York aforesaid, on the
third day of *February* in the year of our Lord
one thousand eight hundred and eighty*nine*, at the City and County aforesaid, being
then and there the *clerks and servants* of *Richard*
Heckscher, *Julinka Le Brun*, *Richard*
P. Heckscher and *Maurice Heckscher*

and as such *clerks and servants* then and there having in *their* possession,
custody and control certain *moneys, goods, chattels and personal property* of the said
Richard Heckscher, *Julinka Le Brun*,
Richard P. Heckscher and *Maurice Heckscher*
the true owner thereof, to wit: *seven written instruments*,
valuable securities and evidences of debt,
that is to say: *seven certain bonds and written*
obligations of the kind called Second Mortgage
Bonds issued by the Wabash Railroad
Company, of the denomination and for the
payment of one thousand dollars each, (a more
particular description whereof is to the Grand
Jury aforesaid unknown) of the value
of one thousand dollars each, did afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
feloniously appropriate the said *bonds and written obligations*

to *their own* use, with intent to deprive and defraud the said *Richard Heckscher*,
Julinka Le Brun, *Richard P. Heckscher* and *Maurice Heckscher*
of the same, and of the use and benefit thereof; and the same *moneys, goods, chattels and*
personal property of the said *Richard Heckscher*, *Julinka*
Le Brun, *Richard P. Heckscher* and *Maurice Heckscher*
did then and there and thereby feloniously steal, against the form of the Statute in such
case made and provided, and against the peace of the People of the State of New York and
their dignity.

—JOHN R. FELLOWS, District Attorney.—

Fourth COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further
accuse the said *William W. M. Sistare*
and *Harold Clemens*
of the same CRIME of *Grand LARCENY*, in the
first degree, — committed as follows:

The said *William W. M. Sistare* and *Harold Clemens*, both
late of the City of New York, in the County of New York aforesaid, on the
third day of *February* in the year of our Lord
one thousand eight hundred and *eighty-nine*, at the City and County aforesaid, being
then and there the *agents and bailees* of *Richard*
Heckscher, Julinka Le Brun, Richard
P. Heckscher and Maurice Heckscher

and as such *agents and bailees* then and there having in their possession,
custody and control certain moneys, goods, chattels and personal property of the said
Richard Heckscher, Julinka Le Brun,
Richard P. Heckscher and Maurice Heckscher
the true owner thereof, to wit:

seven written instruments,
valuable securities and evidences of debt,
that is to say: seven certain bonds and
written obligations of the kind called Second
Mortgage Bonds, issued by the Unabach
Railroad Company of the denomination and
for the payment of one thousand dollars each,
(a more particular description whereof as to the
Grand Jury aforesaid unknown) of the value
of one thousand dollars each, did afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
feloniously appropriate the said *bonds and written obligations*

to their own use, with intent to deprive and defraud the said *Richard Heckscher,*
Julinka Le Brun, Richard P. Heckscher and Maurice Heckscher
of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and
personal property of the said *Richard Heckscher, Julinka*
Le Brun, Richard P. Heckscher and Maurice Heckscher
did then and there and thereby feloniously steal, against the form of the Statute in such
case made and provided, and against the peace of the People of the State of New York and
their dignity.

DE LANCEY NICOLL.

JOHN R. FELLOWS, District Attorney.

POOR QUALITY
ORIGINAL

0394

7 Dec. a. 1890. Am. Soc. Nov. 1890. N.Y. Co.
3 Feb. 1891.

Witnesses;

Richard Wecker

I recommend the dismissal
of the indictment as to
defendant William for
the reasons indicated on
indictment against him
Filed March 10 1891

March 10 1891

Richard Wecker
Dist. Atty.

I recommend the dismissal
of this indictment as to Clement
see endorsement on indictment
Filed March 10 1891.

March 11 1891
J. M. Davis
Clerk

Counsel,

Filed

Pleas,

THE PEOPLE

vs.

William J. M. Sinton

and

Harold Clement

(5 Cases)

DELANEY NICOLL

JOHN R. TELLER

County of New York
District of Columbia
In and for the City of New York
for Criminal Justice in the District
of Columbia
1891

A True Bill

Received to the Court of
the County of New York
for Criminal Justice in the District
of Columbia
1891

No 2 on record - 4 Dec. 1891 - Indict. vs. J. M. Davis

POOR QUALITY
ORIGINAL

0395

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

William H. M. Sistrar
Harold Clemens

The Grand Jury of the City and County of New York, by this indictment, accuse
William H. M. Sistrar and Harold Clemens
of the CRIME OF Grand LARCENY, in the first degree, committed
as follows:

The said William H. M. Sistrar and Harold
Clemens, both —
late of the City of New York, in the County of New York aforesaid, on the
fourteenth day of August, — in the year of our Lord
one thousand eight hundred and eighty-nine, at the City and County aforesaid, being
then and there the clerk and servant of agents and bailers of

one August Heckscher, —

and as such ~~clerk and servant~~ ^{agents and bailers} then and there having in ~~his~~ ^{their} possession, custody and control
certain ~~moneys~~, goods, chattels and personal property of the said August Heckscher, —

the true owner thereof, to wit: one written instrument and valuable
security, that is to say: a certain certificate of stock issued
by a certain corporation known as the Schuylkill Zinc
and Iron Company, and declaring and purporting to
declare, and being a certificate and evidence of the right
title and interest of the owner thereof to and in one hundred
shares of the capital stock of said corporation of the par value of
one hundred dollars each share (a more particular description of which
said certificate of stock is to the Grand Jury aforesaid unknown) of the
said August Heckscher, —
the said William H. M. Sistrar and Harold Clemens, afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
did feloniously appropriate the said certificate of stock —

^{their}
to ~~his~~ own use, with intent to deprive and defraud the said August Heckscher —

of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and
personal property of the said August Heckscher, —

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

De Sancy Möll
JOHN R. FELLOWS,

District Attorney.

0396

April 11/93

Vernon H. Davis
Esq.

See endorsement Indictment filed
March 10/91.

April 11, 1893.

V. M. Davis
Asst

[illegible][illegible]

POOR QUALITY ORIGINAL

0397

After examining this case, I am convinced that there is little probability of conviction of defendant Clemens. The evidence against him is the same as that against Distre, ^{the defendant} against whom have been dismissed. I therefore recommend that the ~~first~~ indictment against defendant Clemens be also dismissed, said indictment having been filed ~~March 10th 1891~~ ^{March 10th 1891}.

April 11/93

Vernon W. Dani.
Clerk.

I recommend the dismissal of this indictment as to defendant Clemens.
See endorsement Indictment filed March 10/91.

April 11, 1893. V. M. Dani
Clerk

649 N. 2. on record
April 11, 1893
Counsel,
Filed
Pleas,
Not guilty
Rec'd by Clerk of Court
The People
vs.
William H. M. Siskard
and
Harold Clemens
Grand Jurors
John R. McCall
John R. McCall
Ordered by the Court
April 11/93
A True Bill
Ordered to the Court of

Witness:
J. J. McCall
After a careful examination of all the evidence in this case, I am of the opinion that there is little probability of obtaining a conviction. The correspondence between one of the complainants & the defendant gives some support to the latter's contention that he believed the law authority to use the weapons which he is charged by the indictment with carrying. The complainants suffered through the act of the defendant. As they have expressed themselves as satisfied that the defendant is not, so far as they are concerned, the losses which they sustained, and they have expressed a desire that their indictment be dismissed. In view of these circumstances, I have concluded to recommend their dismissal as to defendant Siskard.
March 12, 1893. J. J. McCall
Jury Clerk

POOR QUALITY
ORIGINAL

0398

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*William N. M. Sestare
and Harold Clemens*

The Grand Jury of the City and County of New York, by this indictment, accuse *William N. M. Sestare and Harold Clemens* of the CRIME OF *Grand* LARCENY, in the first degree, committed as follows:

The said *William N. M. Sestare and Harold Clemens*, both

late of the City of New York, in the County of New York aforesaid, on the *twenty-ninth* day of *January* in the year of our Lord one thousand eight hundred and *ninety*, at the City and County aforesaid, being then and there the clerk and servant of *one Richard Neckescher*

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

Richard Neckescher,

the true owner thereof, to wit:

six written instruments, valuable securities and evidences of debt, that is to say: six certain bonds and written obligations of the kind called Second mortgage Bonds, issued by the Wabash Railroad Company, of the denomination and for the payment of one thousand dollars each, (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of one thousand dollars each.

the said *William N. M. Sestare and Harold Clemens* afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously appropriate the said *bonds and written obligations*

^{their} to ~~his~~ own use, with intent to deprive and defraud the said *Richard Neckescher*

of the same, and of the use and benefit thereof; and the same ~~money~~ goods, chattels and personal property of the said *Richard Neckescher*

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

JOHN R. FELLOWS,
District Attorney.

