

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

PI March 23 1899

1384 1897  
Counsel  
307

Richard Wickert  
Counsel  
Filed  
Pleads  
March 18 1899  
April 10

THE PEOPLE  
vs.  
John Earl De  
B.  
William D. McSistard  
Sind. N.A.  
Marola Clemens  
(5 cases)

DE LANCEY NIGUEL  
JOHN R. FELLERS

District Attorney  
motion to dismiss and  
denied by Court  
A True Bill  
Ordered to the  
of the COURT OF NEW YORK  
for trial (entered in the  
General in the COURT  
of the COUNTY OF NEW YORK  
for trial entered in the  
of the COUNTY OF NEW YORK  
for trial entered in the  
District Attorney  
March 23 1899  
Recorder N.M.D.  
March 29 1899

POOR QUALITY ORIGINAL

0383

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. Sitaro
and Harold Clement

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

The said William H. M. Sitaro and
Harold Clement, 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 ninety, at the City and County aforesaid, being
then and there the clerks and servants of one Richard Hedardner,

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 Hedardner,

the true owner thereof, to wit: nine million 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 Waterbury Railroad Company, of
the denomination and for the payment of
one thousand dollars each, (a more particular
description thereof is to be found hereinafter
mentioned) of the value of one thousand dollars each,
the said William H. M. Sitaro and Harold Clement, 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 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,

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

0384

Second COUNT:—

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

The said *William H. M. Siskane and Harold Stenens, 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 *ninety,* at the City and County aforesaid, being then and there the *agents and fiduciaries* of *one Richard Medardier,* —

and as such *agents and fiduciaries* then and there having in *dis*possession, custody and control certain moneys, goods, chattels and personal property of the said *Richard Medardier,* —

the true owner thereof, to wit: *nine written instruments, to-wit: receipts and evidence of debt, that is to say: nine certain bonds and written receipts of the kind called Second Mortgage Bonds, issued by the Western Railroad Company, of the denomination and for the purpose of one thousand dollars each, (a more particular description thereof is to be found in the grand jury's indictment) 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 receipts*

to *his* own use, with intent to deprive and defraud the said *Richard Medardier* of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said *Richard Medardier.* —

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

0385

Third COUNT:—

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

The said *William D. M. Sidore and Hilda Hemenway, 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 Hedercher, Juliaa LeBrun, Richard P. Hedercher and Maurice Hedercher,*

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 Hedercher, Juliaa LeBrun, Richard P. Hedercher and Maurice Hedercher,* the true owners thereof, to wit: *nine written instruments, valuable securities and evidences of debt, the* is to say: *nine certain bonds and written obligations of the said called Second Mortgage Bonds, issued by the Washoe Railroad Company, of the denomination and for the payment of one thousand dollars each, a more particular description whereof is to be found among aforesaid instruments, 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 Hedercher Juliaa LeBrun, Richard P. Hedercher & Maurice Hedercher* of the same, and of the use and benefit thereof; and the same ~~moneys~~, goods, chattels and personal property of the said *Richard Hedercher, Juliaa LeBrun, Richard P. Hedercher and Maurice Hedercher* 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

0386

Fourth COUNT:-

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

The said *William W. M. Siskare and Harold Clemens, both* — late of the City of New York, in the County of New York aforesaid, on the *twentieth* 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 salesmen* of *Richard Heckscher, Juliana SeBrun, Richard P. Heckscher and Maurice Heckscher,* —

and as such *agents and salesmen* then and there having in *their* possession, custody and control certain *moneys, goods, chattels and personal property* of the said *Richard Heckscher, Juliana SeBrun, Richard P. Heckscher and Maurice Heckscher* 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 Delaware 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 aforesaid instrument) 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 SeBrun, Richard P. Heckscher, 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 SeBrun, 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

0387

Wm. M. Jones, Secy. of the Court  
121 June 1890

Counsel  
Filed  
Plends

March 1891  
Not Enfiled April 17

THE PEOPLE vs. William H. M. Sistrone  
vs. Harold Clemens  
(5 Cases)

