

0443

BOX:

510

FOLDER:

4649

DESCRIPTION:

Sakootze, Joseph

DATE:

01/19/93



4649

POOR QUALITY
ORIGINAL

0444

Witnesses:

Am. All
Se. Guancupolas

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

35
3-20
vs.

B

Joseph Sakootge
N. D.

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

DE LANCEY NICOLL,

District Attorney.

2,456 Mrs. J. P.

A TRUE BILL.

J. Cathin

Foreman.

Part III

March 4 1893

Part 3. March 8/93

Do Injured and Carried
with view to mercy.

20 77

POOR QUALITY
ORIGINAL

0445

Witnesses:

Am All
Seo Guancupolas

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

35
3-4 over
looked
vs.

Joseph S. Sweeney

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

DE LANCEY NICOLL,

District Attorney.

2,456 Mrs. J.P.

A TRUE BILL.

J. Catlin

Foreman.

Porter

March 7/93

Part 3 March 8/93

Indicted and convicted

with recourse to mercy.

26

COURT OF GENERAL SESSIONS, PART III.

- - - - - x
The People of the State of New York, :
against : Before
Joseph Sakootze. : Hon. Fred'k Smyth,
and a jury.
- - - - - x

Indictment filed January 19, 1893.

Indicted for assault in the first degree.

New York, March 7, 1893.

A P P E A R A N C E S:

For the People, Asst. Dist.-Atty. Henry D. MacDona;

For the Defendant, Robert H. Racey, Esq.

LEO GINANENFOLDO, a witness for the People, sworn, testified:

I am 29 years of age. I live at 165 Hester Street in this city. I am well acquainted with the defendant. At one time he lived at 165 Hester Street on the same floor as myself. That was last March. I had no difficulty whatever with the defendant. He never spoke to me. I remember on one occasion he came into the house and he saw his wife with the children coming out of my room and he got angry at his wife. After he left the house he met me on the street one day and said: "I will fix you". This was about three months after he moved away from the place. I met him many times afterwards but I never spoke to him when I met him. His brother lived in the house a year and two months afterwards. I heard the defendant on the stairs in the house and he said also he would fix me. On the 10th. of November I was employed at the Marleborough Hotel

2.

as an omnibus; that is a waiter who cleans up and helps the other waiters. I took the car and came down to Grand Street and from Grand Street I went through Centre Street to my home at 165 Hester Street. It was about twenty minutes to two o'clock. The hall door was open. I saw nobody in the hall. I went up to the top of the flight of stairs. Somebody caught me and pulled me. I asked: "Who is this?" and the person said it was a woman. Then I said: "What are you doing here?" and she said: "I have got no place to sleep". I could not see the woman's face. I only heard the voice and recognized it as the voice of a woman. I told her she had no business to stay there and she left. I went on my way upstairs. After I had met the woman I lit a match. I commenced to be afraid, and I went up the second flight of stairs. When I came to my landing on the second floor I saw this man standing in the corner. I did not see anything in his hand. Immediately when I reached the floor he said, with an oath, "I will fix you". At that time the light went out, and then he struck me here on the head. The hat which I now produce is the hat which I had on at that time. I received three blows on the head with some instrument. Three blows is all I remember. There may have been more. The defendant ran away. I was dazed from the blood that was flowing from my wounds. I managed to get down into the street and shout "Police". The policeman came and took me into my house. Afterwards I was taken to the Station House, and from there to the Chambers Street Hospital, where my wounds were dressed. I was laid up there for seven days. Afterwards

3.

I went to the French Hospital and remained there a couple of weeks. The wounds on my head were very severe. A wound on my hand caused one of my fingers to become stiffened. The defendant was brought to my bedside in the hospital, and I identified him as the man who struck me. I am positive he is the man.

Cross-examination:

I remember being in the Police Court and being examined there. I told my story through an interpreter as I have told it here. I speak a little English -- not much. I am positive that the defendant said about six months ago that he would fix me. This was after he left the house. I never knew any occasion for his quarrelling with me. He called me a bad name on both occasions when he met me. When the Policeman came and found me lying in the hallway he shook me and roused me. I then told him what was the matter. There was no light in this hallway until I lit the match after having been accosted by the woman.

JOSE L. MEDINA, a witness for the People, sworn, testified:

I am a practicing physician attached to the French Hospital. I was the house surgeon of that hospital in November 1892. I received the complainant when he came to that hospital, having been transferred from the Chambers Street Hospital. I made an examination of his head. I found that the wounds were partially healed. They were on the right side of his head. The principal wound was a

4.

long one about four and a half inches beginning from the centre line of the head towards the ear and reaching about one inch to the right ear. Also a wound in the centre. There was a smaller wound about an inch and a half, and a third wound came towards the front. He also had a wound on one of the fingers of his right hand. There is a record of this case in the Hospital and a full description of the wounds. The principal wound was what I would call a lacerated wound. I could not tell on my examination what the depth of the wound was.

Cross-examination:

This defendant was brought to our hospital on the 13th. of November. I could not state what kind of an instrument was used in inflicting the injuries.

GEORGE G. VAN SCHAICK, a witness for the People, sworn, testified:

I am a graduated physician connected with the French Hospital in this city. I saw the defendant about the 19th. of November 1890. I examined the wounds on his head. They consisted of three scars. The most serious one was five inches long running from the median line of the head to an inch above the right ear. The other wounds were smaller.

RAYMON GUITERAS, a witness for the People, sworn, testified:

I am a practicing physician connected with the

5.

French Hospital. I saw the complainant and examined his wounds. In my opinion the wounds could have been inflicted by an axe similar to the one now shown me. There was a slight depression in the skull.

WILLIAM S. GRANVILLE, a witness for the People, sworn, testified:

I am a police officer connected with the Sixth Precinct. On the 10th. of November last my tour of duty was from 12 midnight to 6 A.M. The premises No. 165 Hester Street were on my beat that night. I saw the complainant on the night of the 10th. between half past one and two o'clock. I met him coming out of 165 Hester Street. I was standing at that time at the southeast corner of Mott and Hester Street. He was holding his right hand to his head and moaning. I noticed blood on his face. He showed me his hand and said he had been assaulted in that hallway. His right hand was cut and bleeding. I ran into the building 165 Hester Street. The hallway was quite dark. I stopped to light a match and while waiting in the hallway to get my watch-box I saw the flicker of a light on the landing above. There were two Italians, one holding a candle. I went upstairs and when I reached the floor where these two Italians were standing on I asked them if it was either of them assaulted the complainant. All the complainant would do was to moan. He could not speak. In going up the stairway there are five steps facing to the North, and when you turn to go up a flight of stairs to the south there is a landing. I saw a portion of the wain-

6.

scotting on this landing open. I examined it and discovered this axe hid in behind the wainscotting. I could not get any intelligent statement from any of the Italians there as to who committed the assault. I heard one woman shout: "Joe, Joe" during the time I was questioning the others. Officer Hanlon of the Tenth Precinct arrested the defendant. I saw him in the back room of the Tenth Precinct Station House, but had no conversation with him. I do not believe he speaks English.

JOHN J. HANLON, a witness for the People, sworn, testified:

I am a police officer attached to the 15th. Precinct. On the 10th. of November last I was attached to the 10th. Precinct. At about 3 o'clock on the morning of the 10th. of November a policeman came after me and reported this occurrence to me. I started out to look for the defendant. I found him at 7 Gouverneur Street at a few moments after five o'clock. I told him I wanted him for assault. He came along with me peaceably and quietly. I took him to the Station House and from there to the Chambers Street Hospital. We arrived at the hospital at about 6 a.m. I called up the House Surgeon and told him my mission. He would not admit us to see the complainant at that time. I took the defendant back to the Station House and the next morning brought him to the Police Court where he was held to await the result of the complainant's injuries. Officer Scully took the defendant to the French Hospital where he was identified by the complainant.

7.

Cross-examination:

I was in the Police Court at the time this case was under examination. I do not recollect hearing the complainant say that he did not know who struck him. I remember that he identified the complainant as the man who struck him. I don't recollect the exact question that was put to the complainant on that subject in the Police Court.

WILLIAM ALLEN, a witness for the People, sworn, testified:

I am at present confined in the House of Detention as a witness and have been since the 7th. of January this year. On the morning of the 10th. of November I was in the laundry in the basement of the premises No. 165 Hester Street writing a letter. I heard a shuffling of feet on the stairs and I went out into the front of No. 165 Hester Street. As I started to go up the steps I saw a man who looked very much like the defendant running out of the hall. The man was a short stout build of a man and resembled the defendant very much. I then went into the hallway. I heard someone moaning and I went upstairs and found the complainant lying on the landing. I have known the defendant for some time and am familiar with his face coming in and out of the house.

Cross-examination:

My home is at No. 10 Tillary Street in Brooklyn. previous to my confinement in the House of Detention I was an usher at the Star Theatre in Brooklyn. I have been known by the name of Allen for the last seven or eight

8.

years, but it is not my correct name. I decline to answer whether or not I have ever been convicted of any crime. I was writing a letter for the Chinaman in the basement of this house at the time I heard this shuffling on the stairs.

JAMES A. COYLE, a witness for the People, sworn, testified:

I am a police officer attached to the 6th. Precinct. My post on the night of the 10th. of November was Canal Street from the Bowery to Baxter. About half past one o'clock that morning I was standing on the corner of Canal and Mott Street. I saw the defendant coming down through Mott Street from Hester. He was walking kind of fast and continually looking back. Shortly after I let him go by I heard a noise coming from the vicinity of Hester Street. I afterwards went to the Station House and saw the complainant. I arrested the defendant, took him to the Chambers Street Hospital.

Cross-examination:

I had never seen the defendant before that night in my life. I asked him where he was going. He said he was going to Greenpoint. He was walking fast and continually looking back over his shoulder. Every few steps he took he would look back. I asked him how he was going to Greenpoint and he said the cars ran too slow and he would walk.

JOHN CARSON, a witness for the People, sworn, testified:

I am a police officer attached to the Tenth

9.

Precinct. On the 10th. of November I saw the axe which is now shown me in the hallway of No. 165 Hester Street. I brought it to court. When I got it into the Station House I found there was a little blood on the edge of the handle.

DEFENSE .

JOSEPH SAKORTZ, the defendant, sworn, testified:

I am a bootblack. I am a married man and have two sons living. At the time of my arrest I resided at No. 3 Gouverneur Street in this city. I was arrested at 6 o'clock in the morning. The night previous to my arrest I was in McMahon's saloon. I left the saloon between half past eight and nine o'clock in the evening. Then I went to my own home. I always go to bed about nine o'clock and I went to bed that night about nine o'clock. My father and my wife were there at the time I went to bed. I did not leave that house until the next morning at about five o'clock when I started to go to McMahon's saloon. When I got to McMahon's saloon I was arrested by the officer. I was taken to the Station House and locked up in a room. After some time I was taken in another room and compelled to undress. Then I was told to take off my clothing and one of the police officers caught hold of my wrist and felt my pulse. I was then dressed and taken to the sick man at the Hospital. When I was brought there I was asked if I had any row with the sick man and I answered no.

10.

MARIA SAKOOTZ, a witness for the defendant, sworn, testified:

I am the wife of the defendant. I have been married to him for five years and I am the mother of two children. I remember very well the morning that my husband was arrested. He left my house at about five o'clock in the morning. The night previous to his arrest he came home between eight and half past eight o'clock. Probably it may have been nine o'clock. He did not, to my knowledge, leave that house after that on that evening.

Cross-examination:

I remember living at 165 Hester Street. The complainant in this case and I had some trouble about the children. I never heard my husband make any threat against him.

GUISEPPI GREGORIO, a witness for the defendant, sworn, testified:

I live at No. 3 Gouverneur Street. I was living there at the time of the arrest of this defendant. I remember the night previous to the defendant's arrest. He came in the house at about half past eight o'clock. I came in with him from the saloon. He did not leave that house to my knowledge until the following morning.

NICOLA SILEVA, a witness for the defendant, sworn, testified:

I am the housekeeper at No. 165 Hester Street. I recollect the morning when the complainant was assaulted

11.

with this axe. At the time the assault took place I was in my bed asleep. When I heard a noise in the hall I came out, lighted a candle and went downstairs. I saw the complainant lying on the ground covered with blood. I asked him who it was that hit him and he said he did not know. The officer asked him the same question and received the same reply.

DOMINICO BOCCHIA, a witness for the defendant, sworn, testified:

I am a bootblack. I have lived in No. 165 Hester Street for about five years. On the night of this assault I was asleep and was awakened by hearing a row in the hallway. I got up. I went out in the hall and saw the complainant covered with blood. The housekeeper asked the complainant who hit him and he said "I saw nobody".

CORNELIUS D. SCULLY, a witness for the defendant, sworn, testified:

I am a police officer. The defendant is known by the name of Italian Joe. Officer Hanlon made the arrest of the defendant. I simply made an affidavit which was sufficient to hold the man. I did not hear the complainant make the statement: "I will get square with you" which he gave in his evidence here. I was present in the Police Court and I heard no such statement.

PROSPER R. FERRERI, a witness for the defendant, sworn, testified:

I am a clerk in the office of Mr. Racey. I

12.

was present in the Police Court at the time the complainant was examined on the 24th. day of December. The complainant was sworn and answered the questions of counsel. He spoke in the English language. He was asked by the Judge whether he knew who had struck him and he replied that he did not.

ROBERT H. RACEY, a witness for the defendant, sworn, testified:

I am a member of the Bar. I am the counsel for this defendant. I was present at the examination in the Police Court. I heard the Judge interrogate the complainant in reference to this case. He replied to the questions: "I could not say who it was struck me."

JOHN McMAHON, a witness for the defendant, sworn, testified:

I have a liquor store at 277 Division Street and also at No. 2 Gouverneur Street. I have known the defendant about 12 years. He cleans shoes around my place. His character is good. He was at my saloon at the time he was arrested.

REBUTTAL.

SOLOM J. VELASTO, for the People, sworn, testified:

I live at 117 West 58th. Street. I am President of the Greek Society in this city. That is a benevolent and charitable organization. I was present at the examination before the Police Justice in this case. The defendant was positively identified by the complainant as the man who struck him.

The jury returned a verdict of guilty of assault in the first degree.

Indictment filed Jan 19/1893

Court of General Sessions

Part III.

The People,

vs.

Joseph Sakowitz

Abstract of testimony
on trial, New York,
March 7th 1893.

0458

0459

Sec. 102.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before J. H. McNamee a Police Justice
of the City of New York, charging Joseph J. Skroba Defendant with
the offence of felony assault

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

We, Joseph J. Skroba Defendant of No. 3
Vincenzo de Vito Street; by occupation a Bar Black
and Vincenzo de Vito of No. 83 Mulberry
Street, by occupation a Liquor Dealer Surety hereby jointly and severally undertake
that the above named Joseph J. Skroba Defendant
shall personally appear before the said Justice, at the District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of Twenty
Hundred Dollars.

Taken and acknowledged before me, this 14 Joseph J. Skroba
day of Dec 189 Vincenzo de Vito
W. M. M. M. M. POLICE JUSTICE.

0460

CITY AND COUNTY } ss.
OF NEW YORK, }

Magistrate Police Justice.
1892

Sworn to before me, this

the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth Five Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of House and lot 44 Mulberry

Street worth Six Thousand dollars
over all encumbrances

Vincenzo De Vito

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Undertaking to appear
during the Examination.

vs.

Taken the day of 18

Justice.

Surety acknowledged by
Rth. H. Carey

Court of General Sessions

ⁱⁿ
The People

^{agst}
Joseph Jakootze
or Sakootze

ⁱⁿ
City and County of New York:

Gerard Siccardia

being duly sworn says that he is a clerk in the office of Robert H. Racey, the Counsel for the above named defendant. That the above action is on the calendar of Term II of this Court this day. That this action was on the calendar of Term I of February 10 last and as respondent was informed and believes was adjourned without day. That Mr. Racey, the Counsel for defendant, injured his back by a fall and is now confined to his house by reason thereof being too sick to transact any business and has been so confined since last Saturday February 11. That the case was adjourned on

February 10 at Mr. Rasey's request on account of his physical disability and he has since then become more ill, in consequence of which he is confined to his house.

Deponent therefore prays that this action be continued to another day.

Sworn to before me

this 13th day of February 1893 } Gerard Di Candia

William D. O'Connell

Com. of Bees
N.Y. City.

Court of General Session

The People

vs

Joseph J. Kootze

Affidavit for
sequestration

0464

DR. RAMON GUITÉRAS,
79 WEST 54TH STREET,
NEW YORK.
9-11 A. M. 5-6 P. M.

Nov 21st 1892

Hon. Thomas F. Grady.

Judge of the Toronto Police Court.

Sir:

This is to certify that Elias
Barranickopolas is still suffering
from the result of injuries (fracture
of the skull) which confine him to
his bed and render it impossible
for him to leave the hospital.
It is a question as to whether or
not he is out of danger.

My respects.

Ramon Gutieras

0465

No. 76a

W. Reid Gould, Law Blank Publisher and Stationer,
139 Nassau Street, cor. of Beekman, and 120 Broadway N. Y.

The People of the State of New York, TO
Henry C. Perley, Esq. Clerk of the 1st
District Police Court

CERTIORARI
 TO CERTIFY CAUSE OF
 DETENTION.

GREETING :

We Command you, That you certify fully and at large to *Our*
Supreme Court of New York, to be
held at the Chambers there of
 at *the Court House in the City of New York*
 on *the 29th day of November 1892 at 10.30*
o'clock a.m. of said day
 the day and cause of the imprisonment of *Joseph Jakoutzo*

by you detained ; as is said, by whatsoever name the said *Jakoutzo*

shall be called or charged ; and have you then this writ.

Witness, *Hon. Charles H. Van Brunt Presiding Justice*
 the *28th* day of *November* 1892
Pytho Cant
Robert H. Racey *Wm McKenna*
 Attorney. Clerk.
25 Chamber St for Petitioner
N.Y. City

0466

I hereby Allow the
Within Wait
Dated November 28. / 89

Charles H. Tracy
Justice Supreme Court

0467



District Police Court.

New York: 189

November 28th 1892.

This is to certify that
Elias Bancanicupolas, now
in the French Hospital, No 322
West 34th st, is not in
any danger as to his life,
and that his wounds are
at present doing well.

George E. Van Schaick
Attending Surgeon
228 West 34th st.

Michael McEllivan 4 Bridge St
 John E. McEllivan 48 E. Chambers St
 George B. McEllivan 19 Governor St
 Daniel McEllivan 276 E. Broadway
 Michael McEllivan
 John McEllivan 1157 Grand St
 Thomas McEllivan 306 E. Broadway
 James McEllivan 207 Division St

John L. Sullivan 11 Bridge St
 R. John. J. Mehan 89 Chrystie St
 Luigi Troiano labor 32 Light St

George Speck etc
 Geo. Threlkeld
 Fr. Deady
 Geo. Higgins
 Wm. Abel.
 George H. Hays
 J. J. North
 J. E. Sonner
 J. R. P. C.
 J. C. Meyer
 A. J. Ostermann
 Arthur E. Baumann
 C. J. Hamilton
 Geo. H. Hetcham
 Wm. S. Hawkins
 Wm. J. Reilly
 J. C. Mueloth
 H. J. Brower
 H. J. Brown

28
320 Broome St
158 Jorjyth St
158 Foughbth Ave
192 E 11th St
180 W 44th St
No 226. Box St
177 W 4th St
313 Bowery
141 E 3rd St
39 Elm St.
9 Cannon St City
83 Rivington St City
Station Island
16 Beale St.
11 Beale St
12 Elm St
96 Sheriff St
6 Elm St
14 Beale St

To the Honorable Frederick Smyth,
Recorder

We, the undersigned, respectfully petition
Your Honor, for clemency in the case
of Giuseppe Accuzzo, convicted of
assault.

