

1002

BOX:

370

FOLDER:

3472

DESCRIPTION:

Schroeder, Lizzie

DATE:

10/31/89



3472

Witness;

Off. J. I. Karl
Locality - pro. emul. children

279 P. M. 10/13
Counsel, *Officer*
Filed *11* 1889
Pleads *Pro. emul.*

THE PEOPLE
vs.
Lizzie Schroeder
KEEPING A HOUSE OF ILL FAME, ETC.
[Sections 322 and 385, Penal Code]

John R. Fellows
JOHN R. FELLOWS,
District Attorney.

A True Bill.

W. L. Cole
Foreman.

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Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Lizzie Schroeder

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

(Sec. 322,
Penal Code.)

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

The said

Lizzie Schroeder

late of the 10th Ward of the City of New York, in the County of New York aforesaid,
on the tenth day of October in the year of our Lord
one thousand eight hundred and eighty-nine, and on divers other days and times, as well
before as afterwards, to the day of the taking of this inquisition, at the Ward, City and
County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and
wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well
men as women, and common prostitutes, on the days and times aforesaid, as well in the night
as in the day, there unlawfully and wickedly did receive and entertain; and in which said
house the said evil-disposed persons and common prostitutes, by the consent and procurement
of the said

Lizzie Schroeder

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers
unlawful assemblies, disturbances and lewd offences on the days and times aforesaid, as well
in the night as in the day, were there committed and perpetrated; to the great damage and
common nuisance of all the good people of the said State there inhabiting and residing, in
manifest destruction and subversion of and against good morals and good manners, against
the form of the Statute in such case made and provided, and against the peace of the People of
the State of New York and their dignity.

SECOND COUNT—

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

Lizzie Schroeder

(Section 385,
Penal Code.)

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

The said

Lizzie Schroeder

late of the Ward, City and County aforesaid, afterwards, to wit: on the tenth
day of October in the year of our Lord one thousand eight hundred

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

THIRD COUNT—

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

(Section 822
Penal Code.) of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said

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

JOHN R. FELLOWS,

District Attorney.

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BOX:

370

FOLDER:

3472

DESCRIPTION:

Schultz, Charles

DATE:

10/25/89



3472

1007

Witnesses:

Lewis & Getter

Samuel Siegel

B. Bach

George Lowrey

Counsel;

Filed

Day of

Pleads,

THE PEOPLE

vs.

Charles C. Schultz

JOHN R. FELLOWS.

District Attorney.

Ordered to be printed
by the Clerk of the Court
of the County of New York,
at the intended in the Minutes)

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Coroner's Office.

TESTIMONY.

Louis J. Zettler being sworn says
 I reside at 89-1st ~~St.~~ Ave. On Sept
 14/89 at abt 9 PM. My brother
 in Law ^{Mr. Albert Mader} came to my place of business
 & told me that his sister ^{Mrs. Schuly} was very
 low and asked me if I would go
 round to her house with him. I
 said I would. We went there
 (4 Eldridge St). When I got there
 I went immediately to the bed
 where the deceased Mrs. Schuly
 was lying. I said to her "Amelia
 Good evening". She said "Good Evg"
 to me. I said to her "How did you
 come to get banged up so?" She
 says "My husband hit me" - I said
 "With what", she says "With a rope"
 I said "How did you get these black
 & blue marks on your eyes?" She
 said "He hit me with his fist there".
 Then I lifted up her clothing & saw
 large black & blue marks on her side
 and around her body. She said
 "He pulled me out of bed & kicked me".
 I says "Why did he do it?" She says
 "I did not do anything at all".
 I said "Was you drinking?" She said
 "No". The deceased was delicate in health
 this I know of my own knowledge.
 Taken before me.

Louis J. Zettler
 this 17th day of Sept 1889
 Ferdinand Levy CORONER.

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

AN INQUISITION

Taken at the Coroners office

No. 67 Park Row Street, in the 4 Ward of the City of New York, in the County of New York, this 16 day of September in the year of our Lord one thousand eight hundred and '89 before

FERDINAND LEVY, Coroner,
of the City and County aforesaid, on view of the body of Emilia Schults
now lying dead

Upon the Oaths and Affirmations of Eleven good and lawful men of the State of New York, duly chosen and sworn or affirmed and charged to inquire, on behalf of said people, how and in what manner the said Emilia Schults came to her death, do upon their Oaths and affirmations, say: That the said Emilia Schults came to her death by

Injuries received at the hands of her husband Charles Schults at their residence 4 Eldridge Street.

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

JURORS.

H. F. Wolf
Chas. Fuge
W. Ulrich
Ed. Breda
Ch. Finkbeiner
Jacob Mayer

Philip Solomon
F. W. Mahland
Julius Cronitz
Joseph Weinberg
Henry H. Schumacher

Ferdinand Levy
CORONER, E. S.

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IN THE CORONER'S COURT OF THE CITY AND COUNTY OF NEW YORK.

INQUEST IN THE MATTER OF THE : BEFORE
 DEATH OF : HON. FERDINAND LEVY,
 E M E L I A S C H U L T Z. : CORONER,
 : AND A JURY.

NEW YORK CITY, FRIDAY, SEPTEMBER 20TH, 1889.

I N D E X.

CAPTAIN PHILIP CASSIDY	5
DR. LOUIS HAUPT	8
GEORGE CONNER	17
HERMAN ELGASS	18
GEORGE LOWERRE	24
MRS. KATE McLAUGHLIN	28
MRS. TERESA LEVY	30
MRS. WILHEMINA YOUNG	31
MRS. BERTHA ZETTLER	32
AUGUST SCHRODER	36
LOUIS J. ZETTLER	38
ALBERT MADER	40
MINNIE SCHULTZ	41
JOSEPHINA SCHULTZ	48
MEDICAL TESTIMONY	52
AUTOPSY	52
CHARGE	55
VERDICT	59

Reported in full by H. H. ALEXANDER, stenographer, 67 Park Row.

Reilly

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NY.

Wm A. Conway, M. D., being duly sworn, says:
I have made a post mortem examination of the body of
Emilia Schultz now lying dead at
4 Eldridge St and from such an examination
and history of the case, as per testimony, I am of opinion the cause of
death is Peritonitis, Pleurisy, & Pneumonia following
external injuries

Wm A. Conway, M. D.

An autopsy made at 4 Eldridge St on Sept. 16 1889 showed
the following results. Externally, a bruise on the left side
of the abdomen in the inguinal region 5 inches long & 2 1/2 wide; on
left side of chin 2 inches long & one in width; right shin, left shin &
over left knee bruised with several small bruises; a large bruise
on exterior of right arm extending from elbow to middle of
upper arm; a large bruise on right hip. Internally,
under the scalp a hematoma (or extravasation of blood)
over right ear, and over left ear, each about an inch in
size; on surface of brain an extravasation of blood corresponding
with the hematoma on inside of scalp on left side. The heart
was fatty & flabby. The liver fatty & enlarged; the spleen
soft & friable; the kidneys very much diseased; and there
was Pneumonia at base of left lung, with severe
Pleurisy on left side & partially on right side.
There was also severe Peritonitis especially on side
where the large bruise was found on exterior of the
Abdomen. In my opinion the cause of death
was Peritonitis, Pleurisy & Pneumonia following
some external injury. The condition of the organs
of the body would indicate that the deceased was
a very hard drinker during her lifetime.

Wm A. Conway, M.D.

Sworn to before me

this

20th day of Sept 1889

Ferdinand Lang

CORONER.

POOR QUALITY
ORIGINAL

2101

MEM

AGE	PLACE OF NATIVITY	WHERE FOUND	Date When Reported
39 Years 2 Months 2 Days	New York City	4 Eldridge St	Sept 5. 1889

20 at 11 am

9602 10/13
1889

AN INQUISTION

On the VIEW of the BODY of

Charles Schultz

It is found that S he came to

the death by

Perforation

Pleurocy Pneumonia

following some

external injury

and found at 10 am

at 10 am

1889

Report taken on the 20 day

September 1889

FEDINAND LEVY, CORONER

9602 10/13
1889

POOR QUALITY ORIGINAL

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20 at 11 am

FILE
No. 962
Inde. Quar. 1889

AN INQUISITION
On the VIEW of the BODY of

Charles Schuetz

whereby it is found that S he came to
his death by

Peritonitis
Pleurisy & Pneumonia
following some
external injury
And found as
John Barrett
Sept 15/89

Inquest taken on the 20 day
of September 1889 before
FERDINAND LEVI, CORONER

962
Sept 16/89

Box

with Oct. 8/89

With the enclosed
you will find a check

W.F.

AGE	PLACE OF NATIVITY	WHERE FOUND	Date When Reported
39 Years 2 Months 2 Days	New York City	4 Eandys St	Sept 16/89

MEN

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IN THE CORONER'S COURT OF THE CITY & COUNTY OF NEW YORK.

INQUEST IN THE MATTER OF : BEFORE
THE DEATH OF : HON. FERDINAND LEVY,
EMELIA SCHULTZ.: AND A JURY. CORONER,

NEW YORK, FRIDAY, SEPTEMBER 20TH, 1889.

Representing the District Attorney's Office appeared
MR. HENRY HARTMAN, Assistant District Attorney.

For Charles Schultz, the prisoner, appeared Mr.
Ambrose H. Purdy, representing the firm of PURDY &
McLAUGHLIN, and MR. THOMAS T. PATTEN.

THE CORONER: Gentlemen of the Jury, the case that
you are about to investigate is as to the cause of death
of Mrs. Amelia Schultz, who at the time of her death
resided at No. 4 Eldridge Street in this City and was
39 years of age. On Sunday last, the 15th of this
month, I was notified, through Captain Cassidy, of
the 11th Precinct to come forthwith to the station house

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and I got there about half past eleven or a quarter to twelve at night, met the Captain and we proceeded to No. 4 Eldridge Street, where we found Mrs. Emelia Schultz. The reason I was sent for was for the purpose of taking her ante-mortem statement, as she was then supposed to be in a dying condition. When we got to the place, I proceeded to the room that she was in, found her lying in bed and beside her a young girl, somewhere about 16 years of age, also in the same bed and Mrs. Schultz was unconscious, as I then supposed in a dying condition, but not in a condition to say anything. I questioned her several times---was at her bedside and put a number of questions, but couldn't get an answer, no response to my questions. I looked at her. She seemed to be in great pain and I found that she had evidently sustained very serious injuries from her general appearance, bruises and marks on her body; so I left without being able to take an ante-mortem statement. In the meantime, the husband of this woman had been arrested, charged with having inflicted the injuries from which she was suffering at the time. The next day at about 11.30,

Co. Commander

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which was Monday, she died. We were at once notified through Captain Cassidy, and I then assumed charge of the case, it then becoming a Coroner's case and subject to the Coroner's investigation. I then ordered Dr. Conway, who acted with me as Coroner's physician, or deputy, to make an autopsy on the body of Mrs. Schultz. The autopsy was made on Monday evening at 9 o'clock, she having died at about 11.30 Monday forenoon. I always make it a rule in cases where autopsies are required to wait at least ten hours after death. The autopsy was made between nine and ten o'clock Monday evening. The result of the autopsy will be read to you during this proceeding. The husband of the deceased, who is here to-day, is represented by counsel and he is now a prisoner awaiting the result of this investigation. He was committed by my warrant to the City Prison without bail and is now here in that condition. Captain Cassidy I am informed has to attend to other important duties, and I will call him as the first witness.

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CAPTAIN PHILIP CASSIDY

sworn and examined.

BY THE CORONER:

Q. Captain, to what Precinct are you attached?

A. The 11th Precinct.

Q. Captain, will you please tell the Jury what you know of this case and in what manner you were connected with it? A. On Sunday last, the 15th, a young man now in Court, Mr. Zettler, I believe some relative of the deceased woman, came to the station house with two other young men and told me that his sister-in-law was in a dying condition from the effects of a beating received from her husband----

MR. PURDY: (Interposing) That is objected to.

THE CORONER: I forgot to state that I notified the District Attorney's Office of this inquest in order that they might have a representative present if they so desired, and I understand that the Assistant District Attorney, Mr. Henry Hartman, is now here. The witness will commence over again.

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A. (Resuming) On Sunday last a young man who is now in this Court room, Mr. Zettler, came to the Station House with two other young men and informed me that his sister-in-law, Mrs. Schultz, was very sick at No. 4 Eldredge Street, suffering from the effects of a beating that her husband had given her, and was likely to die.

MR. PURDY: I object to that statement, it being entirely hearsay. I have no doubt he did tell the Captain that deceased was suffering from injuries at her husband's hands. That ought not to be evidence.

THE CORONER: It only goes to show how the Captain acted. He acted upon the best information; he was informed thus and thus had taken place.

MR. PURDY: I merely want my objection noted.

THE CORONER: Very well, we will do so. The Jury is not bound by that.

MR. PURDY: I understand that; but I would like to have myself right on the record.

THE CORONER: We will give you an exception. Proceed, Captain.

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Capt. Coffey

A. (Resuming) I then went down to No. 4 Eldredge Street and there met the physician who had charge of Mrs. Schultz, Dr. Haupt, of 63 Rivington Street. The woman was then evidently too weak to speak a word. I tried to get some answers to questions I put to her and she was unable to speak and the doctor told me that I had better notify the Coroner she was likely to die. I then asked for the husband. I found him and put him under arrest and brought him to the Station House and notified the Coroner. That is all I know about this case.

