

0335

BOX:

526

FOLDER:

4790

DESCRIPTION:

Sanburne, William B.

DATE:

06/22/93



4790

Witnesses:

Chas. W. Callum
Off Brauch & Co.

Counsel,

Filed

Pleads,

218X
day of June 1893

THE PEOPLE

vs.

William B. Sanborn

Forgery in the Second Degree.
(Sections 511 and 521, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Wm. S. Callum
Foreman.
June 23/93
J. L. G. Gully
J. M. R.

0337

New York Feb 21/93.

The National Loan Bank

of Morrisstown N.J.

Pay to the order of Wm B. Santman

Twenty-five Dollars

C. M. Collins

\$25.00

UNITED STATES OF AMERICA,

STATE OF NEW JERSEY,

On the Twenty Second day

year of our Lord, one thousand eight hundred and

the FIRST NATIONAL BANK, of Morristown, I, ALF

duly appointed, commissioned and sworn, residing in

did present the original Check drawn

by C. McCallum

dated Feb 21, 1893 at

\$45.00 and

First Nat BANK, to John C

20

W. J. Lawrence

FOR DEPOSIT TO THE CREDIT OF

TOPPING, MAYNARD & HOBSON

W. J. Lawrence

PAY

Cashier, or Order, for Collection

EAST RIVER NATIONAL BANK,

NEW YORK

Z. F. NEWELL, Cashier

W. J. Lawrence

W. J. Lawrence

W. J. Lawrence

W. J. Lawrence

W. J. Lawrence

W. J. Lawrence

W. J. Lawrence

W. J. Lawrence

W. J. Lawrence

W. J. Lawrence

W. J. Lawrence

W. J. Lawrence

W. J. Lawrence

W. J. Lawrence

W. J. Lawrence

W. J. Lawrence

W. J. Lawrence

W. J. Lawrence

W. J. Lawrence

and of him demanded payment thereof, which was refused
whereupon, I, the said Notary, at the request
of the said John C as against all others w
exchange, and all costs, charges, damages and inter
incurred for the want of payment of said check

THUS DONE AND

the presence of J

for Testimony

fixed my Notarial

John C

Recorded in Book

Page 191

0339

UNITED STATES OF AMERICA, } ss.
STATE OF NEW JERSEY,

On the Twenty Seventh day of February in the
year of our Lord, one thousand eight hundred and ninety thirteen at the request of
the FIRST NATIONAL BANK, of Morristown, I, ALFRED ELMER MILLS, a Notary Public,
duly appointed, commissioned and sworn, residing in Morristown, in the State of New Jersey,
did present the original Check drawn
by C. M. Collins
dated Feb 21, 1893 at New York for
\$ 25.00 and hereunto annexed, at the
First Nat Bank BANK, to Victor E. Bailey, Treasurer

and of him demanded payment thereof, which was refused.

Whereupon, I, the said Notary, at the request aforesaid, did Protest, and by these pres-
ents do publicly and solemnly Protest, as well against the Drawer and Endorsers of the
said check as against all others whom it doth or may concern, for exchange, re-
exchange, and all costs, charges, damages and interests already incurred, and to be hereafter
incurred for the want of payment of said check.

THUS DONE AND PROTESTED, at Morristown aforesaid, in
the presence of John Doe and Richard Roe, Witnesses.

In Testimony Whereof, I have hereunto set my hand and af-
fixed my Notarial Seal, the day and year above written.

Alfred Elmer Mills Notary Public.

RECORDED IN BOOK
PAGE 191

FOR DEPOSIT TO THE CREDIT OF
TOPPING, MAYNARD & HOBSON

M. J. Jackson



PROTEST OF

The Check of

C McCallum

FOR

The First National Bank,

OF MORRISTOWN, N. J.

Morristown, *Feb 27* 1893

Check \$25.00

NOTARIAL FEE..... 1.30

POSTAGE..... .04

1.40

06 26.40

1.46

25

26.46

Alfred James Mills,

Notary Public and Attorney at Law.

ALFRED MILLS,

Counsellor at Law,

MORRISTOWN, N. J.

East River 146

Police Court, 2 District.

1901

City and County of New York, ss. Charles M. Collins
 of Morristown New Jersey Street, aged 46 years,
 occupation livery - stable keeper being duly sworn, deposes and says.
 that on the 23^d day of February 1893, at the City of New
 York, in the County of New York,

William B. Sanburne, did wilfully
 and unlawfully utter an instrument writ:
 a check, which is hereto annexed and is
 made part of this complaint, purporting to
 have been signed by deponent whereby
 deponent's interests have been injuriously
 affected under the following circumstances
 writ: Deponent is informed by one
Frederica L. Maynard, of 677 Broadway
 in this city, that on the aforesaid date
 said Sanburne came to him and showing
 the check hereto annexed, purporting to have
 been signed by deponent, and drawn to the
 order of William B. Sanburne told said
Maynard that said check had been given to
 him by deponent and relying upon the
 representation of said Sanburne said Maynard
 cashed said check. That deponent further
 says that he did not make nor sign the
 aforesaid check and did not give said
Sanburne said check and accuses him
 of having forged deponent's name to said check
 and of having feloniously uttered the same
 with intent to injure deponent in violation
 of Section 514 of the Penal Code ^{deponent}
 that he may be arrested and dealt with
 according to law

Sworn to before me this } Charles M. Collins
 17th day of April 1893 }

John M. Wood
 Police Justice

0342

CITY AND COUNTY }
OF NEW YORK, } ss.

1021

aged 39 years, occupation Lat Salaman of No. 677 Broadway

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

Sworn to before me, this 17 day of April 1893 } Frederick L. Maynard

John P. Macchia Police Justice.

0343

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

William B. Sanburn 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. *William B. Sanburn*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *300 East 57th. One year.*

Question. What is your business or profession?

Answer. *Bookkeeper*

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*

W.B. Sanburn

Taken before me this

day of

June

1887

Police Justice.

0344

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

William B. Sanburne
guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Fifteen 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 15 1897 W. H. Brady Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0345

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court ⁶⁶⁶ District. ²

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles M. Collins

William B. Sanborn

2 _____

3 _____

4 _____

Offense *Forgery*

Dated, *June 13* 1897

John D. Branch Magistrate.

C. O. Officer.

Witnesses *Wm. L. Maynard* Precinct.

No. *679 Broadway* Street.

No. _____ Street.

No. _____ Street.

\$ *1500* to *pay*

\$1500 24 June 15. 1897



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 to any Marshal or Policeman of the City of New York, GREETING:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
 Justices for the City of New York, by Charles M. Collins
 of No. Morristown St. Jersey Street, that on the 13 day of February
 1883 at the City of New York, in the County of New York,

William B. Sanburne was charged with
the crime of Forgery

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 h
 forthwith before me, at the 2 DISTRICT POLICE COURT, in the said City, or in case of my absence
 or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to
 be dealt with according to law.

Dated at the City of New York, this 17 day of April 1883

John B. Boachis POLICE JUSTICE.

0347

Police Court 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles McCallum

vs.

William G. Lamburne

Warrant-General.

Dated April 17 1888

Worshis Magistrate

Officer.

The Defendant.

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

Edwin H. Krauch Officers,

Dated _____ 188

This Warrant may be executed on Sunday or at
night.

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

Police Justice.

0348

Court of General Sessions of the Peace

1721

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William B. Sanburne

The Grand Jury of the City and County of New York, by this indictment, accuse
William B. Sanburne
 of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said

William B. Sanburne

late of the City of New York, in the County of New York aforesaid, on the *Twenty third*
 day of *February* in the year of our Lord one thousand eight hundred and
 ninety *three*, at the City and County aforesaid, with intent to defraud, feloniously did
 forge a certain instrument and writing, which said forged instrument and writing is as follows, that
 is to say:

New York Feb 21/93

*The National Iron Bank
 of Morristown N.J.*

*Pay to the order of Wm B Sanburne
 Twenty-five — Dollars*

\$25.00 C. McCallum

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 B. Sanburne

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

The said

William B. Sanburne

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 intent to defraud, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, which said forged instrument and writing is as follows, that is to say:

New York Feb 21/93

*The National Iron Bank
of Morristown N.J.*

*Pay to the order of Wm B. Sanburne
Twenty-five — Dollars*

\$25.00 C. McCallum

the said

William B. Sanburne

then and there well knowing the same to be forged, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0350

BOX:

526

FOLDER:

4790

DESCRIPTION:

Sauto, Ferdinand

DATE:

06/13/93



4790

Witnesses

Larry Selinsky

Morton Selinsky

Counsel,

Filed

day of June

189

Pleads,

Attest

THE PEOPLE

vs.

A P

Jerdinand & Sons.

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

DE LANCEY NICOLI,

District Attorney.

A TRUE BILL.

Harry J. Harrington

Foreman.

Subscribed - June 20, 1893

True and Legitimate

0351

0352

Police Court—3 District.

1931

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

of No. 12 Myrtle Street, aged 35 years,
 occupation Police being duly sworn,
 deposes and says, that on the 9 day of June 1893 at the City of New
 York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Ferdinand Sauto (Gowhar)

who feloniously cut and
stabbed dependent on the
left hand with some
sharp instrument he then
and there held in his
hand

at 16 30

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

of

1893

day

Levy Selusky
MunichCharles K. Winter

Police Justice.

0353

Sec. 198—200.

3 District Police Court.

City and County of New York, ss:

Ferdinand Sauto 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 a 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.

Ferdinand Sauto

Question. How old are you?

Answer.

22 years.

Question. Where were you born?

Answer.

Hungary

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

Answer.

155 - Rose St.

Question. What is your business or profession?

Answer.

Mechanic

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

Ferdinand Sauto

Taken before me this

day of

1893

Charles J. Stenta

Police Justice.

0354

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

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

Dated, June 7 1893 Charles W. Tarter Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0355

#500 for SX
June 10/93 - 10am.

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.,
ON THE COMPLAINT OF

Levy Schatzky
12 Norfolk
Friedman and Sauto

2 _____

3 _____

4 _____

Dated, June 9 189 3

Dayton Magistrate.

Larkin Officer.

12 Precinct.

Witnesses Mark Selikowitz

No. 148 Clinton Street.

No. _____ Street.

No. _____ Street.

\$ 500 to answer

[Signature]

634
Officer
Friedman

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Josephine L. Smith

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

Josephine L. Smith

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

The said

Josephine L. Smith

late of the City and County of New York, on the

day of

ninety-

in the year of our Lord one thousand eight hundred and
, at the City and County aforesaid, in and upon one

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

Josephine L. Smith

with a certain

knife which

the said

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

SECOND COUNT—

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

Ferdinand Saul

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

The said

Ferdinand Saul

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

Levy Goleby

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault; and the said *Ferdinand Saul* the said *Levy Goleby* with a certain *stone*

which *he* the said *Ferdinand Saul*

in *his* right hand then and there had and held, in and upon the *head* of *him* the said *Levy Goleby* then and there feloniously did wilfully and wrongfully strike, beat, *cut, stab* bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said *Levy Goleby* to the great damage of the said *Levy Goleby* 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.*

0358

BOX:

526

FOLDER:

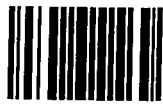
4790

DESCRIPTION:

Scarlato, Damiano

DATE:

06/07/93



4790

0359

Witnesses:

Off. Scully
Perrage

24.

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

Damiano Scarlato

H. of D.

DE LANCEY NICOLL,

District Attorney.

Angelo Tucci sent to
Honorable Detention June 7/93

A TRUE BILL.

Lang. D. Herring
Foreman.

Let report be
desch on his
own record on
no of a day
on report with
at 1079.2 JV

Murder in the First Degree.
(Section 188, Penal Code.)

B. 13 2. C.

Coroners' Office, New York County.

In the Matter of the Inquest into
the Death

- of -

JACOB GOLDSTEIN.

)
:
:
:
B e f o r e
) HON. LOUIS W. SCHULTZE,
:
:
) and a Jury.

INQUEST CONTINUED.

New York, May 22nd, 1893.
2 o'clock P. M.

The stenographer reads the testimony
taken at the former hearing.

-----000-----

MR. O'HARE: I want it to appear that the people
have made every effort to discover the whereabouts of
Julia Muscowsky, the witness under \$1000 bond to appear
here, and from the information the People have she had
fled the jurisdiction of the Coroner and forfeited her
bond. The only other witnesses are the two accused
persons themselves if they desire to take the stand.

MR. LORD: It strikes me, as counsel for Mr. Tocci
and I ask you, on the testimony adduced before you,

to direct the jury to find that this man did not come to his death by anything that Mr. Tocci did. It appears he was not there at the time.