Second COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further
accuse the said *William N.M. Sistrare*
and *Harold Clemens*,
of the same CRIME of Grand LARCENY, in the
first degree committed as follows:

The said *William N.M. Sistrare*
and *Harold Clemens*, both
late of the City of New York, in the County of New York aforesaid, on the
twenty-ninth day of *January* in the year of our Lord
one thousand eight hundred and eighty-nine, at the City and County aforesaid, being
then and there the *agents and bailees* of
one Richard Heckscher,

and as such *agents and bailees* then and there having in *their* possession,
custody and control certain moneys, goods, chattels and personal property of the said

Richard Heckscher
the true owner thereof, to wit: *six* written instruments val-
uable securities and evidences of debt, that is to say:
six certain bonds and written obligations of the
kind called *Second Mortgage Bonds*, issued by the
Wabash Railroad Company, of the denomination and
for the payment of *one thousand dollars each*
(a more particular description whereof is
to the Grand Jury aforesaid unknown) of
the value of *one thousand dollars each*

did afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
feloniously appropriate the said *bonds and written obligations*

to *their own* use, with intent to deprive and defraud the said *Richard Heckscher*

of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and
personal property of the said *Richard Heckscher*

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

—JOHN R. FELLOWS, District Attorney.—

Third COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further
accuse the said *William N. M. Sistare and*
of the same CRIME of *Grand LARCENY*, in the
first degree ——— committed as follows:

The said *William N. M. Sistare*
and *Harold Clemens*, both ———
late of the City of New York, in the County of New York aforesaid, on the
twenty-fifth day of *January* in the year of our Lord
one thousand eight hundred and eighty-nine, at the City and County aforesaid, being
then and there the clerks and servants of *Richard*
Heckscher, Julinka Le Brun, Richard
P. Heckscher and Maurice Heckscher

and as such clerks and servants then and there having in their possession,
custody and control certain moneys, goods, chattels and personal property of the said
Richard Heckscher, Julinka Le Brun

the true owner thereof, to wit: *six written instruments,*
valuable securities and evidences of debt, that is
to say: six certain bonds and written oblig-
ations of the kind called Second Mortgage Bonds
issued by the Wabash Railroad Company, of the
denomination and for the payment of one
thousand dollars each (a more particular descrip-
tion whereof is to the Grand Jury aforesaid
unknown) of the value of one thousand
dollars each, ———

did afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
feloniously appropriate the said *bonds and written obligations*

to their own use, with intent to deprive and defraud the said *Richard Heckscher,*
Julinka Le Brun, Richard P. Heckscher and Maurice Heckscher
of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and
personal property of the said *Richard Heckscher, Julinka Le*
Brum, Richard P. Heckscher and Maurice Heckscher
did then and there and thereby feloniously steal, against the form of the Statute in such
case made and provided, and against the peace of the People of the State of New York and
their dignity.

—JOHN R. FELLOWS, District Attorney.—

POOR QUALITY
ORIGINAL

0401

Fourth COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further
accuse the said *William H. M. Sistare*
and *Harold Clemens*
of the same CRIME of *Grand LARCENY*; in the
first degree, — committed as follows:

The said *William H. M. Sistare* and *Harold Clemens*, both
late of the City of New York, in the County of New York aforesaid, on the
twenty-ninth day of *January* in the year of our Lord
one thousand eight hundred and eighty *eight*, at the City and County aforesaid, being
then and there the *agents and bailees* of *Richard*
Heckscher, Julinka Le Brun, Rich-
ard P. Heckscher and Maurice Heckscher

and as such *agents and bailees* then and there having in *their* possession,
custody and control certain moneys, goods, chattels and personal property of the said
Richard Heckscher, Julinka Le Brun
Richard P. Heckscher and Maurice Heckscher
the true owner thereof, to wit: *six* written instruments of
valuable securities and evidences of debt,
that is to say: *six* certain bonds and written
obligations of the kind called Second Mortgage
Bonds, issued by the Wabash Railroad Company,
of the denomination and for the payment of
one thousand dollars each, (a more particular
description whereof is to the Grand Jury
aforesaid unknown) of the value
of one thousand dollars each, did afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
feloniously appropriate the said *bonds and written obligations*

to their own use, with intent to deprive and defraud the said *Richard Heckscher,*
Julinka Le Brun, Richard P. Heckscher and Maurice Heckscher
of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and
personal property of the said *Richard Heckscher, Julinka*
Le Brun, Richard P. Heckscher and Maurice Heckscher
did then and there and thereby feloniously steal, against the form of the Statute in such
case made and provided, and against the peace of the People of the State of New York and
their dignity.

DE LANCEY NICOLL.

JOHN R. FELLOWS, District Attorney.

POOR QUALITY ORIGINAL

0402

Handwritten notes on the left margin of the top page, including dates and names.

Counsel,
Filed 10 March 1891
Pleads, For Emily (Mother)

THE PEOPLE
vs.
William H. M. Sistrand
and
Harold Clemens
(5 cases)

DE LANCEY NICOLL
JOHN R. PHILLIPS

District Attorney
The Court of Sessions
City of New York
Filed for trial
on record No. 2
as 2-28-91

Witnesses:
Richards Hecker

I recommend the dismissal
of this indictment against
Defendant Sistrand for
reasons indicated on
indictment against him
filed Apr. 1, 1891.

Mar 1/92 Securus Mend
Best att

I recommend dismissal of
this indictment as to
Clemens. See endorsement
on indictment filed March
10th 1891.

Apr 1/92 T.M. Davis
Cross

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against
William H. M. Sistrare
and Harold Clemens

The Grand Jury of the City and County of New York, by this indictment, accuse
William H. M. Sistrare and Harold Clemens
of the CRIME OF Grand LARCENY, in the first degree committed
as follows:

The said William H. M. Sistrare and
Harold Clemens, both
late of the City of New York, in the County of New York aforesaid, on the
twenty-sixth day of March in the year of our Lord
one thousand eight hundred and ninety, at the City and County aforesaid, being
then and there the clerk and servant of one Richard Heckscher

and as such clerk and servant then and there having in his possession, custody and control
certain moneys, goods, chattels and personal property of the said Richard Heckscher

the true owner thereof, to wit: nine written instruments valuable
securities and evidences of debt, that is to say:
nine certain bonds and written obligations of
the kind called Second Mortgage Bonds, issued
by the Wabash Railroad Company, of the denom-
ination and for the payment of one thousand
dollars each (a more particular description where-
of is to the Grand Jury aforesaid unknown)
of the value of one thousand dollars each;

the said William H. M. Sistrare and Harold Clemens afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
did feloniously appropriate the said bonds and written obligations

their
to his own use, with intent to deprive and defraud the said Richard Heckscher

of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and
personal property of the said Richard Heckscher

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

JOHN R. FELLOWS,
District Attorney.

POOR QUALITY
ORIGINAL

0404

Second COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further
accuse the said *William H. M. Sistare*
and *Harold Clemens*
of the same CRIME of *Grand LARCENY*, in the
first degree, — committed as follows:

The said *William H. M. Sistare* and *Harold Clemens*, both
late of the City of New York, in the County of New York aforesaid, on the
twenty-sixth day of *March* in the year of our Lord
one thousand eight hundred and eighty *nine*, at the City and County aforesaid, being
then and there the *agents and bailees* of
one Richard Heckscher —

and as such *agents and bailees* then and there having in *their* possession,
custody and control certain ~~monies~~, goods, chattels and personal property of the said

Richard Heckscher
the true owner thereof, to wit: *nine written instruments*
valuable securities and evidences of debt, that
is to say: nine certain Bonds and written oblig-
ations of the kind called Second Mortgage
Bonds, issued by the Wabash Railroad Company,
of the denomination and for the payment of
one thousand dollars each, (a more particular
description whereof is to the Grand Jury
aforesaid unknown) of the value of one
thousand dollars each, did afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
feloniously appropriate the said *Bonds and written obligations*

to their own use, with intent to deprive and defraud the said Richard Heckscher

of the same, and of the use and benefit thereof; and the same ~~monies~~, goods, chattels and
personal property of the said *Richard Heckscher*

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

JOHN R. FELLOWS, District Attorney.

Third COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further
accuse the said *William H. M. Sistare*
and *Harold Clemens*
of the same CRIME of *Grand LARCENY*, in the
first degree — committed as follows:

The said *William H. M. Sistare* and *Harold Clemens*, both
late of the City of New York, in the County of New York aforesaid, on the
twenty-sixth day of *March* in the year of our Lord
one thousand eight hundred and eighty-nine, at the City and County aforesaid, being
then and there the clerks and servants of *Richard*
Heckscher, Julenka Le Brun,
Richard P. Heckscher and Maurice Heckscher

and as such clerks and servants then and there having in their possession,
custody and control certain moneys, goods, chattels and personal property of the said
Richard Heckscher, Julenka Le Brun,
Richard P. Heckscher and Maurice Heckscher
the true owners thereof, to wit: *nine written instruments,*
valuable securities and evidences of contracts,
that is to say: nine certain bonds and written
obligations of the kind called Second Mortgage
Bonds, issued by the Wabash Railroad Company,
of the denomination and for the payment of
one thousand dollars each, (a more particular
description whereof is to the Grand Jury
aforesaid unknown) of the value of one
thousand dollars each, — did afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
feloniously appropriate the said *bonds and written obligations*

to their own use, with intent to deprive and defraud the said *Richard Heckscher,*
Julenka Le Brun, Richard P. Heckscher and Maurice Heckscher
of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and
personal property of the said *Richard Heckscher, Julenka Le*
Brum, Richard P. Heckscher and Maurice Heckscher
did then and there and thereby feloniously steal, against the form of the Statute in such
case made and provided, and against the peace of the People of the State of New York and
their dignity.

~~JOHN R. FELLOWS, District Attorney.~~

Fourth COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further
accuse the said *William N. M. Sistare*
and *Harold Clemens*
of the same CRIME of *Grand LARCENY*, in the
first degree, committed as follows:

The said *William N. M. Sistare* and *Harold Clemens*, both
late of the City of New York, in the County of New York aforesaid, on the
twenty sixth day of *March* in the year of our Lord
one thousand eight hundred and eighty *eight*, at the City and County aforesaid, being
then and there the *agents and bailees* of *Richard*
Heckscher, Juliana Le Brun, Richard
P. Heckscher and Maurice Heckscher

and as such *agents and bailees* then and there having in *their* possession,
custody and control certain moneys, goods, chattels and personal property of the said
Richard Heckscher, Juliana Le Brun,
Richard P. Heckscher and Maurice Heckscher
the true owner thereof, to wit: *nine written instruments,*
valuable securities and evidences of debt, that
is to say: nine certain bonds and written
obligations of the kind called Second Mortgage
Bonds issued by the Wabash Railroad Company,
of the denomination and for the payment of
one thousand dollars each, (a more particular
description whereof is to the Grand Jury
aforesaid unknown) of the value of one
thousand dollars each, did afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
feloniously appropriate the said *bonds and written obligations*
to *their own* use, with intent to deprive and defraud the said *Richard Heckscher,*
Juliana Le Brun, Richard P. Heckscher and Maurice Heckscher
of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and
personal property of the said *Richard Heckscher, Juliana Le*
Brun, Richard P. Heckscher and Maurice Heckscher
did then and there and thereby feloniously steal, against the form of the Statute in such
case made and provided, and against the peace of the People of the State of New York and
their dignity.