The defendant up to the time
of the assault was a man of in-
dustrious habits - sober, and honest.

The jury also have rendered their
verdict with a strong recommendation
to clemency, and we pray Your
Honor that such may be granted.

name	Occupation	address
G. Mariano	Machine Tender	#3. Baxter.
P. Mariano	Picker frames	7. Chry stie st
J. McCue	Driver	9 Crosby St.
Jac. Murphy	Brassworker	427 Cherry St.
Michael Sullivan	Brass worker	124 W. 10th St.
G. Figliolo	Laborer	7 Cherry St.
John Contine	130 Baxter	4 Bartender
P. Figliola	laborer	121 Baxter St.
M. Cutinello	130 Baxter St.	
John Sergi	128 Baxter	Liquor Dealer
Donato Sergi	128 Baxter	fabbrica verdi

0471

CITY AND COUNTY OF NEW YORK.

POLICE COURT,

DISTRICT.

*Cornelius Scully*of No. *10 Presbiter* Street, aged *29* years,occupation *Police officer* being duly sworn, deposes and saysthat on the *10th* day of *November* 189*7*at the City of New York, in the County of New York *Department*

arrested Joseph Jankatz (now
 Kue) charged with having assaulted
 Leo Giannopoulos with having
 struck him on the head with an axe
 and from the effects of the injuries
 so received said Leo is now con-
 fined in Chambers Street hospital
 and unable to appear in court and
 deponent asks said defendant
 be committed to await result of
 injuries.

Cornelius D. Scully

Sworn to before me, this

11

(day)

Wm. J. Kelly

Police Justice.

0472

Police Court, District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Cornelius Scully
vs.
Joseph Lano

RECEIVED
Nov 11 1892

Leo Yancypolsky

Nov 28/92 10:42
" 28/92 10:42

Dated Nov 11 1892

Grady Magistrate.
Scully Officer.

Witness,

\$2000 bond 4 Dec 5 2 P.M.

Disposition

Ex. Nov 14/92 10:42.
Nov 19/92 10:42.
20/92 10:42.
22/92 2 P.M.

0474

Police Court— District.

1931

City and County }
of New York, } ss.:of No. 165 Hester Leo Linanupolas
occupation Waiter Street, aged 30 years,
being duly sworn,deposes and says, that on the 10 day of November 1892 at the City of New
York, in the County of New York, in Hester streethe was violently and feloniously ASSAULTED and BEATEN by Joseph Sakootzo
(now here) who struck deponent several blows
in the head and one blow on his hand
with an axe etc and then in the hands
of the said Sakootzowith 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 20 day
of Nov 1892Leo + Linanupolas
MarkW. T. Murnahan Police Justice.

0475

Sec. 198-200.

1882

District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer.

Joseph Jakootzo

Question. How old are you?

Answer.

33 years

Question. Where were you born?

Answer.

Italy

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

Answer.

3 Governor's Street. 6 months

Question. What is your business or profession?

Answer.

Boot Black

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.

ho
Joseph + Jakootzo
mark

Taken before me this

30

day of

Nov

1892

H. M. Jackson

Police Justice.

0476

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

Legend

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *200* 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, *Dec 24* 189 *2*

John J. Brady

Police Justice.

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

Dated, 189

Police Justice.

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

Dated, 189

Police Justice.

0478

The Society of the New York Hospital,
HOUSE of RELIEF, 160 Chambers St.,
New York, Nov. 14 1892

To whom it may concern
This is to certify that Elia
Ginacchilav is suffering
from three Compound
fractures of the Skull & that
he was brought here on
Nov. 10/92 was operated upon
& is progressing favorably
but still unable to get up.
C. Stevenson M.D.
House Surgeon

0479

SOCIÉTÉ FRANÇAISE DE BIENFAISANCE

DE NEW YORK

Fondée en 1800. Incorporée le 13 Avril 1810.

HOSPICE FRANÇAIS

320-322 WEST 34TH STREET
NEW YORK

J. L. Medina M.D. House
Physician at the French Hospital
of the City of New York.
I hereby certify that Elias
Ginacchelli was transferred from
Chamber Street Hospital to this
Institution on the 17th Inst. recovering
from compound fracture of the
Skull and mechanical bones

J. L. Medina M.D.
New York Nov 20 1892

0480

Nov 30 - 1892 -
This is to certify that
Leo Linsencupolas is a patient
in this hospital - but is not in
any danger as to his life but
will be unable to leave for at
least two weeks.

J. L. Medina M.D.
Home Physician
322 W. 34th St -
French Hospital

0481

1723

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph Sabotze

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

Joseph Sabotze

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

The said

Joseph Sabotze

late of the City of New York, in the County of New York aforesaid, on the *twelfth* day of *November* in the year of our Lord one thousand eight hundred and ninety-*two*, with force and arms, at the City and County aforesaid, in and upon the body of one *Leo Sinanopoulos* in the peace of the said People then and there being, feloniously did make an assault, and *him* the said *Leo Sinanopoulos* with a certain *knife*,

which the said

Joseph Sabotze

in *his* 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

him

the said

Leo Sinanopoulos

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

Joseph Sabotze

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

The said

Joseph Sabotze

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 *Leo Sinanopoulos* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *him* the said *Leo Sinanopoulos*

with a certain

knife

which the said

Joseph Sabotze

in *his* 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.

THIRD COUNT—

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

Joseph Sabotzel

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

The said *Joseph Sabotzel*

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 *Leo Sinanopoulos* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *him* the said with a certain *axe* *Leo Sinanopoulos*

which *he* the said *Joseph Sabotzel*

in *his* right hand then and there had and held, in and upon the *head and hand* of *him* the said

Leo Sinanopoulos then and there feloniously did wilfully and wrongfully strike, beat, ~~stab~~, cut, bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said

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

DE LANCEY NICOLL,
District Attorney.

0483

BOX:

510

FOLDER:

4649

DESCRIPTION:

Salinger, Marks

DATE:

01/24/93



4649

0484

POOR QUALITY
ORIGINAL

Chief Clerk and Clerk

Witnesses:

Officer Hlauser

This can be proved
without the testimony
of the Chief Clerk that
he was discharged on
his own responsibility
in the assumption
that a replacement
who assumed responsibility
therefore would produce
him if needed. This he
cannot do and has
no prospect of doing
I therefore recommended
def. discharge on
his own responsibility
Oct 11/97 H. H. H. H.

I cannot
D. Frank Lloyd
C. H. H.

Counsel

Filed

day of

1893

Pleaded

W. H. H. H.
W. H. H. H.

THE PEOPLE

vs.

Mark S. Salinger

RECEIVING STOLEN GOODS
(Section 550, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

P. H. Oct. 27/97
on motion of Dist. Atty.
Def. Dis. on Verbal Recog.
A TRUE BILL.

J. C. H. H.

Foreman.

Mar. 22 '93 W. H. H.

Salinger

0485

POOR QUALITY
ORIGINAL

Exhibit pro 4/10/23

Witnesses:

Officer Hansen

This can be proved by the testimony of the Chief Marshal. He was discharged on his own recognizance in the assumption that a complainant who assumed responsibility therefore would produce him if needed. This he cannot do and has no prospects of doing. I therefore recommended that the charges be on his own recognizance Oct 27/97 H. J. Lange

I cannot

*D. Frank Lloyd
A. S. Atty.*

Counsel

Filed

day of

1893

Pleads

THE PEOPLE

vs.

Marko Salinger

RECEIVING STOLEN GOODS
(Section 550, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

*P. H. Oct. 27/97
in connection with
Def. Salinger Trial Case
A TRUE BILL.*

J. Catlin

Foreman.

Mar 22 '98

Lange

0486

Police Court, 2 District.

1901

City and County of New York, ss.

of No. 41 Bond Street, aged 31 years,
 occupation being duly sworn, deposes and says,
 that on the 16 day of January 1893 at the City of New
 York, in the County of New York, Marks Calinger

had had who did feloniously and
 knowingly receive stolen wares
 which had been wrongfully appropriated
 in a manner as to constitute a larceny
 in violation of Section 530 of the Penal
 Code of the State of New York
 From the fact that defendant is
 informed by Harry Rea dental
 who is charged with the larceny of
 a piece of satin from defendant that
 on several occasions that he had
 stolen a piece of satin and fur skins
 which he had sold to defendant
 for less than half of the value of said
 property. Defendant further says that
 he in company with said Rea dental
 and Detective Sergeant Hanson of
 the Central Office went to defendant's place
 of business nos 683 & 685 Broadway and
 there found one piece of satin and after
 skins seven Nutria skins which said
 Rea dental admitted he had stolen from
 defendant and sold to defendant.
 Defendant further says that he identified
 said property found in the defendant's possession
 and here shown in court as the property taken
 stolen and carried away from defendant.

Sworn to before me this 16 day of January 1893
 Osidory Freundlich

John H. Doolittle

Police Justice

0487

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 21 years, occupation Supervisor of No. 813 East 70th Street, being duly sworn, deposes and

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

Sworn to before me, this 16 day of May, 1899 } Harry Neaderthal

John B. Boockis Police Justice.

0488

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 44 years, occupation

Edgar S. Slanson
Detective Sergeant of No.

Central Office

Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of

Charles Mudlick

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

Sworn to before me, this

16 day

of

Jan 1897

Edgar S. Slanson

John Pedocchi Police Justice.

0489

Sec. 198-200.

District Police Court.

1893

City and County of New York, ss:

Marks Salinger 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.

Marks Salinger

Question. How old are you?

Answer.

26 years

Question. Where were you born?

Answer.

Russia

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

Answer.

121 1/2 Ave St James

Question. What is your business or profession?

Answer.

Dealer in fur cutting & skins

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 did not know they were stolen
M Salinger

Taken before me this

day of

1893

June

16

Police Justice.

0490

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 Hunt

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

Dated, Aug 16 189

John B. Woodin Police Justice.

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

Dated, Aug 16 189

John B. Woodin Police Justice.

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

Dated, _____ 189

Police Justice.

049

225

Police Court--- 2 District. 92

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edward Thompson
vs.
Mark's Salinger

2
3
4

Copy of original
to be kept
in file

BAILED

No. 1, by Edward Salinger
Residence 107 Allen Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated, June 16 1893

W. H. Morris Magistrate.
Charles Johnson Officer.

Witness James MacArthur
No. 313 Street.

Call the Officer
No. _____ Street.

No. _____
\$ 1500 to answer G.D.

Bailed Mark

0492

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Marks Salinger

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

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

The said

Marks Salinger

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

*fifteen yards of satin of the value
of three dollars each yard, four
other skins of the value of fifteen
dollars each, and seven other skins
of the value of ten dollars each*

of the goods, chattels and personal property of one *Isidor Freundlich*
by one Harry Readerthal and
by a certain other person or persons to the Grand Jury aforesaid unknown, then lately
before feloniously stolen, taken and carried away from the said *Isidor Freundlich*

unlawfully and unjustly did feloniously receive and have; the said

Marks Salinger

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

DE LANCEY NICOLL,

District Attorney.

0493

BOX:

510

FOLDER:

4649

DESCRIPTION:

Salmon, Henry

DATE:

01/19/93



4649

0494

Witnesses:

Sarah Massion
John Walker

Counsel,

Filed 19 day of Aug 1893

Pleads, *Not guilty*

THE PEOPLE

vs.

19
206
59
Henry Salmon

Attempt at SODOMY.

[Sec. 303, Penal Code, as amended by Chapter 35, Laws of 1892.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

J. G. Galt
Sept 7/93
Foreman.
Pleads Assault 3 deg

P. 2 44110

17th Prec Bz 10
Sept 10/93

0495

First District Police Court.

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

Sarah Massimo

of Number 212 Elizabeth street being duly sworn,
deposes and says, that on the 11th day of January 1893 at the
City of New York, in the County of New York, the Henry Salmon,

now here, did unlawfully and willfully attempt to carnally know a certain male person, called William Massimo, aged six years, (now here), by the anus for the following reason: On the afternoon of January 11th 1893 at about three o'clock deponent heard, while being in her store situated on the premises known as Number 212 Elizabeth street in said city of New York, the above named child William Massimo crying in the adjoining hallway. Deponent then immediately went into said hallway and saw defendant coming out of the hallway and found the said William Massimo coming out of the hallway having his pants down and being crying. Deponent then and there was informed by the said William Massimo, that defendant took his (William Massimo's) pants down and attempted to commit the crime of sodomy - in violation of Section 383 of the Penal Code of the State of New York.

Therefore the complainant prays that the said

Henry Salmon

may be apprehended, arrested and dealt with according to law.

Sworn to before me, this 13th

day of January 1893

Sarah Massimo

W. M. Mahan

Police Justice.

0496

Sec. 198—200.

First District Police Court.

1893

City and County of New York, ss:

Henry Salmon 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.

Henry Salmon

Question. How old are you?

Answer.

19 years

Question. Where were you born?

Answer.

Germany

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

Answer.

206 East 59th Street up to 8 days ago.

Question. What is your business or profession?

Answer.

Broker

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

Answer.

I am not guilty and demand an examination.

Henry Salmon

Taken before me this

13thday of January 1893

Police Justice.

0497

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

Dated, January 13 1893 W. J. McMichael Police Justice.

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

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

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

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

0498

Police Court---*First* District.

THE PEOPLE, &c. ✓
ON THE COMPLAINT OF

Sarah Massimo
Henry Salmon

2_____
3_____
4_____

Offense *Loitering*

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *January 13* 189 *3*

Mrs. Mahon Magistrate.

Koch Officer.

10 Precinct.

Witnesses *William Massimo*

No. *212 Elizabeth* Street.

John Walker

No. *212 Elizabeth* Street.

Hugo Thacker

No. *108 E. 23rd* Street.

To answer

0499

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Henry Salmon

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

indictment accuse *Henry Salmon*
attempt to commit
of the CRIME OF SODOMY, committed as follows:

The said *Henry Salmon*,
late of the City of New York, in the County of New York aforesaid, on the
seventh day of *January*, in the year of our Lord one thousand
eight hundred and ninety- *three*, at the City and County aforesaid,
in and upon one *William Massimo*,
a — male person, then and there being, feloniously did make an assault, and
him, the said *William Massimo*, then
and there feloniously did *attempt to* carnally know *him*, 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.

(2049)

De la Cruz, Michael,
Attorney

0500

SECOND COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further

accuse the said

of the same CRIME OF SODOMY, committed as follows:

The said

late of the City and County aforesaid, afterwards, to wit: On the day and in the year

aforesaid, at the City and County aforesaid, feloniously did voluntarily submit to carnal

knowledge of self by one ,

a male person, against the form of the Statute in such case made and provided,

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

DE LANCEY NICOLL,

District Attorney.

0501

BOX:
510

FOLDER:
4649

DESCRIPTION:

Satz, Peter

DATE:
01/06/93



4649

Witnesses:

Valus Tenerison
A. Rombann

Counsel,
Filed
Pleads,
Le P. P. P.
1893

THE PEOPLE

vs.

Peter Satz

Grand Larceny, Second Degree, etc.
[Sections 628, 629, Penal Code.]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

J. J. Castin
Foreman.
J. J. Castin
Tracy & Son
Co., W. J. P.

0503

Police Court

District.

Affidavit—Larceny.

City and County }
of New York, } ss:

Julius Feuerstein
of No. *237* *Station* Street, aged *23* years,
occupation *cloakmaker* being duly sworn,
deposes and says, that on the *30th* day of *December* 189*2* at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the *night* time, the following property, viz:

An overcoat of the value
of Thirty two dollars

the property of *deponent*

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by *Peter Sok* (now here,

for the reasons that deponent
was in a *Cafe* in *East Houston*
Street and hung said coat on
a peg in the billiard room.
Deponent missed the coat and
is informed by *Adolph Rosenblum*
(now here) that he saw the defendant
leaving the premises with an
overcoat and stopped him and
deponent identified it as his property.

Julius Feuerstein

Sworn to before me, this *31* day
of *December* 189*2*
Alfred M. ... Police Justice.

0504

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

Adolph Rosentien
aged *31* years, occupation *Watchman* of No. *284 East Houston* Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of *Julius Fenerman*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this *31* day of *December* 189*2* } *A. Rosenblith*

W. W. Mahan Police Justice.

0505

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK }

Peter Sok 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. *Peter Sok*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *Austria*

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

Answer. *No home*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I am not guilty*
Safe Officer

Taken before me this

31

day of

December

189

21

Police Justice.

0506

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 *100* 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 *Dec 5* 189*4* *W. M. McEachern* Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

050

Police Court,

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Julius F. Fiercisen
237
Peter Sok

Office

10

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

Dated,

Dec 31

189

McMahon

Magistrate.

Lewis

Officer.

Witness

Adolph Roseblum

No.

284 Street.

No.

Street.

No.

Street.

\$

1000 to answer *gub*

Perm

0508

505

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 Satz

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

Peter Satz

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

The said

Peter Satz

late of the City of New York, in the County of New York aforesaid, on the *30th*
day of *December* in the year of our Lord one thousand eight hundred and
ninety-*two* at the City and County aforesaid, with force and arms,

*one overcoat of the value
of thirty-two dollars,*

of the goods, chattels and personal property of one *Julius Fenerisen*

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

SECOND COUNT—

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

Peter Satz
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

Peter Satz
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,

*one overcoat of the value of
thirty-two dollars*

of the goods, chattels and personal property of one

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

Julius Fencrason
unlawfully and unjustly did feloniously receive and have; the said

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

DE LANCEY NICOLL,

District Attorney.

05 10

BOX:

510

FOLDER:

4649

DESCRIPTION:

Schatzable, Charles

DATE:

01/12/93



4649

Witnesses:

Mary Schatzable
Saw for affiant
and bomb her
Mr. Maycraft
Wife
73.475.5.5.5.5



Counsel,

Filed,

Pleads,

THE PEOPLE

vs.

Charles Schatzable

Section 208, Penal Code.)

BIGAMY.

Comd. Jany 18/93
De LANCEY NICOLL,

District Attorney.

24th J. F. 18/93
Jany 20/93
A TRUE BILL.

J. C. Catlin
Jany 18/93
Foreman
Hester & W. J. W. J.

18 W. Jany 12/93
101

0511

0512

Police Court, 2 District.

