

0145

BOX:

286

FOLDER:

2726

DESCRIPTION:

Schreiner, John H.

DATE:

11/09/87



2726

POOR QUALITY ORIGINAL

0146

The issues in this action, as well as in the two other cases pending against the same defendant, have been twice tried in the Supreme Court, before Mr. Justice Patterson, Mr. Justice Barrett, and two juries, and both trials have resulted in a dismissal of the complaints for failure of proof. The complaint is in Philadelphia, and has failed to attend to an examination before me. He has also executed and delivered a release to the defendant dependent upon a written agreement of settlement made between both parties. A copy of said instrument is annexed hereto.

Complainant's attorney, Mr. Thomas O. Williams, has also stated in a letter annexed hereto that they have abandoned the said case for failure of proof. The affidavit of defendant's attorney states that the property of the conservatorship has gone to the issue in the proceedings before me, returned by the defendant herein by their office, therefore, recommending the dismissal of the three indictments against the defendant herein. Edward G. Ross, Deputy Prosecutor

W. W. Stewart 1861
Counsel, 49 Hall
Filed 9 day of Nov 1887
Pleads *Nobility*

THE PEOPLE
vs.
John H. Schwimer
(3 cases)

Dec 19 1887
RANDOLPH B. MARTINE,
District Attorney.

A TRUE BILL.
J. C. Magoun
Foreman.
Civil suit pending
Part III May 6 1889
Judgment dismissed

Witnesses:

Bailed in \$1570
on three indictments
to John A. Stewart
125 East 3rd St

I have examined the written case. I recommend that the indictments herein be dismissed. See report of Mr. Grosse inside.
Part 3 May 6th 1889.
Wm. Shavers Jerome
Deputy Assistant District Attorney.

**POOR QUALITY
ORIGINAL**

0147

GENERAL RELEASE.—158.

H. K. BREWER & CO., Successors to
H. Anstice & Co., Stationers, 25 Nassau Street, N. Y.

To all to whom these Presents shall come or may Concern,
Greeting: Know ye, That I, James W. Bonta, of the
City of Philadelphia in the State of Penn-
sylvania

for and in consideration of the sum of One Dollar

lawful money of the United States of America, to me in hand paid by
John N. Schreiner of the City and State aforesaid
the receipt whereof is hereby acknowledged, have remised, released and forever
discharged, and by these Presents do for myself and my
heirs, executors and administrators, remise, release and forever discharge the said

John N. Schreiner

his heirs, executors and administrators,
of and from all, and all manner of action and actions, cause and causes of
actions, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills,
specialties, covenants, contracts, controversies, agreements, promises, variances,
trespasses, damages, judgments, extents, executions, claims and demands whatso-
ever in law or in equity, which against the said

ever had, now ha or which

heirs, executors or administrators, hereafter can, shall or may have for, upon or
by reason of any matter, cause, or thing whatsoever from the beginning of the
world to the day of the date of these presents, and it is intended
that this instrument shall fully release and
discharge the said Schreiner from any and
all claims, causes of action, rights and demands
in my favor against said Schreiner by reason of
any proceedings at law or in equity either civil
or criminal heretofore had, taken or procured
against me by him

In Witness whereof, I have hereunto set my hand
and seal the twelfth day of February in the year of our
Lord one thousand eight hundred and eighty nine

Sealed and Delivered in the Presence of

H. Kennedy.

James W. Bonta 

POOR QUALITY ORIGINAL

0148

State of New York
City of New York } ss.
County of New York

On the twelfth day of February in the year one thousand eight hundred and eighty nine before me personally came James W. Bonta, to me known, and known to me to be the individual described in, and who executed the foregoing instrument, and _____ acknowledged that he executed the same.

H. Kennedy
Notary Public
Kings Co.
cert. filed reg. 6

James W. Bonta

To

John W. Schreiner

General Release.

POOR QUALITY ORIGINAL

0149

IN THE COURT OF GENERAL SESSIONS OF THE PEACE.

City and County of New York

- - - - - x
 The People of the State of :
 New York, :
 :
 against : Three Indictments.
 :
 J o h n H. S c h r e i n e r. :
 :
 - - - - - x

City and County of New York, ss.:

EDWARD W.SHELDON being duly sworn, says that he is a member of the firm of Stewart and Sheldon, attorneys for the above named defendant.

That the above actions which were begun upon the affidavit and complaint of James W.Bonta, are based upon similar grounds and involve the same questions of fact as two actions brought by the said James W.Bonta against the above named defendant in the Supreme Court of this State.

That the complaint in both of these last named actions has been dismissed and the stock of the American National Telephone Company belonging to defendant, which was therein attached by the Sheriff of this City by order of the Supreme Court has been surrendered by the Sheriff and transferred and delivered to the defendant John H. Schreiner.

Sworn to before me this *Edward W. Sheldon*
11th day of April, 1889.

H. Kennedy
Notary Public, Kings Co.
Cert. filed N.Y.C.

**POOR QUALITY
ORIGINAL**

0150

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

The People of the State
of New York,

against

John H. Schreiner

AFFIDAVIT.

Stewart and Sheldon,
Defendant's Attorneys,
49 Wall Street,
New York City.

POOR QUALITY
ORIGINAL

0151

Enclosure.

WILLIAM A. W. STEWART,
EDWARD W. SHELDON,
JOHN A. STEWART, JR.

STEWART & SHELDON,
COUNSELLORS AT LAW,
49 WALL STREET, NEW YORK.

People vs Schreiner.

December 16. 1857.

Dear Sir:

I enclose herewith affidavits of the complainant Geil, the Justice of the Peace and the Constable in support of the statements upon information and belief in my affidavit, heretofore submitted to you, in connection with my request that the criminal action against Schreiner be postponed until the determination of the civil action already pending.

Yours faithfully,

William A. W. Stewart

Hon^{ble}
Randolph B. Marston,

POOR QUALITY ORIGINAL

0152

Mr. Berk

as

John H. Schuman

S.A.

POOR QUALITY ORIGINAL

0153

Form 42.

SUPREME COURT—CIRCUIT. PART 4 *March 8 1889*

James W. Ponta

against

John A. Schreiner

PRESENT

HON.

George C. Barrett

Justice.

I hereby Certify that this cause was this day tried, by the Court and a Jury, and the complaint therein dismissed.

feels

Edward D. Reilly
Clerk

**POOR QUALITY
ORIGINAL**

0154

*County Clerk
Certificate.*

POOR QUALITY ORIGINAL

0155

Form 42.

SUPREME COURT—CIRCUIT. PART 4

Febry 25 1889

James W. Bonta
against
John H. Schreiner

PRESENT
HON.

Edward Patterson

Justice.

I hereby Certify that this cause was this day tried, by the Court and a Jury, and the complaint therein dismissed.

feels

Edward J. Reilly
Clerk

**POOR QUALITY
ORIGINAL**

0156

*Clerk's
Certificate*

Philadelphia, February 8th. 1889.

It is hereby mutually agreed by and between
J. W. Bonta and J. H. Schreiner that all matters of
difference are hereby amicably settled and our
attorneys are hereby instructed to settle all suits in
Philadelphia and New York. J. W. Bonta to pay the
Sheriff costs and Courts costs except the costs made
by the attorneys of J. H. Schreiner. J. W. Bonta to pay
his own attorney costs, and instruct the Sheriff
of New York to deliver to J. H. Schreiner or his order
all such stock of the American National Telephone
Company as J. W. Bonta caused to be attached, belonging
to J. H. Schreiner. It is intended by J. W. Bonta that
in this settlement that four thousand shares are to be
delivered to J. H. Schreiner, including that held by
the Sheriff of New York, within ten days from date.
This settlement is made for the purpose of disposing of
and settling all difficulties, liabilities, damages
and disputes between us.

J. W. Bonta
J. H. Schreiner

**POOR QUALITY
ORIGINAL**

0158

Copy of Agreement

such contracts had been or would be sold to the persons whose names were so inserted.

