

Witnesses:

Upon reading  
the Complaint  
withdrawn in  
which he confesses  
a small amount  
prisoner's guilt &  
also a disapproving  
character. For that  
that the Republic  
discharge in his own  
acquiescence  
J. J.

Counsel,

Filed 14 day of Jan 1891

Pleas.

THE PEOPLE

vs.

Frederick Schaefer

H

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

DE LANCEY NICOLL.

JOHN R. FELLOWS,

District Attorney.

Jan 21 1891, WMS

Jan 21 1891, WMS

Jan 26, 1891, WMS  
Jan 27, 1891, WMS Part 3.

A True Bill.

Frederick Schaefer

Foreman.

Jan 30, 1891

discharged on his  
verbal recognizance.

J. J.

Court of Gen. Sessions  
County of New York

The People vs. {  
Ondreisk Schaefer }

City of New York vs. County of New York. Henry Henschel being duly sworn says, that he resides at 121 West Street in the City of New York. That he is a painter by trade. I have known the above named defendant about eight years and during those eight years, I have never known him to do anything wrong, have always known him to have a good character. I have had him work for me at different times for about five years in all; in all that time I have found him to be faithful and honest, I have always trusted him. While in my employ he has been doing work for me in all kinds of houses and places. I would employ & trust him as usual, now should be discharged from imprisonment, as I have always been perfectly satisfied with him, should I need a man. I know that the defendant has five or six children and that they are in

0345

destitute circumstances, and should the  
defendant be imprisoned for any  
length of time his family would become  
a burden upon the County.

Seen before me this

16 day of January 1891

Henry Henschel  
Notary Public  
N.Y.C.

Court of General Sessions  
City and County of New York  
The People etc.,

- against -  
Frederick Schaeffer

City and County of New York, SS.

Phillip Steinman being duly sworn, says: I have known the defendant Frederick Schaeffer, for the last four years, he has worked for me several times since I have known him:

I have <sup>never</sup> heard anything against the defendant's character and I have always found him an honest, industrious hardworking man: I have left hundreds of dollars worth of property in his charge and have always found everything accounted for: when he could have taken the same had he been dishonest.

And Depoent says that he has work which he would give to the defendant at the present time if he was at liberty.

Sworn to before me this { Phillip Steinman  
26<sup>th</sup> day of Dec<sup>r</sup> 1891  
N.Y. Co. { E. J. Sheppard Notary Public



Court of General Sessions  
 City and County of New York  
 The People etc  
 against  
 Frederick Schaeffer

City and County of New York, ss,

Mayer Hoffman, being duly sworn, says: I know the defendant Frederick Schaeffer; I have known him for about three years last past: he, the defendant has worked for me a number of times since I have known him: And I have always found him to be an honest, industrious, hard working man: I would employ him now if he was at liberty as I have work in his line to be done (the defendant is a Penicillin)

And deponent further says that he has never heard anything against the character of the defendant.

I Swore to before me

this 26<sup>th</sup> day of Jan. 1891 } Mayer Hoffman  
 J. H. Shepard }  
 Notary Public N.Y.C.

Court of General Sessions  
 City and County of New York  
 The People etc.,  
 against  
 Frederick Schaeffer

City and County of New York, S.S.:

William Hoorman, being duly sworn, says: that he has known the defendant for about three years last past: that the defendant has worked for deponent at two different times and that deponent has always found him to be an honest hard working + industrious man.

Deponent further says that he is acquainted with defendant's family and that they are in very poor circumstances.  
 Sworn to before me  
 This 26<sup>th</sup> day of Jan 1891 } W. H. Armstrong

J. H. Shepley  
 Notary Public  
 N. Y. Co.,

## New York General Sessions.

PEOPLE ON MY COMPLAINT,  
VERSUS

Frederick Schaeffer.

Cis- &amp; Trans-posed from for.

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. My reasons are the following: the defendant has a wife and five children, one of whom is very sick; the eldest child being only eight years of age & sickly. The defendant has not been arrested before & has been in Prison since January 8, 1891 and I think has been sufficiently punished. Defendant claims to have received the goods stolen from some unknown man; there being some doubts as to his guilt. I request to be permitted to recommend his discharge.

Dated my January 23, 1891.

Seen & before me this  
23 day of January 1891

Henry Brown,

Jed. O. Sloan

Commd of Deeds  
N.Y.C.

0350

Police Court— 3rd District.City and County { ss.:  
of New York,of No. 24 Oliver Henry Brown Street, aged 25 years,  
occupation Painter being duly sworndeposes and says, that the premises No 24 Oliver Street, 14th Ward  
in the City and County aforesaid the said being a dwelling houseand which was occupied by deponent as a paint store & dwelling place  
and in which there was at the time ~~no~~ human being, by namewere **BURGLARIOUSLY** entered by means of forcibly breaking the  
panel of the front store door, leading  
to deponent's storeon the 8th day of January 1899 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:A quantity of wearing  
apparel, of the value of  
Fifty Dollarsthe 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 byFrederick Schaefer (nowhere)for the reasons following, to wit: Deponent says— at about five P.M.,  
of said date, he left said premises securely  
locking the door and fastening the windows  
on having, and when he returned at about  
7 P.M. he ascertained that his store had  
been forcibly entered as aforesaid, and on  
investigation elicited that said property was  
missing therefrom.  
Deponent further  
says, — he is informed by officer Keyes of

0351

the 7<sup>th</sup> Precinct, that he arrested defendant on  
 Market Street at about 7:30 P.M., said date  
 defendant having said property in his possession  
 and also a rule and brass key, all of which  
 deponent identified in the presence of said  
 officer as being the missing property, and  
 identified defendant as being an employee.  
 Wherefore, deponent charges defendant  
 with burglariously entering said premises  
 and taking stealing and carrying away  
 said property from possession of deponent.  
 Sworn to before me } Henry Brown  
 this 9<sup>th</sup> day of January 1891

*W. Meade*

Police Justice.

Dated \_\_\_\_\_ 188\_\_\_\_\_ Police Justice.

\_\_\_\_\_ guilty of the offence within mentioned, I order he to be discharged.

There being no sufficient cause to believe the within named \_\_\_\_\_

Dated \_\_\_\_\_ 188\_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188\_\_\_\_\_ Police Justice.

of the City of New York, until he give such bail.

Hundred Dollars \_\_\_\_\_ and be committed to the Warden and Keeper of the City Prison

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

committed, and that there is sufficient cause to believe the within named \_\_\_\_\_

It appearing to me by the within depositions and statements that the crime therein mentioned has been

Police Court, \_\_\_\_\_ District.

THE PEOPLE, &c.,  
 on the complaint of  
 vs.  
 1  
 2  
 3  
 4

Offence—BURGLARY.

Dated \_\_\_\_\_ 188\_\_\_\_\_ Magistrate.  
 \_\_\_\_\_ Officer.  
 \_\_\_\_\_ Clerk.  
 \_\_\_\_\_ Witness,  
 No. \_\_\_\_\_ Street,  
 No. \_\_\_\_\_ Street,  
 No. \_\_\_\_\_ Street,  
 \_\_\_\_\_ to answer General Sessions.



0352

CITY AND COUNTY  
OF NEW YORK, } ss.

aged \_\_\_\_\_ years, occupation \_\_\_\_\_ of No. \_\_\_\_\_

7<sup>th</sup> Precinct Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Henry Brown

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

Sworn to before me, this 9<sup>th</sup>

day of July 1891

Edmund H. Keefe

W. Meade

Police Justice.

0353

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Medevis Scharfer*

Question. How old are you?

Answer. *35 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *89 Lewis St - 2 mos*

Question. What is your business or profession?

Answer. *Penciller*

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.**Medevis Scharfer*

Taken before me this

*9th*day of *May*

1891

*W. J. McLeod*

Police Justice

0354

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 *Eight* 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 *July 9<sup>th</sup>* 18 *91* *W. W. W. W.* 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.

0355

40

Police Court--- 9 --- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Henry Brown  
vs. 24 Oliver St.  
Frederick Scharfer

Officer  
Burglar

2  
3  
4

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Dated January 9<sup>th</sup> 1891  
Meads Magistrate.

Keefer Officer.  
7<sup>th</sup> Precinct.

Witnesses said officer

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

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

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

\$ 1.500 to answer 9.00



Chm  
Burglar  
9.00  
Recd

0356

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Frederick Schaefer*

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

*Frederick Schaefer*

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

The said

*Frederick Schaefer*

late of the *Fourth* Ward of the City of New York, in the County of New York  
aforesaid, on the *eighth* day of *January* in the year of our Lord one  
thousand eight hundred and *ninety-one*, with force and arms, in the  
*night* time of the same day, at the Ward, City and County aforesaid, the  
dwelling house of one *Henry Brown*

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 *Henry Brown*

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



## SECOND COUNT—

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

*Frederick Schaefer*  
 of the CRIME OF *Grand* LARCENY in the *first* degree, committed as follows:  
 The said *Frederick Schaefer*

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 *night*—  
 time of said day, with force and arms,

*divers articles of clothing and  
 wearing apparel, of a number and  
 description to the Grand Jury  
 aforesaid unknown, of the  
 value of fifty dollars, one rule  
 of the value of ten cents and  
 one key of the value of ten  
 cents*

of the goods, chattels and personal property of one

in the dwelling house of the said

*Henry Brown*  
*Henry Brown*

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

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

The said

*Frederick Schaefer*  
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, divers articles of clothing and wearing apparel of a number and description to the Grand Jury aforesaid unknown, of the value of fifty dollars, one rule of the value of ten cents and one key of the value of ten cents

of the goods, chattels and personal property of *Henry Brown*

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

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

*Frederick Schaefer*

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 Rukey Nicoll,*  
~~JOHN R. FELLOWS,~~  
District Attorney.

0359

**BOX:**

425

**FOLDER:**

3922

**DESCRIPTION:**

Schaffer, Charles

**DATE:**

01/28/91



3922

0360

J28-31st June 1891

Counsel,

Filed

26 day of June 1891

Pleads

Wm. J. Adams

THE PEOPLE

vs.

Grand Larceny, Second Degree.  
[Sections 628, 687 Penal Code].

Charles Schaffer

DELANEY NICOLL

~~JOHN R. FELLOWS~~

District Attorney.

Amicus

A True Bill.

Franklin E. Adams

Foreman.

Part III April 1891.

trial & acquittal

Witnesses:

0361

Police Court—

District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

*Marion Freeman*  
of No. *437 West 34<sup>th</sup>* Street, aged *48* years,  
occupation *House Super.* being duly sworn  
deposes and says, that on the *22<sup>d</sup>* day of *February* 18*90* at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the *day* time, the following property, viz:

*A quantity of mens. Clothing of  
the value of Ninety-dollars.*

1 overcoat 25.

1 trousers 13.

in gloves 2.

handkerchief 1.

+ other articles worth  
approximately 20.

the property *is* in the care and charge 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 *Charles Schaffer.*

*From the fact that on the 21<sup>st</sup> day  
of February 1890. The said Schaffer  
came to deponent, in premises no.  
142. East 93<sup>rd</sup> Street and rented or  
furnished room from deponent, that  
on the 22<sup>d</sup> day of February 1890. The said  
Schaffer left said premises, and  
failed to return. Deponent after the  
said Schaffer left said premises  
no. 142. East 93<sup>rd</sup> Street. Missed said  
property from said premises  
*Marion Freeman.**

Sworn to before me, this  
9 day  
of October 1890

*William J. Justice.*  
Police Justice.



0362

Police Court  
Sec. 151.

Police Court 11 District.

CITY AND COUNTY }  
OF NEW YORK. } ss.

In the name of the People of the State of New York; To the Sheriff of the County of New York, or any Marshal or Policeman of the City of New York:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Marion Thompson of No. 137 West 1st Street, that on the 9 day of October

1887 at the City of New York, in the County of New York, the following article to wit:

A quantity of mens. clothing  
of the value of Twenty Dollars,  
the property of Marion Thompson  
was taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by Charles Schaffer.

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 11 DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 9 day of October 1887

C. W. Meade  
POLICE JUSTICE

0363

*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, ..... 189 ..... Police Justice.*

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

*Dated, ..... 189 ..... Police Justice.*

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

*Dated, ..... 189 ..... Police Justice.*

0364

232

Police Court, 11 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Minnie Freeman*  
*Charles Schaffer*

2  
3  
4

*Lawrence*  
Offense

Dated, ..... 189

Magistrate.

Officer.

Precinct.

Witnesses

No. *437 West 2nd* Street.

*Edwin Freeman*  
No. *437 West 2nd* Street.

No. .... Street.

\$ ..... to answer .....

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

0365

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Charles Schaffer*

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

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

The said

*Charles Schaffer,*

late of the City of New York, in the County of New York aforesaid, on the *twenty second* day of *February* in the year of our Lord one thousand eight hundred and *ninety*, in the ~~second~~ time of the said day, at the City and County aforesaid, with force and arms,

*one overcoat of the value of twenty-five dollars, one pair of trousers of the value of thirteen dollars, one pair of gloves of the value of two dollars, one handkerchief of the value of one dollar, and divers other goods, chattels and personal property (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of fifty dollars*

of the goods, chattels and personal property of one *Maria Freeman* ~~then and there being found~~  
on the person of the said

then and there being found, from the person of the said

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

*DeLancy Ricoll,*  
*District Attorney*

0366

**BOX:**

425

**FOLDER:**

3922

**DESCRIPTION:**

Schmidt, Charles (Joseph)

**DATE:**

01/07/91



3922



0367

**BOX:**

425

**FOLDER:**

3922

**DESCRIPTION:**

Roman, Joseph

**DATE:**

01/07/91



3922

Witnesses:

444 Rancan  
Counsel, Callaghan  
Filed day of Jan 1891  
Pleads, W. H. Zully

THE PEOPLE  
27 Rancan  
say before I  
Pleads Schmidt  
24 25 I  
Joseph Roman  
Robbery, [Sections 224 and 228, Penal Code].  
De Sancy, Nicoll

Ordered by the Court that this is  
decreed to be amended as that the  
name of Joseph Schmidt shall  
read Joseph Schmidt, whereas  
the name now appears in this indictment.  
A True Bill.

John Rancan  
Feb 2 - January 2, 1891 Foreman.  
Pleads C. L. 1st - dec.  
Feb 2 - January 2, 1891  
M. I. tried and convicted  
Pleads 1st degree with common  
lawyer & money  
Feb 2 - Jan 6, 1891  
P. P. 1st - dec.

0369

Police Court— 3 District.

CITY AND COUNTY }  
OF NEW YORK, } ss

Matthias Berosowitz  
 of No. 299 Harbor St. Street, Aged 24 Years  
 Occupation Watch Maker being duly sworn, deposes and says, that on the  
 24<sup>th</sup> day of December 1889, at the 10<sup>th</sup> Ward of the City of New York,  
 in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-  
 ponent by force and violence, without his consent and against his will, the following property, viz:

Two Thousand Roubles (Russian)  
 one gold watch, one silver watch,  
 three gold chains and twenty three  
 dollars in gold and lawful money  
 of the United States the whole valued  
 at Seventeen hundred and Eighty seven  
 dollars

\$1787 <sup>00</sup>/<sub>100</sub>

of the value of Seventeen Hundred and Eighty Seven 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

Joseph Schmitt and Joseph Roman  
 in the following manner, to wit:  
 Deponent went in company with the  
 defendants to a Saloon on Hester Street.  
 When deponent went into said Saloon he  
 had <sup>some</sup> property in his possession, that  
 deponent called for drinks and that  
 deponent took a five dollar note  
 from his pocket and placed said note  
 on the bar in payment for said  
 drinks, that defendant Roman took  
 said note and left said Saloon, that  
 deponent followed after said Roman

Subscribed and sworn to before me this

Police Justice

0370

that when O'Leary was on the street he was taken hold of by the defendants and was taken to some place unknown to O'Leary. That defendant Schmidt struck O'Leary on the head and did knock him down. That both defendants did by force and violence take said property from O'Leary.

Depositor charges the defendants with Robbery in violation of section 224 of the Penal Code and prays that they be held to answer. Depositor further says that he is informed by Officer Sullivan that he arrested the defendants and that he found on watch and two chains in the possession of defendant Schmidt which property O'Leary identified as part of the property stolen from depositor.

Sworn to before me this 27th day of December 1890

*[Signature]*  
Police Justice

*[Signature]*  
1888 Police Justice

guilty of the offence within mentioned, I order him to be discharged.

There being no sufficient cause to believe the within named

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

Dated 1888

of the City of New York, until he give such bail.

Hundred Dollars and be committed to the Warden and Keeper of the City Prison

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

committed, and that there is sufficient cause to believe the within named

It appearing to me by the within depositions and statements that the crime herein mentioned has been

Police Court, District, \_\_\_\_\_

THE PEOPLE, &c.,  
on the complaint of \_\_\_\_\_

vs.

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

Defendant \_\_\_\_\_ 1888

Magistrate.

Officer.

Clerk.

Witnesses, \_\_\_\_\_

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

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

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

to answer General Sessions.

0371

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged

47

years, occupation

Richard E. Sullivan  
Police Officer

of No.

12<sup>th</sup>

Princeton

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

Mathias Beronetz

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

Sworn to before me, this  
day of

27<sup>th</sup>

Shawm

188

Richard Sullivan

*[Signature]*

Police Justice.

0372

Sec. 198-200

CITY AND COUNTY OF NEW YORK, ss.

3 District Police Court

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

Question. What is your name?

Answer.

Charles Schmidt

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

Russia

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

Answer.

Bay Harbor New York

Question. What is your business or profession?

Answer.

Labourer

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  
Charles Schmidt  
mark

Taken before me this  
day of Dec 27  
1882

1882

0373

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK.

3 District Police Court.

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

Question. What is your name?

Answer.

*Joseph Roman*

Question. How old are you?

Answer.

*24 years*

Question. Where were you born?

Answer.

*Russia*

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

Answer.

*191 Cherry St. 8 weeks*

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**Joseph Roman*Taken before me this  
day of Dec

189

Forge Justice



0374

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

Dated Dec 24 1890 [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.

0375

Police Court--

3 District.

THE PEOPLE &c.  
ON THE COMPLAINT OF

*Mathias Beronick*  
*vs*  
*Joseph Roman*

BAILED

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Dated DEC 27 1896

*Hogan* Magistrate

*J. Sullivan* Officer

12 Precinct.

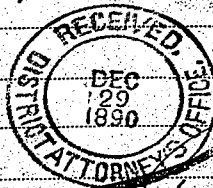
Witnesses *Richard Sullivan*

No. 12 1/2 Precinct Street.

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

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

2000 to answer



*J. J. Cunn*

## COURT OF GENERAL SESSIONS OF THE PEACE

In and for the City and County of New York.

The People

against

CHARLES SCHMIDT,  
jointly indicted with  
Joseph Roman.

Before

HON. FREDERICK SMYTH,

and a Jury.

Tried, February 2nd, 1891.

Indicted for Robbery in the First Degree.

Indictment filed, January 7th, 1891.

## APPEARANCES:

Attendant District Attorney Weeks, for The People.

Jacob Berlinger, Esq., for The Defense.

