

0471

**BOX:**

492

**FOLDER:**

4492

**DESCRIPTION:**

Scheffler, Benjamin

**DATE:**

08/03/92



4492

POOR QUALITY  
ORIGINAL

0472

Witnesses:

Counsel,

Filed 3

day of Aug 1892

Pleads,

THE PEOPLE

vs.

Benjamin Schiffer

[Section 408, Code of Civil Procedure, California]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Allen D. Appert

Foreman.

Wm. H. Appert

Wm. H. Appert

S.P. 3 yrs 8 mo

P.B.M.

POOR QUALITY  
ORIGINAL

0473

Police Court—2 District.

City and County } ss.:  
of New York,

of No. 2 Bond Street, aged 30 years,

occupation Clothes being duly sworn.

deposes and says, that the premises No 2 Bond Street,  
in the City and County aforesaid, the said being a Store

and which was occupied by deponent as a Store

and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly

breaking open a rear door by the use of instruments

on the 21 day of July 1889 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

clothing of the value of forty  
dollars

the property of deponent & firm

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

for the reasons following, to wit:

Benjamin Scheaffler  
That on the night  
of said date said premises  
were broken and entered and  
a quantity of clothing stolen and  
carried away. That deponent  
having a suspicion that said  
Scheaffler had committed the  
crime caused his apartment  
at 2 Bond Street to be searched

POOR QUALITY  
ORIGINAL

0474

and after such search deputed  
found concealed therein a portion  
of the stolen property.

Born to before me this 23 day

of 1882

John M. Ryan  
Justice

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Degree.

Burglary

vs.

Dated 188 1

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.



POOR QUALITY  
ORIGINAL

0475

(1335)

Sec. 193—200.

2

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Benjamin Scheffler* 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. *Benjamin Scheffler*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *no 2 Bond St 3 months*

Question. What is your business or profession?

Answer. *Kitchen man*

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*

*Benjamin Scheffler*

Taken before me this

29

day of *July* 1892

Police Justice.

POOR QUALITY  
ORIGINAL

0476

Sec. 151.

Police Court 2 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 me undersigned, one of the Police  
Justices for the City of New York, by Samuel H. Bondy  
of No. 2 Bond Street, that on the 21 day of July  
1882 at the City of New York, in the County of New York,

are Benjamin Schaffler  
did commit the crime of  
being a vagrant in premises of  
Bond Street in said City on  
the 21st day of July 1892

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 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 21 day of July 1882

John M. Ryan POLICE JUSTICE.

POOR QUALITY  
ORIGINAL

0477

Police Court ..... District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Warrant-General.

Dated ..... 188

Magistrate

*Price & Montgomery* Officer. 5

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.

Police Justice.

Police Justice.

having been brought before me under this Warrant, is committed for examination to the  
WARDEN and KEEPER of the City Prison of the City of New York.  
Dated ..... 188

The within named

POOR QUALITY ORIGINAL

0478

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court,

District,

THE PEOPLE, &c.,  
vs. THE COMPLAINANT OF

Offense

Dated July 29 1892

Magistrate.

Officer.

Preced.

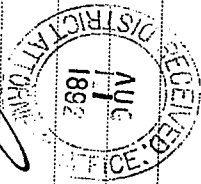
Witnesses

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

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

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

\$ 1000 to answer \_\_\_\_\_



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

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

Dated, July 29 1892 \_\_\_\_\_ 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.

POOR QUALITY  
ORIGINAL

0479

483

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

THE PEOPLE OF THE STATE OF NEW YORK  
against

*Benjamin Scheffler*

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

*Benjamin Scheffler*

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

The said

*Benjamin Scheffler*

late of the *15th* Ward of the City of New York, in the County of New York aforesaid, on the  
*21st* day of *July* in the year of our Lord one  
thousand eight hundred and ninety-*two*, in the *night* time of the same day, at the  
Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of

one *Simon M. Bondy*

there situate, feloniously and burglariously did break into and enter, with intent to commit some  
crime therein, to wit: with intent the goods, chattels and personal property of the said *Simon*  
*M. Bondy* in the said *store*  
then and there being, then and there feloniously and burglariously to steal, take and carry away,  
against the form of the statute in such case made and provided, and against the peace of the  
People of the State of New York and their dignity.

**POOR QUALITY  
ORIGINAL**

0480

SECOND COUNT—

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

*Benjamin Scheffler*

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

The said

*Benjamin Scheffler*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
at the Ward, City and County aforesaid, in the *night* - time of said day, with force and arms,

*divers articles of clothing of a  
number and description to the  
Grand Jury aforesaid unknown,  
of the value of forty dollars*

of the goods, chattels and personal property of one

*Simon M. Bondy*

in the

*store*

of the said

*Simon M. Bondy*

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

*Re Lazcey Nicoll,  
District Attorney.*

0481

**BOX:**

492

**FOLDER:**

4492

**DESCRIPTION:**

Schoen, Samuel

**DATE:**

08/03/92



4492

0482

POOR QUALITY  
ORIGINAL

Witnesses:

\$440  
Counsel,  
Filed 3 day of Aug 1892  
Pleads, *Wm. H. 1/1*

THE PEOPLE  
30 *of* *us.*  
8/19 *of* *us.*  
*W.D.*  
Samuel Schoen  
[See 206, Court Code]

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*Allen D. Appagan*  
Part 2 - August 8, 1892.  
Jury and Corroborated Foreman.  
of Assanah 3rd Degree  
*Pen 8 m d*



POOR QUALITY  
ORIGINAL

0483

CITY AND COUNTY  
OF NEW YORK, ss.

POLICE COURT, 3 DISTRICT.

Edward Rothschild

of No. 14 <sup>to</sup> ~~Mc~~ <sup>Office</sup> Street, aged \_\_\_\_\_ years,

occupation \_\_\_\_\_ being duly sworn deposes and says,

that on the 28<sup>th</sup> day of July 1889<sup>2</sup>

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

he arrested

Samuel Shorn charged with  
Machin upon Complaint of  
Joseph Krauss. Deponent says  
that said Krauss is a material  
witness for the people wherefor  
deponent prays that he be  
committed to the House of Detention.

Edward Rothschild

Sworn to before me this

of July

1889

day

70000-7081100

POOR QUALITY  
ORIGINAL

0484

Police Court, 3 District.

City and County } ss.  
of New York,

of No. 97 Willett Street, aged 21 years,  
occupation Baker being duly sworn, deposes and says,  
that on the 28 day of July 1882, at the City of New  
York, in the County of New York, the cause of arrest of

Samuel Schow. (nephew)  
charged with Mahon. for the  
reasons following to wit:-

Dependent was  
in a Saloon at Number 12 Avenue B this  
City on said date. That he was sitting at  
a table in said Saloon smoking a  
Cigarette. The defendant was in said  
saloon at said table and found  
offence at dependent for smoking a  
Cigarette that he did willfully with  
intent to injure and disfigure dependent  
bite dependent Ear off.

Dependent  
therefore charges the defendant with  
Mahon in violation of section 206  
of the Penal Code and prays  
that he be held to answer

Subscribed and sworn to before me  
this 29<sup>th</sup> day of July 1882 } Ekolf Kroczer.

E. J. Kroczer  
Police Justice

POOR QUALITY  
ORIGINAL

0485

Sec. 198-200

CITY AND COUNTY }  
OF NEW YORK, } ss.

3

District Police Court.

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

Question. What is your name?

Answer.

*Samuel Schorn*

Question. How old are you?

Answer.

*30 years*

Question. Where were you born?

Answer.

*Austria*

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

Answer.

*819 5<sup>th</sup> Ave 2 months.*

Question. What is your business or profession?

Answer.

*Baker*

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  
Same Schorn*

Taken before me this  
day of July

*29*

1892

Police Justice.

0486

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

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Robert Bryant*  
*1801 4<sup>th</sup> St. N.W.*  
*ex. 1744*

1. *Second Alarm*

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

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

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

Offense, *Makem*

Dated, *July 20<sup>th</sup>* 189 *1*

Magistrate, *Arm*

Officer, *Rutland*

14 Precinct, \_\_\_\_\_

Witnesses \_\_\_\_\_

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

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

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

§ 100 to answer \_\_\_\_\_

*John* *W. S.*

*Qua*

RECEIVED DISTRICT ATTORNEY  
AUG 11 1892  
J. E. H. CO.

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

COURT OF GENERAL SESSIONS. PART 2.

BEFORE Hon. Rufus B. Cowing, Judge.

New York , August 8th, 1892.

----- x -----  
The People, :  
vs. : Indictment filed Aug. 3rd, 1892.  
Samuel Schoen. : Maiming. Mayhem.  
----- :  
----- : ~~Indictment of Asst. Dist. Atty. Bedford.~~

ADOLPH STRAUSS, a witness for the People, sworn, testified through interpreter as follows:

For the Prosecution, Asst. Dist. Atty. G.S. Bedford.

For the Defense, Mr. *Charles* Steckler.

I live at 97 Willard Street , New York City. My business is that of a baker . I am out of work now , I came home on Monday. On the 28th. of July I was in the saloon No. 12, Avenue B, this City. I was alone by myself. I sat down and asked for something to eat. The ~~man~~ defendant, was at the table when I sat down . I see him in the court. While I was sitting down I had been smoking a cigarette. I smoked while I was sitting down and I had <sup>a cigarette</sup> in my hand . The prisoner told me not to blow that stinking smoke in his face.

Q Were you ~~blowing~~ blowing it in his face at the time intentionally

Defendant's Counsel objects to the word " intentionally".

(Form of question changed)

A I was just smoking it for myself. I did not blow it in his face . I told him that in a cafe it was not prohibited to smoke. He got up and hit me on the head with his fist doubled up. I was sitting down when he struck me. After he struck me he asked me if I wanted another and I said

he should hit away. He then got up a ~~he~~ caught me and bit my ear off. Not the top and bottom a little piece out of the middle. The top and bottom is there. That bandage is there for that reason. I go to the doctor every day.

CROSS-EXAMINATION BY MR. STECKLER.

I didn't know the prisoner before that day. We were not bad friends. Never had any trouble with him. He was in the saloon before I was and he was sitting at a table. There were other tables in the place there and they were all empty. I sat at the same table with him. I just smoked the ordinary way. I do not know whether the smoke went into his face. The smoke went altogether. That is as true as anything else that I have said here to-day. I know that I am under oath. I can swear to it that the smoke didn't go into his face. He asked me to please stop smoking the cigarette in his face. I did not throw a glass of water at him or in his face. There was ~~no~~ a glass of water there.

Q What did you tell the interpreter a few moments ago about a glass of water being thrown. A When he grabbed for me as he reached over the table he knocked the water and threw it over him. It fell over him as he reached over and the glass fell on the floor. I did not deliberately pick up the glass and throw the contents over him. I did not seize hold of this man by the throat and tear his shirt. I didn't touch him. I pushed him from me. It is not true that at the time my ear was bit that I had hold of him by the throat choking him and tearing his shirt. I was trying to get away and I got hold of him by the arm. I did not choke him before the assault.

He bit right out of the centre of the ear -- about as much as he could in his teeth. Right this much (Indicating). I didn't strike the defendant at all and never put my hand on him, only when I pushed him away from me. I went to the Police Court and made a complaint the next morning. I was not confined in the hospital.

IN ANSWER TO THE DISTRICT ATTORNEY:

I saw the prisoner and spoke to him once before.

EDWARD ROTHCHILD, a witness for the People, sworn, testified:

IN ANSWER TO THE DISTRICT ATTORNEY

I am an officer of the 14th. precinct. I arrested the prisoner on the 12th. day of July, last month, at 7.45 in the evening : between that and 7.15 The physical <sup>condition</sup> of the complainant was pretty bad. His ear was bit off, right here in the center and it was bleeding. What caused me to arrest the prisoner was that there was a crowd there, and while I was going down the Avenue I heard them call police and said this man had his ear bit off. The prisoner was present and he told me he got his ear bit off, and I said where was the man and he said he was inside, and I said to him --

Counsel for the defense objects to any conversation not in the presence of the prisoner. Sustained.

I went inside and arrested the man and then he asked me what was the matter and the complainant said "this man," the prisoner, bit his ear off and the prisoner said the prisoner blow cigarette smoke in his face. That was the reason he gave for biting his ear off. He didn't give any <sup>other</sup> reason.