1901

City and County of New York, ss. Mary Schatzable
 of No. 526 Cypress Avenue cor 129 Street, aged 40 years,
 occupation Married being duly sworn, deposes and says,
 that on the 5th day of July 1892 at the City of New
 York, in the County of New York, the Defendant

still living, one, Charles Schatzable being
 then the lawful husband of defendant, and
 not divorced from defendant, did unlawfully
 marry another woman in this State, thus
 committing the crime of bigamy in this
 State; that defendant was duly married
 to the defendant on the 8th day of
 September 1878 in the city of New York
 by the Rev. G. W. J. Bond, and that the
 said marriage is duly recorded in the Bureau
 of Records of the Health Department of
 the City of New York; that subsequently
 on the 5th day of July 1892, the said
 Charles Schatzable, under the name of
 Charles P. White, did marry one Mary
 Lyon at All Saints Church, and that
 defendant has a copy of the certificate
 of the said marriage which is certified by
 Father John A. Mc Keena, who celebrated
 the said marriage, and defendant has
 the brother of the defendant who
 knows that the said defendant, under
 the name of Charles P. White is the same
 person who married defendant under the
 name of Charles Schatzable. Defendant
 has learned that defendant is now
 under arrest in New York, and defendant
 desires to have the defendant indicted for
 said bigamy in order that defendant
 may be excluded from New York and held
 to answer said charge.

Sworn to before me this 11th
 day of January 1893

John A. Mc Keena
 Justice of the Peace

Mary Schatzable
 (make)

0513

Police Court, 2 District.

1901

City and County of New York, ss.

of No. 912 Essex 149 Street, aged 29 years,
 occupation... being duly sworn, deposes and says,
 that on the 11 day of January, 1893, at the City of New
 York, in the County of New York, Alfred Schatzel was

he heard, read the foregoing affidavit
 of Mary Schatzel and that the
 facts stated therein are true and
 that said Mary married my father
Charles Schatzel on September the 10th
 1878 in the City of New York by the
 Rev George F. Birch as per copy of
 the Certificate of said marriage and
German's father says that he went
 to the Rev John A. McKenna Assessor
 of All Saints 129 East 14th Street
 Avenue New York City and said
 Assessor Assessor gave deponent a
 copy of the Certificate of the Marriage
 of Charles F. White to Mary Lyons
 dated Jan 8th 1893 and deponent
 and said Mary Lyons sworn to the
 Affidavit in the Town of Union New
 Jersey in presence of deponent that
 she was the wife of Charles White
 married to her by the Rev Father John
 A. McKenna of All Saints Church
 New York City and said Mary swore
 to said State of facts to procure a
 warrant for the arrest of said Charles
 F. White for Bigamy deponent positively
 identifies said Charles F. White arrested
 for Bigamy in New Jersey as Charles
 Schatzel who was married to Mary
 Schatzel as certificate hereto annexed
 Sworn to before me this
 11 day of Jan 1893 Gustave Schatzel.

George F. Birch
 Police Justice

05 14

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

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

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

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

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

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

05 15

Police Court---2 District. #109

THE PEOPLE, &c.,
ON THE COMPLAINT OF

May Schatzable
vs.
Charles Schatzable

Offense
Bribery

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

2.....
3.....
4.....

Dated,..... 189

Magistrate.

Bonnoir

Officer.

C.O.

Precinct.

Witnesses, Gustav Schatzable

No. Street.

No. Street.

No. Street.

\$ to answer.....

05 16

Sec. 151.

Police Court _____ District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by Mary Schatzgaber
of No. 526 Cyren Avenue Street, that on the 3 day of July
1897 at the City of New York, in the County of New York,

one Charles Schatzgaber,
being then her lawfully married husband, did
commit the crime of bigamy by unlawfully marrying
one Mary Lyons, while the said Mary Schatzgaber
was still living

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him
forthwith before me, at the 2 DISTRICT POLICE COURT, in the said City, or in case of my absence
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to
be dealt with according to law.

Dated at the City of New York, this 11 day of January 1897

John H. Parker POLICE JUSTICE.

051

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-General.

Dated 188

Magistrate

Bennett C. O. Officer.

C.O.

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

Officer.

Dated 188

This Warrant may be executed on Sunday or at
night.

George H. Burke Police Justice.

Police Justice.

Dated 188

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

The within named

05 18

1427

COUNTY OF NEW YORK, ss.:

In the Name of the People of the State of New York, To any Sheriff, Constable,
Marshal or Policeman in this State, GREETING:

An indictment having been found on the 17th day of January

1893, in the Court of General Sessions of the Peace of the County of
New York, charging Charles Schatzgabel,

with the crime of Rigamy

You are therefore Commanded forthwith to arrest the above named Charles
Schatzgabel and bring him before that Court to answer the indictment; or
if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the
City Prison of the City of New York.

City of New York, the 17th day of January 1893

By order of the Court,

Wm. T. Harrold

Clerk of Court.

0514

Bornville

New York General Sessions of the Peace.

THE PEOPLE
OF THE STATE OF NEW YORK,
against

Charles Schotzable

BENCH WARRANT FOR FELONY.

Issued January 11th 1893

.....189
The within named defendant was
arrested this day and brought to the
Court of General Sessions by

.....
The officer executing this process will
make his return to the Court forthwith.

TORN PAGE

0520

11 Form II.

1493

HEALTH DEPARTMENT OF THE CITY OF NEW YORK
BUREAU OF RECORDS.

OFFICE, 301 MOTT STREET,

New York, Jan 9, 1893

A Transcript from the Record of Marriages
IN THE CITY OF NEW YORK.

DATE OF MARRIAGE.		NAME OF GROOM.		RESIDENCE.		AGE.	COLOR.
MONTH.	YEAR.			NUMBER.	STREET.	YEARS	
Sept. 8,	1898.	Charles Schatzable		St. Ann's Ave. 149		20	W
GROOM'S BIRTHPLACE.		NAME OF FATHER.		NAME OF MOTHER.			
New York City		Herman Schatzable		Rosa Sahlfetter			
OCCUPATION.	No. of Groom's Marriage.	NAME OF BRIDE.		RESIDENCE.		AGE.	COLOR.
				NUMBER.	STREET.	YEARS	
Wire Workman	1	Mary Corcoran		New York City		24	W
BRIDE'S BIRTHPLACE.		NAME OF FATHER.		NAME OF MOTHER.			
Ireland		John Corcoran		Mary Cary			
No. of BRIDE'S MARRIAGE.	BY WHOM MARRIED, AND OFFICIAL STATION OF PERSON SOLEMNIZING THE MARRIAGE.			WHEN RECORDED.			
1	Rev. G. W. F. Birch			Sept. 18, 1898.			

NOTICE.—In issuing this transcript of record, the Health Department of the City of New York does not certify to the truth of the record transcribed. The seal of the Board of Health attests only the correctness of the transcript, and no inquiry as to the facts reported has been provided for by law.

A True Copy,

Register of Records.

Chief Clerk.

TORN PAGE

0521

"What God hath joined together, let not Man put asunder." Math. XIX. 6.

ALL SAINTS' CHURCH
129th St. and Madison Ave.,
NEW YORK.

This is to Certify, that *Charles O. White* and
Mary Lyon were lawfully Married at

ALL SAINTS' CHURCH,

on the *5th* day of *July* 1892 According to the

Roman Catholic Rite, the officiating priest being the Rev. *John A. McTernan*

with *John J. Murray* and *Annica A. Ambrosius* witnesses, as appears

from the Matrimonial Register of said Church.

Jan 10 1893
Thos. A. McTernan
Pastor.

0522

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

497

THE PEOPLE OF THE STATE OF NEW YORK

against

Charles DeLoatch

The Grand Jury of the City and County of New York, by this indictment accuse
— *Charles DeLoatch* —
of the CRIME OF BIGAMY, committed as follows:

The said *Charles DeLoatch*, —

late of the City of New York, in the County of New York aforesaid, on the *eight*
day of *September*, in the year of our Lord one thousand eight hundred and
seventy-eight, at the *City and County aforesaid*,

did marry one *Mary Foreman* and then the said
Mary Foreman, — did then and there have for
his wife; and the said *Charles DeLoatch*, —
afterwards, to wit: on the *23rd* day of *July*, — in the year of
our Lord one thousand eight hundred and ninety- *two*, at the City and County
of New York aforesaid, did feloniously marry and take as *his wife*, one
Mary Jones, — and to the said
Mary Jones, — was then and there married, the said
Mary Foreman — being then living and in full life,
against the form of the statute in such case made and provided, and against the peace of the
People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.

0523

BOX:

510

FOLDER:

4649

DESCRIPTION:

Schlansky, Max

DATE:

01/23/93



4649

0524

Witnesses:

Henry E. Stocking
John Dietz
Anna Aronovsky

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

Max Schilansky

RAPE in the 2d Degree and
ABDUCTION.
(Sections 276 and 284, Penal Code.)

DE LANCEY NICOLL,
District Attorney.

Part 3 May 9. 93 1893

A TRUE BILL.

J. Catlin

Part 3 - May 10 93 Epreman.

Indict dismissed.

20"

23"

24 Part I

In view of the near
proximity of defendant &
the complainant with
each other, and desiring
that their shall be no
cloud upon their
future and that their
marriage may be
consummated under the most
favorable auspices.

I recommend the dismissal
of the indictment
May 10 93 Jno. W. Osborne
District Attorney

STENOGRAPHER'S MINUTES.

Third District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

John St. Dietz
vs.
Max Schlansky

BEFORE HON.

Edward Hogan
 POLICE JUSTICE,
Jan 5 188*9*

APPEARANCES:

{ For the People,

{ For the Defence,

188

INDEX.

WITNESSES.

Direct Ex.

Cross Ex.

Re-Direct.

Re-Cross.

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M. J. Slaney
 Official Stenographer.

New York Jan 5th 1893
 Third District Police
 Court
 Hon Edward Hogan
 Presiding Justice.

John J. Dietz }
 Max Schlausky } Abduction

~~~~~  
 I offer the Doctors  
 Certificate in evidence

~~~~~  
 Anna Bronofsky being
 duly sworn deposes
 and says, I am a
 married woman, I
 live at No 102 Monroe
 Street

2. You old are
 you?

2^d. 42 years
 Are you the mother
 of the girl "Becky"?

Q.

A. Q. Yes Sir,
What is the father's
name?

A. Q. "Abraham"

A. Q. Where was Jerry born

A. Q. Russia Poland

A. Q. Do you know the
name of the place?

A. Q. In the City of
Kovno

A. Q. Do you know
the date of her birth

A. Q. Yes Sir,
When was it?

A. Q. Before "New Year"

A. Q. Two or three weeks before
What year was it?

A. Q. I cannot tell

A. Q. How do you know
that your daughter
is not over 16 years?

A. Q. I kept the Birth
Day

Q.

Q.

Q. Will you write it
in the Book?

A. Why
should I do that,
every year we make a
birth day

Q. Have you the
day of her birth record-
ed in any book, or
Bible or any record of
it anywhere or any
place?

A. Two weeks

Q. before New Years
Have you that
written in a book?

A. The daughter does
not write anything,
the boy wrote it in
the book

Q. Is it in any
book?

A. Not in my house

H.

but at Headquarters
out there in Russia
Poland

Q. Was any one
present at the birth
of your daughter
Daisy?

Q. Yes Sir,
one any of the persons
in this City now
who were present when
she was born?

Q. Yes Sir,
who was there, what
is the name of the
person?

Q. "Schornofsky," a
niece of Dr. Stabler St.
Q. Is she related to
you or your daughter?

Q. Yes Sir,
was any other person
present when your
H

5.

Q. Daughter was born?
 A. The grandmother
 Anusky, she is at
 35 Canal St.

Q. Is George's
 father alive?

Q. A. Yes, Sir.

Q. Where is he?
 A. In the

Q. Country. Do you know
 when he will be
 home?

Q. A. He may come
 home tomorrow.

Q. Has
 anyone else present
 when she was born?

Q. A. An old woman
 Jacobson 213 Henry
 St.

Q. Are there any others
 A. Party, but I cannot
 5-

6.

Q. Think of them
Did a Doctor attend
you when your daughter
was born?

A. Midwife,
not a Doctor.

Q. Is she
alive?

A. Yes Sir,
Q. Is she in the City?

A. No Sir,
Q. Do you know where
she is?

A. In Europe
Q. How do you know the
particular time this
girl was born?

A. May be my
husband knows better

Q. How long have
you been in this
country?

A. Eleven years

17

Q. going on Twelve Years
How old was the
girl when you came
here?

A. Not quite 4 years
Q. Do you know the
name of the ship
you came on?

A. My husband knows,
I do not

Q. Did you land
at Castle Garden when
you came?

A. I was two weeks
in Hospital, over the
River, with Becky, I
cannot tell where it
was.

Q. Does Becky live
here with you?

A. Yes Sir.
Q. What did she do for
a living

8.

A. She worked in a
Star Store in

Q. Division Street
Was Percy with
another girl in a
house in Division St
A. I cannot tell

Q. Did you have a
marriage with any
woman about Percy

A. She never married
fancy me, & went to
look for her after a
couple of days

Q. Did you
charge the woman
with taking your
daughter away?

A. No sir.
Q. Was there another
girl like her who
had some trouble
with a woman who

I

lived in Division
Street

Q. Deary went with
Lillie Owens, they
worked together in the
Daguerre Store
Cross Examination

Q. Did you have any
conversation with
the mother of this
boy (Deary)?

Q. Yes Sir,
Did you say all you
wanted was Mar to
marry the girl?

Q. Yes Sir,
How often was Deary
away from home
over night?

A. One night

Q. That is all
When you

10.

had that conversation
Did you say your
daughter was 17
years old?

Q. What did you
say about that?

A. Saturday, she said
what do you want,
do you want money,
I said no, I want
him to marry her

Q. Do you know
young men named
Walkoff, Rosenberg,
Stagelman, Langhouse,
Burt Harris, Leona
Watermelon, do you
know where Irving
Hall is?

Q. Did you know
10

11

that your daughter
visited that place?

A. I do not know
Q. Is it not true that
you said to Mr
Schlenger that your
daughter was 14 years,
and you wished she
was married 14
years?

A. No Sir,
Q. How do you know
you are here going on
14 years?

A. I know when
Q. I came here

Q. What year did
you come here?

A. Three weeks before
our Easter

Q. What year?

A. I cannot tell that
Q. you do not know
11

12,

- Q. What Steamer you came on?
- A. It was an English ship, I do not know the name.
- Q. Have you any other children?
- A. Yes ship.
- Q. Older than Percy?
- A. No, Sir.
- Q. Were the younger children born in Russia Island?
- A. This is the only one born in Europe.
- Q. Did you say you have no book or bible record of the birth of your children?
- A. Maybe I had but maybe it is burned.
- Q. If you ever

13.

Q. Had it who made
the record? I do not
know

Q. Did you ever
see any such book?

A. Q. The fact is there,
was no such book
A. It is everything
there the same as at
Headquarters

Sworn to before me
this 5th day of Jan 1893 }
Police Justice

B

14

- Decky Ramsey being
 very much depressed
 Q. Do you understand
 English?
 A. Yes Sir
 Q. Where do you live?
 A. No 202 Mercer
 St.
 Q. Do you know
 your age?
 A. As far as
 I was told, I think
 I was 16 years Sept
 15/42
 Q. Who told you
 that?
 A. My Mother
 Q. Do you know where
 your father is now?
 A. He is in the
 country paddling
 Q. Do you know
 when he will return

14

15

Q. No Sir, I cannot
tell.

Q. How long does he
usually stay away?

A. Three weeks, he
is away since Tuesday
last.

Q. What do you do
for a living?

A. Sales lady in
a Hat Store, for the
past ten months.

Q. Before that what
did you do?

A. I worked in
a factory by Springfield.

Q. Before that what
did you do?

A. I worked as a
Docker for her.

Q. How long?

15

16.

A. I think about it
for 5 months, before
that, I went to Allen
St. School

Q. How long did
you go to school?

A. About 2 years
Q. Was your age given
in that school?

A. Q. Yes Sir,
What age was
given?

A. I cannot

Q. tell Do you know
who went with you?

A. Q. Yes Sir,
Are you sure your
age is recorded there

A. Q. Yes Sir,
Do you know what
ship your parents
came here on?

14

- Q. 2. For what Line
 A. 2. No Sir,
 You know what
 Q. 2. Did they sail?
 A. 2. No, Sir
 Do you know where
 they came to New
 York
 A. 2. Yes Sir,
 You understood it
 from your father?
 A. 2. Yes Sir,
 Did any one
 come here with
 your family?
 A. 2. I do
 not know
 Do you know of
 any persons who
 were said to have
 been present at
 your birth

14

18

A. Yes Sir, Mrs Jacobson 203 Henry St, she is related to

Q. my father. How many children in your family

A. Five besides me. I am the oldest

Q. How old is the next?

A. Ten years at Christmas

Q. Besides the lady you mentioned as being present at your birthday was any one else there

A. I have an aunt. She lives at

Q. 84 Hester Street. Give the names of the two

18

19

A. persons? Mr. Donofry, Da
Q. Mrs Jacobson

A. persons? Not that I
Q. know

Do you know of
any book where the
ages of the children
are recorded?

A. All I know is
from the other children,
but not mine, but
we have not got it
at home

Q. You know the
Defendant?

A. Yes Sir.

Q. For how long?
A. I. A few months
Where did you make
his acquaintance

20,

Q The first time I
saw him was on
the street, some
young man, not too
much like three

Q months ago. Where
did you meet him
next?

Q At Nathalla
Hall, there was a
dance there

Q How long
ago is that?
Q As long as I
know him.

The Officer
made Complaint on
information received
from you that the
Defendant has been
intimate with you,
is that so?

20

21

A. Q. That is true. Where

Q. Did that occur?
A. In different

Q. Places where for the

A. first time I do not

Q. know where in a

A. house? I think some

Q. hotels. How did you

A. come to go there?
He took me
I do not know where
it was, I remained
all night, we slept
together, he had

Q. connection with me
When was the next
time you had connect-
ion with him

(21)

Q. Q.

A. Ten weeks ago in
Orchard St in a
Lager Beer Saloon?

Q. Any other place?
A. In a Hotel in Canal
near Christie St.

Q. How many places
in all did you go
with him?

A. Three places
Cross Examination

Q. How many times
did you go to this place?

A. Q. Once
Q. You said you were
out one night with
him?

A. Q. Yes Sir,
And again at the
Hotel?

A. Q. Yes Sir
You were some other
22

23

Q. Placer, yes Sir, ever

2. Right. How many
nights did you stay
out all night?

A. The first time
was, one night two
weeks ago, the next
was three weeks ago,
the last week all

2. night. You had been
visiting several places,
how many times
have you been away
in addition to these
three?

A. Once, and
this is the second
time, I was never

2. away before
I was many times

Q. H.

Have you been from home besides these three times

A. Q. Once in addition Where were you that night?

A. That was the first time I ever knew him.

Q. Where were you out with any other men

A. Q. Yes Sir. "Dancing Hall"

A. Yes Sir, at the Hall, I was dancing I did not stay out all night, I came home at half past ten o'clock, it is a large place, I went there at half past

Q. 5.

Q. Eight o'clock
Do you know
Hickoff, Sammenhouse, or
Stager?

A. I know Sammenhouse
since last week, he
took me to his place
and had connection,
Sammehouse was the
man, he had con-
nection with me
in Canal St.

Q. How long did he
stay out?

A. All night
last Tuesday

Q. Do you know A
Balston?

A. Yes Sir.
Q. Did you have con-
nection with him?

A. No Sir,
25

26

Q Do you know
Lipman and Lena
Watermelen

A. Yes Sir, she
has not been often
with me

Q. When your
father told you last
Sept you were 16
years of age, what
occurred?

A. Mama felt bad,
and was crying, she
said I was the oldest
child she had raised
to 16 years, that was
last Sept 1892

Q Did you go with
some one to get married
and more that you
were over 16 years
old

Q. Did you go to

27

an Alderman and
 near you more over
 16 years?