That said Schreiner did promise and agree with deponent that he would account to deponent forthwith upon each sale of said contracts and pay over the proceeds thereof, less his commission aforesaid.

That upon the strength of said promise and agreement deponent did deliver to said Schreiner a number of such contracts and among which was one for the delivery of ~~Fifty~~ *Four hundred* shares of said Stock.

(L-)

That at the City of New York on or about the *25th* day of *March*, 1887, the said Schreiner sold to one *J. D. Howell*, one quarter of said contract for the sum of \$2500. and delivered said contract to said Howell upon receipt of said money which was on said day, as security for the interest he had acquired therein by such purchase ~~contract to one Charles Wilson of said City for the sum of \$2500. which said Howell paid to said Schreiner on said day. That thereafter and on the 11th day of April 1887, the said Schreiner sold to said Wilson a further one quarter interest therein for the further sum of \$2500. which said Howell paid to said Schreiner on said day. That said sum from said Wilson for deponent~~ *in cash and received* That at the time of the said sales the said contract was the sole property of deponent and was in said Schreiner's hands as such and only for sale, on account of deponent

That said Schreiner concealed from deponent the fact of such sale and delivery and when deponent discovered the same, he personally demanded of said Schreiner that he account to deponent for the proceeds of such sale and pay over to him the same, less his commission thereon, which said Schreiner absolutely refused to do.

e.

That said Schreiner appropriated the proceeds of said sale, less the said commission, to his own use unlawfully. That said Schreiner is a resident of Philadelphia Pa. and will not as deponent is informed, come into this State for fear of criminal prosecution on the charges herein contained. That upon deponent's complaint warrants were issued for the arrest of said Schreiner by men of the Police Magistrate of this City but said Schreiner discovering such fact has ever since evaded service thereof. That deponent is ready and willing to pay the expenses of the prosecution of said Schreiner in front of the Grand Jury should find an indictment on his complaints.

**POOR QUALITY
ORIGINAL**

0151

W H E R E F O R E deponent prays that he may be
apprehended and dealt with according to law.

Sworn to before me, this :

^{11th} day of ~~August~~ ^{October}, 1887.:

James M. Bonta

*Thos. H. Williams
Notary Public
King & V. J. Co*

POOR QUALITY
ORIGINAL

0162

James W. Costa
26 Broadway
N.Y.

John H. Lehman

Complaint

John D. Williams
Complaint
 Complaint

26 Broadway
Am. Nat. Telegraph Co.

**POOR QUALITY
ORIGINAL**

0163

STATE OF NEW YORK,

:
: S.S.

City and County of New York.

James W. Bonta being duly sworn, doth depose and say:-

That he ~~is~~ was at the times hereinafter mentioned, the owner of ^{interests in and entitled to large} large quantity of stock of the "American National Telephone Company".

That prior to the ^{15th} day of March, 1887, this deponent signed a number of contracts, for the delivery, ^{such person or persons who might thereafter become} to the owner or owners of such contracts, of certain shares of the Capital Stock of said Company when said Company should be fully organized.

That some of such contracts were signed in blank with the exception of the number of shares to be delivered, while in others the names of various persons were inserted and again in others the name of one John H. Schreiner was inserted. That the said Schreiner agreed with deponent to sell said contracts for deponent upon a commission of 20 per cent and those of said contracts which were left blank as to name, as well as those in which the name of said Schreiner had been inserted, were so made for the convenience of said Schreiner in selling the same, while those in which various names were inserted were so inserted for the reason that said Schreiner represented to deponent that

such contracts had been or would be sold to the persons whose names were so inserted.

That said Schreiner did promise and agree with deponent that he would account to deponent forthwith upon each sale of said contracts and pay over the proceeds thereof, less his commission aforesaid.

That upon the strength of said promise and agreement deponent did deliver to said Schreiner a number of such contracts and among which was one for the delivery of *Fifty shares* — of said Stock.

*L-6
C-6-1*

That at the City of New York on or about the *25th* day of *March*, 1887, the said Schreiner sold — and delivered said contract to one *Charles L. Wilson* of said City for the sum of *Seven hundred and fifty dollars* in cash and received said sum from said *Wilson* for deponent.

That said Schreiner concealed from deponent the fact of such sale and delivery and when deponent discovered the same, he personally demanded of said Schreiner that he account to deponent for the proceeds of such sale and pay over to him the same, less his commission thereon, which said Schreiner absolutely refused to do. X

That said Schreiner appropriated the proceeds of said sale, less the said commission, to his own use unlawfully.

That said Schreiner is a resident of Philadelphia, Pa. and as deponent is informed and believes, will not come into this state for fear of criminal prosecution and deponent is therefore willing to pay the expense of his extradition. Deponent further says that a warrant on this charge was issued by one of the Police Magistrates of this City nearly two months since but that it cannot be executed, deponent having in some manner learned of its existence.

POOR QUALITY ORIGINAL

0165

WHEREFORE deponent prays that he may be apprehended and dealt with according to law.

Sworn to before me, this :

4th day of October, 1887.

James M. Bonta

Thos. J. Williams
Notary Public
New York

POOR QUALITY
ORIGINAL

0166

James W. Banta
26 Broadway, n.y.
-10-

John H. Scheiner

Henry F. Wells -
Kussess St.
Complaint

J. E. Walstead ✓

45 421 Broome ✓

~~421 Broome~~

421 Broome ✓

J. H. Johnston

150 Bowery ✓

E. C. Caramore ✓

26 Broadway

Samuel White Jr. ✓

218 ~~Broome~~

312 ~~Broome~~

312 ~~Broome~~

Jas. W. Banta ✓

26 Broadway ✓

POOR QUALITY
ORIGINAL

0167

District Attorney's Office,
City & County of
New York.

W. Francis Jerome Esq
Deputy Asst Dist Atty

DISTRICT ATTORNEY'S OFFICE,

New York, March 28 1888

Mr Jerome

Will you please examine
the case of

People v John H Schreiner
and report results to me.

Mr William S. Atty
at Law - who represents Comptroller
will give you all the aid
in his power

Very truly
Yours
J. M. Adams
Dist Atty

POOR QUALITY ORIGINAL

0158

R-4-9-9 A.M.
O-4-9-9 P.M.

SYRACUSE
N.Y.
APR 8 1888
PM

Wm James Jerome Esq
Dist Atty's Office
New York City

GLOBE HOTEL,
DICKINSON, BACON & ELLIS,
SYRACUSE, N. Y.

Syracuse Apr 8/88
Wm James Jerome Esq
Asst Dist Atty

Dear Sir:

Your note to
me at 26 Broadway was
forwarded to me here &
just recd. - If you can
make Wednesday at 2 P.M.
next instead of Tuesday
it will suit me better
as I shall be detained
here with my business
until Tuesday P.M.

Very Truly Yours
J.W. Bonta

**POOR QUALITY
ORIGINAL**

0169

R-4-9-9 A.M.
A-4-9-9 P.M.



Ym Thomas Home Esq
Dist Ath's office
New York City

**POOR QUALITY
ORIGINAL**

0170

S.O.M.I.
4-9-88
7-1A
2

POOR QUALITY
ORIGINAL

0171

District Attorney's Office.

PEOPLE

vs.

John M. Schenck
G.S. - 3 cases -

This case now
set for 9th inst.
Admission to
19th inst.
Sec 8/17 P.B.M.

To Mr. Parker
Telegraph to consult
James W. Banta
16th St. Drury St.
(over) Philadelphia

**POOR QUALITY
ORIGINAL**

0172

of this adjournment.

POOR QUALITY ORIGINAL

0173

District Attorney's Office.

PEOPLE

vs.

John A. Schreiner
G.L.

Let this case be
submitted to G.J.
Oct 27/87 P.B.M.,
To Mr Parker

Woods' 1/27

District Attorney's Office.

PEOPLE

vs.

John K. Schreiner
G.L.

Application for
requisition -
Let it issue -
if complt makes
statement sufficient
to warrant it
Nov 11/87 P.B.M.,
To Mr Lindsay -

POOR QUALITY ORIGINAL

0174

District Attorney's Office.