MATTHIAS BARASOWITZ, the complainant, testified that he lived in Sag Harbor, Long Island, before December 24th, 1890, when he came to New York. He worked in a watchmaking factory at Sag Harbor. He knew the defendant, Charles Schmidt, for about three months in the factory, as a workman there. They came together to New York. They met Roman, who was jointly indicted with Schmidt, on the second day after they arrived in this City. Roman was not

employed in the factory in Sag Harbor. He met Roman in a saloon kept by a man named Ebrites. He did not know the name of the street in which the saloon was situated, because he was a stranger in the City. On the 24th of December, 1890, he had a drink with Roman and Schmidt in the saloon. He, the complainant, had in his possession, at that time, 2,000 roubles---Russian money. The roubles were in bills. He also had a gold watch and a silver watch and three chains. One of the chains was gold, and two were plated chains. He also had in a small pocket book \$23 in United States currency, and, in another pocket, some small change. He treated several times to drinks, and took out his pocket book containing the American bills, and put down a \$5-bill to pay for the drinks. Roman seized the bill and ran out of the saloon. Just before that the three of them were standing at the bar close together. He, the complainant, pursued Roman, and overtook him about twenty paces from the saloon. While he was holding Roman, Schmidt ran up, and both Roman and Schmidt seized him and began to beat him. He, the complainant, made an outcry, and Schmidt and Roman held him, and Schmidt took his watch and chains, and the change in American money out of his trousers pocket, and they tore the pocket in getting the money out. They also stole the 2,000 roubles from his inside pocket. Roman was arrested on the following day, about 4 o'clock in the afternoon. He was asleep

in his rooms. None of the stolen property was found in his possession. When Schmidt was arrested, the gold watch and two chains were found upon him. The two chains were the brass chains. When he was robbed, he was thrown upon the sidewalk and held down and beaten. He could not say whether Roman or Schmidt stole the roubles. After he was robbed he remembered that a friend a Lithuanian named Schimkus, lived near there and a man who was passing showed him where he could find Schimkus. He, the complainant, could not speak English. On the following morning Schimkus got a countryman who could speak English, and they went to the police station and made a complaint. Under

CROSS-EXAMINATION, the complainant testified that he bought the gold watch after his arrival in this City, and he lent his silver watch to Schmidt to wear until they got home to Sag Harbor, but Schmidt borrowed some money from him, and then he took the watch back. Schmidt borrowed \$4.00 from him about 2 o'clock that afternoon, and then he, the complainant, took the watch back. They were in different saloons during the day and the day before. Schmidt only had \$6.00 in his possession when he left Sag Harbor, and after he had spent it he borrowed money from him, the complainant. They came by boat from Sag Harbor, and Schmidt paid his own fare. He wore the gold watch in his left vest pocket, and the chain was attached to his vest. In his upper vestpocket he had

the silver watch, and one of the brass chains. In his inside overcoat pocket he carried the other brass chain. The roubles were in his inside vest pocket, on the right side. In the same pocket he had \$23.00 in American money, in a pocket book. He had been in the United States about seven months, having come from Russia. He brought 2,000 roubles with him. He bought the watch at an auction room. He was told that it was worth \$60.00, but he paid only \$14.75 for it. The silver watch was worth about \$7.00, and the gold chain about \$8.00, and the plated chains about \$1.00 apiece. He changed a \$100. rouble bill, receiving \$55. in American money on that money. Schmidt went with him to a money changer and got the money exchanged.

OFFICER RICHARD SULLIVAN, testified that he was a special officer attached to the 12th Precinct. The defendant was arrested in the 7th Precinct, and the officer in command of that Precinct notified his, the witness's, Precinct, because the robbery occurred in his Precinct. When he searched the defendant at the 12th Precinct Station House he found upon his person a silver watch and two chains---plated chains. The watch and one of the chains was attached to his vest, and the defendant said that the complainant gave him the watch and chain, but the complainant denied that he had done so. The other chain was in the hip pocket of his trousers. The complainant identified the chains and the watch, and

said that they were part of the property that was taken from him at the time of the robbery. He, the witness, arrested Roman in Cherry Street, near Pike. Roman was in a store, and when he saw him, the witness, coming, he ran out and ran upstairs, and he, the witness, found him on a fire escape on the second story. He, the witness, had been unable to discover the saloon in which the complainant and Roman and Schmidt were drinking just before the robbery. The complainant had been unable to tell where the saloon was. He, the witness, took the complainant through all of the saloons in the neighborhood of where he believed the robbery took place, but the complainant could not point out the saloon. The complainant said that the saloon was somewhere near the water and the 12th Precinct extended to the river front,---from Corlears Hook to Rivington Street on the East River.

FOR THE DEFENSE,

CHARLES SCHMIDT, the defendant, testified that his name was Joseph Schmidt, but at the Police Court they put his name down as Charles, instead of Joseph. He had been in the United States about four years. He worked in the watch factory at Sag Harbor. When he was arrested, he was stopping at 284 East Broadway, in a house kept by William Brand. He and the complainant had been in town two days, and had put up the night before in Brand's saloon house. He had never stolen anything from the complainant. The



complainant gave him the watch and two chains to wear when he bought the new watch and chain. They visited four or five saloons. He could not tell where the last saloon was. Roman called for drinks and paid for them, and he, the defendant, also called for drinks and paid for them. He, the complainant, had about \$12. in his pocket. He had got down to his last \$10. bill, and, not wishing to change it, he asked the complainant to lend him \$1. and the complainant lent him \$2.---not \$4, as he had said. So, he had \$12. in his pocket when he entered the saloon. When he was arrested he still had \$9. in his possession. He, the defendant, saw Roman snatch up the \$5. from the bar and run out. He, the defendant, remained in the saloon for about half an hour, and then he started out to go to Cherry Street; and he could not see, when he got out on the street, where the complainant and Roman were. Then he, the defendant, went to Cherry Street, to visit a friend, and remained over night there. Then he went to Ebrites saloon in East Broadway, and had some drinks; and he was sitting in the saloon when the police officer entered. He did not run upstairs and conceal himself on the fire escape. He, the defendant, did not rob the complainant, nor did he see Roman do so. He, the defendant, had never been arrested before in his life.

Under

CROSS-EXAMINATION, he said that he did not understand

0382

7

what Roman meant when he snatched the \$5. bill belonging to the complainant. He did not know whether the complainant had given Roman the \$5. or not, and he was surprised when he saw Roman run out. He did not see Roman again until the next day, when he saw him under arrest. The name of his friend in Cherry Street was Matthias Boyovoydos. He had never seen any Russian money in complainant's possession, and did not know that he had \$2,000 roubles in his possession.

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0383

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 8 DISTRICT.

of No. 124 prizing Richard Sullivan Street, aged 46 years,  
occupation Police Officer being duly sworn deposes and says,  
that on the 25th day of December 1889  
at the City of New York, in the County of New York, he arrested

Joseph Smith and Joseph Roman  
charged with Robbery by Matthew  
Berushovitz. Deponent says that  
the complainant has no place of residence  
in this City and that he is a material  
witness for the people deponent therefore  
prays that said Berushovitz be committed  
to the House of Detention  
Richard Sullivan

Sworn to before me, this 26 day of December 1889

Police Justice

0384

49 3  
Police Court, District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Richard A. Fullum

vs.

Mathew Bershowitz

AFFIDAVIT.

Dated December 26 1880

H. J. Hagan Magistrate.

Fullum Officer.

12<sup>th</sup> / 1880

Witness, \_\_\_\_\_

Disposition, Committed

to House of Detention

0385

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Charles Schmidt

and Joseph Roman

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

Charles Schmidt and Joseph Roman

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

The said Charles Schmidt and Joseph Roman, both —

late of the City of New York, in the County of New York aforesaid, on the *twenty-fourth* day of *December*, in the year of our Lord one thousand eight hundred and eighty *seven*, in the *time of the said day*, at the City and County aforesaid, with force and arms, in and upon one *Mathias Beresowsky*, in the peace of the said People, then and there being, feloniously did make an assault, and

*The sum of two thousand dollars in lawful money of the Kingdom of Russia, (a more particular description whereof is to be found among aforesaid unknown) of the value of one thousand dollars, one watch of the value of one hundred dollars, one other watch of the value of fifty dollars, three chains of the value of forty dollars each, and the sum of twenty three dollars in money lawful money of the United States of America, and of the value of twenty three dollars,*

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

*Charles Schmidt and Joseph Roman, and each of them, being then and there aided by an accomplice actually present to wit: each by the other. —*

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 H. Miller*  
*Attorney*

0386

**BOX:**

425

**FOLDER:**

3922

**DESCRIPTION:**

Schmidt, Herman

**DATE:**

01/14/91



3922

0387

126,

Kane (a)

Counsel,

Filed

day of

1891

Pleads,

*John R. Fellows*

THE PEOPLE

vs.

*Z*

*Herman Schmidt*

*Burglary in the first degree  
Grand Jurors, first degree  
and receiving, first degree  
Section 406, 506, 528, 530, 531*

DE LANCEY NICOLL,  
JOHN R. FELLOWS

District Attorney.

*Jan 21 1891*

*W.D.*

*Jan 22 1891*

A True Bill.

*Franklin Edson*

Foreman.

*Jan 22 1891*

*Green & Conates*

*107 1/2 St. N. W. D.C.*

Witnesses;



THE PEOPLE

vs.

HERMAN SCHMIDT.

COURT OF GENERAL SESSIONS, PART I.

BEFORE RECORDER SMYTH.

Thursday, January 22, 1891.

Indictment for burglary in the first degree, grand larceny in the first degree and receiving stolen goods.

BERNARD NARDELER sworn and examined by Mr. Macdonna through the Interpreter.

Q. Where do you live? A. No. 152 Delancy Street.

Q. And did you live there on the 10th of January last?

A. Yes sir.

Q. On what floor of the house 152 Delancy Street do you live?

A. One step up in the rear.

Q. That is the first floor? A. On the ground floor.

Q. Do you live there alone, who lives with you?

A. I live there alone.

Q. Were you aloje in those rooms on the night of the 10th of January last?

A. My brother-in-law and a cousin of mine were in the rooms at the same time.

Q. Asleep? A. Yes sir.

Q. What time did you retire that night?

By the Court. Q. Is he married or single, this man?

A. He is a married man.

Q. Wasn't his wife there too? A. His wife was there also

Q. Has he got any children? A. Yes sir.

Q. How many? A. Three children.

Q. Were they there? A. They were all there.

By Mr. Macdonna. Q. What time did you retire that night?

A. About eight o'clock.

Q. Did you lock up the rooms? A. Yes sir.

Q. When were you awakened that night, what time?

A. I got awakened about half past three.

Q. What wakened you at half past three?

A. My cousin he felt cold, he woke up and felt cold, he was sleeping right opposite the door, he woke me up and says, "Nardeler, get up, we have been robbed."

Q. Did he get up?

A. I got up and I found out that the door was open, the lock was broken and the key which was in the inside I found on the outside of the door.

Q. Did you make any examination to see if you had been robbed or if anything was taken away from you?

A. I looked and I found there was two overcoats and one jersey missing, a pocketbook with a dollar of money in it and a laundry ticket; three pairs of pants and one shirt we found out in the hallway.

Q. To whom did the overcoats belong?

A. The overcoat belonged to my brother-in-law and the other coat, the jersey, belonged to my cousin.

Q. Did any of that property belong to you?

A. There was nothing of my own with it.

Q. Do you know the value of those clothes?

A. About thirty-five dollars.

Q. Now Scheyer and the other man, they were guests of yours in that house?

A. Yes sir, they lodged there with me.

By the Court. Q. Were they boarders of his?

A. No, they only slept there.

Q. Did they pay for the use of the room?

A. No, they did not pay anything.

Q. Ask him what kind of a house that 152 Delancy Street is,

whether it is a dwelling house or what?

A. A tenement house.

0390

- Q. A tenement house? A. Yes sir.
- Q. And how many stories high is it? A. Four stories high.
- Q. How many rooms did he have? A. A room and bed room.
- Q. Was it in the front or in the back of 152? A. The front.
- Q. Is there any store or basement under this house?
- A. It is a rear house.
- Q. This was in the rear, there are two houses?
- A. Two houses --- in the rear house.
- Q. How can you get from the street to the rear house where he lives, is there an alleyway? A. An alleyway, yes sir, from the front to the rear.
- Q. Is that right? A. Yes sir.
- Q. Is that alleyway on the side of the house or where?
- A. On the side of the house.
- Q. And his rooms, as I understand it, are one step up on the ground floor. A. No, just even in from the yard.
- Q. Does the door of his rooms open out into the yard or where does it open? A. There is a hallway, it opens into the hallway.
- Q. Then there is a hallway leading into that house from the yard? A. Yes sir, there is a hallway.
- Q. And his door opens out into the hallway, is that right?
- A. Opens into it, into the hallway.
- Q. Is there a door on each room or only one door?
- A. Only one entrance to my rooms from the hall.
- Q. What kind of a lock was it on that door, was it a stop lock or what? A. Only an ordinary lock.
- Q. One of those locks, not a padlock? A. Not a padlock, no sir.
- Q. Was there any bolt on the door? A. There was no bolt,

I only moved in two days before.

Q. Did he lock that door before he went to bed?

A. Yes sir, I locked it.

Q. Did he leave the key in the door, is that what he says?

A. The key was in the door on the inside and when he was woke up by his brother-in-law he found that this door was open; I found that the lock was broke and the key was inside the lock.

Q. The door was open when he saw it? A. Yes sir, the door was open.

Q. How does he hire that house, by the month or how?

A. By the month.

Q. He was just in there two days? A. Only two days I had lived there.

Q. Does he know what Ward that house is in? A. I do not know what Ward it is.

JOHN J. BOWE sworn and examined .

By Mr. Macdonna. Q. Officer Bowe, you are attached to the 12th precinct, are you? A. Yes sir.

Q. Did you arrest this defendant Herman Schmidt on the night of January 10? A. On the morning.

Q. Whereabouts did you arrest him? A. On Delancy Street.

Q. Whereabouts on Delancy Street? A. In front of 152, coming out.

Q. At what hour? A. At 4.30 in the morning.

Q. Do you know what ward in this city 152 Delancy Street is in? A. The 13th Ward, 12th precinct.

Q. You arrested this man in front of what number?

A. In front of 152.

Q. In the immediate neighborhood of the residence of the last witness? A. As he was coming out of the alley of 152.

Q. How far away from the entrance to this man's premises was it? A. Coming right out of the alley.

Q. How far is that alley from the house of the complainant?

A. I should judge about forty feet from the rear house to the sidewalk, or forty-five feet.

Q. This man the complainant lives in the rear house?

A. The rear house.

Q. At 152? A. Yes sir.

Q. You met this prisoner just coming out into the street through the alleyway forty feet away from the place where this man lives, do I understand you rightly?

A. Yes sir.

Q. Was he alone? A. He was in company with another man.

Q. What became of the other man? A. As I came along I noticed two of them coming out, I stepped over to them, I says, "where are you going with that coat." As I said that they turned around, I put my hand --- the other man did not wait for an answer, he ran away.

Q. Officer, were these men talking together when you saw them first? A. They did not have time to talk.

Q. Were they walking one after the other or together?

A. As they came out of the alleyway the two walked side by side in a westerly direction toward Suffolk Street.

Q. And when you said, "where are you going with that coat", one of them ran? A. Yes sir.

Q. You grabbed this man? A. Yes sir, he had a coat on his arm.

Q. What did he say? A. He says, "the other man gave me this coat, let me go."

Q. He speaks pretty fair English don't he? A. Yes sir.

Q. You took the coat, did you? A. I took the coat and I brought him to the station house.

Q. Did you examine him? A. I examined him at the station house and found another coat around his waist.

Q. Inside the coat he had on? A. Inside the coat buttoned up.

Q. Did he have anything else? A. He had the complainant's suspenders in his pocket which was identified by the complainant.

Q. Was that coat that you took off that was buttoned up on the inside and the suspenders shown to the complainant? and did he identify them? A. Yes sir.

Q. Were they shown to the other man? A. Yes sir.

Q. Tell us which portion he identified as his (Scheyer).

A. He identified the overcoat.

Q. And the other things, the under coat and the suspenders?

A. This other young man identified them, at least the other coat; the jersey I found in the alley; there was three pieces, two coats and a jersey.

By the Court Q. You got one coat on his arm? A. Yes sir.

Q. Who identified that coat? A. Scheyer.

Q. You got a coat buttoned up inside his own coat?

A. Yes sir.

Q. Who identified that? A. Scheyer identified that.

Q. The buttoned up coat? A. Yes sir.

Q. And the pair of suspenders that you found on him, who identified them? A. I believe it was the other man, I do not know his name.

Q. That was asleep in that house? A. Yes sir, there is two more.

Q. Did you have any conversation with this man when you brought him to Court in the morning? A. No sir.

Q. And have not had any since? A. No sir.

Counsel: No questions, Officer.

By the Court. Q. Did you go back to the rooms, Officer?

A. Yes sir, immediately after, and I found the door was burst open.

Q. Right after leaving your prisoner at the station house?

A. Yes sir, it is only a block and a half away.

Q. In what condition did you find the door?

A. I found that the door was forced open and the lock was hanging off by the screws.

SOLOMON SHBUER sworn and examined through the Interpreter.

By Mr. Macdonna. Q. Where do you live? A. 152 Delancy St.

Q. Did you live thereon the 10th of January? or were you stopping there on the 10th of January? A. Yes sir.

Q. With Mr. Bernard Nardeler? A. Yes sir.

Q. Do you remember waking up on that night and calling Mr. Nardeler? A. NO.

By the Court. Q. Ask him if he went to bed that night, this fellow?

A. Yes sir.

6-17-6



Q. What time did he go to bed? A. About ten o'clock or a little after.

Q. Was he the owner of an overcoat? A. Yes sir.

Q. When did he wake up? A. When I got up myself I felt cold.

Q. What time was it when he got up? A. About half past three.

Q. What did he find when he got up? A. I found the door open.

Q. What else did he find, did he see the lock?

A. The lock was completely broke off and the key was lying outside.

Q. Did you have an overcoat when you went to sleep in that room that night? A. Yes sir.

Q. When you woke up was it in the room, yes or no?

A. NO.

Q. Did you have an under coat, a jersey coat?

A. A jersey coat and an overcoat.

Q. Was that in the room when you woke up? A. No, it was not there.

Q. Where did you next see that overcoat and the jersey coat?

By the Court. Q. Did he see it at the Station House?

A. Yes sir, in the station house.

By Mr. Macdonna. Q. With this officer? A. Yes sir.

Counsel: No questions.

Mr Macdonna: That is the case.

HERMAN SCHMIDT sworn and examined in his own behalf.

By Counsel. Q. Where do you reside, Mr. Schmidt?

A. I used to reside in New York.

By the Court. Q. Where did you live, what number?

A. No. 245 Fifteenth Street.

By Counsel. Q. How long have you lived there at this place, how long had you been in the city of New York?

A. I have been in New York since last Friday week.

Q. Explain to the jury in your own way the occurrences of that night, the night of your arrest.

By the Court. Q. Do you recollect being arrested? A. Yes sir.

Q. Where were you when you were arrested? A. I was in Delancy Street.

Q. Go on and tell these gentlemen here how you came to be arrested? A. I came Friday of last week from Baltimore, I was in Atlantic Garden and I met a fellow, I know him two years in New York, named Ernest Stein, he used to live that time in Brooklyn.

Counsel: We can get along a great deal better with the Interpreter.

By the Court. Q. He met a fellow, what name? A. Ernest Stein.

Q. Go on and tell him to talk German to you. (Addressing (The Interpreter-Interpreter.)

Witness: He asked me why I came to New York for there was no work here; I told him I was going to Newport in the morning to an ice man to cut ice; he told me that he would like to go along. I have lived in Delancy Street and I owe the landlady two weeks board, Stein said so. He said, "Wont you come along to help me to carry my trunk " We left

the Atlantic Garden at twelve o'clock and went to Houston Street to a coffee saloon; we played a game of pinnicle, a game of cards, it was about four o'clock when we left there.

Q. Four o'clock when you left Atlantic Garden? A. The coffee saloon in Houston Street, and we went to Delancy Street into an alleyway; he says, that is where he lives. Before I went to the alleyway I seen the policeman standing at the corner; I went into the yard with him and there I stayed; the house door was open and he went in there; he came out with an armful of clothing; he asked me if I had a trunk in here; he said he was afraid the landlady would wake up; he gave me a pair of pants, I took off the suspenders and I put them in my pocket and he told me to put on those clothes.

Q. What clothes did you put on? A. A coat or an overcoat whatever it was, I could not tell exactly, I tried it and it would not go and I put it under my clothes and the other stuff he hung on my arm.

Q. What was the other stuff? A. An overcoat and a pair of pants, and he went out first; when we got out of the alleyway he put those clothes on my arm; when we came out the policeman stood there, I did not think anything, he run away, I stood there and was arrested.

Mr. Macdonna: I have no cross-examination.

By the Court. Q. Ask him how old he is? A. Thirty-four years.