DE LANCEY NICOLL  
JOHN R. FELLOWS

District Attorney

Ordered to the Sheriff of the County of New York for trial...  
A TRUE BILL  
No. 2  
for trial...  
M. J. Jones, Secy. of the Court

Pickers Neckrocker

Recommended to declining  
of this indictment against  
dependent Sistrone for the  
Merson interest in  
indictment against him  
April April 1, 1891

March 1891  
U. S. District Court  
U. S. District Court  
U. S. District Court

**POOR QUALITY ORIGINAL**

0300

**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

*Grand Jury*  
Court of *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 the Brown Stone Building* in the Park of the said City on the *13<sup>th</sup>* 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

*Jarvis Clemens*

in a case of felony, whereof ~~he stands 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 Geo. K. Sistar's Sons to the order of the National Hudson River Bank for the sum of 25000 dollars dated the 3<sup>rd</sup> July 1889 and a certain check drawn by William Brewster Cashin upon the Cashin Manufacturing National Bank to the order of Geo. K. Sistar's Sons for 25000 dollars dated about July 8<sup>th</sup> 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.

POOR QUALITY ORIGINAL

0389

At 3 pm Apr 13  
Present  
At 10 18 2:30 pm  
25 10 30

BAILED,  
No. 1, by *Geo J. [unclear]*  
Residence *411 1st St*  
No. 2, by  
Residence  
No. 3, by  
Residence  
No. 4, by  
Residence  
Street

104  
Police Court 151 District  
307

THE PEOPLE, vs.,  
ON THE COMPLAINT OF  
*Richard [unclear]*  
*August [unclear]*  
250 S. 18 St  
New York City  
*William [unclear]*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
Offence *Larceny*

Dated *May 12 1891*

*E. J. [unclear]* Magistrate  
*Greenleaf* Officer  
*E. J. [unclear]* Precinct

WITNESSES  
*John A. Stevens*

*George [unclear]*  
*Robert [unclear]*  
No. Street  
No. Street

No. Street  
*1500* to answer  
*By [unclear]*

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*

*twelve* hundred Dollars, *twelve* be held to answer the same and he be admitted to bail in the sum of *twelve* hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he *give such bail*

Dated *May 2 1891* *[Signature]* Police Justice.

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

Dated *18* *[unclear]* Police Justice.

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

Dated *18* *[unclear]* Police Justice.

POOR QUALITY ORIGINAL

0390

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. Sistare and Harold Clemens

The Grand Jury of the City and County of New York, by this indictment, accuse William N. M. Sistare and Harold Clemens of the 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 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 his 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 to the Grand Jury aforesaid unknown, of the value of one thousand dollars each,

the said William N. M. Sistare 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

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

0391

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 *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,*

*Richard Heckscher* 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~~ <sup>same</sup> 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

0392

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 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 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.

POOR QUALITY ORIGINAL

0393

Fourth COUNT:—

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

The said *William W. M. Sistiare 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-ninety*, 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 Record 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 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 Deane Place, New York, N.Y. 10017  
3 Feb 1991

Counsel,

100 E. 42nd St. New York, N.Y. 10017

Filed 1891  
Pleads, 107 E. 42nd St. (4/17)

THE PEOPLE  
vs.  
William J. M. Sistan  
and  
Marola Clemens  
(5 Cases)  
DELANEY NICOLL

JOHN R. DELANEY  
District Attorney

GOVERNMENT OF NEW YORK  
COUNTY OF NEW YORK  
District Attorney  
1891

RECEIVED TO THE COURT OF  
THE COUNTY OF NEW YORK  
FOR DEPT. FILED IN (1891)  
A TRUE BILL  
Not on record - 1891  
District Attorney

Witnesses:

Richard Wecker

I recommend the dismissal  
of this indictment as to  
defendant Sistan for  
the reasons indicated in  
indictment against him  
filed March 10, 1991

March 10, 1991  
Richard Wecker  
District Attorney

I recommend the dismissal of  
this indictment as to Clemens  
for endorsement on indictment  
filed March 10, 1991.

March 11, 1991  
John R. Delaney  
District Attorney

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 barbers of
one August 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 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 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

to their 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.

JOHN R. FELLOWS,
District Attorney.