THE CORONER: You mean in the same apartments?

MR. LORD: No, he was in another room. Mr. Scilati says he was not in the room, and this woman says he was not in the room but he came out, and then found this man dead or dying. If the People have made their case I make the motion if regular, that you direct ~~the~~ a verdict if you have power to do so, that at least Mr. Tocci had nothing to do with the cause of death.

MR. O'HARE: I desire to say that so far as the Coroner's Inquest is concerned and the intention being to ascertain the cause of death, and what human agency was employed, that the People have established a case here which calls for a verdict at the hands of the jury that the deceased came to his death from a pistol shot wound, and that they have reason to believe that Scilati and Tocci were accessories. The evidence of that is that they were in the apartments, they had opportunity, and the fact that the deceased from their own statements came to his death while Scilati and Tocci were in the adjoining apartment. It is hardly probable that a pistol shot wound from a 38 calibre revolver --

MR. LORD: There is no evidence of a shot having been fired.

MR. O'HARE: There is in the doctor's statement.

they were present at the time, one in the adjoining apartment and the other a witness to the murder, and neither communicated with the police, although they both knew it, Tocci from seeing it done and Scilati from seeing the deceased after the shot while he was lying on the floor.

I don't say that the fact that Julia Muscowsky has fled the jurisdiction is attributable to these men, but there seems to be good reason to believe that both of these prisoners should be held for the action of the Grand Jury.

THE CORONER: The motion is denied.

Mr. McManus made the same motion on behalf of the prisoner Scilati which was also denied.

-----000-----

CAPTAIN TIMOTHY J. CREEDEN, duly sworn:

BY THE CORONER:

Q What is * your precinct? A The 10th Precinct.

BY MR. LORD:-

Q Will you kindly tell me when you first saw the prisoner, Mr. Tocci? A When he was arrested on the 25th.

Q The day after this man was found? A Yes, sir.

Q Who was in charge of your office on the evening that the crime was committed, who was the sergeant or policeman in charge? A Well, I am under oath here and I couldn't answer that question truthfully without having the blotter here.

Q Under the latitude I have seen given before I will ask isn't it a fact that Mr. Tocci came to the police station on the night of the murder - went into the house where the murder was committed and there saw the officers and there said he was there in the apartments at the time? A I was told - I didn't know - I was told he went with the Italian reporter.

Q To the place of the crime himself and told the police officers that he was in the building at the time of the commission of the crime? A That is right. That is my understanding.

Q So he didn't run away? A He didn't run away, but he didn't tell us anything about it till it was too late.

Q Didn't he tell the officers there? A Certainly, but that was a long time after.

Q Mr. Tocci is an Italian; in your judgment of men is it very strange that a man who doesn't speak English, who saw a crime committed at half past four and who turns up again later and tells the police in charge that he was in the building at the time and tells them all he knows about it, do you think that is evidence of his guilt?

A I only heard that, I think you better put that officer on the stand, Officer Butler.

BY MR. McMANUS:

Q You have 2 of your men detailed now for the purpose of arresting some one other than these defendants whom you have reason to believe committed this crime? I

understand you have some men detailed now for the purpose of arresting some third person who you have reason to believe committed this crime.

Objected to by Mr. O'Hare on the ground that the witness is privileged not to answer and that is contrary to the ends of justice to compel him to answer.

Objection overruled.

A I have been looking for a man more in the interests of the prisoners than anything else - that is, as much - a person who is in the habit of visiting that building, but there is no evidence against him.

BY THE CORONER:

Q To find out what he knows? A Yes, sir.

BY MR. McMANUS:-

Q How do you mean in the interest of the prisoners?

A Scilati says, he will identify the man who fired the shot. Suppose he should identify that man, wouldn't that be in the interest of Scilati?

Q You want to hold these men until you find that third man? A No. I have had half a dozen things given me and I have worked on them all.

BY MR. O'HARE:-

Q And you have no evidence that inculpates any one except these two prisoners? A No.

BY MR. LORD:-

Q Your officers found Tocci working at his trade the next morning? A Yes, sir; where he was employed.

Q And you found Scilati where he was employed?

A Yes, sir.

Q No trouble at all in arresting them? A No, sir.

-----000-----

OFFICER THOMAS A. BUTLER, duly sworn.

BY THE CORONER:-

Q What precinct are you in? A 10th precinct.

BY MR. LORD:-

Q You are a police officer? A Yes, sir.

Q Were you at the scene of this so-called crime?

A Yes, sir.

Q What time? A About 10 minutes of 5 that night.

Q Were you the first officer there? A In company with officers Carey and Scully.

Q Are Carey and Scully here? A Carey is.

Q How did you happen to go there? A Word was taken to the station house.

Q By whom? A Another ~~is~~ officer.

Q How long did you stay there? A Two hours and a half at the scene of the crime.

Q Did anybody come in there while you were there?

A Yes, sir.

Q Who? A A reporter of the Italian paper, 22 Centre street.

Q Did you know the prisoner Tocci? A Yes, sir.

Q Did you see him there? A No, sir; he was not there

- Q You didn't see him? A He was not there.
- Q Did you see him there? A He was not there.
- Q Did you see him there? A No, sir.
- Q And you are perfectly positive he was not there?
- A Yes, sir.
- Q Never there after the crime? A After the crime?
- He was there from what I learn--
- Q While ~~you~~ ^{you} was there he was not there? A No, sir.
- Q And you got there ten minutes of five? A I left there after being there three hours.
- Q When was that? A Ten minutes of eight.
- Q Was the body taken away then? A Yes, sir.
- Q And this reporter came in? A Yes, sir.
- Q Do you recognize him? A Yes, sir.
- Q Is he in the room? A No, sir.
- Q You saw the reporter and nobody with him at all?
- A No, sir.
- Q Where did you first see Toucci? A When he was arrested.
- Q The next day? A The next day when he was arrested.
- Q You didn't see him ~~before that?~~ A No, sir.
- Q There were other officers there with you? A Not when I seen the reporter.
- Q No other officer? A No, sir.
- Q You were there all alone? A There was one down stairs, but he was only in conversation with me in the room.
- Q And you were there alone? A Not ~~altogether~~ ^{altogether} together, because the other officer would come up and stand there at the door 15 minutes and go down again.
- Q You never went anywhere except to the hall or door?

A No, sir.

Q You never went out of the buolding? A No, sir.

I went as far as the door. I could see the room.

Q And the other officer, where did he go? A He was going up and and down the ~~xxxx~~ street.

Q You didn't go up and down the street? A No.

MR. LORD: Under the circumstances I want an adjournment to produce the reporter to show ~~ix~~ that, we did go there.

THE CORONER: My intention now is to request the jury to hold the prisoners for the action of the Grand Jury and to find that this man came to his death from shock, from ~~penetration~~ pistol shot wound in the head.

MR. LORD: And you refuse ~~is~~ an adjournment to produce evidence on the ground that no testimony will change your opinion. I want that to appear on the record.

MR. O'HARE: I desire to have it appear on the record the length of time of notice which Mr. Lord had of the holding of this inquest to-day.

THE CORONER: Gentlemen, we find, according to the statement of the Deputy Coroner, that Jacob Goldstein died at St. Vincent's Hospital ~~fromxxxxx~~ shock, from a ~~penetrating~~ pistol shot wound of the brain. You have heard the evidence and you find these two men were in the apartments, and under the circumstances I shall advise the jury to hold both prisoners to await the action of the Grand Jury. Is that satisfactory to the Jury?

MR. LORD: I would like to ask the jury to retire. I
renew my motion that I made that you have already denied.

Motion denied.

The jury retired, and brought in the
following verdict:

VERDICT: WE FIND THAT JACOB GOLDSTEIN came to his death
on April 24th, 1893, at St. Vincents Hospital from shock
from a penetrating pistol shot wound of the brain in-
flicted at the hands of some person unknown to the jury.
and we recommend that DAMIANO Scilati and ANGELO Tocci
be held as accessories to the crime to await the action
of the Grand Jury.

x Nicola

-----000-----

B. 274, 2, c.

Coroners Office, New York County.

In the Matter of the Inquest into
the death

- of -

JACOB GOLDSTEIN.

)
:
)
B e f o r e ,
: HON. LOUIS W. SCHULTZE
) and a Jury.
:

New York, May 8th, 1893,
2.30 P. M.

APPEARANCES: Messrs. Purdy and McManus appear for the
prisoner; Mr. O'Hare, representing the District At-
torney appears for the people.

-----000-----

Mr. O'Hare on behalf of the District
Attorney asks that the bail which was given
for the absent witness be forfeited and that
the proceeding before the jury be not had until
the witness be apprehended or some inquiry be made
concerning her whereabouts.

Mr. McManus asks that the inquest proceed
at once so that the prisoner be discharged
from custody if innocent.

The Coroner states that he will take the

testimony of the witnesses and that an adjournment can be had thereafter upon application of counsel.

-----000'-----

OFFICER MICHAEL J. CAREY, duly sworn.

I am attached to the 10th precinct. On the afternoon of the 24th of April I was informed at the station house that a man was injured at No. ~~xxx~~ 156 Mott Street. Officer Scully and officer Perazzo and I went there and we found a man by the name of Jacob Goldstein suffering from a wound in the head. We had him sent to St. Vincent's Hospital and made inquiries and found that there was two italians and a woman in company with this man about half past eight in the evening. In the evening I arrested two women, Julia Moscusky was one, and Lena Jacobs another. From Julia Moscusky I heard there were two italinas entered the apartments and had connection with her; she left one of them in the room with this Jacob Goldstein, when she entered the room again with the other one she found this man wounded lying on the floor, and the one she ~~lxxx~~ left in the room was Dominano Scolatti. We received information that this Angelo Touchi was employed at No. 22 Centre Street, and we went there and placed him under arrest. He made a statement which I think is in your hands, statting that Domiano Scollatti was with him. I went to Staten Island and arrested Domiano Scolatti both of them made a statement. That is as far as I know

about the case.

BY MR. MCMANUS:

Q You found him at his work? A Yes, sir.

Q You had a conversation with him? A No, sir; I did not; he could not talk english.

Q You have related everything that you know about the case?

A Yes, sir.

BY MR. O'HARE:

Q You are attached to the 10th precinct? A The 10th precinct, yes, sir.

Q Where did you find Goldstein? A 156 Mott Street.

Q In what part of the building? A In the rear room, second floor one flight up, lying on the lounge.

Q Who was the occupant of this apartment? A They were kept by a woman by the name of Lena Jacobs.

Q Where is Lena Jacobs? A Up in Mott Street; she was discharged this morning, she was not present at the time of the occurrence, she was at the Five Points Mission House at the time.

Q Did you hear when she left her apartments? A I believe she had left it three or four hours.

Q It was certainly before the coming in of Tocci and Scilatti

A Yes, sir.

Q Do you know how long Domiano Scolatti and Toucci were in the room prior to the injury to Goldstein? A From the statement that he made they admitted being there about half an hour altogether; that is Toucci admits being with the woman first for 15 minutes; Domiano Scolatti being with

Julia Moscusky about 15 minutes.

Q Toucci was in the adjoining room? A In the adjoining room.

Q Where did Toucci go afterwards? did he remain there?

A He made a statement he came out of the room.

Q Into the other room where Jacob Goldstein was lying wounded? A He looked for his friend and his friend was gone.

Q Let us get at the admission; you spoke to Toucci when you arrested him? A No, He don't talk English either.

Q You speak Italian? A No, sir.

Q In whose presence was the statement made?

A Officer Scully, Butler, Perazzo, and Captian Creeden.

Q To whom was this staement made? A To officer Perazzo

Q You don't know anything that Toucci said only what was interpreted by the officer? A Yes, sir.

Q That interpetation -- was that interpretation made in the presence of Toucci? A Yes, sir.

Q Toucci answering him and it was afterwards translated

A Yes, sir.

Q At what time of the night did Toucci go in the place?

A About four o'clock, according to his statement.

Q Who was in the company? A Domiano Scolatti.

Q Who did they go to see? A They went to see a woman.

Q Julia Moscusky? A Yes, sir; they met her there.

Q Toucci stated he remianed with her 15 minutes in her room and Scolatti ^{remained} ~~remained 15 minutes~~ in the adjoining room.

A Yes, sir.

Q Did he state what Scolatti did after he retired from the

room? A When Toucci left the room he had already gone.

Q Whereabouts was Goldstein when Toucci went into the room?

A He was sitting on the lounge, I believe, Julia and Toucci left the room together and left Scolatti and Jacobs together -- in the other room-- I mean Jacob Goldstein.

Q Scolatti had disappeared when Toucci came out of the room?

A Yes, sir.