Q. Ask him how long he knew Ernest Stein? A. About two years.

Q. Ask this man what he works at? A. He is a cooper.

- Q. Did he ever live in New York? A. Yes sir.
- Q. How long has he lived in New York, and neighborhood I have worked about three years. A. Around New York
- Q. And he is how old? A. Thirty-four.
- Q. And he met this man in the street what time? A. Met him in the Atlantic Garden.
- Q. And they stayed at the Atlantic Garden how long? A. About twelve o'clock, till they closed up.
- Q. And then went where? A. To Houston Street to a coffee saloon.
- Q. To what place? A. In Houston between Allen and Eldridge Street.
- Q. And he stayed there till four o'clock in the morning? A. We played cards there till four o'clock.
- Q. Those two men walked over to Delancy Street? A. Yes sir.
- Q. Was the door shut? A. No sir, the door was open.
- Q. Wide open? A. No sir, the door was shut, you turned the knob and go right in.
- Q. And he went in there to get a drink at half past four in the morning? A. Yes sir.
- Q. And told you he was afraid he would wake up the landlady and took the things out? A. He told me he owed the landlady two weeks board for rent.

Counsel: That is our case, I submit it on your Honor's charge.

The Court: No, I do not propose to do your duty; if you have anything to say about this case say it to the Jury.

Mr. Macdonna: I have not anything to say.

The Jury rendered a verdict of guilty of robbery in the first degree.



0400

Police Court—3rd District.

City and County } ss.:  
of New York,Bernard Modelor  
of No. 157 Delancey Street, aged 30 years,  
occupation Varnisher being duly sworndeposes and says, that the premises No 152 Delancey Street, 13th Ward  
in the City and County aforesaid the said being a tenement building

and which was occupied by deponent as a dwelling apartment

and in which there was at the time a human being by name Bernard Modelor (deponent)  
his wife and three children, and Samuel Scher  
and Frederick Bearwere BURGLARIOUSLY entered by means of forcibly opening the  
lock of a door leading to said  
apartmenton the 10th day of January 1891 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:A quantity of wearing  
apparel, of the value of about  
Thirty five Dollarsthe property of Samuel Scher, 152 Delancey Street, in care 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

Bernard Schmidt (now here) and  
another not yet arrested, who acted in concert  
for the reasons following, to wit: Deponent says—at about 4:30  
A.M. of said date, he was awakened by feeling  
said Samuel Scher, who having felt a draught  
of air, awoke, and seeing said door opened,  
aroused deponent, who missed said property,  
and on investigation discovered a partition  
thereof, in the yard in the rear of said premises.  
Deponent further says— a few minutes  
expired, and Officer Bowe, appeared, and

0401

informed deponent, that he has seen Defendant and another not arrested, departing from an alley annexing 152 Delaney Street, at about 11:30 am of said date, and arrested defendant with a partner some wearing apparel in his possession, the other escaping, and deponent going to the 12<sup>th</sup> Precinct Station house, there identified the property found in the possession of defendant, as being a portion or balance of the missing wearing apparel, in the presence of said Officer and said Samuel Seher.

wherefore, deponent charges defendant, with acting in concert with another not arrested, and burglariously entering said premises, and taking, stealing and carrying away said property from his custody and possession.

Given before me }  
this 10<sup>th</sup> day of July 1884 }

Bernard Horner

*W. W. Meade*  
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.

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

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

Police Court, _____ District.		Offence—BURGLARY.	
THE PEOPLE, &c., on the complaint of			
1	2	3	4
Dated _____ 188		Magistrate.	
		Officer.	
		Clerk.	
Witness,		Street,	
No.	No.	No.	No.
		to answer General Sessions.	



0402

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged \_\_\_\_\_ years, occupation \_\_\_\_\_

12<sup>th</sup> Meiner

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

Bernard Nardeler

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

Sworn to before me, this

10

day of

July

1894

John J. Bowe

Commissioner

Police Justice.



0403

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 24 years, occupation Barber of No.

152 Delancey Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

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

Sworn to before me, this

day of

1899

W. M. Meade

Police Justice.



0405

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

*Alfred Smith*  
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 *June 11* 18 *91* *Chas. M. ...* 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.

0406

81 3- 39  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Bernard Nardeler*  
152 vs. *Delaney*  
*Werman Schmitt*

*Muglary*  
Offence

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Dated *July 10* 189*1*

*Meade* Magistrate.

*John J. Bowe* Officer.

*12* Precinct.

Witnesses *Frederick B. Breen*

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

*Samuel Acher*

No. *152* *Delaney* Street.

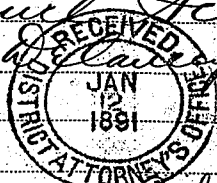
No. \_\_\_\_\_ Street.

\$ *1000* to answer *G.S.*

\**1000* bail for *ex*

*G. O'Connell* am Jan 11<sup>th</sup>

*DM*



# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Herman Schmidt*

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

*— Herman Schmidt —*

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

The said *Herman Schmidt,*

late of the *Fourth* Ward of the City of New York, in the County of New York aforesaid, on the *— tenth —* day of *January*, in the year of our Lord one thousand eight hundred and eighty *ninety-one*, with force and arms, about the hour of *four* o'clock in the *night* time of the same day, at the Ward, City and County aforesaid, the dwelling house of one *Bernard Rardeler,*

there situate, feloniously and burglariously did break into and enter, there being then and there some human being, to wit: *the said Bernard Rardeler,*

within the said dwelling house, with intent to commit some crime therein, to wit: the goods chattels and personal property of the said *Bernard Rardeler,*

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

*himself then and there assisted by a confederate, actually present, whose name is to the Grand Jury aforesaid as yet 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,

## SECOND COUNT—

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

— *Herman Schmidt* —

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

The said *Herman Schmidt*,

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 *night* time of the said day, with force and arms,

*snatched articles of clothing and wearing apparel, of a quantity and description to the Grand Jury aforesaid unknown, of the value of thirty five dollars,*

of the goods, chattels and personal property of one *Bernard Vardeler*,

in the dwelling house of the said *Bernard Vardeler* —

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

— *Herman Schmidt* —

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

The said *Herman Schmidt*,

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, with force and arms,

*sums of*

*of clothing and wearing apparel, of a quantity*

*and description to the Grand Jury*

*aforesaid unknown, of the value of*

*Twenty five dollars,*

of the goods, chattels and personal property of one *Bernard Tardeler*,

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

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

— *Herman Schmidt* —

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

DE LANCEY NICOLL,

JOHN R. FELLOWS,

District Attorney.

04 10

**BOX:**

425

**FOLDER:**

3922

**DESCRIPTION:**

Schroder, Frederick

**DATE:**

01/28/91



3922



324

Witnesses

Counsel,

Filed, 28 day of Jan 1891  
Pleids, 17 guilty 29

THE PEOPLE,

29 1st ave  
637-1st ave  
B  
Friedrich Schroeder

ADULTERATED MILK.

(Chap. 183. Laws of 1885, Section 1, as amended  
by chap. 577, Laws of 1886, Section 1; Section 186,  
Sanitary Code, and Section 575 of the N. Y. City  
Consolidation Act of 1882.

DE LANCEY NICOLL,

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Harold E. Green

Part II February 11/91- Foreman.

Pleads Guilty

Fine \$25.00

fine pd.

04 12

City and County of New York, ss.

*Wm H Vermilye* an  
Assistant Sanitary Inspector of said city, being duly sworn, deposes and says, that on the  
12<sup>th</sup> day of *August* in the year 1890

at premises number *637-1st Ave* in the City of New York, the said premises being a place then and there where Milk was kept for sale, one *Fredrick Schroeder* unlawfully did then and there keep, have and offer for sale three quarts of impure and unwholesome Milk, which had been and was then and there watered, adulterated, reduced and changed by the addition of water or other substance, or by the removal of cream therefrom, and that such impure, unwholesome, watered, adulterated or reduced and changed Milk was then and there, by the said *Fredrick Schroeder*, unlawfully held, kept and offered for sale against and in violation of the provisions of the Sanitary Code, and of such Sanitary Code then and there, and at all times thereafter in force and operation, and especially against and in violation of the provisions of a section and ordinance of such Sanitary Code which was duly passed and adopted by the Board of Health of the Health Department of the said City of New York, and by said Health Department at a meeting thereof, duly held in said city, on the twenty-third day of February, 1876, in the manner and language following, to wit:

"Resolved, That under the power conferred by law upon the Health Department, the following additional section to the Sanitary Code, for the security of life and health be, and the same is hereby, adopted and declared to form a portion of the Sanitary Code.

"No Milk which has been watered, adulterated, reduced or changed in any respect by the addition of water or other substance, or by the removal of cream, shall be brought into, held, kept or offered for sale at any place in the City of New York, nor shall any one keep, have or offer for sale in the said city any such Milk."

That said ordinance was thereafter duly published once a week, for two successive weeks, in the *City Record*, a daily official newspaper and journal published in said city, to wit, in the issues of such newspaper of the 24th day of February, 1876, and also of the 2d day of March, 1876, and that said ordinance was, at all times alleged herein, in full force and operation in said city and county.

Sworn to before me the *18<sup>th</sup>* day } *Wm H Vermilye*  
of *August* 1890 }  
*Charles W Tristor*  
Police Justice.

04 13

*W*  
Police Court, 4<sup>th</sup> District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Wm. Vermilye*

v.

*Fredrick Schureder*

Defendant

Dated 188

Justice.

Officer.

*William, Co. G. Berry*  
*& M. Carroll*

*Daily sale 50¢*  
*Skimmed 14¢*

04 14

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court

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

Question. What is your name?

Answer.

*Friedrich Schroeder*

Question. How old are you?

Answer.

*28 years*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*No 637, 1<sup>st</sup> Ave 5 years*

Question. What is your business or profession?

Answer.

*Grocer*

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 and  
if held I demand a trial by Jury  
Friedrich Schroeder*

Taken before me this

*19*

*Charles H. Smith*

Police Justice

04 15

Sec. 151.

Police Court 4<sup>th</sup> District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*In the name of the People of the State of New York; To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York, GREETING:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Wentworth  
of No. 301 West Street, that on the 12<sup>th</sup> day of August

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

Frederick Schroeder said no 637-12 and did have  
hold & offer for sale milk that was changed  
by the removal of cream

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 4<sup>th</sup> DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 18<sup>th</sup> day of August, 1890  
Charles McIntosh POLICE JUSTICE.

04 16

POLICE COURT 4<sup>th</sup> DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Wm. Vermilye  
vs.

Frederick Schroeder

Warrant-General.

Dated..... 188

..... Magistrate.

Leez Officer.

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

..... Officer.

Dated August 19 18890

This Warrant may be executed on Sunday or at  
night.

..... Police Justice.

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

Dated..... 188

..... Police Justice.

Age 28. German. Res 687. 1. Ave

The within named

0417

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

*defendant*

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

Dated *Aug 19* 1890 *Charles W. Linter* Police Justice.

I have admitted the above-named.....

*defendant*

to bail to answer by the undertaking hereto annexed.

Dated *Aug 19* 1890 *Charles W. Linter* 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.

0418

BAILED.

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court---

District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

301

vs. Mott St

Frank Schroeder

2

3

4

Dated

Aug 19 1890

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

to answer



Bailed

Amelia

Offence

Mia Amelia Cook



04 19

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
*against*

*Frederick Schroder*

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

*Frederick Schroder*

(Chap. 183, Laws of 1886, § 1, as amended by Chap. 577, Laws of 1890, § 1.)

The said

*Frederick Schroder*

late of the City of New York, in the County of New York aforesaid, on the  
*twelfth* day of *August* in the year of our Lord  
one thousand eight hundred and eighty ~~eighty~~ *ninety*, at the City and County aforesaid,  
did unlawfully expose for sale three quarts of unclean, impure, unhealthy, adulterated  
and unwholesome milk (the same not being skimmed milk produced in the said County),  
against the form of the Statute in such case made and provided, and against the peace of  
the People of the State of New York and their dignity.

## SECOND COUNT:

§ 166, Sanitary Code

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*Frederick Schroder*  
 of the CRIME OF VIOLATING THE SANITARY CODE OF THE BOARD OF HEALTH OF THE  
 HEALTH DEPARTMENT OF THE CITY OF NEW YORK, committed as follows:

The said

*Frederick Schroder*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully keep, have and offer for sale, three quarts of milk which had been and was then and there watered, adulterated, reduced and changed by the addition of water and other substances to the Grand Jury aforesaid unknown, and by the removal of cream, against and in violation of the Sanitary Code of the Board of Health of the Health Department of the City of New York, duly adopted and declared as such at a meeting of the said Board of Health, held in said city on the second day of June, 1873, as amended in accordance with law, and particularly in violation of a certain ordinance thereof, to wit: the one hundred and eighty-sixth section of said code, which is as follows, that is to say:

"No milk which has been watered, adulterated, reduced or changed in any respect by the addition of water or other substance, or by the removal of cream, shall be brought into, held, kept, or offered for sale at any place in the City of New York; nor shall any one keep, have or offer for sale in the said city any such milk."

Which said section and ordinance above set forth was, by a certain resolution, duly passed and adopted by the said Board of Health and by said Health Department, at a meeting thereof duly held in said city on the twenty-third day of February, 1876, added to and made a part of the said Sanitary Code aforesaid, and adopted and declared to form a portion thereof, pursuant to the authority and power conferred by law upon the said Board, and which said ordinance was thereafter duly published once a week, for two successive weeks, in the *City Record*, a daily official newspaper and journal published in the said city, to wit: in the issues of such newspaper of the twenty-fourth day of February, 1876, and also of the second day of March, 1876, and which said Sanitary Code so amended and altered was then and there, at the time of the committing of the offense hereinabove alleged, in full force and operation, and was by law declared to be binding and in force in said city, and which said section and ordinance above set forth was then and there in full force and virtue, having been in nowise altered, amended or annulled by said Board of Health, 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.

0421

**BOX:**

425

**FOLDER:**

3922

**DESCRIPTION:**

Schultzer, Oscar

**DATE:**

01/13/91



3922

0422

Counsel,

Filed 13 day of Jan 1891  
Pleads, *Henry H.*

THE PEOPLE

*24 charges*  
*in Jewish*  
*Carar Schmitzer*

[Section 497, 506, 528, 530 & 550]  
Burglary in the second degree,  
and dressing

JOHN R. FELLOWS

Part III February 1891  
District Attorney  
indicted convicted Burglar 3<sup>rd</sup> day  
S. P. 3 955 6 mo 1<sup>st</sup> day  
July 1891  
A True Bill.  
RBA

*Franklin Edison*

Foreman.

*January 23rd*  
*G. S. B.*  
*Feb 23*  
*G. S. B.*

Witnesses:

0423

Police Court— District.

City and County of New York, ss.:

of No. 171 Eldridge Street, aged 18 years,  
 occupation Domestic being duly sworn

deposes and says, that the premises No. aforesaid Street, 10<sup>th</sup> Ward  
 in the City and County aforesaid the said being a dwelling place,  
five story brick building  
 and which was occupied by deponent as a dwelling place  
 and in which there was at the time a human being by name

were **BURGLARIOUSLY** entered by means of forcibly opening a  
door leading from the hall to a  
front room which had been occupied as a  
Diner Ben Salom and entering a sitting room  
in the rear with intent to commit a felony  
on the 20 day of August 1890 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

One Trunk containing a quantity  
of ladies under clothing, a satchel  
and a Dish together of the value  
of about Sixty dollars \$60<sup>00</sup>/<sub>100</sub>

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  
Oscar Schutzen alias Oscar Stahl  
(nomine)

for the reasons following, to wit:

From the fact that  
deponent is informed by Albert  
Brunnerman of No. 171 Eldridge  
Street that at about 8 o'clock  
P.M. of above date he securely locked  
and fastened the doors and windows  
leading into the basement or ground  
floor of above mentioned premises.  
That at about 9 o'clock and the

0424

following running defendant discovered  
that said door had been broken  
open and missed said property.

Defendant is informed by Anna  
Morris of No 187 Chrystie Street  
near house that ever about said  
date she was in said defendants  
room at No 181 Eldridge Street when  
he gave her a bundle containing  
a quantity of ladies underwear also  
a satchel and a bible which defendant  
has since seen and fully and  
positively identifies as a portion  
of the property contained in said  
bundle. Defendant is informed by  
Officer John S. McHenry of the 9th  
Precinct that he found in the room  
now occupied by defendant No 219 Chrystie  
the aforesaid bundle which defendant  
has since seen and identifies as her  
property.

Sworn to before me  
at the City of New York, on the 15th day of January 1891  
Barbara Kaiser  
Dated 1891  
guilty of the offence named  
There being no sufficient cause to believe the within named  
Dated 1891  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1891  
of the City of New York, until he give such bail.  
Hundred Dollars  
and be committed to the Warden and Keeper of the City Prison  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
committed, and that there is sufficient cause to believe the within named  
If appearing to me by the within depositions and statements that the crime therein mentioned has been

Police Court,	District.
THE PEOPLE, &c., on the complaint of	
vs.	
Offence—BURGLARY.	
1	
2	
3	
4	
5	
Dated	1891
Magistrate.	
Officer.	
Clerk.	
Witness.	
No.	Street,
No.	Street,
No.	Street,
No.	to answer General Sessions.

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CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 23 years, occupation Steep house of No. 184 Chryshi Street, being duly sworn deposes and

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

Sworn to before me, this 5

day of January 1887

Dora Mooney  
W. Meads  
Police Justice.

0426

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged            years, occupation John T. McCarthy Police Officer of No.           

St. Francis Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Barbara Harris  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 5

day of July 1888

John T. McCarthy  
Commins  
Police Justice.



0427

Sec. 198-200.

District Police Court

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer. *Oscar Schutzen*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *No 219 Chrystie St. 4 weeks*

Question. What is your business or profession?

Answer. *Chemist*

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**Oscar Schutzen*

Taken before me this

day of

*John J. McCall*  
*John J. McCall*  
*John J. McCall*

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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 Fifty 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 Jan 5 1891 C. J. McLean 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.

0429

Police Court---

27 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Barthelme Kaiser*  
17th - Clodridge

*Oscar Schutgen*  
Alia

*Oscar Stoll*

*Henry*  
Precinct

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Dated *Jan 5 1891*

*Magistrate*

*Officer*

*11* Precinct.

Witnesses *Dora Morrey*

No. *187 Clodridge*

*160 Clodridge*

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

*178 Clodridge*

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

\$ *1500* to answer *Yes*

*Cm*





Winter spoke to Mr. Zimmerman who was in my company. It was twelve o'clock in the night when we returned back to 171 Eldridge Street. I went in the house and looked all around for a trunk of mine which I had left in the kitchen. I could not find it any place. I told the proprietor that my trunk was gone and that I could not find it. We then went to the Station House and made complaint that the trunk had been stolen. I afterwards saw the trunk in the Station House and identified its contents as my property. I went, in company with Officer McCarty, to the premises of the defendant. The officer searched his room and there found my trunk. The defendant said that he had bought a trunk and that when he bought it it was empty. I identified it by the picture on the cover and articles of wearing apparel of mine which were in it. I am positive that the trunk, which is now shown me containing the articles that it does, is my property.

## CROSS-EXAMINATION:

- Q Of your own knowledge you don't know anything about what time the trunk was taken? A No, sir.
- Q You were not in the room from the time you left the house early in the evening until between seven and eight o'clock the next morning? A No, sir.
- Q You know that that house was pulled on that night, don't you? A No, sir. A couple of days before.
- Q Did the defendant ever live there? A No, sir. He lived at No. 181 Eldridge Street.

Q Did he complain about the house and have it pulled ? A I don't know whether he did or not.

Q By what other name was the defendant known when he visited your premises ? A By the name of Dr. Stahl.

Q Where did you leave this trunk when you went out ? A I left it in the kitchen, or a room adjoining the kitchen which is used as a laundry. It was not in that room nor in the house when I returned on that evening.

ALBERT ZIMMERMAN, a witness for the People, sworn, testified:

I live at No. 171 Eldridge Street. The last witness is my servant girl. On the 20th. of August last in her company I left the house in the early part of the evening and went to Vokes Garden on the Bowery. Previous to going to Vokes' Garden I went, in her company, to a restaurant and had supper. While in that restaurant the defendant, in company with one George Winter, came in. I knew the defendant before that by his coming into my place. At that time I knew him by the name of Dr. Stahl. The defendant said to me: "Helloa, Zimmerman: Where are you going?". I told him I was going to the Vokes Garden and that is all the talk I had with him. Before leaving my house I securely locked all the doors that gave entrance to it. We returned to the house at about 12 o'clock. Very shortly after we got in the girl told me that her trunk was gone. I went to the Station House and made complaint of the loss of the trunk. I had a conversation with the defendant in my store on one occasion.