Q. 2. No Sir,

Your father was
 present when your
 mother died and
 said you were the
 eldest child she had
 raised to 16 years
 that was last Sept?

Q. 2. Yes Sir
 I asked you about
 Spinnerhouse, did you
 have connection with
 him?

Q. 2. No Sir,
 you say now that
 you misunderstood
 what I said about
 having connection
 with Spinnerhouse?

Q. 2. I did not have

27

28

connection with anyone
but the young man
now here, I did not
know what he meant
when D. said "Yes",
I said I was there
and this man gave
me an introduction

Q. You went out
with Tammehouse

A. I never did, I
was never in a saloon
but when this
young man defendant
was with me, he
came in to hand the
drink to us

Q. Did you want
a drink?

A. Q. Yes Sir,?

A. Who was there?
The Defendant,
Tammehouse and myself

28

Q Q

Q. When I asked you if you knew Timmer-
house, you said
you had connection
with him?

A. That is not
so. I meant to say
that I was in a
Bot (in a liquor store)
and he brought me
around and that
Schalansky was with
me.

Q. Do you know
Morris Cohen?

A. I knew him

Q. For how long
A. About four or
five months

Q. Have you gone
out with him?

A. I never did
Day or night

29

Do

Q. Q. No Sir
Ever visit your house?

Q. Q. No Sir,
Did you ever visit
where he worked?

Q. Q. No Sir,
Ever speak to him?

Q. Many times I
cannot tell how
many times

Q. I cannot say
that I was at an
affair, that was where
I first met him
before

Q. Did you know
him before that time?

Q. No Sir, that
is about 5 months

Q. I knew him
Where did you
speak to him?
Do

Q1.

Q2 In Irving Hall
How many times
were you there during
the 5 months

A. There one Friday eve-
ning, I cannot tell
how many times I
was there, it was not
25 or 15 times, I used
to go there after com-
ing home, I met
there to dance

Q. You would meet
young men there

Q. Only Morris Cohen
Did you ever have
any conversation with
him about marrying
you?

Q. I never did
Did you ever go
any other place with
31

Q2,

him

Q2. No Sir,

Q2. Is he a relation of

Gowrs? No Sir

Q2. Any one else, you

met with?

Q2

No Sir,

Did you go with

Rockoff to a party

Q2

No Sir,

Did you go with him

to a place in Court

street?

Q2

No Sir,

Are you sure of that

Q2. Did not go anywhere

with him, I do not

know him, I do not

know anyone but one

"Harry"

Q2.

Did he ever

32

33

A. meet George there,
Q. He had his
own girl.

Have you
had any conversation
with your mother
about this case?

A. No Sir,
Q. Where were you arrest-
ed from?

A. From the Hair
Dressers in Market St.,
I was getting my
hair fixed, I was
not going out that
night.

Q. Was any one
with you?

A. No Sir
Q. Were you to go out
that night?

A. No, my hair
was in my eyes, I

33

D H

Q. Had the barge
shortened.

A. Do you
know Mr. Price?

Q. Yes Sir, two or
three years, my Mother
worked for him two
or three years.

Q. Was it your
Mother told you that
you were 16 years?

A. My father told me
Q. Here you in the house
when she began to
cry?

A. Yes Sir,
Q. Were you talking to
your mother about
it?

A. No Sir,
Q. Did your Mother
tell you anything
about it?

D.D.

Q. 2. Is it true or not
that your father gave
that as the reason for
your mother crying?

A. 2. Yes Sir,
your mother was crying?

Q. 2. Yes Sir,
Where were you when
your Mother was cry-

ing In Orchard St
Q. 2. Were they all in the
same room?

A. My Mother was
in the Kitchen, I was
in the front room
with my father, she
was sitting in a
chair crying, I was
doing something &
did not go in

Q6

Q How come the
 A conversation about?
 I asked him
 Why she was crying
 and he said she is
 crying because you
 are 16 years old

Spoke to before me }
 this 5th day of Nov 1893 }

Oliver Justice

Q6

Q4

James Haggerty, an
 Officer, attached to the
 South River Police
 being duly sworn
 deposes and says

Q. Do you know the
 Defendant?

A. Yes Sir,
 Q. Did you arrest
 him?

A. Yes Sir,
 Q. On this charge of
 Abduction?

A. Yes Sir,
 Q. What was said?
 A. I arrested him
 at 57 Bayard St. He
 came in at eleven
 or eleven at night. I
 spoke to him, I told
 him what he was
 charged with, he
 admitted to me that he

D.P.

had been with her
and cohabited, but
he said everybody
said, that they or a
dozen had conversation
with her that he knew

Q. What was his
constitution?

A. In what
respect?

A. A. Was he excited
Effectively rational,
When I went into
the room he brought
his sister in and
told me he had been
to Halthalla Hagg, the
father told me I would
need a warrant to
bring him out I
told him no, his
father was with us,
on the way he admitted

89

2.

Did you say anything
to him except to tell
him for what he was
arrested

a.

Yes Sir, he
said he had had
connection with her
and could prove
that others had, it
was on Saturday
night James Haggerty

Spurred before me
this 5th day of Dec 1893

Police Justice

89

Do

Nora Thompson being
 July 1870 before the
 Judge I am 117 years
 of age, I live at 87
 Hester St

Q

How long
 are you in this
 country?

Q.

Here 117 years,
 Do you know this
 girl and her mother?

Q.

Yes Sir,
 How long have you
 known the mother of
 that girl?

A

Since she is
 married How long is
 that?

Q.

Over 20 years
 Here you present
 when the girl was
 born?

Do

Q1

Q. Get Sir, in
the house

Do you know
what year she was
born in?

Q. No, I cannot
think, I cannot
remember

Q. Do you know
what year, the girl
was born?

Q. I have a
boy in the old country
and he is 17 years
old and he is two

Q. (2) years older
Do you know
what year, your
boy was born?

Q. I cannot think

Q. That is the boy, as
in my Book or Bible

Q1

Q. Q.

A.

They put it in the
Book in Europe, he
is, in Europe, I
know, he is 14 years,
we know when a boy
is 13 years, he gets
congratulated, there is
here I know he is
13 years

Q.

Do you know
what year your son
was born?

A.

It was
around "Holidays" I
do not know the
month

Q.

Do you know
what time of the year
the girl was born?

A.

I cannot tell

Q.

That Do you recollect
who besides yourself

Q. Q.

Q Q

Q. Was present when this girl was born?

A. The grandmother was

Q. There was any one else there?

A. I do not know the grandmother lives at 35 Canal St.

Q. Do you know when the girl's parents came to this country?

A. Yes Sir.

Q. Do you know when that was?

A. They must be here near 17 years,

Q. I am here 10 years. How many children have you?

A. Four (4)

Q. What are their ages?

Q Q

Q. H.

Q. One is 27, one 22

Q. 9 and 5 1/2 years

Q. Have you one

Q. 14 years?

Q. Yes Sir, my

the old country he

Q. is with my mother

Q. One year more your

own boys age is 17

Q. years?

Q. Yes Sir,

Q. One year more that

boy is two years

older than this girl

Q. I know that

Q. Have you talked with

any one lately about

the age of this girl?

Q. What should I

talk?

Q. Did you or not

Q. I did not speak to

any one

Q. H.

O. J.

Q. Have you spoken to Mrs. Henry about this case?

A. He had nothing to talk, what is here, every one knows

Q. Was Mrs. Henry to see you at your house?

A. Yes Sir, Q. When was the last time?

A. Last week —

Q. Saturday last
What did she say to you?

A. That a young man made love to her daughter

Q. Is that all that was said by her?

A. Yes Sir, that is all

O. J.

86

Q. Were you in the room when Mrs. Mary Jones was born?
 A. I was with her.
 Q. That is what I do not know.

Q. Were you in the room or in the house?
 A. I cannot think

Q. Any more. Were you in the bedroom when this girl was born?

A. I was in my house.

Q. How near did you live to her?

A. About half a block apart.

Q. How soon after the child Becky was born did you see

\$6

Q 17

A. Her? It might be 3, 4, or 5 days.

Q. Did you have a conversation with Mrs. Schanzy?

A. Yes, Sir.

Q. What did she say?

A. The woman told me if her son was guilty he should marry the girl, if she was convinced he was guilty he should marry her.

Spoke to before me }
this 5th day of Jan 1893

Police Justice

Q 17

44

D.P.

Eva Jacobson being
duly sworn deposes

Q and says Where do you
live?

A 213 Henry Street
Q Are you a married
woman?

A Yes Sir,
Q How old are you?

A 30 years.
Q Where were you born?

A Russian Land.
Q Do you know the
mother of this girl?

A Yes Sir,
Q And her daughter?

A Yes Sir,
Q Do you know where
Becky was born?

A I do not know.
Q You do not know
anything about her

Q9

Age? No Sir,
 Q2 Is your mother in
 law living with
 you?

A. Yes Sir, I
 do not know how
 old she is. No
 one ever told me
 she is a good friend
 of ours from the
 same country.

Sporn to before me }
 this 5 day of Decr 1890 }
 Police Justice

Q9

49

Ho,

Recall of the Girls
Mother

Q. Where was your first
Child born?

A. Yes Sir, After
my marriage, I am
married 24 years, I
had a child every year
the two eldest are
dead, this is the third
child

Immigration Section
Jan 6th 1893

After Disobson
being away more
deeper and daye, I
live at 213 Henry St.
I am 56 years old
Do you know the
mother of this girl
Ho

Q.

H1

A. Q. Yes Sir,
Do you know the
girl?

A. Q. Yes Sir,
Do you know how
old the girl is?

A. When
they brought her here she
was four years
old.

Q. Do you know
when they came here?

A. It might be
eleven years.

Q. Do you know
when they came here?

A. I am two (2)
years here.

Q. Did you see
them in Europe when
they lived there?

A. Q. Yes Sir,
How far did you
H1

42

live together where they
lived?

Q. About three

houses away

Q. Do you know
the day or night she

girl was born?

A. I do not think
she was born very
long before New Years,

Q. I do not know the
date or the year,

Q. Were you in
the house when she
was born?

A. I was not.

Q. Are you a relative of
the girl or her mother?

A. No, I am a
friend

Q. Is your husband

living?

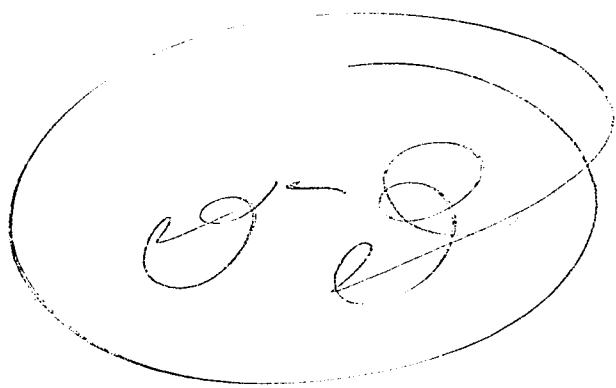
A. He is dead

H B

Q. How do you know
 she was four years
 old when she left
 Europe?

A. I had a boy
 the same ^{time} she was
 born and he died

Witnessed by Friday
 January 13th 1893



John H. Tracy }
 Mrs. Schlemmer }

Examination continued
 Dec 13th 1893

William D. Tracy
 being duly sworn
 deposes and says, I
 was at No 102 Monroe
 St, I am a peddler,

Q. I am a married man
 Who are the members

A. of my family
 My wife Anna,
 Becky is the oldest,
 she is 15 years old
 last Sept

Q. Have you any

A. way of knowing that
 I know exactly
 how old they are

Q.

Q. Have you any book with her name and age written in?

A. No Sir, but

Q. I remember, I know what day of the week and which year was she born?

A. Before was Holiday there is a difference

Q. in Russia Sept 15th 1877 Where was she born?

A. Q. Russian What City or place

A. Q. The City of Korma How long are you in this country?

A. Twelve years

Q. last August

A. Q. You came here 121 years ago? I can prove

Q

I

it with a hundred
witnesses

Q.

Your Wife
knew the age of the
girl Deery?

A. Certainly she
knew. I knew

Q.

How old was
Deery when you came
here?

Q.

A.

Four years
When did you say
you came here?

Q.

A.

Last August

Q.

And the girl was

A.

Four years old &
I left her three
years, after I came
here my wife came
here with the children,
they came here a year
after, I sent for
them &

4

Q Where did you

A In your City
Castle Garden, I
cannot remember the
Ship. The German
Line

Q Did you know
the name of the Captain?

A Yes Sir,
Q Where did you sail

A From Hamburg
Q Did you take
your child to school

Q And did
When you did
did you give the
age of the child?

A Yes Sir the
Public School

Q What
School?

4

5

Q. I do not know the street it is in, of
 lived in, or with
 street, the old man
 go to school, I am

Q. Did you go to school
 and did you go to school
 and did you go to school

Q. I do not know the
 street it is in, of
 lived in, or with

Q. Did you go to school
 and did you go to school

Q. I do not know the
 street it is in, of
 lived in, or with

Q. Did you go to school
 and did you go to school

Q. I do not know the
 street it is in, of
 lived in, or with

Q. Did you go to school
 and did you go to school

61

Q. I do not know if there is a difference between this time, say Russia, two weeks before the Holidays.

Answer for Dallman. I have evidence from the school that the girls there in 1877, in the fall the tenth one was 16 years old last Sept.

Q. And the mother of other day she is 15 years of age, this mother says see the ages they her parents day she is 15 years old, they have no record in any book, or anywhere, but I cannot do other than hold for the jury, I have to fit Dale in the same answer \$1000 to answer 6

District Police Court.

John H. Dietz
Max Schreiner
W. J. D. D. D.

STENOGRAPHER'S TRANSCRIPT.

Jan 10 188*9*

BEFORE HON.

Edward Hogan

Justice.

M. J. Keary

Official Stenographer.

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

THE PEOPLE

VS.

BRIEF FOR THE PEOPLE.

MAX SCHLANSKY.

STATEMENT OF CASE:

The Defendant, Max Schlansky, is indicted for the crime of Abduction in taking a certain female, known as Beckie Aaronofsky, aged 15 years, on or about December the 28th, 1892, to the New Transit Hotel, on the N. E. corner of Chrystie & Canal Streets, and then and there having sexual intercourse with her, not being her husband.

WITNESSES:

Beckie Aaronofsky,
Abraham Aaronofsky,
Annie Aaronofsky,
Clara Abrahamson,
John H. Dietz,
Officer Haggerty,
W. Travis Gibb, M. D.

BECKIE AARONOFSKY, aged 15 years, will testify:

That on Tuesday evening, December, 27, 1892, she attended a reception at Wallhalla Hall, where she met the Defendant, who danced with her and at about 10-30 o'clock at night took her from the hall to April and Tannenholz's Saloon, Orchard & Division Streets, in the company of a man she did not know. That they remained in the private room at the rear of the saloon at about 2-00 A. M., December 28th, when in company with the defendant, she went to the New Transit Hotel, Chrystie and Canal Streets, where the defendant hired a room, entering on the Canal Street side and remaining there until 9-00 A. M., the same day, the defendant having twice had sexual intercourse with her. About 9-00 A. M., December 28, the Witness and the Defendant left the hotel by the Chrystie Street entrance, the defendant giving her 25 cents wherewith to get her breakfast, and the Witness being afraid to return home went to the house of a friend, Clara Abrahamson, at 169 Eldridge Street, where she remained until the following Friday, telling the woman that she had had a quarrel with her mother. On December 30, she was arrested on complaint of her mother, and admits having had sexual intercourse with the Defendant once before in the private rear room of April and Tannenholz's saloon.

FURTHER, that the Defendant accomplished his purpose by promising to marry the Witness as soon as he received Twelve Hundred Dollars from the "old" country; and that before meeting Defendant Witness never had sexual intercourse with any one.

ABRAHAM AARONOFSKY of 102 Monroe Street will testify: That he is the father of the foregoing Witness and that she was born Sep-

NY 281118

SIX PAGES

THE NEW YORK TIMES

tember 15, 1877, and is therefore fifteen years of age.

ANNIE AARONOVSKY, of 102 Monroe Street, will corroborate her husband, Abraham's, testimony, relative to the age of her daughter and to causing the arrest of the Defendant.

CLARA ABRAHAMSON, of 169 Eldridge Street, will testify: To sheltering Beckie Aaronofsky in her apartments from December 28, A. M. to December 30, P. M., and will corroborate Beckie's story in that particular.

JOHN H. DIETZ, Officer of THE N. Y. S. P. C. C., will testify to having had charge of the case from the commencement and that the Defendant admitted to him to having taken the Witness, Beckie Aaronofsky, to the New Transit Hotel, on December 28th at about 2-00 A. M. and there having had sexual intercourse with her.

OFFICER HAGGERTY of the 7th Precinct will testify: To having arrested the Defendant and also to having overheard the admission made by the Defendant to the foregoing Witness.

W. TRAVIS GIBB, M. D., 365 Lexington Avenue, will testify to examining the child, Beckie Aaronofsky, and finding complete penetration of her genital organs by some blunt instrument. (Copy of Certificate on file).

ne

N. Y. GENERAL SESSIONS

THE PEOPLE

AGAINST

MAX SCHLANSKY.

PENAL CODE, §

BRIEF FOR THE PEOPLE.

0589

Morris Goodhart.

Albert L. Phillips.

Law Offices of
Goodhart & Phillips.
62 & 64 William Street.

Rooms 37, 38, 39 & 40.

New York, Aug 3/93

My dear Judge!

I have just been retained
to defend Max Schlamsky and
I am unable to attend your
Court until tomorrow as I
am actually engaged in another
Case. May I request you kindly ad-
-journ the Case until tomorrow
afternoon at 2³⁰ o'clock so that
I can give it personal attention
and oblige

Very truly Yours

Hon Edw Hogan
Justice

Morris Goodhart

0590

365 Lexington Avenue.

January 1 '93

Hon. Elbridge T. Gerry,
President of the Society for the
Prevention of Cruelty to Children,
Dear Sir: -

I have this day
examined the person of Rebecca
Aaronofsky, aged fifteen years, of
102 Monroe Street, and find there
has been complete penetration of
her genital organs by some
blunt object.

Respectfully Submitted

W. Travis Gibb M.D.
Examining Physician
J. H. Cole.

1650

Sec. 192. District Police Court. Undertaking to appear during the Examination.

CITY AND COUNTY OF NEW YORK, ss: *Edward J. Ryan* a Police

Justice of the City of New York, charging *Wm. Schlaugher* Defendant with the offense of

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

Wm. Schlaugher Defendant of No. 57 Street, by occupation a *Coal Miner* and of No. 175 and 176 Street, by occupation a *Coal Miner* take that the above-named Defendant shall personally

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

Taken and acknowledged before me this 6th day of *June* 1893 *Max Schlemmer* Justice.

0592

City and County of New York, ss:

[Signature]
Police Justice

the within-named Bail and Surety, being duly sworn, says, that he is a resident and holder within the said County and State, and is worth Five Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of House and lot of land

Situated at Number 49 West 17th
Street, New York City and valued at Five
Hundred Dollars

Mattie Cohen

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Underlying to appear during
the Examination.