PEOPLE

vs.

John B. Schreiner
(3 cases)
arrested in mass
for acquisition
Nov 14/87
John W. Hudson
Deputy

District Attorney's Office.

PEOPLE

vs.

John B. Schreiner
G.P.
These papers are
in hands of some
of the assets. I
wish you would
hunt them up.
Oct 25/87 P.B.M.
To Mr Parker
Josh. Day
or Mr. Davis
or

TORN PAGE

POOR QUALITY
ORIGINAL

0175

Thos. H. Williams,
COUNSELLOR AT LAW,
368 Fulton St.

Brooklyn, N. Y. Oct 24th 1887

Sir:

About two weeks ago I submitted to you a sworn statement of facts in the case of James W. Banta of 26 Broadway, N. Y. against one John B. Schreiner, and have since heard nothing from you.

The amount involved as shown by that statement was rather is \$4,500, but we have since discovered that transaction of a like character. Schreiner has deprived Banta of something like \$15,000.

The matter is of some importance and ought to receive your immediate attention.

Banta has positive information that Schreiner is preparing to leave Philadelphia for some point in California, in the early part of next week. If he is permitted to

leave from Phila. there is no proba

TORN PAGE

POOR QUALITY
ORIGINAL

0176

of being able to apprehend him
Mr. Banta is willing to pay
the expenses of extradition as
I would therefore request that you
lay the matter before the
jury at once.

I will call at your
office about the matter Monday
P.M.

Very truly yours

J. H. Whitney

Hon. R. B. Martin

POOR QUALITY
ORIGINAL

0177

Thos. H. Williams,
COUNSELLOR AT-LAW,
358 Fulton St.

Brooklyn, N. Y. Oct. 6th 1889
Hon. R. B. Martine

Sir:

Inclosed I hand
you two sworn statements
by James W. Banta of 26
Bway N.Y.

I am advised
that this is required by
you from parties desiring
indictments.

No comments
are necessary for mine, the
statements in my opinion
will afford you full in-
formation of the matter.

Kindly give the matter
your attention and oblige
Very truly yours
Thos. H. Williams

**POOR QUALITY
ORIGINAL**

0178

JOHN J. CAULON, Printer and Stationer,
20 VESEY STREET, NEW YORK.

*Harrison Snyder
312 Stock Exchange Place
Philadelphia
Pa*

JOHN J. CAULON, Printer and Stationer,
20 VESEY STREET, NEW YORK.

POOR QUALITY
ORIGINAL

0179

District Attorney's Office.

PEOPLE

vs.

John B. Schreiner
G.L.

Let Mr Davis's
report herein as
early as possible.
Oct 26/87 RBM.

To Mr Parker

Grand Jury Room.

Report

PEOPLE

vs.

John A. Schreiner.

Larceny.

This is an application to go
before the Grand Jury on a
charge of larceny against
the defendant. Defendant
is out of the State & complain-
ants are willing to pay the
expense of extradition.
Upon the papers a case
of larceny is made out.
Oct 27th 1887.

V.M. Davis.
Assistant

To Mr. Martine.

POOR QUALITY
ORIGINAL

0180

Enclosure.

WILLIAM A. W. STEWART,
EDWARD W. SHELDON,
JOHN A. STEWART, JR.

STEWART & SHELDON,
COUNSELLORS AT LAW,
40 WALL STREET, NEW YORK.

December 14. 1887.

People
in vs
Schreiner

Dear Sir:

I find on my arrival at my office this morning, that the affidavit intended to be enclosed with my letter to you yesterday is still on my desk, and I assume that the one was sent without the Exhibit referred to, and without the interlineation making the statement of the last paragraph on information and belief. Will you kindly substitute that enclosed herewith for the copy sent yesterday?

Yours faithfully
William A. W. Stewart

How:
Randolph B. Martine.

POOR QUALITY
ORIGINAL

0181

Enclosure.

WILLIAM A. W. STEWART,
EDWARD W. SHELDON,
JOHN A. STEWART, JR.

STEWART & SHELDON,
COUNSELLORS AT LAW,
49 WALL STREET, NEW YORK.

December 13, 1884.

People
vs
John H. Schraier

Dear Sir:

I enclose herewith an affidavit of facts on which I request a postponement of the trial ~~of the trial~~ of the above-named defendant till the civil action involving the same issues is disposed of. I am quite satisfied to leave this request without disturbing you by any oral discussion.

Will you kindly inform me what disposition you make of this request, and in the meantime adjourn the trial - now set down for next Monday, 19th, inst. for say a week or ten days?

Yours faithfully,

William A. W. Stewart

Hon. Randolph B. Martine.

POOR QUALITY ORIGINAL

0182

COURT OF GENERAL SESSIONS.

New York County.

-----	:
The People & c.,	:
against	:
John H. Schreiner.	:
-----	x

City and County of New York, ss.:

William A.W. Stewart being duly sworn, deposes and says that he is the counsel for the defendant above named. That on the ninth and tenth days of November, 1887, there were found by the Grand Jury of the County of New York three indictments for grand larceny. That all of those indictments were so found on complaints of James W. Bonta. That deponent has examined the verified statements in the nature of the complaints upon which the said indictments were found and that all of the facts and issues involved in the charges and the criminal proceedings herein against the said defendant are included in and must necessarily be disposed of in a civil action instituted on the 11th day of October, 1887, and nearly one month before the indictments were found. That said civil action is now pending in the Supreme Court of the State of New York and was brought for the conversion by the defendant Schreiner of the moneys which the plaintiff in the civil action, the said Bonta, alleges in his verified complaints for the finding of the above mentioned indictments, were misappropriated and retained by Schreiner while acting as his,

**POOR QUALITY
ORIGINAL**

0183

waives

the said Bonta's agent. That in the said civil action the plaintiff secured a warrant of attachment against the property of the defendant on the ground that the said action was founded in tort and for the conversion of property and under said warrant of attachment the Sheriff of the County of New York has attached about ~~600,000~~^{2,900} shares of the stock of the National Telephone Company, which stock the said Bonta has under oath within a fortnight testified has been sold by him for \$25. per share. That both said Bonta and Schreiner are citizens and residents of the City of Philadelphia in the State of Pennsylvania, and that the principal issue of fact involved in the said civil action, and deponent believes the only issue involved in this criminal proceeding is a question of title to certain shares of the stock of said Company which the defendant admits he sold for the sums of money alleged by the said complainant and retained the proceeds, which said sums of money were retained and are still retained by the defendant as the proceeds of his own property. That the said civil action is at issue and has been noticed for trial by both the plaintiff and defendant and that the defendant has, through deponent, offered to refer the said action for trial in order that it may be reached and disposed of at the earliest possible date. That said offer was made on the 25th day of November, 1887, but it has not yet been accepted.

Deponent has known the defendant for twenty years as an upright and honorable person, and deponent believes that while the trial of the indictments must result in the acquittal and justification of the defendant, deponent also

POOR QUALITY ORIGINAL

0184

believes that the object of the said complainant Bonta in making the complaints upon which the indictments were found and pressing the prosecution of this criminal proceeding to the end that the reputation of the said Schreiner may be injured and his position in the community damaged would in a measure be attained by the trial of the defendant in a criminal Court.

W. W. S.

Defendant is informed and believes

That since the finding of the said indictments the said Bonta has caused to be instituted against the same defendant in the State of Pennsylvania two criminal proceedings, one on the complaint of Abraham Geil in one of the criminal Courts of Bucks County in the State of Pennsylvania under the title of "The Commonwealth against John H. Schreiner," which case on being heard was dismissed without the examination of the defendant. Annexed hereto is a copy of the certificate of the Judge before whom the said case was tried and by whom it was dismissed on the first day of December, 1887. The second of which criminal proceedings in the State of Pennsylvania brought by the said Bonta is still pending in the Court of Oyer and Terminer and Court of Sessions of the Peace of the City and County of Philadelphia.

Sworn to before me this
13th day of December, 1887.