POOR QUALITY ORIGINAL

0396

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 Siskind, ~~and~~ <sup>the judge</sup> against whom have been dismissed. I therefore recommend that the first indictments against defendant Clemens be also dismissed, said indictments having been filed ~~March 10th 1891~~ <sup>March 10th 1891</sup>.

April 11/93

Verona Woodard -  
Clerk

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

April 11, 1893.

V. M. Davis  
Clerk

649  
M. 2 on record  
April 11, 1893  
Gonnsol  
Filed  
Pleads  
Not guilty  
Admitted by  
M. 2  
THE PEOPLE  
vs.  
William H. M. Siskind  
Harold Clemens  
Grand Larceny or Larceny (MISAPPROPRIATION) of the Penn Code Sections 528, 529  
John McColl  
Ordered to be  
A True Bill  
Ordered to the COURT of  
THE COUNTY OF NEW YORK  
FOR TRIAL  
April 11/93

Witnessed  
Declarer

I have examined the evidence in this case, and I am of the opinion that there is less probability of obtaining a conviction of the complainant Siskind than of the complainant Clemens. The complainant Siskind is charged with the larceny of a watch, and the complainant Clemens is charged with the larceny of a watch. I am of the opinion that the evidence against Siskind is less than that against Clemens. I therefore recommend that the first indictments against defendant Clemens be also dismissed, said indictments having been filed March 10th 1891.

John McColl

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, <sup>the judge says</sup> against whom have been dismissed. I therefore recommend that the indictment against defendant Clemens be also dismissed, said indictment having been filed ~~March 10th 1891~~.

April 11/93

Vernon W. Davis  
Clerk

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

April 11, 1893. V. W. Davis  
Clerk

649  
14 Aug 1891  
No. 2. On Verdict  
April 13<sup>th</sup> 1893  
13<sup>th</sup> dis.  
Counsel,  
Filed  
Day of April 1893  
Pleads  
Not Guilty  
Received by Clerk of Court  
The defendant appearing in person  
THE PEOPLE  
vs.  
William H. M. Siskard  
and  
Harold Clemens  
Grand Larceny of Degree  
(MISAPPROPRIATION)  
[Sections 529, 530 of the Penal Code]  
John R. Holloway  
District Attorney  
Over and Under Sheriff  
April 11/93  
A True Bill  
Ordered to the COURT of  
District of Columbia

Witness:  
Charles H. Becker  
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 there be no further proceedings. In view of these circumstances, I have concluded to recommend their dismissal as to defendant Siskard.  
March 12<sup>th</sup> 1893  
John R. Holloway  
District Attorney  
John R. Holloway

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 servants of one Richard Neckscher

and as such clerk and servants then and there having in <sup>their</sup> possession, custody and control certain moneys, goods, chattels and personal property of the said

Richard Neckscher,

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 mentioned) 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

to <sup>their</sup> own use, with intent to deprive and defraud the said Richard Neckscher

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

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

0399

Second COUNT:—

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

The said *William N.M. Sestore 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 *ninety*, 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 *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*

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**

0400

*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 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 ~~ninety~~, 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 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.~~

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 *four*, 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,  
*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

0403

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. Sutare*  
*and Harold Clemens*

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

The said *William N. M. Sutare 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 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. Sutare 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 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 ninety, 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: 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 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

0405

*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 *ninety*, 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 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.~~

**POOR QUALITY ORIGINAL**

0406

*Fourth* COUNT:—

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

The said *William N. M. Sistani 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 *ninety*, 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: *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 untaken) 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

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 little 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 -  
Asst.

9/11/93  
C. W. Langley  
1890

Counsel,  
Filed  
1891  
Pleas, 104 Emily (Apr 17)

THE PEOPLE  
vs.  
William H. Sistine  
and  
Harold Clemens  
(5 cases)  
DE LANGEY INCORPORATED

March 25 1892  
of the COURT OF NEW YORK  
for trial entered in the Minutes  
A TRUE BILL  
See endorsement  
V. M. Davis

Witnesses:  
Richard Hooker

I recommend the dismissal of this indictment as to Sistine for the reasons endorsed on indictment against him filed April 1, 1891.  
March 1, 1893.