I had lost a box of cigars. He came to me and told me that he could tell who stole the cigars. He said it was Paul Stein. He also said to me that the same party that stole the cigars stole the trunk too. I went, in company with Officer McCarty, to the home of the defendant. The officer searched the room and there found the trunk of this girl which she identified. The officer said to the defendant: "You stole that trunk", and the defendant said no, that he had bought it from Paul Stein. There was nothing else said in that room. The defendant called me aside and he said to me: "You won't make any charge against me" and I said: "I have nothing to do with it; it is this woman's trunk and she will make the charge". He said: "I will give you everything you want for this trunk, any sum of money, and I will make it all right with you." I made him no answer but left the premises. I afterwards saw him and he said: "Zimmerman, make no trouble for me. Make no charge against me and I will bring you everything that was in the trunk".

## CROSS-EXAMINATION:

Q You owned the house from which this trunk was taken?

A Yes, sir; I had a lease of the store.

Q Was it closed up by the Police? A Yes, sir; it was.

Q How long had you been in those premises? A Since July 1890.

Q What was the character of that house? A I kept a respectable saloon.



Q The defendant asked you to make no charge against him and said that he bought the trunk from Stein? A Yes, sir.

ANNIE COULTER, a witness for the People, sworn, testified:

I am a housekeeper of No. 171 Eldridge Street. That is a five story tenement house. I remember the evening of the 20th. of August last. I saw Mr. Zimmerman close up his place on that evening and leave the premises. I am certain that the place was thoroughly closed when Mr. Zimmerman and Mrs. Keiser and Miss Keiser passed out.

GUSSIE SCHWERIN, a witness for the People, sworn, testified:

I live at No. 181 Eldridge Street. I have been living there six years. I know the defendant. He lived in my house for two weeks. When he took a room at my house he told me that he was a doctor. I asked him why he didn't hang out a sign, and he said that he didn't need any sign. He remained in my place for two weeks when I told him that he must leave.

JOHN T. McCARTY, a witness for the People, sworn, testified:

I am a Police Officer attached to the 11th. Precinct. The premises No. 171 Eldridge Street are in the 10th. Ward. In company with Barbara Keiser, Mr. Zimmerman and a man named Eichwald I went to the rooms of this defendant on the morning of the 5th. of January. I told the defendant I was an officer and that I was informed he had some stolen property belonging to Barbara Keiser. I asked Miss Keiser if she saw anything that



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6.

belonged to her and she at once said: "That is my trunk", pointing to a trunk in the room. I asked the defendant how he came by the trunk and he said he bought it from a man. I asked him when he bought it and he didn't say. I asked him wasn't there anything in the trunk when he bought it, and he said it was empty. I asked Miss Keiser to examine the articles in the trunk and when she did so she identified several articles of wearing apparel and a piece of lace which was in the trunk. I took the defendant then into custody and brought him to the Station House.

LOUIS EICHWALD, a witness for the People, sworn, testified:

I am a photographer and a singer by occupation. I sing in concert saloons on the Bowery. I have known the defendant about a year and a half. When I first met him he was living at No. 40 Division Street. I went, in company with Officer McCarty and the others, to the defendant's rooms on the morning of the 5th. of January. I can corroborate the testimony of the officer as to what took place on that occasion. The witness Keiser identified the trunk by a picture which was inside the cover. She also identified a piece of lace and a pair of stockings which were found in the trunk. On the way to the Station House I had a conversation with the defendant. I told him in German "It looks kind of serious Mr. Schnetzer; these things were found in your possession". He said: "I didn't take the trunk. George took the trunk

and I have got to suffer for it now". At the Station House he said <sup>to</sup> Mr. Zimmerman : "If you do not make the charge I will be willing to pay anything you ask; I will be willing to give you all you lost". Mr. Zimmerman did not make any answer to him. The defendant sent the following letter to Mrs. Mooney: "When you come to the Grand Jury Room tell them that you did not get the clothing from me, that you got it from Paul Stein and come and see me at once". He also sent her this letter: "For God's sake when you come to the Grand Jury Room do not say that you got the goods from me, but say that you got the goods from Paul Stein".

CROSS-EXAMINATION:

I am a photographer. I took the picture which is now shown me. This is a picture of the defendant, a man named George and a man by the name of Paul Stein.

Q Where is Paul Stein now ? A I believe he is in the Penitentiary in New Jersey.

Q Are you in correspondence with him ? A I have heard from him once or twice.

Q Who introduced you to the defendant ? A Paul Stein.

Q Were you not frequently in company with Paul Stein ?

A No, sir.

Q You and Stein were not enemies were you? A No, sir /

Q You were friends? A Not as much as I know.

Q He was friendly enough to send you letters from State's Prison? A Yes, sir.

- Q Have you become an enemy of this man? A I have.
- Q Didn't Paul Stein write to you in a letter something about this trunk? A Yes, sir..
- Q And that was the beginning of the trouble between you and this man? A Yes, sir.
- Q You are now his enemy? A I am.
- Q Where are you employed now? A I am working for myself. I sing at concerts on the East side in the evening.
- Q You went to the Tombs to see this defendant? A Yes, sir.
- Q And he gave you those letters to Mrs. Mooney? A Yes, sir.
- Q You represented yourself to him as his friend? A Yes, sir.
- Q You lied when you did that? A Yes, sir.
- Q You would like to see him sent to State's Prison? A He is guilty and I would.
- Q You feel pretty bitter against this man? A I do.

## DEFENSE:

CHARLES F. RISLEY, a witness for the Defendant, sworn, testified:

I am a manufacturer of proprietary medicines at No. 62 Courtlandt Street. The defendant has sold goods for me. I believe him to be a man of good character.

OSCAR SCHNETZER, the defendant, sworn, testified:

I am the defendant in this case. I have lived

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in the City of New York for four years. In the month of August last I was living at 181 Eldridge Street in the same room with Paul Stein. We shared one room together. On the morning of the 21st. of August I got up at about eight o'clock and I found a trunk in our room. I asked him whose trunk it was and he told me he bought it in an auction room.. I didn't know what was in the trunk at that time. Paul Stein and I remained as occupants of that room for three weeks together. The trunk was taken from there to Houston Street. In Houston Street I paid four weeks' rent for Paul Stein and he owed me altogether three dollars and a half. He told me he had no money, but he would let me have this trunk in payment for what he owed me. He left the trunk with me and when I moved I took it with me. Paul Stein left and went to Philadelphia and other places, and I didn't see him again. I was arrested on the 5th. of January and this trunk was found in my room. I have been asked to plead guilty to this charge, but I would not because I came by the trunk honestly. I didn't know that it had been stolen by Paul Stein, nor was I aware of the fact that it was not his property. I never examined the articles that were in the trunk. I believed it to be empty at the time I bought it. I didn't have a conversation with Mr. Zimmerman in which I stated to him that I would give him anything he wished if he would withdraw the charge. There were a number of pawn tickets found in my room, but the

majority of them were made out in the name of Paul Stein. They were his property. I had no knowledge that Paul Stein was a thief during the time I was living with him.

CROSS-EXAMINATION:

- Q Have you ever been in the Penitentiary? A Yes, sir; once.
- Q What was that conviction for? A Petty larceny.
- Q You were sentenced for how long? A Six months.
- Q When did you come to this country? A I came to this country in February 1889.
- Q Were you ever arrested in Philadelphia? A I never was arrested in Philadelphia. I lived in Mr. Eichwald's house after I came from the Penitentiary. I made the acquaintance of Paul Stein in the Penitentiary. He was up there for a month and when we came out we went to live in the same room together.
- Q You knew that he had been in the Penitentiary at the time you went to live with him? A Yes, sir.
- Q You lived with him in Houston Street? A Yes, sir.
- Q And it was while you were living in Houston Street that Stein was arrested in New Jersey? A Yes, sir.
- Q Did you know what Paul Stein was doing for a living? A He told me he was an actor in a Grand Street museum.
- Q Did you ever hear him perform on any musical instrument? A No, sir.
- Q Did you see the trunk while it was in the room? A Yes, sir; but I never saw him open it. I live at Mrs. Moon-ey's house at No. 181 Eldridge Street. I sent her the

letters that the witness Eichwald has read here. I thought that by doing so I might get out of this trouble. I never said to the detective or any one else that I bought this trunk from Stein. He gave it to me for what he owed me for rent.

JACOB VONDERICHTEN, a witness for the defendant, sworn, testified: I am one of Inspector Byrne's Detectives. The defendant gave me information of burglaries committed in Newark which led to the arrest and conviction of the man called Paul Stein.

MAURICE STRAUSS testified to the good character of the defendant.

DORA MOONEY testified to the receipt of the letter from the defendant which has been given above.

The Jury returned a verdict of "guilty of burglary in the third degree".

murder in the third degree."

The jury returned a verdict of "Guilty of

defendant which has been given above.

DOBA MOONEY testified to the receipt of the letter from the  
 and.

Indictment filed Jan. 13-1891

MAURICE ALVAREZ testified to the good character of the defend-

called Maurice.

never said to the detective or any one else that I  
 thought that by doing so I might get out of this trouble.  
 letters that the witness Eichwald has read here. I

thought this trunk from Stein. He gave it to me for what

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I never said to the detective or any one else that I  
 thought that by doing so I might get out of this trouble.  
 letters that the witness Eichwald has read here. I

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Oscar Schutze*

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

*Oscar Schutze*

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

The said *Oscar Schutze*,

late of the *South* Ward of the City of New York, in the County of New York aforesaid, on the *twentieth* day of *August*, in the year of our Lord one thousand eight hundred and eighty *nine*, with force and arms, about the hour of *twelve* o'clock in the *night* time of the same day, at the Ward, City and County aforesaid, the dwelling house of one *Barbara Kaiser*,

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 *Barbara Kaiser*,

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

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



## SECOND COUNT—

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

*Oscar Schultze* —

of the CRIME OF *Grand* LARCENY in the *2nd* degree, committed as follows:

The said *Oscar Schultze*,

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 *mid* time of the said day, with force and arms,

*one bundle of the value of ten dollars,*  
*one article of the value of five dollars,*  
*one printed book entitled "The Holy Bible"*  
*of the value of five dollars, and divers*  
*articles of female underclothes, a more*  
*particular description whereof is to be*  
*found in the aforesaid indictment, of the*  
*value of forty dollars,*

of the goods, chattels and personal property of one *Barbara Kaiser*,

in the dwelling house of the said *Barbara Kaiser*, —

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.

0444

THIRD COUNT—

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

*Oscar Schultze* —

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

The said *Oscar Schultze*,

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, with force and arms,

one bundle of the value of ten dollars, one  
packet of the value of five dollars, one  
printed book entitled "The Holy Bible" of the  
value of five dollars, and divers articles of  
female underclothes, a more particular  
description whereof is to the Grand Jury  
aforesaid unknown, of the value of twenty  
dollars,

of the goods, chattels and personal property of one *Barbara Kaiser*,

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

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

*Oscar Schultze* —

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

DE LANCEY NICOLL,

JOHN R. FELLOWS,

District Attorney.

0445

**BOX:**

425

**FOLDER:**

3922

**DESCRIPTION:**

Scully, Louis

**DATE:**

01/19/91



3922

0446

**BOX:**

425

**FOLDER:**

3922

**DESCRIPTION:**

Hamilton, John L.

**DATE:**

01/19/91



3922

0447

1624 - closed

Witnesses;

Deed for appraiser

for

the lay down him

for

Counsel,

Filed

19 day of Jan'y 1891

Pleaded

THE PEOPLE

vs.

Louis Scully

and

John L. Hamilton

DE LANCEY NICOLL

~~JOHN R. FELLOWS~~

District Attorney.

[Sections 528, 58/647 Penal Code]

Grand Larceny Second degree

A True Bill.

Franklin Eason  
Jan'y 19/91 Foreman.

John R. Fellows

James W. Eason  
for each ten  
Jan'y 20/91

0448

Police Court— District.

City and County } ss.:  
of New York,of No. 44 East 57 Street, aged 27 years,occupation Electrician being duly sworndeposes and says, that the premises No. 44 East 57 Street, 19 Wardin the City and County aforesaid the said being a Apartment Houseand which was occupied by deponent as a Strawand in which there was at the time a luncheon being, by namewere BURGLARIOUSLY entered by means of forcethe door of the said straw  
in the basement of said premises  
with a key and breaking open a trunk.on the 12 day of January 1899 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:A quantity of  
clothing and also some  
jewelry all of the value  
two hundred dollars\$ 200.00the property of deponent's mother (deceased) and sister  
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 byLouis Scully and  
John L. Hamiltonfor the reasons following, to wit: that deponent was  
informed by Officer Joseph Manning  
of the 22 Precinct Police that  
he arrested the said Scully  
and Hamilton in the premises  
at 56 & 10 Avenue and found  
a quantity of clothing and jewelry  
in their possession and deponent  
is further informed by said Manning

that they ~~also~~ defendant admitted to him that they had taken the said property from the said premises and Deponent's Sister Miss Amelia J. Miller <sup>of East St.</sup> has since seen the said property and fully and positively identifies it as the property taken stolen and carried away from Deponent's possession under the following circumstances. The said property was in a trunk in a storeroom in the basement of the said premises 14 East 57 Street. The door of said Room being locked that the said defendant opened the said door with a key and broke open the said trunk and took, stole, and carried away the said property.

Sworn to before me this }  
13<sup>th</sup> day of January 1880 } Loring L. Leach.  
John Ryan

Police Justice

Dated \_\_\_\_\_ 188 \_\_\_\_\_  
Police Justice.

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

Dated \_\_\_\_\_ 188\_\_\_\_\_  
Police Justice.

I have admitted the above named \_\_\_\_\_  
to bail to answer by the undershifting hereto annexed.

*Dated* \_\_\_\_\_ 188 .  
\_\_\_\_\_  
*Police Justice.*

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.

*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*

Police Court, \_\_\_\_\_ District,

---

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

\_\_\_\_\_

vs.

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

---

Date \_\_\_\_\_ 188\_\_

Magistrate  
\_\_\_\_\_  
Officer.  
\_\_\_\_\_  
Clerk.  
\_\_\_\_\_

Witnesses, \_\_\_\_\_  
No. \_\_\_\_\_ Street,  
\_\_\_\_\_  
No. \_\_\_\_\_ Street,  
\_\_\_\_\_  
No. \_\_\_\_\_ Street,  
\_\_\_\_\_

to answer General Sessions.

0450

Sec. 198-200.

4 District Police Court

CITY AND COUNTY  
OF NEW YORK ss.

*John L Hamilton* 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 L. Hamilton*

Question. How old are you?

Answer. *17 years old*

Question. Where were you born?

Answer. *New York City*

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

Answer. *North West Corner Dr. Hrygar one month*

Question. What is your business or profession?

Answer. *Seaman*

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 L Hamilton*

Taken before me this

day of

*John L. Hamilton*

Police Justice



0451

Sec. 188-200.

CITY AND COUNTY OF NEW YORK, ss.

4 District Police Court.

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

Question. What is your name?

Answer.

*Louis Scully*

Question. How old are you?

Answer.

*18 years old*

Question. Where were you born?

Answer.

*St Louis Mo*

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

Answer.

*North Walker 34 St. 7 years 4 months*

Question. What is your business or profession?

Answer.

*Paper factory*

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*

*Louis Scully*

Taken before me this

day of

*August 1901*

Police Justice

0452

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

Twenty ~~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 Jan'y 13' 1891 John A. 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.

0453

162  
Police Court---

61  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Louis L. Leads*  
*44 to 57*

*Louis Scully*  
*John L. Hamilton*

*Officer*  
*McGarry*

BAILED,

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

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

Dated

*Jan 13-91*

*J. J. Ryan* Magistrate.

*J. Marion* Officer.

*22* Precinct.

Witnesses \_\_\_\_\_

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

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

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

\$ *1500* to answer \_\_\_\_\_



*Aug 3*  
*92*  
*Aug*

0454

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Joseph Marmon*  
aged 34 years, occupation Police Officer of No. 22 Precinct Police Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Louis L. Sardo  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 13  
day of January 1899

*Joseph Marmon*  
*John Ryan*  
Police Justice.

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against  
Louis Scully  
and  
John L. Hamilton

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

Louis Scully and John L. Hamilton

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

The said Louis Scully and John L. Hamilton, both

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

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

of the goods, chattels and personal property of one

Horace L. Leeds

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.

## SECOND COUNT—

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

*Louis Scully and John L. Hamilton*  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said

*Louis Scully and John L. Hamilton, both*

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

*the same goods, chattels and personal property described in the first count of this indictment*

of the goods, chattels and personal property of one

*Loring L. Leeds*

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

*Loring L. Leeds*

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

*Louis Scully and John L. Hamilton*  
then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

*Deaneey Nicoll*  
**JOHN R. FELLOWS,**  
District Attorney.

0457

**BOX:**

425

**FOLDER:**

3922

**DESCRIPTION:**

Settokowsky, David

**DATE:**

01/21/91



3922

0458

Witnesses;

Counsel,

Filed

day of

1891

Pleaded,

THE PEOPLE

vs.

Daria Settkowsky

DE LANCEY NICOLL

District Attorney.

A True Bill.

Laudley Eason

Foreman.

James E. Eason

James E. Eason

James E. Eason

James E. Eason

[Section 408, (26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]



46

The People  
vs.

David Setto Kowsky { Court of General Sessions Part I  
Before Recorder Smyth January 26<sup>th</sup> 1891  
Indictment for burglary in the  
third degree, grand larceny in the second degree  
and receiving stolen goods.

Meyer Yarmenulowsky, sworn and examined through the Interpreter testified:  
What is your business? Tailor, cloak maker.  
Do you remember the 16<sup>th</sup> of January 1891? Yes.  
Where was your place of business then?  
No. 264 Broome Street. What were those premises  
used for at that time by you? Cloaks. You  
made them? Yes sir; it was my workshop.  
What did you do that evening when you  
you left the shop, did you lock up the store?  
At 8 o'clock that evening I locked up my  
shop. What did you leave in the shop?  
Jackets, this coat was there, and a box  
of trimmings and a thimble was in a  
box. What floor is your shop on? It is  
four flights up. How many rooms do  
you occupy? One big room. How is that  
room fastened? There is only one door  
to enter that room and there are win-  
dows looking into the yard in the rear.  
The lock is stationary and is screwed  
to the door. Did you lock up and take  
the key of the place with you? Yes sir  
and then I went to No. 78 1/2 Delancey St.

where I live in the first floor. When did you  
 hear your place was broken? About ten o'clock  
 that night a man who sleeps in the shop  
 came - he was not in the shop, he was out,  
 but he sleeps there - and he notified me that  
 the shop was broken open. Did you go  
 down to the shop? Yes sir; the door was broken  
 and that piece of iron was lying close to  
 the door and it was broken off the nozzle.  
 There were marks on the door; it must  
 have been opened with that piece of iron.  
 When you got in there and found that the  
 door had been opened did you miss any  
 goods? Yes, a box with the trimmings, six  
 unfinished jackets, my own coat, and a  
 thimble which was in the box of trimmings.  
 In the morning people who make this kind  
 of goods and who made this coat notified  
 me that some one was going around  
 offering the coat for sale. I went to a pawn  
 shop with Officer Telig and saw my coat;  
 the pawn shop is in Division st. I don't  
 know the name of the man, but the officer  
 does. When did you see the other things?  
 The other things I never saw; the prisoner  
 had the thimble in his pocket. What was  
 the value of those six saques that all  
 the things that were stolen? About fifty or

Fifty five dollars the whole amount.  
 Cross Examined How much would those sacques  
 sell for each? I could not give in detail,  
 but I know altogether it is about fifty dollars;  
 they were partially made up and were nearly  
 finished. When those sacques were finished  
 what would they be worth each? About four  
 or five dollars a piece. How much work  
 was to be done on them to finish them?  
 About an hour and a half's work to finish  
 the whole of them and that would be worth  
 one dollar. The coat now shown me is my  
 own, it was not even a day in the shop,  
 the tailor just brought it in, it was new  
 and worth about nine dollars. The trim-  
 mings that was in the box were worth  
 nine dollars; there was a pound of sewing  
 silk which was worth \$3.50, two boxes of mach-  
 ine cotton worth four dollars, machine  
 needles worth \$1.50 and sewing thread, the  
 value of which I cannot exactly give. Did  
 you know this boy? I never saw him before.  
 Did he have any business in that shop?  
 No. I don't know what Ward the shop is in.  
 Louis Selig, sworn and examined, tes-  
 tified, I arrested the defendant on the 5th  
 of January. In the morning when I came  
 on post at 8 o'clock I saw this boy in Ludlow  
 St in front of 24 with this coat (the

complainant) on his arm; trying to sell it. I was on the other side of the street and I went to go over and see what he was selling. He disappeared, I could not see him any more. I went around Essex, Hester and Norfolk streets, and half or three quarters of an hour later a lady came to me saying, "Officer, they want you in Ludlow street, they have got a burglar." I went around and I seen this complainant had the boy in front of 14 Ludlow street. I asked what was the matter? He said, "That boy stole my clothes and broke in last night." I said I saw the boy with the coat on his arm, and I asked him, "What did you do with the coat?" He said, "it is pawned in Divison St." I took him to the station house; his pedigree was taken, I locked him up, and upon searching him I found that thimble and a key in his pocket. I say, "Whereabout in Divison St.?" He would not give me any satisfaction. I went to No. 112 Divison St. but I could not get it and went to No. 67 Divison St. I went to two different pawnshops, and finally the complainant and myself went there and found the coat pawned for two dollars, and the complainant paid five

dollars for it and took it out. In whose pawnshop did you find the coat? No 67 Division St. Have you got the ticket there?