DE LANCEY NICOLL.

~~JOHN R. FELLOWS~~, District Attorney.

POOR QUALITY ORIGINAL

0407

The defendant Clemens is jointly indicted with Sistine in five separate indictments. These indictments have been dismissed as to Sistine for reasons set out on the indictment filed April 1, 1891. The evidence against Clemens is in substance the same as that against Sistine, & in my opinion there is better probability of convicting upon it. I therefore recommend that all five indictments against Clemens be dismissed. Four of these indictments were filed 10 March, 1891, & one was filed April 1, 1891.
April 11, 1893.

Vernon M. Davis -
Clerk

9 March 1891
26 March 1891
Clerk's Office
a

Counsel,
Filed
1891
#1 Pleads, 104 Entry (Apr 17)

THE PEOPLE
vs.
William H. Sistine
and
Harold Clemens
(Sister)
DE LAUNCEY INCORPORATED

March 25 1892
for trial (minutes)
of the COURT
of the COUNTY OF NEW YORK
In re: Sistine & Clemens
indict dis. as to Sistine
March 1, 1891
See endorsement
V.M.D.

Witnesses:
Richard Hooker

I recommend the dismissal of this indictment as to Sistine for the reasons set out in the indictment against him filed April 1, 1891.
March 1, 1893.
De Launay Incor.
See endorsement within
fold as to diff Clemens
V.M.D.
Clerk
April 11, 1893

TORN PAGE

POOR QUALITY
ORIGINAL

0408

Sec. 151.

Poli-

CITY AND COUNTY } ss. In the name of the People of the State of New
OF NEW YORK. } of New York, or any Marshal or Policeman of

Whereas, Complaint in writing, and upon oath, has been made before
Justices for the City of New York, by Hucko Deft
of No. 260 South 18th Street, that on the
1889 at the City of New York, in the County of New York, the following article to

of the value of Twenty-five Dollars
the property of Complainant & Co.
was taken, stolen and carried away, and as the said complainant has can-
believe, by William M. Sexton

Wherefore, the said Complainant has prayed that the said Defendant
answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of N.
Sheriff, Marshals and Policemen, and every of you, to apprehend the be
and forthwith bring him before me, at the 1 DISTRICT POLICE
case of my absence or inability to act, before the nearest or most accessible Polic
said charge, and to be dealt with according to law.

Dated at the City of New York, this 2 day of December

W. M. Sexton

TORN PAGE

POOR QUALITY
ORIGINAL

0409

Police Court _____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated _____ 188

Magistrate

Crowley & McNaught Officers

This Defendant

having been brought before me under this Warrant, is committed
WARDEN and KEEPER of the City Prison of the City of New York
Dated _____ 188

POOR QUALITY
ORIGINAL

0410

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

William H. M. Sistrone

Question. How old are you?

Answer.

49 years

Question. Where were you born?

Answer.

N. Y.

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

Answer.

30 E - 60th St 10 years

Question. What is your business or profession?

Answer.

Stock Broker

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

per.

*I have nothing to say
until I see my
Counsel J. H. M. Sistrone*

Taken before me this
day of *April* 18*91*

Police Justice

State of New York,

City and County of New York, ss:

Richard Heckscher, being duly sworn, deposes and says:

That he resides at Number 260 South 18th Street, in the City of Philadelphia, in the County of Philadelphia, and State of Pennsylvania.

That on or about the dates hereinafter mentioned, at the City of New York, in the County and State of New York, one William H. M. Sistare and one Harold Clemens, composing the firm of George K. Sistare's Sons, being the servants and agents of deponent, and neither the said William H. M. Sistare or Harold Clemens being apprentices or within the age of eighteen years, did feloniously embezzle and convert to his and their own use and to the use of the said firm of George K. Sistare's Sons, without the assent of this deponent, the property of the said deponent, and the property of certain other persons as hereinafter more particularly alleged, which had come into the possession of the said William H. M. Sistare and Harold Clemens, composing the said firm of George K. Sistare's Sons, as such servants and agents, the following described securities or evidences of debt, to-wit:- Thirty-three (33) bonds of the description and kind known as Second Mortgage Bonds of the Wabash Railroad Company, of the par value of One thousand dollars each. That the said securities or evidences of

(2)

debt came into the possession of the said William H. M. Sistare and the said Harold Clemens, composing the said firm of George K. Sistare's Sons, in the manner following, to-wit:-

This deponent being prior to November 27th, 1889, the owner of certain car trust certificates of the New York and Pacific Car Loan Trust, and having in deponent's custody certain other of said Car Trust certificates, the property of one ^{Julia Ka}~~Julietta~~ Le Brun, R. P. Heckscher and ~~James~~ ^{Maurice Heckscher} and being desirous of exchanging the said Car Trust certificates belonging to deponent, for Second Mortgage Bonds of the Wabash Railroad Company, and deponent having been instructed to exchange said certificates owned by the last above named individuals for said bonds, issued in pursuance of an agreement between the said Railroad Company and the said Trust Company, deponent employed the said William H. M. Sistare and the said Harold Clemens, composing the said firm of George K. Sistare's Sons, as his agents, for the sole and only purpose of procuring the exchange or transfer of the said certificates into said bonds, specifically instructing and directing that as soon as said certificates were exchanged for bonds of the said Railroad Company, and said bonds delivered by the Metropolitan Trust Company, the Trustee duly appointed to carry out the exchange of said securities, to forward the said bonds of the said Wabash Railroad Company, to be issued in exchange for the said certificates, to this de-

(3)

ponent in Philadelphia. That the said William H. M. Sistare and the said Harold Clemens, composing the said firm of George K. Sistare's Sons, did, on or about the 2nd day of December 1889, receive from the said Metropolitan Trust Company, the Trustee as aforesaid, in exchange for the car trust certificates belonging to this deponent and to the other persons hereinbefore mentioned for whom deponent was acting, and deposited with the said William H. M. Sistare and the said Harold Clemens, composing said firm of George K. Sistare's Sons, for the sole and only purpose aforesaid, Forty (40) Second Mortgage Bonds of the said Wabash Railroad Company, of the par value of one thousand dollars each, and did thereafter, and on or about the 12th day of December 1889, receive from the said Metropolitan Trust Company, Trustee as aforesaid, in lieu of car trust certificates belonging to and owned by this deponent, and said other persons, and deposited with the said William H. M. Sistare and the said Harold Clemens, composing the said firm of George K. Sistare's Sons, for the sole and only purpose aforesaid, Eight (8) bonds of the said Wabash Railroad Company, of the par value of one thousand dollars each. That the said William H. M. Sistare and the said Harold Clemens, composing the said firm of George K. Sistare's Sons, did, without the knowledge, assent, authority or direction of this deponent, ^{or of the other said persons for whom deponent was acting} and for the purpose and with the intent of defrauding this deponent, and said other persons, feloniously embezzle and convert to

(4)

their own use and to the use of the said firm of George K. Sistare's Sons, composed as aforesaid, thirty-three (33) of the Second Mortgage Bonds of the said Wabash Railroad Company, of the par value of one thousand (1000) dollars each, the property of this deponent and said other persons, and received by them, said William H. M. Sistare and the said Harold Clemens, composing the said firm of George K. Sistare's Sons, in the manner aforesaid, in the manner following, to-wit:-

On or about the 13th day of December 1889, the said William H. M. Sistare and the said Harold Clemens, composing the said firm of George K. Sistare's Sons, did make, execute and deliver their certain promissory note, in writing, in the firm name and style of George K. Sistare's Sons, to the order of E. C. Potter & Co., for the sum of \$100,000, said note being payable in 122 days after date, and bearing interest at six per cent., and did hypothecate, pledge and deliver, without the knowledge, assent, authority or direction of this deponent, or said other persons, or either of them, to the said E. C. Potter & Co., among other collateral, two (2) Second Mortgage Bonds of the said Wabash Railroad Company, of the par value of one thousand dollars each, the said two bonds being the property of ^{Juliana} ~~Julietta~~ Le Brun, and said bonds being numbered 13,655, 13656.

That on or about the twenty-first day of January 1890, the said William H. M. Sistare and the said Harold Clemens, composing the said firm of George K. Sis-

(5)

tare's Sons, did make, execute and deliver their certain other promissory note, in writing, in the firm name and style of George K. Sistare's Sons, to the order of the Union Trust Company of New York, for the sum of \$75,000, said note being payable on demand, and did hypothecate, pledge and deliver, without the knowledge, assent, authority or direction of this deponent, or said other persons, or either of them, to the said Union Trust Company of New York, among other collateral, nine (9) Second Mortgage Bonds of the said Wabash Railroad Company, of the par value of one thousand dollars each, the said bonds being the property *of this deponent or a part thereof*

That on or about the twenty-ninth day of January 1890, the said William H. M. Sistare and the said Harold Clemens, composing the said firm of George K. Sistare's Sons, did make, execute and deliver their certain other promissory note, in writing, in the firm name and style of George K. Sistare's Sons, to the order of the National Bank of the Republic, for the sum of \$100,000, ~~said note being payable~~ and did hypothecate, pledge and deliver, without the knowledge, assent, authority or direction of this deponent, or said other persons, or either of them, to the said National Bank of the Republic, among other collateral, six (6) Second Mortgage Bonds of the said Wabash Railroad Company, of the par value of one thousand dollars each, the said six bonds being the property *of this deponent or a part thereof*

(6)

7

That on or about the third day of February 1890, the said William H. M. Sistare and the said Harold Clemens, composing the said firm of George K. Sistare's Sons, did convert and deliver to the Mechanics' Savings Bank of Hartford, Connecticut, seven of said bonds of said Wabash Railroad Company, as part security for certain moneys theretofore loaned by said Bank to said firm, amounting to the sum of \$25,000, and thereby pledged and hypothecated said bonds with said Bank. That said bonds were numbered 12,427, 12,428, 12,429, 12,433, 12,434, 12,435, 12,436, and were the property of *this deponent or some part thereof*

That said pledge was made without the knowledge, consent, authority or assent of this deponent or of the said *persons* _____ and was made by said William H. M. Sistare and said Harold Clemens, composing said firm of George K. Sistare's Sons, with intent to defraud this deponent and the said *persons represented by deponent.*

2

That on or about the 26th day of March 1890, the said William H. M. Sistare and the said Harold Clemens, composing said firm of George K. Sistare's Sons, did make, execute and deliver their certain other promissory note, in writing, in the firm name and style of George K. Sistare's Sons, to the order of the Atlantic Trust Company, for the sum of \$50,000, and did hypothecate, pledge and deliver, without the knowledge, assent, authority, or direction of this deponent, *or said Julius H. Brown* to the said Atlantid Trust Company, among other collaterals, nine (9)

(7)

Second Mortgage Bonds of the said Wabash Railroad Company, of the par value of one thousand dollars each, ^{six of} the said ~~the other than of said bonds being the property of this deponent or some~~ nine bonds being the property of Julietta Le Brun. That on or about the 2nd day of December 1889, this deponent made enquiry of said firm as to whether or not said bonds had been exchanged and received by said firm.