De Langley Incorp.  
See endorsement within  
filed as to deft Clemens  
V. M. Davis  
Asst.

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 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 Richard Deffen of No. 260 South 18th Street, that on the 18th day of June 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 stolen and carried away, and as the said complainant has cause to 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 New York, Sheriff, Marshals and Policemen, and every of you, to apprehend the Defendant and forthwith bring him before me, at the 1st DISTRICT POLICE case of my absence or inability to act, before the nearest or most accessible Police Officer, and to be dealt with according to law.

Dated at the City of New York, this 2 day of December 1889

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*

The 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. Sistrare 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. William H. M. Sistrare

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. Sistrare

Taken before me this day of 1911

Police Justice

[Signature]

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 <sup>Julia</sup>~~Julietta~~ Le Brun, R. P. Heckscher and ~~James~~ <sup>Maurice</sup> ~~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, <sup>or of the other said persons for whom deponent was acting</sup> 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 <sup>Julietta</sup> 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*

6

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*

2

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 West Bruce* to the said Atlantic 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, <sup>six of</sup> the said ~~nine~~ <sup>the other than of said bond being the property of this deponent or some</sup> ~~bonds~~ <sup>par value of</sup> being the property of ~~Juliette~~ <sup>Juliette</sup> 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's 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 ~~Fulietta~~ <sup>Fulietta</sup> Le Brun, who resides in Hamburg, Germany. That one (1) of said bonds

POOR QUALITY  
ORIGINAL

0419

(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 :  
12<sup>th</sup> day of February 1898:

*Richard Heckscher*

*[Signature]*

*[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

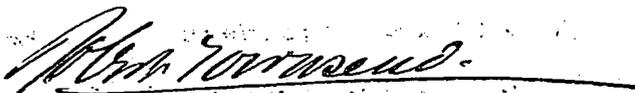
WILLIAM H. M. SISTARS  
HAROLD CLEMENS.

\*\*\*\*\*

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.



Assistant District Attorney.

OUR QUALITY  
ORIGINAL

0422

ALEXANDER & GREEN

120 Broadway  
New York Feb. 25, 1899.

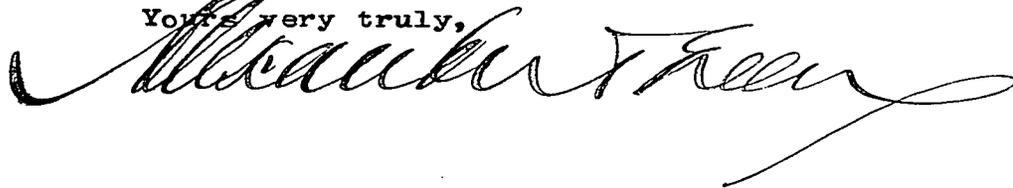
Robert Townsend, Esq.,  
Assistant District Attorney,  
District Attorney's Office,  
New York City.

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 gentlemen 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,



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. Sistare  
 and Harold Clemens*

The Grand Jury of the City and County of New York, by this indictment, accuse *William N. M. Sistare and Harold Clemens* of the 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 clerk and servant of *one Richard Heckscher*

and as such clerk and servant then and there having in <sup>their</sup> 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. Sistare 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*

<sup>their</sup> 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 bankers of one Richard Heckscher —

and as such agents and bankers 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 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 *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 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 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 and Pacific 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  
Plenils,

THE PEOPLE  
vs.  
Carl Smith  
and  
Samuel J. Keating

DE LANCEY NICOLL  
District Attorney.

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

**A True Bill.**

*John R. [unclear]*  
Foreman.  
Wm. [unclear]  
Read Oct. 11, 1891  
1777 Nov 20 1891

W. [unclear]  
J. [unclear]

POOR QUALITY ORIGINAL

0430

Police Court— 3rd District.

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

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

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

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

the 2<sup>nd</sup> 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 25<sup>th</sup> day of March 1897 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 workmen)

for the reasons following, to wit: Deponent says - at 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 Shelton and

POOR QUALITY ORIGINAL

0431

Murphy of the 13<sup>th</sup> 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 burglary, entering said premises, and attempting to take, steal and carry away aforesaid appropriated property from defendant's possession.