Q Goldstein he found lying on the floor? A yes, sir.

Q Did Toucci say whether he heard a revolver explode?

A He stated distinctly he didn't hear a revolver; he stated he met Domiano after leaving the house and Domiano stated to him that two ^{Nebraska} men entered the apartment while he was there.

Q Did you ask Toucci whether during the time he was in the room he heard any revolver explode? A Yes, sir.

Q Did he say yes or no to that? A He said no.

Q Did you ask Toucci how he attempted to account for the condition in which Jacob Goldstein was found at the time when he came out of the room in which he had been with Julia?

A No, sir; I did not.

Q Did he have any talk with Goldstein? A Before he entered the room? A

Q After he left the room in which he was with Julia?

A He was unconscious.

Q Did he try to talk with him? A That I couldn't say.

Q Did he ask Goldstein how he came to his injuries?

A He stated when he saw his friend again, and the man wounded, he immediately went away.

Q That is all Tocci told you he knew about it?

A Yes, sir.

Q Did he state anything to you about any facts that he afterwards discovered in relation to the manner by which Goldstein came to his injuries? A He stated that Damiano made a statement to him that while Damiano was in the room with Jacob Goldstein two men entered, one of them holding an argument as he thought and then turning and stabbing him with something long and rusty in his hand.

Q ~~What~~ Was that the statement Scallati made to Tocci?

A Yes, sir.

Q And Tocci repeated it to you?

A Yes, sir.

Q Did you ask Tocci whether he heard anything of an altercation in this small apartment in which two men were engaged in a controversy? A No, sir.

Q Without his hearing any part of it?

A I didn't ask him that.

BY MR. McMANUS:-

Q You spoke of Goldstein - you spoke of the deceased as Jacobs? A His name is Jacob Goldstein.

Q Was he connected with this house? A I learned he was a constant visitor there, he was a friend of this woman, Jacobs; I looked at it that he was a friend of both of them from all I could learn.

Q More especially a friend of this woman with whom Tocci was in the room with? A I cannot say.

Q He was not known there by the name of Jacobs?

A No, sir.

Q What was his occupation? A Peddler.

Q Peddler? A Yes, sir.

Q How long did you know him? A I never knew him before to see him, not before I saw him lying on the lounge.

Q How do you think his death occurred, by this gun-shot wound or some sharp instrument?

A The doctor that attended him there -

Q In your judgment what would you say death occurred?

A I am not a physician or surgeon, I know the man was wounded.

Q Do you know by what? A I cannot say.

-----000-----

OFFICER CORNELIUS D. SCULLY, duly sworn:

I am attached to the 10th precinct; it was reported on the evening of the 24th, about 4.45 that a man was assaulted at 156 Mott Street; I went there with Officers Carey and Butler and found him lying on the lounge. A man whose name was said to be Jacob Goldstein, he had been assaulted in that room, and found he was in there with a woman by the name of Julia Muskowsky, she was supposed to be an inmate of the house; we found out upon further investigation that this Julia Muskowsky had received two Italians in the room during the time this Goldstein was in there; she went with one of the men who proved to be Damiano Scallati into the apartment adjoining on the south side of the building; she went with this Damiano

Scallati in the room on the south side of the building in front, leaving Tocci in company with Jacob Goldstein in the rear room.

BY MR. McMANUS:-

Q Where did you learn that? A From the woman herself. After having carnal connection with Scilati she returned to this rearv room in the north side of the building where Goldstein was, and left again with Tocci leaving Scilati in the room with Goldstein. That was the last that was seen of Scilati up to the time of his arrest; it was during the time that Tocci went in the front room that Goldstein was assaulted; when she returned Scilati had left the room, and according to the statement he met Scilati on the stairs and Scilati said that during the time he was away with this woman two men, Jewish men, came into the room, and had a heated argument with Goldstein, and one of them drew something long and rusty from under his coat and stabbed him in the head; that is what Tocci said; he said then when Scilati saw this being afraid he might be implicated he ran away.

BY MR. McMANUS:-

Q What did Tocci do? A He said when he came out of the front room with this woman, when he got to the door, the door was open, he saw Goldstein in a crouching position bleeding, and fearing he might get in some trouble he ran away, at the foot of the stairs he met his friend.

BY MR. O'HARE:-

Q How soon after being informed of the injury to Goldstein did you visit the rooms of Lena Jacobs? A Within 3 minutes.

Q Will you please state whether this hat with this mark and a trace of fresh blood upon it was found by you in that room? A It was not picked up by me but I saw the hat picked up in the room; I won't say who picked it up just now.

Q Were you present? A Yes, sir.

Q It was afterwards placed in the custody of whom?

A It was brought to the station house.

Q Did you notice the condition in which the hat was at the time it was picked up? A It was on the floor.

Q After it was picked up? A It was like it is now.

Q Did you make any examination of it now?

A Not a thorough one.

Q Do you remember this indentation in the rim of the hat and the marks of blood? A Yes, sir.

Q Did you examine this note on the side of it?

A No, sir; that was afterwards placed on it.

Q You recognize it now as being in the same condition as it was three minutes after the information was received?

A Yes, sir.

Q The blood stains and the hole?

A Yes, sir.

The hat is marked and admitted in evidence

Exhibit No. 1

Q Were those the pieces of glass that were picked up?

A I didn't have them in my possession at any time; my partner picked them up.

BY MR. McMANUS:-

Q Did you find out or ascertain whether there was any quarrel between Goldstein and the other inmates of the house?

A No, sir.

Q What did those apartments consist of? A 2 rooms.

Q The apartments were occupied by Lena Jacobs?

A Two rooms where this carnal intercourse was consummated was on the south side of the building.

Q How many inmates in that house are there?

A Not any that I know of; this woman was there on that day and Miss Jacobs was not at home.

Q Is Goldstein known as Jacobs in that neighborhood?

A That I couldn't find out; he was only a young man.

Q Was he a frequenter of that house?

A He is a peddler living at 82 Hester Street according to the statement of his mother.

Q Did he stop there? A Not to my knowledge.

Q You did not discover any quarrel with anybody else in the house? A No, sir.

Q What is it, a tenement? A Three or four families on a floor, a five story building.

Q Did you ascertain from some tenant in that house that before Scilati went out she saw some other man a kind of dark complexioned man run out hurriedly?

A One intimation reached us through a man answering the description that keeps a bar room on the ground floor, according to that statue and build was seen running down stairs and on the street.

Q Hurriedly? A Yes, sir; this woman we have not yet

got hold of, she followed him in the street; in giving the description this other woman that saw the man running away, describes the man as being a man of short build, square build, this woman pointed out to me, the woman on the same floor, pointed out to me a man like that build ; they pointed out the same man to Julia Moskowsky.

Q Julia Muskowsky stated to you about the man that ran out?

A Yes, sir; she said the last man that left was this Italian man; she identified this man in the station house as the man she left in that room ten minutes before.

Q Did she speak of any other man that was in there that went out? A No, sir.

Q Did the description this other woman gave you answer the description of Scilati? A In regard to height and build, yes, sir.

Q Do you consider him stocky and heavy? A Yes, sir; I do for his size.

Q Stand up - (to prisoner)

Q Did you learn anything else in regard to this homicide but what you have ~~xxxxxx~~ dictated? A No, sir.

Q You arrested Scilati next day? A Yes, sir.

Q Was he bloody? A Yes, sir.

Q Did you discover any instrument of any kind?

A No, sir.

Q Nor upon Tocci? A No, sir.

Q You did not discover there had been any row between Goldstein? A No, sir.

Q Was Goldstein in the place when this Italian entered?

A Yes, sir.

Q How did you ascertain that? A From the woman - from the statement then.

Q Was there any trouble - did you inquire from the other tenants, whether there was any trouble between Goldstein and either of these men? A No, sir.

Q Nor any row? A No, sir; the only evidence there is I obtained from the house keeper the fact that she was in the yard at the time and if there had been a pistol shot she would have heard it, but she heard the crash of glass but no pistol shot.

BY MR. O'HARE:-

Q You did not arrest either of the defendants here?

A No, sir; but I was down there.

Q You did not arrest either of them?

A I know they had no weapon, I saw them searched.

Q They were not arrested until the next day?

A No, sir.

Q They had an ample opportunity to get away with the weapons? A Yes, sir; I was present when they were searched and neither one had any weapon in their possession.

-----000-----

OFFICER ANTONIO PERAZZO, duly sworn:

I am connected with the detective Bureau at Police Headquarters, detective sergeant.

BY MR. O'HARE:-

Q When were you first informed of the occurrence of this murder? A By Captain Creeden on the 25th, about 4.45 o'clock in the evening the day after.

Q You saw Tocci? A Yes, sir.

Q And you also saw Scilati? A Yes, sir.

Q You had a conversation with them in which as police officer you inquired of them as to concerning the cause of death of Goldstein? A Yes, sir.

Q Who was present when the examination was had by you?

A Captain Creeden, Officers Carey, officer Scully and officer Butler.

Q And the examination was in Italian? A Yes, sir.

Q And reduced in writing in English in the presence of Scilati and Tocci? A Yes, sir.

Q Was it read by you to them? A Yes, sir.

Q Was it translated by you to them?

A Yes, sir.

Q Did they sign it? A Yes, sir.

Q Each? A Yes, sir.

Q Is this paper which I now hand you, marked Police Department of the City of New York, precinct No. 10, April 25th 1893, entitled - "Statement of Angelo Tocci No. 12 Roosevelt Street, Mr. Damiano Scilati, Roosevelt Street."

Mr. McManus objects to the statement
being read to the jury.

Objection overruled.

The statement of Angelo Tocci is read
by Mr. O'Hare as follows:

BY MR. O'HARE:-

Q Is that statement which I have just read written on 2 sheets of paper in your hand writing? A Yes, sir.

Q Is the signature by mark of Angelo Tocci the mark of Angelo Tocci? A yes, sir; by holding the pen.

Q While the mark was made? A yes, sir.

Q That paper has been in your custody since it sbeing made? A Yes, sir.

Q Tocci's statement is that Scilati first had intercourse with Julia Moskowsky ? A Yes, sir.

Q And that afterwards he went in the room with her and he remained outside with this Jacob Goldstein whose death we are now inquiring into here? A Scilati walked outside.

Q Where did you make this examination of Tocci, where did he subscribe to this statement? A In the 10th precinct station house, No. 205 Mulberry Street.

Q You also at a different time Tocci not being present made an examination of Damiano Scilati in regard to those facts? A Yes, sir; the same eve ning.

Q Tocchi was not present? A No, sir.

Q Who were present with you while the examination of Damiano Scilati was had? A The same officers.

Q Did Damiano Scilati speak English?

A He spoke Italian.

Q Can he speak English? A He cannot, he answered he could not.

Q I show you a statement; in whose handwriting is that statement? A Mine, sir,

Q That also is written on paper with the heading, "Police Department, City of New York" and is entitled, - "Statement of Damiano Scilati" - that statement is subscribed Damiano Scilati, will you please tell in whose hand writing? A In Damiano's own hand writing.

Q In regard to the preparation of this statement - did you ask the questions of Scilati in Italian?

A Yes, sir,

Q And he answering the questions you reduced them in writing in English? A Yes, sir.

Q And after the statement had been completed was it read to Scilati? A Yes, sir,

Q Was it translated into Italian for him?

A Yes, sir.

Q And after being translated in the presence of yourself, and the other officers, Captain Greeden, officers Butler, Carey and Scully, it was signed by Damiano Scilati?

A Yes, sir.

Q In that you gave him no information whatever as to the statement taken by you and reduced to writing ~~af~~ by Tocchi?

A No, sir; I did not.

MR. O'HARE: I desire to read this statement.

Counsel for prisoner objects.

Objection overruled.

Q You state now, officer in the statement you have reduced here to writing of those two persons, Tocci and Scilati that you have truthfully and fully entered the statements made by them and faithfully translated them from Italian to English? A Yes, sir.

Q And before they were subscribed by each of them they were faithfully translated back into Italian for them?

A Yes, sir.

Q And after making that translation they subscribed to them? A Yes, sir; and they both said at the time, "Perfectly so."

The statements are marked exhibits 1 and 2 of this date.

Counsel for Tocci makes a motion that inasmuch as there is no connection shown between this man Tocci and this crime, nothing has been shown connecting him with this crime in any manner he moves that the prisoner, Tocci, be admitted to bail.

The motion is denied by the Coroner.

(The case is adjourned until May 11th, 1893,
2.30 P. M.)