IN ANSWER TO COUNSEL FOR THE DEFENSE:

I asked him what he bit him for and he said that he

**POOR QUALITY  
ORIGINAL**

0490

4

blew cigarette smoke in his face. I saw that his shirt  
was  
was torn and that ~~he~~ all he did say for an excuse.

Counsel for the defense moves that the indictment  
be dismissed on the ground that the act has not been proven  
to be a willful one and on the further ground that there  
has been no member or organ of the body destroyed. Motion  
denied. Exception.

D E F E N S E .

SAMUEL SCHOEN, the defendant called in his own  
behalf, sworn, testified :

I am a baker . I did work for Mr. Leaderer at 327  
East Houston Street. At the time of my arrest and at the  
time of this trouble I was in the saloon No. 12 Avenue B.  
I have been in this country four years. I have worked at  
a bakery ever since that time. I had never been charged  
with any crime in my life or arrested before , I have  
worked regularly for different employees ever since I have  
been in this country. I went in this saloon on the evening  
of this trouble and sat down at the table and the plaintiff  
came in. No one was sitting at the table with me. The com-  
plainant sat at the table across from me and he was smoking  
a cigarette and the smoke blew in my face and I beckoned  
him that he should not do it and he smoked away and then ~~tr~~  
threw it away and then took another cigarette from his  
box and done it the same way, and I held a newspaper in my  
hand and he pushed my hand back and I pushed his hand  
back. After that he said to the hostess that she should  
bring him a glass of water. She brought it and he took the  
glass of water and smashed it over my face and I sat down



and did not do nothing . After that he stood up and said a few bad words about my parents and so ~~on~~ and smashed me in the nose. After that he came and put his finger in my mouth. This way. I didn't touch him . And after that he grabbed me by my throat and tore my shirt and we both came together. I didn't know how this misfortune happened. I didn't know anything when he took me by the throat. When he sat at the table he <sup>choked me</sup> ~~grasped~~ this way by the throat. He got up then while he had hold of my throat and for a few minutes I could not get my breath while he had me by the throat . I do not recollect if I bit his ear/or how it was caused. I was senseless when he cho ed me . I did not deliberately bite him by the ear. There was nobody else there at the table but us. We were close together. He pushed me first and hit me in the nose. My nose was swollen when I came in the prison. He tore my shirt- my under shirt- and left marks on my chest there with his hands. His head was close to my face and he had me by the throat . I never meant to bite him. I never had any intention of doing him any harm.

IN ANSWER TO THE DISTRICT ATTORNEY.

The only persons in the room ~~w~~<sup>ere</sup> myself the complainant and the hostess during this trouble. She is not in Court. I did not subpoena her. He had me by the throat and I don't know whether I bit him or not . Because I was senseless. I became senseless when he choked me by the throat. I had not already bitten him when he grabbed me by the throat. When he choked me by the throat and his face came to my face then I must have bit his ear.

IN ANSWER TO THE COUNSEL FOR THE DEFENSE.

I had no intention of injuring this man. I never had any trouble with him before that time. And he started this row first.

IN ANSWER TO THE DISTRICT ATTORNEY:

I don't intend to bite him. I wanted to defend myself. I never fought with anybody; never had any trouble with anybody before in my life. I would not have had any trouble with this man if he had let me alone.

MARCUS LEADERER, sworn for the defense, testified: I am a baker, at 324 East Houston Street. I know the defendant, he is a baker. He worked for me as a special man, not regularly; I have known him for four years. He is a peaceable, quiet good man. I never knew him to be in any trouble with anybody. He is a sober hard working man.

IN ANSWER TO THE DISTRICT ATTORNEY:

I have heard the testimony in this case and I still think he is a peaceable, harmless man.

BELAH M. MUSKOVITCH, sworn for the defense, testified (through interpreter) I am the proprietor of the saloon No. 12 Avenue B. and was on the 28th. day of July when this trouble occurred there. When I went into the store they were arguing and disputing about something and I saw the complainant strike this man in the chest, I think, and both clinched and fell over and that after the skirmish was over I saw this man's ear was bit off, or a part of it. It was in the scuffle while they both had hold of one another that the ear was bit. I don't know whether the complainant had hold of him by the throat or not. They were both close together and scuffling. ~~I did not~~

IN ANSWER TO THE DISTRICT ATTORNEY:

I do not know the particular moment when the prisoner bit the complainant's ear. All I know is that there was a scuffle; and after it was over I saw that his ear was bitten. I do not know at the particular moment when the ear was bitten off what the position of the complainant or the prisoner was. Whether he had him by the throat or whether they were both scuffling it was impossible for me to see because it was so quick.

IN ANSWER TO MR. STECKLER:

It was the work of a second, but I am positive that the other man while I was there struck the first blow. I did not see the commencement of the trouble. I came in as they were having the dispute at the table together. I not know whether the prisoner struck the complainant before I came in or not.

PHILIP FREY, sworn for the defense, testified:

IN ANSWER TO MR. STECKLER:

I am a baker in 237, 29th. Street. I know the defendant, Samuel Schoen. He was in this country for about four and a half years. I know other people who know him, and he has a good character and <sup>is</sup> a peaceful, quiet sort of man. I never knew him to be in any trouble or fight in his life. I never saw him drunk.

ADOLPH HAHN, sworn for the defense, testified:

I have a cigar factory. I have known the defendant for one year. He has a good character and I can see nothing wrong in him. He is a quiet, peaceful, hardworking man.

8

I never knew him to be engaged in any trouble and I never saw him drunk.

LOUIS ENGLEHARDT, sworn for the defense, testified:

I know the defendant, Samuel Schoen, for about three years. I know that he is an honest laborer and that he is a sober man and always works hard for a living. I never knew him to be in any quarrel. I never saw him drunk in his life.

LOUIS ROSENER, sworn for the defense, testified:

I am a baker. The prisoner was employed by me for a few months. I know him for about four years..I knew him when he first came to this country. I know that he is a hardworking, honest man, peaceful and quiet. I never knew him to be drunk. He always worked hard for a living, and this is the first time that he has been in any trouble that I knows.

POOR QUALITY  
ORIGINAL

0495

(522)

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Daniel Schoen

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

indictment, accuse Daniel Schoen

of the crime of Maiming, —

committed as follows:

The said Daniel Schoen,

late of the City of New York, in the County of New York aforesaid, on the  
Twenty eighth day of July, in the year of our Lord one thousand  
eight hundred and ninety-two, — at the City and County aforesaid,  
in and upon one Adolph Strauss, then  
and there being, unlawfully and feloniously  
did make an assault, and with intent  
to injure and disfigure the said Adolph

unlawfully and feloniously  
thrust and then and there, mutilate  
the right ear of the said Adolph Strauss  
by then and there unlawfully and feloniously  
cutting off a portion thereof,  
thereby, ~~by~~ reflecting upon the  
person of the  
said Adolph Strauss an injury which  
remains disfigured and yet does  
disfigure his person, by such mutilation  
thereof, 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.

Schmuck Miller,

District Attorney

0497

**BOX:**

492

**FOLDER:**

4492

**DESCRIPTION:**

Schoenberg, Kate

**DATE:**

08/17/92



4492

0498

**BOX:**

492

**FOLDER:**

4492

**DESCRIPTION:**

Rosen, Michael

**DATE:**

08/17/92



4492



POOR QUALITY  
ORIGINAL

0499

Witnesses:

Counsel,

Filed

day of

189

Pleads,

THE PEOPLE

vs. *Witnesses*

*Kate Schoenberg*

and

*Michael Rosen*

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Allen P. Appagan*

Foreman.

*Part 2 - Aug. 24, 1892.*

*Mr. S. Paul, and Acquitted*

*Part 3. February 1892*

*Not tried & convicted*

*with, receiving a money & work*

*settled med \$2500 per year*

POOR QUALITY  
ORIGINAL

0500

(1335)

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

*Katie Schaeberly*

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

*47*

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

Answer.

*60 Miller*

Question. What is your business or profession?

Answer.

*Housekeeper*

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*

*Katie Schaeberly*  
*mark*

Taken before me this

day of

189

Police Justice.

POOR QUALITY  
ORIGINAL

0501

(1335)

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

2  
District Police Court.

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

Question. What is your name?

Answer.

*Michael Rosen*

Question. How old are you?

Answer.

*21 years*

Question. Where were you born?

Answer.

*Austria*

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

Answer.

*60 Greenwich St.*

Question. What is your business or profession?

Answer.

*Teacher*

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*  
*Mike Rosen*

Taken before me this

day of

*Sept 18 1914*

Police Justice.

0502

957

Prob. Dist. No. 957

Police Court, District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John M. [unclear]  
State-Attorney  
Michael [unclear]

Offense, [unclear]

3  
4

Dated, King 21 189 2  
Attest [unclear]

Magistrate.  
M. [unclear]  
County Clerk.

Witnesses  
Gordon [unclear]  
No. 82. Court 9 4  
Street.

No. [unclear]  
Street.

No. [unclear]  
Street.

RECEIVED  
AUG 11 1892  
U.S. DISTRICT ATTORNEY

101. [unclear]

There being no sufficient cause to believe the within named Kat Schoeninger  
guilty of the offense within mentioned, I order h. to be discharged.  
Dated August 2 1892 A. White Police Justice.

POOR QUALITY  
ORIGINAL

0503

Police Court. 2 District.

CITY AND COUNTY } ss:  
OF NEW YORK, }

of No. Court Street John Mc Guckin Street, aged \_\_\_\_\_ years,  
occupation Police being duly sworn, deposes and says, that  
on the 6 day of August 1892 at the City of New York,

in the County of New York, \_\_\_\_\_  
he was violently ASSAULTED and BEATEN by Katie Schoenbeyer  
and Michael Boren. The said Katie struck  
deponent and took a warrant out of deponent's  
pocket and the said Boren struck deponent  
and held deponent while deponent  
was trying to serve a warrant for the  
arrest of the son of the defendant Katie who was  
without any justification on the part of the said assailant.  
and the defendants snatched said person to escape  
Wherefore this deponent prays that the said assailant may be apprehended and bound to answer

the above assault, &c., and be dealt with according to law.

Sworn to before me, this 7

day of August 1892

John McGuckin  
Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against  
*Kate Schoenberg*  
and  
*Michael Rosen*

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

*Kate Schoenberg and Michael Rosen*

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

The said *Kate Schoenberg and Michael Rosen, both*

late of the City of New York, in the County of New York aforesaid, on the *sixth*  
day of *August* in the year of our Lord one thousand eight hundred and  
ninety-*two*, at the City and County aforesaid, with force and arms, feloniously made an  
assault in and upon one *John Mc Guckin*

then and there being, a *patrolman* of the Municipal Police of the City of  
New York, and as such *patrolman* being then and there engaged in the lawful  
*apprehension* of one *Julius Schoenberg*

and the said *Kate Schoenberg and Michael Rosen*  
him the said *John Mc Guckin*  
then and there feloniously did beat, strike, wound and otherwise illtreat, with intent then and there  
and thereby to prevent and resist the lawful *apprehension*  
of him, the said *Julius Schoenberg* as aforesaid,  
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.

0505

**BOX:**

492

**FOLDER:**

4492

**DESCRIPTION:**

Schwartz, Louis

**DATE:**

08/04/92



4492

In Matter of

{ People vs

~~Thomas J. Bradley~~ Louis Schwartzy

I have carefully examined the witnesses in this case and find that there was a partnership between the defendant and another.

There is no evidence that a grocery was committed, or that there was any intent to defraud the complainant. All the goods have since been returned.

I therefore recommend that the within indictment be dismissed.

Thomas J. Bradley

~~Dep. Asst. Dist. Atty.~~

I concur in the above recommendation -

Aug 11<sup>th</sup> 1892

Vernon M. Davis

Clerk

Counsel.

Filed, 4<sup>th</sup> day of Aug 1892

Pleaded, c. Monthly 3

THE PEOPLE

vs.

Louis Schwartzy

~~LOUIS SCHWARTZY~~  
(MISAPPROPRIATION)  
(Sections 528 and 531 of the Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Alfred J. Cogan

Foreman.