Q. Did you notify Dr. Haupt? A. Oh no sir; he had been there. He had been in attendance on the deceased three days.

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D R. L O U I S H A U P T

sworn and examined.

BY THE CORONER:

Q. You are a practising physician of the City of New York ? A. Yes, sir.

Q. Doctor, were you called or were you asked to attend a case at No. 4 Eldredge Street ? A. Yes, sir.

Q. Now tell us when and tell us what you did ?

A. On the 12th of September I was called to Mrs. Schultz by Mr. Schultz himself. He told me to see his wife. He said she had fallen and hurt herself.

BY MR. HARTMAN:

Q. What time of day ? A. That was in the morning between 8 and 9 o'clock, on the 12th. I got there some time before noon, I don't know exactly what time, and I saw Mrs. Schultz lying in bed. She had bruises about her face. As soon as I came in the room I saw that she had bruises above her eye and her face. I says, "Hello, who did this ?" She says, "My husband."

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*was seen bound the left
arm and the right
consequently
left wrist 7 or 8 days
fallen 2 or 3 fall previous
all these things?*

She says, "He beat me terribly all over the body and kicked me." Well, I didn't want to hear any more, because I thought it didn't amount to much because he told me she had other troubles. When I examined her I found her body was covered with bruises. Her right eye was blackened, she had a bruise over the left cheek, her whole left shoulder was bruised so she could barely move it; she couldn't move it without a great deal of pain; she had bruises over the lower portion of the stomach on the left side; both arms were black and she was complaining of vomiting, sick stomach, said she had pain all over her body. I prescribed for her. I saw her again on Saturday and her condition was very much worse. She gave symptoms then of inflammation of the stomach and bowels. Sunday morning when I saw her she was apparently a little bit better. I told her friends that the best thing they could do, - she was in such a bad place there, - ^{would be} to take her to the Hospital. Sunday evening they came to me and said she was very much worse. I said, "If that is the case, you had better notify the police to have the Coroner come

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there, because she had been getting worse. Every time I came there her condition was worse and if she was still failing it would probably be serious." The young man went away to the police station and I went over to the house. When I got there she was in an unconscious condition. She was unable to answer questions properly, and I was there a short time when the Captain of the Precinct, Captain Cassidy, came there and I related to him what I have told you.

THE CORONER: You need not repeat that.

A. (Continuing) The next I heard from Mrs. Schultz was, that she had died. No, no. I was there Monday morning again. This was Sunday night. Monday morning I saw her again and her condition was the same as Sunday night.

Q. What time Monday morning did you see her?

A. About ten o'clock.

Q. What condition was she in then? A. She was in a very low condition, unconscious, unable to answer anything.

BY MR. HARTMAN.

Q. As the result of what? A. She had a compli-

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cation of diseases, sir.

MR. PURDY: We have an autopsy.

MR. HARTMAN: I would rather have my answer. He was an eye witness.

THE WITNESS: Well, she was suffering from shock as the result of these injuries which she had received; besides, she had trouble with the stomach and liver that probably was independent of this but had been aggravated from these blows, in my opinion.

BY THE CORONER:

Q. Did you examine her carefully? A. Yes, sir.

Q. I wish you would tell us once more what you found, this is very important?

THE WITNESS: As to the contusions?

THE CORONER: Yes, everything that you found?

A. She had a contused or a black eye. Her left cheek and lower jaw were all, so to say, in a black and blue condition; and the same condition existed over the lower portion of her stomach on the left side; the left shoulder and the left shoulder blade, both arms. I did not examine the lower portion of her back, because she

Why the brain condition of death?
Did these blows accelerate death?

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couldn't move very well on account of pain. Then she was vomiting. She was complaining of pain all over her body, in all her limbs. This vomiting I should judge to be due to the blows over her stomach, and the pains the same. The pains were due to the blows or contusions which she showed me and that I saw. She was then suffering from peritonitis, or inflammation of the covering of the bowels, in my opinion. That is all I could state, Coroner.

BY MR. HARTMAN:

Q. Well, was that peritonitis the result of the blows over the stomach? A. I think so.

BY THE CORONER:

Q. Were you at the autopsy? A. No, sir.

BY A JUROR:

Q. What did all that condition come from; did she fall? A. She told me that her husband did it, beat her with a rope and kicked her. He told me that she had fallen downstairs. Now that is all I know about it.

BY MR. PURDY:

Q. I understood you to say she was troubled with some other disease? A. She had catarrh of the

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stomach; yes, sir.

Q. And complicated with something else, did you say?

A. These blows, these bruises.

BY MR. HARTMAN:

Q. No, the counsellor has reference to any other physical complication, such as disease of the kidneys, or the liver, or the spleen, or something of that kind.

A. I couldn't say whether she had any disease of the kidneys.

BY MR. PURDY:

Q. Well, you started to say at the time that probably she would have died anyhow from catarrh of the stomach but it was accelerated by these blows?

MR. HARTMAN: (Interposing) He did not say that, Mr. Purdy.

A. I suspected kidney trouble but I couldn't mention it.

Q. Then you can't say positively now what was the cause of death? A. No.

BY MR. HARTMAN:

Q. ^{Did} you just state that these blows were blows, particularly ^{the blows} over the stomach ~~which~~ produced ^{the} peritonitis?

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A. Well, she suffered from shock also.

Q. That is, the general shock from all the blows

she received? A. From all the blows; yes, sir.

Q. And particularly from this one over the stomach?

A. Yes, sir.

Q. Which produced the peritonitis you spoke of and from which she died? A. Yes, I suppose so.

BY A JUROR:

Q. Do you know how many blows she had over her stomach? A. She had very large contusions, a black spot as large as this book (indicating) over the lower part of her stomach, left side.

Q. Can you tell me what it was caused from; a rope or a club? A. That could not have been done

by a rope; that must have been done by a blow of something more substantial.

BY MR. HARTMAN: A foot? A. Probably; because a rope would not make such a large contused surface as that book (indicating bible).

Q. You say you were not present at the autopsy?

A. No, sir.

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BY THE CORONER:

Q. Could she have received all those bruises and marks of violence that you have described from falling down stairs? A. I hardly think so.

Q. Well, tell us the reason? A. Because she had them on both sides of her body. If you fall, you don't fall upon both sides at once unless you go up stairs and fall down another time. She had them on both sides of her body, on both sides of her face, on both arms; she had it on the side of the stomach. She couldn't get it from falling down stairs, unless she had fallen over some object after she got to the bottom. She couldn't get struck in that region falling down stairs, the bones would protect it.

Q. Could an effusion of blood gather on the skull from a fall, - falling down stairs, for instance? A. Oh yes. I did not examine the skull, because she did not complain of that.

MR. PURDY: In order to keep the record straight I ask your Honor to strike out from the evidence and tell the Jury to disregard the alleged declarations of the deceased to the doctor as to the cause of her injuries.

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They are not dying declarations.

MR. HARTMAN: As I understand, the Coroner has a very large scope in all these matters.

THE CORONER: I must deny your motion Mr. Purdy. I take it that this doctor who was there, and the only doctor who treated her while she was alive the last few days before she died---that the statement is certainly important enough to stand.

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GEORGE CONNER

*only corroborate
Capt*

(a police officer) sworn and examined.

BY THE CORONER:

Q. To what Precinct are you attached? A. The 11th Precinct.

Q. Officer, just tell the Jury all you had to do with the case of Mrs. Schultz? A. Well, the brother-in-law and relatives came into the Station House when I was in there with the Captain and reported it and I started down with the Captain---

BY MR. HARTMAN:

Q. (Interposing) When was that? A. The 15th Sunday.

Q. In the evening? A. Yes, sir; in the evening.

BY THE CORONER:

Q. You merely accompanied the Captain? A. Yes, sir.

Q. And can you state anything different from xxx what the Captain has stated? A. No, sir.

Q. You simply corroborate the statement the Captain gave us; is that it? A. Yes, sir.

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HERMANN ELGASS

sworn and examined .

BY THE CORONER:

Q. Where do you reside ?

A. 257 William Street.

Q. In this city ? A. In this city ? A. What

is your business ? A. Physician.

Q. Just tell the Jury what you know if anything,
concerning the death, or the cause of death, of Mrs.
Emelis Schultz late of No. 4 Eldredge Street ? A. Some
contusion of the brain; I don't know what it was.

Q. When did you last see Mrs. Schultz alive; how
long ago ? A. I think Friday a week ago.

Q. Two weeks ago to-day ? A. Yes, sir.

A. That would make it the 6th of September. Where
did you see her ? A. At No. 4 Eldredge Street.

Q. Well, what did you see there; what took place ?

A. I saw the woman out of her mind .

Q. Did you go there as a physician ? A. No,
sir; as a friend, and I prescribed accordingly.

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Q. You are a friend of Mr. Schultz ? A. Well, it is my headquarters there.

Q. Were you friendly with Mr. Schultz ? A. Oh always.

Q. And with Mrs. Schultz ? A. Why certainly.

Q. Who asked you to come there ? A. Nobody.

Q. You went there as a friend ? A. As a friend; that is all.

Q. Did you prescribe for her ? A. Well, I told her what----

Q. Did you prescribe for her ? A. Yes, I did.

Q. Why did you prescribe for her; for what reason ?

A. I found she was delirious.

Q. Did you examine her ? A. I didn't expose her body, but still I prescribed what was necessary.

Q. What troubled her ? A. Congestion of the brain; she was' out of her mind.

Q. Suffering from contusion or concussion ?

A. Concussion and contusion.

BY MR. HARTMAN:

Q. Everything was the matter with her head then ?

A. Yes.

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BY THE CORONER:

Q. Did you see any marks, any bruises on her head?

A. Yes, I did.

Q. Now tell me I say what you saw? A. I saw a woman ---she didn't ask nobody---I told them they had better give her some bromide.

BY MR. HARTMAN:

Q. Is that what you prescribed? A. I did; bromide, a little valerian and a little chloral.

Q. Everything that would settle her mind? A. Yes, sir.

BY THE CORONER:

Q. How long have you been in this city? A. I came here in 1869.

Q. That is 20 years ago. Have you been practising medicine ever since? A. Always.

Q. Where did you graduate? A. Keokuk, Iowa.

Q. And have you been a practising physician here ever since? A. I am registered.

Q. Are you now a regular practising physician?

A. I am registered.

Q. Registered and in good standing? A. I am in bad standing now.

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Q. What do you mean by bad standing now? A. Well, I am not dressed.

Q. I am not speaking about your appearance. You are a physician in good standing? A. I am, sir; I have a right to prescribe.

Q. And were you in the same condition two weeks ago when you called on Mrs. Schultz as you are to-day?

A. I guess not.

Q. What condition were you in then? A. Just as I am now.

Q. What condition are you in now? A. Well, I am a little kind of excited; that is all.

Q. Nothing but that? A. Nothing else.

Q. What causes your excitement; stimulants? A. Yes, sir; some people stimulate their stomach with such and other people with such.

Q. What did you use by way of stimulents this morning? A. Anything that tastes me; no Rhine wine.

Q. What kind of wine? A. Any wine; sherry wine.

Q. Port wine? A. Yes, sir.

Q. How about whiskey? A. I drink whiskey just

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as well.

Q. Do you prescribe that very often for yourself?

A. Oh yes, if I can stand it I prescribe it, that is all.

Q. Mr. Elgass, do you think you are sober now?

A. I guess I ^{am} ~~am~~.

Q. I am afraid the Jury don't agree with you on that? A. There may be an honest difference of opinion.

Q. You say you are a doctor. Don't you know that you are in ^{the} ~~the~~ Court room? A. I do.

Q. That you are under oath? A. I do.

Q. And you know the solemnity of an oath, the meaning of an oath? A. Yes, sir; I do know.

Q. Now you ought to try and be a little careful as to the manner in which you testify, otherwise the Jury might think you are under the influence of those stimulants that you have described? A. I must have stimulants or I couldn't go.

Q. You could not go on the stand unless you had a stimulant? A. I must have stimulants.

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Q. Are you troubled with any ailment or sickness ?

A. Oh yes, I am troubled all over.

MR. PURDY: From some things I have learned I don't think he can throw any light on this investigation. As far as I have learned he is quite an unfortunate. I think perhaps he is suffering with a little confusion of the brain.

THE CORONER: I think perhaps it is confusion of the brain.

Q. How do you fix the date that you saw this woman; do you keep a memorandum book ? A. No, I do not.

Q. How do you know it wasn't three or four weeks ago ? A. I am not here to be a scholar.

Q. No, no; you are here to tell the truth, but you seem to be considerably mixed up, in connection with other things. How do you know it is two weeks ago today that you saw this woman; might it not have been three weeks ago. A. Two weeks ago yesterday.

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G E O R G E L O W E R R E

sworn and examined.

BY THE CORONER:

Q. Where do you live ? A. 294 Broome Street .

Q. Your occupation ? A. Mechanic.

Q. Are you related to the Schultzes ? A. No,
sir.

Q. Now tell the Jury all you know, if anything,
about the cause of death of Mrs. Schultz ? A. Well,
I was standing at the corner of Eldredge and Division
Streets, to-morrow will be two weeks, and I heard them
quarrelling over there.

Q. Heard who quarrelling ? A. Well, a quarrel in
there, and it sounded like Mrs. Schultz's voice hollering
"Oh Papa stop, don't hit me." I walked up as far as No.
5 Eldredge Street, which is a double house, and one door
was open and I was right in front of this door and I saw
Mr. Schultz strike his wife and they ran back.

BY MR. HARTMAN:

Q. What did he have in his hands ? A. When I

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saw him he just hit her with his bare fists.