Subscribed before me 3  
this 9<sup>th</sup> 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 and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.  
Dated 1888  
I have admitted the above named to bail to answer by the undertaking hereto annexed.  
Dated 1888  
There being no sufficient cause to believe the within named guilty of the offence mentioned, I order he to be discharged.  
Dated 1888  
Police Justice.

Police Court, District, Offence—BURGLARY.  
THE PEOPLE, &c., on the complaint of  
1  
2  
3  
4  
Dated 1888  
Magistrate  
Officer  
Clerk  
Witnesses  
No. Street  
No. Street  
No. Street  
\$ to answer General Sessions.

**POOR QUALITY ORIGINAL**

0432

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Bernard P. Murphy*  
aged \_\_\_\_\_ years, occupation *officer* of No. \_\_\_\_\_  
*131 Ave* Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of *Deke*  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this *9* day of *March* 1890, } *Bernard P. Murphy*

*Henry ...*  
Police Justice.

(3692)

CITY AND COUNTY }  
OF NEW YORK, } ss.

*James J. Sheridan*  
aged \_\_\_\_\_ years, occupation *officer* of No. \_\_\_\_\_  
*131 Ave* Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of *Deke*  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this *9* day of *March* 1890, } *James J. Sheridan*

*Henry ...*  
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. Stone cutter

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 9 day of March 1897  
Wm. H. Manning  
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 2<sup>nd</sup> 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 9<sup>th</sup> day of March 1897  
*John J. Gannon*  
Police Justice.

POOR QUALITY ORIGINAL

0435

Police Court... 3 - District

1332

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Joe Loke  
902 E 112  
Carl Shurt  
Samuel J. Keeling  
Burglary

Offence

BAILLED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Dated

Murphy 1891  
Magistrate

Herbert Murphy  
134  
Officer

Witness  
Fair Officers

No.

Street

No.

Street

No.

Street

1000 - Cash P. V. V. V.  
to insure

On  
1891



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

defendants

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

Dated March 9 1891 Henry Murray 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.

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 *seventy-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.

*Wm. Lancy Nicoll,*  
*District Attorney*

0437

**BOX:**

432

**FOLDER:**

3984

**DESCRIPTION:**

Smith, Frank

**DATE:**

03/18/91



3984

0438

POOR QUALITY ORIGINAL

331  
*J.S.W.*

Counsel,

Filed

Pleas,

*H. H. Hancock*  
day of *March* 189*1*  
*Not guilty*

THE PEOPLE

vs.

*F*

*Frank Smith*

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

DE LANCEY NICOLL,

District Attorney.

A True Bill.

*Alfred J. Williams*

*Just 2-Grand 23 1891. Foreman.*

*Fried and Acquitted*

Witnesses

*Eugene O'Connell*

*Alfred McGinnis*

POOR QUALITY ORIGINAL

0439

Police Court 2 District.

Affidavit—Larceny.

City and County }  
of New York, } ss:

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

deposes and says, that on the 11<sup>th</sup> 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 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 here 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

W. M. ...  
Police Justice.

POOR QUALITY ORIGINAL

0440

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 29 years, occupation officer 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 1890 }

John W. Guinness

A. D. ...  
Police Justice.

**POOR QUALITY ORIGINAL**

0441

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Frank Smith being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is h<sup>e</sup>'s right to  
make a statement in relation to the charge against h<sup>e</sup>; that the statement is designed to  
enable h<sup>e</sup> if he see fit to answer the charge and explain the facts alleged against h<sup>e</sup>  
that he is at liberty to waive making a statement, and that h<sup>e</sup>'s waiver cannot be used  
against h<sup>e</sup> 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... 2 District  
 350

THE PEOPLE, &c.,  
 vs THE COMPLAINANT OF  
 Eugene O'Donnell  
 of 6 - 8th Ave  
 Frank Smith  
 1  
 2  
 3  
 4  
 Offence Fraud Harassment

Dated March 13 1891  
 Wm. Mathon Magistrate

Supervisor of the Police Officer  
 J. P. [Signature]

Witness John M. Sullivan  
 300 Mulberry Street

No. \_\_\_\_\_ Street \_\_\_\_\_  
 No. \_\_\_\_\_ Street \_\_\_\_\_  
 \$ 1000 to witness  
 [Signature]



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

*defendant*

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 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 [Signature] 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

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

POOR QUALITY ORIGINAL

0445

Witnesses:

*Am. Bushman*  
*J. J. O'Hara*

*M. Dool*

Counsel,

Filed 20 day of March 1889

Pleas, *Not guilty*

THE PEOPLE

vs.