Yes sir, he did not give me the genuine, but he gave me a copy of it. What did the boy say in reference to the coat? The boy says he got it from some other boy. What did he say with reference to having pawned it? He said he did not pawn it there, but he knew where it was though, he would not give in to anything; he said he did not pawn it, he did not steal it, he did not do anything, but I found that tumbler in the coat. The coat now shown me is the coat which I saw on the boy's arm half an hour before I arrested him and which had been pawned. He said some boy gave him the tumbler.

The complainant's place is in the South ward.  
Cross Examined: What street was it you first saw the boy on? Ludlow near West street in front of No. 29. I was on the opposite side of the street, I was in front of No. 26 and he was in front of No. 29 on the opposite side of the street. I was on the east and he was on the west side. How far were you away from him? About seventy five feet or more than fifty, I was not directly opposite. He saw me coming and he

disappeared. In that short distance the boy disappeared from sight as quick as that. Yes sir. The house is five stories high; any body that comes in do not get out very soon. I saw the coat on his arm. I am positive that is the coat by the lining. You could not be mistaken? No sir.

Jacob Glazier, sworn and examined, through the Interpreter. Do you remember seeing this defendant on the 15th of January, 1891?

Yes sir. Where did you see him? In Hester street about nine or ten o'clock in the morning. Did you see this coat at the same time (coat shown to the witness)?

Yes sir. In whose possession did you see the coat? The boy held that coat (the defendant).

What did he say to you? He offered that coat for sale, he asked three dollars for it.

What did you say to that? I said I did not need any coat. I did not enter into any bargain with him.

Cross Examined. Where did you see this boy trying to sell that coat? In Hester street. How many places did you see him go to try to sell the coat? For about five minutes I observed the boy. Was the coat on his arm, so that you could see it plainly? Yes, he had it on his arm. It was not wrapped up?

No, open. Did you see any other boy around with him? Not with him; there was no boy near him when he offered me the coat for sale. At the time when he tried to sell the coat to you was there not another boy with him then? There were many persons around there. Was there not a boy with him when he offered to sell the coat? No, there was no boy with him.

David Settkowsky, sworn and examined. Do you know Officer Selig? Yes, I know him. I used to see him around, I live around there, on Essex St. I used to see him. He found a coat which had been in your possession on the morning of the 13<sup>th</sup> of January. How did you get possession of that coat? I met a boy when I went to work, the boy's name is Simon Truskey. I met him around Essex St. What did Simon say to you? He said to me, "I have a coat to sell. I asked him for five cents to get a cigarette. He says he aint got a cent, he has got a coat to sell; he gave me the coat. I was trying to sell it; he told me to get three dollars on it. I could not get it. I gave him his coat back again and he told me he pawned it and I told the officer where he pawned it. Where did you get the thimble you had in your pocket?

The boy gave it to me. I am a tailor, I could  
 use the thimble; he threw it down and I  
 picked it up. Is that the thimble you picked  
 up (thimble shown) Yes sir. Did you on the  
 night before this or any other time break  
 into the store of the complainant and steal  
 anything out of it? I did not steal any-  
 thing in my life. Did you break into his  
 place? No. When you had this coat in  
 your possession how many places did you  
 try to sell it? Only through Essex St. I was  
 in a saloon around Nester street, Sam  
 Albert, I think his name is. Do you rem-  
 ember being in Ludlow St. that morning?  
 I passed Ludlow St. The officer says you  
 disappeared all at once, did you run away?  
 I did not see the officer at all, I seen a man  
 he buys everything cheap. I did not want  
 to sell it to him. You did not run away  
 or try to avoid the officer? No sir. I used  
 to work with that other boy. I don't know where  
 he is now; the boy who gave me the coat  
 was with me when I offered to sell it to Mr. Glavin.  
 Micheal Henshell sworn. I am a tailor and  
 work for Morris Stettin, 260 Canal street. The def-  
 endant worked there for two years up to three  
 weeks ago, he left work because he was sick.  
 The jury rendered a verdict of guilty of  
 receiving stolen goods.



0467

Testimony in the  
case of  
David Lett Hous Ky  
pled January  
1891

0468

Police Court—3 District.City and County  
of New York, ss.:of No. 264 Broome Street, aged 28 years,  
occupation Failor being duly sworndeposes and says, that the premises No. 264 Broome Street, 10 Ward  
in the City and County aforesaid the said being a tenement buildingand which was occupied by deponent as a cloak factory  
and in which there was at the time <sup>no</sup> human being, by namewere BURGLARIOUSLY entered by means of forcibly opening the  
door with a rasp, said door  
leading to said premiseson the 14<sup>th</sup> day of July 1891 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

Six (6) Sacks of the value of	\$36.00
One Coar	10.00
A quantity of Sewing silk	8.00
Machine needles & a thimble	1.00

all of the aggregate value  
of Fifty five (55) Dollars

the property of deponentand 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 byDavid Settonovsky (now  
here)

for the reasons following, to wit: Deponent says— at about eight  
PM, of said date he left said premises, securely  
covering the door and windows, etc. leaving  
and at about 11 PM was informed that his  
premises were forcibly entered, and on investiga-  
tion elicited that said property was missing.  
Deponent further says— he caused  
defendants' arrest on January 15, by Officer  
Alicy of the 11<sup>th</sup> Precinct, and the defendant

0469

admitted to said Officer that he had received a coat from a boy, and had pawned the same in the Pawnshop of P. Ganley of 67 Division Street, and deponent and said Officer going to said pawnshop there identified the coat defendant had told said Officer he had pawned, as being a portion of the missing property. Deponent further says he is informed further by said Officer that he found a thumb in the possession of defendant which deponent identifies as being his property. Wherefore, deponent charges defendant, with burglariously entering said premises, and taking and carrying away said property from his possession.

Sworn to before me } Mayor & Corporation  
this 16 day of May 1891 } Mayor

John J. 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 within mentioned, I order he to be discharged.  
Dated 1888  
Police Justice.

Police Court, District,		THE PEOPLE, &c., on the complaint of		Offence—BURGLARY.		Dated 1888		Magistrate.		Officer.		Clerk.		Witnesses.		No.		Street.		Street.		Street.		to answer General Sessions.	
1		2		3		4		5		6		7		8		9		10		11		12		13	

0470

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 47 years, occupation Police Officer of No. 114

Quincy Street, being duly sworn deposes and

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

Sworn to before me, this 18

day of July 1888

Ben Hursey

Police Justice.

0471

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.

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

Question. What is your name?

Answer. *David Settokowsky*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *Russia*

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

Answer. *912 Essex st 9 months*

Question. What is your business or profession?

Answer. *Sewing Machine Operator*

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

Answer. *I am not guilty*

*David Settokowsky*  
*his*  
*mark*

Taken before me this

Dec 15 1889

Police Justice.

0472

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 *July 16* 18 *91* *J. M. Munn* 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.

0473

Police Court---

3 26 73 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Meyer Yarnalovsky*  
*David Setton Kowarsky*

264 - Broome St.

2

3

4

Offence

*Burglary*

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

*Jan 16 - 1891*

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

*Jacob Schneidmeyer*  
*14 Essex St.*

No.

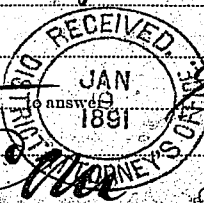
Street.

*Jacob Glazier*  
*18 Rutgers Place*

No.

Street.

*1000 -*



*Burglary*

*\$1000 = Bail for*  
*E. X. Liguire*  
*G. W. M.*

0474

Jary Salakofski

Born Russia

Occp Sailor

~~Married~~

Single

Residence 9<sup>th</sup> Essex St

Parents living



**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*David Settokowsky*

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

*David Settokowsky*

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

The said

*David Settokowsky*

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

*the factory of one Meyer Garmalowsky*

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

## SECOND COUNT—

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

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

The said

*David Lettokowsky*

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 *night* — time of said day, with force and arms,

*six sagues of the value of six dollars each, one coat of the value of ten dollars, a quantity of sewing silk (a more particular description whereof is to the Grand Jury aforesaid unknown, of the value of eight dollars, twenty needles of the value of four cents each and one thimble of the value of ten cents*

of the goods, chattels and personal property of one

*Meyer Yarmalowsky*

*factory*  
 in the dwelling house of the said

*Meyer Yarmalowsky*

*in the factory*  
 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

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

The said

*David Settokowsky*

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,

*the same goods, chattels and personal property described in the second count of this indictment*

of the goods, chattels and personal property of

*Meyer Yarmalowsky*

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

*Meyer Yarmalowsky*

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

*David Settokowsky*

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:**

425

**FOLDER:**

3922

**DESCRIPTION:**

Shaeffer, John

**DATE:**

01/28/91



3922

318.  
Counsel,  
Filed 28 day of June 1891  
Pleas, *W. H. H. H. H. H.*

THE PEOPLE  
vs.  
*John Shaeffer*  
*Attorney*  
[Sections 528, 580 — Penal Code]  
(From the Person.)  
Grand Larceny, 1st Degree.  
**DE LANCEY NICOLL**  
**JOHN H. FELLOWS,**  
District Attorney.

A True Bill.

*Franklinson*  
Foreman.  
*July 2/91*  
*Spies & Connected*  
*Amma R. J.*

The People vs. John Schaeffer  
 Indictment for attempt at grand larceny in first degree  
 Before Judge Cowing February 2, 1891  
 Plaintiff General Session Part 1  
 Rosie Greenhouse, sworn and examined, testified. I can speak no English, I can speak German better. Where do you live? No. 26 Suffolk street in this city. Do you remember where you were on the 21<sup>st</sup> of January 1891? I was walking with my husband and five or six other people in company from the Jewish theatre. He (the defendant) picked the jacket up and my husband was watching him and my brother-in-law, and then when he was looking in front of my dress he put his hand in my pocket, in my dress pocket. What was in that pocket? Only a pocketbook and a dollar change. Did he manage to get that pocketbook up to the mouth of the pocket, or did you catch him in the act of removing it? In the pocket we caught him. Did he have the pocketbook in his hand? I could not tell you that. You caught him with his hand in your dress? Yes. Look at that boy well, do you see him, is he the boy that on the 21<sup>st</sup> of January at midnight, you felt some hand in the pocket, you turned around and he was the one? Yes. I am sure. That was between twelve and one o'clock and he got arrested half past twelve. Were you present when he was arrested?

Yes, certainly I was there. After he took his hand out of your pocket what did he do? My husband went and he caught him just by the sidewalk, and he said, "What do you want?" He said, "nothing." He took his hand out and then they let him go. He went half a block from there; he came with two or three other fellows and wanted to fight there. So we got him arrested. My husband and brother-in-law caught him. My husband is not in Court, he is home. It was my money and my pocketbook.

Cross

Examined. We were at the Harmonia opera house. I did not notice the defendant at the theatre. I first felt the pressure of his hand in the entry, in the hall of the theatre; we went down the steps from the theatre; he (the defendant) lifted first the jacket up and then he put his hand in my pocket. You were walking out with your face to the open theatre going out on the street? Yes sir. There was quite a crowd all around, the people went out at that time. Which side of the way was this? That is on the right side of the Bowery between Hester and Grand st. How could you see him? I did not see that, I only felt that he had his hands in my pocket; my husband saw it, and he went after him.



You felt his hand in your pocket? Yes sir. I was looking round, I seen him too, my husband just caught him by the hands. Then I felt somebody put the hand in my pocket. I then looked around and I saw him. He did not put his hand in my pocket twice, only once. My husband watched him, he saw he wanted to go to the pocket. You are positive you felt a pressure on your pocket, you turned around and grabbed this defendant? Yes sir, that man was near my pocket, my husband kept him. Are you positive that this man had his hand in your pocket, did you see his hand in your pocket? Yes sir. I felt when he put the hand and I was looking around, my husband was near me. You were coming out and he was behind you? Yes sir. There was a crowd all around you? Yes sir. Do you mean to say you felt a hand on your side? Yes sir. You turned around, his hand was not in your pocket? Then I turned around he was near me. I have four or five witnesses. When you turned around his hand was not in your pocket? Yes sir, it was. Your husband did not arrest him at that time? No sir. Did he cuff or hit or slap him? No, he did not. He only pushed him away, he asked



him what he wanted to do? It was after we  
 got out on the sidewalk that my husband  
 struck the defendant, just near the steps  
 of the theatre; the defendant went after us  
 down to Suffolk st. and when we got to  
 Eldridge st. my husband had him arrested.  
 Harry Muscott, sworn and examined.  
 I live at 302 Cherry st. in this city. I was on  
 the Bowery about midnight on January 21<sup>st</sup>.  
 I saw Mrs. Greenhouse <sup>and her husband</sup> and the defendant.  
 Mrs. Greenhouse and my wife went out of the  
 theatre first and I went with her husband  
 behind, and I seen the way this young  
 man (the defendant) shoved his hand in her  
 pocket. I said to her husband, "See that,"  
 what he is doing. I caught hold of him by the hand having it  
 in her pocket. I caught hold of him by the arm.  
 I said to her, "Have you got anything missing?  
 out of your pocket?" She looked at her pocket  
 and there was nothing missing. I told  
 the young man to go away, and he went  
 away as far as the theatre on Grand  
 st. He followed us right up above. I say to him,  
 "What do you want?" He says, he wants  
 to follow us up. I said, "you had better go  
 away as soon as you have got a  
 chance." I could not see an officer at the  
 same time. He went down as far as

Eldridge st. and I seen this officer and  
 I told him to take him in, and he took him in.  
 Cross Examined Where do you reside? No. 302 Cherry  
 st. and have resided there for the last  
 ten years. My business is operator, <sup>on clocks</sup> but when  
 I am not working I am peddling. I have been  
 over in your (counsel's) office in the  
 Stewart Building lots of times. I peddle matches  
 or anything. You went to the theatre with  
 these ladies? Yes, we all went there together. The  
 husband of the complainant and myself went  
 out of the theatre first and were followed by the  
 complainant and my wife. The first thing  
 that attracted my attention to the defendant  
 was seeing him put his hand in her pocket.  
 I did not stop him right away till I  
 seen him have it right in her pocket. I  
 just got hold of him by the arm. The defend-  
 ant was the only one between us, but there  
 was lots of people around. I believe it was  
 his right hand that he had in her pocket.  
 The husband shoved him away a little, he  
 did not hit him hard. I did not cuff him.  
 Then we all walked toward Grand st. and  
 we met him again. He called a policeman  
 to arrest him in the corner of Eldridge St.  
 I did not want to have him arrested as  
 long as there was not anything missing.

John Schaffer, sworn and examined in his own behalf testified. I reside at 49 Eldridge St. and have been living there since I have been in the city three months. I came from Philadelphia with my father; my mother is dead. My father is at the present time in Fort Worth, Texas; he is a merchant tailor, and a friend of his got him a job there a few weeks ago; my father left me there. I have never been arrested before charged with any offence. I did not try to get the complainant's pocketbook. I did not put my hand in her pocket. I was coming out of the theatre. I saw it was 20 minutes past twelve o'clock by the clock in the hallway of the theatre; there was a crush. I seen the lady coming down stairs from the orchestral circle. I was in the gallery; we met, she was halfway out in the hallway. I did not see the lady near me when I was coming out. Finally I came out on the sidewalk and her husband came over to me and says, "What did you try to touch this lady's pocketbook for?" I also saw the witness there. I think he is his friend or brother-in-law. I said to the husband of the complainant, "I could not well be alongside of you coming out of the theatre and be behind your wife at the

same time. He did not say anything; he let me go, he did not get hold of me na nothing, he only just stopped and spoke to me. I was standing near the gutter side and he was standing inside on the sidewalk. I walked away ahead of them. I was all alone in the theatre and I walked away. I was walking down slowly Grand towards Eldridge St. where my home is between Christie and Forsythe Sts. on the side of Lord and Taylor's store. I felt some one come over behind me and get hold of me in the back and slapped me in the jaw. I looked around and I seen it was this lady's husband. He did not say nothing. I said, "What did you hit me for?" He did not answer me, he walked away on the sidewalk, and I walked close to the stores. I walked ahead of him. I was near the corner of Eldridge and Grand Sts. and when I was turning into the corner toward Hester St. some one came over and caught hold of me. I looked around, and it was this young man sitting on the witness chair before me. There was an officer at the corner, he called him over and made a charge of my attempting to take her pocket book. He said, I was walking with other young men trying to raise a

fight I was walking alone; there was nobody with me. There was nobody with me in the theatre. Neither the complainant nor her husband took hold of me in the passageway.

Cross Examined. I believe perjury is swearing false and if one commits it he will be punished. It is not true what the complainant says that she felt my hand in her pocket. I never had my hand in her pocket. It is not true what the witness Muscott said that he was behind me and the lady and that he saw me shove my hand in her pocket and that he caught me by the arm. The husband of the complainant came over and spoke to me; he did not take hold of me. I am telling the truth as far as I know. I was coming out of the theatre with the crowd; I am positive that no one seized me in the passageway going out of the theatre. Before I came to New York I was working in Philadelphia for Mr. Meyers, who kept a pedlar's supply store 118 North Third St. for seventeen months. I went to school before that. My father came to New York and I came with him. The jury rendered a verdict of guilty of an attempt at grand larceny in the first degree with a recommendation to mercy. The defendant was sent to the Elmira Reformatory.

0488

Testimony in the  
case of  
John Schaeffer

filed Jan.  
1891.

0489

Police Court—

District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No.

26 Suffolk

Street, aged 28<sup>1</sup>/<sub>2</sub> years,

occupation

Keep house

being duly sworn

deposes and says, that on the

21<sup>st</sup>

day of January

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 Night time, the following property, viz:

One pocketbook containing  
good and lawful money of  
the United States to the amount  
and of the value of one dollar.

the property of

Deprunt

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by John Schaper (now here)

from the fact that at about  
the hour of 12 o'clock midnight  
Deprunt and her husband were  
walking together in the Bowery  
between Grand and Hester streets. When  
this defendant came up beside  
deprunt and placing his hand  
into deprunt's dress pocket where  
said pocketbook was. he the said  
defendant feloniously attempted  
to take said and carry away  
said pocketbook from said  
pocket.

Roxie Greenhouse  
Deprunt

Sworn to before me, this  
24 day  
of January  
1891

Police Justice.

0490

Sec. 198-200.

13 District Police Court.

CITY AND COUNTY  
OF NEW YORK.

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

Question. What is your name?

Answer.

*John Schafen*

Question. How old are you?

Answer.

*19 years old*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*49 Eldridge St. 2 years*

Question. What is your business or profession?

Answer.

*Reader*

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 Schaffer*

Taken before me this

*22*

day of

*Dec**1891**1891**John Schaffer*

Police Justice



0491

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 *Three* 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: *July 22 91* 18..... 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.

0492

101

Police Court--- 3

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Rosie Greenhough*  
*76 Suffolk St.*  
*John Schaper*

*Attended*  
*by*  
*Harry Mosem*  
*302 Cherry St.*  
*Peoria*

BAILED,

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

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

Dated *Jan 2, 21* 18*91*

*Murray* Magistrate.