That the said William H. M. Sistare and the said Harold Clemens, composing said firm of George K. Sistare's Sons, for the purpose of concealing from this deponent the fact that forty (40) of the said Second Mortgage Bonds of the said Wabash Railroad Company, of the par value aforesaid, the property of this deponent, and of said other persons, had been issued in lieu of the said car trust certificates, and had been received by the said William H. M. Sistare and the said Harold Clemens, composing the said firm of George K. Sistare's Sons, and for the purpose and with the intent of deceiving and defrauding this deponent, and the said other persons whom he represented, of their said property, and of embezzling and converting the same to their use, and the use of the said firm, composed as aforesaid, did on or about the fourth day of December 1889, over the signature of the said W. H. M. Sistare, he being a member of said firm aforesaid, cause a certain letter writing to be sent to this deponent, of which letter writing, the following is a copy, to-wit:-

"New York, Dec. 4, 1889.

My dear Mr. Heckscher.

Your favor of Dec. 2nd. recd., and in reply we beg to assure you that there will be no unnecessary delay in

(8)

getting the Wabash Bonds. As I explained to you when you were here, the engraver made an error in the engraving of the bonds, which was not discovered until many had been actually issued and delivered. This made it obligatory upon the Company to call in those that had been delivered and to stop delivering any more that were in hand. New bonds were engraved as rapidly as possible all of which had to be signed, hence the delay. We are on record as having deposited \$48,000. Car Trust, for which we are to get the same amount of Wabash Bonds, \$8,000 of the above being for Mrs. Le Brun, whose power of atty. we are expecting from you. Mr. Stevens called on Mrs. Colfill, who told him that she had obtained her bonds, and explained why she had not gotten them before. The power of atty. which you signed for Mrs. Jane Glover, seems to be technically wrong. We enclose you a blank, which you will please sign, simply "Richard Heckscher." We will fill it up properly and hand it to the transfer clerk. You need not give yourself any trouble about the matter as we will attend to all the details.

Very truly yours,

W. H. M. Sistare."

That at the time the said W. H. M. Sistare signed and forwarded said letter to this deponent, he, and the said Harold Clemens, well knew that the same was false and that said letter was by them written and sent for the purpose of concealing and keeping from this deponent knowledge of the fact that forty of said bonds had theretofore been delivered to them, and with the intent and for the purpose of enabling the said Sistare and Clemens to convert and embezzle or appropriate said bonds or a part thereof, to their own use and to the use of their said firm, without the knowledge or consent of this deponent, or of said other persons for whom deponent acted. That twenty-three (23) of said bonds so converted and embezzled by the said Sistare and the said Clemens were the property of this deponent. That eight (8) of said bonds were the property of ~~Julietta~~ ^{Julius} Le Brun, who resides in Hamburg, Germany. That one (1) of said bonds

(9)

belonged to Richard P. Heckscher, and one (1) of said bonds belonged to Maurice Heckscher, who reside in Philadelphia. That all of said car trust certificates which had been exchanged for said ten bonds last referred to were entrusted to deponent by the true owners thereof for the purpose of effecting said exchange, and that deponent as agent for said last named persons employed said Sistare and Clemens for the sole and only purpose of effecting the exchange of said certificates for said bonds.

Sworn to before me this :
12th day of February 1898:

Richard Heckscher

[Signature]

Patience J. [Signature]

**POOR QUALITY
ORIGINAL**

0420

The People on the relation,
&c.,

vs:

William H. M. Sistare and
Harold Clemens, composing the
firm of George K. Sistare's
Sons.

Affidavit
of Richard Heckscher.

Alexander & Green,
Attorneys for Richard Heck-
scher,
Office & P. O. Address,
120 Broadway,
New York City, N.Y.

THE PEOPLE

against

WILLIAM H. M. SISTARE
HAROLD CLEMENS.

This offense was alleged to have been committed more than nine years ago and the defendant Clemens has never been arrested upon this charge. From the annexed communication from the attorneys for the complainant it appears that there is no disposition to further prosecute and that in any event "there was some evidence at the time of the indictment which x x x x could not now be produced."

In view of the foregoing I recommend the discharge of the defendant upon his own recognizance.

New York, March 1st, 1899.

Wm. F. Wood

Assistant District Attorney.

GOOD QUALITY
ORIGINAL

0422

ALEXANDER & GREEN

120 Broadway
New York Feb. 25, 1899.

Robert Townsend, Esq.,
Assistant District Attorney,
District Attorney's Office,
New York City.

Dear Sir:-

People v. William H. M. Sistare.

As Mr. McCulloch has already informed you, your favor of the 1st instant, addressed to Mr. Richard Heckscher of Philadelphia, has been forwarded to us for attention.

The indictment, as you are aware, was obtained about eight years ago. Mr. Heckscher is an elderly gentleman residing in Philadelphia, and after this long lapse of time he has forgotten many of the facts and circumstances out of which this matter arose. Furthermore there was some evidence at the time of the indictment which we do not think could now be produced, and in view of all the circumstances he would be now willing, provided you concur, to have the defendant's bail discharged.

Yours very truly,

Wm. H. M. Sistare

Court of Criminal Sessions of the City and County of New York.

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against
William N. M. Sistrare
and Harold Clemens

The Grand Jury of the City and County of New York, by this indictment, accuse
William N. M. Sistrare and Harold Clemens
of the CRIME OF Grand LARCENY, in the first degree, committed
as follows:

The said William N. M. Sistrare and
Harold Clemens, both
late of the City of New York, in the County of New York aforesaid, on the
thirteenth day of December in the year of our Lord
one thousand eight hundred and eighty-nine, at the City and County aforesaid, being
then and there the clerk and servant of one Richard Heckscher

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

the true owner thereof, to wit: two written instruments,
valuable securities and evidences of debt, that
is to say: two certain Bonds and written obligations
of the kind called Second Mortgage Bonds issued
by the Wabash Railroad Company, of the
denomination and for the payment of one
thousand dollars each (a more particular description
whereof is to the Grand Jury aforesaid unknown)
of the value of one thousand dollars each:

the said William N. M. Sistrare and Harold Clemens afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
did feloniously appropriate the said Bonds and written obligations

^{their}
to ~~his~~ own use, with intent to deprive and defraud the said Richard Heckscher

of the same, and of the use and benefit thereof; and the same ~~moneys~~, goods, chattels and
personal property of the said Richard Heckscher

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

JOHN R. FELLOWS,
District Attorney.

Second COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further
accuse the said *William N. M. Sistare*
and *Harold Clemens*
of the same CRIME of *Grand LARCENY, in the*
first degree, — committed as follows:

The said *William N. M. Sistare*
and *Harold Clemens*, both —
late of the City of New York, in the County of New York aforesaid, on the
thirteenth day of *December* in the year of our Lord
one thousand eight hundred and eighty-nine, at the City and County aforesaid, being
then and there the *agents and bailees* of
one Richard Heckscher —

and as such *agents and bailees* then and there having in *their* possession,
custody and control certain *moneys, goods, chattels and personal property* of the said

— *Richard Heckscher* —
the true owner thereof, to wit: *two written instruments,*
valuable securities and evidences of debt,
that is to say: *two certain bonds and written*
obligations of the kind called Second Mortgage
Bonds, issued by the Wabash Railroad
Company, of the denomination and for the
payment of one thousand dollars each, (a more
particular description whereof is to the Grand
Jury aforesaid unknown) of the value
of one thousand dollars each, did afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
feloniously appropriate the said *bonds and written obligations*
to *their own use,* with intent to deprive and defraud the said *Richard Heckscher*

of the same, and of the use and benefit thereof; and the same *moneys, goods, chattels and*
personal property of the said *Richard Heckscher* —

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

JOHN R. FELLOWS, District Attorney.