On Comm. of Dist. Atty.  
indict. dis - P.B. No. 1.



Police Court— 3 District

Affidavit—Larceny.

City and County } ss.  
of New York,

of No. 7 Hester Street, aged 35 years,  
occupation Dry Goods Merchant being duly sworn,  
deposes and says, that on the 15 day of May 1892 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 Hundred and Seven Shirts  
valued at Fifty Three dollars and fifty cents  
\$53.50

Sworn to before me, this  
day of May 1892

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 Louis Schwartz

from the fact that deponent gave to  
the defendant one Hundred and Sixty  
Seven Shirts to be Laundered then he  
paid the defendant the full amount  
of such work on said shirts in advance  
that the defendant returned to deponent  
one Hundred and Sixty of said shirts  
and that he refuses to return the balance  
one Hundred and Seven Shirts to deponent.  
Deponent therefore charges the defendant  
with Larceny of said property and  
he prays that the defendant be  
arrested and held to answer

L. Breuer

Police Justice

Police Court—3 District

Affidavit—Larceny.

City and County } ss.  
of New York,

of No. 7 Hester Street, aged 35 years,  
occupation Dry Goods Merchant being duly sworn,  
deposes and says, that on the 15 day of May 1897 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 Hundred and Seven Shirts  
valued at fifty-three dollars and fifty cents  
\$53.50

of 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 Louis Schwartz

from the fact that deponent gave to  
the defendant 200 Hundred and Sixty  
Seven Shirts to be Laundered that he  
paid the defendant the full amount  
of such work on said shirts in advance  
that the defendant returned to deponent  
one Hundred and Sixty 7 said Shirts  
and that he refuses to return the balance  
one Hundred and Seven Shirts to deponent.  
Deponent therefore charges the defendant  
with Larceny of said property and  
he prays that the defendant be  
arrested and held to answer

L. Breuer

Sworn to before me, this  
day of May 1897

Police Justice

POOR QUALITY  
ORIGINAL

0509

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

3 District Police Court.

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

Question. What is your name?

Answer. Louis Schwartz

Question. How old are you?

Answer. 29 years

Question. Where were you born?

Answer. Hungary

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

Answer. 130 Sheriff St

Question. What is your business or profession?

Answer. Shut Inman

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

Answer. I am not guilty  
Louis Schwartz  
Mary

Taken before me this  
day of June 1930

Police Justice.

**POOR QUALITY  
ORIGINAL**

05 10

1347

Sec. 151.

Police Court..... District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of  
the Police Justices for the City of New York, by Samuel Brenner  
of No. 7 Hart Street, that on the 15 day of May  
1892 at the City of New York, in the County of New York, the following article, to wit:

One Hundred and Seven Pinks

of the value of Fifty Three Five Dollars,  
the property of Louis Schwartz  
w. as taken, stolen and carried away, and as the said Complainant has cause to suspect, and does  
suspect and believe, by Louis Schwartz

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command  
you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the  
said Defendant and forthwith bring him before me, at the 3 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 29 day of July 1892

[Signature]  
POLICE JUSTICE.

Police Court.....District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.  
*Louis Schwab*

Warrant-Larceny.

Dated.....189

Magistrate.

*Hagan* Officer.

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

Officer.

Dated.....189

This Warrant may be executed on Sunday  
or at night.

Police Justice.

*July, 29th*  
*29th*  
*Hagan*  
*Shut Down*  
*M*  
*Bo Smith*

POOR QUALITY ORIGINAL

05 12

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
Witness \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court, W 64 3 District, 919

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John J. Shurtliff  
Larceny  
Offense, \_\_\_\_\_

Dated, July 20 1892

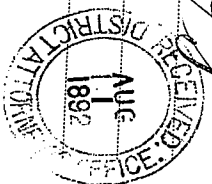
John J. Shurtliff  
District Attorney

Witness John J. Shurtliff  
Residence \_\_\_\_\_ Street \_\_\_\_\_

No. 140 Supper  
Street \_\_\_\_\_

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

\$ 1000 to answer



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 John J. Shurtliff

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 1000 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, July 20 1892 John J. Shurtliff Police Justice.

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

Dated, \_\_\_\_\_ 1892 \_\_\_\_\_ 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, \_\_\_\_\_ 1892 \_\_\_\_\_ Police Justice.

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

513

THE PEOPLE OF THE STATE OF NEW YORK

against

*Louis Schwartz*

The Grand Jury of the City and County of New York, by this indictment, accuse  
of the CRIME OF *Louis Schwartz* ~~Grand~~ LARCENY, in the second degree, committed  
as follows:

The said *Louis Schwartz*,

late of the City of New York, in the County of New York aforesaid, on the *15th*  
day of *May*, in the year of our Lord one thousand eight hundred and  
ninety-*two*, at the City and County aforesaid, being then and there the agent  
and driver of one *Semy Brenner*,

and as such agent and driver then and there, having in his  
possession, custody and control certain goods, chattels and personal property of the said

the true owner thereof, to wit:

*one hundred and seven*  
*pieces of the value of fifty*  
*dolls each,*

the said *Louis Schwartz* afterwards, to wit:  
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,  
did feloniously appropriate the said *goods, chattels and*  
*personal property*

to his own use, with intent to deprive and defraud the said *Semy Brenner*.

of the same, and of the use and benefit thereof; and the same goods, chattels and personal  
property of the said *Semy Brenner*,

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

DE LANCEY NICOLL,  
District Attorney.

05 14

**BOX:**

492

**FOLDER:**

4492

**DESCRIPTION:**

Scotland, John

**DATE:**

08/18/92



4492



POOR QUALITY  
ORIGINAL

05 15

Witnesses:

*Alice Green*

*James Andrew Scheller*

Counsel,

Filed

Pleads,

Day of Aug 189

THE PEOPLE

vs.

*John Scotland*

Grand Larceny, Second Degree  
[Sections 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Allen J. Argus*

Foreman.

*Aug 1st 92*

*Wm. H. H. H.*

*Genl. H. H. H.*

*Pen 1st 92*

*PS. H.*

POOR QUALITY  
ORIGINAL

05 16

Police Court

District.

Affidavit—Larceny.

City and County } ss:  
of New York,

of No. 351 West 95th Street, aged 30 years,  
occupation Housekeeper being duly sworn,  
deposes and says, that on the 26 day of June 1892 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 silver cup  
of the value of thirty five dollars  
\$ 35

the property of Deponent as custodian

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

The defendant was a boarder in deponent's  
house at the time said cup was stolen  
and when defendant was arrested  
on Sunday last for another offense  
a pawn ticket for said cup was found  
in the possession of the defendant  
as deponent is informed by Police  
Officer Schoelles Alice Green

Sworn to before me, this

day

Police Justice.

POOR QUALITY  
ORIGINAL

05 17

CITY AND COUNTY }  
OF NEW YORK, } ss.

1877

Andrew Schaeffer  
aged 311 years, occupation Policeman of No.  
211 Precinct Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this

day of

9  
August 1892

Andrew Schaeffer

[Signature]  
Police Justice.

POOR QUALITY  
ORIGINAL

05 18

(1335)

Sec. 198—200.

CITY AND COUNTY  
OF NEW YORK, N.Y.

2 District Police Court.

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

Question. What is your name?

Answer. John Scotland

Question. How old are you?

Answer. 23 years

Question. Where were you born?

Answer. West Indies

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

Answer. 351 W. 25 - 3 months

Question. What is your business or profession?

Answer. None.

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

Answer. I am not guilty

John Scotland

Taken before me this

day of

August 1894  
J. J. White  
Police Justice.

05 19

Police Court, ... District

Wm. Greer  
338 W. 133 St.  
N.Y.C.  
John A. Kendall

Dated, ..... 2022

Magistrate  
Schultz  
Officer

Witnesses ..... *Edith* ..... Precinct.

No. ....  
Street.

No.	LS	AUG	1910
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			
31			
32			
33			
34			
35			
36			
37			
38			
39			
40			
41			
42			
43			
44			
45			
46			
47			
48			
49			
50			
51			
52			
53			
54			
55			
56			
57			
58			
59			
60			
61			
62			
63			
64			
65			
66			
67			
68			
69			
70			
71			
72			
73			
74			
75			
76			
77			
78			
79			
80			
81			
82			
83			
84			
85			
86			
87			
88			
89			
90			
91			
92			
93			
94			
95			
96			
97			
98			
99			
100			

Direct.

to

Direct.

RECEIVED  
DISTRICT ATTORNEY  
AUG 14 1892  
OFFICE

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

Dated, May 9 1892 A. White 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.*

POOR QUALITY  
ORIGINAL

0520

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

*John Scotland*

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

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

The said

*John Scotland*

late of the City of New York, in the County of New York aforesaid, on the *36th*  
day of *June* in the year of our Lord one thousand eight hundred and  
ninety-*two* at the City and County aforesaid, with force and arms,

*one silver cup of the value  
of thirty-five dollars*

of the goods, chattels and personal property of one

*Alice Green*

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

*John Scotland*  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

*John Scotland*  
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 silver cup of the value  
of thirty-five dollars*

of the goods, chattels and personal property of one

*Alice Green*

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

*Alice Green*

unlawfully and unjustly did feloniously receive and have; the said

*John Scotland*  
~~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.*

0522

**BOX:**

492

**FOLDER:**

4492

**DESCRIPTION:**

Shafer, William

**DATE:**

08/18/92



4492



POOR QUALITY  
ORIGINAL

0523

#300

Counsel,

Filed,

18<sup>th</sup> day of Aug 1892

Pleads,

*Wm. Shaper*

THE PEOPLE

vs.

B

*William Shaper*

*May 18-92*

VIOLATION OF THE EXCISE LAW.  
Selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 33].

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

*Allen D. Apper*

Foreman.

Witnesses

*J. B. Bulger*

POOR QUALITY  
ORIGINAL

0524

Court of General Sessions of the Peace

1897

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*William Shaffer*

The Grand Jury of the City and County of New York, by this indictment, accuse  
of the CRIME OF *William Shaffer* SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND  
BEER ON SUNDAY, committed as follows:

The said

*William Shaffer*

late of the City of New York, in the County of New York aforesaid, on the *fourteenth*  
day of *August* in the year of our Lord one thousand eight hundred and  
ninety-*nine*, at the City and County aforesaid, the same being Sunday, certain strong  
and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill  
of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,  
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spiritu-  
ous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against  
the form of the statute in such case made and provided, and against the peace of the People of  
New York and their dignity.

SECOND COUNT—

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

*William Shaffer*  
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,  
WINES, ALE AND BEER, committed as follows:

The said

*William Shaffer*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the  
same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of  
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one  
gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of  
a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and  
expose for sale to one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the  
form of the statute in such case made and provided, and against the peace of the People of the State  
of New York and their dignity.

DE LANCEY NICOLL

District Attorney.

0525

**BOX:**

492

**FOLDER:**

4492

**DESCRIPTION:**

Silverstein, Charles

**DATE:**

08/05/92



4492

POOR QUALITY  
ORIGINAL

0526

Witnesses :

Counsel,

Filed

Pleads, 1

May of

189

THE PEOPLE

vs.

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

Charles Silverstein

De LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Allen L. Appgar

Foreman.

Oct 13/90

Fried & Augenthaler

POOR QUALITY  
ORIGINAL

0527

Police Court—

372 District.

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

of No. 151 Attorney Max. Gleick  
occupation Paper Maker Street, aged 30 years,  
deposes and says, that on the 31 day of July 1887 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by  
Charles Silverstein (now here),  
who wilfully and feloniously  
struck deponent several violent  
blows in the head with  
a hammer he then and  
then held in his hands.  
Deponent further  
says that said assault  
was committed

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

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

Sworn to before me, this

1<sup>st</sup> day

of

1887

Police Justice.