*Louis F. Beyer* Officer.

*11* Precinct.

Witnesses *Harry Mosem*

No. *302* Cherry Street.

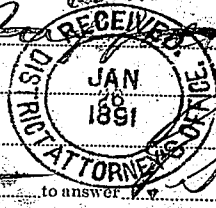
*Matthew Greenhough*

No. *26* \_\_\_\_\_ Street.

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

No. *302* \_\_\_\_\_ Street.

to answer \_\_\_\_\_



*Committed*

0493

**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 Shaeffer*

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

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

The said

*John Shaeffer*

late of the City of New York, in the County of New York aforesaid, on the *21st* day of *January* in the year of our Lord one thousand eight hundred and *ninety-one*, in the *night* time of the said day, at the City and County aforesaid, with force and arms, *and pocketbook of the value of twenty-five cents and*

*one* promissory note for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of *one* dollar; *one* promissory note for the payment of money of the kind commonly called Bank Notes, of the denomination and value of *one* dollar; *one* United States Gold Certificate, of the denomination and value of *one* dollar; *one* United States Silver Certificate, of the denomination and value of *one* dollar;

*and divers coins of a number, kind and denomination, to the Grand Jury aforesaid unknown, of the value of one dollar*

of the goods, chattels and personal property of one *Rosie Greenhouse* on the person of the said *Rosie Greenhouse* then and there being found, from the person of the said *Rosie Greenhouse* 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 Lancy Nicoll,*  
*District Attorney*

0494

**BOX:**

425

**FOLDER:**

3922

**DESCRIPTION:**

Shay, John

**DATE:**

01/28/91



3922

0495

323.

Witnesses;

Counsel,

Filed

28 day of Jan 1891

Pleads,

THE PEOPLE

vs.

John Shay

Grand Larceny, First Degree.  
(From the Person.)  
[Sections 628, 680, Pennl Code].

DE LANCEY NIGGILL

JOHN R. FELLOWS

District Attorney.

A True Bill.

Franklin Selover

January 29/91 Foreman.

Franklin Selover

John R. Fellows

John R. Fellows

0496

Police Court— / — District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No.

30 Vesey

William Belz

Street, aged 15 years,

occupation

Bookbinder

being duly sworn

deposes and says, that on the 21 day of January 1891 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
and person of deponent, in the night time, the following property, viz:A Silver Watch of the value  
of Five dollars(\$ 5<sup>00</sup>/<sub>100</sub>)

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 John Shea (now here) from the following facts to wit: That on the aforesaid date about the hour of 12.30 A.M. deponent was standing in the Corridor of the United States Post Office, when the defendant came up to where the deponent was standing, and inserted his hand into a pocket of a seat then and there worn on deponent's person, and forcibly and feloniously took, stole and carried away said property, which was in said seat.

And deponent says that he is informed by Officer Cornelius J. Sullivan of the 4<sup>th</sup> Precinct Police, that he found the aforesaid

of  
Secure to verify me, this  
day  
1891

Police Justice

property in the possession of the defendant  
at Park Row and Spruce Street on the  
aforesaid date about the hour of 12.30 A.M.

Deponent therefore charges the defendant  
with having committed a Larceny and  
asks that he may be held and dealt  
with as the Law may direct —

Sworn to before me

William Belz.

This 21 day of January 1891

Charles V. Taintor  
Police Justice

0498

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged \_\_\_\_\_ years, occupation \_\_\_\_\_ of No. \_\_\_\_\_

*Cornelius J. Sullivan*  
*Police Officer*  
*Fourth Police Precinct* Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *William Bely*

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

Sworn to before me, this *21* day of *January*, 188*9*

*Cornelius J. Sullivan*  
*Charles N. Linton*  
Police Justice.



0499

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am guilty*

*John Shea*

Taken before me this

day of May 1911

*Charles H. Turner*  
Police Justice

0500

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 January 21 1891 Charles N. Smith 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.

0501

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Police Court--- District. 108

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*William Beck*  
*30 Deputy Ct*  
*John Shea*

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

Dated *January 21* 189*9*

*Lynch* Magistrate.

*Fullman* Officer.

*24th* Precinct.

Witnesses \_\_\_\_\_

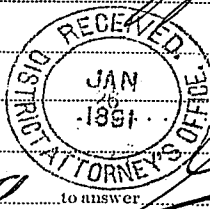
No. *Call Officer* Street.

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

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

\$ *5.00* to answer

*Cover*



# 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 Shay*

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

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

The said

*John Shay*

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

*one watch of the value of five dollars*

of the goods, chattels and personal property of one *William Bely* -  
on the person of the said *William Bely*  
then and there being found, from the person of the said *William Bely* -  
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.

*William Bely*  
*De Lancey Nicoll,*  
*District Attorney*

0503

**BOX:**

425

**FOLDER:**

3922

**DESCRIPTION:**

Sheilds, Harry C.

**DATE:**

01/14/91



3922

0504

**BOX:**

425

**FOLDER:**

3922

**DESCRIPTION:**

Donigan, Joseph C.

**DATE:**

01/14/91



3922

0505

POOR QUALITY  
ORIGINAL

Witnesses:

Counsel

Filed

day of

1891

Pleads,

THE PEOPLE

vs.

Henry S. Shields

Joseph E. Donigan

DE LANCEY NICOLL,

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Franklin Eason

P 3

Jan 29, 1891

Foreman.

Both tried and acquitted

0506

POOR QUALITY  
ORIGINAL

Witnesses ;

Counsel

Filed

14 day of Jan 1891

Pleads,

Guilty

THE PEOPLE

vs.

Henry S. Shields

Joseph C. Donigan

DE LANCEY NICOLL,

JOHN R. FELLOWS

District Attorney.

A True Bill.

Franklin Edison

P3 Jan 29, 1891 Foreman.

Both tried and acquitted



Court of General Sessions,

Part III.  
Trial Jan'y 23<sup>rd</sup>. 191.

The People vs.

Harry P. Shields and  
Joseph C. Donigan

Witnesses for the prosecution :-

John Collins .	13 St. Luke's Place
Thomas Keane .	62 Morton St.
Michael Keavey .	339 Hudson St.
Thomas Brennan .	626 Greenwich St.

I depose these  
witnesses on Jan'y 23<sup>rd</sup>  
& then place this  
Memorandum with the  
papers in above case -  
G.S.B.

0508

Jan 3 -

Jan 3 -

N

Henry C. Daniels

and

Joseph L. Danyan

Jan 23/91

At a special term of the Supreme Court of the County of New York, held at the Chambers thereof, in the County Court House in said City, on the 7th day of January, 1891,

PRESIDENT:

Hon. Edward Patterson,  
Justice.

-----X  
The People &c. on the relation  
of Stephen B. Denihan

Against

Joseph Danigan  
-----X

The arguments upon the writs of habeas corpus and certiorari <sup>or</sup> of date December 31st 1890 coming on duly to be heard, wherein the defendant amongst other things, prayed for a reduction of bail herein under the sum of twenty-five hundred dollars, upon the grounds stated in the petition filed in the office of the Clerk of the City and County of New York, and the date of the hearing upon said writs having been adjourned until this day, and the <sup>or</sup> proper return having been made thereto, and after hearing Ambrose H. Purdy, Esquire, of counsel for the defendant Danigan, for the motion, and Delancey Nicoll, Esquire, District Attorney, for the People, opposed, after due deliberation being had

It is on motion of the District Attorney

ORDERED that the application founded upon the writs aforesaid praying for a reduction of the bail herein be and the same is in all things denied, and that the defendant Danigan be remanded to the care and custody of the proper

05 10

officer.

And it is further ordered that the record of the testimony taken before the committing magistrate Hon. Daniel O'Reilly, in this proceeding be returned to the files of the Clerk of the office of the District Attorney of the County aforesaid.

*Edw. J. Patterson*  
*J. S. S.*

0511

THE PEOPLE OF THE STATE  
OF NEW YORK

in the relation of  
Attorney at Law

against  
Joseph D. Dunning

Order directing  
Writ of Habeas Corpus

*John D. Dunning*  
JOHN D. DUNNING

DISTRICT ATTORNEY,  
No. 32 CHAMBERS STREET,  
NEW YORK CITY

Service of a copy of  
this writ has been made  
upon the undersigned  
attorney at law  
admitted  
January 9/91  
Signed *John D. Dunning*

05 12

2

DISTRICT POLICE COURT.

THE PEOPLE,

IN COMPLAINT OF

*Stephen B. Benham*

*Henry F. Shields*

*Joseph Donagan*

Examination had

*Dec 27 - 29*

188*20*

Before

*Samuel O'Hully*

Police Justice.

I,

*W. L. Omsby*

Stenographer of the

*2*

District Police

Court, do hereby certify that the within testimony in the above case is a true and correct copy of the original Stenographer's notes of the testimony of

*Richard R. Connor*

*Samuel J. Wades et al*

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

Dated

*Dec 31*

188*20*

*W. L. Omsby*

Stenographer.

*Samuel O'Hully*

Police Justice.

A Yes: he was all covered with mud

2 What was done to him?

A I saw him standing at the end of the bar: Mr Shulds was with him at the time. Mr Shulds asked me to clean off his coat. I told Shulds to hang it up and let it dry and it would clean quicker. Then I went around fixing up the place when I went back I saw Dembar sitting in a chair asleep. Mr Wark spoke to Mr Shulds about it. There was a boy came after Dembar a boy named Walsh.

2 The boy that was in there?

A Yes. I did not know him before. He said "Steve come home." as he said that I walked in and staid there.

2 You did not see him again?

A No Sir

2 If he had been back you would have seen him?

A Yes Sir

Cross Ex Mr Abbott

65 Q You was there?

05 14

- A: I was there to 10 o'clock  
when they closed up.
- Q: He did not come back?
- A: No sir
- Q: You were there when Demihar  
came?
- A: Yes
- Q: Who was with him?
- A: Shields came in after - Demihar  
came in first. ~~He~~ Shields  
did not come in until 5  
minutes after.

Richard Gardner being duly sworn  
and examined as a witness for the  
Defendant depose and say: I live  
at 53 King St. I am 27  
years old. I am a longshore-  
man.

- Q: What do you know about this?
- A: I was on 224 West St the  
following day Dec 12 Demihar  
came in. I heard him speaking  
to Wart and telling him his  
loss and that he intended to  
set that ship no matter what it



05 15

cost him. Mr. Mark said that  
he would do the best he could  
to aid him in his endeavor  
that was all I overheard.

Now examined by Mr. Abbott

Q Where do you work

A I have been out of work 1 week.

Q Do you expect to go to work for  
Mr. Shedd

A I have been expecting to as soon  
as a place is open

Q When have you talked to about  
this?

A Nobody until I spoke about it  
to Mr. Shedd, father

Sworn to before me this 27 day

of December 1890

John C. Ruff

Notary Public

Defendant need to answer \$2.500 bail.

05 16

Sec. 192.

2 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY } ss.  
OF NEW YORK,

An information having been laid before Daniel O'Reilly Esq a Police Justice  
of the City of New York, charging Harry F Shields Defendant with  
the offence of Robbery

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

We, Harry F Shields Defendant of No. 306  
West 129th Street; by occupation a violin  
and James Holmes of No. 679 Greenwich  
Street, by occupation a Liquor Surety, hereby jointly and severally undertake  
that the above named Harry F Shields Defendant

shall personally appear before the said Justice, at the 2 District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York the sum of Twenty five  
Hundred Dollars.

Taken and acknowledged before me, this

day of

December1890Harry F ShieldsJames HolmesDaniel O'Reilly POLICE JUSTICE.

05 17

CITY AND COUNTY } ss.  
OF NEW YORK, }

Sworn to before me, this 27  
day of Dec  
1890  
J. H. Hoffmann  
Justice

James Holmes  
the within named Bail and Surety being duly sworn, says, that he is a resident and free  
holder within the said County and State, and is worth Fifty Hundred Dollars,  
exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities,  
and that his property consists of One house and lot

of land situated at 515 Hudson  
Street and worth Fifteen thousand  
dollars over all debts and liabilities

James Holmes.

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Undertaking to appear  
during the Examination.

vs.

Taken the ..... day of ..... 18

Justice.

0518

Police Court--

District.

CITY AND COUNTY } ss  
OF NEW YORK,of No. 133 Charlton Street, Aged 38 YearsOccupation Horse shoer being duly sworn, deposes and says, that on the11<sup>th</sup> day of December 1890, at the 2<sup>d</sup> Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the following property, viz:

One Diamond Stud of the value of One hundred and thirty dollars, and Gold and lawful money of the United States of the amount of Sixty dollars, all amounting to the amount and value of One hundred and ninety dollars

of the value of One hundred & ninety (195) 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

Henry F. Shields and Joseph Donegan (both now here) while acting in concert with each other, from the following facts to wit: that on the aforesaid date deponent was in the liquor store No 330 West Street in company with the said defendants, and that about the hour of 5 o'clock P.M. left the said store in company with the said defendants, and that the said defendant Shields asked and requested a loan of ten dollars from deponent and that on deponent's refusal to give him the same, the said defendant Donegan

day of

Sworn to before me, this

189

Police Justice

05 19

tripped deponent with his foot, Throwing  
him down on the sidewalk, and that  
while deponent was down, said Diamond  
Stud which was attached to the shirt  
then and there worn on the person of  
deponent was forcibly and feloniously  
taken from deponents person, and that  
the said money which was in the  
pocket of the pants then and there  
worn on deponents person was missing  
and that the said defendant  
immediately ran away and that  
deponent immediately missed the  
said property. J. S. B. Dumban

26

December 1880

Do J. C. Bailey

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 1880 Police Justice.  
I have admitted the above named  
to bail to answer by the undersigned hereto annexed.  
Dated 1880 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 1880 Police Justice.

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

Offence—ROBBERY.

vs.

1  
2  
3  
4

Dated 1880

Magistrate.

Officer.

Clerk.

Witness,

Street,

No.

Street,

No.

Street,

No.

\$ to answer General Sessions.

0520

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.*Harry T. Shields*

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

Question. What is your name?

Answer. *Harry T. Shields.*

Question. How old are you?

Answer. *26 years.*

Question. Where were you born?

Answer. *New York*

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

Answer. *906 West 129 Street.*

Question. What is your business or profession?

Answer. *None*

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**Harry T. Shields*

Taken before me this

day of

*Dec*

189

*60*

Police Justice

0521

Sec. 199-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer. *Joseph C Dunigan*

Question. How old are you?

Answer. *35 Years*

Question. Where were you born?

Answer. *New York*

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

Answer. *68 Vandam St 10 Years*

Question. What is your business or profession?

Answer. *Merchandise*

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

Answer. *I Am not guilty*

*Joseph C. Dunigan*

Taken before me this  
day of *Dec*  
1890

*26*

Police Justice.

0522

On its 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 he be admitted to bail in the sum of Twenty five 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 Dec 2 1890 Do Jacobus Police Justice.

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

Dated Dec 29 1890 Do Jacobus Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.



0523

POOR QUALITY  
ORIGINAL

2500 Bail each for  
Examination, Dec 27. 9.30 a.m.  
" " 29-10-11

Police Court---

29/10 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Stephen C. Donohue  
133-Charlton St.  
Henry F. Shields  
Joseph Donohue

Office. Coffey

FILED.

No. 1, by Wm. Farrell  
Residence 148 Barrow Street

No. 2, by  
Residence Street

No. 3, by  
Residence Street

No. 4, by  
Residence Street

Dated Dec 26 1890

W. Cully Magistrate  
Lawrence & Drew Officer

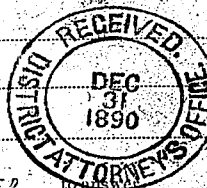
Witnesses

No. Street

No. Street

No. Street

\$2500



0524

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

The People &  
Stephen B. Denihan

<sup>2</sup>  
Henry F. Shields  
Joseph Donegan

Examination Before Justice O'Reilly  
Dec 27 1890

For the People - Mr. Abbott  
" Sgt Mr. Keller  
Mr. Stiner

Stephen B. Denihan being cross  
examined on his affidavit deposes  
and says:

By Mr. Keller

2 - How long have you known Henry  
F. Shields?

1 - About five years.

2 - How long have you known  
Joseph Donegan?

1 - Not over a month year or so.  
2 - Have you been friendly with  
Shields?

1 - Yes Sir.

2 - Have you been friendly with  
Donegan?

A I have not.

Q Were you drinking in their company that night?

A Yes Sir

Q Did you ever drink with Shields before?

A Yes.

Q Frequently in his place?

A Time and again

Q Were you intoxicated at that time that night?

A No not at that time.

Q What time was it?

A Five O'clock

Q Had you not been drinking on town and a half in Barns's place?

A Yes Sir

Q And you were drinking on town and a half and were not intoxicated?

A I was not drinking on town and a half.

Q Will you swear that you were not on town and a half or two towns steadily drinking before the time when you say you stood and

0526

- money were taken?
- A I was sitting there but I was not drinking all the time, I went in to get a check cashed.
- Q You did not drink there?
- A I did sir.
- Q How many times?
- A I had not been drunk.
- Q How many times?
- A I could not say - five or six drinks.
- Q Will you swear it was not twenty?
- A I will.
- Q You were around with friends of yours?
- A Yes sir. I could not say how many.
- Q So you know James Walsh now here?
- A Yes sir.
- Q What does he do?
- A I do not know whether he does or not, anything or not. I have known him about two years.
- Q You have known him two years and do not know what

0527

He does

A No Sir, I do not

Q Did not your wife send Mr Walsh for you on account of the condition you were in.

A No Sir

Q Did you see James Walsh that night?

A I did Sir

Q In Mr Shields father's place

Q Did you see him outside on the street?

A Yes

Q Was he not sent to take you home?

A No; he was not

Q Did he see you home?

A He was not sent for me.

Q Did he?

✓ A I say he did.

Q Do you know

O Shea?

A Where did you see him?

A I went up - Shields had left the place. He has no claim on the place.

Q Did you drink with O Shea that night?

A I did Sir

0528

Q What time?

A about 11 o'clock

Q Did you tell him about the loss of your diamond stud and money?

A I did not tell how it was done

Q Did you tell him that you had no idea who robbed you

A No sir.

Q You swear that someone tripped you and threw you to the sidewalk <sup>Q - Yes sir</sup> and that the <sup>your</sup> ~~my~~ clothes were covered with mud.

and that when they broke I ran away. <sup>A - I did not say that they ran away</sup>

Q Will you swear that you did not say what you have sworn to here?

A I swear they went away. I do not say they ran.

Q Then the clerk who drew this affidavit which you signed made a mistake?

A Yes sir.

Q Do you or not swear that they ran away?

The affiant says so

A They went away.

Q Then it is not true that they ran away?

A They disappeared - I could not say they ran away - they disappeared.

Q Will you swear that you went directly home after being tripped down and losing your stud and money?

A I will swear.

Q You went directly home,

A I went right home.

Q Where did this robbery take place?

A Right outside the place between Charlton & King Street

Q Outside of Barnes's Saloon?

A Yes sir at 330 West St

Q You were covered with mud at the time?

A Yes sir.

Q Is it not a fact that after that you went to the Shields Place - the old gentlemen's place, the father of defendant, and that you were attended to and cleaned off, and

0530

✓ that you slept off your drunken  
fit in the place?

A I deny that Sir

Q That is not true?

A No

Q Were you not in the Shields  
place?

A I went after Mr Shields and Mr  
Doneyan. I went to look  
for them. I took off my  
clothes to get the mud off.  
I went down first, and when  
I found my shirt and  
money were gone I went after  
Shields and Doneyan.

Q Did you go around that night  
or the next day threatening  
to shoot defendant Shields?

Objection &

Objection Sustained.

Q Do you know Mr Knoud?

A Yes - a tenant of Shields father.

Q A friend of yours?

A There is nothing friendly  
between us.

Q He is a wheelwright and a  
respectable man?

A Yes.

7 Q Did you ever drink with him here



A Yes.

Q Did you see Defendant Shields in the presence of Mr Knoud the next day?

A Yes Sir.

Q Did Mr Shields say to you in the presence of Mr Knoud

"I understand you were accusing me of taking your stud and money and you are threatening to shoot me"

Q Did Shields say that to (Complainant) you in the presence of Mr Knoud?