William A. Stewart

Robert D. Stinson
Notary Public
New York County

Commonwealth }
 ss. }
 John H. Schreiner } Warrant issued
 Nov. 23. 1887. Joshua Tomlinson
 Const. on oath of Abraham Geil
 charging defendant with having on or
 about the 30th day of Nov. 1885. at the Borough of Doylestown,
 obtained from the deponent 40 shares of Wilmington
 and Northern RR Stock valued at \$33- per share and 6
 shares of New York Midland RR Stock valued at \$19-
 per share the property of deponent, by false pretenses,
 with intent to cheat and defraud him. Now Dec
 1. 1887. John H. Schreiner the defendant with
 his Counsel Morton L. Montgomery Esq. appeared
 and demanded a hearing -
 Abraham Geil affirmed, after hearing
 the case dismissed + defendant discharged
 for want of sufficient evidence.

Bucks County ss.

I certify that the above is a correct trans-
 cript of the proceedings had before me in the above case and of record
 on my docket. Witness my hand and seal at Doylestown this 1st
 day Dec. A.D. 1887.

J. Evan Zorn J.P. Seal

The above is a correct + true copy of the paper given to
 me by J. Evan Zorn, Justice of the Peace at Doylestown
 Bucks County, Pennsylvania -
 Dec 2 1887. J. H. Schreiner

POOR QUALITY
ORIGINAL

0185

Commonwealth

To

Schreiner

(Rec'd Registered Par.)

J. Swan Jones J.P.

POOR QUALITY
ORIGINAL

0 187

Court of General Sessions
New York County

The People vs

vs

John H. Schreiner

Affidavit
of
William A. Stewart

Stewart & Sheldon,
Defendants Attorneys
49 Wall Street,
New York City.

POOR QUALITY ORIGINAL

0188

COURT OF GENERAL SESSIONS.

New York County.

----- x
The People & c., :
 against :
John H. Schreiner. :
----- x

City and County of New York, ss.:

William A.W. Stewart being duly sworn, deposes and says that he is the counsel for the defendant above named. That on the ninth and tenth days of November, 1887, there were found by the Grand Jury of the County of New York three indictments for grand larceny. That all of those indictments were so found on complaints of James W. Bonta. That deponent has examined the verified statements in the nature of the complaints upon which the said indictments were found and that all of the facts and issues involved in the charges and the criminal proceedings herein against the said defendant are included in and must necessarily be disposed of in a civil action instituted on the 11th day of October, 1887, and nearly one month before the indictments were found. That said civil action is now pending in the Supreme Court of the State of New York and was brought for the conversion by the defendant Schreiner of the moneys which the plaintiff in the civil action, the said Bonta, alleges in his verified complaints for the finding of the above mentioned indictments, were misappropriated and retained by Schreiner while acting as his,

Wells

the said Bonta's agent. That in the said civil action the plaintiff secured a warrant of attachment against the property of the defendant on the ground that the said action was founded in tort and for the conversion of property and under said warrant of attachment the Sheriff of the County of New York has attached about ^{2,900}~~\$29,000~~ shares of the stock of the National Telephone Company, which stock the said Bonta has under oath within a fortnight testified has been sold by him for \$25. per share. That both said Bonta and Schreiner are citizens and residents of the City of Philadelphia in the State of Pennsylvania, and that the principal issue of fact involved in the said civil action, and deponent believes the only issue involved in this criminal proceeding is a question of title to certain shares of the stock of said Company which the defendant admits he sold for the sums of money alleged by the said complainant and retained the proceeds, which said sums of money were retained and are still retained by the defendant as the proceeds of his own property. That the said civil action is at issue and has been noticed for trial by both the plaintiff and defendant and that the defendant has, through deponent, offered to refer the said action for trial in order that it may be reached and disposed of at the earliest possible date. That said offer was made on the 25th day of November, 1887, but it has not yet been accepted.

Deponent has known the defendant for twenty years as an upright and honorable person, and deponent believes that while the trial of the indictments must result in the acquittal and justification of the defendant, deponent also

believes that the object of the said complainant Bonta in making the complaints upon which the indictments were found and pressing the prosecution of this criminal proceeding to the end that the reputation of the said Schreiner may be injured and his position in the community damaged would in a measure be attained by the trial of the defendant in a criminal Court.

That since the finding of the said indictments the said Bonta has caused to be instituted against the same defendant in the State of Pennsylvania two criminal proceedings, one on the complaint of Abraham Geil in one of the criminal Courts of Bucks County in the State of Pennsylvania under the title of "The Commonwealth against John H. Schreiner," which case on being heard was dismissed without the examination of the defendant. Annexed hereto is a copy of the certificate of the Judge before whom the said case was tried and by whom it was dismissed on the first day of December, 1887. The second of which criminal proceedings in the State of Pennsylvania brought by the said Bonta is still pending in the Court of Oyer and Terminer and Court of Sessions of the Peace of the City and County of Philadelphia.

Sworn to before me this
19th day of December, 1887.

Robert L. Livingston
Notary Public,
New York County.

William A. Stever

POOR QUALITY
ORIGINAL

0191

Court of General Sessions
New York County

The People vs.

per

John H. Schrauer

Affidavit

of
William R. W. Stewart

Stewart & Sheldon,
49 Wall Street,
New York City

**POOR QUALITY
ORIGINAL**

0192

No. ³³
~~200~~

New York, Dec 14 1888

I hereby sell and assign to John H. Schreiner
Four Hundred shares of the stock of the
AMERICAN NATIONAL TELEPHONE COMPANY, the same to be taken
from the number of shares I may be entitled to receive from that Company.

The consideration for this sale and assignment is the surrender to me of a paper heretofore executed by me, and purporting to entitle John H. Schreiner to 400 shares of the Magic Telephone Company, together with a general release of all claims and demands of every nature arising from or on account of said paper.

The stock of the American National Telephone Company hereby agreed to be assigned, is to be assigned subject to certain conditions imposed by the Board of Trustees of said Company upon its stock; to which conditions the assignee hereinbefore named assents, and which are as follows:

All stock is to be subject to a contribution of five (5) per cent., payable in stock, for the benefit of the Treasury of said Company. All stock is to be the subject of special deposit to be under the control of the Board of Trustees. During the continuance of such special deposit, the voting power of said stock is to be vested in said Board of Trustees, and said stock is to be non-transferable on the books of the Company, except by and with the consent of that Board. These conditions will attach to said stock for three years, or until the validity of the Bonta patents has been determined by the court of highest jurisdiction, unless the said stock be sooner released from said conditions by said Board of Trustees.

James W. Bonta
Patente

**POOR QUALITY
ORIGINAL**

0193

Philadelphia 188

This Certificate entitles the holder

to share of the
MAGIC TELEPHONE stock of the United States, to be issued to
the holder hereof when patents are allowed, at which time a meeting
will be called for permanent organization, election of officers, and
such other business as may be of interest.

Patentec.



Exhibit A.

Phila. Feb 16th 1886

It is agreed between J. W. Bonta and J. H. Schreiner in consideration of services rendered heretofore by J. H. Schreiner and an agreement on the part of Schreiner to assist said Bonta in the organization organizing of the Telephone Co. which is to represent the Bonta telephone also in selling such amount of stock or interest as said Bonta may desire to sell. When said organization is complete said Bonta agrees to have issued to said Schreiner Three thousand six hundred shares of the stock of said Company in addition to the one thousand shares patented receipt, and about four hundred shares issued in small amounts

J. W. Bonta,
John H. Schreiner.

People
against
John H. Schreiner.