BY THE CORONER:

Q. What time in the day was this? A. About eleven o'clock at night.

Q. Saturday night then, was it? A. Saturday night.

Q. And you were standing at the corner of Elbridge and Division Streets at first? A. When I heard them hollering.

Q. You were standing in front of No. 4? A. No, sir; that was on the opposite corner from where I was.

Q. And was their door open? A. Yes, and when I heard the hollering I walked up on the opposite side to No. 5, right opposite to No. 4, and I sat down on the stoop there. It is a stoop tenement house.

Q. You heard plainly what was going on? A. Yes, sir.

Q. Do you know the **Schultzes**? A. I just know them from living around there in the neighborhood for a number of years.

Q. You heard the voice of a woman? A. It appeared to me to be the voice of a woman saying "Papa, don't

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hit me."

Q. Did you see Mr. Schultz hit Mrs. Schultz?

A. Yes, sir.

Q. What kind of a looking woman was she? A. A woman about 40 years old.

Q. You saw him hit her with his bare fist? A. Yes.

Q. How often? A. Only once, and then they ran back.

Q. Did he follow her after he hit her. A? She was in front of him, and when he walked ^{back} she walked back after him.

Q. Did they close the door after ^{them} ~~her~~? A. I couldn't tell, because I walked up home.

Q. You went away then? A. Yes, sir.

Q. How long were you there all told? A. About ten or fifteen minutes. All I know is it was about eleven o'clock because when I was at the corner of Grand and Eldredge it was just ten minutes after eleven.

Q. Have you spoken to anybody about this case?

A. No, sir; I did not. I was surprised when I got a summons the other day.

Q. Are you still working? A. No, sir; I aint

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worked for a month now.

Q. Who did you work for last? A. I worked over to the C. & C. Motor Company in Greenwich Street.

Q. Are you living with your parents? A. With my mother, my father is dead.

Q. How old are you? A. 22 years old.

Q. Did you know Mrs. Schultz before? A. I just knew him by sight; I never spoke to him.

BY MR. HARTMAN:

Q. Is he the man that struck that woman? A. Yes, sir.

Q. How many blows did you see him strike? A. I only saw him strike one.

Q. Do you know on what part of the body he hit her?

A. The face, I should say.

Q. That is all you saw and all you heard? A. Yes, sir; that is all I heard and saw, the whole thing I know of the case.

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Left home, her wife out on St. 10 St.

MRS. KATE McLAUGHLIN

sworn and examined.

BY THE CORONER:

Q. Where do you live? A. 9 Eldredge Street.

Q. Will you tell the Jury all you know, if anything, of the cause of death of Mrs. Schultz? A. I don't know anything about the death, sir.

Q. Do you know anything about the cause of it?

A. No, sir; no, I didn't hear it until Monday morning about 10 o'clock. I was sweeping my yard; I am housekeeper there?

Q. Where? A. At 9 Eldredge Street; and I heard that she died from the effects of a beating. That is all I heard. But I have lived for a year and a half in Eldredge Street and I know it from my window; that is all; I never spoke to him.

Q. Did you ever see Schultz strike his wife? A. When I first ^{moved} ~~came~~ a year and a half ago.

Q. How did you see him strike his wife? A. From the window. He threw her out of the store in her bare

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feet, neither shoes nor stockings on, and after she went back for him to let her in he throw water over the light.

Q. Was it at night? A. About ten o'clock, after I put my gas out in the Street, and then she ran half way down the Street before she stopped.

Mr. PURDY: I ought to object. That was a year and a half ago.

Q. You couldn't tell anything of recent date, within the last few weeks? A. No, not of that at all.

BY MR. HARTMAN:

Q. Did you within two weeks ago, or within three weeks ago see him strike his wife? A. No, sir.

Q. Did you see him two weeks ago strike his wife in any way? A. No, sir.

Q. Or hear any quarrelling or words between them?

A. No, sir.

BY MR. PURDY:

Q. The occasion that you saw it was a year and a half ago? A. Yes, sir; when I first moved in.

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M R S. T E R E S A L E V Y.

sworn and examined.

BY THE CORONER:

Q. Where do you live ? A. 69 Division Street.

Q. Do you know anything about any trouble that existed between Mr. Schultz and his wife ? A. I don't know very much. Monday morning I went to Eldredge Street to my butcher and when I came there he said, "Do you know that Mrs. Schultz is dead ?"

Q. Oh never mind that. Do you know anything of your own knowledge ? A. Nothing at all, sir.

Q. Did you know Mr. and Mrs. Schultz ? A. I knew Mr. and Mrs. Schultz and spoke often to them.

Q. Have you been there within the last two weeks ?

A. No, sir.

Q. You don't know what happened there within the last two weeks ? A. No, sir.

Q. Only what other people have told you ? A. Only what people told me.

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MRS WILHEMINA YOUNG

sworn and examined.

BY THE CORONER:

Q. Where do you live ? A. 10 Eldredge Street.

Q. Do you know anything about any trouble between Mr. and Mrs. Schultz ? A. None except that a couple of years ago I saw that he beat her terribly many times. Then I saw it with my eyes, because I was living across the Street and I could see right through there.

Q. You saw him beat her terribly ? A. Yes, sir.

Q. You don't know anything of the last two or three weeks ? A. No, sir.

BY MR. HARTMAN:

Q. No one has spoken to you about this case and asked you not to testify, have they ? A. No, sir.

Q. And you are not afraid to tell anything that you might know ? A. ^{No, sir.} That is all that I saw with my eyes.

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MRS. BERTHA ZETTLER

sworn and examined.

BY THE CORONER:

Q. Where do you live? A. 61 Rivington Street.

Q. Are you married? A. Yes, sir; I am married.

Q. Are you related to the deceased? A. Yes, sir; she was my sister.

Q. Now, Mrs. Zettler, do you know anything in relation to the cause of death of your sister Mrs. Schultz? A. Yes, sir. Monday afternoon the 9th my niece came to me and had dinner and she says, to me "Mama-"

BY MR. HARTMAN:

Q. (Interposing) What niece was that? A. My niece, Mrs. Schultz's daughter, and she told me "My mama is very sick." I says, "I suppose a clubbing again as usual." Then I says "Well, I'll go and see your mama and bring her soup." When I came down and

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saw the sight I didn't know what to say. Then I says, "My God, woman, where did you get that?" and she says "Dada dada there," and him at the foot of the bedstead, and he says, "Don't tell her," and she says, "He hit me," and that was all that was said.

Q. That was on the 9th? A. That was on the 9th in the afternoon, after dinner, between three o'clock and so. And then when he went away he asked me to stay until half past five, which I did and attended to her, and of course when I went to her again I says, "Rachel, what did he hit you with?" and she says, "Oh with everything, I can't tell you." And every bone in her body pained and ached. I couldn't touch her but what she hollered, and her pillow was full of blood. I says, "What is that?" And she says, "I have a hole in my head." And every part of her head was full of blood and she couldn't move.

Q. Did you go there again? A. Yes, sir.

Q. When? A. On the following Friday afternoon, and then I was there Saturday afternoon.

Q. That is, a week ago to-day? A. Yes, sir.

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Q. And last Friday and last Saturday you went there again? A. Yes, sir; and Monday when she died.

Q. What did you find last Friday a week ago to-day?

A. Well, she always spoke to us when we spoke to her and she was in the same condition and we didn't want to trouble her to ask her so many questions, because she suffered enough without asking her any more.

Q. Was her husband there last Friday? A. No, not in the afternoon, because he went to business. He was there evenings, but I wasn't there.

Q. He is in business down town? A. Yes, at 40 Nassau Street.

Q. What business? A. Tailor.

Q. Did you go back there Saturday? A. Yes, sir.

Q. And found her in the same condition? A. Just the same way.

Q. Did you find the doctor there? A. No, not while I was there. But ^{found} ~~xxxx~~ I ^{found} the doctor there Monday morning about ten o'clock.

Q. You mean last Monday, the day she died?

A. Yes, the day she died.

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Q. Dr. Haupt was there? A. Yes, sir; and he told us she was in a very bad condition.

Q. Could she speak to you Monday? A. No, sir.

Q. Could she speak to you last Saturday? A. Yes when we asked her anything.

Q. But she couldn't speak to you last Sunday? A. Not from Saturday night on. I wasn't there Sunday, but my mother said so.

Q. Did you ever see Schultz strike ~~your~~ ^{his} wife, your sister? A. No, sir; I never saw him strike her, but we never went down there or she come up that she didn't have a black eye; that was nothing unusual for her.

BY MR. HARTMAN:

Q. Did she ever tell you how she got it? A. Yes, sir.

Q. Well,? A. Always from hitting.

Q. Who hit her? A. Always her husband.

Q. She said her husband hit her? A. Yes, sir; always.

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AUGUST SCHROEDER

sworn and examined.

BY THE CORONER:

Q. Where do you live? A. 219 East 108th Street.

Q. What is your occupation? A. I am an iceman.

Q. Do you know of any trouble that existed between Mr. and Mrs. Schultz of No. 4 Eldredge Street? A. Not since I moved away from there.

Q. When did you move away? A. Four months ago.

Q. Was there any trouble there at that time? A. When I lived there there was trouble.

Q. When you lived where? A. In Eldredge Street.

Q. What number? A. No. 6.

Q. That is right next door? A. Yes, sir; right upstairs.

Q. Did you ever see Schultz strike his wife at that time? A. One night I was passing going upstairs

to my house and I saw him grab her by the hair and punch her a little bit and kick her, and in the morning when I passed by to go to work I saw her with a black eye and I

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asked her how she got the black eye and she told me Mr. Schultz gave it to her.

Q. You say you saw him strike her yourself? A.
Yes, sir.

Q. About four months ago? A. Yes, sir.

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LOUIS J. ZETTLER

called to the stand.

THE CORONER: You have been sworn? I will just read the affidavit you made upon which the warrant was made out. (Reading) "LOUIS J. ZETTLER, being sworn says: I reside at 89 1st Street. On Sept. 14/89 at about 9 P.M., my brother-in-law Mr. Albert Mader came to my place of business and told me that his sister Mrs. Schultz was very low and asked me if I would go around to her house with him. I said I would. We went there (4 Eldredge Street). When I got there, I went immediately to the bed where the deceased, Mrs. Schultz, was lying. I said to her, "Emelia, good evening." She said, "Good evening," to me. I said to her, "How did you come to get bunged up so?" She said, "My husband hit me." I said, "With what?" She says, "With a rope." I said, "How did you get these black and blue marks on your eyes?" She said, "He hit me with his fist there." Then I lifted up her clothing and saw large black and blue marks on her side and around her body. She said, "He pulled me out of bed

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and kicked me." I says, "Why did he do it?" She
~~says~~, "I did not do anything at all." I said, "Was
you drinking?" She said, "No." The decersed was
delicate in health. This I know of my own knowledge.

(Signed) LOUIS J. ZETTLER.

Taken before me this 17th day of September, 1889.

FERDINAND LEVY,

Coroner. "

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A L B E R T M A D E R

sworn and examined.

BY THE CORONER:

Q. What is your residence ? A. 108 East 3rd.

Q. Did you go with Mr. Zettler that same evening ?

A. Yes, sir.

Q. And you corroborate his statement ? A. Yes,

nothing else, only that occasionally she came to our house with a black eye.

Q. Where was that ? A. We live at 108 East 3rd; formerly we lived at No. 4 Eldredge.

BY MR. HARTMAN:

Q. Did she tell you how she got that black eye ?

A. Yes, sir.

Q. How did she say ? A. She said she was clubbed by the old man.

Q. What old man ? A. Her husband.

BY THE CORONER:

Q. What did she say about him ? A. She said "by Pop". He was older than she was and she used to call

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him that.

Q. Was that his second wife? A. She was his second wife and he was her second husband.

MINNIE SCHULTZ

sworn and examined.

BY THE CORONER:

Q. Where do you live? A. 106 East 3rd Street.

Q. Now? A. I did always, with my grandma.

Q. And how old are you? A. 16.

Q. Were you there the Sunday night when I called at 4 Eldredge Street? A. Yes, sir.

Q. Was that your mother? A. Yes, sir.

Q. Your right mother? A. Yes, sir.

Q. And this is your step father? A. Yes, sir.

Q. The prisoner is your step father? A. Yes, sir; he is.

Q. Now how long had you lived there; up to what time had you lived there? A. When my mother got married, I think I only lived there two months.

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Q. Well, have you been living there the last three or four weeks ? A. No, sir.

Q. Had you been there the whole of last Sunday ?

A. Yes, sir.

Q. Did you go there on Sunday or Saturday last ?

A. Do you mean this following Sunday ?

Q. Last Sunday ? A. I was there, and I was there all last week too.

Q. That is what I want to get at. Now just tell the Jury what took place last week ? A. Well, on last Sunday night I went there.

Q. Before that; go a little further back ? A. This is back, the first time I went there.

Q. A week ago last Sunday ? A. Yes, sir.

Q. That would make it the 8th. On Sunday the 8th you went to ~~xxxx~~ 4 Eldredge Street ? A. Yes, sir.

Q. Where your mother was living ? A. Yes, sir.

Q. Now tell us what took place ? A. I went there and my step father was sitting in front of the door and I asked my step father where my mother was and he said she was inside lying down, so of course I went in, and I found her lying in bed with black and blue eyes.