A Yes Sir.

Q And what did you reply?

A I told him I wanted my money and my gun, and that I did not want anything else

Q And did you and Mr Knoud and Mr Shields all drink together then?

A Yes Sir.

Q Did you state to any one that you had lost \$200?

A No; I did not.

Q Did you state that at any time to any one?

A - No; I did not

Q Is that as true as anything else you have stated in this case?

A Yes sir - I said \$165 - and my gun - that is what I said I wanted and nothing else.

Q You have frequently been in Mr. Shields' presence since then?

A No sir.

Q How many times have you been in his company?

A Mr. Shields - no.

Q You mean you did not see him.

A Yes - not that night.

Q Do you know Mr. Connor - Thomas O. Connor?

A Yes sir.

Q Did you on the same night after you went away Mr. Shields and Mr. Sawyer look you over and money - did you drink in Mr. Shields' place?

A Yes sir - I went to find them. I told you that before.

Q Did you drink with Shields

A That night no sir.

Q And did you fall asleep there?

A No sir.

By the court

Q You say you drank in Mr Shields place?

A Yes.

Q What do you mean by Mr Shields place?

A This place he had

Q That Shields formerly had?

A Yes.

Q You went to look for dependent Shields?

A Yes.

Q In the saloon that his father formerly kept?

A Yes.

Re-direct:

Q You say that after this occurrence of the loss of your pin and money you went directly home.

A Right home sir.

Q Whom did you see when you got home?

0534

A My wife and two other parties -

Q Can you name any of them?

A Connor was one

Q You saw him?

A Yes.

Q at that time?

A Yes Sir

Q Did you completely clear yourself then?

A - No; I could not

Q When you went up to Shields old Saloon did you see Defendant Shields there?

A No.

Q You drank in Shields place?

A Yes.

Q Did you drink pretty liberally?

A I could not say how many drinks.

Q You drank considerably?

A Yes.

Q Under the influence of liquor at Shields?

A Yes.

Q Then you went home?

0535

- A No. I met & this place  
Q who kept the place?  
A Mc Carthy's place.  
Q Where did you meet O Shea?  
A In that saloon drinking  
cross examined by Mr Kelly  
Q You say that ~~on the way~~  
this happened outside the place  
A Yes sir - outside. It was  
not inside.  
Q You say you knew your  
affordant that Shields asked  
you to lend him \$10 - that  
on your refusal to give it  
to him that bonegan trapped  
you up - you now say that  
it was on the outside of the  
place?  
A - That was inside that he  
first asked me for it. We  
were chucking dice  
Q That was inside the place?  
A He asked me for money  
inside. I refused.  
Q Did you not ask Judge  
O. Reilly yesterday that  
Shields asked you for \$25  
A That was what I said

0536

#25-

Q Then this was another mistake  
of the clerk

A Yes sir.

Mr Abbott - I ask that the correction  
be made

Objection to

Q Do you know Mr Ward?

A His name is familiar.

By Mr Kelle

Q Did you see him?

A Yes.

Q Do you know Mr Hurst?

A No sir I do not know

Q Did you see him in there?

A I could not say - He is  
a stranger to me.

Subscribed before me this 28  
of December 1890

J. J. Coffey  
Police Justice.

Richard O'Connor being duly  
sworn as a witness for the  
people deposes and says -  
I am 30 years old. I live  
at 133 Chantler St. I am  
a dock laborer. I know

- the complainant.
- Q on the 14th of December did you see him?
- A Yes: I was in his house.
- Q about what hour?
- A about 5 o'clock
- Q what condition was he in?
- A He is quite some derty.
- Q what did he say?
- Objected to
- Objection overruled
- Exception
- A He did not say anything
- Q Did you hear him speak of the man that took his diamond pin?
- Objected to
- Objection sustained
- Q Was he able to take care of himself?
- A He was able to care for himself.
- Q Able enough to know what he was doing?
- A Yes: same as he looks now.
- Q Was there any conversation passed between you?
- A Not a word passed between us

0538

no - I left about five minutes after and went to my own room

Q You did not go out with him again?

A No.

Q You do not know whether he left again to go out himself?

A I could not say;

By the Court

Q About how long did he stay?

A Ten or 15 minutes.

Q Did he talk with any one?

A Certainly.

Q You do not know what they were talking about?

A I heard some of the words. It was none of my business to listen.

at  
Sworn to before me this  
of December 1890

James Justice.

William J. Knorr being duly sworn and examined as a witness for the people deposed and says: I am 43 years



- old. I live at 1622 Murlan Avenue I am a wheelwright. My place of business is at 322 West St where is Donegan's place of business.
- A at 133 Chautau St. around the corner - on the same block.
- Q You know him?
- A I do not.
- Q In a business way and socially?
- A Yes Sir.
- Q On the afternoon of Dec 11 were you in Barnes' saloon in West St.?
- A Yes.
- Q Do you know Defendant Donegan?
- A Yes.
- Q Did you drink with him there?
- A Yes.
- Q Were Defendant Shields and Donegan there when you left?
- A No Sir.
- Q What time did you leave?

A Between 4 and 5 O'clock

2 - In what condition was  
Derihan when you left?

A As well as I am now

2 Did you notice the pin  
in his shirt.

A Yes sir.

2 While you were there did  
you notice whether he had  
any money?

A Yes sir, I saw him pull  
out a bundle of bills. He had  
a bundle of bills.

2 Where was he when you left  
him?

A In the office - in a private  
room.

2 You had been there?

A Yes.

2 Not outside?

A Not outside

2 Who were there?

A Mr. Lapine, Mr. S. B. Denahan,  
and W. Behrens, and  
myself.

2 - You were in the private room?

A Yes.

2 You were drinking together?

A Yes

2 When did you next see Denihan

A The following morning

2 Where?

A - Coming away from the shop.

2 When did you next see him after the evening of Dec 11 when Mr Shields was present.

A Some days after

2 Where?

A Some days same place exactly

2 In the office of Barnes's saloon?

A Yes. He came inside

2 You asked him to come in?

A Yes

2 Mr Shields was present?

A Mr Shields was there.

2 State the conversation?

A Substantially it was the same conversation that has already been given

2 You go on and state the conversation?

A Mr Denihan said "I want my pin! I want my pin"

Then Shields said "I do not

Know anything about your pin. Henry Dembian said "I want that pin! I want to get that pin." He said it was given to him. He said "If you give back my pin I won't any other trouble about it."

2 Did Dembian say why he particularly valued the diamond stud?

A He said it was a present from his wife.

2 And that was the reason he wanted it back?

A Yes; it was a present from his wife and he valued it.

2 He spoke about his money as well as the pin.

A Yes; he said he did not care about that - he valued the pin.

2 When Shields asked him if he accused him of taking his pin did he say he did not?

A He said why you were outside when you fell?

✓ Ken Denihan acknowledged  
that he was drunk, and  
Shields said "I was as  
drunk as you were and  
my clothes were as dirty as  
yours."

2 They fell together.

A They fell together - which  
was the under one I would  
not say.

2 That was in front of  
Barnes?

A Yes.

2 Were you all sober at the  
time?

A Perfectly sober.

2 Did he say anything about  
which was under or which  
was over?

A I cannot tell - no sir.

2 Was anything then said by  
one or the other?

A Not that I recollect.

2 Go on and tell the conversation.

A Shields said that he was  
drunk and fell and got  
dirty as well as Denihan that  
he did not remember what

occurred. He said "I was  
as drunk as you."

By the Court

Q Did Demihan say anything?  
A Shields made that remark.

By the Abbott

Q Where do you reside?

A At 167 Amsterdam St.

Q The property is owned by  
Shields father?

A Yes Sir.

Q You have no equity for  
Shields?

A Oh certainly none.

By the Keller

Q You are friendly to Demihan?

A Yes Sir.

Q You do not know what  
they were drinking before  
you went home there?

A No Sir.

Q Did Demihan deny in that  
conversation which was held  
between Shields and himself in  
your presence - did Demihan  
deny that he was drunk  
that night?

A No Sir. he did not.

By the Court

0545

2 - When you left him on the 11th in the afternoon he was sober;

A He was sober, I do not know what he drank when I went away;

By Mr Keller

2 - Did he get a check cashed there;

A I do not know

The Complainant - I went in another store to get the check cashed,

SWORN TO BEFORE ME

THIS 27 DAY OF December 1920

POLICE JUSTICE.

Examination Continued Dec 29

Appearances as before

W. J. Knoud recalled by Mr Keller

2 - In your conversation with Mr Denihan in the presence of Mr Shields did he make any accusation against you about his money and pin?

Objected to  
Objection sustained

0546

2- what did he say

A He asked me if I took any money from him. I said yes. He wanted to know how much. I said 25 cents. That was a quarter he gave me.

2 Did he in that conversation say he did not know where he lost his money

A No sir but he said I lost my money and my pin that night.

2 Did he at that time make any accusation against anybody?

A No sir. Objection to.

Sworn to before me this 29 day

of December 1896

J. C. [Signature]  
Police Justice

Daniel J Wade being duly sworn and examined as a witness for the People before me and says: I am 24 years old. I live at 54 Charlton St. I am a bar tender. On Dec 11 I was in

Barkeeper - swore that complainant was sober



0547

1230 West St. the saloon  
kept by Mr Behrens

Q do you remember Mr Denihan  
being in the saloon?

A Yes sir.

Q What time did he leave?

A As near as I can judge  
about quarter past four or  
half past four.

Q Were they in the bar or the  
office?

A In the office

Q Who was in the office?

A Mr Lepine, Mr Knoud, Mr  
Denihan and some gentlemen  
I do not remember

Q Did you see Mr Shields and  
Mr Donegan there?

A Yes sir They came in after  
these other gentlemen had  
left. They went in the office  
where Denihan was sitting

Q Were you called upon to serve  
drinks for anybody in the  
office?

A Yes sir. I could not say  
for whom.

Q Did Denihan order?

A I think Mr Shields did, I think Mr Demhan paid for it or Mr Knoud - I would not be certain.

2 What was the condition of Demhan when he came to the saloon.

A He was sober.

2 Did Demhan leave before Shields?

A Mr Demhan left before Shields.

2 How long before?

A A short time, shortly after.

2 Did you see any money in the possession of Demhan?

A Yes - in the office.

2 Did you see a roll of bills? What did you see?

A I really could not say. He had some bills.

2 Did you see a diamond stud in his shirt?

A Yes sir.

2 Did you overhear anything about a loan Mr Shields wanted to make?

A No sir.

25-2 That is all you know?

- A That is all I know.
- Q Mr Keller
- 2 What time was this?
- 1 Between quarter and half past four.
- 2 How long had I been there drinking?
- 1 About an hour I should judge or an hour and a half.
- 2 You say that about five minutes afterwards Shields went out?
- 1 No Sir - about two minutes or a minute.
- 2 They did not go out together?
- 1 No Sir.
- 2 and Mr Donegan?
- 1 He went out a few minutes after.
- 2 after Shields?
- 1 Yes Sir.
- 2 How far is this place from Shields?
- 1 About a block.
- 2 Did Donegan return to this place that day?
- 1 He returned in the night time about 11 o'clock as near as I can remember.

2 Shields and Donegan were not in the office with ~~Donna~~ Donegan?

A Shields was. after they got through they came out to the bar and they commenced on dice

2 You are quite sure that Shields was in the office?

A Yes Sir

2 And Donegan?

A I am not positive about Donegan.

2 Are you sure that Shields was in the office Thursday?

A The same day of the occurrence.

2 Did you see him there on Saturday evening?

A I could not say for certain.

2 Do you remember seeing Shields Saturday afternoon in your place?

A No Sir - yes Sir.

2 Did you have any conversation with Shields then?

A Objected to

2 Did Shields ask you whether

you had seen Denihan?

A Yes.

Q Had you seen him since?

A Not since the evening of the occurrence.

Q Did Shields say to you that he had heard that Denihan had accused him of robbing him and he (Shields) had come around to see if you had seen him?

objected to

objection sustained.

Q State what occurred?

A He asked me if I had seen Denihan, since and I said no. He said he had heard that Denihan was going around accusing him of having robbed him.

Q Shields said that?

A Yes.

Q Did you make any reply?

A I told him I had not seen him since the night of the occurrence.

By the Court

Q Did you make any such

remark about not having heard  
any accusation against Mr.  
Shields.

A I did not hear Mr. Denihan  
make any such remark.

By Mr. Keller

Q Did you say to Mr. Shields  
when Mr. Shields told you that  
he had heard of Mr. Denihan's  
making such remark — that  
did you say that you had  
heard of no such accusation?

A No Sir.

By Mr. Abbott

Q You had not seen Mr.  
Denihan since the occurrence?

A No Sir.

Q Did you serve the drinks?

A Yes.

Q How many drinks did  
Denihan have?

A I could not remember.

Q Half a dozen.

A I should say so.

Q How many in that hour  
and a half?

A For 10 drinks.

Q Was he perfectly sober when  
he left?

29

A Yes Sir,

By Mr. Keller

Q Did you see Dembar the evening of the 11th about 11 o'clock?

A No Sir

Q You heard no accusation against him?

A No Sir,

Sworn in before me this 29 day of December 1890

Pecko Justice.

George Burfield being duly sworn and examined as a witness for the defendant deposes and says: - I am 25 years old, I live at 322 West St, I am a bar keeper

Q On the afternoon of Dec 4 did Mr. Dembar complainant call upon you?

A Yes Sir

Q What did he say to you?

A He came in with a check and asked me to cash it.

Q Did he show you the check?

0554

A Yes.

2 What was the amount?

A 60 dollars a check of  
Chaffs Draft Co. I could  
not cash it. He left  
He was perfectly sober

SWORN TO BEFORE ME

29 DAY OF

December 1920

*[Signature]*  
POLICE JUSTICE.

The People Rest

John O. Savercool a witness for  
defendant being duly sworn  
deposes and says: I am an  
Officer of the 5th Precinct. I  
served the summons in the  
case. Mr. Shields came to  
the Station House and I served  
the summons. I did not  
know where to leave it. I  
went to his father's place  
and told him I had a  
summons for the defendant  
Shields.

2 Did you see Mr. Semken  
before that?

A I did

3/ 2 Did he tell you that he had



gone to Shields place that  
 he had been all covered  
 with mud, and drunk, and  
 that he slept there

Objected to

Objection sustained

- 2 Did Denihan tell you <sup>that</sup> on this  
 Thursday that he had gone  
 to Mr Shields place all  
 covered with mud, drunk  
 and fell asleep there?

Objected to

Objection sustained

Re. cont. Do you know of your  
 own knowledge how he got  
 there?

A Only what Denihan said.  
 By the teller.

- 2 Did you have any conversation  
 with the complainant in  
 which Mr Denihan said to  
 you that he was drunk that  
 day that he lost his stud, and  
 that he had been later around  
 to Shields place and  
 fell asleep there?

Objected to

Objection sustained

The defendant Shields - I wish the Court would let the witness state in his own way what if any conversation he had with Semhan when Semhan called upon him in order to have him secure the warrant

The Court - Let him answer that

The witness - I did not have any conversation with him about the summons or warrant, and with reference to the case.

The Court - What was it?

A - I had a conversation about the 19<sup>th</sup> of this month. He said he had been in a place in West st ~~where~~ a shake ~~casino~~ and got chucking dice and then drinking; that he got stuck once and paid and Shields got stuck and did not pay; that he went out and a moment after he was thrown down and robbed; that he went or was taken to the Blue House that was Shields place. I J. West St; that he was

there brushed off and cleaned  
and that he went from there  
home. He ~~did~~ not say  
whether he went to Shields  
place before he went home.  
He ~~said~~ he went to Shields,  
I think.

By the Court

Q Do you know

A I would not swear about  
that

By the Court

Q To the best of your knowledge  
did he ~~not~~ say he was  
with Mr. Shields the defendant  
in this case

A I think he did; but I am  
not positive

Q Did he say about what time  
it was?

A No; he did not. I asked  
about the time. I think he  
said about 5 o'clock in  
the afternoon.

By the Court

Q What is the locality of Perkins  
store?

A Between King & Charlton St

- Q Where is Shields store?  
 A Second building from the corner of King & West St hardly a block apart.  
 Q Where is Mr. Denihan's residence?  
 A Around the corner in Charlton St.  
 Q About a minute's walk?  
 A Very short walk.  
 By Mr. Keller  
 Q Did Denihan give you an account of his falling asleep in Mr. Shields' place?  
 A He did not.

SWORN TO BEFORE ME

THIS 22 DAY OF

December 1890

*[Signature]*  
 POLICE JUSTICE.

Thomas Wark being duly sworn and examined as a witness for Defendant Depose and says:  
 I am 36 years old. I live at 334 West St. I am hotel proprietor, a partner of Mr. Shields. I remember distinctly the 11th of this month.  
 Q Did you see Denihan and Shields come in together?  
 A No sir.

Q Did you see Donihan there?

A I did.

Q What time?

A About 6 o'clock.

Q Was he intoxicated?

A Yes sir.

Q Did he fall asleep in the place?

A Yes sir on the end of the bar.

Q Was he shielded there then?

A Yes sir.

Q Was defendant Donegan?

A Yes.

Q Did you see the condition of Donihan's clothes?

A I did.

Q What was that condition?

A Same as shields - all covered with mud.

Q Both were cleaned off?

A Yes sir.

Q Did Donegan and Donihan and shields drink there together?

A They did.

Q Very friendly?

A Yes sir.

7  
Q This was when?

A Before six o'clock

Q After he had slept would he  
be helped up?

A Yes

Q How long did he stay  
there?

A About three quarters of an  
hour

Q Did Denihan at that time  
make any accusation about  
Shields robbing him?

A No Sir

Objection sustained  
The Court states what was said:

Mr. Abbott - If Mr. Denihan was  
arrested he could not be  
considered as present

Q Did you hear any accusation  
against these men?

A No, not until night. The first  
I heard about the robbery  
Denihan came in about  
between half past 12 and  
1 o'clock and asked me  
for Harry Shields - if he was  
there. I said no. He said

9/18/59  
#65

3/11

I have been robbed of \$2.00 and a pin or stud. He said that either Harry Shields or Mr. Donegan had robbed him. I said I did not think Harry Shields would do it. He asked for a round of drinks. I told him he had had a round of drinks that he had not paid for. He asked how much it was and I told him 55 cents. He said "Give me a drink and take one yourself and I gave him a drink, and he handed me a dollar. He made a remark that he would not rest until he found Harry Shields and that he would shoot him if he did not get the money.

X. By Mr. Abbott

Q - You were not present when Denahan came in?

A No Sir

Q What time did you get there?

A about 6 o'clock

Q Denahan had been cleaned

- A W: I said he slept and  
 was cleaned up  
 Q When you first came in was  
 Denihan asleep on the bar?  
 A W: He knew me and  
 I shook hands with him  
 Q Was he drunk  
 A He was not positively drunk  
 He was in liquor standing  
 at the bar.  
 Q How many drinks did they  
 have?  
 A Two.  
 Q Then he got asleep and  
 rested on the bar?  
 A Yes.  
 Q His coat and shields  
 were in the same condition?  
 A Yes - filthy.  
 Q Mr. Kelly  
 Q What time did Denihan leave  
 A About 7.0'clock

WORN TO BEFORE ME

THIS 29 DAY OF Dec 1890

By [Signature]  
 POLICE JUSTICE.

Bernard Keegan being duly sworn  
 and examined a witness  
 for the People Defendant



0563

Deposer and says - I am  
25 years old, I live at 544  
Greenwich St., I am a longshore-  
man, I work on the White  
Star Dock, I was working  
on Dec 11

Q about 6 o'clock in the  
evening did you see Mr  
Donihan?

A Yes Sir

Q and these two defendants,

A Yes Sir

Q - where?

A at 334 West St.

Q Did you notice their condition?

A Yes, Mr Shields was free  
of mind -

Q Both?

A Yes. He was asleep on the bar  
I heard Mr Shields tell him  
and he fell down, and he  
picked him up again, and  
he fell on his head.

By Mr abbett

Q You say he was lying on the  
bar?

A Yes

Q Was Donihan asleep at that  
time?

A - I could not tell. He had his  
Lead down

In abbett - If he was asleep he could  
not have heard what was said

The Court - Strike it out, on that dock

2 Are you working there now?

A Yes sir.