Taken the day of 189

Justice.

0593

No. 2.

400

TO THE CHIEF CLERK.

Subpoena

Please send me the Papers in the Case of
PEOPLE

vs.

Max Schlamsky
the following

Clara Abrahamson
169 ~~187~~ Eldredge St.

John H. Dietz
Officer Ferry's Society

in addition to persons
named on Complaint
and indictment

Stephen J. O'Hare
D.A. District Attorney.

Filed Nov 21 -

0594

Third

District Police Court.

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

John H. Dietz
of Number 108 East 23rd Street being duly sworn,
he has been informed and has first come to believe and does believe that
deposes and says, that on the 28 day of December 1892 at the
City of New York, in the County of New York, At Number the North
East corner of Broadway & Canal Street in said
city of New York one Max Schlansky, did
unlawfully, take receive employ harbor
and take in certain female now present
called Berka Karonsky said female
then and there being under the age of
sixteen years, to wit of the age of
fifteen years for the purpose of prostitution
and sexual intercourse, not being her
husband, in violation of the statute
in such case made, and provided,
and especially in Section 282 of the
Penal Code of the State of New York

Therefore the complainant prays that the said

Max Schlansky
may be apprehended, arrested and dealt with according to law.

Sworn to before me, this 31st

day of December 1892

John H. Dietz

W. W. McMahon

Police Justice.

0595

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 15 years, occupation Beckie Aronsky of No. 108 East 23rd

Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of John H. Liez and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 31st day of December 1895 } Beckie Aronsky
H. M. Mahan
Police Justice.

0596

Sec. 198-200.

3-18

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Max Schlausky 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.

Max Schlausky

Question. How old are you?

Answer.

18 years

Question. Where were you born?

Answer.

New York City

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

Answer.

57 Bayard Street, one month

Question. What is your business or profession?

Answer.

 Clerk

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
Max Schlausky

Taken before me this

3-18-1914

John J. Brennan
1892

Police Justice.

0597

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, Jan 13 1893 [Signature] Police Justice.

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

Dated, Jan 13 1893 [Signature] Police Justice.

There being no sufficient cause to believe the within named

guilty of the offense within mentioned, I order h to be discharged.

Dated, _____ 189 _____ Police Justice.

0591

Ex Jan 5th 1893
2³⁰ P.M.

Ex Jan 6th 1893

BAILED 30
No. 1, by A M
Residence Street.

No. 2, by Walter Cohen
Residence 48 Orchard Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Ex Jan 8th 2 P.M.
" " 13th
2³⁰ P.M.

85 3rd 73
Police Court, District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John H. Dietz
108 E. 12th St.
May Schlausky
2
3
4

Offense
Abduction

Dated Dec 31st 1892
Mansfield
Hafferty
Magistrate.
Officer.
Precinct.

Witnesses Abraham Aaronofsky
No. Anni Aaronofsky Street.
102 Monroe St.
No. Street.

No. Street.

\$ 1000 to answer G B
Subscribed Jan 3. 2 P.M.
Deiled

0599

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY OF NEW YORK. 2018

THE PEOPLE OF THE STATE OF NEW YORK,

against

Max S. Schindler

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse *Max S. Schindler* of the CRIME OF RAPE IN THE SECOND DEGREE, committed as follows:

The said *Max S. Schindler* 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 ninety-*two*, at the City and County aforesaid, in and upon a certain female not his wife, to wit: one *Bedaie Aaronowitz* feloniously did make an assault, she the said *Bedaie Aaronowitz* being then and there a female under the age of sixteen years, to wit: of the age of *thirteen* years; and the said *Max S. Schindler* then and there (under circumstances not amounting to rape in the first degree), feloniously did perpetrate an act of sexual intercourse with her the said *Bedaie Aaronowitz* 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 *Max S. Schindler* of the CRIME OF ABDUCTION, committed as follows:

The said *Max S. Schindler* 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 feloniously take, receive, harbor, employ and use her, the said *Bedaie Aaronowitz*, so being then and there a female under the age of sixteen years, to wit: of the age of *thirteen* years, as aforesaid, for the purpose of sexual intercourse, he, the said *Max S. Schindler* not being then and there the husband of the said *Bedaie Aaronowitz* against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney

0600

BOX:

510

FOLDER:

4649

DESCRIPTION:

Schmidt, Charles

DATE:

01/06/93



4649

0601

BOX:

510

FOLDER:

4649

DESCRIPTION:

Cohn, Oscar

DATE:

01/06/93



4649

0602

POOR QUALITY
ORIGINAL

see minutes of Part 2
Oct. 25, 1893 for confirmation
of report of Commissioner

Witnesses:

Officer Place

When the within letter filed, the
do I recommend that the indictment
in the case be dismissed as to
Oscar Bohn - David Stetson

Friday, Sept. 29, 1893 A.D.

at 3 P.M.

From the annexed affidavits
of Frank Dowling a subpoena
server in the Dist. Attys. Office
dated Nov. 15/93 and from
other affidavits within it
appears impossible to obtain
the presence of the complainant
John Reimer. I there-
fore respectfully recommend
that the defendant Oscar Bohn
be discharged on his own recog-
nizance

Part 1 Nov. 24/93 Thomas Bradley
Deputy

affirmed

Shannon, Mead
Att. Gen.

Counsel,

Filed

day of Aug 1893

Pleads,

THE PEOPLE

vs.

Charles Schmidt

and

Oscar Bohn

July 2/97

DE LANCEY NICOLI

Assistant District Attorney

A TRUE BILL.

4478 8th May 5 P. 1893
John C. Callin

Jan 6/93

Foreman.

Recd on his own
Recd on his own
Dec 29/93

Degree
(From the Person)
Grand Larceny, (Sections 63, 64)
Penal Code.

0603

POOR QUALITY
ORIGINAL

see minutes of Part 2
Oct. 25, 1893 for confirmation
of report in Commission

Witnesses:

Officer Place

When the within report filed this
day I recommend that the indictment
in this case be dismissed, as to
Oscar Bohn.

David Stutchell.

9 A.D.M.

From the annexed affidavit,
of Frank Dowling a subpoena
server in the Dist. Atty's Office
dated Nov. 15/93 and from
other affidavits within it
appears impossible to obtain
the presence of the complainant
John Reimer. I there-
fore respectfully recommend
that the defendant Oscar Bohn
be discharged on his own recog-
nizance. Thomas Bradley
Dist. Nov. 24/93. Deputy

approves

Clarence Mendenhall

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

Charles Schmidt

and

Oscar Bohn

Feb 2/97

DE LAUNCEY NICOLL

Chief Clerk of Court

Page 3 May 16, 93

No. 2. Forfeited

A TRUE BILL.

44/93 8 mas J.P. Fry
Dec 28/93
Callin

Foreman.

Dec 2. Resolved on his own
Recog. on me of J. P. Fry
Dec 28/93

Degree.
From the Person.
[Sections 285, 286]

0604

-----X
THE PEOPLE OF THE STATE OF NEW YORK:
:
--against--
:
C h a r l e s S c h m i d t .
:
-----X

New York, September 21st 1893.

The Commission appointed to inquire into and report
upon the lunacy of the above named defendant met at
the Recorder's Chambers, 32 Chambers Street, this
day at 3 P. M.

P r e s e n t ,

~~FREDERICK~~ ^{FRANK} P. FOSTER, M.D. and

JESSE NELSON, Esquire,

C o m m i s s i o n e r s .

APPEARANCES:

THOMAS J. BRADLEY, Esq., Deputy Assistant
District Attorney, for the People
GEORGE ELDRED, representing SAMUEL D. LEVY, Esq
for the Defendant.

The Commissioners stated they had taken the statu-
tory oath.

0605

2

T i m o t h y S k e l l y, a witness called and
duly sworn, testified as follows:

By Mr. Nelson:

Q. Mr. Skelly, where do you live ?

A 338 East 14th Street.

Q What is your occupation ?

A Keeper in the Tombs.

Q Do you know the defendant here, Charles Schmidt ?

A Yes; from being there.

Q He has been confined in the Tombs for some time; has
he been in your charge ?

A He has been, in the daytime, six or seven months.

Q Will you please state what you have seen of his actions,
as far as you have had charge of him?

A He is just as you see him now; very restless all the
time; can never get a word out of him; never says
a word to nobody. He mumbles to himself; once in a
while he hallos out 'Baltimore' or 'Boston' something
like that.

Q Have you attempted to talk with him ?

A Oh, yes; he never talks; turns his head away; you
couldn't open a conversation at all; if you give him a

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segar and ask him if he wants it he wouldn't say yes or no, only puts out his hand; he never goes further.

Q Does he eat his meals ?

A He eats regularly.

Q Is he violent at any time in his actions ?

A He hasn't now-- hasn't in some time, but when he first came down he started to get off and we had to put hand cuffs on to keep him from tearing the clothes--the bed clothes; we strapped his hands so he can't do much damage.

Q How is he about his person ?

A Very dirty; that is up to last month; then we changed his clothes every three or four days.

Q How long has he been in confinement ?

A I know he has been downstairs since January; I don't know how long he has been upstairs; he was up on the tier up to the trial.

Q You have known him the last six months or so ?

A The last six months.

Q Have any persons called to see him that you know of while he was there ?

A I don't know of anybody calling to see him since he has

been downstairs but a young man not a friend of his; he knew him, I suppose that is all. He said he didn't know him except to see him around.

Q You never have seen him in conversation with anybody ?

A No; he doesn't speak at all; no conversation at all. He never had no conversation with nobody.

Q And has been in this condition all the time ?

A Pretty much all the time.

By Dr. Foster:

Q Doesn't he answer questions ?

A No sir; he is just as you see him now.

Q Have you noticed him when he didn't know he was being noticed ?

A There is a man with him all the time, day and night.

Q How does he sleep ?

A He don't sleep much.

Q Takes food regularly ?

A Oh, yes. I never seen him sleep in the day time; at night he does.

Q Much ?

A I don't know about nights; I never seen him sleep in the daytime.

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Q Does he soil the bedding ?

A Yes; he hasn't done it in a couple of months; a month ago or two months ago he used to do it.

Q Do you think he has lost flesh since he has been there ?

A Yes; he has; he was pretty stout. He has a beard and I can't tell about his face; he must have lost flesh.

(Prisoner starts to disrobe) He will take all his clothes off. He is fidgety all the while going that way; all the time loosening his clothes.

Q Was there anything at the time of the trial---

A He plead guilty.

Q Had anybody connected with the case supposed he was ~~xxxxxxx~~ insane until after being convicted.

A I don't know; he came from the tier that way; not as bad as he is now though.

By Mr. Bradley:

Q You say you know he has been down on your tier since January ?

A Yes sir.

Q Was that when he was originally committed.

A He was upstairs but after being guilty he was taken down stairs; it was when he pleaded whenever that time was--

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after he pleaded .

Q The crime was alleged to have been committed on the 29th of December.

A That was in January after he pleaded guilty he came down.

Q You say nobody has called to see him ?

A Only one party; I don't know him although I was speaking to him.

Q Do you know the name of that party ?

A I don't; some young man.

Q Who is this other keeper ? (indicating keeper present)

A He wasn't in the case; the other keeper is on the night time.

Q Has this keeper anything to do with the case ?

A No sir; not at all. In the morning we inquire how he does at night which is the same thing. In the daytime I have never seen him asleep. I have been with him all the time except when I was down to Court--an hour or so.

Q Do you know whether the City physicians, Dr. Coffee and Dr. Chetwood have seen him ?

A They have been in to see him a dozen times; they never

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go in the hospital but they look at him and they are there every day.

Q Has he had any physical illness ?

A No; diarrhoea a while; that is all.

By Mr. Eldred: --

Q I understood you to say he is bad and growing worse ?

A He is bad; same as he was the last two or three months-- about the same.

By Dr. Foster: --

Q What is he supposed to be--a German ?

A A German: Somebody says his name is Rothschild and his folks are well off; he never recognizes that name at all.

Q He doesn't talk at all ?

A He don't answer; I try everything; give him segars and everything; never answers yes or no; mumbles something to himself; that is all.

Q Do you know what his business ^{was} ~~what~~ ?

A No sir, I do not.

By Mr. Nelson:

Q Mr. Skelly there was another man indicted in connection with this prisoner named Cohen; was he convicted do

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you know ?

A. He has never been tried; he is on bail that is the last I heard of him, but what has become of his case, I don't know; I know he went out on bail.

Further hearing was adjourned until Friday September 29th 1893, same time and place.

Further adjourned to Tuesday, October 3rd, 1893
same time and place.

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THE PEOPLE OF THE STATE OF NEW YORK

-- against --

C h a r l e s S c h m i d t

New York, October 3rd, 1893.

The Commission met pursuant to adjournment at Chambers
this day at 3 P.M.

P r e s e n t

JESSE NELSON, Esquire

C o m m i s s i o n e r .

APPEARANCES:

As before.

O s c a r C o h e n , a witness called and duly
sworn testified as follows:

BY Mr. NELSON:

Q What is your name ?

A Oscar Cohen.

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Q How old are you ?

A 24.

Q Where do you live ?

A 158 Orchard Street.

Q Mr. Cohen, were you arrested with one Charles Schmidt,
in January, 1893 ?

A It was on December 28th or 29th.

Q Where were you arrested ?

A 203 Bowery I think.

Q What was the charge against you ?

A Larceny.

Q Was anybody else arrested with you ?

A He was arrested before me; not at the time I was arrested.

Q Who was arrested ?

A Charlie Schmidt.

Q Do you know him ?

A I never seen him before.

Q What was the crime you were accused of ?

A Judge Grady held us in the police court

Q What did they accuse you of--of larceny ?

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A Stealing a watch and chain; watch or chain.

Q Were you arraigned at the same time as Charles Schmidt before the police justice ?

A Yes sir.

Q Saw him there in Court ?

A Yes sir.

Q You never knew him before in your life ?

A I never seen him in my life before.

Q Did you notice anything peculiar about him at that time ?

A I noticed in the station house considerable noise; I didn't have any communication with him there; I was on the other side; he was locked up on a different side and I had no chance to speak to him except in the police court.

Q You are quite sure you never saw him before ?

A I never seen him before in my life.

Q Did you have any conversation with him at all ?

A When

Q Either in the police court or the station house did you have any conversation with him ?

A I had some conversation about the trouble; what his testimony was.

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Q Did he appear to understand what you were talking about?

A He was on the stand but could not speak English.

Q When you were talking to him did he understand what you were saying to him ?

A I spoke German.

Q Did he understand it ?

A He understood it.

Q And answered you ?

A He did.

Q You did not observe anything peculiar about his actions ?

A He was off sometimes.

Q How do you mean, off ?

A Oh, he talked so funny. At that time I didn't know so much, but in the Tombs I was locked up with him seven weeks; then I know he several times to get me by the throat. In the nighttime he commenced talking stories and shout.

Q You saw he took hold of you by the throat ?

A Yes sir; he took hold of me.

Q Try to choke you ?

A Oh, I don't know.

Q Did you talk with him in the cell ?

A Very little; I asked the keeper to give me another cell.

Q You were there seven weeks with him ?

A I was there 135 days and seven weeks with him.

Q Did you notice anything else about him while in the cell.

A In the cell we had very little spoken; he never read.
He sat on the bed with his hands this way (indicating)
looking down.

Q With his hands on his head ?

A This way (indicating) looking down. When he walked
around everybody could notice him. His eyes rolled
terribly.

Q He talked very little to you?

A Very little.

Q Did he take his meals ?

A Yes he did, and very much too.

Q How did his talk impress you, he had his right senses ?

A No sir; I told the keeper to take me out of there;
put me in another cell for I was afraid of him; I was-
n't exactly afraid; he was a tall thin man.

Q You thought he might do you an injury.

A His talk was funny to listen to; he talked to himself.

Q How did he sleep ?

A He laid down and commenced telling stories. He done several things with his own body; he did something.

Q What did he do ?

A He laid down and pulled himself.

BY MR. BRADLEY:

Q Self abuse ?

A Yes, maybe half a dozen times in succession. He pushed me on the bed; I told him to lay quiet, and then he gave me rough answers. Later on he slept and got up in the morning; if I wasn't up he would drink my coffee and eat my bread.

BY COMMISSIONER NELSON:

Q He impressed you as a person not of sound mind, did he ?

A Yes sir, in my opinion. He gave several addresses to send letters and the letters were returned; they all came back, no such person living in the city.

BY MR. BRADLEY:

Q Did he ever tell you whether he had any relatives or not?

A He has relatives.

Q Do you know where they are ?

A I don't; there were two men down there, I think from Newark.

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Q. Do you know the names of both or either of them ?

A That, I couldn't tell; he has a sister married in Newark.

Q Did the married sister ever visit him ?

A Nobody visited him.

Q How do you know; did he tell you this ?

A I was in the cell seven weeks.

Q Did he tell you he had a married sister ?

A He told me several others he had a married sister; at least he said so. I really don't think it could be true because all the letters came back; he never had any letter answered by anyone.

Q Did he ever say anything to you whether he took the watch and chain ?

A He said he took it; he said to me he did take it.

Q Did he tell you what he did with it ?

A Yes sir; he said he pawned it.

Q You say you never saw him in your life before ?

A I said that in the station house already.

Q What time was it you were arrested ?

A I think a quarter of ten.

Q At night ?

A In the evening.

Q Whereabouts were you arrested ?

A 273 Bowery; I intended to go to a ball; I intended to call for my ~~husband~~ cousin to go to a ball.

Q Was it officer Mooney who arrested you ?

A Yes sir.

Q Did Charles Smith talk and act in the same way when he was arrested as he did later when you were confined in the cell with him in the Tombs ?

A I didn't speak to him at all. I was near the entrance to the Eldridge Street station house. I was at the entrance and he was away back. I could hear him hallo all night: 'I will get life; they will hang me'; that is what he halloaed down.

Q When did he tell you about taking the watch, during the first part of the time he was confined ?

A In the Eldridge Street station; first when we were arrested he halloaed 'I did take it and pawned it the watch'. When Officer Mooney came down the next morning I informed he he took the watch and pawned it in Simpson's Bowery corner of ~~Canal~~ Delancy street. That

is what I told Officer Mooney; he went over to Simpson's and I know he found the watch. He hocked it under his own name; 'Charlie Schmidt' was on the ticket.

Q When was it he told you about having a sister ?

A That was maybe in March.

Q Was that after he had been in the Tombs some time ?

A Yes sir; six weeks after.

Q You say you were in the Tombs seven weeks ?

A 135 days.

Q Seven Weeks in the same cell ?

A Maybe eight weeks.

Q Were you in the cell during the early part of your confinement ?

A At the end I told him , I mean he told me, he had a sister in Newark; he begged me to write several letters; I did in English and German, and all the letters came back.

Q Don't you remember what name --the name of the person was you wrote to ?

A I don't remember; it was in the West he wrote to a party.

Q Who were the parties he wrote to in Newark ?

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In Newark, I didn't write; some other persons wrote for him after I went out of the cell. He told me before I left the cell he had a sister; I said 'Why don't you write'; he said 'I can't write any more; I don't want to write. Afterwards, after I left the cell, some one else wrote for him, 'Please call and see your brother; he is in trouble in the Tombs'. That is what a young man wrote.