0387

Police Department of the City of New York,

Precinct No. 10

New York, April 25 1893

Statement of Nicola Tucci of No 12 Roosevelt

I, Nicola Tucci, in company with Damiano Searlato, visited some women of loose reputation at No 136 Mott St, on second floor, in the rear, on the 24th inst, about 5 or 6 P.M. As we entered the room on said floor, we saw a Hebrew young man and woman sitting there. Damiano Searlato left the room with the woman, who is known as Julia, and returned back with her in about 15 minutes, the young Hebrew remaining always in the same room. The woman - Julia - on returning with Damiano, solicited me, and I went with her to another room, having carnal connection with her, and remaining in her company about 15 minutes. On returning to the room we had left, in company with Julia, we saw the body of a man, the young man we had left with Damiano lying on the floor in a sitting position, moaning. Julia ran to the body, and bathed it with water. Julia commenced to scream, and ran down stairs calling for assistance from the neighbors. I left the room, going down stairs, and at the foot of the stairs, I met my friend Damiano, and asked him what had happened. He answered that

6
C
2
May 8/93
S.S./3

Police Department of the City of New York.

Precinct No.

New York,

189

while he ^{was} waiting for me to come back with the
 girl, two strange men came in the room, and
 picking a quarrel with the young Hebrew, after
 a few words with the dead man, one of them
 jabbed a knife, a long, rusty one, into his head.
 Damiano and I left the premises, had a
 glass of beer in a near-by saloon, bid one
 another good night, and separated. I went
 to Mr Felice Tocci's newspaper office, No 22
 Centre St, where I am employed, and told
 the editor of the L' Eco D' Italia, the story,
 remarking it would make a good newspaper
 article. Mr Tocci sent a reporter with me
 to the scene of the murder, and after gath-
 ering all the facts in case, we returned to
 the office of the newspaper, No 22 Centre St,
 and from there I went home. This morn-
 -ing 25th inst. I went to my work as usual
 in the newspaper office, and was arrested about
 5 this P. M. as a witness.

Witnesses to above statement. Nicola ^{hi} Tocci
 Timothy J. Hendon Capt, 10th Prec.
 Antonio Perazzo. Det. Sergt.
 Michael J. Carey
 Cornelius D. Scully

0389

Police Department of the City of New York.

Precinct No. 10

New York, April 25th 1893Statement of Damiano Scarlato of No 5-
Mulberry St.

I, Damiano Scarlato, in company with Nicola Tocci, visited the premises No 136 Mott St, second floor rear, with the intention of seeing women of loose character. As we entered a room on said floor, I saw a young man and woman sitting there. I bid them good evening, but they not understanding me did not answer. I wanted to send for some beer, but it was refused. The woman solicited me, and I went with her to another room on the same floor, and had carnal connection with her, paying her 50^{cts}. I remained with her about 15 minutes. I and the woman then returned to the same room we had left. On reaching there, with her, she embraced my friend Nicola Tocci, soliciting him. Tocci left the room with her. As they were leaving the room, a young man entered alone, and without speaking sat on the sofa. About 5 minutes after, another young man entered in a hesitating manner, and walked toward the window sill of the room, pulling a long, rusty pistol from under

Police Department of the City of New York,

Precinct No.

New York. 189

his coat as he did so. On reaching the window, he commenced to examine the pistol, then immediately turned to the murdered man, who was standing a short distance away, put the pistol to his head, and fired. The man dropped to the floor, and remained motionless. The young man who was sitting on the sofa, got up, and ran out of the room in company with the man who had fired the shot. I became frightened, and ran to the street, going down to about opposite No 40 Mulberry St. where I met my friend Nicola Tocci, who said he had been told by the women in the house we had visited, that they had seen a young man running very fast from there, and I answered that that was the man who had fired the shot. We then went together to Francesco Quiello's banking office, in North St, near Mulberry St, and told him the story, calling him from his office for the purpose. Mr Quiello laughed when we told him the story, and remarked we would be held as witnesses. Nicola Tocci, and I then separated. I went home to Richmond-Statens Island where I am employed, and was arrested.

Jamiano Sculito

0391

Police Department of the City of New York, ■

Precinct No.

New York. 189

Witnesses to the foregoing statement:
Timothy J. Moran, Captain 10th Precinct.
Antonio Perazzo, Det. Serg't.
Michael J. Garay
Cornelius D. Sully

0392

Police Department of the City of New York,

Precinct No. _____

New York, _____

189 _____

State of New York

City and County of New York } ss

Julia Moskalska

being duly sworn deposes and says as follows:

I resided at No 156 Mott Street with a Mrs. Jacob. I was there to receive men and also to do general housework. I was there only one week. On Monday the 24th inst on or about 4 P. M. I was seated in the rear room on the 2nd floor of No 156 Mott Street in company with Jacob Goldstein who was a sort of manager and transacted business for Mrs Jacob in her absence. Two Italians came to the house whose names I subsequently ascertained to be Damiano Scarlato and Nicola Jocci. Scarlato was about 40 years of age and Jocci about 27 years old. Goldstein told the men to go into the front bed room with me. I went in with Scarlato and remained with him about 15 minutes while he had carnal connection with me. Jocci was left in the rear room with Goldstein. When I returned Goldstein compelled me to go into the front room with Jocci, and Scarlato was left in the other room with Goldstein. I was in the room with Jocci about 15 minutes and when we returned Goldstein lay moaning on the floor. Scarlato had gone away.

C. H. 7
May 8/93

0393

Police Department of the City of New York, 1

Precinct No.

New York, 189

I saw that Goldstein was wounded in the head and, while I was bathing his head with water, Jocci also ran away. When I came out of the room with Scarlato I gave Goldstein the fifty cents which Scarlato had given me in the front room. He gave me back a check for twenty five cents. I did not give up the fifty cents I got from Jocci because Goldstein was wounded when I came from the front room.

Sworn to before me this

29th day of April 1893

Julia Moskulskar,

Joseph O. Creedon

Notary Public

New York County.

(2)

her. That she and the said Scarlatto had afterwards gone back to the room where the other Italian, Tocci, was sitting with Jacob Goldstein, the deceased. That she had then again with Tocci gone back to her bed room where she had sexual intercourse with Tocci. That she left Scarlatto sitting in the room with Goldstein when she went to her bed room with Tocci. That upon returning with Tocci to the sitting room she found Goldstein lying moaning on the floor. Scarlatto, the defendant, had ran away. That she bathed Goldstein's head with water and that while she was doing this Tocci also ran away. She repeated these statements in the Police Station in the form of an affidavit which is filed with the papers in the case. Upon this information the police arrested both Scarlatto and Tocci. Upon being arrested each made statements which are now on file with the papers in the case. These statements corroborate the statements of the woman Moskalska as to what occurred up to the time that Tocci went into the bed room with her leaving Scarlatto sitting with Goldstein in the sitting room.

Scarlatto states that when Tocci and the woman Moskalska left the sitting room together, leaving him and Goldstein in that room, a young man entered alone and without speaking, sat upon the sofa. That about five minutes later another young man entered in a hesitating manner and walked towards the window of the room and took a long rusty pistol from under his coat; that on reaching the window he examined the pistol and then turned to the deceased, who was standing, a short distance away and put the pistol to the head of the deceased and fired; that the deceased then dropped to the floor and remained motionless and the two young men ran out of the room together.

(3)

Scarlatto further states that he became frightened and ran to the street and went down Mulberry Street until he was about opposite number 40 and there he staid and was met by Tocci. They then went together to the Banking Office of one Frnasesco Aiello and told him their story. That they then separated and that he Scarlatto went to his home on Staten Island where he was subsequently arrested.

Tocci's statement differs in several particulars from that of Scarlatto.

Tocci says that upon returning with the Moskalska woman to the sitting room he found there Goldstein lying on the floor. that he then ran down stairs and met Scarlatto at the foot of the stairs and asked him what had happened and that Scarlatto replied that while he had been waiting for Tocci two strange men had entered the room and began talking with Goldstein and that one of the men had stabbed the deceased in the head with a long rusty knife. That he and Scarlatto then left the premises and had a glass of beer in a neighboring saloon and had then separated. That he, Tocci, had gone to the office of the Editor of Leco's D' Italia, where he was an employee, and had told the story to the editor of that newspaper after which he had gone home and on the following morning he was arrested.

It will be noticed that these statements of Tocci contradict the statements of Scarlatto in the following points:

First: That according to Tocci he met the defendant at the foot of the stairs No. 156 Mott Street, while according to the defendant he met him opposite number 40 Mulberry Street.

Second: According to Tocci, the defendant had told him

(4)

immediately after the murder that the murderer had stabbed the deceased with a long rusty knife, while according to the defendant the murderer had shot the deceased with a long rusty pistol.

The testimony taken at the Coroner's Inquest consisted of the statements of the officers and the above statements of Tocci, Scarlatto and the woman Moskalska. ~~This woman testified to appear as a witness at the Coroner's Inquest at the Coroner's Inquest.~~ She gave bail in the sum of One thousand dollars, which bail she forfeited and absconded. The Police authorities have been unable to discover her whereabouts.

At the Coroner's Inquest both Scarlatto and Tocci were held as accessories to the crime but when the case went before the Grand Jury no indictment was found against Tocci.

I have personally examined all the officers in the case and have cross-examined, at considerable length, the witness Tocci. He stated to me that Scarlatto told him that the murderer had pulled something ~~very~~ rusty out of his pocket but that Scarlatto did not tell him whether this "something rusty" was a pistol or a knife.

Although from the evidence of the case it seems likely that both Scarlatto and Tocci know more ~~than their~~ than their evidence shows, it is clearly impossible to obtain a conviction upon the testimony of the accessible witnesses. In this view, Captain Creden and the other officers agree with me. It does not seem proper, however, that the indictment should be dismissed until further light is thrown on the case.

I am informed by the Police authorities that efforts are now being made to find the person whom they suspect to be the true criminal. If he is found the testimony of Scarlatto and Tocci will be essential to obtain his conviction.

(5)

Under these circumstances, after careful consideration,
I respectfully recommend that the defendant, Scarlatto be discharged
on his own recognizance and that the witness Tocci be dis-
charged from the House of Detention.

Very respectfully

Gedmond Batte

Deputy Assistant District Attorney.

Count of Gen'l. Cassano

THE PEOPLE OF THE STATE OF NEW
YORK.

against

Damiano Scarlato

Report.

DE LANCEY NICOLL,

DISTRICT ATTORNEY,

No. 93 CHAMBERS ST.,

NEW YORK CITY.

*I affirm to the con-
clusion of the report in
this report.*

*De Lancey Nicoll
District Attorney*

0399

0400

Police Department
of the
City of New York
300 Mulberry St.
Office of Superintendent.

Capn Brown
100 Prct

Kortman

House of Detention No. 4
93.

To Foreman of the grand
jury 32 Chamber St. City.
Dear Sir

I have been kept at this
place for the last six weeks
as a witness against Dominic
Gerlat who is in the toms
now arrested since last
April. I lost my job and
spent all my money since
I been here.

Dear Sir. You will kindly
look into this for me and
have that case to come up
soon.

Yours. Respectfully. Nic. Foutch

0402

Case of
Damiano Scarlato
{ Homicide

Mr. Battle
Please file
this with the papers
in this case
City Clerk

District Attorney's Office

Part I - Nov. 10th

Re.

Damiano Scarlato

Witnesses

Officers Canelus D.

Scully 10th Prec

Officer Carey " "

" Butler " "

Capt. Ceeden " "

Nicola Tucci

House of Detention

0404

STATE OF NEW YORK

941

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION

Taken at the house of *Coroner's Court*
No. 27 Chambers Street, in the Sixth Ward of the City of
New York, in the County of New York, the 8+22 days of May
in the year of our Lord one thousand eight hundred and ninety-three
Louis W. Schultze before
 of the City and County aforesaid, on view of the body of *Jacob Goldstein*

lying dead at

eight Upon the Oaths and Affirmations of
 good and lawful men of the State of New York, duly chosen and
 sworn, or affirmed, and charged to inquire, on behalf of said people, how and in what manner the
 said *Jacob Goldstein* came to his death, do upon
 their Oaths and Affirmations, say: That the said *Jacob Goldstein*

St. Vincent's came to his death by on April 24, 1893, at
Roosevelt Hospital from shock from a penetrating
 pistol shot wound of brain inflicted at the
 hands of some person unknown to the jury, and
 we recommend that *Damiano Scilati* and
Angelo Locci be held as accessories to the
 crime to await the action of the Grand Jury.

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

JURORS.

Alvin Faust 170 9 Locust *Louis Arnold 1241 P. Ave.*
John D. Strahmann 1246 1/2 Ave.
Harry J. Senter 1178 1/2 Ave.
Augustus Hoyer 1115 Park Ave.
Friedrich Ruppe 145 E 90 St
Geo. W. Finck 935 Park Ave.
John Green 1260 4th

Louis W. Schultze

Coroner. L. S.