Third COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further
accuse the said *William H. M. Sistrup*
and *Harold Clemens*
of the same CRIME of *Grand LARCENY*, in the
first degree, — committed as follows:

The said *William H. M. Sistrup*
and *Harold Clemens*, both
late of the City of New York, in the County of New York aforesaid, on the
thirteenth day of *December* in the year of our Lord
one thousand eight hundred and eighty-nine, at the City and County aforesaid, being
then and there the clerks and servants of *Richard*
Heckscher, Julinka Le Brun, Richard
P. Heckscher and Maurice Heckscher

and as such clerks and servants then and there having in their possession,
custody and control certain moneys, goods, chattels and personal property of the said
Richard Heckscher, Julinka Le Brun
Richard P. Heckscher and Maurice Heckscher,
the true owners thereof, to wit: *two certain written instruments*
valuable securities and evidences of debt,
that is to say: *two certain bonds and written*
obligations of the kind called Second Mortgage
Bonds issued by the Wabash Railroad Company,
of the denomination and for the payment of
one thousand dollars each, (a more particular
description whereof is to the Grand Jury
aforesaid unknown) of the value of
one thousand dollars each,

did afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
feloniously appropriate the said *bonds and written obligations*

to their own use, with intent to deprive and defraud the said *Richard Heckscher,*
Julinka Le Brun, Richard P. Heckscher and Maurice Heckscher
of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and
personal property of the said *Richard Heckscher, Julinka Le*
Brum, Richard P. Heckscher and Maurice Heckscher
did then and there and thereby feloniously steal, against the form of the Statute in such
case made and provided, and against the peace of the People of the State of New York and
their dignity.

—JOHN R. FELLOWS, District Attorney.—

Fourth COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further
accuse the said *William N.M. Sistare*
and *Harold Clemens*
of the same CRIME of *Grand LARCENY*, in the
first degree, committed as follows:

The said *William N.M. Sistare* and *Harold Clemens* both
late of the City of New York, in the County of New York aforesaid, on the
thirteenth day of *December* in the year of our Lord
one thousand eight hundred and eighty-nine, at the City and County aforesaid, being
then and there the *agents and bailees* of *Richard*
Heckscher, Juliana Le Brun, Richard
P. Heckscher and Maurice Heckscher,

and as such *agents and bailees* then and there having in their possession,
custody and control certain *moneys, goods, chattels and personal property* of the said
Richard Heckscher, Juliana Le Brun,
Richard P. Heckscher and Maurice Heckscher
the true owner thereof, to wit: *two written instruments,*
valuable securities and evidences of debt,
that is to say: *two certain bonds and written*
obligations of the kind called Second
Mortgage Bonds, issued by the Utah Railway
Company, of the denomination and for the
payment of one thousand dollars each (a more
particular description whereof is to the Grand
Jury aforesaid unknown) of the value of
one thousand dollars each,

did afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
feloniously appropriate the said *bonds and written obligations*

to their own use, with intent to deprive and defraud the said *Richard Heckscher,*
Juliana Le Brun, Richard P. Heckscher and Maurice Heckscher
of the same, and of the use and benefit thereof; and the same *moneys, goods, chattels and*
personal property of the said *Richard Heckscher, Juliana Le*
Brun, Richard P. Heckscher and Maurice Heckscher
did then and there and thereby feloniously steal, against the form of the Statute in such
case made and provided, and against the peace of the People of the State of New York and
their dignity.

DE LANCEY NICOLL.

~~JOHN R. FELLOWS~~, District Attorney.

0427

BOX:

432

FOLDER:

3984

DESCRIPTION:

Smith, Carl

DATE:

03/13/91



3984

0428

BOX:

432

FOLDER:

3984

DESCRIPTION:

Keating, Samuel J.

DATE:

03/13/91



3984

POOR QUALITY
ORIGINAL

0429

Counsel,
Filed 13 day of March 1891

Pleas,

THE PEOPLE

vs.

Carl Smith

and

Samuel J. Hastings

DE LANCEY NICOLL,
JOHN R. FELLOWS,

District Attorney.

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

A True Bill.

March 16/91 Foreman.

Read Oct. 16/91

1777 Nov Exd. 1891

He dees
G. J. Charlin

POOR QUALITY
ORIGINAL

0430

Police Court—3rd District.

City and County } ss.:
of New York,

of No. 602 East 12th Street, aged 25 years,
occupation Laundryman being duly sworn

deposes and says, that the premises No. 602 East 12th Street, 11th Ward

in the City and County aforesaid the said being a tenement building,

the 2nd floor of
and which was occupied by deponent as a Laundry business
~~and in which there was at the time a laundry being done~~

were BURGLARIOUSLY entered by means of forcibly opening the shutters
of the rear window of said place, lowering the upper
window and breaking the wooden bars,
on the inside of said window

on the 8th day of March 1891 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

A quantity of linen and
wearing apparel, of the value of
about
Fifty (50) Dollars

the property of deponent

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

Carl Smith and Samuel
Keating (both now here)

for the reasons following, to wit:

Deponent says—about 1 P.M. of
said date, he left said premises, said property being
therein, securely locking the doors and fastening
the windows. On leaving, and when he returned
at midnight he elicited that the shutters of
the rear window were forcibly opened, the upper
window lowered and the wooden bars inside
of said window broken. Deponent further
says— he is informed by officers Sheridan and

POOR QUALITY
ORIGINAL

0431

Murphy of the 13th Precinct that at about 3 PM
of said date, they received information that
two men were in the yard of defendant's store, and
going to said yard, saw defendants together
at said window and arrested them.
Wherefore, deponent charges defendants
with burglariously entering said premises,
and attempting to take, steal and carry away
aforesaid appropriated property from defendant's possession.
Subscribed before me 3
this 9th day of March 1891 J. A. Lee

Wm. Murphy
Police Justice.

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars
of the City of New York, until he give such bail.
Dated 1888
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1888
There being no sufficient cause to believe the within named
guilty of the offence mentioned, I order he to be discharged.
Dated 1888
Police Justice.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

Offence—BURGLARY.

1
2
3
4

Dated

1888

Magistrate.

Officer.

Clerk.

Witness,

Street,

Street,

Street,

\$ to answer General Sessions.

POOR QUALITY
ORIGINAL

0432

CITY AND COUNTY }
OF NEW YORK, } ss.

aged _____ years, occupation _____ of No. _____

131 Rue _____ Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of _____

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

Sworn to before me, this _____

day of _____ 1890,

Bernard J. Murphy

Henry J. Brown

Police Justice.

(3692)

CITY AND COUNTY }
OF NEW YORK, } ss.

aged _____ years, occupation _____ of No. _____

131 Rue _____ Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of _____

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

Sworn to before me, this _____

day of _____ 1890,

James J. Sheridan

Henry J. Brown

Police Justice.

(3692)

POOR QUALITY
ORIGINAL

0433

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

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

Question. What is your name.

Answer.

Carl Smith

Question. How old are you?

Answer.

19 years

Question. Where were you born?

Answer.

New York City

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

Answer.

607 E 125 St - 6 mos

Question. What is your business or profession?

Answer.

Stonecutter

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.
Carl Smith.

Taken before me this

day of

March 1891

Police Justice

POOR QUALITY
ORIGINAL

0434

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Samuel J. Keating 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

Samuel J. Keating

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

New York City

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

Answer.

322 2nd Ave - 2 years

Question. What is your business or profession?

Answer.

Brushmaker

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

Samuel J. Keating

Taken before me this

9th

day of

March

1897

John J. Gordon

Police Justice.

0435

فم

ON THE COMPLAINT OF

The People

of the County of
Franklin

vs

Samuel H. Hilditch

Defendant

Ofference

Residence *Street*

Residence *Street*

Residence *Street*

Residence *Street*

Dated March 1897
Mumma Magistrate.

Magistrate.

Hester Murphy
Officer 34

Precinct,

THAMES *Sail Officers*

.....**Street.**

..... Street.

..... Street,

to answer

...to answer

A circular ink stamp from the District Attorney's Office. The outer ring of the stamp contains the text "DISTRICT ATTORNEY'S OFFICE." in a circular arrangement. In the center of the stamp, the date "MAR 18 1881" is stamped in three lines.

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

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

Dated May 1891 Henry L. ... 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.*

POOR QUALITY
ORIGINAL

0436

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against
Carl Smith
and
Samuel J. Keating

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

Carl Smith and Samuel J. Keating

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

The said *Carl Smith and Samuel J. Keating*, both

late of the *Eleventh* Ward of the City of New York, in the County of New York
aforesaid, on the *eighth* day of *March* in the year of our Lord one
thousand eight hundred and *ninety-one*, with force and arms, in the
day - time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one *a certain building, to wit:*

the store of one Joe Lee

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

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

De Lancy Nicoll,
District Attorney

0437

BOX:

432

FOLDER:

3984

DESCRIPTION:

Smith, Frank

DATE:

03/18/91



3984

0438

POOR QUALITY
ORIGINAL

331
[Signature]

Counsel,
Filed
day of *March* 189*1*
Pleas, *Not guilty*

Grand Larceny *second* Degree.
[Sections 528, 537 — Penal Code.]

THE PEOPLE

vs.

R
Frank Smith

DE LANCEY NICOLL,
District Attorney.

A True Bill.

[Signature]
Jury 2-Grand 23/89/ Foreman.
Fried and Acquitted

Witnesses:
Eugene O'Connell
Offy McGinnis

POOR QUALITY
ORIGINAL

0439

Police Court

2

District.

Affidavit—Larceny.

City and County } ss:
of New York,

Eugene O'Connell
of No. *6 71st Avenue* Street, aged *22* years,
occupation *Waiter* being duly sworn,

deposes and says, that on the *11th* day of *March* 189*1* at the City of New York,
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in
the *day* time, the following property, viz:

*One watch of the value of
Seventy five dollars*

the property of *deponent*

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

for the reason that the defendant
on said day visited deponent
at above premises and when he
left deponent missed said watch
which was in the safe in the
pantry. Deponent is informed by
John McGinnis (now here) that he
arrested the defendant and found the
power ticket he shown upon the
defendant's person who acknowledged
to McGinnis that the ticket repre-
sented deponent's watch which he
had stolen *Eugene O'Connell*

Sworn to before me, this *13*

of *March*

1891

day

Wm. J. ...
Police Justice.

POOR QUALITY
ORIGINAL

0440

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 29 years, occupation John McGuinness of No.

300 Mulberry Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Eugene O'Connell

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

Sworn to before me, this 13
day of March 1899 }

John D. McGuinness

A. D. Mulvaney

Police Justice.

POOR QUALITY
ORIGINAL

0441

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer. Frank Smith

Question. How old are you?

Answer. 31 years

Question. Where were you born?