Charles H. Chetwood, a witness
called and duly sworn, testified as follows:

BY COMMISSIONER NELSON:

Q Where do you live ?

A 120 East 34th Street.

Q Are you one of the City Physicians ?

A Yes sir.

Q In attendance at the Tombs prison ?

A Yes sir.

Q Do you know of a person there named Charles Schmidt ?

A Yes sir.

Q Have you seen him frequently ?

A Not frequently, several times.

Q When did you first see him ?

A I suppose soon after he came in there; last Spring some-
time, I don't remember exactly.

Q Have you seen him off and on since then ?

A Several times.

Q When to the best of your recollection was the last time
you saw him ?

A June or July.

Q June or July ?

A Yes sir.

Q What was his condition at that time as regards physical health ?

A His physical health was good.

Q Mentally, how did you consider him ?

A I didn't examine him mentally; I simply visited him to see whether he was in good physical condition; finding him so I had nothing further to do.

Q Did you observe anything in his actions ?

A He was generally lying in bed.

Q In a straight jacket ?

A At that time, I don't remember; I went into his cell several times and on some of these occasions he had on what they call 'belts'. On another occasion he did not have it on; whether he had it on the last time or not I am not quite sure.

Q Did you have a conversation with him ?

A Spoke to him; said 'How do you do'.

Q Did he answer ?

A He did not respond.

Q In your visits to him it was simply to ascertain as to how his bodily condition was ?

A That is all; except on one occasion, perhaps on two occasions, the Warden requested me to make a general observation of him with regard to the fact whether he was unruly or not. I had a conversation with him on one or two occasions.

Q On those occasions how did he impress you ?

A On one occasion he impressed me as being sane and on the other as insane.

Q Which was the insane period or time ?

A The insane period was along the latter part.

Q About the last time you saw him ?

A The last few times I had seen him, not this last time.

Q Were there any particular symptoms he exhibited that led you to that opinion ?

A His lack of memory; lack of sense; his inability to keep his mind on one subject. Of course all of that it is possible to feign, every one. While a man's actions may be that of an insane man it is not proof he is insane. I didn't make an examination as an expert at all; I simply made an approximate examination to get a general idea of his condition.

Q Did you examine his eyes ?

A Not particularly.

Q Nothing struck you particularly about his eyes, whether--

A I noticed a tendency to staring in the eye that is all.

Q Pupils not enlarged?

A Slightly dilated; that is sometimes caused to people confined in prison from weakness.

Q Without indicating any particular degree of insanity?

A It doesn't necessarily indicate that. It is, of course, one of the symptoms of it.

Q Did he impress you as a person whom it would be well to have at large?

A At one period--during a certain period he was quite violent when the keepers had to watch him; he had the belts on him; during that time of course it wouldn't

Q You have not made any special examination during the last two or three months?

A No sir.

Q Have you treated him for any particular disease?

A I never treated him for anything at all; I considered him physically a strong man.

Joseph G. Coffey, a witness
called and duly sworn testified as follows:

BY COMMISSIONER NELSON:

Q Where do you live ?

A 151 West 96th Street.

Q Are you one of the physicians attached to the City Prison

A Yes sir.

Q Do you know a person now confined in the Tombs named
Charles Schmidt ?

A Yes sir.

Q Have you been in attendance during his confinement ?

A Yes sir.

Q Kindly state what you have attended him for.

A When he came in first I attended him for strangulated
hernia; that is rupture; I reduced that after a lit-
tle trouble; a very large hernia.

Q What was his physical condition otherwise ?

A He was alright; this hernia is one of those things
that drags a person down--drags the constitution down.

Q How long were you in attendance ?

A Since then.

Q You have been attending him off and on ?

A I have seen him every day.

Q Have you noticed anything peculiar about his actions ?

A Well, yes; after that his actions became very peculiar. After we reduced it. We trussed him and all that kind of thing; he got well so we could take off that truss; he struck me as peculiar in his actions; he acted in a way.

Q Did he seem to you to be a person of unsound mind ?

A At that time, no, but he acted very peculiar.

Q Have you seen him recently ?

A I saw him the other day.

Q Did you have any conversation with him ?

A No; I did not.

Q How did he impress you ?

A I looked at him to see whether he had a rupture--this hernia. That is all the interest I took in him--physically.

Q Would that hernia tend to affect the brain ?

A No.

Q At the last time you saw him did you make any special examination ^{ascertain} as to whether he was sane or insane ?

A No, I did not. Unless we get special instructions we do not, because we take very little notice of things as far as mental signs, symptoms, go, because there is such a lot of faking.

Q Did you notice anything in his actions that would impress you that he was a person of unsound mind?

A I didn't pay enough attention; there is no doubt after an examination we might come to some conclusion; the only thing I can tell you about is his physical condition; he has been so every day for we have to see them every day.

Q But he is very much weaker now?

A Oh, he is quite active. The other day he went right across--he could cross an enclosure even with the belt on him--climb up. There is nothing the matter with him physically.

Q Did he have anything to say?

A He answers (witness groans)

Q He would answer you that way?

A Yes. There is a lot of that kind in that place; when they come in first show mental symptoms; they all

fake insanity--aberration of mind; they gradually find words after a little time.

Q Does this man appear to be worse mentally then when you first saw him? Does his actions appear to be different from what they were at first?

A When he came in first he did not show any mental weakness or hallucinations or anything like that; as far as hallucinations are concerned I don't know anything about that; I mentioned hallucinations, that is all. I attended to him to see that he got proper nourishment; ~~xxx~~ that is all I did.

Q Did you notice his eyes?

A No, I did not.

Q Did he strike you as a person feigning insanity?

A That is a very hard question to answer unless I examined him; examined him as an expert.

Q I want to know whether there was anything in his actions that were like those of a crazy person; if he would act as though he was crazy.

A You don't find any sane people there with the belt on them. You don't see them acting foolishly; still he wasn't in any way violent. They said he tore up his

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clothes and that kind of thing.

Q But you never saw him do any of those kind of things ?

A No sir.

Q Did you order the belt put on him ?

A No; the men down there said they had to do something; he tore up everything.

Q There is nothing, in your observation, that would lead you to think one way or the other whether he was sane or insane ?

A No sir.

Q You would not like to say he is not sane ?

A No; the only thing I can testify is to his physical condition, the state of his organs and skin etc; that was pretty good.

Q You have got him in pretty fair physical condition ?

A Oh, yes; he is very active; the only thing his rupture is inclined to go down at any time; I had a truss on and he would take it off.

Q And that would affect him physically ?

A Mes sir.

Q But not mentally ?

A No sir; he would take the truss off and it would come down on his testicles, and we had a lot of trouble getting it back again.

Q That wouldn't affect him mentally ?

A No.

BY MR. BRADLEY:

Q Is it any portion of your duty to consider the physical as well as the mental condition of a person who may have been sent to the Tombs ? For instance if a person was evidently a maniac ?

A I would restrain them .

Q Is it part of your duty to report in regard to his condition ?

A Certainly when they are violent. When they are insane--when they are dangerous.

Q In any case from the observations you make of the symptoms which a person displays there you are of the opinion the person is a lunatic; is it any portion of your duty to make a report accordingly to the authorities at the Tombs ? For instance, are you not expected according to your best opinion as a medical man, are you not ex-

pected to report to the authorities when lunatics would be confined in these institutions ?

A If there was a man violent I would say to the Warden, 'I think this man is a maniac, you had better have him in a separate cell.

Q Well, outside being violent; where a man is evidently weak minded suffering from some form of insanity instead of that which manifests itself in violence, is it any portion of your duty to report that ?

A No sir.

Q From all the doctors do in the Tombs a lunatic may be confined any length of time as a prisoner ?

A As long as he is not violent, not dangerous .

Q You would never make a report to the authorities in regard to his mental condition.

A I would ask him a few times, 'How is this man'. I would see his physical condition is alright; that he was taking nourishment; he would go to the closet alright; that his bowels acted, and his bladder acted.

Q You are to look after his nervous system as well as any other part of his physical being ?

A Certainly where there is any ^{acute} nervous disease result of

alcoholism etc, etc.

Q But you don't make any examination unless you have specific instructions ; that is as visiting surgeon it is no part of your duty to make a report to a man's mental condition even if you suspect a man is a lunatic.

A If I had suspicions that a man was a lunatic I would report to the Warden.

Q So your mind was not fully made up whether he was or was not ?

A No sir.

Q In a case where you are in doubt as to what a man's mental condition is you are not expected to make an examination and report accordingly that the authorities may know he is insane ?

A Of course if the authorities tell me to do so I would do it. Then I could make out a man after one or two visits and make a thorough examination.

Q Was he coherent in his speech; did you have a conversation with him ?

A I never had any conversation; I very seldom asked for anything.

Q Simply subjective symptoms ?

A If I find a man is in good physical condition that satisfies me. I always asked him things and he would answer sometimes and sometimes wouldn't.

Q Does he appear to act rationally ?

A The day I saw him going across that gate he went across alright. I said 'What about that rapture' and I would look at it.

Q Do you know anything about how he sleeps ?

A He sleeps alright.

Q That is alright ?

A Yes sir; we have two men in the hospital cell and he has been well taken care of; he has been in the hospital cell and he has been well nourished.

Q As he, in your opinion, in a worse physical condition than when he came in ?

A No.

Worse ?

A No; of course they all get that long haggard look for want of sunlight, but not his physical condition.

BY MR. ELDRED:

Q I am not acquainted with your duties in the Tombs; how

NEW YORK COURT OF GENERAL

SESSIONS OF THE PEACE.

The People of the State of New
York,

-against-

CHARLES SCHMIDT.

On conviction by confession on
indictment for Grand Larceny
in the first degree.

REPORT OF COMMISSIONERS,

as to defendant's sanity.

Depot Long
Oct 23 / 1902
F. J.

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THE PEOPLE OF THE STATE OF NEW YORK

--against--

C h a r l e s S c h m i d t .

New York, Whursday October 12th 1893.

Commissioners met pursuant to adjournment at the
Recorders Chambers.

P r e s e n t ,

FRANK P. FOSTER, M.D., and

JESSE S. NELSON, Esquire

C o m m i s s i o n e r s .

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

THOMAS J. BRADLEY, Esquire, Assistant
District Attorney, for the People

GEORGE ELDRED, representing the defendant.

C h a r l e s S c h m i d t , the defendant
called but not sworn, testified as follows:

often do you see him there ?

A Every day.

Q What time of day generally ?

A Between half past twelve and half past one every day.

Q There is quite a number of persons there and you don't have much time to devote to each; do you go inside the cell ?

A Oh, yes, if they are sick, certainly.

Q How long do you take to each person ?

A I don't go around the whole prison.

Q What I am trying to get at is this: In making inquiries as to his physical condition--to the physical condition of any particular person I want to see how long you visit him. A person in this condition does some peculiar things, and I want to know whether you see him long enough to discover these things. Do you ask him to show his tongue ?

A Yes; if a man is sick I make a more thorough examination; I walk around and see they are in a pretty fair condition.

Q You give a few minutes to each M

A Sometimes I give more; in this case of the rapture I took an hour and a half some days.

Q You see them so short a time it is possible a man might not be violent at all and do things an insane man would not do; is it possible while you visited him he might do peculiar things and you not notice them?

A That is possible.

BY COMMISSIONER NELSON:

A When was the last time you saw him?

A Three days ago.

Q And before that?

A Every day; I didn't see him yesterday, I saw him the day before yesterday.

Q Did he act the same as usual?

A Yes sir.

Q What was he doing when you saw him last week?

A Walking up and down.

Q Rational?

A Oh, he was walking around; he is in the hospital cell and I can't miss seeing him; that is the first place we go; it is a large cell.

A Are there a number of other persons confined in the cell?

A Yes sir; there are two men; these are attendants.

Q Who are these attendants, do you know them?

A I don't know their names; there~~are~~ is an old fellow with a gray mustache; he is a very intelligent chap.

Q Is there anything else, doctor, you can tell us that will throw any light on this man's mental condition?

A That is about all I know about it.

BY MR. ELDRED:

Q I understand you to say you examined him to see whether he had physical trouble. Might it be possible he is sane or insane and you would not know? You would not like to say positively what he is?

A I couldn't say. I cannot say without examination. If you examine a man mentally, as to his mental health, you have to go there some time; you have to go there and make a special examination.

Q You say his physical health is better than when you first saw him?

A His physical health is good at the present time and I

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think really better than it was, because when he came
in there he had a bad rupture; always, of course, he
will have that rupture if he does not wear a truss.

- - - - -

W i l l i a m J . M o o n e y , a witness
called and duly sworn, testified as follows:

BY COMMISSICNER NELSON:

Q Where do you live ?

A I live at 219 East 43rd Street.

Q Are you a police officer ?

A Yes sir.

Q What precinct are you attached to ?

A The Fifth now.

Q What precinct were you attached to on December, 1892 ?

A The Eleventh.

Q Do you remember in the latter part of December arresting
two men; one was named Charles Schmidt and the other
Oscar Cohen ?

A Yes sir.

Q Where did you arrest them ?

A I arrested Schmidt at 253 Bowery at seven o'clock and
at a quarter past eleven I arrested Cohen on the Bowery
near Stanton Street.

Q Do you know what crime they were charged with ?

A Yes sir, stealing a watch.

Q Where did you take them after you arrested them ?

A To the Eldridge Street station house.

Q And the next morning took them to the police court ?

A Yes sir.

Q Did you have any opportunity of noticing this man Schmidt ?

A Yes sir, and talked with him.

Q How did he talk with you ?

A Rationally.

Q Understood what you said to him ?

A Yes sir.

Q Did he confess the crime he was charged with ?

A No sir.

Q Did you find out anything ^{about} ~~from him~~ it from him ?

A No sir; not at first, not at the time.

Q When did you find out about it ?

A I found out about the crime after I arrested the men.

Q Who was ^{it} admitted to you the watch had been stolen ?

A Cohen told me first when I arrested him. He said "What have you arrested me for?" I said, "For stealing a watch". He said, "I didn't steal it, the other fellow stole it." I said, "What other fellow" and he said,

"Schmidt". I said "What kind of a looking fellow, is he Schmidt". He said "tall, dark ~~mustache~~ complexioned fellow with a mustache". I said, "Alright, we will have to find Schmidt". I said "What did you do with the watch". He said, "We pawned it, Schmidt took the watch we sat at a table in McGurk's we came out and he said take the watch and give me my half-- keep the watch". Cohen said "No, he didn't have the money, we will have to pawn it. We walked to 195 Bowery, Simpsons, and Cohn said he stood outside and Schmidt went inside. He said Schmidt came out and gave him ~~\$3.50~~ \$3.50, and he took the money and went off. I took the man to the stationhouse. I says on the way "Would you know the other man" and he said "Certainly if I saw him." I asked the captain's permission to bring Schmidt up. I said "Is that the man"? He said "Yes; that is the man, he was with us when we stole the watch last night" and I locked them both up. The next morning the captain talked to Smith and he said "Smith, don't you think you had better tell the truth the same as Cohen did". He said "No, I don't; I didn't have nothing to do with it; I will tell

conversation with anybody. "I said, "How is that Cohen," and Cohen said "Yes that is right" Schmidt turned to Cohen and said "You put me in all the trouble" and Cohen said "Why didn't you tell the truth the same as I did". That is all the conversation.

Q When they were brought before the judge they were committed ?

A Yes sir; a thousand dollars bail each.

Q Have you seen Schmidt since ?

A No sir; I never saw him.

Q Since ?

A Yes sir.

Q You don't know of his having confessed this crime in General Sessions ?

A Oh, yes, sir, I saw him as he came up to plead, when he came up to plead I saw him. He plead guilty and when he was taken back to the box I said 'halloa' when he went up that is all.

Q Did he answer back ?

A Yes, sir, he said, 'Halloa'.

- - - - -

Further hearing was adjourned to Thursday,
Octob. 12th same time and place.

you nothing.

Q You heard that conversation with the captain?

A Yes sir; I was in the captain's room at the time.

Q And Smith appeared to understand what the captain was saying to him?

A Fully.

Court

Q On your way to the police ~~xxxxxx~~ did you have any other conversation with Smith?

A Yes sir. I took the two and handcuffed them together. On the way to the Court I asked Schmidt, I said, "Now how is it about it"; no, I got a little ahead. I went and found the watch and I said to him "Who pawned it" and Simpson described Schmidt. He said Schmidt pawned it and after he pawned it he came back and says "Mr. Simpson, I have lost the ticket for this watch, will you give me a stop on the watch". Simpson said "I will put a stop on the watch and if you don't find the ticket come back in a reasonable length of time and I will give you another duplicate ticket". I went back and told Schmidt that going to Court. I said "Do you remember speaking about the watch to Mr. Simpson"? He said "No, I had no

BY COMMISSIONER NELSON:

Q How did you sleep last night, Schmidt ?

A Those fellows.

Q Who are those fellows ?

A Chaplins.

Q ~~Where~~ are they ?

A In Jersey.

Q Where did you say they were ?

A What do you say ?

Q You are trying to tell me something about chaplains
What is it ?

A Disorderly houses.

Q How did you come down here today; did you walk down ?

A No.

Q How did you come, on the horse cars ?

A Double team.

Q I want to know how you came down today.

A How did you come down ?

Q I came down on a car.

A London.

Q Were you ever in London.

A I came over.

Q Whatv steamer did you come on ? Were you ever in Europe; where were you born over there ?

A I know where I was.

Q Who are you looking at ? Have you got your eye on that fellow now ?

A I never stole a watch.

Q What watch is that ?

A What did you say anyhow ?

Q Did anybody say you had a watch ?

A Bismarck.

Q Who is Bismarck ? De you know Bismarck ?

A I have been in Strasbourg.

Q They have a nice church there ?

A (No answer)

Q Have you got a bad cold? How do you feel ?

A First rate; how do you feel ?

Q First rate, too. How is your pulse; can you feel that ?

A Astor House.

Q Where is the Astor House ?

A Near the Post Office; vis-a-vis.

Q Right alongside the Post Office ? Do you speak French ?

- A A little French and German.
- Q French, German and English ?
- A And Swiss.
- Q Were you born in Switzerland ?
- A I have been born in Switzerland.
- Q Whereabouts there ? What part of Switzerland were you born in ? I don't want to go there, I want to know what City you came from; Were you there in the army ?
- A I did.
- Q Who did you fight under ?
- A Do you know who was King ?
- Q Was it the German army you fought in ? Did you fight in the German army ?
- A (Defendant produces scraps of newspapers from his trousers)
- Q What have you there ?
- A Papers they use in Wall Street.
- Q What is the name of the paper ?
- A Before Recorder Smyth.
- Q Do you know District Attorney Nicoll ? Do you know Recorder Smyth ?
- A (No answer)
- Q Did you ever see him ?

- A Never mind; I will do a little talking. Excuse me
(raises foot) They stink.
- Q Smell bad ?
- A Yes.
- Q Don't they let you wash your feet ?
- A Old fellow said, 'Good morning, Mr. Schmidt, where is
the grindstone.'
- Q What, did ~~you~~^{he} want you to take a grindstone to your
feet ?
- A I ain't going to take every day a bath.
- Q You don't want a bath every day ?
- A No.
- Q Don't you think it might do you good ?
- A Manure.
- Q Where is the manure ? Who has got it ?
- A They won't let me drink any water.
- Q They won't let you drink any water ? What do they give
you to drink ?
- A He goes quick (referring to stenographer)
- Q Yes; talk fast and see how fast he can take you.
- A He has a diamond. Have you ever been on Fourteenth
Street, in this City ?