0405

From *St Vincent's*

Hospital.

New York,

April 25 1893

To Coroner

L. W. Schultzen

Sir:

Please hold an inquest on the body of

Name:

Jacob Goldstein

Residence:

87 West

Age:

18

years

months

days

Admitted

Mon

+ day,

April

Father

24th 1893

at

5⁰⁰

o'clock

P. M.

Nativity,

Russia

; of

Mother

By

Ambulance

A

in U. S.,

in City.

From

136 7th St.

B

Civil Bond:

Occup.:

Examined by Dr.

L. E. Walker

Suffering from symptoms of

Compound Depressed Fracture of Skull, Cerebral Laceration & Shock.

Said Injuries said to have been received

D

Death took place

Mon

+ day,

April 24

th 1893

at

9³⁰

o'clock

P. M.

The Autopsy revealed

F

Remarks:

G

L. E. Walker M. D.

HOUSE SURGEON

Ad. +. State the day of the week.

Ad. A. State whether by Ambulance or Friends.

Ad. B. State whether from a Precinct or a Residence and give the name.

Ad. C. State whether from Natural Causes or from Shock (conscious or unconscious) due to Injuries, and if so, give name, place, date, number, character and Extent of Injuries, always stating where indicated, whether right or left.

Ad. D. State when, where, how, by what means or persons received, also whether Accidental, Suicidal or Homicidal; in falls, the distance, location and place; in Burns and Scalds the circumstances attending the same; in runover cases, the line of Street car, Railroad or Conveyance; in Weapons, the character of the same, &c., &c., always giving such information as will lead to an accurate knowledge of the case and facilitate judicial inquiry and justice.

Ad. E. State name, date, place, character and results of any operation or amputation performed.

Ad. F. Give a short resume of the Autopsy with the Pathological Diagnosis and the Cause of Death at the End.

Ad. G. State here any important facts not embodied in the above statements.

TESTIMONY.

Frank Foster M. D., being duly sworn, says:
 I have made an autopsy of the body of
Jacob Goldstein now lying dead at
St. Vincent's Hospital and from such autopsy
 and history of the case, as per testimony, I am of opinion the cause of
 death is
 Shock; Penetrating pistol shot
 wound of brain; Homicidal.

Frank Foster M. D.
 Autopsy performed at *St. Vincent's Hospital*
April 26th 1893. 36 hrs. after death.
 Ext. app. Rigor mortis; marked. Body fairly nourished.
 Incised wound left temporal region, caused by oper-
 ation for exploration of wound: ~~two~~ powder stains.
 Int. app. Irregular circular opening in same region,
 anterior to which in temporal muscle was found
 leaden scale; posteriorly the opening above men-
 tioned was more irregular and bevelled from within
 outwards, through which the cerebral substance
 issued; deeper down ~~through the right hemisphere~~ ^{hemispheres} was a canal
 through the brain substance dotted with spiculae
 of bone and extending to almost of the outer edge of
 the right parietal lobe, at the bottom of which was
 found the larger portion of the bullet.
 Brain + cerebellum otherwise normal. Heart + lungs
 normal. Kidneys, liver, spleen, stomach, large &
 small intestines normal.

Frank Foster M.D.

Sworn to before me

this

26

day of

April

189 3

Louis M. Kelly -

CORONER.

MEMORANDA.

AGE	PLACE OF NATIVITY	WHERE FOUND	Date When Reported
18 Years - Months - Days	Russia	St. Vincent's Hosp.	April 26-1913
Died April 24		Gr. 24 North St. (?)	
Single.		Rev. St. Heaster St.	
Parker.			
1 yr in U.S.			

Deceased was shot
at 156 North St.

How?

Scott Land
261 Broadway
City

Notify
Atty Geny
280 Broadway
City

0408

EA
L. W. S.

No. 788

2nd Quar.

1893,

AN INQUISITION

On the VIEW of the BODY of

Jacob Goldstein

whereby it is found that he came to
his death by

*Shock;
Penetrating pistol
shot wound of brain;
Homicidal.*

Inquest taken on the _____ day
of _____ 1893 before

LOUIS W. SCHULTZE,, Coroner.

0409

TESTIMONY.

Frank Foster M. D., being duly sworn, says:
 I have made an autopsy of the body of
Jacob Goldstein now lying dead at
St. Vincent's Hospital and from such autopsy
 and history of the case, as per testimony, I am of opinion the cause of
 death is

*Shock; Penetrating pistol shot
 wound of brain; Homicidal.*

Frank Foster M. D.
 Autopsy performed at *St. Vincent's Hospital*
April 26th 1893. 36 hrs. after death.
 Ext. App. Rigor mortis; marked. Body fairly nourished.
 Incised wound left temporal region, caused by oper-
 ation for exploration of wound: no powder stains.
 Int. App. Irregular circular opening in same region,
 anterior to which in temporal muscle was found
 leaden scale; posteriorly the opening above men-
 tioned was more irregular and bevelled from within
 outwards, through which the cerebral substance
 issued; deeper down ~~through the left hemisphere~~ ^{through the left hemisphere} was a canal
 through the brain substance dotted with spiculae
 of bone and extending to almost the outer edge of
 the right parietal lobe, at the bottom of which was
 found the larger portion of the bullet.
 Brain & cerebellum otherwise normal. Heart & lungs
 normal. Kidneys, liver, spleen, stomach, large &
 small intestines normal.

Frank Foster M.D.

Sworn to before me
 this *26*

day of

April 189 *3*

Sam. M. Kelly

CORONER.

0410

Coroners' Office.

CITY AND COUNTY }
OF NEW YORK, } ss.

942

being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz:

Question. What is your name?

Answer.

Mevinucci

Question. How old are you?

Answer.

27

Question. Where were you born?

Answer.

Italy

Question. Where do you live?

Answer.

12

Brooklyn

Question. What is your occupation?

Answer.

Labourer

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.

I am not fully-
his
Richard Mevinucci
month

Taken before me this 22 day of May 1893.

Louis W. Schurly.

Coroner

Coroners' Office,

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

Damiano Sciarato being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to answer or not, all or any questions put to him, states as follows, viz.:

Question-- What is your name?

Answer--

Damiano Sciarato

Question-- How old are you?

Answer--

42

Question-- Where were you born?

Answer--

Italy

Question-- Where do you live?

Answer--

5 Mulberry St.

Question-- What is your occupation?

Answer--

Carpenter

Question-- Have you anything to say, and if so, what, relative to the charge here preferred against you?

I am not guilty--

Damiano Sciarato

Taken before me, this 22 day of May 1893

Lavin W. Schuly, -

Coroner.

04 12

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
Years	Months	Days			
18			Russia	St Vincent Hospital	April 26. 1893
Died April 24. 1893			From 21 West 8th St. (7)		
Single			Residence 83 West 8th St.		
Occupation Peddler					
One year in U.S.					

I consent that 789
the defendant Goetz
be admitted to bail
in the sum of \$5000.
retained until
Sept 1st.

Business Goetz Bailor
June 1934 \$2500 by
Frank Chiello
180 words by
my

First Quarter 788-1893
HOMICIDE.

AN INQUISTION
On the VIEW of the BODY of
Jacob Goldstein 24

whereby it is found that he came to
his Death by the hands of Person
unknown to the jury.
Damiano Scilato
Angelo Goetz

DISMISSED
Inquest taken on the 8th day
of June 1893
J. W. Fitzgerald, Coroner.

Accused
Committed May 22 1893
Deiled to City Prison
Discharged

Date of Death April 12 1893
788
RECEIVED
MAY 1893
DISTRICT ATTORNEY

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Damiano Scardato

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

Damiano Scardato —

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

The said *Damiano Scardato*,

late of the City of New York, in County of New York aforesaid, on the *twenty-fourth* day of *April*, in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, with force and arms, in and upon one *Isaac Goldstein*, in the peace of the said People then and there being, wilfully, feloniously and of *his* malice aforethought did make an assault; and the said *Damiano Scardato*, a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which said pistol the said *Damiano Scardato* in *his* right hand then and there had and held, to, at, against, and upon the said *Isaac Goldstein*, — then and there feloniously, wilfully and of *his* malice aforethought, did shoot off and discharge, and the said *Damiano Scardato* — with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the gunpowder aforesaid, shot off, sent forth and discharged, as aforesaid, *him* the said *Isaac Goldstein* in and upon the *head* of *him* the said *Isaac Goldstein* then and there feloniously, wilfully and of *his* malice aforethought, did strike, penetrate and wound, giving to *him* the said *Isaac Goldstein*, then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth and shot out of the pistol aforesaid, by the

said *Dominicus Deardato* in and upon the *head* of
the said *Jacob Goldstein* one mortal wound of the breadth of
one inch, and of the depth of six inches, of which said mortal wound *the* the
said *Jacob Goldstein*, at the City and County aforesaid,
from the said day of in the
year aforesaid, until the day of in the same year
aforesaid did languish, and languishing did live, on which said
day of in the year aforesaid, the said
at the City and County aforesaid, of the said mortal
wound did die.

Then and there died.

AND SO THE GRAND JURY AFORESAID do say: That the said

Dominicus Deardato, him. —

the said *Jacob Goldstein* in the manner and form, and by
the means aforesaid, wilfully, feloniously and of *his* malice aforethought, did kill
and murder 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.*

04 16

BOX:

526

FOLDER:

4790

DESCRIPTION:

Schaller, Michael

DATE:

06/21/93



4790

0417

Witnesses:

Manetta Blaucho

Counsel,

Filed *21* day of *June* 189*3*

Pleas *Guilty*

THE PEOPLE

vs.

Michael Schuller

Sept 7/93
Indictment
of *FRANCOIS NICOLL*
District Attorney.

second Degree.
Robbery, sections 224 and 229, Penal Code.

A TRUE BILL.

May Schuman

Foreman.
16 Aug.

5 yrs & 10 days

Sept 7, 1893. U. M. S.

0418

Police Court District.

CITY AND COUNTY
OF NEW YORK, ss

Marguerite Blanchard
 of No. *312 West 57* Street, Aged *24* Years

Occupation *Housekeeper* being duly sworn, deposes and says, that on the
17 day of *June* 188*3*, at the *22* 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:

The gold watch

330.

of the value of *The hundred* DOLLARS,
 the property of *Reverend*

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

Michael Shaler from her for the
 reasons following to wit: At the
 hour of 3 o'clock P.M. as deponent
 was on West 57th Street having
 the said watch attached to the
 dress which she then wore, this
 defendant struck deponent on
 the body and forcibly took said
 watch and did try to grasp
 the prisoner - then from her hand.
 He ran away with said watch
 and was arrested in a cellar on
 West 49th Street where he had concealed
 himself. *Marguerite Blanchard.*

day of *June* 188*3*
Michael Shaler
 Police Justice.

Sec. 196-200.

CITY AND COUNTY OF NEW YORK ss:

4 District Police Court.

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

Question. What is your name?

Answer.

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.

Not guilty
Michael Schaller.

Taken before me this

day

189

Police Justice.

0420

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.....

Officer
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.

June 18 95
Dated.....188.....Police Justice.

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

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

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

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

to answer

RECEIVED
JUN 19 1893
DISTRICT ATTORNEY

24/93

The People
v.
Michael Schaller

Court of General Sessions. Part I
Before Judge Fitzgerald. Sept. 7th 1893
Indictment for robbery in the second degree.
Marotte Blanchard, sworn and examined.
I live at No. 312 West Fifty first street. I rem-
ember the 17th of June. I was on West Fifty first
street near Eighth Avenue, New York at that
time. Did you have a watch? I did. What
time of day was it? About three o'clock in
the afternoon. I saw the defendant that day.
I was walking along very rapidly with my
head down and the defendant struck
me a blow; he grabbed my watch after
striking me and tried to force my purse
out of my hand. He did not succeed
in doing so, for I held on to it, but he
got the watch. He ran down the street
and a man ran after him. The policeman got him. I did not see the
police officer. How long after that was it
you saw the defendant? About ten
minutes I should think. Where did you
see him? I saw him in the corner
of Fiftyth street and Eighth Avenue. Did
you follow the man who was running
after him? No. I stopped when I got to
Eighth Avenue. Was the man brought to
you? Yes, he was. Did you recognize
him as the man who took it? Yes. I did.