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK,

3 District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty.  
Charles Silvesten  
Mark

Taken before me this  
day of

188

Police Justice

BAILED  
No. 1, by Wm. J. Sullivan  
Residence 43 Wilbur Street  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street

Police Court, 927  
THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
199. 12nd St  
Wm. J. Sullivan  
7-18-1902 on 1st  
Chase & Williams  
1  
2  
3  
4  
Date, Aug 1 1892  
Magistrate.  
Wm. J. Sullivan  
Officer.  
13  
Witnesses \_\_\_\_\_  
No. \_\_\_\_\_ Street \_\_\_\_\_  
No. \_\_\_\_\_ Street \_\_\_\_\_  
No. \_\_\_\_\_ Street \_\_\_\_\_  
§ 680 ANSWER  
Wm. J. Sullivan  
Wm. J. Sullivan

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

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

Dated, Aug 1 1892 Wm. J. Sullivan Police Justice.

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

Dated, Aug 1 1892 Wm. J. Sullivan 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.

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 Silverstein*

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

*Charles Silverstein*

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

The said *Charles Silverstein*,

late of the City of New York, in the County of New York aforesaid, on the *thirty first* day of *July* 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 *Max Gluck* in the peace of the said People then and there being, feloniously did make an assault and *him* the said *Max Gluck* with a certain *hammer*,

which the said *Charles Silverstein* 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 *Max Gluck* 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

*Charles Silverstein*

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

The said *Charles Silverstein*,

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 *Max Gluck* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *him* the said *Max Gluck* with a certain *hammer*

which the said *Charles Silverstein* 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.

*De Lancey McCall*  
*District Attorney*



0531

**BOX:**

492

**FOLDER:**

4492

**DESCRIPTION:**

Sipp, Julius

**DATE:**

08/17/92



4492

0532

POOR QUALITY  
ORIGINAL

Bail first at 5000

Witnesses

Amelia Hill

Bailed Aug 20/92

by Charles J. J. J.

55 West 100 St

Bailed Feb. 6/93

by Benjamin McQuade

#208 East 9th St

My wife has been  
indor. and for a long  
period of time to prove  
the witnesses, and intend  
to give a sharp & clear  
opportunity to discharge upon  
his own recognizance

W. J. J. J.

Out Oct 10/92

12/3/44 3096

Counsel,

Filed

day of Aug 1892

Pleads,

for guilty. Jan 20/92

THE PEOPLE

vs.

B

Julius Sipp

Com. Aug 20/92

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Allen S. Appen

Part 3, April 30, 1896.

Discharged on his

own recog. in motion

Filed M 7 M 92

Apr 30/96

Indor. & Exor. (cont.)

POOR QUALITY  
ORIGINAL

0533

(502)

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

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*Julius Surr*

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

indictment, accuse *Julius Surr* -

of the crime of *unlawfully and lewdly exposing*  
*the private parts of his person, —*  
committed as follows:

The said *Julius Surr*,

late of the City of New York, in the County of New York aforesaid, on the  
*thirteenth* day of *August*, in the year of our Lord one thousand  
eight hundred and ninety- *two*, — at the City and County aforesaid,  
*unlawfully did unlawfully and lewdly*  
*expose the private parts of his person, in*  
*a public place, to wit: in the public street*  
*there, known as East Twelfth Street, and*

0534

**POOR QUALITY  
ORIGINAL**

where others to wit: Amelia Dill, Annie  
Tracy, and divers other persons to the  
Grand Jury aforesaid unknown, were then  
and there present, 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.

*L. J. H. H. H.*

*District Attorney.*

0535

**BOX:**

492

**FOLDER:**

4492

**DESCRIPTION:**

Skarpa, Frank

**DATE:**

08/05/92



4492

POOR QUALITY  
ORIGINAL

0536

#1036  
J. G. Sullivan  
Counsel,  
Filed  
day of Aug 1892

Pleas, *Guilty*

THE PEOPLE

vs.

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

B

Frank Skarpa

DE LANCEY NICOLL,

rec'd 14 District Attorney.

pg 3

A TRUE BILL.

Allen P. Appa  
Foreman.

23  
Jan 13/99.  
Paul Discharged

0537

#103 (Indy. Gallatin)

Filed

day of ✓ Vuzg 1892

Pleads, c. finally of

## THE PEOPLE

5:2

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

4

Frank Sharpa

DE LANCEY NICOLL,

Ref. 14

3

## A TRUE BILL,

Allen D. Aygar  
Foreman.

Foreman,

Jan 13/99.  
Not disclosed

Police Court—4 District.

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

of No. 62 Monroe Street, aged 31 years,  
occupation Longshoreman being duly sworn  
deposes and says, that on 31 day of July 1887 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Frank  
Skarpa (now here) who did  
point and aim a revolving  
Pistol loaded with  
powder and lead at  
deponent's person

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

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

Sworn before me, this 1 day  
of August 1887

Thomas Miller  
Deponent

J. J. Smith Police Justice.



POOR QUALITY  
ORIGINAL

0539

Sec. 198-200

4 District Police Court.

CITY AND COUNTY }  
OF NEW YORK. } ss.

*Frank Scarpa* 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. *Frank Scarpa*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *Austria*

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

Answer. *N<sup>o</sup> 8290 - 11 Avenue M about 3 months*

Question. What is your business or profession?

Answer. *Laborn*

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 did not point the pistol  
at the complainant.  
Frank Scarpa*

Taken before me this

day of August 188

*J. J. [Signature]*  
Police Justice.

BAILED,  
No. 1, by James Johnson  
Residence 118 Duane Street  
No. 2, by James Johnson  
Residence 118 Duane Street  
No. 3, by James Johnson  
Residence 118 Duane Street  
No. 4, by James Johnson  
Residence 118 Duane Street

Police Court--- 4 District, 925

THE PEOPLE, etc.,  
ON THE COMPLAINT OF

Thomas Muller  
Frank Alexander

Offence Assault  
below

Dated August 1 1892

Bombas Officer

22 Precinct

Witness Frank B. Brown

No. 559 York 44 Street

No. 62 Marine Street

No. 100 Street  
RECEIVED  
CLERK  
100

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 10 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 August 1 1892 James Johnson Police Justice.

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

Dated 18 James Johnson Police Justice.

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

Dated 18 James Johnson Police Justice.

OFFICE OF THE DEPARTMENT OF HEALTH,

15821

38 & 40 CLINTON STREET,

Brooklyn, N. Y., Apr. 19, 1898

A TRANSCRIPT FROM THE RECORDS OF DEATHS

IN THE CITY OF ~~BROOKLYN~~ *New York*

BOOK OF DEATHS

NAME OF DECEASED.		AGE.		DATE OF DEATH.	
<i>Charles Johnson</i>		Years.	Months.	Days.	<i>Sep 23, 1892</i>
<i>60</i>		<i>~</i>	<i>~</i>	<i>~</i>	
OCCUPATION.	CONDITION.	BIRTHPLACE.			
<i>Shoe-maker</i>	<i>Married</i>	<i>Denman</i>			
HOW LONG RESIDENT IN CITY.	FATHER'S BIRTHPLACE.	MOTHER'S BIRTHPLACE.			
<i>-</i>	<i>Denman</i>	<i>Denman</i>			
PLACE OF DEATH.	CAUSE OF DEATH.	Time from attack till death.			
<i>St Peter's Hosp.</i>	<i>Cerebral Apoplexy</i>	<i>~</i>			
NO. <i>6</i> WARD.					
PLACE OF BURIAL.	UNDERTAKER.	MEDICAL ATTENDANT.			
<i>Holy Cross</i>	<i>H. Leman</i>	<i>A. J. Kearney, M.D.</i>			

I hereby certify the foregoing to be a true copy of the record.

*John L. Jennings*  
*Asst. Chief Clerk* Secretary.

POOR QUALITY  
ORIGINAL

0542

*Berman.*

STATE OF NEW YORK, U.S.A.

BROOKLYN

Department of Health,

38 & 40 CLINTON ST.

TRANSCRIPT OF DEATH.

POOR QUALITY  
ORIGINAL

0543

Law Offices of J. T. Mearns

No. 26 Court Street

(GARFIELD BUILDING.)

J. T. MAREAN.  
G. S. BILLINGS.

Brooklyn, Nov 11 1897

W. M. K. Olcott, Esq., District Atty. Gen.

Dear Sir,

Charles Johnson  
of 48 Union Street this City was a  
client of mine. He died five  
years ago. I enclose a notice  
which his son has brought  
me left as I am told at  
48 Union St.

Very truly  
J. T. Mearns

POOR QUALITY  
ORIGINAL

0544

C. R. 3612

COURT OF GENERAL SESSIONS, Part *One*

THE PEOPLE

INDICTMENT

vs.

For

*Frank S. Karpis*

To M *Chas Johnson*

No.

*48 Union*

Street. *Brooklyn*

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *Trial* at the COURT OF GENERAL SESSIONS OF THE PEACE, at the New Criminal Court House, on Centre Street, between Franklin and White Streets, in the City of New York, on *Monday* the *15* day of *Nov* instant, at 10 o'clock in the forenoon.

If the defendant is not produced at that time, your bond will be forfeited.

W. M. K. OLCOTT,

*District Attorney.*

Court of General Sessions.

THE PEOPLE

vs.

Frank S. Harpa

County of New York,  
Borough of Manhattan  
of the City of New York. } ss.:

Edward Rosenstein

being duly  
Street,

sworn, deposes and says: I reside at No. 125 Clinton  
Borough of Manhattan, in the City of New York. I am a ~~Subpoena server~~ <sup>County Detective</sup> in the office of the  
District Attorney of the County of New York. On the ~~ninth~~ <sup>fourth</sup> day of ~~January~~  
1899, I called at 62 Monroe Street  
the alleged residence of Thomas Miller

the complaint herein, to serve him with the annexed subpoena, and was informed by

the janitress that the said Thomas Miller had lived there  
three years previous but had removed from those premises  
at that time, and his whereabouts is not now known.  
I have also made diligent inquiries in the neighborhood but  
have failed to gather any information as to his present  
place of residence.

Sworn to before me, this ~~eleventh~~ <sup>fourth</sup> day  
of ~~December~~ <sup>January</sup> 1899.

Edward Rosenstein  
County Detective  
~~Subpoena Server.~~

Andrew Lang

Com. of Deeds N.Y. City

Court of General Sessions.

THE PEOPLE, on the complaint of

Thomas Miller

vs.

Frank L. Thompson

Offense:

Affidavit of

Edward Forrester  
County Clerk

Subpoena Server.

FAILURE TO FIND WITNESS.

ASA BIRD GARDINER,  
District Attorney.



\*\*\*\*\*  
THE PEOPLE       "  
                  "  
against           "  
                  "  
FRANK S. KARPA.   "  
                  "  
\*\*\*\*\*

STATEMENT OF OFFICER BERNARD BANKS, 22nd  
Precinct.

The complainant Thomas Miller appeared before  
the Grand Jury and gave his testimony in this case and  
I afterwards saw him in the General Sessions. Since  
that time I have not seen him and do not know of his  
whereabouts. The said Miller was not injured by the  
assault as charged in the indictment.  
New York, January 11th, 1899.

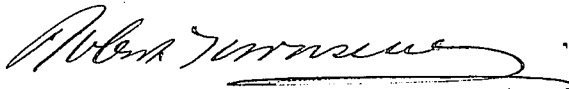
*Bernard Banks*

\*\*\*\*\*  
THE PEOPLE  
AGAINST  
FRANK S. KARPA.  
\*\*\*\*\*

By the enclosed affidavit it appears that the People cannot find their principal witness in this case. The enclosed statement of Officer Banks shows that the complainant was not injured by the assault.

This indictment has been in this office for over six years and I therefore recommend the discharge of the defendant upon his own undertaking.

New York, January 11th, 1899.



Assistant District Attorney.

POOR QUALITY  
ORIGINAL

GLUED PAGE

0549

EBVVK 2° KVBBV°

VGVMEL

LHE LEOBTE

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Frank Sharpe*

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

*Frank Sharpe*

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

The said *Frank Sharpe*,

late of the City of New York, in the County of New York aforesaid, on the *twelfth* day of *July*, 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 *Thomas Miller*, in the peace of the said People then and there being, feloniously did make an assault and to, at and against *him* the said *Thomas Miller*, a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said *Frank Sharpe*

*aim, point and present, with intent to the same* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there shoot off and discharge, with intent *him* the said *Thomas Miller*,

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

*Frank Sharpe*

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

The said *Frank Sharpe*,

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 *Thomas Miller*, in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against *him* the said *Thomas Miller*,

a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said *Frank Sharpe*

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 shoot off and discharge, *aim, point and present, with intent to the same* 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.