*I*

*George Smith*

*W. Conklin*

*Edw. M. Heath,*  
*JOHN R. FELLOWS,*

District Attorney.

*Mar. 26<sup>th</sup> Part I*

A True Bill.

*Wm. L. Linn*  
Foreman.

*Sam. M. G. G.*

*Charles H. P. G. G.*

*8 1/2 x 11 nos 578*

Robbery, [Sections 224 and 228, Penal Code],  
first degree.

0446

POOR QUALITY ORIGINAL

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 2 DISTRICT.

of No. *7th Precinct Police* Street, aged *35* years, occupation *Police officer* being duly sworn, deposes and says that on the *19th* day of *July* 189*1* at the City of New York, in the County of New York *William B. Baughman* (now here) is a material witness against *George Smith* charged with *Robbery* dependent has reason to believe that the said *Baughman* will not appear if 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 *July* 189*1*

*John J. [Signature]*  
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 Bell Boy being duly sworn, deposes and says, that on the 19 day of March 1889, at the 15th Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the following property, viz:

Good and lawful money of the United States issued to the amount and value of Eight dollars and one dollar portion 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 12:30 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 said deponent's person then and deponent's person

Wm Boughman

Sworn to before me this 19 day of March 1889  
G. Edmund Brock Police Justice

POOR QUALITY ORIGINAL

0448

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

*George Smith*

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

Question. What is your name?

Answer. *George Smith*

Question. How old are you?

Answer. *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. *Walter*

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. Levee*

Taken before me this

*1918*

day of *March*

*Edward Hill*

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...

H. J. 377

THE PEOPLE, Ac.,  
ON THE COMPLAINT OF

William Daugherty  
George Smith  
Offence Robbery

1  
2  
3  
4

Dated March 19 1891

W. H. Wood, Magistrate.  
W. H. Wood, Officer.

Witness  
E. J. O'Brien, Precinct.

Complainant  
Arthur S. Stevens in  
No. 1000 of New York City.

No. 1000  
\$ 2000  
B. J. J. District.

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 Henry Paul 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 25<sup>th</sup> 1887 Larceny from the  
Person sentenced Oct 13<sup>th</sup>  
1887 to H. Pen by  
Judge Gibbons

POOR QUALITY ORIGINAL

0451

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Figoras Smith*

The Grand Jury of the City and County of New York, by this indictment, accuse *Figoras Smith* —

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

The said *Figoras Smith*,

late of the City of New York, in the County of New York aforesaid, on the *ninth* ~~fourth~~ day of *March*, in the year of our Lord one thousand eight hundred and ~~eighty ninety one~~ *ninety one*, 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 collar-button 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*

*Figoras Smith* being then and there armed with a dangerous weapon *to be* 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.

*DeLooney*  
*Attorney*

0452

**BOX:**

432

**FOLDER:**

3984

**DESCRIPTION:**

Smith, John

**DATE:**

03/09/91



3984

**POOR QUALITY ORIGINAL**

0453

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

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

*[Signature]*  
DE LANCEY NIGOLL,  
JOHN R. FELLOWS  
District Attorney.

*[Signature]*  
*[Signature]*

**A True Bill.**  
*[Signature]*

*[Signature]*  
13/91  
Sandy & Co. Printers of  
Photo Engraving  
Per 1 1/2 p. 1/2

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**POOR QUALITY ORIGINAL**

0454

Police Court— 301 District.