James W. Bonta, 1600 Diamond Street
Philadelphia

I am the patentee of a telephone. On Feby 16th 1886 I entered into a contract in writing with the defendant herein a copy of which is hereto annexed and marked exhibit A. Subsequently at about this time I was attempting to organize the American National Telephone Company a corporation under the laws of the state of New York. This Corporation was organized and now exists. In about June or July 1886 this contract exhibit A was modified to this extent that it was to apply to the stock of the American National Telephone Company and I agreed that I would give him 20% of the amount for which he sold stock in such company for me and I would pay his expenses. He was to receive a 20% commission on sales of the amount for which he sold the stock. Under this agreement I from time to time I would deliver to him certificates like exhibit B hereto annexed, signed by me. These were for him to sell and I because

certificates of stock to be issued by the Company to the vendor. He sold these from time to time and returned the proceeds to me less his commissions of 20%. About Feb'y 11th, 1887, the defendant represented to me that he had a purchaser for 400 shares of stock saying the purchaser was a silk merchant on Broome Street^{N.Y.}. That he might sell this amount and under our contract I gave him a certificate ~~to~~ a copy of which is annexed name exhibit B. This was in Philadelphia in my house. My wife was present. I charged the defendant with having failed to make returns in respect to other certificates which I had previously given and I upbraided him severely telling him that he was a thief and had commenced his old stealing games. He replied that his family must live and said he had turned in the certificates some in payment of house rent and some for old debts. At this time the organization of the ~~American~~ American National Telephone Company was incomplete. Nothing had been done except the obtaining of a charter and he repeatedly said before E.C. Paramore in my office in this city that he had no stock of his own.

but was selling for Mr. Bonta and at this time I was paying his expenses. He then told me to be head of a syndicate which would take 3000 shares and I had seen some of the men whom he said were to be in it and I thought this was true. After I had upbraided him in this manner I agreed to charge some 395 shares. Previously given him ~~to him~~ and on which he had not made any returns to his ^{contract} account if he would make immediate returns on the certificates I wanted to issue to him for the cert. syndicate and for the silk merchant in Broome St. N. Y. and for 2 other customers whom he said he had and who were to take 50 and 25 shares respectively and in addition to this I agreed to charge 1130 shares more which he had had previously and on which he had made no returns on his contract. To this he assented and called God to witness that he would do honestly and squarely with me and return the money as fast as the sales could be made. On this understanding I issued to him for the syndicate one certificate of 3000, one of 400, one of 50 and ^{one of} 25 all like Exhibit B. On March 25th /87 defendant went to H. J. Howell in this city

Howell is
a sick
merchant on
Broome St.

J. E. Walscheid in this city and sold him 100 shares of the stock and to secure his bringing him a certificate for this he left the 400 certificate with him. Walscheid acted as the agent for H. J. Howell and gave defendant a cheque of Howell's for \$2500. This same day ^{and subsequently to the receipt of the cheque} at the office of the Company in N. Y. defendant told me and Henry J. Wells that the whole thing, referring to the sale of the certificate for 400 shares had fallen through and he could not get anything out of it. Mr. Paramore was also present. He then took the cheque endorsed it to Samuel White Jr. and took back White's cheque to himself. The cheque of Howell's was paid in due course. Defendant has refused to account for this money. On July 27th/87 there was a meeting of the Board of Directors of the Co. and they demanded that ~~that~~ the defendant resign as secretary and director. He wanted to know the reason why and I said I would tell him after the board meeting. When the meeting was over I told him his resignation was demanded because he had been stealing from me and that so far as I could make out he had about \$10000 of my money. I also said to him that he had swindled

me on the Broome Street sale. He denied everything. On August 3^d 1887 there was another meeting of the Board and his resignation was peremptorily demanded and he resigned. ^{On August 2^d 1887} and I charged him with stating my money and not giving it to me when he should have done so. He replied "By God the stock bore his name on the face of it and he would do as he pleased with it and he would like to see me get a cent of the money. On no occasion did he up to this time did he claim that he had received the stock as his own under ~~this~~ his contract.

^{After} When the defendant had left the 400 share certificate with Walscheid I had made a demand on him that he return this certificate or account to me for the proceeds. This was in May or June 1887. He ~~said~~ pretended to feel in all his pockets for the certificate and appearing not to find it said that he had mislaid it in changing his clothes but would find it. This was in the office in this city. At this time the Company had commenced to issue stock and as Secretary of the Co he had made out a certificate for 200 shares to J.D. Howell. He then went out of the office and before he left I saw him wrap something up and put

It under his coat. When he went out I looked and found the stock transfer book of the Co. was gone. I am not sure that at this time the certificate was made out, there was an entry in the transfer book at this time made by defendant and signed by me showing that J. D. Howell was entitled to a certificate for 200 shares. The next morning the transfer book was in its place and defendant produced the 400 share certificate and said there it is I have found it. He had taken the transfer book to ~~Howell~~^{Waldschied} and had induced ~~Howell~~^{Waldschied} to also surrender the certificate on the faith of that entry and the receipt a copy of which is hereto annexed marked Exhibit C. The additional 100 shares making 200 in all Waldschied had purchased on April 4th 1887. The 200 shares of stock were necessarily issued to ~~Waldschied~~^{Waldschied} as Howell subsequently.

Bucks County,
State of Pennsylvania, ss:

I, Abraham Geil, of Bucks County, aforesaid, being duly affirmed according to law do depose and say that James W. Bonta, and C. P. Rose of Philadelphia, Pa. and W. W. H. Davis of Doylestown, said County, called to see me at my residence in reference to the stock transaction which I had with John H. Schreiner of Philadelphia, Pa.; that said James W. Bonta during his two visits in November 1887, asked me whether or not I would be willing to sign a paper stating that I had given some Rail Road Stock for American National Telephone Co. Stock, and that I consented to do so; that I accompanied said three parties named to the Office of J. Evan Zorns Esq. a Justice of the Peace of Doylestown on November 23rd, 1887 and there subscribed and affirmed to a certain written statement, which I then believed was simply a statement that I had given said John H. Schreiner the Rail Road Stock aforesaid for American National Telephone Co. Stock; that some days afterward I learned that I had signed an affidavit, charging said John H. Schreiner with obtaining said Rail Road Stock from me by false pretense with intent to cheat and defraud me; that I did not know the full import of said statement so signed by me and that I on December 1st, 1887 appeared before said J. Evan Zorns Esq. and testified before a hearing then had before him that my

business transaction with said John H. Schreiner about November 1885 was an exchange of said Rail Road Stock for American National Telephone Co. Stock and that I was satisfied with the exchange; that said John H. Schreiner had not made any false pretense to me with intent to cheat and defraud me in obtaining my said Rail Road Stock; that I did not know that I was prosecuting said John H. Schreiner for false pretense or for any thing else, and that I did not want to have him prosecuted; that previous to November 23^d 1887 I had not thought of prosecuting said John H. Schreiner for any offense whatsoever and that I would not have subscribed to the said information if I had not been led to believe that the said written statement was simply a statement that I had given said Rail Road Stock to said John H. Schreiner for said Telephone stock; that I am Seventy five years of age; and I am in a feeble state of health, and have been for a year past; that for a year past I have not done any business transactions without first consulting my nephew H. F. Geil and my Attorney-at-Law S. Z. Freed both of Doylestown, but the aforesaid affidavit was made by me without consulting my said nephew and Attorney; and that to the best of my knowledge and belief I was deceived in signing said affidavit, charging the criminal offense aforesaid.

H. F. Geil

POOR QUALITY ORIGINAL

0203

Affidavit and submitted before me this 15th day of
December A.D. 1887

John V. Miller
Dep. Prothonotary of the Court
of Common Pleas of Bucks
County Pa.

Bucks County,

State of Pennsylvania, ss:—

J. Erwin Zorn, being duly sworn according to law, doth depose and say that he is a Justice of the Peace of the Borough of Doylestown, in and for the said County; that on the Twenty-third day of November, A. D. 1887, one Abraham Geil, ^{of Doylestown, said County} lodged an information before me against John H. Schreiner of Philadelphia charging the said John H. Schreiner with obtaining certain Rail Road Stock from him, the said Abraham Geil, by false pretense, with intent to cheat and defraud him the said Abraham Geil; that on said 23^d of November the said Abraham Geil was accompanied by James W. Bonta, and C. P. Rose both of Philadelphia, Pa. and W. W. H. Davis of Doylestown, Pa. when he the said Abraham Geil made and subscribed the affidavit against the said John H. Schreiner; that in pursuance of said information I issued a Warrant for the arrest of said John H. Schreiner; that the said John H. Schreiner appeared before me ^{on the first day of December 1887} voluntarily and demanded a hearing upon the charge so made against him; that said Abraham Geil also appeared on said first day of December, and upon having been duly qualified said that said James W. Bonta called upon him and asked him to sign a paper stating that he had

given said John H. Schreiner, the said certain Rail Road Stock which he consented to do; that he did not know that he was then lodging an information against said John H. Schreiner charging him with obtaining said stock by false pretense, with intent to cheat and defraud him the said Abraham Geil; that he was satisfied with the business transaction, which he had had with said John H. Schreiner, and did not desire to have him the said John H. Schreiner prosecuted for the offence aforesaid; whereupon I determined that there was no criminal case made out against the said John H. Schreiner, and dismissed the case, and discharged the said John H. Schreiner.