Answer. Rhode Island

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

Answer. 354 Bowery; 8 months

Question. What is your business or profession?

Answer. Porter

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

Answer. I am not guilty
Frank Smith

Taken before me this

13

day of

March 1891

H. H. Mahalon

Police Justice.

POOR QUALITY
ORIGINAL

0442

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

331
Police Court--- District

350

THE PEOPLE, &c.,

vs. THE COMPLAIN OF

Eugene O'Donnell
of 6-8th Ave
Frank Smith

Offence

Fraud Larceny

Dated *March 13* 1891

Wm. Madison Magistrate.

Lynne T. McHenry Officer.

60 Precinct.

Witness *John M. Curran*

300 Mulberry Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

1000 to answer.

John M. Curran



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

defendant

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

Dated *March 13* 1891 *W. Madison* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY
ORIGINAL

0443

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Frank Smith

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *Frank Smith*

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

The said *Frank Smith*

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

*one watch of the value of
seventy-five dollars*

of the goods, chattels and personal property of one

Eugene O'Connell

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

*He Lancy Nicoll,
District Attorney*

0444

BOX:

432

FOLDER:

3984

DESCRIPTION:

Smith, George

DATE:

03/20/91



3984

0445

Edison

POOR QUALITY
ORIGINAL

0446

CITY AND COUNTY,
OF NEW YORK.

POLICE COURT, DISTRICT.

William O'Hara
of No. *7th Precinct Police* Street, aged *33* years,
occupation *Police officer* being duly sworn, deposes and says
that on the *19th* day of *March* 189*1*
at the City of New York, in the County of New York

William Baughman
(now here) is a material witness
against George Smith charged
with Robbery dependent has reason
to believe that the same Baughman
will not appear to testify dependent
therefore prays that the said Baughman
may be required to furnish surety to
testify

William O'Hara

Subscribed and sworn to before me, this
19th day of March 1891

John J. [illegible]
Police Justice

POOR QUALITY
ORIGINAL

0447

Police Court— 2 District.

CITY AND COUNTY }
OF NEW YORK, } ss

William Boughman
of St. George Hotel Brooklyn Street, Aged 27 Years
Occupation Bill Boy being duly sworn, deposes and says, that on the
19 day of March 1891, at the 15 Ward of the City of New York,
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-
ponent by force and violence, without his consent and against his will, the following property, viz:

Good and lawful money of
the United States issued to the
amount and value of Eight dollars
and one dollar button of the value
of Five Cents all being of the value

of the value of Eight Two DOLLARS,
the property of deponent

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

George Smith (now here) from the
fact that at or about the hour of 12³⁰ a.m.
on said date deponent was walking along
Bleecker Street and when near the corner
of South Fifth Avenue the said Smith
came alongside of deponent, struck
deponent on the head with some
hard substance knocking deponent
down and while deponent was lying
prostrate the said Smith freely took
said property from the right hand
pockets of the coat and pantaloons
then and deponent's person

Wm Boughman
Maid

day of

March

1891

Sworn to before me, this

19

day of

March

1891

at

St. George Hotel

Brooklyn

Police Justice

POOR QUALITY
ORIGINAL

0448

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

2 District Police Court.

George Smith 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. *George Smith*

Question. How old are you?

Answer. *39 Years*

Question. Where were you born?

Answer. *New York*

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

Answer. *11 Avenue St. 3 Years.*

Question. What is your business or profession?

Answer. *Waiter*

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

Answer. *I am not guilty.*

Geo. Leinde

Taken before me this

1918

day of

March 1918

Edmund Hall

Police Justice.

POOR QUALITY
ORIGINAL

0449

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

Police Court... District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William H. Daugherty
George Smith
Offence *Robbery*

Dated *March 19* 1891

W. H. Daugherty Magistrate.
W. H. Daugherty Officer.

Witness *Carl Officer*
Carl Officer Precinct.

Arthur H. Daugherty
Arthur H. Daugherty Street.

No. *2000* Street *H. 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 *defendant*

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

Dated *March 19* 1891 *John H. Daugherty* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY
ORIGINAL

0450

George Russell arrested
Feb 1-25th 1887 Larceny from the
Person sentenced Oct 13th
1887 to H. Pen by
Judge Lickenshaw

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Rogers Smith

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

Rogers Smith

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

The said *Rogers Smith*,

late of the City of New York, in the County of New York aforesaid, on the *nine* ~~fourth~~ day of *March*, in the year of our Lord one thousand eight hundred and ~~eighty ninety one~~ *eighty nine*, in the *night* time of the said day, at the City and County aforesaid, with force and arms, in and upon one *William Baumgardner*, in the peace of the said People, then and there being, feloniously did make an assault, and

the sum of eight dollars in money, lawful money of the United States of America, and of the value of eight dollars, and one collection of the value of five cents,

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

Rogers Smith being then and there armed with a dangerous weapon ~~to~~ of a kind and description to the Grand Jury aforesaid unknown.

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

Deane M. M. M.
Attorney

0452

BOX:

432

FOLDER:

3984

DESCRIPTION:

Smith, John

DATE:

03/09/91



3984

POOR QUALITY
ORIGINAL

0453

86. *J. W. McLaughlin*
Counsel,
Filed *9th March 1889*
Pleas, *W. H. Gentry*

THE PEOPLE
vs.
John Smith
Burglary in the third degree.
[Section 498, 506, 528 and 532.]
and Petit Larceny.

DE LANCEY NICOLL,
JOHN R. FELLOWS
District Attorney.

Wm. H. Gentry
John Smith

A True Bill.

Wm. H. Gentry

Wm. H. Gentry
John Smith
Wm. H. Gentry
John Smith
Wm. H. Gentry
John Smith

Witnesses:

POOR QUALITY
ORIGINAL

0454

Police Court—301 District.

City and County } ss.:
of New York

of No. 1 Bowery (Hotel Columbus) Street, aged 33 years, .

occupation Carpenter & Builder being duly sworn

deposes and says, that the premises No 1 Bowery Street, East Ward

in the City and County aforesaid the said being a lodging house

a room

and which was occupied by deponent as a sleeping apartment

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

were **BURGLARIOUSLY** entered by means of forcibly entering said
room by means of unlocking the
door leading thereto and which door
was securely locked

on the 2nd day of March 1891 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

A silver watch of the value
of Ten Dollars

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

John Smith (now here)

for the reasons following, to wit:

Deponent says—said watch
was in said room, which deponent left at
about ten a.m. of said date, in said room
locking the door securely
while in the hallway of said lodging house
saw defendant make his departure from
said room, shortly after deponent had left
the same, and going to said room, missed
said watch. Wherefore, deponent

POOR QUALITY
ORIGINAL

0455

charges defendant with burglariously entering said
premises, and taking, stealing and carrying
away said property from defendant's possession.
This 3rd day of January 1883 John. E. King
Clerk
Deputy Sheriff.

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1883
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1883
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1883
Police Justice.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

Offence—BURGLARY.

ss.

1
2
3
4

Dated

1883

Magistrate.

Officer.

Clerk.

Witness,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

POOR QUALITY
ORIGINAL

0456

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name.

Answer.

John Smith

Question. How old are you?

Answer.

20 years

Question. Where were you born?

Answer.

United States

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

Answer.

Hotel Columbus - 10 Bowry - 6 mos

Question. What is your business or profession?

Answer.

Fruit Handler

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

Answer.

I am not guilty.
John Smith

Taken before me this

day of

1891

Police Justice

0457

POOR QUALITY ORIGINAL

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.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John W. McLeod
11 Broadway, New York City
John Smith

Offence *Burglary*

Dated *March 3-1891*

McLeod Magistrate.

Charles Officer.
11 Precinct.

Witnesses _____

No. _____
Street _____

No. _____
Street _____

No. _____
Street _____

1000 to answer.

Can resist



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 _____

W. J. McLeod
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 *March 3* 1891 *W. J. McLeod* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

27

1

The People

John W. Smith

Court of General Sessions. Part I
Before Judge Fitzgerald. March 13. 1891.

Indictment for burglary in the third degree and petty larceny.

John Kinget, sworn and examined testified.

I am a carpenter, and on the second of March

Counsel
Witness.

I resided at No. 1 Bowers; it is a lodging house. I will admit that the premises are in the cottage. My apartments are on the first floor, one flight up from the street. I occupied one room. I got to the room by a door from the hallway, and that is the only way of getting into it. There were a number of rooms near mine; the defendant occupied a room next to me. I got up in the morning ten minutes past ten o'clock. I had in the room my clothes, watch and money in my pocket; the money was in my trousers pocket and the watch was in my vest pocket; my vest was lying on the chair. I had occasion to leave the room that morning about ten minutes after ten. The door has a spring lock and it locks itself; it can be opened from the inside by a catch and with a key from the outside. When I left the room I left the watch hanging in my vest pocket and closed the door after me. I went to the wash stand; the stand is as far from my room as to that window I presume (pointing) there is one hallway in the rear and one in the centre of the building. I turned and met the defendant

in the hallway. I was watching my room very closely because I left money there sometimes. That morning when I met him he turned the corner to my room. I walked about six feet and returned and he went into room No. 14. I occupied room No. 13 and room No. 14 is next to mine. I returned to the wash stand and turned on the faucet and returned very quickly to see if everything was all right. I suspected things were wrong about there. There was things missing a few days before that; they had some trouble of that kind. I returned in the rear hall, not the same hallway. I met the defendant and looked up the hallway where the rooms are on each side of the hallway. That did not thoroughly convince me that everything was ^{all} right. and I returned to the room and unlocked the door and found things intact. I then returned to the wash stand to black my shoes watching the hallway carefully, and after I shined my shoes I went to the wash stand I was gone. I presume not half a minute and returned very quickly and looked up the hallway and I saw the defendant going out of my room. He slammed the door after him very hard. I went to see if my things were intact. I returned very quickly.

to my room and apparently everything was all right. I put on my clothes, and after I got my clothes properly adjusted I missed the watch. It was a silver hunting case watch worth ten dollars. I missed nothing else except the watch. I went and got a step ladder to look over the partition to see if the dust had been removed. The rooms are partitioned off and the lattice is about eight feet high; the partition goes two thirds of the way to the ceiling. I presume it is three or four feet from that to the top of the ceiling. I found the dust intact; it would be impossible to get over that partition. I saw no one in the next room; the defendant was not in the room No. 14 when I looked into it. I asked the clerk to give me the key of that room. I got the key, it unlocked my door; it was the same kind of a lock as was on my door. I asked the clerk to be quiet. I went out and got my breakfast. I did not make a complaint to any officer till night. I saw the defendant the next morning in his room No. 14. I went to the Ward Detective and made a complaint. I saw the defendant after he was arrested in his room, the officer was there. He cursed about it. I think I said he was a very smart duck to take my watch. He said he did not take it or something of that

Kind, he cursed about taking the watch. I informed him he was a very smart duck so to do because I watched him carefully. I done nothing else, he was taken by the policeman.