0550

**BOX:**

492

**FOLDER:**

4492

**DESCRIPTION:**

Skinner, Peter

**DATE:**

08/03/92



4492

POOR QUALITY  
ORIGINAL

0551

Before Court, 9 a.m. 3d  
Feb 3 a.m.

Witnesses:

*(Faint handwritten notes)*

#44 - 1 - *(Signature)*

Counsel,

Filed 3

day of Aug 1892

Pleas,

*(Signature)*

THE PEOPLE

vs.

*(Signature)*  
Peter Skinner

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

DE LANCEY NICOLL,

District Attorney.

*(Signature)*  
J. M. Connelley

A TRUE BILL.

*(Signature)*  
Allen D. Appan

Foreman.

*(Signature)*

*(Signature)*  
George A. H. H. H.

Gen 9 mos

Chap 1/2 P.M.

1892

Police Court— 4 District.

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

of No. 91 West End Avenue Street, aged 35 years,  
occupation Truck driver being duly sworn  
deposes and says, that on 26 day of July 1892 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Peter Skinner, brother, who cut  
and stabbed deponent twice in the  
left arm, twice in the left side of the  
body and once in the left leg, with  
a knife which he, Skinner, then and  
thereheld in his hand.

Deponent further says that such  
assault was committed

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

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

Sworn to before me, this

24 day

of

July

1892

Martin Hervey

Wm. P. P. P.

Police Justice.

POOR QUALITY  
ORIGINAL

0553

Sec. 193—200

CITY AND COUNTY }  
OF NEW YORK. } ss.

2 District Police Court.

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

Question. What is your name?

Answer.

Peter Skinner

Question. How old are you ?

Answer.

34 Years

Question. Where were you born ?

Answer,

New York

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

Answer.

91 West End Avenue. 3 Years.

Question. What is your business or profession ?

Answer,

Iron Worker

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

Peter Skinner

Taken before me  
day of 11/12/1911

Police Justice.

POOR QUALITY  
ORIGINAL

0554

DR. S. S. GRABER,  
OFFICE HOURS: { till 9 A.M.  
11 to 1 P.M.  
6 to 7:30 P.M. 174 EAST 71ST STREET.  
ADULT, CHILD.

R This certifies that  
Martin Herriot is  
unable to appear  
at court on  
account of the  
injuries inflicted

DATE July 27/92 S.S. Graber



CITY AND COUNTY } ss.  
OF NEW YORK.

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

of *the 24<sup>th</sup> Precinct* *Police Officer* *Frank J. Borst*, aged *26* years,  
occupation *Police Officer* being duly sworn, deposes and says  
that on the *26* day of *July* 189*2*

at the City of New York, in the County of New York *Defendant arrested*

*Peter Skinner (now here) for the reason*  
*that defendant was informed that*  
*one Martin Hervey had been feloniously*  
*assaulted by said Skinner who had*  
*stabbed or cut said Hervey with a knife,*  
*inflicting such injuries that he Hervey*  
*is unable to appear in Court to prosecute.*

*Defendant therefore asks that said*  
*Skinner may be held to await*  
*the result of the injuries inflicted*  
*as aforesaid.*

Sworn to before me, this

of

1892

day

*M. J. Wells*

Police Justice.

POOR QUALITY  
ORIGINAL

0556

July 27 1891 4<sup>th</sup> District.  
Police Court,

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Peter Skinner

AFFIDAVIT.

Wm. M. M.

Dated

July 28 1892

W. M. M.

Magistrate.

Borst

Officer.

24.

Witness.

Disposition

Com. to mail result  
of Inquiries

POOR QUALITY ORIGINAL

0557

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street \_\_\_\_\_

Police Court--- 14 District.

911

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Martin Smith  
of the County of  
the State of New York

Offence

Assault  
"Grievous"

Dated

July 29 1892

Magistrate

Officer

Prisoner

Witnesses

No.

91 That Smith

No.

91 That Smith

No.

1000

\$

1000

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

Defendants

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

Dated July 29 1892 \_\_\_\_\_ Police Justice.

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

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

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

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

4-192

The People  
Peter Skinner

Court of General Sessions. Part I  
Before Judge Martine. August 5<sup>th</sup> 1892.  
Indictment for assault in the first degree.  
Martin Kervity, sworn and examined. I live  
at No. 91 West end avenue. and am a truck  
driver. On the 26<sup>th</sup> of July I saw Peter Skinner  
in the evening about a quarter to eight o'clock  
in my own hallway. at 91 West end avenue I  
did not he lived there, but they told me  
he lived there. After coming home from  
work and having my supper I had a little  
boy about two years old - I am living on  
the ground floor. We generally let the little  
boy go out on the street to play. My wife  
was not feeling well; she went to lie down  
on the bed and she told me to go out  
for the little boy. I went to the door. I seen  
my boy on the curb. I stood in the vesti-  
bule and I called the little boy over. This  
Skinner, another man and three women,  
were standing at the door. Skinner and  
this other man were speaking together; they  
had loose, nasty talk going on. I said  
to Skinner that he ought to be ashamed of  
himself; there was decent women living  
in the house and they were going back  
and forward at the door. I could not  
express the bad language. Just as  
soon as I spoke to him he grabbed

me and tried to pull me back. I held back  
I had my little boy by the arm. I pulled  
my little boy <sup>in</sup> by the hall. I pulled back  
and he followed me in the hall. When  
he came in he made a drive with his  
lefthand to hit me. I pulled my head  
aside; he did not strike me at that time.  
He had nothing in his left hand at  
that time. So he followed me in the  
hall and right between the two doors  
of the vestibule I tried to save my little  
boy the best I could and save myself  
at the same time. After that I broke  
away from him he jumped out and  
threw him down; he jumped up, and  
the two of us was mixed up together and  
both of us fell down. He had hold of  
me and I threw him down. I broke  
away from him. It was about three or  
four feet from the vestibule. I was work-  
ing my way back to my own door. I  
broke away from him, he jumped up,  
he had a knife, he ran after me, he  
caught me very near my own door, about  
half way in the hall - I guess it is  
a 75- or 80 foot house; he came near me,  
I turned around and as I turned round  
he struck me with a knife, twice in

the arm, twice in the left side, and once in the leg. Did you have anything in your hand when he struck you or at any time? No sir, not at any time. Were you facing him when he struck you? I was facing him; when he struck me I turned around. I was going for my own door where he followed me. I broke away from him; the other man was there. I thought to myself the two might get at me; he got up and rushed after me, and after he was coming to me I turned around. When you turned around you saw him coming towards you? Yes. Was he running or walking? He was on a kind of half run and half walk. Did you see anything in his hand? I did not see at that time, he had struck me twice in the arm. He struck me twice before I could get away. It was a pen knife. I saw the blade but not the handle; it appeared to me like a common pocket knife. He struck me on the left arm first. I did not have any coat on at all. My shirt sleeves were rolled up. I did not take off my working clothes from the time I came home; it is generally seven o'clock when I get home from work. I was bleeding.

After I was struck I ran into my house as quick as I could. The defendant ran away. Who was in there when you ran in? My wife was there, and two witnesses are here who were there; they were standing at the door at the same time. I was bleeding and the ambulance took me to the Roosevelt hospital. My wounds were treated there. Did you see the wounds? Yes. Describe those on your arm what were they like? It is a kind of half L this one here (pointing) and this one was a clear cut, just one straight cut. This one was smooth but the other one was kind of ragged. The wound in the side is near  $\frac{1}{2}$  or 5 inches long. I could not exactly say how deep, but it went into the bone. The wounds were sewed up. I retained my consciousness until I went to the hospital. I was in the hospital about half an hour while they were sewing up the wounds. They told me I could go home. I have not worked since because I have not been able to. I have been to the hospital every second and third day since. I have my wounds treated. I had never seen Skinner before that night and

never had any trouble with him. When he was uttering this bad language which brought out your interference. You are sure you did not hit him at all? No sir. You simply told him to stop. There were decent women around there? I told him he ought to be ashamed of himself, and he grabbed me. When next did you see him? At the station house. That came right about ten o'clock. I went up to identify him. I did not hear him say anything up there. Did you see the knife after he cut you? No sir.

Cross Examined. I have been living in that tenement house since last October. I do not know that the defendant has occupied the tenement floor above me for the last three years. I have never seen him to my knowledge. Mrs. Rigby is one of the women who were standing at the door; she is here. I don't know the other women. I did not hit him in the face with my right hand and did not knock him down. I hit him four or five times in that scrimmage. I think I hit him in the face a couple of times. I could not say how often. After I threw him down I went for my own rooms on the ground floor right directly back. I did not get as far as my room



until he got up to me. When he got up to you was your back to him? No, I faced right around before he came so close to me, I heard him coming behind and I turned round quick. I did not hit him <sup>until</sup> the second time when he struck me with a knife. He struck five blows in all; he did it as quick as he could use his hand; there was no space between the time at all when he stabbed me I did not hear him say a word. I did not say anything to him at the time I was cut. The women did not hold me after the first fight, nothing of the kind Martha Rigby, sworn and examined. Where do you live? I live at 91 West end Avenue. What floor do you live on? The first floor one flight up. Do you know Martin Herity, the last witness? Yes, he lives on the first floor. Do you remember the night of the 26<sup>th</sup> of July 1892 when he was cut? Yes. Did you see who cut him? Yes, this man here, Mr. Skinner. Were you there from the beginning? Yes, I was standing at the door. While I was standing at the door Mr. Herity had the baby by the hand. Mr. Skinner came up and he said some bad words in

front of us ladies, There were other ladies there. Mr. Herrity said to him, "Don't talk such talk in front of ladies," and he said, "Do you want to take it up?" Herrity said, "Yes, if you like." Then Skinner ran at Herrity and downed him on the floor of the hallway. They were both down in the hallway. Herrity got on top of him, and then when he got on top of him I pulled Herrity off, and then they got away from one another again, and then when I turned my back to go up stairs - I live one flight up - they were down again on the hallway floor fighting again, and when they were fighting again I ran to him to pull him away again and he cut Herrity's back and in the side. I was covered with blood. I saw the defendant cutting, I saw the knife. The knife was in his hand as he laid down on the floor in the middle of the hall. I got Herrity in the house and I shouted for a doctor. I did not hear anything said by the two men while the stabbing was going on. I went to pull him off and I was covered with blood. When Skinner rushed at Herrity did he take hold of him? Yes; they took hold of one another

and fell down in the vestibule of the hallway. I was standing at the vestibule hallway. There was a light over our heads. Skinner was on top the first time and the other man turned him over. I pulled Herrity off and he stood one side and took hold of his boy's hand again. While I was turning to go up stairs they ran at one another again and I turned back. There was not a minute of time when I did not have my eye on them. It was Skinner who rushed at him again. Herrity had hold of the baby's hand, but he let loose and another lady ran and took the baby off when they ran at one another. Herrity let go of the baby as they were rushing. Skinner was underneath the second time. I went to him and Skinner was on top the first time. Herrity turned him over and he was on top. They fell down wrestling. Herrity hit Skinner when he was down and Skinner used the knife.

The defendant withdrew his plea of not guilty and pleaded guilty to assault and battery. He was remanded for sentence.

POOR QUALITY  
ORIGINAL

0566

Testimony in the  
case of  
Peter Skinner

filed

Aug 1892  
2088C

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 Skinner*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Peter Skinner*  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

*Peter Skinner*  
late of the City of New York, in the County of New York aforesaid, on the *26th*  
day of *July* 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 *Martin Hervey* in the peace of the said People  
then and there being, feloniously did make an assault and *him* the said  
*Martin Hervey* with a certain *knife*

which the said

*Peter Skinner*  
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 *Martin Hervey*  
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

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

The said

*Peter Skinner*  
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  
*Martin Hervey* in the peace of the said  
People then and there being, feloniously did wilfully and wrongfully make another assault,  
and *him* the said *Martin Hervey*  
with a certain *knife*

which the said

*Peter Skinner*  
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

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

The said

*Peter Skinner*  
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 *Martin Hervey*  
*Hervey* 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 *Martin Hervey*  
*knife*

which

*he* the said *Peter Skinner*  
in *his* right hand then and there had and held, in and upon the *arm,*  
*side and leg* of *him* the said *Martin Hervey*  
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 wrong-  
fully inflict grievous bodily harm upon the said *Martin Hervey*  
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.