Q Oh, yes.

A Have you ever been to Theiss' ?

Q No; have you been there ?

A Were you ever in Hamburg ?

Q No.

A Ever been in Bremen ?

Q No; have you been in those places ?

A What size shoes do you wear ?

Q Who, me ?

A Yes.

Q I never had them measured; 7s I guess; what size do you wear ?

A How many inches is these ?

Q Two or three dozen.

A Yes ?

Q Were you in Theiss on 14th street ?

A Mind your own business.

Q Well, you asked me and I want to ask you.

A Do you ever use snuff ? What have you got in there ?
(referring to pencil box)

Q Those are pencils he writes with.

A Pencils, oh .

Q Yes.

A I came New York Central eight years; twenty and twenty eight.

Q Did you ever work for the New York Central people ?

A My father says this. Ever been up to Brooklyn ?

A Oh, yes; I know Brooklyn pretty well, I live there.

A How do the people get on there ?

Q First rate.

A There is five blanks there now ?

Q There is five hundred thousand people in Brooklyn.

A Five millions.

Q Did you ever live in Brooklyn ? Were you ever over there ?

A Yes, not once; can't go across the Bridge.

Q Can't go across the Bridge unless you have money; you have to pay a cent across ? They let you walk over now for nothing; did you know that ?

A China.

Q Have you been in China too ?

A What did you say ?

Q Have you been in China ?

A Ever see a Chinaman ?

A Lots of them.

A Baltimore.

Q How many places have you been into. You have been travelling a good deal ?

A What are you trying to say ?

Q That is what I am trying to say. How many places have you travelled to ? How many is it ?

A How many is it ? Twice twenty.

Q Twice twenty is forty.

A Twice forty is forty nine. The second is five and that is twenty nine. No, nine.

Q Nine cents ?

A Nine million .

Q How much is nine million ?

A President.

Q Who is president ?

A Cleveland Harrison.

Q Did you vote for Cleveland ?

A No. I knew.

Q Knew what ?

A I served three years in the army .

Q What army ?

A Strasbourg.

Q The German army ?

A My mother came from there; my father did too. Have you got any lice ?

Q No; I haven't got any of them, thank heaven, have you got any ?

A Yes.

Q Do they bother you a good deal ?

A I have powder in them; A.T. Stewart.

(Defendant raises hand)

Q What do you raise your hand for ?

A That is the right hand.

Q No, that is your left hand.

A Yes; Harrison Street, Newark.

Q Harrison Street, Newark ?

A East Newark.

Q I know where East Newark is.

A Do you know where London is ?

A Yes.

A You must have damn good sharp eye.

Q You have been in London, have you ? Do you know anybody who lives in East Newark ?

A I have a brother in law there.

Q Your sister lives there ?
Q Can you talk a little bit of French ?
Q I can. What is your sister's name ?
A Fitzgerald.
Q Fitzgerald ?
A Martine.
Q No; what is your sister's name ?
A Dr. Buchanan.
Q Do you know this man here ? (indicating Dr. Foster)
A He has got a little key on.
Q A little key on his locket ?
A Yes.
Q Do you know this gentleman standing here ? (indicating Mr. McIntyre)
A 46th Street. Have you got any horses ?
Q Yes.
A How many horses have you ?
Q I am not in the horse business. Have you been in the horse business ?
A John L. Sullivan. (Defendant removes coat)
Q Keep your coat on .
A H.B. Claflin & Co.

Q Do you know this gentleman ? Did you ever see him ?

A Did you ever see a photograph ?

Q Did you ever see that gentleman ?

A Yes; I know them.

Q Did you ever see him ?

A You have got a cigar .

Q Yes, I have a cigar in my hand. Do you know that fellow ?

A State detective Pinkerton.

Q That is state detective Pinkerton ?

A He is some relation. Did you ever see Frankfort ?

A What about it ? Yes, I did.

Q Are you deaf ?

Q Yes, pretty nearly.

A Two cents; how much does the president get ?

Q Fifty thousand dollars, isn't it ?

A Yes.

Q Isn't that a pretty good salary ?

A How many pounds have you; how much do you weigh ?

A I don't know; I haven't been weighed lately. How is it with you; how much do you weigh ?

A One hundred and ten pounds.

Q I guess I weigh one hundred and ten?

A Ever on a horse?

Q Several times.

A How much do a good set of harness cost? Ever been in 24th Street?

Q Have you ever been to the Sheephead stable?

A Yes; I know that myself.

BY MR. BRADLEY:

Q Do you know him? (indicating Mr. Nelson)

A No.

Q Don't you know this man?

A I am God damned; you are an Irish pimp.

Q How do you like the Bowery?

A I like Third Avenue.

Q How long did you work on the Bowery, Charlie? You don't remember me on the Bowery?

A 25 Bowery?

Q Yes, 25 Bowery, Moscawitz?

A Down the basement?

Q Yes; do you know where the Senate pool room is?

A Ninety second street.

Q Do you remember him (indicating Mr. McIntyre)

A Ehrets; Where were you born ?

Q How old are you ?

A How old are you ?

Q Twenty five.

A I don't know you. You own a hundred dollars in money ?

Q Do you know this man ?

A Do you know this Mayor. Do you know Mr. Beppard ?

Q Where does he live ?

A Not one cent. Dutch Herold, Brooklyn.

BY COMMISSIONER NELSON:

Q Do you know Frank Beard ?

A You watch like a son of a bitch.

A Who watches ?

A Somebody does.

BY MR. BRADLEY:

Q Do you know 12 Bowery ?

A Yes, do you know 7 Bowery ?

Q Yes. Did you ever get a gold dollar ?

Q Yes.

Q How much money did you get ?

Q Fifty cents.

A I want a hundred cents on the dollar.

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Q Do you know the museum on the Bowery ?
A Which, Elizabeth ?
Q Elizabeth Street and what other street ?
A Centre. How much do you have to pay to go over the
ferry ?
Q Which ferry ?
A Fort Lee.
Q You are crazy, you are.
A You are crazy.
Q You are crazy.
A God bless you .
Q You are crazy .
Q You are, Mulberry Street Headquarters.
Q Oh, you are crazy.
A Scissors; horse clipper: That is my right name; my
mother's.
Q How long are you in the Tomb, Charlie ? January,
February, March, April, May, June---
A July, August, September, November. I am going to join
General Steckler.
Q What did you say ?
A Are you deaf ?

Q Yes.

A What segars do you smoke ?

Q Two for five.

A Two fors ?

Q Do you know Inspector Byrnes ?

A What did you say, Hamburg ? How much do you pay for
one cent ? Staats Zeitung.

BY COMMISSIONER NELSON:

Q Did you ever play pool in the Bowery ?

A I didn't.

Q Do you like to play pool ?

A How much do you get for Mr. Gould ?

Q Mr. Gould ?

A Yes; did you ever hear about him ?

Q What about him ?

A How much did you get last winter; butterfly in the
Bowery.

Q Did you ever see Mr. Gould ? Has that newspaper got
something in about Mr. Gould; where did you get all
that paper from ?

A That is a ticket.

Q What is that a ticket for ?

A 25 Mulberry street.

Q What is in Mulberry Street ?

A He is the richest man in New York.

Q Who; who is the richest man, do you know ? Who do you think is ?

A Three fifteen German Herold. Brick house; wooden house.

Q What is 'brick house' ?

A That is Charity Hospital.

Q Do you remember being tried before Judge Fitzgerald or Judge Martine three years ago ?

A Nobody can spit on me.

BY MR. BRADLEY:

A Oh, don't talk so much.

Q You have got to keep quiet; you have got to keep your mouth shut. Astor House; Hoffman House.

Q What can you say, Schmidt; say something.

A No; you say something. Do you ever burn a candle ?

BY COMMISSIONER NELSON:

Q What do carry those papers with you, to read ? Is that paper there about Wall Street ?

A Eight thousand and the other side three thousand--six thousand miles. There is a box on fire. I had twenty dollar gold pieces.

- Q Schmidt, what did they bring you down herefor ?
- A I am going to Europe, State prison, Sing Sing.
- Q No, they didn't bring you down for that. Who is the man that brought you down here; what did they ~~brought~~ bring you down here for ?
- A Who is the mayor ?
- Q How is the mayor ?
- A The sheriff.
- Q What did the sheriff bring you down here for ? Is that the man who brought you down here (indicating).
- A Who ?
- Q You know him too ?
- A Strasbourg; ever been there. Ever been in college ?
- Q Do you know this man ?
- A Do you know this man.
- Q Yes; I know who he is; so do you.
- A Ever been in Pittsburgh ?
- Q No; what were you doing there ? Did you work there ?
- A Did you ever see Mr. Gerry ?
- Q Who was that ?
- A Did you ever see Standard Oil Company ?
- Q Yes.

A You have to do with them ?

Q What did you say about Gerry ?

A What Gerry ? ^{Greenwich} Ever been in ~~xxxxxxx~~ Street ?

Q Yes; how old are you; you must be sixty ?

A Fifty five.

Q Only fifty five ?

A Born in July.

Q I thought you must be nearly sixty.

A 120; 92.

Q I say I thought you were about sixty years old. You say you are only fifty five. I don't think you are counting right.

A Ten and one is eleven. ^{Shaeffer.}

Q Do you know any onenamed Shaffer; I know a man named Shaffer.

A Ask Steckler.

Q Judge ~~xxxx~~ Steckler; do you know Judge Steckler ?

A Yes.

Q Where did you ever see Steckler ? Used he be around the Bowery ?

A He is judge of Court. Who is District Attorney Nicoll ?

Q Who is he ? You know him, don't you ?

A Did you ever get towels washed ? Did you ever get

clothes tight ?

Q They get tight sometimes.
been

A Every one in Titusville ?

Q No; where is that ?

A I only sent one message; disorderly houses; Inspector
Byrnes. Have you a knife; I want to clean my nails.

Have you got a pistol ?

Q You cannot clean your nails with a pistol.

A Did you ever shoot a can ? What whiskey have you got ?

Q Who do you think is the richest man in the United States?

That man there with all the pencils (referring to sten-
ographer). He has a nice diamond ring there ?

A Yes; my right name is Seligman.

Q Your name is Seligman ?

A Did you ever have the diarrhoea ?

Q We all have had that.

A So so .

Q Do you know Cohen who was with you ?

A 253 Bowery. He had a pair of shoes to sell for sixty
cents. Do you ever buy shoes ?

Q He says he don't know you.

A Where did you buy those shoes ?

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Q You know him, don't you ? You know that fellow Cohen,
he says he don't know you.

A What state ?

Q He says he doesn't know you. Didn't you see him at

A 253 Bowery ? Now he says he doesn't know you. You
know him now, don't you ?

A I don't want to know him.

Q What did he do to you ?

A Anybody steals and has to confess.

Q Did you steal ? That is why you don't like him ?

A You mind your own business.

Q Who is that fellow ?

A I know him from the old country; I am talking about
soldiers.

Q But he says he don't know you.

Q What ship did you come on; what line ?

Q That fellow says he doesn't know Charlie Schmidt at all.

A What hat do you wear ?

Q Silk hat.

A Seven shoes ?

Q That is the size of my shoes; yours are not seven.

A Yes.

- Q Yours are about ten, aren't they ?
- A What ?
- Q Whatsize do you wear ?
- A Three thousand miles.
- Q I wear a seven hat.
- A How long it took you to come over ?
- Q It took me about four weeks; I came over from Ireland ?
- A Ireland ?
- Q Yes; don't you believe that ?
- A What size hat do you wear ?
- Q I wear a seven hat and a seven shoe.
- A That is fourteen.
- Qc You can add up better than a good many people, can't you ?
- A How many horses in a car ?
- Q What car ?
- A That I rode down. How many stars ?
- Q Don't give me away; I wouldn't say anything about you. Do you know you saw me on the Bowery ? You don't want to give me away ?
- A What shoes do you wear ?

- A Seven; those are nice shoes. Charlie, don't tell them anything about the night you saw me on the Bowery ?
- A The twenty second of March ?
- Q It wasn't the twenty second of March.; that was the seventeenth; that was St. Patrick's Day. Don't tell anybody where you saw me.
- A Have you got a water closet here ?
- Q I don't believe they have. Now, don't give me away, like that; I wouldn't give you away. That fellow played a pretty good game of pool that night.
- A What night ?
- Q The night you saw me. Don't you remember that night ? What number was that ? That was twenty five ?
- A Twenty five.
- Q You are going to give me away. 25 Bowery; don't give me away. Have you seen Mooney lately ?
- A Five years.
- Q Haven't you seen Mooney in five years. I saw Mooney a little while ago.
- A What matches do you use in the house (handing match)
- Q That is no good; what did you want to give me a burnt match for; I can't light that. That is no good.

- A Light the match.
- Q With a burnt match?
- A Yes.
- Q I think you have a lot of money put away somewhere ?
- A How much money have you got in the safes ?
- Q You have got more money than there is in the safes.
- A The money that they use in England.
- Q You had better look out of some one will get hold of that money of yours.
- A George Gould ?
- Q Do you know George ; that is not George Gould. That fellow's name is not Gould.
- A Thousand dollars bail.
- Q A thousand dollars bail is a good deal, isn't it ?
- A Did you ever use candle stick ? What do you use mornings for breakfast ?
- Q Anything I can get. I don't always have breakfast. Look out he will steal your shoes; he is after you shoes.
- A He smokes a cigarette (Dr. Foster) and you have a segar. Mrs. Foster
- Q Do you know Mrs. Foster; do you know her ? That is the same name, do you know him ? Who do you mean Mrs Foster.

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A Did you ever eat peach cake ?

Q What kind of cake is that ?

A Did you ever drink any tea ?

Q I don't drink such stuff. You would rather have a glass of beer, wouldn't you instead of some tea ?

A Do you know Inspector McLaughlin ? Did you ever have a revolver in your hand ? They set places on fire; did you ever kill anybody ?

Q Didn't you see him down 25 Bowery ?

A No; Ever been around 42nd street; Grand Central ? Did you ever go and have a tooth pulled out ?

Q You have a muscle like John L. Sullivan, haven't you ?

A Forty thousand. Ever jump off the Brooklyn Bridge ?

Q He isn't Brodie.

Q Ever been down Steve Brodie's ?

Q Yes.

Q How often do you get shaved ?

BM MR. BRADLEY:

Q You had better get shaved or they will charge you for a haircut.

A I am not crazy.

Q Yes, you are.

A No, I aint.

BY COMMISSIONER NELSON:

Q Do you know what Mooney's name was; I have been looking all over trying to find his name; I have it here somewhere.

A Ninety fourth street.

Q You know Mooney don't you ?

A Did you ever see the moon ?

A Yes, I have seen the moon, but this is Mooney.

A Recorder's Chambers. (reading)

Q Recorder's Chambers ?

A Chambers street. Did you ever see Steckler ?

Q What did Steckley do to you ?

A Nothing; he is fresh I don't want any such people. Mosquitos.

Q That isn't a mosquito.

A Mosquito Mary; You are a God damned liar. Hang him up.

Q Hang who up. Mr. Bradley; he is a hand shaker, did you ever see him in the Bowery ?

A Yes, horse races; Morris Park.

Q Do you ever go to Morris Park ?

Q Did you ever see a black calf ?

Q Yes; two or three of them. Morris Park is a bad place to go. Did you ever see him up there ? (Mr. Bradley)

A I know him. Do you ever bet in Jersey ?

Q In Guttenburg ?

A Guttenburg.

Q Did you ever see him down to Monmouth Park ?

A Yes.

Q Or down to Brighton Beach ?

A What did you say about Johnny ? Johnny Capsticks disorderly house. You go down the Bowery and everywhere; Rhode Island, Maryland, Scotland, Welch. That's the biggest steal around here. Did you ever see a gray haired man ? Anybody crying ?

Q What are you crying about ?

A Ever get a tooth pulled out ? You are crazy. (Mr. Bradley)

BY MR. BRADLEY:

Q I am not half as crazy as you are.

A I live in Hartford.

Q He will take your shoes.

A How long does it take from here to 59th Street Central?
I have got one spot on me.

BY COMMISSIONER NELSON:

Q We are going to Morris Park tomorrow.

A How much are you going to bet ?

Q Oh, about a thousand. What will I put in on ?

A On a girl.

Q What kind of a girl ? There are no girls up at Morris Park.

A Yes. Those fellows what hang around Forsyth and Nester Street. Did you ever drink a three cent schooner ?

Q Come out and have some ?

Q What will you have ?

Q A cocktail.

A Did you ever have a little silver spoon ? You are a God damned liar. How often do you go in Jersey manure ? Ehrich Brothers, 23rd street, Macy's 14th street.

BY MR. BRADLEY:

Q I bet you don't know where Macy's is ?

A I can tell from the time I was there ?

Q You can't tell me anything from the time you was there.

A Yes; you are a damn liar.

Q Do you want to go with me ?

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A No.

Q Come on with me ?

A I won't go.

The Commissioners announced the hearing closed.
Commissioners to make report.

0673

NEW YORK COURT OF GENERAL SESSIONS OF THE PEACE.

+ + + + + X

The People of the State of New York,

-against-

O s c a r C o h n .

+ + + + + X

S i r : -

PLEASE TAKE NOTICE, that upon the petition of Ernestine Schaffner verified the 26th day of January 1897, and all the papers and proceedings herein, the undersigned will move this Court at Part I. thereof on the ^{2^d} day of ~~January~~ ^{February} 1897, at 10.30 o'clock in the forenoon, or as soon thereafter as Counsel can be heard, for an order dismissing the indictment herein, and discharging the defendant.

Dated, New York, January 28th. 1897.

Yours &c.,

LA PETRA & GLAZE,
Attys for Petitioner,
38 Park Row, New York City.

To,

William M. K. Olcott Esq,
District Attorney.

0674

NEW YORK COURT OF GENERAL SESSIONS OF THE PEACE.

----- x
The People of the State of New York, :
-against- :
Oscar Cohn, :
----- x

TO the Court of General Sessions of the Peace,

Petition of Ernestine Schaffner, respectfully shows to
this Court.

That on the 8th. day of January 1893, on Oscar Cohn was
indicted for Grand Larceny in the first degree.

That thereafter the said Oscar Cohn was admitted to bail
in the sum of \$1500.00 to answer the above indictment and that
your petitioner duly qualified as bondsman for the said
defendant, in the above amount, and the said defendant was
thereupon released from custody.

That thereafter on the 16th. day of May 1893 on motion of
the District Attorney the said bond was declared forfeited for
the failure of the said defendant to answer the indictment as
aforesaid, on said date. That the said defendant was not
notified to appear and answer on said date and petitioner was
not notified to produce him.

That thereafter on the 1st. day of June 1893, a judgment
for \$1500.00 in favor of the People of the State of New York
against the said Oscar Cohn, principal, and your petitioner,
as surety on said bond, was entered and docketed in the Su-
preme Court.