I didn't say anything, but I came out. I didn't say anything to my step father and I went right off to church

Q. That was Sunday morning? A. Sunday night. Then of course I went right home. I didn't go back there. I told my aunt and my grand parents and they said they would go down the next day and of course they went down. I didn't go there again until Tuesday night and I found her unconscious and I didn't speak to her at all when I got there. Then I stood with her all night and the next day the doctor came. I believe it was Wednesday the doctor came.

Q. Dr. Haupt? A. Dr. Haupt, but this other gentleman with red hair too.

Q. Dr. Elgass? A. Yes, he came there. He was a little intoxicated. He didn't know what he was about. Mr. Schultz throw him out several times because ~~xx~~ he came there intoxicated. Of course my grandma and my aunts all came down and attended to her, and I was with her all the time. That is all I have to say.

Q. Now, Minnie, did you see your step father strike your mother? A. No, sir; never; because I was never there. I would always keep away, because I knew they

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quarrelled and I never liked to interfere.

Q. Did you hear them quarrel? A. Yes, I heard them quarrel.

Q. Did you at any time see him strike your mother?

A. Yes, I know it to be a fact.

Q. More than one time? A. Several times.

Almost every night that I went down there there seemed to be a quarrel.

Q. Would he strike her? A. Yes, sir.

BY MR. HARTMAN:

Q. Strike her with what? A. His fist. He never had anything else.

BY THE CORONER:

Q. Not while you were there? A. No, sir.

BY MR. HARTMAN:

Q. And you would see bruises about her face?

A. Oh yes, and whenever you asked her where she got that eye she would say, "Oh I bumped myself." She would never let on until finally later on.

BY THE CORONER:

Q. Now how long had those quarrels and strikings been going on? A. I should think for the past six

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years; ever since they have been married.

Q. Did you ever see your stepfather have a rope with which he struck your mother? A. No, sir; never.

Q. Were you there when your mother died? A. No, I left there about a quarter after eleven. I was going home to sleep because I didn't have a bit of sleep.

Q. Monday morning? A. Yes, sir; and I had just got to my aunts when I heard she was dead.

BY MR. PURDY:

Q. You say that you have seen your mother on several occasions in the past with a black eye? A. I have; yes, sir.

Q. And she always informed you that she bumped herself? A. Yes, she never let on the truth.

Q. She never told you that her husband struck her?

A. She did later on, but not in the beginning.

Q. And how long ago was it that you lived with her?

A. About six years ago.

Q. Since that time you have lived with your grandmother? A. With my grandmother.

Q. How often have you been in the habit of visiting your mother's house? A. I did in the beginning quite

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often, but afterwards very seldom, probably once a week.

Q. Once a week in the last two years? A. Yes, sir.

Q. How many times can you say you saw your step father strike your mother in the last two years? A.

Well, most every time I went down there.

Q. They seemed to be quarrelling? A. Yes, sir.

Q. What was the cause of their quarrelling? A. That I couldn't say.

Q. She was talking ugly to him and he was talking ugly to her? A. Yes, I suppose so.

Q. Did you ever see her strike him? A. No, I never did.

Q. What was the cause of the quarrel? A. That I couldn't say.

Q. Wasn't it because your mother was addicted to liquor and was under the influence of liquor many times?

THE CORONER: Do you understand that question?

THE WITNESS: Yes, sir.

THE CORONER: The counsellor wants to know whether your mother was accustomed to drinking liquor or any other intoxicating beverages?

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J O S E P H I N A S C H U E T Z

called to the stand and interrogated.

BY THE CORONER:

Q. How old are you? A. 10 years.

Q. Was this your mother who is dead? A. Yes, sir.

Q. Is this your stepfather? A. Yes, sir.

Q. Where do you live? A. 106 East 3rd Street.

Q. You didn't live with your mother? A. No, sir.

Q. Do you go to school? A. Yes, sir.

Q. And to Sunday School? A. Yes, sir.

Q. Now what would you rather tell if you were asked some questions; would you rather tell a lie or tell the truth? A. Tell the truth.

Q. You have been told so? A. Yes, sir.

Q. Suppose you would tell a lie what would become of you? A. Be put in prison.

Q. Do you know anything about any trouble between your mother and your stepfather? A. Yes, sir. I saw my stepfather take a rope from under the bed----

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Q. (Interposing) One moment. You go to Sunday School; you know what the Bible is, don't you? A. Yes, sir.

Q. Do you believe in the Bible? A. Yes, sir.

Q. It is a holy book, a good book? A. Yes, sir.

(Josephina Schultz was here sworn and examined as follows:)

BY THE CORONER:

Q. Now what did you see your stepfather do to your mother? A. I didn't see him do anything; I only saw him take the rope from under the bed.

Q. When was this? A. On Tuesday.

Q. How long ago; a week ago or two weeks ago.

A. A week ago.

Q. A week ago last Tuesday? A. Yes, sir.

Q. You saw your stepfather take a rope from under the bed? A. Yes, sir.

Q. When was this, in the morning, afternoon, or evening? A. In the afternoon.

Q. Who was there at the time besides yourself?

A. My sister.

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Q. Minnie ? A. Yes, sir.

Q. The one who was on the stand just now ? A. Yes, sir.

Q. She was there ? A. Yes, sir.

Q. Did she see it ? A. No, sir.

Q. Why didn't she see it ? A. She was in the bed.

Q. Where did he take it from ? A. Under the bed.

Q. What kind of a rope ? A. A wash line ?

Q. Your father took it in his hands ? A. Yes, sir.

Q. What did he do with it ? A. He went down in the basement.

Q. Who was in the basement ? A. Nobody.

Q. What did he do with the rope ? A. He hid it.

Q. Did you see him use the rope on your mother ?

A. No, sir.

Q. All you saw was your father take the rope and take it down in the basement to hide it ? A. Yes, sir.

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Q. Did you ever see your stepfather take the rope and hit your mother with it? A. No, sir.

Q. Did you ever see your stepfather strike your mother? A. No, sir.

Q. How often did you go down to 4 Eldredge Street?

A. Not so many times.

Q. You didn't go there once a week? A. No, sir.

Q. Well, you ever saw your stepfather strike your mother? A. No, sir.

BY MR. PURDY:

Q. You stood up in the room when your father went down in the basement? A. No, sir.

Q. Did you go down with him? A. Yes, sir.

Q. And where was your sister? A. Upstairs.

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At the request of the Coroner Dr. Philip E. Donlin read the following Medical Testimony and Autopsy.

"WILLIAM A. CONWAY, M. D., being duly sworn, says:
I have made a post mortem examination of the body Phyllis Schultz now lying dead at 4 Eldredge Street and from such an examination and history of the case, as per testimony, I am of opinion the cause of death is Peritonitis, Pleurisy, and Pneumonia following external injuries.

(Signed) Wm. A. Conway, M. D.

AUTOPSY.

"An autopsy made at 4 Eldredge Street on Sept. 16, 1889, showed the following results: Externally, a bruise on the left side of the abdomen in the inguinal region 5 inches long and 2 1/2 wide; on left side of chin two inches long and one in width; right shin, left shin and over left knee bruised with several small bruises; a large bruise on exterior of right arm extending from elbow to middle of right arm; a large bruise on right hip. Internally, Under the scalp a hematoma (or extravasation of blood) over right ear, and over left ear, each about an inch in size; on surface of brain an extra-

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sation of blood corresponding with the hematoma on inside of scalp on left side. The heart was fatty and flabby; the liver fatty and enlarged; the spleen soft and friable; the kidneys were very much diseased; and there was Pneumonia at base of left lung, with severe Pleurisy on left side and partially on right side. There was also severe Peritonitis, especially on side where the large bruise was found on exterior of the abdomen. In my opinion the cause of death was Peritonitis, Pleurisy and Pneumonia following some external injury. The condition of the organs of the body would indicate that the deceased was a very hard drinker during her life time.

(SIGNED) W. A. CONWAY, M. D.

Sworn to before me this 20th day of September, 1889.

FERDINAND LEVY,

Coroner."

BY MR. HARTMAN:

Q. ~~If we~~ ^{we} Are ^{to} understand from the autopsy you have just read, Doctor, ^{that} the cause of death was ~~to~~ Peritonitis in the inguinal region?

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MR. PURDY: That is not the statement. It is Pneumonia, Peritonitis and other things caused by some external injuries.

THE WITNESS: Yes, it says that in summing up: "Peritonitis, Pleurisy and Pneumonia, following some external injury."

THE CORONER: I don't think I will call any more witnesses. I think there is enough to go to the Jury. Do you want to call your client, Mr. Purdy?

MR. PURDY: No.

THE CORONER: The defendant declines to testify under the advice of counsel.

At this point Mr. Purdy requested permission to address the Jury, which being accorded, Mr. Purdy briefly addressed the Jury.

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C H A R G E.

THE CORONER: Gentlemen of the Jury, we very seldom have a summing up in investigations of this kind, but when it is asked I always concede the courtesy to counsel. The explanations made by counsellor Purdy are to some extent correct; in other words, I agree to some of his remarks, but as to the functions of the Coroner I to a great extent disagree with him; for it is a fact that since April 1887 the law has been amended with regard to the duties of Coroners, or the authority that Coroners have now in this city. This case is a Coroner's case, and was so from the start. There was no commitment from the police magistrate. Consequently, it is an absolute coroner's case and should an exoneration take place a discharge would follow without a review by the Police Magistrate as we had it formerly, prior to the amendment to the Penal Code of April 1887.

However, that is not what you are to consider now. You are to consider what caused the death of this woman, Mrs. Emilia Schultz/ On that point you have the evidence

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of a number of witnesses and you have the evidence of Dr. Conway, who performed an autopsy on the body of this woman. Now, if from that evidence you believe that she died from the result of injuries received or blows received and that those blows were inflicted by the prisoner, her husband, Mr. Schultz, of course your verdict will be in accordance therewith; and if that should be the verdict it would become the duty of the Grand Jury to make a further investigation, as no doubt Mr. Purdy will agree.

Now if on the other hand you believe there is anything in the evidence which would warrant you in coming to a different conclusion; in other words, if you believe that she died from natural causes, if you think the evidence satisfies you that was the cause of death, why of course the verdict would be that she died from the natural causes mentioned by the doctor. You would then be compelled to disregard the statement of the Deputy Coroner, Dr. Conway, which would hardly be a strict performance of your duty in this case.

Now there were other witnesses in the Court Room, but I did not like to make the evidence cumulative. For

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that reason I closed. I would say, however, that the autopsy in a case of this kind is of the greatest importance. Where a man is charged with homicide, or where death was caused from other than natural causes, the autopsy necessarily must follow; because we are compelled to make an autopsy where death is due to other causes than natural ones.

Now what does Dr. Conway say? He says: "In my opinion the cause of death was Peritonitis, Pleurisy and Pneumonia following some external injury."

Mr. Hartman: Not that she had those diseases, if your Honor please, but that they followed.

THE CORONER: Of course. Now with those external injuries you must connect the evidence of the witnesses if you can that have testified this morning before you. If you are satisfied from the evidence of those witnesses that those external injuries were caused by the defendant, then it is your duty so to say in your verdict.

There is another thing to which I wish to call your attention. It is generally the custom, where a defendant is charged with homicide, or with murder, or of having caused the death of another person, that counsel

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advise their clients not to testify, believing that if the case is to be transferred to or be passed upon by another tribunal anything that he might say here might be used for or against him, as the case might be. Therefore, generally speaking, the defendant does not testify and is not required to testify. It is optional with him. So in this case.

Now, gentlemen, I do not think it necessary for me to go into the evidence. I believe you have given your careful attention to everything that has been said. It is for you to consider the same and to bring in a verdict that will be just to the people that you represent and to the prisoner. Therefore, I again say to you, as I said a moment ago, that your verdict must be death either from natural causes or from the injuries received by this woman, provided you believe the injuries were inflicted by the defendant. On that, of course, I ask you to consider the evidence as given. If you believe the autopsy, which shows that death was hastened by those injuries, and you believe that those injuries were inflicted by the defendant, Schultz, then it is your duty to say so. If you take any other view of the

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case, of course you must also submit it in your verdict.
I think that is about all I can say to you on this case.

MR. HARTMAN: I would also ask your Honor to
instruct the Jury upon a point which you did not touch
upon: That it did not make any difference whether this
woman was or was not an habitual drunkard, it does not
make any difference whether all her organs were in an
abnormal condition or not. ~~If this woman died by~~
~~these blows, it doesn't make any difference if~~ ^{they} hastened
her death ~~at all~~ ^{at all}, ~~whoever~~ ^{whoever} inflicted those blows
is guilty.

THE CORONER: I so charge you, gentlemen. You can
now retire.

At this point the Jury retired and after a short
time spent in deliberation returned and submitted the
following:

V E R D I C T.

We, the Jury, find that Emilia Schultz came to her
death by injuries received at the hands of her husband,
Charles Schultz, at their residence, 4 Eldredge Street."

THE CORONER: In view of this verdict, the prisoner
will be recommitted to the City Prison without bail
awaiting the action of the Grand Jury.

ADJOURNED.

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A. Well, she didn't in the beginning, but she might have here later on.

BY MR. HARTMAN:

Q. Did you ever see her in that condition? A. No, sir; I never did.

BY THE CORONER:

Q. Did you ever see her intoxicated? A. No, sir.

Q. How about your stepfather? A. Well, he never showed that he was intoxicated, but he showed he had had a little to drink.

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THE PEOPLE

VS.

CHARLES C. SCHULTZ.

Indictment filed Oct.

25th, 1889.

Indicted for manslaughter.