Cross Examined: The watch was snatched from my belt. Did you see anybody in front of you before it was snatched from you? No. I think I only passed two people on the street, but that was right near Eighth Avenue. I did not see any one until I saw him make a grab for my watch. I recognized the defendant the moment the officer brought him back. There was not any one around when he struck me. This was on Fifty First Street between Broadway and Eighth Avenue. I did not see the defendant until he had given me the blow. I think he came from some place I ran after him and others ran after him. I only went to the corner of Eighth Avenue and Fifty first street and then other people pursued him. I saw a man running after the defendant, but I did not see him when he was caught. You did not see this man before your watch was taken? No. I never saw him. The first thing I realized was the blow and then he grabbed my watch. He attempted to take my purse from my hand after taking my watch and I held on to it. In the complaint you alledge that you were struck by this man, where did

he strike you? Yes, about here (showing) I gasped for breath, and he grabbed my watch and then he took it. But at the time he was captured he was away from you, the man that you ran after disappeared? The man ran down the street and caught him on the corner of Fifty Ninth Street and Ninth Avenue, and then the policeman brought him back to the corner of Fifth Street and Eighth Ave. But you did not see the policeman arrest him? No. I did not. I was ~~not~~ there. You saw him in charge of a policeman ten minutes afterwards? Yes. I did. The man that ran after him did he come back with the policeman and him? Yes, he did. His name is Henry Brankman and he lives in Binghampton. I am not a married woman. What was the value of the watch? A hundred dollars. It was a gold watch. Have you ever seen that watch since? No. From the time this thing occurred up to the time that the policeman brought this man back to you about how long was it in your judgment? About ten minutes I should judge. I waited on the corner. Did any people come there? Yes. When you ran after this man

I suppose you cried, "Stop thief?" Yes. Did a number of people join in the chase? No, it was only this one man until after they had seen him cross Eighth Avenue. Mr. Brankman started to run after him and he was the one that caught him. Did a number of people run when you cried "stop thief?" No, not at the time, not until after they struck Eighth Avenue.

John Aiken, sworn and examined.
 You are connected with the Municipal Police Force of this city and you remember the 14th of June? Yes. Did you see the defendant that day? Yes, about three o'clock in the afternoon. What attracted your attention? I saw a crowd running across Ninth Ave. I was on post on Ninth Avenue, and I saw a man in his shirt sleeves chasing this man. I saw them run into a cellar. I ran to the cellar door and Henry Brankman had hold of him by the back of the neck. I said, "What did he do?" He said he stole a lady's watch over in Fifty First St. I says, "Where is the lady?" He says, "She is over there, I guess with the crowd of people." I says, "Give him to me." So he gave him

to me, and I took him over and found this lady on Eighth Avenue; she identified him as the man. The defendant spoke German to the man and Brankman told me. He spoke in German to let him go. Then I brought him back to the lady and she identified him. How long did you see Henry chase him off the block? I only saw him run across Ninth Avenue, he came from Fifty-fifth to Fifty-ninth Street across the avenue.

Cross Examined. The first thing that attracted my attention was this crowd running along; there was quite a number of people. The defendant was running when I first saw him and the man in his shirt sleeves was running after him; everybody was running. I could not tell how many; there was quite a lot of boys and children running. I went down in the cellar and those two men were down in the cellar - the prisoner and the man that was chasing him. I was about half a block away when I saw them running. Was there not a crowd around the entrance to the cellar? Yes a lot of boys and some large people. When you got there what was the position of affairs? This man Brankman had hold of the prisoner.

on the steps that leads down into the cellar. You arrested this man, did you find anything on him at that time? No. Did you know what he was charged with? I did not know what he was charged with then only what this man told me. He said he stole a lady's watch; that is all I know.

You took him up to this lady and she identified him? Yes. Did you ask him whether or not he had taken her watch?

Yes. What did he say? He said he did not take it. Did this man tell you at that time that he simply ran along with the crowd? He told me going to the Police

Court that he ran for fear he would get hit. All you know then is that you arrested this man and that the woman identified him? That is all.

Nothing was found on him. Did you make a search for the watch around there? Yes, I searched the cellar. Did you search anywhere else? I looked around the street that he ran through, from the Eighth to the Ninth avenue.

Did you find any watch? No sir.
District Attorney: That is the case for the people.

Michael Schaller, sworn and examined in his own defence testified. I live at 62 Stanton street. Tell this jury what happened that day on your part in that chase up to the time you were arrested and identified by the woman? I came through Eighth Avenue after coming from the Tattersall's sales stables where I took the horses away the day before for the horse races again. I went up after my money; there was five dollars coming to me. After I came from there I went down Eighth Avenue on the way home. At the corner of Fifty First street I saw this lady hallooing "Stop thief." There was about twenty five or thirty people running down Fifty First and I ran. This German man claimed I was the man I was right alongside of him when he was running. Then we got to Ninth Avenue right at the corner of a grocery store there was a big lot of people standing there, and two or three men ran into some hallway, and the German man came about five minutes after right around from the corner and he pointed me out. There was no officer there at the same time.

I said, "What do you want of me?" He said, "You are the man that took the watch." The officer came five minutes after and said, "What is the matter?" They said, "This man took the watch." I went back with the officer to the lady and she said, "I took her watch," and that is all I know about it. There were a number of people running at the time I started in. There was two or three fellows ahead. This German man in his shirt sleeves was right along side of me when I was running. Why didn't he grab me? When I came to the cellar steps the men that were running they ran down there, and all the people gathered around the steps. There was it that Brantman the German came up to you and said that you were the man? About five minutes after, I stood there looking into the cellar. Do you know whether he saw you when you were running alongside of him? I could not tell you that. Have you ever been arrested? I was arrested once for being drunk on New Year's Eve five years ago but I got discharged. I drive a coach for a living and I was

employed at the time of my arrest. I
 worked for Mr. Sellow, 40 Mulberry street.
 I have been in the Toms four months.
Cross Examined. I did not go in the cellar
 I did not tell the jury I went in the
 hall way. Two or three fellows did
 not run into the cellar but they ran
 towards the cellar. These did Brankman
 catch you by the neck? He never
 grabbed me, I was at the cellar
 when this officer came; the cellar is
 level with the block. We all ran down
 Fifty first street. I live at 176 Christie St.,
 but my wife died two weeks ago
 and my sister-in law moved to 62
 Stanton St. I was working for Mr.
 Salilo the day I was arrested; he owns
 a coach; he hires coaches out to under-
 takers for Calvary calls. I have been
 working for him this last eight years.
 He has got his summer residence at
 Staten Island. I told the officer that there
 was two men trying to strike me.
 Did you not tell the officer going to the
 station house that the reason you ran
 into the cellar was you were afraid
 somebody was going to hit you? No.
 The German man grabbed me by the

throat but he did not hold me and then the officer came. The other man stood alongside of me. I stood between the two of them until the officer came.

Michael Schaller recalled for further cross examination. I said to the officer when he came, "That man wants to strike me," that is all. I did not talk to the officer at all on the way to the station house. Did you say to the officer, "Do you think the lady will let up on me?" I did not. The German man ran along by my side all the time.

Charles Bostalluco sworn and examined. Do you know the prisoner at the bar? Yes. How many years have you known him? I know him for the past seven years. Do you know others who know him? Yes. What is his reputation so far as you know for honesty? His reputation is good to me as long as I know him. You never heard anything against him? No. He has worked for you? Yes.

Cross Examined. How long since he worked for you? I guess it is about a year and a half ago. He has not worked for you in a year and a half? No, he only worked for one week for me.

Who did he work for after he left you?
 He worked for a party named Pasquale
 Lillilo. What is your business? Undertaker.
 he shov a coach for me for a week.
 Counsel That is our case.


Atty. Marotte Blanchard recalled by the Dist.
 At the time this Brankman began to
 chase this defendant how far were you
 away from the defendant? Not quite as
 far as from here to the door. There
 was Brankman when this transaction
 took place, when you felt the tug at
 the watch? In the livery stable. How
 far from you? About the same dis-
 tance I should say. At the time he
 (Brankman) began to run after the
 defendant was there anybody in front
 of you three at all? No. I did not see
 any one in front at all. Do you
 know Brankman? I do not. Have you
 seen him since that occurrence? Yes;
 not to talk to him - just met him here
 in Court; that is all. He has been to
 the Court two or three times? Yes.
 Did you ever see him before that
 day? No. I never saw him before.

Officer Aiken recalled by the District Attorney when you were taking this man to the Police station did you have any talk with him? Yes. I asked him what he done this for? and he said he did not do it. I said this man Brankman says you did. He says, "you know a man playing the horses gets in hard luck once in a while. On the way to the Police

Court I was talking to him that morning going over, and he asked me if I thought the lady would let up on him? I said I did not know, I did not think so, she was pretty determined. He says "I have a lady friend that will help me out; I thought she would let up on me." That is all the conversation I had about it. When you saw Brankman running after him where were the crowd, was the crowd around them or were they separated? The crowd was behind them - they were in front of the crowd. When you arrested the defendant where was he standing? He was down about the second or third step from the bottom of the stairs going into the cellar. The jury rendered a verdict of guilty.

0434

Testimony in the
case of
Michael Schaller

filed
June/93
30 

869

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Michael Schaller

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

Michael Schaller

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

The said

Michael Schaller

late of the City of New York, in the County of New York aforesaid, on the *seventeenth* day of *June* — in the year of our Lord one thousand eight hundred and ninety-*three*, in the *day* — time of the said day, at the City and County aforesaid, with force and arms, in and upon one *Nannette Blanchard* in the peace of the said People then and there being, feloniously did make an assault; and

*one watch of the value of
one hundred dollars*

of the goods, chattels and personal property of the said *Nannette Blanchard* from the person of the said *Nannette Blanchard* against the will and by violence to the person of the said *Nannette Blanchard* then and there violently and feloniously did rob, 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.

DeLancey Nicoll
District Attorney

0436

BOX:

526

FOLDER:

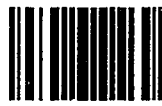
4790

DESCRIPTION:

Schlicter, Louis

DATE:

06/08/93



4790

Witnesses:

James Nolan
Chas. H. Downes
Al. McCoy

Counsel,

Filed

Pleads,

45
day of June 1893

THE PEOPLE

vs.

N. A.

Louis Schister

Forgery in the Second Degree.
[Sections 611 and 621, Penal Code.]
(Indorsement, etc.)

De LANCEY NICOLL

District Attorney.

A TRUE BILL.

Henry S. Herrin
Foreman
July 11/93
Charles D. Smith
Amos W. D. J.
July 18/93

Kimball C. Atwood, of No. 203 Broadway, New York City, aged 40 years, occupation, Secretary, being duly sworn, deposes and says; that on the 13th day of April, 1893, at the City of New York in the County of New York, was feloniously taken, stolen and carried away from the possession of the deponent, in the day time, the following property, viz.: One check payable to the order of A. C. McCoy, and of the value of One hundred forty two Dollars and Eighty six cents (\$142.86), the property of the Preferred Mutual Accident Association of New York, and in the case and custody of the deponent as Secretary, and that this deponent has a probable cause to, and does suspect, that the said property was feloniously taken, stolen and carried away by Louis Schlieter for the reasons following, to wit: On the aforesaid day deponent gave the defendant, who was then in the deponent's employ as a confidential clerk, the aforesaid check, and to mail the same to one A. C. McCoy at Hollidaysburg, Pennsylvania.

Deponent further says that said defendant failed to mail the said check to said McCoy, and that he is informed by Charles H. Dummer, paying teller of the Merchants Exchange Bank, that on the 13th day of April, 1893, said defendant came to him, said Dummer, with said check and asked him, said Dummer, to cash the same, at said bank. That said Dummer told said defendant to place his (Defendant's) name on the back of said check, which he did, and said Dummer then paid said defendant the aforesaid money, and he fully identifies said check as the one said defendant presented to him and

obtained said money, and deponent therefore charges defendant
with the larceny of the property aforesaid.

*Sworn to before me
this 7th day of June 1893*

*A. G. Gabley
Notary Public
N.Y. County*

Kimball C. Atwood, of No. 203 Broadway, New York City, aged 40 years, occupation, Secretary, being duly sworn, deposes and says; that on the 13th day of April, 1893, at the City of New York in the County of New York, was feloniously taken, stolen and carried away from the possession of the deponent, in the day time, the following property, viz.: One check payable to the order of A. C. McCoy, and of the value of One hundred forty two Dollars and Eighty six cents (\$142.86), the property of the Preferred Mutual Accident Association of New York, and in the care and custody of the deponent as Secretary, and that this deponent has a probable cause to, and does suspect, that the said property was feloniously taken, stolen and carried away by Louis Schlieter for the reasons following, to wit: On the aforesaid day deponent gave the defendant, who was then in the deponent's employ as a confidential clerk, the aforesaid check, and to mail the same to one A. C. McCoy at Hollidaysburg, Pennsylvania.