J. Evans Jones

Sworn and Subscribed before me this 15th day of December
A.D. 1887-

Clayton W. Minister

Secretary of
Becker County, Minn.

Bucks County,
State of Pennsylvania, ss:—

I, Joshua Tomlinson, being duly sworn according to law, do depose and say that I am a Constable of the Borough of Doylestown, in and for said County of Bucks; that on the 23^d of November, 1887, a Warrant was placed in my hands as such Constable by J. Evan Borne Esquire, Justice of the Peace of said Borough, for the arrest of John H. Schreiner, of Philadelphia, Pa. upon the charge of false pretence on oath of Abraham Geil of said County of Bucks; that when said Warrant was placed in my hands by the said Justice in his Office, one James W. Bonta, of Philadelphia, Pa. was present; that the said James W. Bonta asked me to arrest the said John H. Schreiner, and then paid me the sum of Five Dollars towards my expenses, that I ^{on the following morning, November 24th 1887,} went to Philadelphia for the purpose of arresting the said John H. Schreiner; that subsequently the said James W. Bonta paid me other moneys amounting to the sum of about fifteen dollars; that said James W. Bonta met me at Philadelphia on Thanksgiving day, November 24th, and again on November 25th, and urged me to arrest the said John H. Schreiner; that said James W. Bonta telegraphed ^{on November 30th 1887,} to me, asking me to retain the best Counsel at Doylestown for him, in

the said prosecution against said John H. Schreiner; that on the evening of the same day, said James W. Bonta visited Doylestown, and employed as special counsel, Nathan C. James Esq, and paid him a retaining fee in my presence.

Joshua Tomlinson.

Sworn and subscribed before
me at Doylestown this 15th day of
December A. D. 1887

J. Evan Jones J. P. Reese

POOR QUALITY
ORIGINAL

0208

The People

vs

John H. Schreiner

Applicants

only print / include
let this party work
don't mess up. BBA

See 1/27/87
Schreiner and Sheldon
Attorneys and Schreiner
49 Wall Street
New York

POOR QUALITY ORIGINAL

0209

OFFICES OF
THOS. H. WILLIAMS,
COUNSELLOR AT LAW,

No. 26 COURT STREET,
(GARFIELD BUILDING.)

Brooklyn, N. Y. April 16th 1889.

Dear Sir: Your favor of the 15th at hand and contents noted. I will try and see you to-morrow about the Jahrest. Schreiner case but am afraid I may be detained here in Court.

I can say to you that my client Mr. Banta has abandoned the case because of failure of proof.

If we could not get evidence that we expected and consequently were obliged to drop the case.

Mr. Banta is in Philadelphia and was likely to return to N.Y. over

POOR QUALITY ORIGINAL

0210

If you desire to get any particular information from me I may make special efforts to see you on Friday in event I cannot get over tomorrow

Very truly yours

Edmund Gosse

[Faint, mostly illegible handwritten text]

[Faint handwritten signature or name]

WILLIAM H. BENTLEY

WILLIAM H. BENTLEY

POOR QUALITY ORIGINAL

0211

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John W. Schneider

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

The said *John W. Schneider*,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *fourth* day of *April*, in the year of our Lord one thousand eight hundred and eighty-~~nine~~, at the Ward, City and County aforesaid, being then and there the ~~clerk and servant of~~ *agent of one James W. Banta,*

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

James W. Banta, the true owner thereof, to wit: *The sum of twenty five hundred dollars in money, lawful money of the United States, and of the value of twenty five hundred dollars,*

the said *John W. Schneider*, afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, did feloniously appropriate the said *sum of money*

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

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

RANDOLPH B. MARTINE,
District Attorney.

POOR QUALITY ORIGINAL

0212

1861

Counsel,

Filed 9 day of Nov - 1887

Pleas *Nash & M. G. C. H.*

[Sections 528 and 530 of the Penal Code.]
(MISAPPROPRIATION)
James Larceny, & C. H. M.

THE PEOPLE

vs.

B
John M. Schmeider
(Bremer)

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

G. W. Maguire

Foreman.

Part III May 6/89.
Indictments dismissed.

Witnesses:

See memorandum
indorsed on in-
dictament No. 1.
Edw. Gosse
Dep. Asst. G.

(Bailed on another

indictment)

I recommend the dismissal
of the within indictment.
See report of Mr. Gosse upon
other indictments.
Part 3 May 6th, 1889.

Wm. Travers Jerome,
Deputy Asst. Dist. Atty.

POOR QUALITY ORIGINAL

0213

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John W. Schneider

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

The said *John W. Schneider*,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *twentieth* day of *March*, in the year of our Lord one thousand eight hundred and eighty-*seven*, at the Ward, City and County aforesaid, being then and there the clerk and servant of *agent of one James W. Banta*,

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

James W. Banta, the true owner thereof, to wit: *the sum of seven hundred and fifty dollars in money of the United States, and of the value of seven hundred and fifty dollars.*

the said *John W. Schneider*, afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, did feloniously appropriate the said *sum of money*

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

James W. Banta, of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said *James W. Banta*,

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

RANDOLPH B. MARTINE,
District Attorney.

POOR QUALITY ORIGINAL

0214

1861

Witnesses:

Wm H Davis
Phelan
Henry P Wells
140 Nassau
Thomas Snyder
P. P. P. P.

Refiled on another indictment

See memorandum indited No. 1.

Edward Gosse
Depy. Atty.

I recommend the dismissal of the within indictment. See report of Edw. Gosse upon other indictment. Sent 3 May 6th, 1887.

Wm Travers Jerome,
Depy. Atty. Genl. Dist. Atty.

Counsel,

Filed 9 day of Nov 1887
Pleads *Not Guilty*

[Sections 528 and 530 of the Penal Code]
(MISAPPROPRIATION)
Larceny, *furva*

THE PEOPLE

vs.

B

John H. Schmeiser
(3 cases)

RANDOLPH B. MARTINE,

District Attorney.

A TRUE BILL.

Edw. Gosse

Foreman.

Part III May 6/87
Indictment dismissed

POOR QUALITY ORIGINAL

0215

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John H. Schreiner

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

The said *John H. Schreiner*,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *twenty first* day of *March*, in the year of our Lord one thousand eight hundred and eighty *seven*, at the Ward, City and County aforesaid, being then and there the clerk and servant of *agent of one James W. Banta,*

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

James W. Banta, the true owner thereof, to wit: *the sum of twenty five hundred dollars in money, lawful money of the United States, and of the value of twenty five hundred dollars,*

the said *John H. Schreiner*, afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, did feloniously appropriate the said *sum of money*

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

James W. Banta of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said *James W. Banta,*

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

RANDOLPH B. MARTINE,
District Attorney.

0216

BOX:

286

FOLDER:

2726

DESCRIPTION:

Schultz, Fritz

DATE:

11/18/87



2726

POOR QUALITY ORIGINAL

0217

168

Witnesses :

Counsel,

Filed, 18 day of Nov 1887

Pleads,

Grand Larceny *second degree* [Sections 628, 58 Penal Code].

THE PEOPLE

vs.

Fritz Schultz

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

J. C. Maguire

Foreman.

John J. Gentry

S. P. 2 1887

POOR QUALITY ORIGINAL

0218

Police Court— District.