That thereafter your petitioner repeatedly, to wit.,
eleven times, appeared in Court with the said Oscar Cohn with

City of New York

Ernestine Schaffner, being duly sworn says that she is the petitioner herein that she has read the foregoing petition and the same is true of her own knowledge except as to those matters therein stated to be alleged upon information and belief and as to those she believes to be true

Sworn to, before me
this 20 day of May, 1897 } Ernestine Schaffner

Thomas F. Maguire
Comptroller of the City
N.Y.C.

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NEW YORK COURT OF GENERAL
SESSIONS OF THE PEACE.

The People of the State of New
York

against

Oscar Cohn.

orig
PETITION.

of Notice of Motion

LA FETRA & GLAZE,

ATTORNEYS FOR PETITIONER,

38 PARK ROW,

NEW YORK CITY.

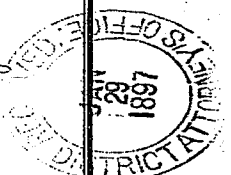
POTTER BUILDING,

Esq.

To

Attorney for

Due service of a copy of within *petra + notice*
admitted this *January 1897* day of



Please take notice that the within is a Copy of

this day Entered in the Office of the Clerk of the

Dated, New York,

Yours, &c.,

LA FETRA & GLAZE.

Attorneys for

To Esq.

38 Park Row,
NEW YORK CITY.

Attorney for

0678

Court of General Sessions.

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THE PEOPLE

vs.

Oscar Cohen

City and County of New York, ss.

Frank Dowling

being duly

sworn, deposes and says: I reside at No.

409 W. 25th St

Street, in the City of New York. I am a Subpoena server in the office of the District Attorney

of the City and County of New York. On the

21st

day of

June

1893.

I called at

Richmond Hill, L.I.

the alleged

residence

of

*John Remer*the complainant herein, to serve him with the annexed subpoena, ~~and~~

and served him personally for the 27th day of June. He was hurt at the time and said he would appear on the 27th day of June, (He having a pair of black eyes), on the 29th day of May. He was served in the court room, personally for the 14th day of June and failed to appear.

Sworn to before me, this

27th

day

of

June

1893

Frank Dowling

Subpoena Server.

*Thos. C. McGuire**Clerk of Court**A. G. L.*

Count of General Sessions.

THE PEOPLE, on the complaint of

John K. Reynolds

vs.

Wm. L. Colver

Offense

DE LANCEY NICOLL,
District Attorney.

Affidavit of
Frank K. Reynolds
Subpoena Server

~~Subpoena~~

NEW YORK COURT OF GENERAL SESSIONS OF THE PEACE:

""""""""""")

THE PEOPLE OF THE STATE OF NEW YORK: On conviction by con-
 --against-- : fession on Indictment
 CHARLES SCHMIDT. : for Grand Larceny in the
 : first degree.

""""""""""")

To

The Honorable The Court of General Sessions of the Peace.

We, Frank P. Foster and Jesse S. Nelson, a Commission duly appointed by this Court in and by an order duly made and entered in the above entitled action, bearing date July 6th, 1893, to examine the defendant, Charles Schmidt, and report to this Court as to his sanity at the time of such examination, DO RESPECTFULLY REPORT:

That having duly taken the statutory oath of office which is hereto annexed, and having given due notice of the time and place of the sitting of said Commission to the Hon. Delancey Nicoll, District Attorney, for the City and County of New York, and to Samuel D. Levy, Esq., the attorney for the defendant, we duly proceeded to execute said commission, holding the first hearing thereof on September 21st, 1893, at the Chambers of the Recorder of the City and County of New York, at the Court House in said City, and on subsequent days, to wit: September 29th, 1893; October 3rd, 1893, and October 12th, 1893.

That at the said hearings we were attended by the District Attorney, through his deputy assistant, Thomas J. Bradley, Esq., and by Samuel D. Levy, Esq., the attorney for the defendant. That we caused the defendant to be produced before us at the said hearings, and we have examined the defendant personally, both physically and orally as far as lay

in our power, and have also taken the testimony of other witnesses produced before us, and called by us, which testimony is also hereto annexed and made a part of this our report. That we have carefully examined and considered the testimony so taken, and have carefully noted the actions and demeanour of the defendant during the hearing before us, and from our examination and a careful consideration of all the facts and testimony produced before us, WE DO FURTHER REPORT:

That, in our opinion, the defendant has been shamming insanity, and at the time of such examination was sane, and is mentally fit to be sentenced by this Court on his conviction by confession of grand larceny in the first degree.

All of which is respectfully submitted.

Dated New York, October 17th, 1893.

Wm. H. Water
James S. Nelson
Commissioners.

NEW YORK COURT OF GENERAL SESSIONS OF THE PEACE:

""""""""""")
The People of the State of New :
York, :
--against-- :
CHARLES SCHMIDT. :
""""""""""")

To

Hon. Delancey Nicoll, District Attorney, and

Samuel D. Levy Esq., attorney for the defendant.

Sirs:-

Please take notice that the undersigned, the com-
mission duly appointed by this Court in and by an order
bearing date July 6th, 1893, and duly made and entered, to
examine the defendant, Charles Schmidt, as to his sanity at
the time of such examination, will proceed to execute said
commission on the *21st* day of September, 1893, at *3* o'clock
in the *after*noon of that day, at the Chambers of the Record-
er of the City and County of New York, at the Court House in
said City.

Dated New York, September, *19th* 1893.

Yours &c.
Edw. S. Nelson.
Frank P. Foster
Commissioners. *fm*

N. Y. COURT OF GENERAL
SESSIONS OF THE PEACE.

The People of the State of
New York,

vs.

CHARLES SCHMIDT.

NOTICE OF HEARING.

*Service of within notice is
admitted this 19th day of
September 1893.*

*Dist Atty.
Samuel P. H. L.
Atty for deft.*

0603

NEW YORK COURT OF GENERAL SESSIONS OF THE PEACE.

-----)
 The People of the State of New
 York,

--against--

CHARLES SCHMIDT.

""""""""""")

Indictment for grand
 larceny in the first
 degree.

Filed January 6th,
 1893.

City and County of New York:ss.

We, Frank P. Foster and Jesse S. Nelson, a com-
 mission appointed by this Court by an order duly made and en-
 tered and bearing date July 6th, 1893, to examine the said
 Charles Schmidt, and to report as to his sanity at the time
 of such examination, do each solemnly swear that we will
 faithfully and fairly determine questions so referred to us
 and make a just and true report thereon according to the best
 of our understanding.

Sworn to before me this)
 21st day of September, 1893.)

Frank P. Foster
Jesse S. Nelson

Edw J. Shalvey
Com of deeds
refdly

N. Y. COURT OF GENERAL
SESSIONS OF THE PEACE.

The People of the State of
New York,

vs.

CHARLES SCHMIDT.

original
OATH OF COMMISSIONERS.

JESSE S. NELSON,
Counselor-at-Law,
No. 11 Pine St.,
N. Y.

0685

0686

Court of General Sessions.

1714

THE PEOPLE

vs.

Charles Sanders

City and County of New York, ss:

John Hanna being duly sworn, deposes and says: I reside at No. 204 E 21

Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the City and County of New York. On the 26 day of June 1895

I called at 187 Forsyth

the alleged

residence of Charles Sanders the complainant herein, to serve him with the annexed subpoena, and was informed by the housekeeper she would take the subpoena, and when he would call, she would give him the same

I also left subpoenas for the officer in Station House

Sworn to before me, this 28th day of June 1895

of

John A. Maguire
County Clerk

John Hanna
Subpoena Server.

0687

Court of General Sessions.

THE PEOPLE, on the complaint of

Jacob Kerner
vs.
De Lancey Nicoll

Offense

DE LANCEY NICOLL,
District Attorney.

Affidavit of
John Hanna
Subpoena Server.

FAILURE TO FIND WITNESS.

0688

CITY AND COUNTY }
OF NEW YORK, } ss.

POLICE COURT.

DISTRICT.

1858

William J. Morney
 of No. *11th Precinct* Street, aged _____ years,
 occupation *Officer* being duly sworn, deposes and says
 that on the *29th* day of *December* 189*2*
 at the City of New York, in the County of New York, he arrested

Charles Schmidt and Oscar Cohen
 (both now here) upon a charge of Grand
 Larceny in stealing a watch from the
 person of John Reiner, who has
 identified the defendants as the persons
 who committed the crime. Said Reiner
 is a non-resident and deponent asks that
 the defendants be held a reasonable
 time to enable deponent to secure the
 attendance of said Reiner.

*William J. Morney*Sworn to before me, this *31*of *December* 189*2*

day

Wm. J. Morney
City Justice*over*

0689

Police Court, District,

THE PEOPLE, Etc.,

ON THE COMPLAINT OF

Charles Schmidt

Oscar Cohen

Dated Dec 31 1892

Magistrate.

Wm. Mahon

Wm. Mahon

Witness,

Disposition: 2000 fine & 4 years
L. G. Arns

Officer Murney further says that the defendants admitted to him that they pawned the watch and that defendant Smith informed said officer where said watch was pawned

William Murney

Police Justice

0690

Police Court

3

District.

Affidavit—Larceny.

City and County } ss:
of New York,

of *Richard Hies* *John Reimer* Street, aged _____ years,
 occupation *Liquor Dealer* being duly sworn,
 deposes and says, that on the *29th* day of *December* 189*7* at the City of
 New York, in the County of New York, was feloniously taken, stolen and carried away
 from the possession of deponent, in the *night* time, the following property, viz:

One Gold Watch valued
at about twenty five dollars
\$ 25.00

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

Charles Schmidt
and Oscar Chen both (then was)
 from the fact that deponent had said
 watch in his vest pocket that he
 was in a saloon on the Bowery in the
 company of defendants that he fell
 asleep and when he awoke said
 property was missing and the defendants
 had left for parts unknown.

Deponent is informed by Officer
Worner that he arrested the defendants
 used the said Officer subsequently found
 said watch pawned at 195 Bowery. This City
 deponent has identified said watch as
 his property *John Reimer*

Sworn to before me, this

day

of

1897

Police Justice.

0691

Sec. 198—200.

3
District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Oscar Cohen 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 sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *Oscar Cohen*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *Berlin*

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

Answer. *607 B'way*

Question. What is your business or profession?

Answer. *Salesman*

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

Answer. *I am not guilty*
Oscar Cohen

Taken before me this

day of

189

Police Justice.

0692

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Charles Schmidt 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 sees 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.

Charles Schmidt

Question. How old are you?

Answer.

33 years

Question. Where were you born?

Answer.

Germany

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

Answer.

65 Broadway

Question. What is your business or profession?

Answer.

Butcher

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

Answer.

*I am not guilty
Charles Schmidt.*

Taken before me this

day of

June

1893

Police Justice

[Signature]

0693

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 they be held to answer the same, and they be admitted to bail in the sum of *Five* Hundred Dollars, *each* and be committed to the Warden and Keeper of the City Prison of the City of New York, until they give such bail.

Dated *July 1* 189*3* *J. J. [Signature]* Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

81 3 24

Police Court, District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Richmond

1 *Oscar Chen*
2 *Chas Schmidt*
3
4

Larceny
from the person

Dated *June 1* 189*3*

Ryan Magistrate.
Place and Murray Officer.
814 5th Precinct.

Witnesses *Chas Sanders*
No. *187* *W 4th* Street.

No. Street.

No. *1000* Street.
to answer *G. S. ...*

1000 *Jun 3-2 PM*

BAILED,

No. 1, by Residence Street.

may 11
No. 2, by *Ernestine Schaffner*
Residence *70 W 50* Street.

No. 3, by Residence Street.

No. 4, by Residence Street.

0695

District Attorney's Office.

PEOPLE

24

Charles Schmidt.

Dr. Frank P. Fowler
16 E 31st.
N. Y. City

Jessie D. Nelson
11 Pine St.
City

0696

Department of
PUBLIC CHARITIES AND CORRECTION,

Office of City Prison, Corner of Franklin and Centre Streets,

HENRY H. PORTER, Pres't,
CHARLES E. SIMMONS, M. D., } Commissioners,
EDWARD C. SHEEHY,
JOHN FALLON, Warden.

New York,

June 26th 1893

This Certifies that, having
examined Chas Smith
at present confined in the
Hospital Cell, I am of
opinion that his mental
condition is very weak,
and does not show any
signs of improvement.

Joseph Coffey M.D.
City Physician
County Prison

June 26th 93.

0697

13
Department of
PUBLIC CHARITIES AND CORRECTION,
Office of City Prison, Corner of Franklin and Centre Streets,

HENRY H. PORTER, Pres't.
CHARLES E. SIMMONS, M. D., } Commissioners.
EDWARD C. SHEEHY,
JOHN FALLON,
Warden.

New York,

June 27th 1893

John Fallon Esq.,
Dear Sir

My opinion
of the present mental
condition of Cha. Schmidt
is that his mind is
impaired, & he is probably
passing into paralytic
dementia

Yours truly

C. H. Chute

0698

Department of
PUBLIC CHARITIES AND CORRECTION,

Office of City Prison, Corner of Franklin and Centre Streets,

HENRY H. PORTER, Pres't,
CHARLES E. SIMMONS, M. D., } Commissioners.
EDWARD C. SHEEHY,

JOHN FALLON,
Warden.

New York,

June 27, 1893.

Henry W. Unger Esq. Secy.

Dear Sir:

I enclose herewith
certificate from Doctors
Chetwood and Coffey of this
Prison in reference to the
Mental condition of a Prisoner
named Charles Schmitt who
was convicted and remanded
for sentence on the 6th day
of January last.

Yours respectfully,

John Fallon
Warden

N.Y. GENERAL SESSIONS.

-----X
The People &c.

Against

Charles Schmidt.
-----X

Henry W. Unger being duly sworn deposes and says; that he is a Deputy Assistant District Attorney and Secretary; that on the 6th day of *January 1893* this defendant plead guilty to the crime of grand larceny in the *first* degree upon an indictment theretofore found against him; that this defendant was jointly indicted with another defendant named Oscar Cohen, and pending the trial of the defendant Cohen, the defendant Schmidt was remanded for sentence, and sentence has not yet been passed upon him; that since then, as appears by the certificates of the City Physician hereto annexed, said defendant Schmidt has become of unsound mind.

Sworn to before me this

6th day of *July* 1893.

Thos M. McGuire

Clerk of Court

N. Y. Co.

Henry W. Unger

0700

My General Services

THE PEOPLE OF THE STATE OF NEW
YORK.

against

Charles Schmidt

affidavit as to
defendants Lanza et

DE LANCEY NICOLL,
DISTRICT ATTORNEY,
No. 32 CHAMBERS ST.,
NEW YORK CITY.

D. H. and Frank S
Lesse Schellon Lang
Appointed & authorized
to the 2nd 12. present
to the 658 10. Code Cr. Br.
May 6. 1934

0701

JOHN REIMER,

RICHMOND HILL, L.I.,

DEALER IN

Imported Wines, Liquors & Cigars,

—*FULTON STREET, *— Cor. Curtis Street.*—

District Attorney's Office.

Part One

James B. ...

James A. Ridenour

Edward M. B. Jr.

Nov 18/95

0703

District Attorney's Office.

Oscar Cohen

put on Part One
Wed-Nov 15

0704

District Attorney's Office. 1000

Per Order

Oscar Cohen

Subscribed to the District
Attorney June 19 for
June 21/93

0705

JESSE S. NELSON,
COUNSELLOR AT LAW,
NO. 11 PINE STREET.

AUGUSTUS L. HAYES.

NEW YORK, Sept. 19th, 1893

Thomas J. Bradley, Esq.,

Dept. Asst. Dist. Atty.

My dear Sir:--

Herewith I send you notice of hearing of the commission in the action of The People vs. Charles Schmidt, for Thursday next, 21st inst, at 3 P.M., at the Recorder's Chambers. Will you, on that day, kindly have the prisoner present, and also request Drs. Coffey and Chetwood to attend at that time? I think it would also be well to have a stenographer present to take the testimony.

Very truly yours,



P. S. It might also be well to have one of the keepers who has been in attendance on the prisoner present at the hearing. J.S.N.

0706

1714

Court of General Sessions.

THE PEOPLE

vs.

Oscar Cohen

City and County of New York, ss:

Frank Dowling being duly
sworn, deposes and says: I reside at No. 409 West 25th
Street, in the City of New York. I am a Subpoena server in the office of the District Attorney
of the City and County of New York. On the 4th day of Nov, 1893
I called at Richmond Hill - Long Island

the alleged residence of John Reimers
the complainant herein, to serve him with the annexed subpoena, and was informed by
the occupant of the store that
he had sold out his Saloon
there and moved away to Jamaica

I went there and could learn
nothing of him or his whereabouts

Sworn to before me, this 15th day
of November 1893

Frank Dowling
Subpoena Server.

Frank Dowling
Carmy [unclear]

Count of General Sessions.

THE PEOPLE, on the complaint of

vs.

Oscar Cohen

Offense

DE LANCEY NICOLL,

District Attorney.

Affidavit of

Frank Howling

Subpoena Server.

FAILURE TO FIND WITNESS.

0707

0708

David Leventritt,
Attorney & Counsellor at Law,
No 280 Broadway,

New York, June 5th '93 *189*

Hon. Thomas Bradley,

Assistant District Attorney.

Dear Sir:-

It will be impossible for you to successfully try the case of Reuben Cohen which is on your calendar for to-day Part I, on account of the absence of the most material witness for the People. I therefore ask you to let the matter stand for a couple of months, as the witness, who is in Richmond, will not be back before that time, and then we can successfully try the action.

Hoping you will grant my request, I remain,

Very Truly Yours,

D. Leventritt

(Dictated)

NEW YORK COURT OF GENERAL SESSIONS OF THE PEACE:

.....)

The People of the State of New
York,

--against--

CHARLES SCHMIDT.

.....

To

Hon. Delancey Nicoll, District Attorney, and

Samuel D. Levy Esq., attorney for the defendant.

Sirs:-

Please take notice that the undersigned, the commission duly appointed by this Court in and by an order bearing date July 6th, 1893, and duly made and entered, to examine the defendant, Charles Schmidt, as to his sanity at the time of such examination, will proceed to execute said commission on the *21st* day of September, 1893, at *3* o'clock in the *after* noon of that day, at the Chambers of the Recorder of the City and County of New York, at the Court House in said City.

Dated New York, September, *19th* 1893.

Yours &c.

Jesse S. Nelson
Frank P. Foster
Commissioners.

N. Y. COURT OF GENERAL
SESSIONS OF THE PEACE.

The People of the State of New
York,

vs.

CHARLES SCHMIDT.

NOTICE OF HEARING.

*For: De Lancey Howell
Dist Atty.*

JESSE S. NELSON,
Counsellor-at-Law,
No. 11 Pine St.,
N. Y.

0710

0711

501

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

THE PEOPLE OF THE STATE OF NEW YORK

against
Charles Schmidt
and
Oscar Cohn

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

Charles Schmidt and Oscar Cohn

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

The said

Charles Schmidt and Oscar Cohn, both

late of the City of New York, in the County of New York aforesaid, on the *29th* day of *December* in the year of our Lord one thousand eight hundred and ninety-*two*, in the *night* time of the said day, at the City and County aforesaid, with force and arms,

one watch of the value of twenty-five dollars

of the goods, chattels and personal property of one *John Reimer* on the person of the said *John Reimer* then and there being found, from the person of the said *John Reimer* then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

De Laurey Nicoll
District Attorney