Deponent further says that said defendant failed to mail the said check to said McCoy, and that he is informed by Charles H. Dummer, paying teller of the Merchants Exchange Bank, that on the 13th day of April, 1893, said defendant came to him, said Dummer, with said check and asked him, said Dummer, to cash the same, at said bank. That said Dummer told said defendant to place his (Defendant's) name on the back of said check, which he did, and said Dummer then paid said defendant the aforesaid money, and he fully identifies said check as the one said defendant presented to him and

obtained said money, and deponent therefore charges defendant with the larceny of the property aforesaid.

0442

\$147.26 *\$14.25* *New York, April 12 1898*

Pay to the order of *A. L. [unclear]* *Dollars*

Preferred Mutual Accident Association of New York,

To Allen S. [unclear] Treas. *P. L. Lombardy President*

No. 10294 *New York [unclear] Secretary*

Class 7, Ketchum & Co., 27 & 29 Nassau St., N.Y.

0443

THE WESTERN UNION TELEGRAPH COMPANY
21,000 OFFICES IN AMERICA. CABLE SERVICE TO ALL THE WORLD

WE TRANSMIT and DELIVER messages only on conditions limiting its liability, which have been assented to by the sender of the message. The Company is not held liable for the non-delivery of Unrepeated Messages, beyond the amount of tolls paid thereon, nor in any case where the claim is not presented in writing within the time specified in the Company's regulations. A REPEATED MESSAGE, and is delivered by request of the sender, under the conditions named above.

THOS. T. ECKERT, General Manager.

NORVIN GREEN

A294G....J...NP...4.43 P.M.....20 Collect

RECEIVED at the **WESTERN UNION BUILDING, 195 Broadway, N. Y.** June 2nd

Dated Hollidaysburg, Pa. 2nd. June, 1893.

To K. C. Atwood,
257 Broadway,
New York.

RECEIVED
JUN 2 1893

Says perhaps he will come Monday he must go I
would come if expenses were telegraphed me to Altoona

R.C.Gifford

W. L. WOODCOCK,
ATTORNEY-AT-LAW,
150 ALBANY STREET,
THREE DOORS EAST OF COURT HOUSE.

HOLLIDAYSBURG, PA., May 25th 1893

RECEIVED

ANSWERED

May 27

Orphans' Assistant & Co.

Dear Sir:-

MAY 27 1893

The letter of your Mr. Woodcock,

dear Sir, I have been sent this in #142^{de} I cover the
in demand as account of injury received, has
been furnished to me for reply. Mr. McCoy
in outpacing them that a check was
over that as he never received such check,
consequently could not have cashed
it. To that Mr. McCoy admits in his
Money, which has long been due him
My endorsement on a check from
your Company, purporting to have
been made by Mr. McCoy in a forgery.
He did not in any manner in
his going to New York, especially
under his name and has
advised.

Yours truly
W. L. Woodcock

0445

RECEIVED
MAY 31 1893

Wrote Mr. McBoyle
May 31st

5-
7P

Hollidaysburg Pa.
May 29th 1893

K.C. Stwood Esq.
Secy.

Dear Sir:

Mr. A.C. McBoyle
Shows me a communication
this A.M. from you in
which you urge him to come
to New York for the purpose
of making Affidavit as
to a signature indorsed
on a check alleged to have
been drawn by your Company
in his favor.

Mr. McBoyle tells me his
attorney stipulated to you

that if a check for his
 fare was forwarded he
 would come, and I am
 constrained to believe
 these are about the only
 conditions upon which
 he will come, and in
 behalf of all concerned
 I urge you to forward
 him the required amount.
 This matter should be
 cleared up and that speedily.
 If not acted upon promptly
 the impression will become
 prevalent that no check
 was ever issued and
 that I have represented
 an irresponsible institution
 to my friends.
 McCoy is a responsible
 man and well known
 here. Please act

0447

in the matter at once for
the good of all concerned.
Yrs truly
R. B. Gifford

A.C. McCoy, being duly sworn deposes and says, that the endorsement of his name as appears on the check for One Hundred and Forty Two Dollars and eighty six cents, (\$142.86), by President P.C. Lounsbury and Secretary Kimball C. Atwood upon Allen S. Apgar, Treasurer of the Preferred Mutual Accident Association of New York, bearing date of April 12th, 1893, and appended to this affidavit, was not written or authorized by him, and that such endorsement is a forgery committed by some person unknown to this deponent.

A.C. McCoy

Sworn to and subscribed before
me, a Notary Public in and for
the County of New York
and State of New York
this 7 of June
1893.

Edward Traubing
Notary Public
N.Y. County

0449

Yndurina

James Fowler
203 Broadway
Brooklyn, N.Y.

A. C. McEwen
Hollingsbury
Blair Co.
Pennsylvania

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Louis Schlichter

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

Louis Schlichter

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

The said

Louis Schlichter

late of the City of New York, in the County of New York aforesaid, on the *twelfth* day of *April* in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, having in *his* custody a certain instrument and writing, in the words and figures following, that is to say:

\$142.⁸⁶/₁₀₀ *New York, April 12 1893*
Pay to the order of A. C. McCoy
One Hundred and Forty two ⁸⁶/₁₀₀ Dollars
in full settlement of claim.
Reference to Mutual Accident Association of New York
J. Allen [illegible] Treas. } P. B. Lounsbury President
[illegible] new york } Kimball C. Atwood Secretary
No. 10294

The said

Louis Schlichter

afterwards, to wit: on the day and in the year

aforesaid, with intent to defraud, at the City and County aforesaid, feloniously did forge, on the

back of the said *instrument and writing* a certain instrument and writing commonly called an *Endorsement* which said forged instrument and writing commonly called an *endorsement* is as follows, that is to say:

A. C. McCoy

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

SECOND COUNT.

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

The said *Louis Schlichter*
 late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
 at the City and County aforesaid, having in *his* possession a certain instru-
 ment and writing, in the words and figures following, that is to say:

\$142.86
New York, April 12 1893
Pay to the order of A. C. McCay
One Hundred Forty two 86/100 Dollars
Full settlement of claim.
Approved Mutual Accident Association of New York,
To Allen C. McCay, Treas.
no. 1029
J. C. Lounsbury President
Kimball C. Atwood Secretary
Payable at the Merchants Bank of the City of New York
A. C. McCay

on the *back* of which said instrument and writing there was then and
 there written a certain forged instrument and writing commonly called an *endorsement*,
 which said forged instrument and writing, commonly called an *endorsement* is as
 follows, that is to say:

A. C. McCay

with force and arms, the said forged instrument and writing then and there feloniously did utter,
 dispose of and put off as true, with intent to defraud, *he* the said *Louis*
Schlichter then and there well knowing the same to be forged, against the form
 of the statute in such case made and provided, and against the peace of the People of the State of
 New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0452

BOX:

526

FOLDER:

4790

DESCRIPTION:

Schmidt, John

DATE:

06/21/93



4790

Witnesses

Henry L. ...

Counsel,

Filed

189

Pleads,

THE PEOPLE

vs.

P

John Schmidt.

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Henry S. ...

Foreman

Start 2 - June 25, 1893.

tried and acquitted

Police Court— 3 District.

1931

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

of No. 332 East Houston Street, aged 38 years,
occupation machinist being duly sworn,
deposes and says, that on the 10 day of June 1893 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by John
Schmidt, (now here) did cut and
stab deponent in the right leg with
the blade of a knife then held in
his hand

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

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

Sworn to before me, this 17 day }
of June 1893 } Heinrich Lung
Thrupp Police Justice.

0455

Sec. 198-200.

3

District Police Court.

1882

City and County of New York, ss:

John Schmidt being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is his right to make a statement in relation to a 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.

John O. Pizzini

Taken before me this

day of

189

at

Police Justice.

0456

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

defendant

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

Dated, June 17 189 3 [Signature] Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0457

Police Court---

3

664 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry Lenz
332 East Houston
John Schmidt

2
3
4

Officer
J. L. Asst

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated, June 17 1893

Koch Magistrate.

Rohloff Officer.

13 Precinct.

Witnesses

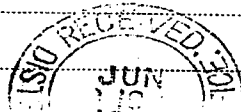
No. Street.

No. Street.

No. Street.

\$1000 to answer G.S.

com



0458

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 Schmidt

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

The said *John Schmidt*

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

which the said *John Schmidt*
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 — *Henry Lung* —
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

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

The said *John Schmidt*

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
Henry Lung — in the peace of the said
People then and there being, feloniously did wilfully and wrongfully make another assault,
and *him* the said — *Henry Lung* —
with a certain *knife*

which the said *John Schmidt*
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

John Schmidt

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

The said

John Schmidt

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 *Henry* *Lung* 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 *knife* — *Henry Lung* —

which *he* the said *John Schmidt*

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

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

Henry Lung —

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.

0460

BOX:

526

FOLDER:

4790

DESCRIPTION:

Schneider, Charles

DATE:

06/07/93



4790

Witnesses:

W. H. Kearney
W. H. Carey
W. H. Carey

Counsel,

Filed

Pleas,

day of June

1893

THE PEOPLE

vs
COUNT P

Charles Schneider

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

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Ray S. Harrington
Foreman

Part 3, June 9/93

Indict and convicted
Assault & 2nd deg.

Pen 1 yr - 6 M

Police Court— 03 District.

1931

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

of No. 03 Second Avenue Street, aged 18 years,
occupation Cooper being duly sworn,
deposes and says, that on the 1 day of June 1893 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Charles Snyder (now here) who did
them and there cut and stab deponent
on the right side with a knife which
said Snyder held in his hand
and 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~~ bound to answer
for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 7 day
of June 1893,

Charles N. Linter Police Justice.

James Hendry

0463

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:

Charles Snyder 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 a 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.

Charles Snyder

Question. How old are you?

Answer.

20 years.

Question. Where were you born?

Answer.

Russia

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

Answer.

90 Baum St. 2 years

Question. What is your business or profession?

Answer.

Conductor.

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.
Ch. Schneider

Taken before me this

day of

1893

3

Charles Snyder
Police Justice.

0464

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, June 2 1893 Charles N. Linton Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

\$500 for x
June 2 - 1893. 28-11

87 608
Police Court--- 3 District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Henry
3-2-18
Charles Snyder

2
3
4

James Henry
Charles Snyder

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated, June 2 1893

James Henry Magistrate.

Corray Officer.

12 Precinct.

Witnesses John Daly

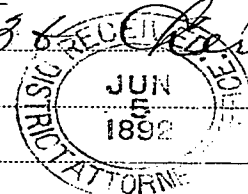
No. 12-1893 Street.

No. _____ Street.

No. _____ Street.

\$ 500 to answer

Com



0466

Department of Public Charities and Correction.

GOUVERNEUR HOSPITAL,

New York, *June 2nd* 1893.

James Henessee was stabbed last night in his back on the right side. The wound is not a very deep one, only in the muscles of the back. It was dressed antiseptically soon after the wound was received.

H. K. Jamal.

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 Schneider

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

Charles Schneider

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

The said

Charles Schneider

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

which the said

Charles Schneider

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

James Hendsey

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 Schneider

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

The said

Charles Schneider

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

which the said

Charles Schneider

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

Charles Schneider

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

The said

Charles Schneider

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 *James Hendsey* 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 *knife* *James Hendsey*

which *he* the said

Charles Schneider

in *his* right hand then and there had and held, in and upon the

body of *him* the said *James Hendsey*

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

James Hendsey

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.

0469

BOX:

526

FOLDER:

4790

DESCRIPTION:

Scott, Winfield H.

DATE:

06/08/93



4790

50
Counsel,
Filed
8 day of June 1893

Pleads, *Myself*

THE PEOPLE,

38 *John*
William

Winfield M. Scott

Grand Jurors, 1st degree
(See 528 at 530, Code)

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Ray S. Herman
June 14/93 Foreman.
Ready for trial
5 yrs & 6 mos
for

Witnesses:
De Lancey Nicoll
Thos. Mulvey

Sec. 192.

5th District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before *Am. John J. Ryan* a Police Justice
of the City of New York, charging *Fredrick Frisch* Defendant with
the offence of *Grand Larceny*

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

We, *Fredrick Frisch* Defendant of No. *138 East*
48th Street; by occupation a *Cigar Dealer*
and *Armin Hark* of No. *63 East 120th*
Street, by occupation a *Wholesale Cigar Manufacturer*, hereby jointly and severally undertake
that the above named *Fredrick Frisch* Defendant
shall personally appear before the said Justice, at the *1st* District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of *200*
Hundred Dollars.

Taken and acknowledged before me, this

28th day of *May* 18*93*

John Ryan POLICE JUSTICE.