Cross Examined. I am a carpenter and usually work for myself. I presume that I have worked three months for other people in ten years. I live at Woodside, L.I. I had a couple of houses there. I sold them a short time ago. I have been stopping at that lodging house now for perhaps a month or two months, something of that kind, continuously with the exception of one night. I was at Freehold, N.J. and I believe I was three nights out at my home at Woodside; my home is furnished out there. I do Mr. Curry's work for three or four lodging houses. I am not a drinking man. Where were you the night before this occurrence? I believe I was at 201 and 203 East Twenty Third street. I was with a lawyer I believe on that night. I presume I was there till twelve or one o'clock. I believe that night I was with Mr. Collier. Mr. Mitchell is my attorney in the same office, J. Grant Mitchell; they have two large offices Nos. 201 and 203 East Twenty Third st. It might be that I was over at Mr. Stillwell's livery stable, Twenty Fourth st. and Lexington Avenue. I go over there occasionally.

and talk with him, and sometimes I go in at the corner. As near as I can recollect that night I was at Twenty Third street till twelve and one o'clock. That night I think we walked together to Fourth Avenue and Fourteenth St.; I think he went to get a check cashed on the corner and I went on over to Third Avenue and took the car. I am not positive whether I was with Stillwell that night or not. I think I went over that night and rung the bell at No. 24 Second street. I believe that is the number. There is a gentleman there by the name of Mitchell whom I knew in Chicago. I have been calling often and did not find him in. This Mr. Mitchell is not the lawyer of whom I spoke; he has worked somewhere in a hotel in New York; he has been a manager of hotels in Chicago and restaurants. I went several times to that place in Second street and did not find him in. I got to the lodging house I presume between twelve and one o'clock. I went to bed and got up the next morning ten minutes past ten o'clock. I then noticed my watch when I went to look at what time it was. I went over to the wash stand but I did not wash. The rooms run on both sides of the hall and they run straight along to the wash stand. The halls are very narrow, they might be two feet six. [The witness drew a diagram of the premises.]

I am certain that my door was shut. When I was at the wash stand I washed my thumbs and the back of my hands. I was about a quarter of a minute. Then I saw the defendant go out of my room. I did not say anything to him and did not call after him. He had never been in my room before, he had no right to come in. I was suspicious that morning and was watching. He went round to the office. I went to the door of the office and looked, but he had gone out. The reason why I did not call after him was that I did not think there was anything gone. I was more particular to look at my clothes, thinking they were all right, than anything else. Then I went in there I put on my clothes. I found out the watch was not there before I left the room, two or three minutes elapsed. When I discovered that the key fitted the room I told them at the office, "this duck stole my watch." I said to the clerk, "just be quiet, he (the defendant) will come here tomorrow and I will pick him out." I could not stop him when he ran out of the room, he was too quick about it. The defendant came back to his room that night. I went to the Police Headquarters. I could not get him arrested that night. I did not see

him that night, he was in his rooms I presume at eleven or twelve o'clock. Why didn't you get him arrested then? I thought I could not get a warrant. I thought I would have to get a warrant and it was too late. I started to get him arrested at six o'clock the next morning. I went to several station houses up on Mulberry street and one sent me to the other.

Frederick Wrigler, sworn and examined, testified I am a policeman and arrested the defendant on the morning of the 3^d of March at No. 1, Bowery in his room, No. 14. I was ordered by the sergeant in command of the Eleventh Precinct station house to go down and arrest him. I saw the clerk first; the defendant was asleep in bed, but finally he opened the door and I told him to dress himself and come down with me. I was ordered to arrest him on the charge of this man. I asked him if he knew anything about it? He said he knew nothing about it. I told him he was charged with stealing a watch and he said he knew nothing about it. That is practically all I know about it.

John Smith, sworn and examined in his own behalf testified: I have lived at No. 1, Bowery between six and seven months. On this morning in question I got up about five minutes after ten and went to the rear to wash myself, and on my way back I

met the complainant coming from his room. My room was No. 14 and his was No. 13. I passed the man by and never spoke a word to him. I went into my room and put on my clothes and then passed his room by and went through the centre halls. There are three halls there. I was speaking to a friend of mine that was sleeping in No. 26, he was just getting out of bed. I spoke to him about five minutes. I went down stairs in the hotel and went into a restaurant and ate my breakfast, and from there I went down Park Row. I had a new pair of pants and went to the pawn office to pawn them and came back and stayed in the bar room all day. Did you enter this man's room at any time? No sir, I never was in the room in my life. Did you take his watch or did you have anything to do with the larceny of the watch? No sir, I never seen the watch and never seen the man in my life before.

Cross Examined. My business is packer of small fruit. I worked at that two weeks. At the time I was arrested I was not working at anything. The man I was speaking to who slept in No. 26 is not here. I don't know his right name, his nickname is Prince Albert. I got \$1.50 for the pantaloons I pawned. The jury rendered a verdict of guilty of petty larceny.

POOR QUALITY
ORIGINAL

0466

Testimony in the
case of
John Smith

filed
March
1911.

POOR QUALITY
ORIGINAL

0467

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Smith

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

— John Smith —

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

The said John Smith,

late of the — *Tenth* — Ward of the City of New York, in the County of New York
aforesaid, on the — *second* — day of — *March* —, in the year
of our Lord one thousand eight hundred and ~~eighty~~ *ninety-one*, with force and arms, about the
hour of *ten* o'clock in the *day* time of the same day, at the Ward,
City and County aforesaid, the dwelling house of one John Winged, —

there situate, feloniously and burglariously did break into and enter, ~~there being then and there~~
~~some human being, to wit:~~

~~within the said dwelling house,~~ with intent to commit some crime therein, to wit: the goods
chattels and personal property of the said John Winged, —

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

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

POOR QUALITY
ORIGINAL

0468

SECOND COUNT—

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

—John Smith—

of the CRIME OF *Petit* LARCENY, —

committed as follows:

The said *John Smith*,

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

one watch of the value of ten dollars,

of the goods, chattels and personal property of one *John Winged*. —

in the dwelling house of the said *John Winged*. —

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

De Saucy Moll,
District Attorney

0469

BOX:

432

FOLDER:

3984

DESCRIPTION:

Smith, Thomas

DATE:

03/10/91



3984

POOR QUALITY
ORIGINAL

0470

Counsel,
Filed
Pleads,
10/2/1897

THE PEOPLE
vs.
Thomas Smith

DE LANGEY HIGGINS
JOHN R. FELLOWS
District Attorney.

A True Bill.

Alfred H. H. H.
Foreman.
1 yr 78 mo 8 hr

Witnesses:
Alfred H. H. H.

Police Court— District.

City and County } ss.:
of New York,

Victoria Rosenthal
of No. *428 East 17th* Street, aged *39* years,
occupation *Keep House* being duly sworn
deposes and says, that the premises No. *428 E. 17th* Street, *18* Ward
in the City and County aforesaid the said being a *Five Story Brick*
Dwelling
and which was occupied by deponent as a *Dwelling*
and in which there was at the time a human-being, by name

were BURGLARIOUSLY entered by means of forcibly *breaking*
open a door leading from the
hallway of said tenement into
deponent's apartment

on the *2* day of *March* 18*99* in the *day* time, and the
following property feloniously taken, stolen, and carried away, viz:

One Black Overcoat
One Blue Coat, Vest, and Pants
Two Blue Shirts
Two brown Shirts
Two white Shirts
one gray dress and
waist all of the value of
about thirty dollars
\$ 30.00

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

for the reasons following, to wit: *that at about the*
hour of 4 a.m. on said date
deponent left the said premises
securely fastened and on deponent's
return at 5 P.m. discovered the
door broken open as described,
above and the said
property missing. Deponent is informed
by Officer James J. Hennessy of the 18 Precinct

POOR QUALITY ORIGINAL

0472

Police that he had arrested the said defendant Smith, and found him wearing two shirts, one gray and one brown. Dependent has since seen the said shirt worn by defendant and fully and positively identifies them as part of the property taken stolen and carried away from defendant's premises. Dependent therefore accuses the said defendant with having feloniously entered the said premises and taken and carry away the said property.

Sown to before me this }
7 day of March 1883 }
John Ryan
Police Justice

Victor X Rosenwasser
Mark

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

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

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

Police Court, District, _____

THE PEOPLE, &c.,
on the complaint of _____

Offence—BURGLARY.

1	2	3	4
---	---	---	---

Dated _____ 1883

Magistrate. _____

Officer. _____

Clerk. _____

Witnesses, _____

No. _____ Street, _____

No. _____ Street, _____

No. _____ Street, _____

\$ _____ to answer General Sessions.

POOR QUALITY
ORIGINAL

0473

Sec. 198-200.

X District Police Court.

CITY AND COUNTY }
OF NEW YORK. } ss.

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

Question. What is your name?

Answer. Thomas Smith

Question. How old are you?

Answer. 29 Years

Question. Where were you born?

Answer. New York

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

Answer. Refused

Question. What is your business or profession?