Tried May 6th, 1890, before Hon. Rufus B. Cowing
and a Jury.

A p p e a r a n c e s:

Assistant District Attorney Bedford for the
People.

Messrs Purdy & McLaughlin for the defense.

BERTHA ZETTLER testified that she lived at 61
Rivington Street, in the City of New York, and she was a
sister of Emilia Schultz, who died on the 16th of Septem-
ber, 1889. She, the witness, went to see her sister in
Eldredge Street on September 9th, in consequence of a
statement that had been made to her. Her sister was
then living at No. 4 Eldredge Street. There was a

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tailor shop in front, kept by the defendant, and there were bedrooms back of the store. The deceased lay in bed in a small room immediately adjoining the store and connected with it by a door. She, the witness, entered this room with the defendant and stood by the bedside of the deceased. She, the witness, had a conversation with the deceased in the presence of the defendant. The defendant was then standing at the foot of the bed. She, the witness, noticed that her sister, the deceased was bruised and she said, "My God, woman, where did you get this?" The deceased had black and blue eyes, and her whole body was black and blue, including her arms, and you could not touch any part of her body without making her cry out with pain. When she ~~was~~ asked her sister where she got the bruises, her sister replied, "Dada hit me---hit me." The defendant said, "Yes, and if you ever get up out of that, it is a lesson for your lifetime," and the defendant shook his fist at the deceased. After that the defendant asked her, the witness, to remain with the deceased until half past five o'clock, as he had to go down town on business, and she, the witness, did so.

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UNDER CROSS-EXAMINATION the witness testified that she was a sister of the dead woman. Her testimony before the Coroner was true. She did not relate before the Coroner what the defendant said when he stood at the foot of the bed and shook his fist at the deceased. She did say that the defendant was in the room and at the foot of the bed. She was so much excited and had been in so much trouble that she had probably forgotten this.

DR. LOUIS HAUPT testified that he was a practising physician in the City of New York, and about the middle of September 1889, he met the defendant, Schultze. The defendant called at his, the witness' office. He, the witness, had refreshed his recollection by an inspection of his memorandum book and could say positively that it was on the 12th of September, in the morning, that the defendant first called. The defendant said that he wished him, the witness, to call upon his wife, as she had fallen and received some injuries and was not feeling very well. The witness said that he would call sometime in the course of the morning, and he did call at about half past nine, as he recollected. The deceased

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was lying in a small bedroom immediately off her husband's tailoring shop at 4 Eldredge Street, on the first floor. The room on that floor was divided by a partition which separated the bedroom from the shop. The partition did not extend more than half way from the floor to the ceiling. The deceased was lying in a bed which was placed close up against the partition. There was a curtain in the doorway. When he, the witness, entered the store, the defendant asked him to go back into the room and see the deceased, and he went through the opening, or doorway, putting aside the curtain, and saw Mrs. Schultze lying in the bed. While he was conversing with Mrs. Schultze, the deceased, her husband was not more than five or six feet away. He was sitting in the store and was within hearing. The room was small and he, the witness, had to stand between the partition and the bed. The conversation with Mrs. Schultz lasted about ten minutes. While the conversation was going on, the defendant walked once or twice to the opening, or doorway, and then returned to the store. He also heard the defendant walking up and down in the store. Mrs. Schultz's face was covered with black and blue bruises

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and he, the witness, asked her, "Who did this?" She replied, "My husband; he beat me." Then he, the witness, asked no more questions, because he did not think it was any part of his professional duty to make any further inquiries. He simply asked her this question in order to assist him in determining what her ailment was. Mrs. Schultz's face and arms and chest and other parts of her body were black and blue from bruises. Her right eye was blackened down to the cheek bone. On the left side of the face, extending from the lower jaw to the neck, was a black and blue bruise. The left arm and shoulder were also black and blue. Mrs. Schultz also complained of great pain in her stomach. He, the witness, pulled down the bed clothing and saw over the lower portion of the abdomen a very large bruised spot, which was black and blue. Her throat was also marked with black and blue bruises. Mrs. Schultz said that she had been vomiting and had pain in her head and felt stiff and sore and could not move herself. He, the witness, prescribed for her and went away. On the 14th he called again. The defendant was not there then, but Mrs. Schultz's daughter was. On the 14th he was called to see her

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because her condition had changed for the worse. She was vomiting more frequently. The appearance of the bruises was about the same. He, the witness, prescribed different remedies and on the following day he was informed that she was even worse, and he advised that she should be taken to a hospital. Mrs. Schultz died on the 16th of September. In his opinion the deceased died from shock and peritonitis, resulting from the bruises, and especially those over the region of the stomach.

UNDER CROSS-EXAMINATION Mr. Purdy read the report of the Coroner's autopsy and the witness said that, even in the condition of some of the organs shown to exist by the autopsy, her life might have been prolonged indefinitely if she had not received the bruises resulting from blows which caused shock and peritonitis, which were the direct causes of death.

PHILIP CASSIDY testified that he was the Captain of the 11th Precinct Police of the City of New York. He had occasion to visit the premises at 4 Eldredge Street in September 1889, and he saw the deceased and arrested the defendant. When he, the witness, was notified of the precarious condition of Mrs. Schultz, he went, on September 15th, to the defendant's store and found the

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defendant there. He informed the defendant that the defendant's brother-in-law charged that he, the defendant, had beaten his wife. The defendant's brother-in-law's name was Zettler. When he, the Captain, told the defendant of the charge against him, the defendant said that he did not beat his wife, but that she had received her injuries from falling when intoxicated. The previous witness, the physician, was there at the time and he, the witness, asked the Doctor if it was possible for Mrs. Schultz to have received her injuries in that way. The physician said that it was utterly impossible for her to have received them in that way. He, the witness, then arrested the defendant and took him to the Station House and notified the Coroner---Coroner Levy---and the Coroner came to the Station House at about half past eleven O'clock that evening and he, the witness, accompanied Coroner Levy to the defendant's store at 4 Eldredge St., and Coroner Levy asked Mrs. Schultz some questions, but she was unable to make any reply. She seemed to be unconscious. The defendant did not say to him where his wife fell and received the injuries. The defendant did not say how she happened to fall.

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GEORGE LOWERRE testified that he lived at 294 Broome St., in the City of New York. On a particular Saturday night in September 1889, at about eleven o'clock in the evening, he was standing at the corner of ^{the} ~~Broome~~ St. It was about the 7th or 8th of September, at least eight or ten days before Mrs. Schultz died. He was standing on the corner of Eldredge and Division Streets. He heard a noise in Schultz's Tailor Shop. He walked up on the opposite side of the Street until he was opposite the shop. He heard voices and he heard a woman's voice say, "Oh Papa, don't."

Then Mrs. Schultz walked out of the shop and had got some distance from it when the defendant followed her and struck her in the face with his fist. Then he walked back into his shop and she followed him.

UNDER CROSS EXAMINATION he testified that he had known the defendant for about seven or eight years and had known Mrs. Schultz by sight, but had never spoken to her. He knew her very well by sight and could not be mistaken as to her identity.

DR. WILLIAM A. CONWAY testified that he was a Deputy Coroner and that he held an autopsy on the body of the

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deceased, Emilia Schultz. In his opinion the cause of her death was peritonitis, resulting from bruises upon the abdomen. The witness then described, as the attending physician had, the black and blue bruised appearance of the body of the deceased after death, and said that the injury which most directly caused peritonitis was indicated exteriorly by a bruise upon the left groin of the deceased.

UNDER CROSS EXAMINATION THE Witness testified that the autopsy showed that the liver, the heart and the kidneys of the deceased were diseased, and also the spleen, but the direct cause of death was peritonitis.

For the defense, GUSTAVE PRELL testified that he lived at No. 600 Eighth Avenue. He had known the defendant between eight and nine years. For five years he lived in the same neighborhood---in the second house from the defendant. He had never heard anything to the detriment of the defendant's character for peace and quietness. The defendant had done a good deal of work for him as a tailor. He had heard of some trouble between the defendant and his wife about five years before. He had heard that it was the wife's fault because she would not let her husband into the house at about nine o'clock in the evening. He

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heard that ~~he~~ was drunk at the time and, sleeping, did not hear her husband knocking.

UNDER CROSS EXAMINATION the witness said that he kept a restaurant near the defendant for several years and that he visited his shop frequently. He did see Mrs. Schultz once with a ~~x~~ black eye, Probably five years before Mrs. Schultz's death.

GUSTAVE JACOBS testified that he lives at 82 Division Street and he had known the defendant, Schultz, for eight or ten years. His general character was good.

UNDER CROSS EXAMINATION he testified that he never heard anyone discuss the defendant's character for peace and quietness before the killing.

AUGUST SCHULTZ testified that he was a gardner and a brother of the defendant. His general character for peace and quietness was good.

UNDER CROSS EXAMINATION he testified that he had vsited his brother and sister-in-law frequently. He could not remember whether he had visited them in September. He, the witness, lived in Brooklyn. He heard of Mrs. Schultz's death first when he read of it in the newspapers.

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ADOLPH VON BUCKOW testified that he was formerly an officer of the Cavalry in the United States Army and was a Pensioner of the Mexican War. He had no business at present. He had known the defendant for about twelve years and knew that his character for peace and quietness was good. He had been a frequent visitor at the defendant's house.

UNDER CROSS EXAMINATION he testified that he served under General Twiggs in the Mexican War.

CHARLES SCHULTZ, JR., testified that he was a lithographer by trade and the defendant was his father. His father general reputation for peace and quietness was good. He, the witness, was a son by the former marriage of the defendant.

UNDER CROSS EXAMINATION he testified that he had lived with his father and the deceased for about three years and a half. He had lived from home about three years before the death of his step-mother. He first heard of his step-mother's death through reading of it in the newspapers.

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PAUL SCHULTZ testified that the defendant was his uncle. he, the witness, was in the butchering business at 47 Hicks Street, Brooklyn. The defendant's character for peace and quietness was good.

WILLIAM SCHULTZ, a son of the defendant and a lithographer by trade, testified to the same effect.

UNDER CROSS EXAMINATION the witness testified that he had lived with his father and step-mother for about five years after their marriage. He visited their house, after he left it, two or three times a week.

MRS. CARRIE CORP, a daughter of the defendant, also testified that the defendant's character for peace and quietness was good.

CHARLES C. SCHULTZ, the defendant, testified that he was born in Germany and had lived in the United States for about thirty-eight years. He was a merchant tailor. He had lived in both New York and Brooklyn. He had been married twice. He had six children by his first wife, three of whom were still living. He had no children by his second marriage. He was married to her in November

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1883. When he returned to his home on the evening of September 5th, 1889, from a business trip down town, he found his wife sitting on a table in his store at No. 4 Eldredge Street. It was then between seven and half past seven o'clock in the evening. He asked his wife whether she had received a parcel which he had sent home about twelve o'clock? She replied that she had. He, the defendant, took off his coat and hat, and, as it was warm, sat in front of his door. He had been sitting there about half an hour when he heard a heavy fall. He rushed into the store and found that his wife had fallen from the table down a flight of steps leading into the basement. He went down and picked her up and put her in bed and asked her if she had hurt herself and she said that she did not feel very badly. He asked her how she came to fall and she said that she had been seized with a fit and had fallen from the table down the stairs. She had been subject to fits. He washed her face and got her a drink of water and did whatever else he could. On the following morning he sent for the physician who had testified. The fall occurred on the evening of the 6th of September and he sent for the Doctor on the following morning. The Doctor gave

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her a prescription and she seemed to be better, but she still was delirious. She got steadily worse then after that until she died. He, the defendant, did not strike or abuse his wife, and had never done so. His wife was accustomed to drink very hard. The defendant denied that when his wife's sister came to the house he shook his fist in his wife's face and told her that if she recovered it would be a lesson for her for the remainder of her life. He and his wife had never had any trouble except on account of her drinking habits, and, so far as he was concerned, the trouble only amounted to his scolding her when he found her under the influence of liquor. He had frequently found liquor concealed in the bedroom or store and had thrown it away.

UNDER CROSS EXAMINATION the defendant testified that when he returned to his home on the evening that his wife fell down stairs, she was sitting in the store and appeared to be perfectly well and sober, so far as he could judge. He did not notice upon her person any of the bruises which the Doctor found on the following morning. He did not believe that his wife was seriously injured, or he would have sent for the physician at once. The deceased was in

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the habit of getting drunk at least once or twice a week.

IN REBUTTAL a Mrs. Kate McLaughlin, of 9 Eldredge Street, and Mrs. Familyeo Yong, of No. 10 Eldredge street, testified to previous quarrels and acts of cruelty on the part of the defendant toward the deceased.

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Feb 21 1890

Hon Gunning D. Bedford

The court

(Judge Martine presiding).

has this day made
an order that the
case of Charles C.
Schultz be examined
and a report
be made on it
on Wednesday
Feb 21 to court.

A. D. Macdonald

D. J. D. D.

1088

District Attorney's Office.

To fix day for trial
PEOPLE

vs.

Charles C. Schulz
manslaughter

I have made a
thorough examination
of this case and in
my opinion the evidence
is of such a character
as would not justify
the State and District
attorney to consent to
the defendant's
plea. It is a
case which should
be tried and the
responsibility thrown
on the jury.

Respectfully,
Feb 28th 1896
acting Dist atty.