0569

**BOX:**

492

**FOLDER:**

4492

**DESCRIPTION:**

Smith, Annie

**DATE:**

08/19/92



4492

POOR QUALITY  
ORIGINAL

0570

Witnesses:

Nathan Madensheim

Counsel,

Filed,

day of Aug 1892

Pleads,

THE PEOPLE

vs.

B

Arvid Smith

KEEPING A HOUSE OF ILL-FAME, Etc.  
(Sections 822 and 865, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

Aug 26 - 1892

A TRUE BILL.

Allen P. Apper

Foreman.

Aug 26 1892

Heard & Gentry

Five \$50.

fine paid B.M.



POOR QUALITY  
ORIGINAL

0571

*The New York Society for the  
Prevention of Cruelty to Children*

100 EAST 23D ST. (COR. FOURTH AVE.)

New York, *Aug. 18<sup>th</sup> 1892*

*Court of General Sessions of the Peace in and for the  
City and County of New York.*

*The People  
against*

*Annie Schmidt*

*Notice of Prosecution.*

*To the District Attorney of the  
City and County of New York,*

*Sir: This Society is interested in the prosecution of  
the above defendant, and is familiar with the facts of the  
case. It respectfully requests that before sending the papers  
to the Grand Jury, fixing the day of trial, consenting to  
any postponements thereof, or to any reduction of bail, or  
final disposition of the charge, you will duly notify me as  
its President and Counsel, so that I may confer with you  
in regard thereto. This request is made pursuant to the  
statute (Laws of 1886, Chapter 30, Section 1), and in  
furtherance of the ends of Justice.*

*I have the honor to remain, with great respect,*

*Elbridge T. Gerry,*

*President, &c.*

POOR QUALITY  
ORIGINAL

0572

N. Y. GENERAL SESSIONS

THE PEOPLE



NOTICE OF PROSECUTION

BY THE SOCIETY.

ELBRIDGE T. GERRY,  
*President, &c.*

POOR QUALITY  
ORIGINAL

0573

Police Department of the City of New York.

Precinct No. 14

New York, August 26<sup>th</sup> 1892

Judge Martine

Sir.

Annie Schmidt has  
vacated premises No 9  
East 3<sup>rd</sup> St.

Respectfully  
Hugh Claus  
Supt in Comd 14 Prec.

**POOR QUALITY  
ORIGINAL**

0574

Sec. 322, Penal Code.

CITY AND COUNTY  
OF NEW YORK,

3 District Police Court.

Nathan Wettenslein  
of No. 325, 5th Street, in said City, being duly sworn, says  
that at the premises known as Number 9 East 3rd Street,  
in the City and County of New York, on the 11 day of August 1892 and on divers  
other days and times between that day and the day of making this complaint

James Doe  
did unlawfully keep and maintain and yet continues to keep and maintain a house  
brothel 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 willfully 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 James Doe  
and all vile, disorderly and improper persons found upon the premises occupied by said  
James Doe  
may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me, this

day of

1892

Nathan Wettenslein

Police Justice.

(1280)

0575

of No. 325 1<sup>st</sup> Varham Uthara St Street, being duly sworn, deposes and says,  
that Annie Schmitt (now present) is the person of the name of  
Annie Schmitt mentioned in deponent's affidavit of the 12<sup>th</sup>  
day of August, 1892 hereunto annexed.

Sworn to before me, this 13<sup>th</sup>  
day of August 1892 } Nathan L. Martin

*John A. ...* POLICE JUSTICE.

POOR QUALITY  
ORIGINAL

0576

Sec. 198-200.

CITY AND COUNTY } ss:  
OF NEW YORK, }

3

District Police Court.

*Alvin Schmidt* being duly examined before the under-  
signed according to law, on the annexed charge, and being informed that it is *his* right to  
make a statement in relation to the charge against *him*; that the statement is designed to  
enable *him* if he 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am in custody and  
demand a trial by jury Alvin Schmidt*

Taken before me this

day of

189

Police Justice.

POOR QUALITY  
ORIGINAL

0577

Sec. 151.

Police Court 3 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 William Wetters

of No. 325 9 Street, that on the 11 day of August

1887 at the City of New York, in the County of New York, James Doe did keep and maintain at the premises known as Number 9 East 3rd Street, in said City, a 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

James Doe and all vile, disorderly and improper persons found upon the premises occupied by said James Doe

and forthwith bring them before me, at the 3 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 12 day of August 1887  
John Doe  
POLICE JUSTICE.

**POOR QUALITY  
ORIGINAL**

0578

Police Court— District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

WARRANT—Keeping Disorderly House, &c.

Dated \_\_\_\_\_ 188

Magistrate.

Officer.

Precinct.

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.

*Wm. B. Smith*

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



POOR QUALITY  
ORIGINAL

0579

BAILED  
No. 1, by *John DeLong*  
Residence *South Street*  
No. 2, by *John DeLong*  
Residence *South Street*  
No. 3, by *John DeLong*  
Residence *South Street*  
No. 4, by *John DeLong*  
Residence *South Street*

Police Court, District, 1003

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John DeLong*  
vs.  
*John DeLong*  
Offense, *Keeping*  
*Drumming*

2  
3  
4

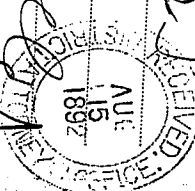
Dated, *June 13* 1892

*John DeLong*  
Magistrate.  
*John DeLong*  
Officer.

Witnesses *John DeLong*  
*John DeLong*  
Street, Precinct.

No. *106 E 93*  
Street.

No. *300*  
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 *Three* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, *June 13* 1892 *John DeLong* Police Justice.

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

Dated, *Aug 14* 1892 *John DeLong* Police Justice.

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

Dated, *Aug 14* 1892 *John DeLong* Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

470

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

*Annie Smith*

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

*Annie Smith*

(Sec. 322,  
Penal Code.)

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

The said

*Annie Smith*

late of the *Seventeenth* Ward of the City of New York, in the County of New York aforesaid, on the *Eleventh* day of *August* in the year of our Lord one thousand eight hundred and ninety-*two*, 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 said house divers ill-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well as 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

*Annie Smith*

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offenses 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

*Annie Smith*

(Sec. 385,  
Penal Code.)

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

The said

*Annie Smith*

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

ninety- *two* —, 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

*Annie Smith*

(Sec. 322,  
Penal Code.) of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said

*Annie Smith*

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

DE LANCEY NICOLL,

*District Attorney.*

0582

**BOX:**

492

**FOLDER:**

4492

**DESCRIPTION:**

Smith, Frederick

**DATE:**

08/03/92



4492

0583

POOR QUALITY  
ORIGINAL

Witnesses:

Counsel.

Filed,

day of *Aug* 189*2*

Pleads,

THE PEOPLE

*Frederick Smith*

*Charles LANCEY, 2nd degree*  
(MISAPPROPRIATION.)  
(Sections 528 and 537 of the Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Alley D. Apgar*

*Aug 4/92*  
Foreman.

*Frank C. [unclear]*  
*Elmira, Sep. 1892.*

POOR QUALITY  
ORIGINAL

0584

Police Court 2 District.

Affidavit—Larceny.

City and County }  
of New York, } ss:

of No. 13 Astor Place Charles F. Rigdon  
occupation Cashier of the Christian Union Newspaper Street aged 30 years,  
deposes and says, that on the 23 day of June 1897 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:

Good and lawful money of the United  
States of the amount and value of  
thirty dollars and forty five cents

the property of The Christian Union Company in the  
care and custody 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 Frederick Smith

from the fact that the defendant was in  
the employ of said Company and Collector  
and was authorized to collect money  
and deponent is informed by John P.  
Brown Assistant Cashier of Charles  
Scribner Sons that the defendant called  
at the office of Scribner Sons No 743 & 745  
Broadway to collect the amount due by  
said Scribner Sons to said Christian  
Union Company for an advertisement in their  
newspaper. John P. Brown paid said defendant  
thirty dollars and forty five cents the  
bill due for said advertisement. Deponent  
further says that the defendant failed

Subscribed and sworn to before me this

189

Police Justice.

POOR QUALITY  
ORIGINAL

0585

to return said money collected by defendant  
to defendant but withheld and appropriated  
the same to his own use

wherefore defendant prays that said  
defendant may be apprehended and  
dealt with according to law

Sworn to before me this Charles F. Rigoulet  
6th day of June 1892

A. J. White

Police Justice

Subscribed

POOR QUALITY  
ORIGINAL

0586

CITY AND COUNTY }  
OF NEW YORK, } ss.

1877

aged 36 years, occupation Cashier of No. 743 1/2

Broadway Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Charles F. Rigdon

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

knowledge.

Sworn to before me, this 6th

day of June

1897

John P. Brown

A. J. Smith

Police Justice.



**POOR QUALITY  
ORIGINAL**

0587

(1885)

Sec. 198—200.

2

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Frederick Smith*

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

Question. What is your name?

Answer. *Frederick Smith*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *N. J.*

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

Answer. *786 Myrtle Avenue Brooklyn*

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 guilty—  
Frederick Smith*

Taken before me this  
day of *Sept* 188*8*

Police Justice.

POOR QUALITY  
ORIGINAL

0588

Sec. 151.

Police Court 2 District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police  
Justices for the City of New York, by Charles F. Riggs  
of No. 13 Astor Place Street, that on the 23 day of June  
1889 at the City of New York, in the County of New York, the following came to wit:

Good and Lawful Money of the  
United States  
of the value of Thirty dollars and forty five Cents Dollars  
the property of The Christian Union Company in care of Complainant  
w. As taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and  
believe, by Fredrick Smith

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said  
Sheriff, Marshals and Policemen, and every of you, to apprehend the bod. John of the said Defendant  
and forthwith bring him 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 27 day of June 1889

[Signature]  
POLICE JUSTICE.

POOR QUALITY  
ORIGINAL

0589

The within named

*Frederick Smith*

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 *Nov 27* 18*92*

*John A. Morris* Police Justice of New York

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Warrant-Larceny.

vs.

Dated 188

Magistrate

*Taylor & O'Brien* Officer.

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.

*John A. Morris* Police Justice.  
*of New York*

0590

**FEELING IT?**

2

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

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

538

THE PEOPLE OF THE STATE OF NEW YORK

against

*Frederick Smith*

The Grand Jury of the City and County of New York, by this indictment, accuse  
of the CRIME OF *Frederick Smith* *Grand LARCENY, in the second degree*, committed  
as follows:

The said

*Frederick Smith*

late of the City of New York, in the County of New York aforesaid, on the *23rd*  
day of *June* in the year of our Lord one thousand eight hundred and  
ninety-*two*, at the City and County aforesaid, being then and there the clerk  
and servant of a certain corporation commonly  
known as the Christian Union Company

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

*corporation*  
the true owner thereof, to wit: *the sum of thirty dollars*  
*and forty five cents in money, law-*  
*ful money of the United States*  
*of America, and of the value of*  
*thirty dollars and forty five cents;*

the said *Frederick Smith* afterwards, to wit:  
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,  
did feloniously appropriate the said *sum of money*

to his own use, with intent to deprive and defraud the said *corporation*  
of the same, and of the use and benefit thereof; and the same goods, chattels and personal  
property of the said *corporation*

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

DE LANCEY NICOLL,  
District Attorney.

0592

**BOX:**

492

**FOLDER:**

4492

**DESCRIPTION:**

Smith, James

**DATE:**

08/11/92



4492

0593

**BOX:**

492

**FOLDER:**

4492

**DESCRIPTION:**

Malone, Andrew

**DATE:**

08/11/92



4492

POOR QUALITY  
ORIGINAL

0594

Witnesses:

*Off J. Lewis*

Counsel,

Filed 11 day of Aug 1897

Pleads, *July 16.*

2. THE PEOPLE

*vs. 14 Charles vs. Smith.*

I

*James Smith*

*2/ 341 E. 39 and Caber I*

*Andrew Malone*

Robbery, (Sections 224 and 228, Penal Code.)  
Degree.

DE LANCEY NICOLL,

District Attorney.