Affidavit—Larceny.

City and County of New York, ss.

Maryann Hyland of No. 400 East 48th Street, aged 38 years, occupation Housekeeper being duly sworn

deposes and says, that on the 14 day of November 1887 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 dark Overcoat of the value of Thirty Dollars \$30.00

the property of Matthew T. Riccio, in deponent's care & charge

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 Fritz Schultzy (now present) from the following facts to wit: - That at the time mentioned Deponent & Defendant were in the hallway of premises number 304 East 47th Street in said City. And that Defendant in the presence of Deponent took from a rack therein the aforesaid coat & ran away with the same. That Deponent is informed by Thomas Quinn a police officer of the 23rd Police Precinct, that Defendant admitted to him Quinn the taking & stealing of said property. Maryann Hyland

Sworn to before me this 14th day of November 1887 of New York City. Police Justice.

POOR QUALITY ORIGINAL

0219

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas Quinn
aged *24* years, occupation *Police Officer* of No. *23* *Police Avenue* Street, being duly sworn deposes and

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

Sworn to before me, this *15* day of *November* 18*3* } *Thomas Quinn*

John Thompson
Police Justice.

POOR QUALITY ORIGINAL

0220

Sec. 198-200

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Fritz Schultz 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.

Fritz Schultz

Question. How old are you?

Answer.

34 years

Question. Where were you born?

Answer.

Germany

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

Answer.

20 Canal Street - 4 weeks

Question. What is your business or profession?

Answer.

None

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

Answer.

I am guilty

Fritz Schultz

Taken before me this

15

day of *November* 188*8*

[Signature]

Police Justice.

POOR QUALITY ORIGINAL

0221

BAILIED,
 No. 1, by
 Residence Street,
 No. 2, by
 Residence Street,
 No. 3, by
 Residence Street,
 No. 4, by
 Residence Street,

2291168 1864
 Police Department District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

Marshall Reynolds
 400 E. 45th St
 July - default

1
 2
 3
 4
 Offence

Grand Larceny

Dated Nov. 15 188

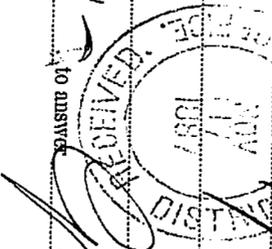
Magistrate
 Officer

Witnesses
 Precinct

No. 1
 Street

No. 2
 Street

No. 3
 Street
 \$ 500 to answer



(Signature)

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 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 Nov. 15 188 [Signature] Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

POOR QUALITY ORIGINAL

0222

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Frederick S. Smith

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

Frederick S. Smith

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

The said *Frederick S. Smith*

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

one percent of the

value of thirty dollars,

of the goods, chattels and personal property of one

Matthew S. Vicat

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.

Richard W. Van Hook

District Attorney

0223

BOX:

286

FOLDER:

2726

DESCRIPTION:

Schwartz, Augusta

DATE:

11/30/87



2726

POOR QUALITY ORIGINAL

0224

177

357

Counsel, *E. W. P. [unclear]*
Filed *30* day of *April* 188*7*
Pleads, *Arrested by Dec 1*

KEEPING A HOUSE OF ILL FAME, ETC.
(Sections 322 and 385, Penal Code.)
THE PEOPLE
vs. *B*
Augusta Schwartz

Dec 1 1887
RANDOLPH B. MARTINE,
Dec 9 1887 District Attorney.

PT 1
A True Bill.

J. J. Mayorn
Part III December 9/87. Foreman
Pleads Guilty.
Judge's [unclear]
R. H. [unclear]

Witnesses:

.....
.....
.....
.....

Court of General Sessions

The People

vs

Augusta Schwartz

Cit. & County of New York ss - John Crook - being duly sworn says, I am an officer attached to the Municipal Police Force stationed in the 12th Police Precinct of said city and am one of the officers who arrested above named defendant. I allege that said defendant Augusta Schwartz, has given up the premises 242 Division Street, and removed therefrom and same have been vacated by said defendant for some months past - and the nuisance at said premises has been abated.

Sworn to before me
Dec. 6th 1887

John Crook

Elm Street
Notary Public
- L

Court of General Sessions

The People vs.

Augusta Schwarz

City County of New York ss. James McQuire
being duly sworn dep. I am
an officer attached to the 12th police
precinct, and have read the aforesaid
affidavit of John Cron and corroborate
same in every particular.

Sworn to before me -

Dec-6th 1887 -

Edw. Fried

James McQuire

Not Public
N.Y.C.

Court of General Sessions

The People

- vs -

Augusta Schwartz

City & County of New York ss -

Augusta Schwartz of said city being sworn says, I am the defendant above named, I now reside and have resided since about August last at 338 E Houston Street - with my husband, I have given up the business heretofore conducted by me at 242 Division Street, and have removed from said premises - I promise never again to enter into the business as carried on by me at said place, and will in the future so conduct myself as becomes a good woman - I respectfully ask for a suspension of judgment herein -

Sworn to before me

Dec. 6th 1887 -

Geo. F. ...

Not Public
Inf. Co.

Augusta ^{her} + Schwartz
Mant

POOR QUALITY ORIGINAL

0220

General Session Court.

The People

Plaintiff

against

Augusta Schwab

Defendant

Affidavit

~~MERZBACH & FRIEND,~~

Friend & Sonner

Attorneys for

Swaff.

25 CHAMBERS STREET,

NEW YORK CITY.

POOR QUALITY ORIGINAL

0229

Sec. 322, Penal Code.

3rd District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

of No 62 Sheriff Avenue Street, in said City, being duly sworn says that at the premises known as Number 242 Division Street, in the City and County of New York, on the 9th day of August 1887, and on divers other days and times, between that day and the day of making this complaint

Mrs Augustus Schwartz did unlawfully keep and maintain and yet continue to keep and maintain a segar store and house of prostitution and did then, and on the said other days and times, there unlawfully procure and permit as well men as women of evil name and fame and of dishonest conversation to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution and lewdness, and then and on the said other days and times, unlawfully and wilfully did permit and yet continues to permit said men and women of evil name and fame there to be and remain ~~drinking, dancing, fighting,~~ disturbing the peace, whoring and misbehaving themselves, whereby the peace, comfort and decency of persons inhabiting and residing in the neighborhood, and there passing is habitually disturbed, in violation of the statute in such case made and provided.

Deponent therefore prays, that the said Mrs Augustus Schwartz and all vile, disorderly and improper persons found upon the premises, occupied by said Mrs Augustus Schwartz may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me, this 11th day of August 1887

Charon Koley
J. M. Dutton Police Justice.

POOR QUALITY ORIGINAL

0230

VI x *3rd*
Police Court— District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Adrian Kinsky

vs.

Mrs Schwartz

AFFIDAVIT—Keeping Disorderly House, &c.

Dated *August 11* 188 *7*

Patterson Justice.

McGuire & Co. Officer.

12 Precinct.

WITNESSES :

James McGuire } *12 Prec. Polici*
John Covert }

POOR QUALITY ORIGINAL

0231

Sec. 151.

Police Court J-11 District.

CITY AND COUNTY OF NEW YORK, } ss. *In the name of the People of the State of New York; To the Sheriff of the County of New York, or 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 Charles H. H. H. H. Street, that on the 9th day of August 1887, at the City of New York, in the County of New York, Mrs. Schwartz did keep and maintain at the premises known as Number 242 Division Street, in said City, a Saloon and house of prostitution and there unlawfully procure and permit as well men as women of evil name and fame, and of dishonest conversation to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution, and there unlawfully and wilfully did permit said men and women of evil name and fame there to be and remain ~~drinking, dancing, fighting,~~ disturbing the peace, whoring and misbehaving themselves whereby the peace, comfort, and decency of persons inhabiting and residing in the neighborhood and there passing is habitually disturbed in violation of the statute in such case made and provided.

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 body of the said

Mrs. Schwartz and all vile, disorderly and improper persons found upon the premises occupied by said Mrs. Schwartz and forthwith bring them before me, at the 11th 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 11th day of August 1887

J. H. H. H. POLICE JUSTICE.

POOR QUALITY ORIGINAL

0232

Police Court— District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

WARRANT—Keeping Disorderly House, &c.