1089

Charge | Homicide
 Charles E. Schuchter

Witnesses: (for the Grand Jury)

- ✓ Albert Mader - 106 East 32 St ✓
- ✓ Minnie Schultz do ✓
- ✓ Josephina Schultz do ✓
- ✓ Louis J. Zetler 89 First St ✓
- ✓ Bertha Zetler 61 Rivington St ✓
- ✓ Geo. Somerville 294 Broome St. ✓
- ✓ Wm. A. Conway M.D. Coroners office ✓
- Mr. Laist ~~7 Eldridge St~~ 162 Orchard ✓
 Rear - 2nd floor
- Samuel Siegel 48 Market St ✓
- B. Bach 5 Eldridge St ✓
- Mrs. Balls 18 Eldridge St ✓
- Mrs. Josephine Mader 106 East 32 St ✓
- Capt. Cassidy 11 Palace ✓
- Doctor Louis Haupt 61 or 63 Rivington St ✓
- Miss. Agnes Gekind - 5 Eldridge (store) ✓
- Mrs. L. J. Zetler 89 First St ✓

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Capt. Cassidge 11th Precinct ✓
Dr. Louis Haupt ✓
George Louwer 294 Browne St ✓
Mrs Bertha Zetter 61 Remington St ✓
August Schaefer 219 East 108th St ✓
Louis J. Zetter 89-1st St ✓
Minna Schultz 106 E 3rd St ✓
Josephine Schultz 106 E 3rd St ✓
Dr. Conway Deputy Coroner ✓

Capt. Conway

1091

20th
Sunday Sept 15^c
Dear Monday
Sept 16 -

List of
Witnaps

1092

COURT OF GENERAL SESSIONS.

x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x	:	
The People &c.,	:	
---against---	:	H O M I C I D E.
Charles Schultz	:	
x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x	:	

Sir:-

Please take notice that I will move in Part One of the Court of General Sessions, on Friday, February 21st, 1890, at 11 o'clock for the discharge of the above named defendant under Sec. 668 of the Code of Criminal Procedure, or for such other or further relief as the Court may deem just.

Purdy & McLaughlin,
#280 Broadway, N. Y. City.

To
John R. Fellows, Esq .,
District Attorney,
New York City.

1093

N. Y. Supreme Court

The People

Plaintiff,

against

Charles Schultz

Defendant.

Notice of Motion

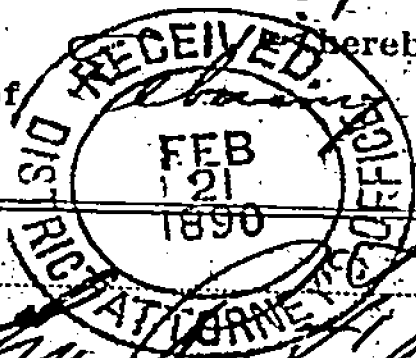
PURDY & McLAUGHLIN,

Attorneys for

No. 280 BROADWAY, New York City.

Due and timely service of copy of the within

this 21st day of



hereby admitted

1890

Attorney.

To

John H. Williams

1094

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 E. Schultz

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

Indictment accuse Charles E. Schultz

of the crime of manslaughter in the first degree,

committed as follows:

The said Charles E. Schultz,

late of the City of New York, in the County of New York, aforesaid, on the

fourteenth day of September, in the year of our Lord one thousand
eight hundred and eighty-nine, at the City and County aforesaid,

with force and arms, in and upon one Emilia
Schultz, in the peace of the said People then, and
there being, wilfully and feloniously did make
an assault, and her the said Emilia Schultz,
with both the hands and feet of him the said
Charles E. Schultz, in and upon the head, body
and limbs of her the said Emilia Schultz, then
and there wilfully and feloniously did strike,
beat, bruise and wound; giving unto her the
said Emilia Schultz, then and there, by the
means aforesaid, in and upon the head, body,
and limbs of her the said Emilia Schultz, divers

1095

mortal wounds, bruises, lacerations and contusions, of which said mortal wounds, bruises, lacerations and contusions, she the said Emilia Schultz, at the City and County aforesaid, from the said fourteenth day of September, in the year aforesaid, until the sixteenth day of September, in the same year aforesaid, did languish, and languishing did live, on which said last mentioned day, she the said Emilia Schultz, at the City and County aforesaid, of the said mortal, wounds, bruises, lacerations and contusions, did die.

And so the Grand Jury aforesaid, do say: that the said Charles C. Schultz, her, the said Emilia Schultz, in the manner and form and by the means aforesaid, wilfully and feloniously did kill and slay; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

John R. Fellows,

District Attorney.

1096

BOX:

370

FOLDER:

3472

DESCRIPTION:

Scott, Mary

DATE:

10/28/89



3472

1097

Witnesses;

Theresa Murray

Off John Brangan

10th Prec.

243 Osborne
R. C. Cunningham

Counsel,

Filed

day of

1899

Pleas,

Arquely 27

THE PEOPLE

vs.

Mary Scott

Assault in the First Degree, Etc.
(Sections 217 and 218, Penal Code.)

JOHN R. FELLOWS,

District Attorney.

Part 3 Nov. 8 at 11th
request 1121
A True Bill.

M. L. Cole Foreman.

Part III November 8/99 -
Died and acquitted.

1098

Police Court— / District.

CITY AND COUNTY
OF NEW YORK, } ss.

Jessie Murray
of No. *334 East 25th* Street,

Keep house being duly sworn, deposes and says, that

on *Tuesday* the *22nd* day of *October*

in the year 188*9* at the City of New York, in the County of New York,

She was violently and feloniously ASSAULTED and BEATEN by *Mary Scott*
(now here) who cut and stabbed
deponent upon her head with
the blade of a knife which she
defendant held in her hand

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

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

Sworn to before me, this *23rd* day
of *October* 188*9*

Jessie Murray

John J. [Signature] POLICE JUSTICE.

1099

Sec. 108—200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer. *Mary Scott*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *214 Chrystie St. 2 years*

Question. What is your business or profession?

Answer. *Shirt maker*

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

Answer. *I am not guilty*

Mary Scott

Taken before me this

23

day of

October

188

21

Police Justice

1100

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 25 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 Oct 23 1889 Jo McNeill 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.

1101

Police Court---1614 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Jeresa Murray
834 East 25th St
Mary Scott

Officer
Det. Assault

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *Oct 23* 188*9*

O'Reilly Magistrate.

Brangan Officer.

10 Precinct.

Witnesses *Mary Dalton*

No. *405 E. 71 St* Street.

Aggie Leonard

No. *75 E. 12th St* Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

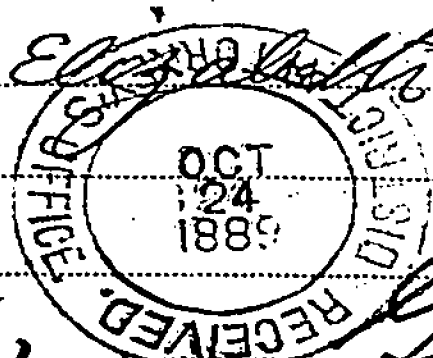
No. _____ Street.

No. _____ Street.

No. _____ Street.

COMMITTED.

Assault



1102

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Mary Scott

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

Mary Scott
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

Mary Scott

late of the City of New York, in the County of New York aforesaid, on the
twenty-second day of October in the year of our Lord
one thousand eight hundred and eighty-nine, with force and arms, at the City and
County aforesaid, in and upon the body of one Teresa Murray
in the Peace of the said People then and there being, feloniously did make an assault
and with a certain knife the said Teresa Murray

which the said

Mary Scott

in her right hand then and there had and held, the same being a deadly and
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and
wound,

with intent

her the said Teresa Murray

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

SECOND COUNT—

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

Mary Scott
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

Mary Scott

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of
the said Teresa Murray in the peace of
the said People then and there being, feloniously did wilfully and wrongfully make
another assault, and with a certain knife the said Teresa Murray

which the said

Mary Scott

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

John R. Fellows,
District Attorney.

1103

BOX:

370

FOLDER:

3472

DESCRIPTION:

Scully, Mark

DATE:

10/07/89



3472

C. Chohant
P. Gröissel
off Riegel

7
Counsel,
Filed
Pleads,
day of
1889

278

Grand Larceny, *Second* Degree.
(From the Person.)
[Sections 528, 588] Penal Code.]

Mark Scully

H.D.

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Mr. S. C. Cate
C. P. C. C. C.
P. C. C. C. C.
S. C. C. C. C.

1104

1105

Police Court

2nd District

Affidavit—Larceny.

City and County
of New York, ss.:

Christian Erhardt
of No. 145 East 4th Street, aged 32 years,
occupation Sellar maker

deposes and says, that on the 1st day of October 1887 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 day time, the following property, viz:

One double case silver watch
with plated chain and locket
together of the value of Seventeen
dollars.

(\$17.00)

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 Mark Scully (warmer)

from the fact that deponent is
informed by Philip J. J. a clerk
in the Lodging House at No 354
Bavary that he Philip saw the
said defendant feloniously take
steal and carry away said watch
and chain from the person of
deponent who was under the
influence of liquor in the hallway
of the premises No 354 Bavary at
about the hour of 11 o'clock A.M.
said date.

Wherefore deponent prays the said
defendant may be held and dealt
with according to law, etc. etc.

Sworn to before me, this

day

1887

Police Justice.

1106

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 25 years, occupation

354 Broadway

Philip Geissel
Clerk Lodging House

of No.

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

Christian Erhardt

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

Sworn to before me, this

day of

Oct 1883

Philip Geissel

J. M. P. R. D.

Police Justice.

1107

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

Mark Scully

being duly examined before the, under-
signed 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's waiver cannot be used
against h on the trial.

Question. What is your name?

Answer.

Mark Scully

Question. How old are you?

Answer.

41 years old

Question. Where were you born?

Answer.

Ireland

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

Answer.

Boston Mass

Question. What is your business or profession?

Answer.

Cook and waiter

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

Answer.

I am not guilty

Mark Scully

Taken before me this

day of

188

J. M. [Signature]
Police Justice.

1108

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 C. C. C.
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 Oct 2 188 J. H. H. H. H. Police Justice.

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

Dated.....188..... Police Justice.

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

Dated.....188..... Police Justice.

1109

Police Court---

1477 District.

THE PEOPLE, &c
ON THE COMPLAINT OF

Christian Erhardt
vs.
Mark Seully

Offered for Person

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated Oct 21 1889

George Reigel Magistrate.

George Reigel Officer.

15th Precinct.

Witnesses Philip Geissel

No. 354 1st Street.

Com. Court House

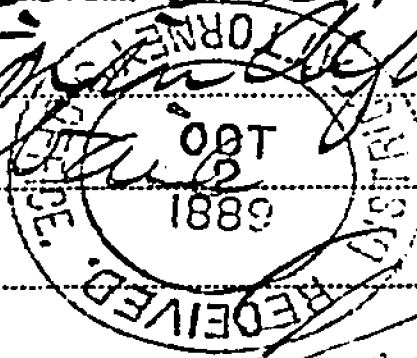
Detention House

No. 1000 Street.

\$ 1000 to answer

Com

9 12 person



1110

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, DISTRICT.

of No. 13 West 13th Street, aged 37 years,
occupation Police Officer being duly sworn deposes and says,
that on the 2nd day of October 1888

at the City of New York, in the County of New York, Christian Erhardt
now here who is a material witness
in a case of Larceny from the person James
Mark Duller deponent, is satisfied
and has reason to believe that said Christian
will not appear at the next Court of General Sessions
in and for said City and County of New York and
testify as such witness. Wherefore deponent
prays that said Christian may be ordered
to enter into recognizance with security for his
appearance at such Court.

George Riegel

Sworn to before me, this
of 2nd day
1888

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

Mark Scully

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

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

The said

Mark Scully

late of the City of New York, in the County of New York aforesaid, on the *first*
day of *October* in the year of our Lord one thousand eight hundred and
eighty-*nine*, in the *day* — time of the said day, at the City and County
aforesaid, with force and arms,

*one watch of the value of
ten dollars, one chain of the
value of two dollars, and one
locket of the value of two
dollars*

of the goods, chattels and personal property of one *Christian Erhardt*
on the person of the said *Christian Erhardt*
then and there being found, from the person of the said *Christian Erhardt*
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.

John R. Fellows,
District Attorney.

1112

BOX:

370

FOLDER:

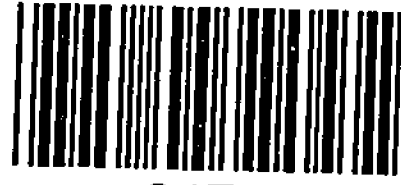
3472

DESCRIPTION:

Seeback, George

DATE:

10/16/89



3472

Witnesses;

Geo M. Lawrence

Geo R. Boynton

135

Counsel,

Filed

Pleads,

16th day of Oct 1889

THE PEOPLE

George W. Seebach

Forgery in the Second Degree.
[Sections 511 and 521, Penal Code.]
(Indorsement, etc)

JOHN R. FELLOWS,

Dist. Atty.

pleads guilty.

State Reformatory
A True Bill.

Foreman.