2 How long have you worked there.  
I did not work Christmas week  
I worked on Dec 11 and the  
following day

2 Two days that week

A Yes

2 How was it in November

A The work is according as a  
ship comes in. I worked in  
November. I get about two or  
three days work a week

2 Is it not a fact that you have  
been doing almost nothing?

A Some weeks I have nothing to do.

Sworn to before me this 29 day

of Dec 1890

*Dennis O. Shea*  
Deputy Justice.

Dennis O. Shea being duly sworn  
and examined as a witness for the  
defendant deposes and says: - I am  
25 years old. I am a bar tender

I saw the complainant about 20 minutes to one o'clock on the morning of the 12th of December we took supper together

2 Did you have any conversation with Mr Denihan at that time and did he say anything about the loss of his diamond pin and money?

A Mr Denihan said that he had lost a diamond pin and \$200. He said the pin was a present from his wife worth \$300

2 Any other conversation?

A Nothing more. Denihan dozed and fell asleep and Officer Baker and I helped him home. Officer Baker opened his door

2 Did Denihan at the supper say he did not know who had taken his property?

A He did not mention who had done it

2 Did not say any name?

A No.

Cross examined

2 Did Denihan ask you to take

supper with him]

A Yes.

Q Was he sober?

A He was under liquor  
By the Court

Q Was he able to walk?

A Yes: he walked along  
By the Keller

Q - He was not able to open the door

A No sir.

Q - What time did he go home?

A Between 2 and 3 in the morning  
of Dec. 12.

Sworn to before me this 29<sup>th</sup> day  
of December 1890

Samuel C. Bentley  
Police Justice.

Stanley Leshe being, duly sworn as a witness for the people deposes and says: I am 23 years old. I live at 334 West St. I am a bar tender for Mark and Shields. I remember the 11<sup>th</sup> of December

Q Did you see Senikens and Shields come in that evening?

A I did - between 5 and 6 o'clock.

43. Q Did they come in together?

A I could not say - I saw them there all together

Q In what condition was Denihan's clothing?

A all over mud.

Q Was Mr Denihan cleaned there

A No the parties were cleaned up.

Q Shields and Denihan?

A Yes.

Q Was Denihan drunk?

A He was under the influence of liquor.

Q Did Denihan fall asleep there?

A He called for drinks. I served drinks and he paid for them, for three. I assisted in cleaning them off.

Q Who were the other men

A Mr Wark - then I went out of the store.

Q At that time did you notice Mr Denihan's diamond stud?

A Yes sir. I noticed it before this because he came up and leaned on the bar. Mr. Shields cleaned himself afterwards.

Cross examined by Mr Abbott

- Q You left live in the house of shields;  
 A Right above stairs  
 Q In his employ?  
 A Yes sir  
 Q How long?  
 A About 5 or 6 months - since  
 the house opened June 16. I  
 own a bar tender. I worked  
 for Blamgar from Sept. to Oct.  
 I was out of employment 2 months  
 when I was in the country.  
 Q When Denihan leaned his head  
 on the bar did he leave his  
 hand up this way;  
 A No; while his coat was cleaned  
 off he came and leaned on the  
 bar.  
 Q Was his coat open or closed;  
 A Open. I could not swear -  
 I did not pay very particular  
 attention. I saw him come up to  
 the bar.  
 Q How about shields;  
 A All over mud.  
 Q Are you still in the employ of  
 Defendant;  
 A Not at present  
 Q When did you leave  
 there?

46 A On Monday Morning last

X Henry J Shields the Defendant being duly sworn as a witness in his own behalf deposes and says.

Q Have you ever been arrested before for any offense?

A Never, except for violation of the Excise Law.

Q So on and tell the Court your story from the moment you met Mr. Dembar on Dec 11 right straight through.

A On Thursday evening Dec 11 I went up Hudson St. I stopped in Mr. Carthys place. I went along to Spring and Hudson and then I met Defendant Donegan. I said "I am going down West St to take a walk" so we walked down and went into Bakers saloon. When I got in there drinking Mr. Dembar was standing at the bar. We were all friendly. He called for drinks and I called after

the drinks he left the saloon  
 and I left - it may have been  
 a minute and a half or a  
 minute, or half a minute after  
 I do not recollect exactly - I  
 followed him out - I did not  
 follow him but I went out  
 after him, when I got on the  
 sidewalk I saw him by the  
 corner of the truck. He was in  
 the gutter. I thought he had  
 been trying to urinate and fell.  
 He did not see me and  
 did not know me until I  
 spoke. I tried to help him  
 up. He is a heavy man. I could  
 not get him up at first. Before  
 I got him up he went on the  
 sidewalk and laid on his  
 face and hands. He was all  
 covered with mud and so was  
 I. - my coat and shoes his  
 too. Then we went to my  
 father's place and he came off  
 the bar and we had some  
 drinks - the server and I  
 called for drinks. He was there  
 gray beard and two or  
 three grabbed him and dropped



off and cleaned him. He said  
 it did not amount to anything  
 that he was all right. Then  
 he went to sleep on the bar and  
 he sat down on a chair and  
 went to sleep. He went into  
 the rear room where there was  
 a chair and slept because I  
 saw him. After a while Mark  
 asked me to go and round  
 him up and I got Derrihan  
 by the arm and shook him.  
 Then this young man came  
 in and said he was looking  
 for him to get the key to lock  
 up his shop. That he had got  
 the key, so he got as far as  
 the door and went off. I  
 supposed he was going home  
 and I did not see anything  
 more of him that day. When  
 I left him in the saloon there  
 on Thursday he had a diamond  
 stud and everything his jewelry  
 and money that he had when  
 in the office. On Friday I did  
 not feel well. I had no business  
 down town and did not come

down. On Saturday I came down  
 and I saw Mr Warb. He called  
 me one side and said "Have  
 you seen Demihan?" I said  
 "No". He said "He accuses you of  
 robbing him?" I said it was  
 a monstrous story. Then I went  
 to see Demihan. I went to his  
 shop and he was not there  
 and they did not know where  
 he was. I left the shop and  
 went back to West street  
 and went back to Behrens.  
 I asked him if he had seen  
 Demihan. I said "I want to see  
 him. He accuses me of robbing  
 him. I would like to see him. I  
 have been looking for him." I  
 went back to Demihan's shop again  
 about 5 o'clock. He had not  
 been there. I left word and  
 gave my name and told them  
 where I was going and that I  
 wanted to see Demihan. I said  
 I would go along West street  
 and would be at \_\_\_\_\_ or  
 my father's place. Shortly after  
 6 o'clock I started back  
 again to see Demihan. I stopped

at Belreus' while I was there  
 Denihan and Knoud and Deni-  
 han said "Come and have a  
 drink". I said "I have a  
 drink, come inside". I went to the  
 bar and got my drink and I  
 went to Denihan and we had  
 a drink together. I said "What  
 is this you have been talking about  
 me. What do you want to say to  
 me?" He said "I have lost  
 my diamond pin and money".  
 I said "What have I got to do  
 with that?" He said "I thought you  
 might know something of it. That  
 may be you took them for safe  
 keeping". I said "I do not  
 know anything about it; you had  
 them all the evening; I do not  
 know any more about it." After  
 that we talked and I said "If  
 I wanted to take your things I could  
 have taken your watch and chain  
 and money. I have never been  
 accused of larceny in all my  
 life. Why do you accuse me  
 of robbery?" He said "I was in your  
 company and I thought you might

have taken it. I said "I don't want  
 you to talk that way of me but  
 if you think I have robbed you I  
 will go with you and get arrested.  
 He said "I do not accuse you of  
 robbery." He said his wife gave  
 him the diamond pin for keeping  
 her for a time and she accused  
 him of losing it in company with  
 women. I did not meet him  
 again until Saturday week. He  
 asked me who was the other  
 man. I told him Donegan,  
 was in my company but that I  
 was nearer to him than Donegan.  
 I met him after that and he  
 said "I do not know anything  
 about it I was so drunk." I  
 did not meet him for a couple of  
 days after that not much before  
 Tuesday. He wanted me to go  
 and have a drink. I told him  
 no I was not drinking any. I  
 met him again as I was passing  
 the shop that day I was down  
 there. I drank with him in  
 Behrens saloon. I think he paid  
 the bill. On last Tuesday I think  
 it was when I came down and

went to my father's place. I learned that Sweeney was inquiring for me so I went to the station house to see him and was served with the summons there. When we came to court the next day Judge Ryan jailed me to come again and I came. Then Judge O. Kelly heard the charge and directed a complaint to be taken for robbery. I have never been accused of crime before. I have no occasion to steal, or to ask for money. If I wanted money, Mr. Dehem or my father would give it. My father has money in trust for me. This false accusation is breaking my wife's heart.

By Mr. Stiner

- Q Have you ever been arrested;  
 A Only for violation of the excise law  
 Q There was no necessity for you to steal;  
 A I have money in trust with my father. I do not need to steal or rob or borrow.

By Mr. Keller

- Q - Have you any knowledge at all

about the matter:

A I have not

2 He was in the gutter and you helped him;

A - I helped him out of the gutter and I believe I saved his life. I met him the following Saturday. If he wanted me arrested, why did he not do it then? Why did he not then accuse me of robbing him?

Cross examined by Mr. Abbett

2 Mr. Semhan states that he was quite friendly with you;

A Semhan and I were no friends.

2 You heard his testimony?

A We were acquaintances, but not intimate friends.

2 Had you not seen him frequently before?

A I had seen him frequently and passed his shop probably every day. I never talked with him and never drank with him three times before.

2 What saloon room then you met him in?

- 2 When was it you saw Donegan?
- A Donegan came in with me - I met him at Spruz & Hudson St. I know Donegan for years.
- 2 Did you and Donihan leave the saloon together?
- A No Sir. I left first.
- 2 Donegan remained there?
- A I left him there. I did not see him until afterwards.
- 2 When you got out what was the first you seen of Donihan?
- A Lying down and I picked him up.
- 2 You said you thought he was writing?
- A I thought that was his intention.
- 2 Do you mean that he was lying down?
- A Yes he was lying down.
- 2 Not standing up?
- A He was lying down. He had evidently fallen and I helped him up.
- 2 Then you went away?
- A I accompanied Donihan to my father's place - we both went together.

- Q Was Donegan with you at all?
- A Donegan was not with me.
- Q How did he happen to go to the same place?
- A He knew where I was going.
- Q He came up?
- A Yes.
- Q Was he there when you got there?
- A No; he was not.
- Q When you got up to your father's saloon, Donihan drank?
- A He started it, I think he treated and I treated - twice.
- Q Then he fell asleep?
- A I am not sure he fell asleep. He leaned on the bar. Then he went to the rear of the saloon.
- Q He walked there?
- A Yes.
- Q How long did he remain there?
- A He was in the saloon an hour.
- Q Then somebody came for him?
- A A boy came for him and wanted the keys.
- Q Did he wake up and walk out and go home?
- A With my assistance.
- Q You kept him out?
- A Yes; along with the boy.



- Q Was the saloon pretty warm?
- A It was warm yes sir.
- Q He had been there an hour in this room?
- A I guess an hour.
- Q And taken 2 drinks after he left Behrens?
- A He had two to my knowledge.
- Q After he had taken all these drinks and had sat in that warm room an hour he could get up and walk home?
- A He drank gin and whiskey in Behrens. In my father's place he drank lager.
- Q And besides that?
- A He ate some pickled pigs knuckles or pigs feet that were landed to him out of the ice box.
- Q And you think that sobered him up?
- A I do not know about that. He got up and walked off.
- Q When did you next meet him?
- A Saturday evening with Mr Knoud - the time we had the conversation in Behrens saloon. Knoud and Demikan entered

the saloon together from the street.  
 Mr. Demihan invited me in

2 You spoke together;

A Yes.

2 You heard Knouds testimony  
 about that interview;

A I did.

2 And about the money;

A I do not remember that

2 You remember he gave a conversation  
 of 50 or 60 words;

A I remember the conversation

2 How long was that Saturday  
 conversation;

A Half an hour or more

2 at least half an hour;

A At least

2 And Knoud was listening to  
 all the conversation?

A I would not say that - I  
 only recollect that I said I  
 had heard that I was accused  
 and I wanted the questions  
 explained. Knoud, after the  
 discussion had gone on suggested  
 that we should stop. He said in  
 his own way that Demihan never  
 accused me of robbing him.

57 2 Did Demihan <sup>great</sup> ~~charge~~ you that

afternoon on Thursday

A Yes - one round of drinks

Q He paid?

A Yes

Q He was right about that?

A Certainly

Q You deny that you asked to borrow money?

A I certainly do

Q Did you pay at your father's saloon?

A No sir

Q Dennis had paid before?

A No.

Q It was testified that he paid a dollar

A That was afterwards to Mark when he owed 53 cents

Dennis Shields being duly sworn and examined as a witness for defendant before and says. I am 62 years old. I keep a liquor saloon at 334 West St. - The defendant Shields is my son.

Q Did you on the 22d inst. have any

Conversation with complainant Stephen  
Denihan;

A I did so - last Friday  
2 In relation to this case?

A Yes sir

2 Go on and state the conversation?

A - On Friday afternoon between I and  
2 as near as I can get, this  
complainant spoke to me. He  
came in to where I was in the  
Knouds wheelwright shop. I was  
speaking to the Knoud when he  
came in. I said "This is a  
deadly accusation that you  
make against my son." He said  
I have no trouble about the loss  
of the money. I'll tell you the  
money I want my son." I said  
Has my son stolen your son? He  
said "I don't say he did it." I  
said "If he did murder him, and  
I will help do it; if he has not  
I have got to murder you." That  
was all that passed between us.  
That was all that passed - I  
have not spoken to him since.

Subscribed and sworn to before me this 18th day of Dec 1880

J. C. [Signature]

examined as a witness for the defendant  
 Deponer and says: I am 17 years  
 old. I live at 257 Hudson St.  
 I am a bachelor.

By Mr. Keller

Q Did you see complainant on the  
 11th of December?

A Yes Sir

Q Where?

A In Marks Saloon - between 6 and  
 7 o'clock.

Q Had you been sent to get the  
 Keys?

A Yes Sir, by three of his workmen.

Q What did you see?

A Mr Henry Shields came out - that  
 was when I left him there.

Q Did you have any conversation  
 with Shields?

A Yes

Q Did you ask him to go home?

A Yes.

Q What did he say?

A He would not go. He was  
 talking so that I went around  
 to the shop and told the men

Cross examined

Q Do you know the name of the

man who sent you around there;

A Yes; I do not know his last name. It was Mike

Q Did he tell you where to go?

A Yes; he told me to look at in the Nallys and Bekrens.

Q How did you happen to go to Shields?

A I went looking and I would not look any longer.

Q How did you happen to go in?

A I heard Deirhan say - talk about "Steve" and when I went as far as the door I saw Deirhan

Q on the sidewalk;

A Yes.

By Mr. Keller

Q They sent you to look among the saloons;

A Yes Sir.

By the court

Q - You say Deirhan was talking to Shields on the sidewalk

Q I heard the word "Steve"

Q Then did you see him?

A I saw him when I got as far as the door.

61  
59 and then I heard

0585

him say "Walk on Steve"

Sworn to before me this ..... day  
of ..... 1990

Police Justice.

Thomas O Connor being duly sworn and examined as a witness for the People, Defendant before and says. I am 25 years old - I live at 106 York St Jersey City. I am a bartender. I am acquainted with the Defendant the complainant. I saw him on Dec 12 in the evening.

Q Did you converse with him?

A Yes, at 334 West St

Q What conversation passed?

A He asked me when I saw Shields. I told him the night before, Dec 11. He said "I lost \$200 and a stud worth \$300. He asked me did I know where Shields was. I told him no. He offered me \$50 to tell where he was. I told him I did not know. He offered me a position worth \$25 a week and said it was worth \$14 more - whatever it was. I told him I would see Harry the next day and tell him that Devinhan

wanted to see him - That was  
all the conversation

Q Did you see Shields?

A I did the next day and told  
him that Dembar wanted to  
see him

Q about his recovery?

A Yes.

Q You said that Dembar accused  
him?

A He did not accuse him. He  
said he came in his company

Q or the loss of the money?

A I said to Dembar: 'Is that all  
the proof you have?' He said the  
Shields was in his company.

Now examined by Mr. Abbott

Q You work for Mr. Shields father?

A I do not at present. I did.

Q Previous to that where did you  
work?

A At 5 Exchange Place Jersey City

Q You did know where Mr. Shields  
lived when Dembar asked you?

A Not at that time - no sir. He  
had moved 29

Sworn to before me this.....day

of.....December.....1890



examined as a witness for Dependant  
out before and says I am a police  
man of the 8th precinct. I recollect  
Dec 12. I know complainant  
Denihan. I saw him come on the  
morning of the 12th. It was  
between half past one and two o'clock.

2 State what was the condition of  
Denihan:

A A little bit intoxicated. He could  
walk but he was a little bit  
stubborn. I took him home,  
to his house. I opened the door  
and left him there.

Robert L. Hennessey being duly sworn  
and examined as a witness for the  
Dependant before and says: I am  
22 years old. I live at 934  
West St. I work for the Ward of  
Ward & Shields. I recollect the  
night that Denihan was in the  
saloon. It was about half past  
five o'clock.

2 Do you recollect his condition?

0588

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Harry E. Snider*  
*Joseph R. Donigan*

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

*Harry E. Snider and Joseph R. Donigan*  
of the crime of ROBBERY IN THE *first* DEGREE, committed as follows:

The said *Harry E. Snider and Joseph R. Donigan*, both —  
late of the City of New York, in the County of New York aforesaid, on the *seventh*  
day of *December*, in the year of our Lord one thousand eight hundred and  
~~eighty~~ *eighty* in the *day* time of the said day, at the City and County aforesaid, with force  
and arms, in and upon one *Stephen B. Davidson*, in the peace of the said People then  
and there being, feloniously did make an assault, and ~~three~~ *three* promissory notes for the payment of  
money, being then and there due and unsatisfied (and of the kind known as United States Treasury  
Notes), of the denomination of twenty dollars, and of the value of twenty dollars *each* ;  
*six* promissory notes for the payment of money, being then and there due and unsatisfied  
(and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and  
of the value of ten dollars *each* ; *ten* promissory notes for the payment of money,  
being then and there due and unsatisfied (and of the kind known as United States Treasury Notes),  
of the denomination of five dollars, and of the value of five dollars *each* ; *ten*  
promissory notes for the payment of money, being then and there due and unsatisfied (and of the  
kind known as United States Treasury Notes), of the denomination of two dollars, and of the value  
of two dollars *each* ; *ten* promissory notes for the payment of money, being then  
and there due and unsatisfied (and of the kind known as United States Treasury Notes), of  
the denomination of one dollar, and of the value of one dollar *each* ; *three*  
promissory notes for the payment of money (and of the kind known as bank notes), being then  
and there due and unsatisfied, of the value of twenty dollars *each* ; *five* promissory  
notes for the payment of money (and of the kind known as bank notes), being then and there due  
and unsatisfied, of the value of ten dollars *each* ; *seven* promissory notes for the  
payment of money (and of the kind known as bank notes), being then and there due and  
unsatisfied, of the value of five dollars *each* ; *three* United States Silver Certificates of  
the denomination and value of twenty dollars *each* ; *two* United States Silver  
Certificates of the denomination and value of ten dollars *each* ; *seven* United States  
Silver Certificates of the denomination and value of five dollars *each* ; *ten* United  
States Silver Certificates of the denomination and value of two dollars *each* ; *ten*  
United States Silver Certificates of the denomination and value of one dollar *each* ;

#65.00

~~Three~~ United States Gold Certificates of the denomination and value of twenty dollars each; ~~nine~~ United States Gold Certificates of the denomination and value of ten dollars each; ~~three~~ United States Gold Certificates of the denomination and value of five dollars each; and divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of *five dollars, and one*

*and of the value of one hundred and thirty dollars,*

of the goods, chattels and personal property of the said *Stephen B. Deidman*, from the person of the said *Stephen B. Deidman*, against the will, and by violence to the person of the said *Stephen B. Deidman*, then and there violently and feloniously did rob, steal, take and carry away, *the said Harry R. Shiller and Joseph D. Donagan*, and each of them, being then and there aided by an accomplice actually present, to wit: each by the other: —

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.