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

Dated _____ 188

Dated _____ 188

Magistrate.

Officer.

Precinct.

The Defendant _____

taken, and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

Officer.

Dated _____ 188

This Warrant may be executed on Sunday or at night.

M. Patterson Police Justice.

Police Justice.

The within named

POOR QUALITY ORIGINAL

0233

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY, }
OF NEW YORK, } ss

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

Question What is your name?

Answer Augusta Schwartz

Question. How old are you?

Answer 25 years of age

Question. Where were you born?

Answer. Germany

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

Answer. 242 Division St. 2 weeks

Question What is your business or profession?

Answer I keep a liquor store

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

Answer. I am not guilty.

I demand a trial by Jury

Augusta ^{her} Schwartz
Mud

Taken before me this 12 day of August 1887

J. M. [Signature]

Police Justice.

**POOR QUALITY
ORIGINAL**

0235

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Augusta Schwartz

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

Augusta Schwartz

(Section 322,
Penal Code.)

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

The said

Augusta Schwartz

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

Augusta Schwartz

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

SECOND COUNT.—

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

Augusta Schwartz

(Section 885,
Penal Code.)

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

The said

Augusta Schwartz

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

**POOR QUALITY
ORIGINAL**

0236

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

THIRD COUNT.—

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

Augusta Schwartz

(Section 322,
Penal Code.)

of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said *Augusta Schwartz*

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

RANDOLPH B. MARTINE,
District Attorney.

0237

BOX:

286

FOLDER:

2726

DESCRIPTION:

Schwartz, Rachel

DATE:

11/01/87



2726

POOR QUALITY ORIGINAL

0230

108

A

Witnesses:

Josephine B. Sella
officer W & Co. aty.

Counsel, *[Signature]*
Filed, *[Signature]* day of *[Signature]* 1887
Pleads, *Chinquilly*

Grand Larceny *[Signature]* degree [Sections 628, 681 Penal Code].

THE PEOPLE

vs.
13 Hartman
982. H. Hartman

B

Rachel Schwartz

RANDOLPH B. MARTINE,
1100-14 P. 3 ADD District Attorney.

Nov 14 Part III

Pleads Petit Larceny

A True Bill.

Recommended to mercy.

[Signature]
Foreman.

[Signature]
REC'D

POOR QUALITY ORIGINAL

0239

Court of
General Sessions
The People
vs
Rachel Schwartz

REPORT OF THE NEW YORK SOCIETY FOR
THE PREVENTION OF CRUELTY
TO CHILDREN.

100 EAST 23^d STREET,

New York, Oct 27th 1887

CASE NO. 31997 OFFICER G. E. Grant
DATE OF ARREST October 27th 1887
CHARGE Grand Larceny

AGE OF CHILD 14 years
RELIGION Jewish
FATHER Wolf Schwartz
MOTHER Rachel
RESIDENCE 98 East Houston St

AN INVESTIGATION BY THE SOCIETY SHOWS THAT

Parents are sober and respectable, the father is a journeyman Tailor. earns \$10. per week

Rachel has never been arrested before other children are Emanuel 6 and Abraham 7 years of age

All which is respectfully submitted,

To The Dist Atty

Miss Terry
Pierpont

POOR QUALITY ORIGINAL

0240

<p><i>Committee of General Managers</i></p>	<p><i>The People</i></p> <p><i>vs</i></p> <p><i>Rachael Schwartz</i></p>
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PENAL CODE, §

Grand Jurors

**Report of the New York Society
for the Prevention of Cruelty
to Children.**

ELBRIDGE T. GERRY,
President, &c.,
 100 East 23d Street,
 NEW YORK CITY.

POOR QUALITY ORIGINAL

0241

Police Court— 4th District.

Affidavit—Larceny.

City and County of New York, } ss.

of No. 111 East 31st Street, aged 40 years, Josephine B. Gillet, occupation Housekeeper being duly sworn

deposes and says, that on the 20th day of October 1887 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

One double case gold watch with a gold chain attached thereto in all of the value of fifty dollars

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Rachel Schwartz (now here) from the fact that deponent left said property in her bed room on the second floor in above premises and said deponent had access to said room, and on the morning of October 21st deponent missed said watch from her bed room and deponent was informed by Officer McCarthy of the 21st Precinct Police, that he, McCarthy, found the said watch and chain in the possession of deponent's father, Wolf Schwartz.

Josephine B. Gillet

Sworn to before me, this 23rd day of October 1887
John B. Sullivan
Police Justice

POOR QUALITY ORIGINAL

0242

CITY AND COUNTY }
OF NEW YORK, } ss.

Denis M. Carthy

aged *47* years, occupation *Policeman* of ~~New~~
the 21st Precinct Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Josephine Glynn*

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

Sworn to before me, this *23rd*
day of *October* 188*7*

Denis M. Carthy

John B. Smith
Police Justice.

POOR QUALITY ORIGINAL

0243

Sec. 198-200

 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer. Rachel Schwartz

Question. How old are you?

Answer. 14 years

Question. Where were you born?

Answer, Cincinnati Ohio

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

Answer. 98 East Houston Street - 2 years.

Question. What is your business or profession?

Answer, Errand girl.

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

Answer.

I am guilty. I took the watch and chain.

Rachel Schwartz

Taken before me this 19th day of October 1938
[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0244

BAILED,

No. 1, by *Herman Stalderberg*

Residence *153 Clinton Street*

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Josephine Miller
111 E. 3rd St

1 *Nachel Schwartz*

2

3

4

Offence *Larceny (Grand)*

Dated

Oct 23 1887

Smith
Magistrate.

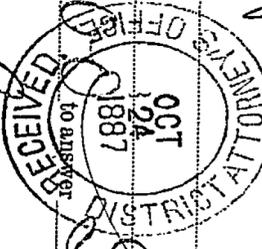
McCarthy
Officer.

Witnesses *Miss O'Leary*

No. *21st Precinct* Street

No. *1st Precinct* Street

No. *5th Precinct* Street



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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *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 *Oct 23 1887* *Salou B. Sumner* Police Justice.

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

Dated 1887 Police Justice.

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

Dated 1887 Police Justice.

POOR QUALITY ORIGINAL

0245

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Rudolph Schumacher

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

Rudolph Schumacher —

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

The said

Rudolph Schumacher

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

one watch of the value

of thirty dollars, and one train

of the value of twenty dollars,

of the goods, chattels and personal property of one

Josephine B. Tipton —

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.

Rudolph Schumacher

District Attorney.

0246

BOX:

286

FOLDER:

2726

DESCRIPTION:

Seedorff, John H.C.

DATE:

11/18/87



2726

POOR QUALITY ORIGINAL

0247

WITNESSES:

Counsel,

Filed 18 day of Nov 1887

Pleads *Ch. Guilty (21)*

THE PEOPLE,

vs.

B

John H. C. Sedoroff
Part 3 Milk of Milk

ADULTERATED MILK.

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

RANDOLPH B. MARTINE,

R. B. District Attorney.

A True Bill.

Ed. Maguire
Foreman.

Part III May 15, 1888

Complaint sent to Special Prison

W

**POOR QUALITY
ORIGINAL**

0248

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John H. C. Seedorff

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

John H. C. Seedorff

of a MISDEMEANOR, committed as follows:

(Chap. 188, Laws of 1885, § 1, as amended by Chap. 577, Laws of 1886, § 1.)

The said *John H. C. Seedorff*

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

**POOR QUALITY
ORIGINAL**

0249

SECOND COUNT: (§ 186, Sanitary Code.)

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

John H. C. Seedorff

of the CRIME OF VIOLATING THE SANITARY CODE OF THE BOARD OF HEALTH OF THE HEALTH DEPARTMENT OF THE CITY OF NEW YORK, committed as follows:

The said

John H. C. Seedorff

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

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

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

RANDOLPH B. MARTINE,

District Attorney.