*Rec'd II, (2) Sept. 4 90.*

A TRUE BILL.

*Allen D. Ryan*

*Just. 2 - Sept. 9, 1897 Foreman.*

*Both. Pearl. Ex. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.*

*Both S.P. 4 mos & 1 mo.*

*RBH*



Police Court 3 District.

CITY AND COUNTY }  
OF NEW YORK, } ss

David Saelter  
of No 158 Orchard Street, Aged 20 Years  
Occupation Keep a stand being duly sworn, deposes and says, that on the  
31<sup>st</sup> day of July 1891, at the 18<sup>th</sup> Ward of the City of New York,  
in the County of New York, was feloniously taken, stolen, and carried away from the person of de-  
ponent by force and violence, without his consent and against his will, the following property, viz:

About twenty eight cents lawful  
money of the United States

of the value of \_\_\_\_\_ DOLLARS,  
the property of deponent  
and that this deponent has a probable cause to suspect, and does suspect, that the said property was  
feloniously taken, stolen, and carried away, by force and violence as aforesaid by

James Smith and Andrew Malone  
(both now here) who were in  
company with each other and  
acting in concert for the purpose  
that about noon on said day  
deponent was on East 27<sup>th</sup> Street  
and the defendants were together and  
Smith accosted deponent and  
demanding money and seized violent  
hold of deponent's body and while  
deponent was being so held the  
defendant Malone inserted his hand  
into the pocket of the vest then

Sworn to before me, this

day of \_\_\_\_\_ 1889

Police Justice.

POOR QUALITY  
ORIGINAL

0596

wound on deponents' person and took  
the aforesaid money from the pocket  
sworn to before me / 5  
this 1<sup>st</sup> August, 1897 David Sachter

Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been  
committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and he be committed to the Warden and Keeper of the City Prison  
of the City of New York, until he give such bail.  
Dated 1888 Police Justice.  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1888 Police Justice.  
There being no sufficient cause to believe the within named  
guilty of the offence therein mentioned, I order he to be discharged.  
Dated 1888 Police Justice.

Police Court, District.

THE PEOPLE, &c.,  
on the complaint of

Office—ROBBERY.

vs.

1  
2  
3  
4

Dated

1888

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

POOR QUALITY  
ORIGINAL

0597

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

3

District Police Court.

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

Question. What is your name?

Answer.

*James Smith*

Question. How old are you?

Answer.

*33 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*214 Chrystie St. 7 months*

Question. What is your business or profession?

Answer.

*Painter*

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*  
*James Smith*  
*name*

Taken before me this  
day of *August* 189*7*

Police Justice.

POOR QUALITY  
ORIGINAL

0598

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

*Andrew Malone* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is *h's* right to  
make a statement in relation to the charge against *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 *h's* waiver cannot be used  
against *him* on the trial.

Question. What is your name?

Answer.

*Andrew Malone*

Question. How old are you?

Answer.

*21 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*341 East 39<sup>th</sup> St. 3 years*

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*  
*Andrew Malone*

Taken before me this  
day of *August* 189*7*

Police Justice.

POOR QUALITY  
ORIGINAL

0599

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court, *3*

District, *935*

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Paul J. Schlecter*  
*155 10th Ave*  
*James Smith*  
*Andrew Matens*  
*Robbery*

Dated, *Aug 1* 189*2*

*W. O. O'Connell*  
Magistrate.

*Max Strauss*  
Witness.

*Harry K. Schlecter*  
Witness.

*Mr. Smith*  
Witness.

*1000*  
Witness.



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

*defendants*

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

Dated, *Aug 1* 189*2* *W. O. O'Connell* 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.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Smith and  
Andrew Malone

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

James Smith and Andrew Malone  
of the CRIME OF ROBBERY in the *first* degree, committed as follows:

The said James Smith and Andrew  
Malone, both —

late of the City of New York, in the County of New York aforesaid, on the *31st*  
day of *July* in the year of our Lord one thousand eight hundred and  
ninety-*two*, in the *day* time of the said day, at the City and County aforesaid,  
with force and arms, in and upon one *David Dichter*, —  
in the peace of the said People then and there being, feloniously did make an assault; and

*sworn* *coram* *of* *the* *United* *States* *of*  
*America*, *of* *a* *number* *said* *and*  
*denomination* *to* *the* *Grand* *Jury*  
*aforesaid* *unknown*, *of* *the* *value* *of*  
*twenty* *eight* *cents*,

of the goods, chattels and personal property of the said *David Dichter*, —  
from the person of the said *David Dichter* against the will  
and by violence to the person of the said *David Dichter*, —  
then and there violently and feloniously did rob, steal, take and carry away, *the* *said*  
*James Smith and Andrew Malone*, and  
*each* *of* *them*, *being* *then* *and* *there*  
*aid* *James Smith and Andrew Malone*, *actually*  
*present* *in* *the* *name* *of* *the* *Grand*  
*Jury* *aforesaid* *as* *yet* *unknown*, —  
against the form of the statute in such case made and provided, and against the peace of the  
People of the State of New York and their dignity.

*James Smith*,  
*District Attorney*

0601

**BOX:**

492

**FOLDER:**

4492

**DESCRIPTION:**

Smith, William

**DATE:**

08/19/92



4492

Witnesses:

Bailed by  
Chas. Schaefer  
179 Suffolk

Subscribed by  
D. Laughlin  
179 Suffolk

312  
Counsel,  
Filed  
19 day of Aug 1892

Pleads,  
179 Suffolk

THE PEOPLE

vs.  
William Smith

Grand Larceny,  
179 Suffolk

(See case of Havers  
vs. Sullivan, same date)

DE LANCEY NICOLL,  
District Attorney.

Accepted & sealed

A TRUE BILL.  
179 Suffolk

Allen S. Appard  
Foreman.

179 Suffolk  
on Special Jury

Pen 5 up & down 10

Grand Larceny,  
179 Suffolk  
Degree.  
[Sections 888, 889, 890 Penal Code.]



THE PEOPLE

COURT OF GENERAL SESSIONS, PART I.

vs

BEFORE JUDGE COWING.

WILLIAM SMITH.

Wednesday, October 26, 1893.

A Jury was empannelled and sworn.

Indictment for grand larceny in the first degree, as a second offence.

HENRY WELSH, sworn and examined:

I am third deputy clerk of this court. I have in my possession the record of this court for the 25th day of October, 1883. The paper I hold in my hand is the indictment presented in this court by the Grand Jury, on the 10th day of August, 1883, against James Waldman and William Harris. (It is claimed by the People that the defendant was previously convicted under the name of William Harris.) The entry in the minute book is as follows: I read from Minutes of Part I, this court, Minute Book 144: "Friday morning, August 10, 1883. The Court meets pursuant to adjournment; present, Hon. Frederick Smyth, Recorder, the Justice of the Sessions. The Grand Jury came into court and presented the following indictments, to-wit, the People against James Waldman and William Harris." I read from the same volume of the Minutes: "Wednesday morning, October 24, 1883. The Court meets pursuant to adjournment; present, Hon. Henry A. Gildersleeve, Judge of the Court of General Sessions. The People against William Harris, impleaded with James Waldman, on trial. Grand larceny in the second degree, July 3, 1883, stealing one watch, one chain, and divers United States Treasury notes, of the value of one hundred and fifty dollars, from Theodore Peiter." J. R. Fellows, for the People;

**POOR QUALITY  
ORIGINAL**

0604

J. Berlinger for the defendant. Jurors balloted and sworn," then follows the names of the jurors." "By consent, the jurors separated until to-morrow morning." "Thursday morning, October 24, 1883. The Court meets pursuant to adjournment; present as before. The People vs. William Harris, trial continued from yesterday. Jurors called and appear. The jury having returned to the bar say they find the defendant guilty." I read from Minute Book 145 of Part I of this court. "Wednesday morning, October 31, 1883. The Court meets pursuant to adjournment. Present, Hon. Henry A. Gildersleeve, Judge of the General Sessions. The People against William Harris, on conviction by verdict of grand larceny in the second degree. The defendant having nothing further to say, etc. Judgement, in State prison at hard labor for a term of four years.

JOHN A. RILEY, sworn and examined:

I live in East Orange, New Jersey; I am a manufacturing jeweler at 860 Broadway, New York City, I have been in business between seven and eight years. Did you, on or about the sixth day of August, 1892, miss any jewelry or property from your store? Yes, it consisted of hairpins, scarf holders, samples of which are in those trays; (trays shown;) some of those are the identical ones.. I think I lost about fifty hair-pins, they were left in the back part of the store, on a table, in trays like these. The scarf catches were in the same place. The first time I saw the property after it was lost was on Monday, the eighth of August. Capt. McLaughlin showed it to me in my office; it was wrapped up in white tissue paper, in a bundle, all jumbled together. The jewelry

**POOR QUALITY  
ORIGINAL**

0605

shown to me by Capt. McLaughlin had tags on it; I identified the tags. The value of the property which I lost was twelve hundred dollars.

**CROSS EXAMINATION:**

The property was in my store, positively, on the 5th of August, Friday; I saw it there in the trays.

**WILLIAM W. McLAUGHLIN, sworn and examined:**

I am Inspector of Police, in charge of the Detective Bureau. On the 8th day of August, 1893, I was Captain of the 19th precinct police. On the 6th day of August I saw the defendant on the Bowery, coming out from No. 9, a liquor store. He was in company with a man named Sullivan, who kept the place; he had a box under his arm, done up in brown paper. It was in the morning, about 11:30. He came out of No. 9, on the right hand side of the street going up-town, he crossed over to the left hand side and went on up towards Canal street. I boarded a car, in company with Detective Reap, of the Central Office, we got to Canal street ahead of him and went over and walked down the street, facing him. I took them both in custody, the prisoner and Sullivan. I took the box that Smith had under his arm away from him. I took him and the box to the 19th precinct police station, I there examined the box, and found the jewelry described by Mr. Riley in it. I asked him at the time that I took him in custody, and took the box away from him, what the box contained? He said he did not know. I asked him where he got it, and he said a man down the street gave it to him. The defendant said afterwards that Mr. Sullivan had given him the box. When I examined the jewelry I found some tags on them. I

3 took some of the pieces of jewelry to Tiffany's, and after-

**POOR QUALITY  
ORIGINAL**

0606

wards called on Mr. Riley, and he identified the jewelry as his property.

**CROSS EXAMINATION:**

Were you on the Bowery for the purpose of arresting one "Goodwin?" No, not for that purpose. The man Sullivan who keeps No. 9 Bowery is an ex-convict, he had the reputation of being a receiver of stolen goods. What I was doing there was watching his place.

**ROBERT McNAUGHT, sworn and examined:**

I am a detective sergeant attached to the Central Office. I was in the same business in July, 1883. I know the man called here Smith; I was in court on the 28th day of October, 1883, when he was sentenced under the name of William Harris. The defendant at the bar is the same person. He was sentenced on the 28th of October, 1883, by Judge Gildersleeve, to four years in the State Prison.

**WILLIAM W. McLAUGHLIN, recalled:**

You took from the possession of this defendant, when you arrested him, a slip of paper containing an address on the West side; have you got that? No; I might have it in my papers I do not know. It was simply the owner of a liquor store at the corner of Greenwich avenue and Charles street; possibly it was Perry street. Was it marked a saloon, say if that word was not on it? Liquor store; I took it from the pocket of the defendant when I arrested him.