City and County } ss.:  
of New York }

of No. 1 Bowers (Hotel Columbus) Street, aged 33 years,  
occupation Carpenter & Builder being duly sworn

deposes and says, that the premises No 1 Bowers Street, South 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 2<sup>nd</sup> 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 burglary with intent to said premises, and taking, stealing and carrying away said property from defendant's possession. This 3rd day of March 1883  
John. King  
Magistrate

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, Offence—BURGLARY.  
THE PEOPLE, etc., on the complaint of  
Dated 1883  
Magistrate.  
Officer.  
Clerk.  
Witness, No. Street,  
No. Street,  
No. Street,  
\$ to answer General Sessions.

POOR QUALITY ORIGINAL

0456

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

*March*

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. Wagoner*  
*11 Spring Street, Columbus*  
*John W. Smith*

Offence *Burglary*

Dated *March 3-1891*

*Mearns* Magistrate

*Charles* Officer  
Precinct *11<sup>a</sup>*

Witnesses

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

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

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

\$ *1000* to answer



*Can assist*

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. Wagoner*  
 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. Wagoner* 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

The People v. John Smith  
Court of General Sessions. Part I  
Before Judge Fitzgerald. March 13. 1891.

Counsel  
Witness.

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 I resided at No. 1 Bowery; it is a lodging house. I will admit that the premises are in the collar. 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 <sup>all</sup> 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. Garry'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. When 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<sup>d</sup> 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 Duell,*  
*District Attorney*

0469

**BOX:**

432

**FOLDER:**

3984

**DESCRIPTION:**

Smith, Thomas

**DATE:**

03/10/91



3984

POOR QUALITY ORIGINAL

0470

Counsel,  
Filed  
Pleads,

*W. C. Cochran*  
1897

THE PEOPLE  
vs.  
Thomas Smith

*H*  
Barthley by the Third degree.  
Grand Jurors, second  
degree proceeding.  
[Section 498, 186, 1873, 1887.]

DE LANGEY INGALL,  
JOHN R. FELLOWS,

District Attorney.

A True Bill.

*Wm. C. Cochran*  
*John R. Fellows*  
Foreman.  
*Wm. C. Cochran*

*1 yr 7 mo 1 hr*  
*1897*

Witnesses:  
*Wm. C. Cochran*

POOR QUALITY ORIGINAL

0471

Police Court - District.

City and County } ss.:  
of New York,

Victoria Rosenthal

of No. 428 East 17<sup>th</sup> Street, aged 39 years,

occupation *Keep House* being duly sworn

deposes and says, that the premises No. 428 E. 17<sup>th</sup> 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 building into deponent's apartments*

on the 2<sup>nd</sup> day of March 1899 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  
Four white Shirts  
one gray dress and waist  
all of the value of  
About thirty dollars  
\$ 30.<sup>00</sup>/<sub>100</sub>*

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 am. on said date, deponent left the said premises securely fastened and on deponent's return at 5 P.M. discovered the said 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. Depoent 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 depoent's premises. Depoent therefore accused the said defendant with having feloniously entered the said premises and taken and carry away the said property.

Sworn to before me this }  
7<sup>th</sup> day of March 1883 }  
John Ryan

Mr  
Victoria X Rosenthal  
Mare

Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
of the City of New York, until he give such bail.  
Dated 1883  
I have admitted the above named  
to bail to answer by the undertaking hereto returned.  
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, Offence—BURGLARY.  
THE PEOPLE, &c., on the complaint of  
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.

       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 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. 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. Request

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 Smith  
made

Taken before me this

day of

John J. [Signature]

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

*Victoria Perchikoff*  
 478 East 97th St  
*Anna Shultz*

1 \_\_\_\_\_  
 2 \_\_\_\_\_  
 3 \_\_\_\_\_  
 4 \_\_\_\_\_  
 Offence *Shoplifting*

Dated *March 7* 18*91*

*Robert* Magistrate.  
*J. J. Stenway* Officer.  
*H. J.* Precinct.