Answer. Laborer

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

Answer. I am not guilty

Thomas X Smith
made

Taken before me this

day of

Police Justice

POOR QUALITY
ORIGINAL

0474

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

Police Court... District.

311

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Victor P. ...
478 East 17th St.

James Smith

Offence

Burglary

Dated March 7th 1891

Robert ... Magistrate.

William ... Officer.

Witnesses *Can Officer*

No. _____
Street _____

No. _____
Street _____

No. _____
Street _____

\$1000

to answer



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

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

Dated *March 7* 1891 *John Ryan* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY
ORIGINAL

0475

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Thomas Smith

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

Thomas Smith

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

The said

Thomas Smith

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

Victoria Rosenthaler

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

Victoria Rosenthaler

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

SECOND COUNT—

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

Thomas Smith
of the CRIME OF *Grand LARCENY in the second degree*, committed as follows:
The said *Thomas Smith* }

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

one overcoat of the value of ten dollars, one coat of the value of eight dollars, one vest of the value of three dollars, one pair of trousers of the value of four dollars, eight shirts of the value of fifty cents each, one dress of the value of five dollars and one waist of the value of two dollars

Victoria Rosenthaten
of the goods, chattels and personal property of one *Victoria Rosenthaten*
in the dwelling house of the said *Victoria Rosenthaten*

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

THIRD COUNT—

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

Thomas Smith

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

The said

Thomas Smith

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

*one overcoat of the value of ten dollars,
one coat of the value of eight dollars,
one vest of the value of ~~four~~ three dollars,
one pair of trousers of the value of three
dollars, eight shirts of the value of fifty
cents each, one dress of the value of
five dollars and one waist of the value
of two dollars.*

of the goods, chattels and personal property of *Victoria Rosenthater*

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

Victoria Rosenthater

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

Thomas Smith

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

DE LANCEY NICOLL,
~~JOHN R. FELLOWS,~~
District Attorney.

0478

BOX:

432

FOLDER:

3984

DESCRIPTION:

Sullivan, John

DATE:

03/05/91



3984

POOR QUALITY
ORIGINAL

0479

Bill ordered

33

Counsel,

Filed

Pleads,

day of March 1889

THE PEOPLE

vs.

R

John Sullivan

John Sullivan

DE LANCEY NICOLL

JOHN R. FELLOWS

District Attorney.

Assault in the Second Degree.
(Section 218, Penal Code).

A True Bill.

Alfred J. Munn

Foreman.

March 1889

Guilty

E. J. J. J.

Witnesses:

Patience Crowley

Thos A. Gady

Offr. Cameron

POOR QUALITY
ORIGINAL

0480

Police Court— District.

City and County } ss.:
of New York,

of No. 101 Greenwich Street, aged 24 years,

occupation Laborer being duly sworn

deposes and says, that on 28 day of February 1891 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by John Sullivan (murderer) who wilfully and maliciously cut and stabbed deponent on the leg with a knife then and there held in his hand cutting and injuring him severely

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

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

Sworn to before me, this 1 day
of March 1891.

Charles W. Luntz Police Justice.

Patrick Crowley

POOR QUALITY
ORIGINAL

0481

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

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

Question. What is your name?

Answer.

John Sullivan

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

London England

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

Answer.

138 Park Row 6 mos

Question. What is your business or profession?

Answer.

Messenger

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

Answer.

I am not guilty
John Sullivan

Taken before me this

Charles W. Fenner
Police Justice

POOR QUALITY
ORIGINAL

0482

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

Police Court... District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Salvatore Grant
101. Greenwood St.

John Bellman

Offence Assault
Felling

Dated March 1 1891

Justice
Municipal
General Officer

Witnesses
John Van Tassell

No. 24 Court St.
Thomas O'Grady

No. 101 Green St.

No. 320 0
DISTRICT ATTORNEY
MAP
1891
OFFICE.

Carroll
Hester

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

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

Dated March 1 1891 Charles J. Smith Police Justice.

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

Dated 1891 Police Justice.

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

Dated 1891 Police Justice.

POOR QUALITY
ORIGINAL

0483

Police Department of the City of New York.

Precinct No. 1

New York, March 14th 1894

Harry W. Unger Esq.

Dept. Ass. Dist. att.

Dear Sir:

I find by
the records of our Station House
that off. John Cummings
was retired from the Police
Force on Nov. 11th 1892. And he
is at present employed as
Special officer at the Gilsey
House 113 W. 29th St.

Respectfully

Thos. M. Connick
Sgt. Prec.

POOR QUALITY
ORIGINAL

0484

District Attorney's Office,

CITY AND COUNTY OF NEW YORK.

March 13 1892

CAPTAIN OR OFFICER IN COMMAND.

Dear Sir:

I desire to see Officer *Conavan*
attached to your command in
rec 191 in relation to the case of
Mr Sullivan
sentenced *rec 579* to *Eight*
years and *months* imprisonment by
Mr Fitzgerald

Please ask the officer to bring such information in relation to the case, and as to the previous record of the prisoner, as he may be enabled to obtain.

Yours truly,

HENRY W. UNGER,

Deputy Assistant and Secretary to the District Attorney.

POOR QUALITY
ORIGINAL

0485

John Cammarano
1354. Lexington Ave
Retired from the Police Force
Nov. 11, 1892

Employed as Special Officer
at Gulsey House, B. Way
& 29th St.

POOR QUALITY
ORIGINAL

0486

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

John Sullivan

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

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

The said

John Sullivan

late of the City and County of New York, on the *Twenty-eighth* day of *February*, in the year of our Lord one thousand eight hundred and ~~eighty~~ *eighty* ~~eighty~~ with force and arms, at the City and County aforesaid, in and upon one

Patrick Crowley
in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault; and the said

with a certain

knife

which

he

the said

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

POOR QUALITY
ORIGINAL

0487

SECOND COUNT—

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

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

The said

John Sullivan
late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the
said *Patrick Crowley*

in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make another assault; and the said *John Sullivan*
the said *Patrick Crowley*

with a certain

which

in

he the said *John Sullivan*
leg right hand then and there had held, in and upon the
of *him* the said *Patrick Crowley*

then and there feloniously did wilfully and wrongfully strike, beat, *cut, stab*
bruise and wound, and did then and there and by the means aforesaid, feloniously,
wilfully and wrongfully inflict grievous bodily harm upon the said *Patrick*
Crowley to the great damage of the said *Patrick Crowley*
against the form of the statute in such case made and provided, and against the peace of
the People of the State of New York and their dignity.

DE LANCEY NICOLL.

~~JOHN R. FELLOWS,~~

District Attorney.

0488

BOX:

432

FOLDER:

3984

DESCRIPTION:

Sweeney, Matthew

DATE:

03/18/91



3984

POOR QUALITY
ORIGINAL

0489

Witnesses:

Edw. M. Mann

Counsel,

Filed

Pleads,

THE PEOPLE

vs.

Matthew Sweeney

[Sections 528, 587 — Penal Code.]
Grand Larceny, Second Degree.

DE LANCEY NICOLL,

DE LANCEY NICOLL,

District Attorney.

A True Bill.

Alfred Mann

Pat 2 - March 23/91
Reads Guilty

Foreman.

Edwin R. J.

POOR QUALITY
ORIGINAL

0490

Police Court 2 District.

Affidavit—Larceny.

City and County } ss:
of New York, }

Emil L. Cuendet

of No. 90 Chambers Street, aged 30 years,
occupation Importer being duly sworn,
deposes and says, that on the 4th day of March 1891 at the City of New York,
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in
the day time, the following property, viz:

One music box of the value
of about Fifty 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 Matthew Sweeney, (now here)

for the reasons that said box
was in a show case standing
in front of the above premises.
Deponent found the show case moved
into the hallway and broken open
and said box missing. Deponent
is informed by Henry Lang, (now here)
that the defendant acknowledged
and confessed that he in company
with another man took, stole
and carried away said property.

Emil L. Cuendet

Sworn to before me, this

11th

day

of March 1891

Inspector Police Justice.

POOR QUALITY
ORIGINAL

0491

CITY AND COUNTY }
OF NEW YORK, } ss.

Henry Lang
aged 32 years, occupation Officer of No.

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

Sworn to before me, this 11
day of March 1898.

Henry Lang.

W. W. M. M. M.

Police Justice.

POOR QUALITY
ORIGINAL

0492

Sec. 198—200.

CITY AND COUNTY }
OF NEW YORK, } ss.

2 District Police Court.

Matthew Sweeney 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^{im}; that the statement is designed to
enable h^{im} if he see fit to answer the charge and explain the facts alleged against h^{im}
that he is at liberty to waive making a statement, and that h^{is} waiver cannot be used
against h^{im} on the trial.

Question. What is your name?

Answer.

Matthew Sweeney

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

New York

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

Answer.

37 Bowery; 3 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 not guilty
I am guilty
Matthew Sweeney

Taken before me this

day of March 1897

Wm. J. Mahoney

Police Justice

POOR QUALITY
ORIGINAL

0493

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

Police Court... District.

350

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Amelia L. Bennett
Wm. Thompson & Co.
Matthew Lawrence

Office

Grand Jury

Dated

March 11 1891

Residence

Information

Officer.

Wm. Thompson

Witness

Henry Law

No. 4, by

300 Mulberry

Street.

Residence

Street.

No.

Street.

No.

Street.

\$

1000 4.8

to master

Street.



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

defendant

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

Dated *March 11 1891* *Wm. Thompson* Police Justice.

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

Dated *18* Police Justice.

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

Dated *18* Police Justice.

POOR QUALITY
ORIGINAL

0494

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Matthew Sweeney

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *Matthew Sweeney*

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

The said

Matthew Sweeney

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

*one music-box of the value
of fifty dollars*

of the goods, chattels and personal property of one

Emil L. Cuendet

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

*De Lancey Nicoll,
District Attorney.*

0496

BOX:

432

FOLDER:

3985

DESCRIPTION:

Thamm, William

DATE:

03/10/91



3985