1114

Police Court, 4 District.City and County } ss.
of New York,

of No. 501 5th Avenue Street, aged 38 years,
 occupation Bank Teller being duly sworn, deposes and says,
 that on the 11th day of December 1888, at the City of New
 York, in the County of New York,

George H. Seebach (now here)
 did unlawfully and feloniously,
 with the intent to cheat and
 defraud, make forge and utter,
 a certain instrument or writing
 which purports to be a check drawn
 on the American Exchange National
 Bank, of New York City for the sum
 of thirty five \$100.00 dollars and
 which purports to have been endorsed
 by G. R. Boynton, and which is hereto
 attached marked & labeled "A"
 That on or about the 4th day of
 December 1888 the said Seebach
 came to deponent at the Union
 Bank in the City of New York where
 deponent was employed as Telling
 Teller, and requested deponent to
 cash said check. deponent refused
 unless said check was endorsed by some
 person known to deponent, the said
 Seebach then left said Bank and
 in a short time afterwards returned
 and informed deponent that the
 said check had been endorsed
 by G. R. Boynton. Deponent believing
 the representation of the said Seebach
 to be true gave to the said Seebach
 the said sum of thirty five \$100.00 dollars.
 Deponent is informed by George
 R. Boynton that the endorsement
 on the said check is false, forged
 and fraudulent, and that he did
 not authorize the said Seebach

1115

Dis-

Count-

PEOPLE, &c.,
THE COMPLAINT OF

Occupation

that on the _____ day of _____
York in the County of New York,

Street, aged _____ years,
being duly sworn, deposes and says,
188 _____, at the City of New

Enclose said check
Department. Therefore charges. That
The said Sebaest. did unlawfully
make forge and utter said check
with the intent to cheat and defraud
the said Union Bank. and whereby
said Bank was so cheated and
defrauded in violation of the
Statute in such case made and
provided

Sworn to before me } George M. Lawrence
This 8th day of October 1887 }
J. P. McMahon }
Police Justice }

1116

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 33 years, occupation Artist of No. George R. Boynton

50 West 57th Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Geo W. Lawrence

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

Sworn to before me, this 9th

day of October 1889

George R. Boynton

A. T. M. Malone

Police Justice.

1117

Sec. 198-200.

✓ District Police Court.

CITY AND COUNTY
OF NEW YORK

George H. Seebach 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.

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.

George H. Seebach

Taken before me this

day of

188

Police Justice.

1118

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 Twenty-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.....188

W. D. Mahon Police Justice.

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

Dated.....188

..... Police Justice.

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

Dated.....188

..... Police Justice.

1119

Police Court

1528 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George M. Lawrence
George M. Seaborn

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

October 8th 188

Magistrate

Thomas Reynolds Officer.

Witnesses

No. *18* West. of *5th* Street.

No. *59* Broadway Street.

No. _____ Street.

2500 to answer

2500 bail 4 Oct 9 5 PM

1120

TORN PAGE

TRACY, MAC FARLAND, BOARDMAN & PLATT.
35 WALL STREET, NEW YORK.
(MILLS BUILDING.)

BENJAMIN F. TRACY.
WM. W. MAC FARLAND.
ALBERT B. BOARDMAN.
FRANK H. PLATT.

New York, October 16, 1889.

Hon. John R. Fellows,
District Attorney,

My dear Sir:

I have inquired about George Seebach, of whom I spoke to you this morning, and find that he has not been previously convicted of any crime, so that there can be no objection to sending him to the Reform School.

Yours very truly,

Frank H. Platt

1121

New York, N.Y. Dec 3^d 1888 No 673

THE AMERICAN EXCHANGE NATIONAL BANK

PAY TO THE ORDER OF

Officer of Davis

city fine

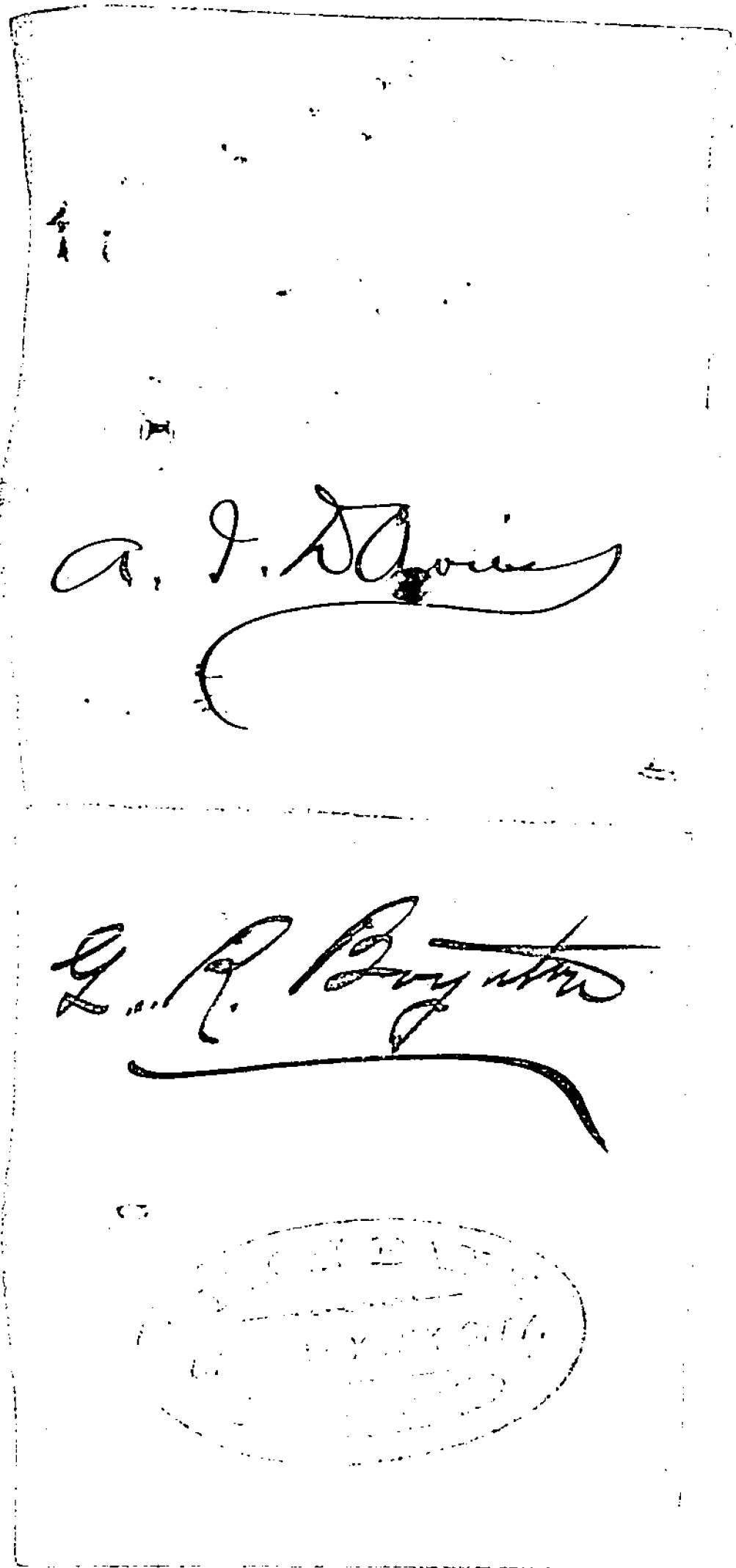
Arthur & Bonnell, New York

\$35.00

for Dollars

J. M. Douglass

1122



1123

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

George W. Seebach

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

George W. Seebach

of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said George W. Seebach,

late of the City of New York, in the County of New York aforesaid, on the fourth day of December, in the year of our Lord one thousand eight hundred and eighty-eight, at the City and County aforesaid, having in his custody a certain instrument and writing, to wit: an order for the payment of money of the kind called bank cheque, which said bank cheque is as follows, that is to say:

New York, Decr 3^d 1888

No. 675

The American Exchange National Bank

Pay to the order of

Alonzo J. Davis

\$ 35 ⁷⁰/₁₀₀

Thirty five

⁷⁰/₁₀₀ Dollars

J. W. Douglass

and on the back of which said bank cheque there was then and there an endorsement as follows; "Alonzo J. Davis," the said George W. Seebach,

afterwards, to wit: on the day and in the year aforesaid, with force and arms, at the City and County aforesaid, feloniously did forge, and cause and procure to be forged, and willingly act and assist in forging on the back of the said bank cheque a certain instrument and writing commonly called an endorsement, which said forged instrument and writing commonly called an endorsement, is as follows, that is to say:

"G. R. Boynton,"

with intent to defraud, 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.

1124

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
George W. Seebach
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said George W. Seebach,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
at the City and County aforesaid having in his possession a certain instrument
and writing, to wit: an order for the payment of
money of the kind called bank cheques,

which said bank cheque is as follows, that is to say:

New York Decr 30th 1888 No. 675
The American Exchange National Bank
Pay to the order of
Alonzo J. Davis \$ 35 ⁷⁰/₁₀₀
Thirty five ⁷⁰/₁₀₀ Dollars
JW Douglass

and on the back of which said bank cheque there was then
and there an endorsement as follows, "A. J. Davis,"

And on the back of which said bank cheque there was then and
there also written a certain forged instrument and writing commonly called an endorsement
of the said last-mentioned bank cheque which said forged
instrument and writing, commonly called an endorsement is as follows,
that is to say:

"G. R. Boynton"

with force and arms, the said forged endorsement then and there feloniously did
utter, dispose of and put off as true, with intent to defraud, he the said
George W. Seebach, then and there well knowing the premises,
and that the said endorsement was forged, against the form of the Statute
in such case made and provided, and against the peace of the People of the State of New York
and their dignity.

JOHN R. FELLOWS,

District Attorney.

1125

BOX:

370

FOLDER:

3472

DESCRIPTION:

Shea, John

DATE:

10/02/89



3472

Witnesses:

Robert Munnis

Otto Krauss

189 Elizabeth St

Wm J. Starn

Counsel,

Filed

day of

1889

Pleaded,

W. J. Starn

THE PEOPLE

vs.

John Shea

Grand Larceny, Second Degree.

(From the Person.)

[Sections 828, 584, Penal Code.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Chas. B. Roberts

Foreman.

Part III October 8/89-

Indictment

Oct 11/89
Chas. B. Roberts

1126

1127

Police Court- / - District.

Affidavit—Larceny.

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

Robert Minnis
 of No. 18 Summitt St. Newark N.J. Street, aged 68 years,
 occupation *Manager of tea store* being duly sworn
 deposes and says, that on the *2nd* day of *September* 188*7* 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 day time, the following property, viz:

One watch of the value of
Ten 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 *John Shay (now here)* for

the reason that on said day deponent
was in an auction room on the
Bowery and deponent had said
watch attached to a chain and
carried the watch in a pocket of
the vest then worn on his person
and part of his bodily clothing. Deponent
felt a movement at the pocket where
he carried the watch and looked
down and saw the ring of the watch
fall from the hand of the defendant
and deponent missed his watch.
His watch was then found on the
floor by one of the passengers in the
crowd

R W Minnis

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

Police Justice

1128

Sec. 103-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

John Shay 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 Shay*

Question. How old are you?

Answer. *16 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *51 Oak Street. 3 years*

Question. What is your business or profession?

Answer. *Plumber's helper*

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

Answer. *I am not guilty. I demand an examination.*

John Shay

Taken before me this

3

day of *September* 188*9*

Police Justice.

[Signature]

1129

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 *Sept 5* 188*9* *[Signature]* Police Justice.

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

Dated.....188..... Police Justice.

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

Dated.....188..... Police Justice.

1130

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Ex. Sept. 5 at 10 1/2
A. M.

Police Court---

1361

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Robert Minnis

18 Summit St

John Shays

2

3

4

Offence Larceny
from person

Dated

Sept 3rd

188

9

Hogan

Magistrate.

West

Officer.

6

Precinct.

Paul Schuyler West

No.

6th Precinct

Street.

Otto Krause

No.

189 Elm St

Street.

No.

\$1000.



Wm. S. S.

Comman

Ex.

9th Precinct

1131

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 Shea

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

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

The said

John Shea
late of the City of New York, in the County of New York aforesaid, on the *second*
day of *September* in the year of our Lord one thousand eight hundred and
eighty-*nine*, in the *day* — time of the said day, at the City and County
aforesaid, with force and arms,

*one watch of the
value of ten dollars*

of the goods, chattels and personal property of one *Robert W. Minnie*
on the person of the said *Robert W. Minnie*
then and there being found, from the person of the said *Robert W. Minnie*
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.

*John R. Fellows,
District Attorney.*

1132

BOX:

370

FOLDER:

3472

DESCRIPTION:

Shea, Michael

DATE:

10/28/89



3472

Witnesses:

John L. Barwick

Off. Pat. McGuire

16-Pruch

After full investigation of this case, I am of opinion that the facts which warrant a conviction, & accordingly recommend the dismissal of the indictment.

Dec 11/89 J. L. Barwick
Deputy

252

Counsel, John Barwick
Filed day of Dec 17, 1889
Pleads, Guilty - 30

THE PEOPLE
vs.
Michael J. Shea
Grand Larceny in the 3rd Degree.
(From the Person.)
[Sections 528, 580 Penal Code.]

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Wm. L. Cole, Foreman,
Dec 12/89
Indictment & Processed

1133

1134

Police Court

District

Affidavit—Larceny.

City and County } ss.:
of New York,

of No. 455 West 37th Street, aged 16 years,
occupation Sell papers being duly sworn

deposes and says, that on the 17th day of August 1889 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:

Good and lawful money of the United
States fifty Cents

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 Michael Green (now here)

from the fact that deponent was lying
down asleep in a wagon on the Avenue
between 27th & 28th Street at about the hour
of two o'clock A.M. deponent was awakened
by feeling a hand in deponent's pantaloons
pocket and the defendant was lying down
along side deponent and deponent immediately
refused said money from deponent's pantaloons
pocket after awaking and charged the
defendant with stealing said money

John J. Barwick

Sworn to before me this

1889

Police Justice.