**The case for the defence:**

**FRANCIS J. SULLIVAN, sworn and examined:**

4 I am 27 years old. In the early part of August last were

**POOR QUALITY  
ORIGINAL**

0607

you carrying on business in this city? Yes; I am a liquor dealer. I have dealt with the defendant, Smith, for two years, serving him liquors and cigars; I knew he had a liquor store in my neighborhood, he had the store for about two years. Did you have a conversation with this defendant in your store the morning that you were arrested on this charge? Yes. The night before this thing happened a party came into my place, he sent up to the corner of Bayard street and the Bowery for me. I went down to the store. This man told me, I told his name, I guess Captain McLaughlin knows him, he knows it is not Smith. He said to me, lend me \$25.00. I says, no, I haven't got \$25.00 for you. He says Frank, lend me \$25.00 until to-morrow morning. I said, I haven't got it. I goes back to my drawer; there was in it twenty-six dollars and odd cents. I said, I need some change I will lend you twenty-three dollars. He said, I will leave my watch with you. He had the box under his arm. I said, I don't want your watch, go to work and pawn your watch, I have got no money to lend. I said to him, I will lend you \$23.00. He said, I will give you ten dollars for your trouble, I want to leave this with you until to-morrow. I didn't know what the box contained. He goes out. That night he leaves an address for me to send this box over to. Smith came over in the morning, and he says to me, I want to try to open that store up the Bowery. I says, I will help you all I can, Billy, if you can get it, it is a good thing. I said, I have got an apointment to send this box on the corner; if you will carry it over and deliver it to David M. Keller, a liquor dealer, I will go down inside of an hour and a half, and when you come back I will go up and try to

**POOR QUALITY  
ORIGINAL**

0608

attend to this case. Mr. Smith had the address of the liquor store on the card where he was to take it. Just as I got over on the other side I saw Captain McLaughlin and Mr. Madden; I did not know McLaughlin, but I knew Madden. McLaughlin arrested Smith, and said, take that man in too. I didn't know what the box contained, I didn't know what it was for the time being. I found out later on, and I explained everything to the Inspector. I found out the man's name, I didn't know his name in the first place, I knew him from coming into my store the last three or four years. There is a witness there that saw the man come in and leave his box.

**CROSS EXAMINATION:**

I never loan money to men I don't know, but this man had been in my place before; his name is Mike, I am pretty sure they called him Mike. I have been in the city of New York continuously for fourteen years. I was once sent to prison in Massachusetts for disorderly conduct. I did not tell the Inspector that I did not know Smith.

**JAMES SULLIVAN, sworn and examined:**

I am a bar-keeper; at present at No. 9 Bowery. I was in Sullivan's saloon the night this box was left there; I was standing at the bar, having a drink. Some tall fellow with a black mustache came in and inquired for Mr. Sullivan. Mr. Sullivan was not there, I said he was further up on the corner. So the lunchman was sent up for Mr. Sullivan. Mr. Sullivan came down, the man wanted to borrow twenty-five dollars off Sullivan. Sullivan went behind the bar and looked in the drawer, he did not have much money there, he gave the man some money, I don't know how much, I didn't pay much at-

tention. And he started to come back and he left the box on the counter, some kind of a package, I couldn't tell what it was. It was wrapped up in some kind of wrapping paper. That was the night before the two men were arrested? I couldn't tell when they were arrested, I didn't know that they were arrested until Monday, I believe. I was examined in the police Court and told there what I have told to-day. The Inspector was there, I believe.

**CROSS EXAMINATION:**

Did you hear any conversation at all about the box that was left there? I didn't hear no conversation between them outside of what I told you.

**AUGUSTUS SCHAFFEL, sworn and examined:**

I am a collector for the Constanz Brewery on Staten Island; I live at 192 East Broadway, I have lived in this city for thirty-one years. I know the defendant. I know that for over two years he had a place at 218 Sixth street, I collected there, he had beer from me. When he sold the place he gave me one hundred and fifty dollars to keep for him; he didn't owe me a cent, he acted honorably. During the last two years what kind of a man has he been? Honorable, I wouldn't say anything against him. He gave me one hundred and fifty dollars, and when he was arrested his mother came and got the money from me.

**CROSS EXAMINATION:**

I have known the defendant for more than ten years, but I have only seen him now and then. You think he is a good citizen? Even if he has done something wrong, but the last two or three years he has acted fair and square. If you

were informed that he had already served a term of four years in State Prison in this State, and that he had been confined in the State Prison in the State of New Jersey, would that affect your opinion of his character? It would not, because the last two years he has acted as square as anybody; he is now a good character. Is Sullivan, part owner of No. 9 Bowery, a customer of the Constanz Brewery? No, I do not know him.

ISADORE LUKACH, sworn and examined:

I am a collector for the David Meyer brewing Company. I know the defendant about two years. My concern furnished him with ale during that time. What was his general conduct during that time? I considered it quite good, he was always there when I went there to collect my money.

CROSS EXAMINATION:

Your whole knowledge and information is based upon the fact that he paid you very well, isn't that all? That is all, I only know him since I done business with him. I did not know he was an ex-convict.

WILLIAM SMITH, sworn and examined:

My correct name is William F. Goodman; I am thirty-two years old. I was convicted under the name of Harris, and also under the name of Gardner. How long since you last came out of prison? The 24th of June, 1890, I was pardoned in the State of New Jersey. Since August, 1890, I have been in the liquor business. When I was in prison I lost two brothers, they both died; my mother had no support but me. At the time of your arrest you were living with your mother?



**POOR QUALITY  
ORIGINAL**

06 1 1

Yes, trying to keep a roof over her Have you been honest and straightforward during the last two years? Yes, with everybody, and went and paid all my bills when I sold out my place, my place was no good. I sold my place out, and after that I went up to Mr. Sullivan's to pay him some money because I got my liquors and cigars off him. There was a place in the Bowery that I told him about, belonging to the Cooper estate. I went down on Friday to see about it and the agent told me that some else was looking for it The place there was a museum and the fellows in there they were to be dispossessed that day, that there was some else looking for it, but he would take my name and address and correpond with me. That morning I went to tell Sullivan about it, I told him, I ain't sure of getting that place; in fact, he was going as a partner, he was going to find most of the money. Well, I told, him, Frank, it is not sure that I can get that place, I was to leave my name and address. So, he says, are you doing anything this morning? I said, No. So he said, do me a favor; I have to go up-town and I have to go over to Brooklyn. Take this package over to such an address, giving me a smallpiece of paper, I suppose about that big, and, he says, you will get thirty-three dollars; he says, if you don't, get twenty-three, anyhow, because I need the money, I will not take less. I started out with him; he said, I will take the elevated on the corner; we crossed over because I saw the sun was on it, and McLaughlin grabbed us. I asked him, what is this? He said, what have you got here?" I says, I don't know. He says, you don't know? I said, no. There was no question about who gave it to me at all. He (McLaughlin) says Intold him another man gave it to me; I

couldn't tell him that. There was no further conversation about it. I went up to the station house. When I was arraigned in Jefferson Market I had a lawyer there. I know Inspector Byrnes; he asked me, he said he thought I would tell him no lie. Did you steal this property from Mr. Riley? No, I know nothing about that property, I never saw Riley in my life; I never saw his employees or anything else. This man here (pointing to Inspector McLaughlin) knows I am innocent.

**CROSS EXAMINATION:**

How did you and the Captain and Reap go up-town? On the car; Sullivan was there; I was in charge of the Inspector. Why didn't you tell the Inspector there in the presence of Sullivan and Reap the story that you have given here to-day? He didn't ask me anything about it. I had nothing to say to him at all, I didn't know what I was arrested for, I didn't say nothing at all; I wanted to find out what I was arrested for. I told Superintendent Byrnes I knew nothing at all about it, Sullivan could clear me. He sent for Sullivan. He said, you say you are innocent? I says, yes, Sullivan will clear me. That is all. . I was arrested and convicted in Jersey. I was with a man who stole a cane out of a jewelry store, that was in Hoboken. I know Sullivan since a little before the time I went in business. Did you know that he was a jail-bird from Massachusetts? No, I did not nothing anything about that. I was surprised when the Inspector asked me. He asked me if I got acquainted with him in Trenton. I told him I didn't think he ever was in prison. The Inspector says that when he arrested you he asked what was in that box; he says, you said you didn't know?

No, I couldn't tell him; I did not tell the Inspector that a man down the Bowery gave me that box, I told him Sullivan gave it to me.

ANNIE GOODMAN, sworn and examined:

I am the mother of the defendant. When he came home he begged of me to go to my friends and borrow money to set him up in a store and make a man of him. He said he wanted to live good and be a man and support me. During the time that he was away I lost my other two sons, he is the only one I have now. During the last two years has he supported you? Yes, he did, he done all that he could to support me, I went to my friends and borrowed money and set him up in business.

Rebutting testimony:

MICHAEL J. REAP, sworn and examined:

I am attached to the Central Office. I was with Inspector McLaughlin on the 8th of August, about eleven o'clock, on the Bowery near Canal street. I saw Sullivan and Smith come out of No. 9 Bowery, Smith had a bundle under his arm. The Inspector and I jumped on a car and went as far as Canal street. The Inspector took hold of Smith and I took hold of Sullivan; the Inspector took the box away from Smith, and asked him where he got it? Smith said, I got it from a man down the Bowery. Sullivan was standing alongside of Smith when Smith said that he got the box from some man down the Bowery. He (Smith) did not say a word about Sullivan. I went to the station house in a car with them. I couldn't hear anything that Smith said to the Inspector on the way up, because I was

on the other side of the carz

**CROSS EXAMINATION:**

I never was a precinct detective. I didn't give Captain McLaughlin any information about Sullivan; Captain McLaughlin took me down there. We were watching that saloon about three quarters of an hour; we didn't know what we would see. We had some information that Sullivan was receiving stolen goods, and we would have stayed there for five days if necessary, if anybody was going in and out with property.

The Jury rendered a verdict of guilty of receiving stolen goods, knowing them to be stolen, as a second offence.

0615

丁巳

45

Testimony in the  
case of  
J. M. Smith

filed,

Aug. 1892

4.5-1%

[illegible]

GLORIE EXPLANATION:

ON THE OFFICE REFS OF THE COURT

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*William Smith*

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

Indictment accuse *William Smith* —

of the crime of *Grand Larceny in the first degree*,  
as a SECOND OFFENSE, committed as follows :

Heretofore, to wit : at a court of General Sessions of the Peace, holden in and  
for the City and County of New York, at the City Hall, in the said City of New York,  
on the *Twenty Fifth* day of *October* —, in  
the year of our Lord, one thousand eight hundred and *Eighty-three*,  
before the Honorable *Henry J. Searles*, Judge of the  
said Court of General Sessions of the Peace,  
and Justice of the said Court, the said *William Smith*  
by the name and description of *William Harris*, —  
was in due form of law convicted of *a felony*. —

to wit : *Grand Larceny in the second degree*,  
upon a certain indictment then and there in the said Court depending against *him*  
the said *William Smith* — by the  
name and description of *William Harris* —  
as aforesaid,

and one *James Waldman*. —

for that *they*

then — late of the *Five Ward of*

0617

County aforesaid, with force and arms,

value of one hundred dollars, one chair of the value of forty dollars, and a sum of money, to wit: the sum of ten dollars in money, lawful money of the United States of America and of the value of ten dollars, of the goods, chattels and personal property of one Theodore Reiter, then and there. Being found, then and there feloniously did steal, take and carry away.

And Thereupon, upon the conviction aforesaid, it was considered by the said Court of General Sessions of the Peace, and ordered and adjudged that the said William Smith —  
by the name and description of William Smith —  
as aforesaid,  
for the felony and grand larceny whereof  
he was so convicted as aforesaid, be imprisoned in the State Prison  
at hard labor for  
the term of four years,  
as by the record thereof doth more fully and at large appear.

And the said William Smith, —  
late of the City of New York, in the  
County of New York aforesaid, having been so as aforesaid convicted of the  
said felony and grand larceny in  
manner aforesaid, afterwards, to wit: on the fifth day of  
August, in the year of our Lord one thousand eight hundred  
and ninety two, at the City and County aforesaid, with force  
and arms, feloniously took and carried away the value of  
twenty dollars each, and twenty seven  
ready-money of the value of six  
dollars each, of the goods, chattels and  
personal property of one John A. Riley  
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

— William Smith —

of the CRIME OF feloniously receiving stolen  
property, — as a second offense, —

committed as follows:

The said William Smith,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, having been so  
convicted of the said felony and  
grand larceny as alleged in the first  
count of this indictment, fifty  
hairpins of the value of twenty  
dollars each, and fifty seven pearl  
brooches of the value of six dollars  
each, of the goods, chattels and personal  
property of one John A. Riley, by one  
Francis J. Sullivan, and certain  
other persons to the Grand Jury  
aforesaid unknown, then lately  
before feloniously stolen, taken and  
carried away from the said John  
A. Riley, unlawfully and unjustly  
did feloniously receive and have,

he the said William Smith 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 M. Coll,  
District Attorney