Witnesses *Call Officer*



No. \_\_\_\_\_  
 Street \_\_\_\_\_  
 \$ *1000*  
 to appear

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* 18*91* *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 Rosenthal*

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 Rosenthal*

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

0476

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 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*

of the goods, chattels and personal property of one *Victoria Rosenthaler*

in the dwelling house of the said *Victoria Rosenthaler*

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 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 Rosenthaler*

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

*Victoria Rosenthaler*

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, *J. J. Mahoney*  
Filed *1887*  
Pleads,

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

THE PEOPLE  
vs.  
*R*

*John Sullivan*

*John Sullivan*

DE LANCEY NICOLA  
JOHN R. FELLOWS,

District Attorney.

A True Bill.

*Alfred J. ...*  
*Foreman.*  
*John ...*  
*John ...*  
*Ed ...*

Witnesses:

*Patrick Crowley*  
*Thos O'Grady*  
*Alfr. Canavan*

POOR QUALITY ORIGINAL

0480

Police Court - 1 District.

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

Patrick Crowley

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 Feb 1891 } Patrick Crowley

Charles W. Luntz Police Justice.

POOR QUALITY ORIGINAL

0481

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer.

John 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. Finster

Police Justice

POOR QUALITY ORIGINAL

0482

BATED

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 Grandi*  
*101. Giovanni*

*John Bellini*

Offence *Assault*  
*Felony*

Dated *March 1* 1891

*Tornton* Magistrate.  
*Conover* Officer.

Witnesses *John Van Rensick*

No. *22* *Tornton Stuy*  
Street *Thomas DeGrady*

No. *101* *Emerson*  
Street

No. *320* *District Attorney*  
Street



*James*

287

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 Tornton* 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

0483

Police Department of the City of New York.

Precinct No. 1

New York, March 11<sup>th</sup> 1894

Harry W. Minger 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. 11<sup>th</sup> 1892. And he  
is at present employed as  
Special officer at the Gilsey  
House W. B. Way & 29<sup>th</sup> St.

Respectfully  
Thos. M. Connick  
Supt. Precinct

POOR QUALITY  
ORIGINAL

0484

District Attorney's Office, 1

CITY AND COUNTY OF NEW YORK.

March 13 1894

CAPTAIN OR OFFICER IN COMMAND.

Dear Sir:

I desire to see Officer Curran  
attached to your command in  
rec 191 in relation to the case of  
Mr Sullivan  
sentenced rec 579 to 18  
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.

1605

POOR QUALITY  
ORIGINAL

0485

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

Employed as Special Officer  
at Gelsey 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-one~~ 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 *John Sullivan*

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~~ ~~weapon~~ 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 *knife*

which *he* the said *John Sullivan*  
in *his* right hand then and there had held, in and upon the *leg* 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. Munn*

Counsel,

Filed

Pleads,

*Wm. H. Clark*  
1891

THE PEOPLE

Grand Larceny, Second Degree. [Sections 528, 531 Penal Code.]

*vs.*  
*Matthew Sweeney*

DE LANCEY NICOLL,

~~DE LANCEY NICOLL,~~

District Attorney.

A True Bill.

*Alfred Munn*

*John 2 - Branch 2091*  
*Heads Grindley*

Foreman.

*Edwin R. J.*

POOR QUALITY ORIGINAL

0490

Police Court 2 District. Affidavit—Larceny.

City and County } ss:  
of New York, }

Emil L. Guendet

of No. 90 Chambers Street, aged 30 years,  
occupation Supporter being duly sworn,

deposes and says, that on the 4<sup>th</sup> 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. Guendet

Sworn to before me, this

11<sup>th</sup>

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*

*D. M. ...*

Police Justice.

Lined area for additional text or notes.

POOR QUALITY ORIGINAL

0492

Sec. 198-200.

9 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Matthew Sweeney 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. 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

11 day of March 1887

W. M. ...

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, No.,  
ON THE COMPLAINT OF

*Smith & Bennett*  
*91 Thompson St*  
*Matthew Lawrence*

1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Office \_\_\_\_\_

Dated *March 11* 1891

*Memoriam* Magistrate.  
*Jany* Officer.  
*W.D.* Precinct.

Witnesses  
*Henry Jany*  
No. *300 Mulberry* Street.



No. \_\_\_\_\_ Street.  
\$ *1000* to master  
*9.8*

*Henry Jany*

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 *W.D. Wheeler* 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