1135

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

Michael Shea 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. Michael Shea

Question. How old are you?

Answer. 20 years

Question. Where were you born?

Answer. New York City

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

Answer. 225 South St 2 years

Question. What is your business or profession?

Answer. Junk Dealer

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

Michael J Shea

Subscribed before me this

day of

August

1889

Police Justice

1136

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 Aug 17 188 J. H. Murphy Police Justice.

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

Dated Aug 17 188 J. H. Murphy Police Justice.

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

Dated..... 188..... Police Justice.

1137

Police Court---

2 1237 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Barwick
453 West 37 St
Michael Shea

Offence Larceny
Prisoner Person

2
3
4

Dated Aug 17 1889
Magistrate.
Rds McGuire Officer.
16 Precinct.

Witnesses
No. Street.
No. Street.

No. Street.
\$ 500 to answer 9 S.

Bailed 9th Person

BAILED.

No. 1, by Michael W. Guin
Residence 102. 10th Ave

No. 2, by [illegible]
Residence [illegible] Street.

No. 3, by [illegible]
Residence [illegible] Street.

No. 4, by [illegible]
Residence [illegible] Street

597 1st St
" 2nd St
" 3rd St
" 4th St
" 5th St
" 6th St
" 7th St
" 8th St
" 9th St
" 10th St
" 11th St
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" 91st St
" 92nd St
" 93rd St
" 94th St
" 95th St
" 96th St
" 97th St
" 98th St
" 99th St
" 100th St

1138

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Michael J. Shea

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

Michael J. Shea
of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said

Michael J. Shea

late of the City of New York, in the County of New York aforesaid, on the seventeenth day of August in the year of our Lord one thousand eight hundred and eighty-nine, in the night-time of the said day, at the City and County aforesaid, with force and arms,

one silver coin of the United States of the kind called half dollars, of the value of fifty cents, two silver coins of the kind commonly called quarter dollars, of the value of twenty-five cents each, three silver coins of the kind called dimes of the value of ten cents each, four nickel coins of the kind called five cent pieces, of the value of five cents each and ten coins of the kind called cents, of the value of one cent each

of the goods, chattels and personal property of one John J. Barwick on the person of the said

then and there being found, from the person of the said John J. Barwick 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.

John J. Barwick
John J. Barwick
John L. Fellows,
District Attorney.

1139

BOX:

370

FOLDER:

3472

DESCRIPTION:

Siebler, Peter

DATE:

10/25/89



3472

1140

BOX:

370

FOLDER:

3472

DESCRIPTION:

Lutz, John

DATE:

10/25/89



3472

Witnesses:

Off. Adolf Wolger
11th Prec.

Off. Mr. Cohen
11th Prec.

On examination, I find no facts
which justify a conviction, or
accordingly recommend a dis-
missal of the indictment.

Dec 13th 1889. A. D. Barker
Deputy

208. 27

Counsel,
Filed 25th day of Oct. 1889
Pleads, *Not guilty*

THE PEOPLE
vs.
Peter Sieber
and
John Lutz
[Sec. 664, Penal Code]

offer the best
Dec 13th 1889
A TRUE BILL.
District Attorney.

Mr. Lohr Foreman.
Adolf Wolger
Adolf Wolger
Adolf Wolger

1141

1142

STATE OF NEW YORK,
City and County of New York. } S.S.

3rd District Police Court.

Adolph J. Holzer being duly sworn, deposes and says, that he resides at
175 Eldridge Street in the City of New York,
and that

on the 15th day of July 1889, at or near 169 Essex
Street

in the City of New York, in the County of New York, one Carl Lutz vs
Peter Siebler

.Did wilfully, unlawfully and wickedly set on foot, instigate, promote, carry on, and engage in as witnesses to a fight between dogs which said fight had been theretofore and was then and there to wit on the day aforesaid at the place aforesaid and in the county aforesaid premeditated by certain persons to wit Peter Siebler & Carl Lutz who then and there to wit at the time aforesaid and in the place aforesaid did have the custody of such animals, to wit of the aforesaid dogs in violation of the form of the Statute in such case made and provided.

Wherefore the complainant prays that the said

Peter Siebler & Carl Lutz
may be arrested, and dealt with according to law, and more especially according to the following laws made and provided, to wit:

"An Act to prevent prize fights and fights among game animals," passed April 4, 1856; and "An Act to amend chapter four hundred and sixty-seven of the laws of eighteen hundred and sixty-two, entitled An Act to prevent the traffic in impure and unwholesome milk," passed May 2, 1864; and "An Act for the preservation of the health of animals for human food," passed April 13, 1866; and "An Act better to prevent cruelty to animals," passed April 19, 1866; and "An Act for the more effectual prevention of cruelty to animals," passed April 12, 1867; and "An Act relating to animals," passed February 11, 1874; and "An Act to amend chapter ninety-seven of the law of 1875," entitled "An Act providing for the forfeiture of property in certain cases," passed May 4, 1875; and "An Act to prevent injury to animals in the City of New York," passed February 8, 1876; and "An Act relating to diseased animals," passed February 23, 1878; and Title XVI of the Penal Code of the State of New York, and the ordinances and regulations of the Sanitary Code of the Board of Health Department of the City of New York.

Sworn to before me this 16th
day of July 1889

Carl J. Ousey
Police Justice.

Adolph J. Holzer

Police Court— 3rd District

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Adolph J. Holzer
Carl Lutz and
Peter Linder
against

CRUELTY TO ANIMALS.

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated *July 16th* 18*9*

Holzer Magistrate.

Holzer Officer.

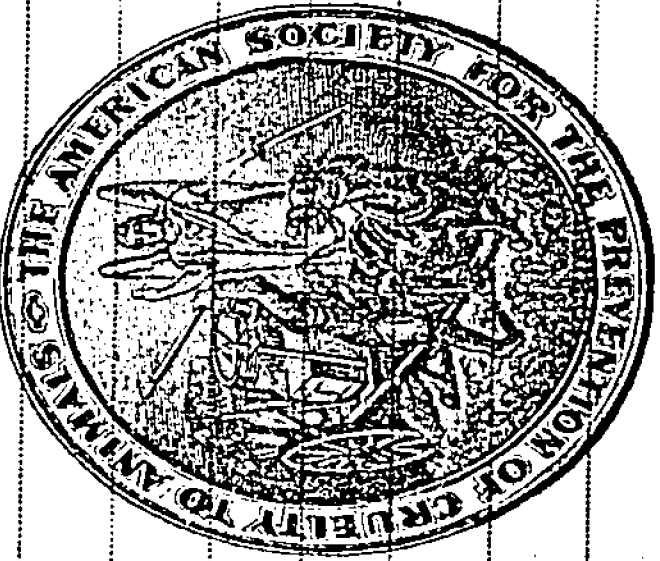
A. S. P. C. A. 11th Precinct.

Witnesses, HENRY BERGH,

No. 100 East 22d Street.

Off. Morris Cohen

No. 11th Precinct Street.



No. Street.

No. Street.

No. Street.

\$

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

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 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 h to be discharged.

Dated 18 Police Justice.

1141

1144

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

3 District Police Court.

John Lutz
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.

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 not guilty
and I demand a trial
by jury
John Lutz.*

Taken before me this

John Lutz
188

Police Justice.

1145

Sec. 193-200

CITY AND COUNTY } ss.
OF NEW YORK,

District Police Court.

Peter Seibel 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.

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 not guilty and
I demand a trial by
jury Det. Giebler*

Taken before me this

day of *July* 188*8*

J. J. Conner
Police Justice.

1146

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

Defendants
guilty thereof, I order that 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 *May 16* 188*9* *and J. G. S. S. S.* Police Justice.

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

Dated *July 16* 188*9* *and J. G. S. S. S.* Police Justice.

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

Dated..... 188..... Police Justice.

Backed

(Handwritten notes)

Permal Code

1148

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Peter Siebler
and John Lutz

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

Indictment accuse Peter Siebler and John Lutz

of the crime of setting on foot, instigating, promoting and
carrying on a fight between dogs, _____
committed as follows:

The said Peter Siebler and John
Lutz, both _____

late of the City of New York, in the County of New York, aforesaid, on the

fifteenth day of July, in the year of our Lord one thousand
eight hundred and eighty- _____ nine _____, at the City and County aforesaid,

did unlawfully set on foot, instigate, promote
and carry on, a fight between two certain
dogs, which said fight was then and there
premeditated by the said Peter Siebler who
was then and there the owner of the said
dogs; 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

Peter Siebler and John Sutz
of the CRIME of setting on foot, instigating, promoting
and carrying on a fight between dogs,
committed as follows:

The said Peter Siebler and John
Sutz, 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, did unlawfully set on foot,
instigate, promote and carry on, a fight
between two certain dogs, which said fight
was then and there premeditated by the
said Peter Siebler and John Sutz, who
then and there had the custody of the
said dogs; against the form of the Statute
in such case made and provided, and
against the peace of the People of the State
of New York, and their dignity.

John R. Fellows,
District Attorney

1150

BOX:

370

FOLDER:

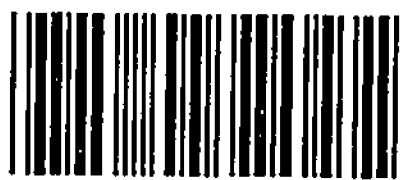
3472

DESCRIPTION:

Skudena, Albert

DATE:

10/24/89



3472

1151

BOX:

370

FOLDER:

3472

DESCRIPTION:

Skudena, Ferdinand

DATE:

10/24/89



3472

Witnesses:

Off. J. J. J. J. J.

25th Dec.

201
Counsel,
Filed
Pleads,
Judge
Plead 167

188
day of
Plead 27

THE PEOPLE

vs.

Albert Skendera
and
Serdinard Skendera

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

JOHN R. FELLOWS,

District Attorney.

Both Pen. 1 year
A True Bill.

Mr. L. Cole, Foreman.

1152

1153

Police Court—4th District.

CITY AND COUNTY } ss,
OF NEW YORK,

of No. the 25th Police Precinct Louis Tancredi Street, aged 35 years,
occupation Police Officer being duly sworn, deposes and says, that
on the 20th day of August 1888 at the City of New York,
in the County of New York,

he was violently ASSAULTED and BEATEN by Albert Goodnaugh
and Ferdinand Goodnaugh (both now here)
who struck deponent a number of
violent blows on the head and body with
their clenched fists, and said Ferdinand struck
deponent with a club, while deponent was
without any justification on the part of the said assailant.

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

Sworn to before me, this 21st

day of August 1888

Louis Tancredi

Henry H. H. H.

Police Justice.

1154

Sec. 198-200.

4

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Albert Goodman 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.

Albert Goodman

Question. How old are you?

Answer.

18 years

Question. Where were you born?

Answer.

Bohemia

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

Answer.

No 132 Third Street & about 2 1/2 years

Question. What is your business or profession?

Answer.

Cigar - maker

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

Answer.

I am not guilty

Albert Goodman

Taken before me this

188

Police Justice.

1155

Sec. 198-200.

4

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name.

Answer.

Ferdinand Goodman

Question. How old are you?

Answer.

26 years

Question. Where were you born?

Answer.

Bohemia

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

Answer.

N^o 432 East 73 Street about 3 months

Question. What is your business or profession?

Answer.

Cigar - maker

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

Answer.

*I was drunk and don't
know anything about it.*

Ferdinand Goodman

Taken before me this

188

Police Justice.

1156

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

Albert Goodman and Ferdinand Goodman
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, 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 August 21 1889 J. M. Sullivan Police Justice.

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

Dated August 22 1889 Henry H. H. H. Police Justice.

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

Dated _____ 188 _____ Police Justice.

1157

BAILED

No. 1, by

Anton Benek

Residence

1358 - 1st Ave. Street.

No. 2, by

Sigismund Kaly

Residence

1327 - 1st Ave. Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Police Court

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Louis Tomcredi
Albert
~~Goodman~~
Ferdinand Goodman

3
4

Dated

August 21

1889

Magistrate

Tomcredi

Officer.

25 Precinct.

Witnesses

Mary Houseman

No.

406 & 64

Street.

No.

410 & 64

Street.

No.

\$

to answer

7th 2nd Block

July 1

1158

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against
Albert Skudena
and
Ferdinand Skudena

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

Albert Skudena and Ferdinand Skudena

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

The said

Albert Skudena and
Ferdinand Skudena, both

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

Louis Tancredi

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

Albert Skudena
and Ferdinand Skudena

with a certain

club

which *they* the said

Albert Skudena and Ferdinand Skudena
in *their* right hand *S* then and there had and held, the same being then and there

a weapon and an instrument and weapon likely to produce grievous bodily harm,

him, the said *Louis Tancredi* then

and there feloniously did wilfully and wrongfully strike, beat, ~~cut~~

bruise and wound, against the form of the statute in such case made and provided, and

against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
Albert Skudena and Ferdinand Skudena
 of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Albert Skudena and Ferd-*
inand Skudena, 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, in and upon the
 said *Louis Tancredi* —

in the peace of the said People then and there being, feloniously did wilfully and
 wrongfully make another assault; and the said *Albert Skudena and Ferdinand*
Skudena, the said *Louis Tancredi* —
 with a certain *club* —
 which *they*, the said *Albert Skudena and Ferdinand Skudena*
 in *their* right hand then and there had held, in and upon the
 head and body of *him* the said *Louis Tancredi* —

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

JOHN R. FELLOWS,

District Attorney.

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END OF
BOX