0472

CITY AND COUNTY } ss.
OF NEW YORK,

John H. May
1881
Justice

Sworn to before me, this

25

Armin Stark

the within named Bail and Surety, being duly sworn, says that he is a resident and *free*
holder within the said County and State, and is worth *Twenty* Hundred Dollars,
exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities,
and that his property consists of *Houses and lots*

situated at No 604 East 9th Street
and 705 East 9th Street in said
City of the full value of Two
thousand dollars Armin Stark

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Undertaking to appear
during the Examination.

vs.

Taken the day of 18

Justice.

0473

A. R. SNYDER,

Fine Groceries and Table Luxuries,

1515 Columbia Avenue,

Philadelphia, *March 11th* 1893

W. H. Wilson & Co

New York

Gents:

*The 5000 cheap cigars received also
36.50 of the 5000 due on order. The balance
you may ship at your convenience. I think
the goods are giving very good satisfaction as
far as I am able to learn. I am very
much obliged to you for the favor granted
in sending the 5000 cheap goods and
will remit as per bill.*

yours truly

A. R. Snyder

0474

A. R. SNYDER,

Fine Groceries and Table Luxuries,

1515 Columbia Avenue,

Philadelphia. *March 1st 1893*

Messrs W. H. Woodman & Co

N.Y. City

Gents:

*Your shipment of cigars received
in good order including two (2) cases
(15000). The balance of the order will
do if shipped within two weeks.*

*I should like the Perfectos
first, or part of them if you are
unable to ship them all.*

very truly yours

A. R. Snyder

0475

WM. H. WILSON & CO.
CIGARS,
DISTRIBUTING AGENTS FOR CHARLES C. DAVIS & CO.
44 WEST BROADWAY,

New York, 189

Gustav Huck Phila
20,000 cigars { Jan 22/93 580.00
21 4.67
30 330.-

Wm Brown Newark N.J.
6000 cigars { Jan 9/93 63.-
30 246.-

A R Snyder Phila
23,600 cigars { Feb 24/93 641.50
Mar 5/93 57.50
13 246.50

Cash for Commission on above

170.88
2,340.05

\$ 914.67

309.-

945.50

0476

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

Frederick Fusch 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.

Frederick Fusch

Question. How old are you?

Answer.

31 years

Question. Where were you born?

Answer.

Austria

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

Answer.

107 E. 3rd St.

Question. What is your business or profession?

Answer.

Algar Dealer

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

Answer.

I am not guilty
Frederick Fusch

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

Police Justice.

Lucas
1000. Algar again

0477

Police Court— District.

1912

Affidavit—Larceny.

City and County { ss.
of New York,

of No. 44 West Broadway Street, aged 40 years,
occupation Cigar being duly sworn,
deposes and says, that on the 24 day of February 1893 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:

Cigars of the value of Six Hundred
and forty one 10/100 dollars

Sworn to before me, this

189

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 Winifred St. John, Henry Murphy
and Frederick Frisch from the
fact that at the time said St. John
was in the employ of deponent
as a salesman and gave to deponent
an order for Cigars to the above amount
the same to be shipped to Mr. A. R. Snyder
2515 Columbia Avenue Philadelphia
Pa. That believing the order to be genuine
deponent caused the Cigars to be shipped
to said address in Philadelphia, that
after shipping the Cigars upon inquiry
deponent learned that the address
was fictitious and that the Cigars
had not been delivered to said Snyder

Police Justice.

Depmunt says that after the arrest
 said Scott confessed to the taking
 of the property and appropriating
 the same to his own use and benefit.
 and that he sold the same to said
 Trisch at a figure much lower
 than the ^{market value} ~~market value~~ ^{as indicated by officers Thomas and} and that
 Depmunt has seen a picture of
 the property in the possession of
 said Trisch and further Depmunt
 says that he has been said
 Murphy in the company of said
 Scott acting in a suspicious
 manner and believes said Murphy
 to be an accomplice and a
 confederate of said Scott.

Wm H Wilson
 Given before me
 this 21st day of May 1893

John J Ryan
 Police Justice

Winfield H. Scott, Alias
 Peter F. Murphy. " Hayes
 Arrested Nov. 19. 1888. for
 G. Larceny.

S. Serpa

110. Water St.

Comp.

Sentenced to 3 Yrs.

to S. P.

Judge Gildersleeve

Det. Sergt. Mulry

0480

WM. H. WILSON & CO.
CIGARS,

DISTRIBUTING AGENTS FOR CHARLES C. DAVIS & CO.
44 WEST BROADWAY,

New York, 189

Memo of order given W^m H Wilson by H. H. Scott for A. R. Snyder, Philadelphia Pa. Feb 23/93

5000	Queen Olga Perfector	@ \$70 per 100
7500	" " Reina Victoria	@ \$61 " "
7500	" " Pintados	@ \$60 " "
5000	Jenny Queen	@ \$33 " "
5000	Jenny Maid	@ \$33 " "

On above order were shipped the following, Feb 25th

5000	Jenny Maid	@ \$33 per 100	\$165.00
5000	Jenny Queen	@ \$33 " "	165.00
7500	Queen Olga Pintados	@ \$60 " "	150.00
1500	" " Reina Victoria	@ \$61 " "	91.50
1000	" " Perfector	@ \$70	70.00
			<u>641.50</u>

0481

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty
W. H. Scott

Taken before me this

day of

Police Justice.

0482

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:

Mary Murphy 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.

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

Taken before me this

Police Justice.

0483

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

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

Dated, Jan 1 1893 James M. White Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, Jan 1 1893 James M. White Police Justice.

1881

BAILED,

No. 1, by.....

Residence Street.

No. 2, by.....

Residence Street.

No. 3, by.....

Residence Street.

No. 4, by.....

Residence Street.

176 Police Court--- District. 617

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Wm. J. Nelson
44 West 10th St.
Wayward Mass.
Being Murthered
by
Ed. Tusch

Office of Grand Jurors

4.....

Dated, *Aug 28* 189*3*

Ryan Magistrate.

Hulley & Murray Officer.

CO Precinct.

Witnesses.....

No. Street.

No. 2 & 3 Discharged

No. *1* *Committed* Street.

.....

No. Street.

1000 to answer *S. S.*

.....

No 3 Bailed 1000 E. J. Ryan

Committed

1000

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Winfield H. Scott

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

— Winfield H. Scott —

of the CRIME OF *Fraud* LARCENY in the first degree, —
committed as follows:

The said *Winfield H. Scott*, —

late of the City of New York, in the County of New York aforesaid, on the *Twenty-fourth*
day of *February*, in the year of our Lord one thousand eight hundred and
ninety-*Three*, at the City and County aforesaid, with force and arms, with intent to
deprive and defraud *one William H. Wilson, by whom*
the said Winfield H. Scott was then
and there employed as a salesman, —

of the ~~proper moneys~~ goods, chattels and personal property hereinafter mentioned, and of the
use and benefit thereof, and to appropriate the same to *his* own use, did then and there
feloniously, fraudulently and falsely pretend and represent to *the said*

William H. Wilson, —

That *one A. D. Snyder, a dealer in fine*
groceries and other luxuries, carrying on
business at number 1515 Columbia Avenue
in the City of Philadelphia, in the State
of Pennsylvania, had given to him the
said Winfield H. Scott, as such salesman
as aforesaid, an order for the sale and
delivery to him the said A. D. Snyder, of
the amount above alleged, by the said William
H. Wilson, of five thousand cigars of the
brand called Queen of a Perfectos, as the

price of seventy dollars per thousand,
 twenty five hundred cigars of the brand
 called Queen of the Victoria of the
 price of sixty one dollars per thousand,
 twenty five hundred cigars of the brand
 called Queen of the Emulanos, at the price
 of sixty dollars per thousand, five
 thousand cigars of the brand called
 Jersey Queens, at the price of thirty three
 dollars per thousand, and five thousand
 cigars of the brand called Jersey Kings
 at the price of thirty three dollars per
 thousand.

By color and by aid of which said false and fraudulent pretenses and representations, the said

— Winfield H. Scott —

did then and there feloniously and fraudulently obtain from the possession of the said

William H. Wilson, five ten thousand
 cigars of the value of thirty three
 dollars each thousand, twenty five
 hundred other cigars of the value of
 six dollars each hundred, fifteen hundred
 other cigars of the value of six dollars
 and ten cents each hundred, and one
 thousand other cigars of the value of
 seven dollars each hundred,

of the ~~proper moneys~~ goods, chattels and personal property of the said

— William H. Wilson —

with intent to deprive and defraud the said William H. Wilson,

of the same, and of the use and benefit thereof, and to appropriate the same to his own use.

Whereas, in truth and in fact, the said A. R. Snyder had
 not given to him the said Winfield H. Scott
 as such salesman as aforesaid, any order
 for the sale or delivery to him at the said
 address or at any other place, by the said
 William H. Wilson, of any cigars; and
 there was not then any person of the name

By a. P. Snyder, then carrying on business
as a ~~dealer~~ in fine groceries and table
linens at the said address.

And Whereas, in truth and in fact, the pretenses and representations so made as afore-
said by the said Winfield H. Scott
to the said William H. Wilson was and were
then and there in all respects utterly false and untrue, as the the said
Winfield H. Scott
at the time of making the same then and there well knew;

And so the Grand Jury Aforesaid, do say that the said
Winfield H. Scott
in the manner and form aforesaid and by the means aforesaid, the said proper moneys, goods,
chattels and personal property of the said William H. Wilson
then and there feloniously did STEAL, against the form of the statute in such case made and pro-
vided, and against the peace and dignity of the said people.

DE LANCEY NICOLL,
District Attorney

Witness:
Counsel,
Filed,
Pleadings,
1891

THE PEOPLE

vs.

2

Winfield H. Scott

James A. Nichols, Jr.
(Judge Pro Tem)
[Section 588 and 590 Penal Code]

DR. JANCY NICOLS,

District Attorney

ACQUITTED

Prisoner

Second COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further accuse
the said *Winfield H. Scott* —

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

The said *Winfield H. Scott*,—

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

Ten thousand cigars of the value of
thirty three dollars each thousand,
Twenty five hundred other cigars
of the value of six dollars each
hundred, fifteen hundred other
cigars of the value of six dollars
and ten cents each hundred, and
one thousand other cigars of the
value of seven dollars each hundred,

of the goods, chattels and personal property of one

— *William H. Wilson* —

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.

Lawrence M. M. M.
District Attorney

0490

BOX:

526

FOLDER:

4790

DESCRIPTION:

Shalagic, Samuel

DATE:

06/13/93



4790

Witnesses

Abraham S. Linderman
 Walter R. K. [unclear]
 Sarah [unclear]

Suspect trial assault
 in 3rd degree lacerations
 in this case

June 21, 1894

John W. W. [unclear]
 Dep. Dist. Atty.

I have carefully inquired into this
 case. No substantial injury was
 done and while I am satisfied that
 the deft held the knife by which the
 Compt sustained his wound, the
 cutting resulted more from accident
 than design. The report of Mr. Perry's
 Society enclosed indicates that the
 deft is a good boy and considering
 his youth I believe a favorable &
 merciful view should be taken of
 his act. I recommend his discharge
 on his own recognizance \$5000
 April 16/94

Counsel,

Filed

day of

189

Pleads

THE PEOPLE

vs.

Samuel Shalogue

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Foreman.

Sept 13/93
 Part I - April 13/94

0492

Police Court—3rd District.

1931

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

of No. 115 Mifflin Street, aged 14 years,
 occupation Bricklayer's helper being duly sworn,
 deposes and says, that on the 2 day of June 1893 at the City of New
 York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Samuel Shalogue (now dead)
 who feloniously cut and
 stabbed deponent on the
 right arm with some sharp
 instrument he then and
 there held in his hand

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

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

Sworn to before me, this 9 day
 of June 1893

Charles K. Linton Police Justice.

Abraham Ludman
Witness

0493

Sec. 198-200.

3d

1882
District Police Court.

City and County of New York, ss: ' "

Samuel Shalovic 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 a 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 Shalovic*

Question. How old are you?

Answer. *14 years*

Question. Where were you born?

Answer. *Russian Poland*

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

Answer. *57 Orchard Street 8 years*

Question. What is your business or profession?

Answer. *Set Cashboy*

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

Shalovic

Taken before me this

day of

1893

Charles J. Justice

Police Justice.

0494

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 it appearing that he is under the age of sixteen years, that he be committed to the custody of the New York Society for the Prevention of Cruelty to Children, until he give such bail.

Dated, June 9 1893

Charles N. Lainto Police Justice.

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

Dated, June 9th 1893

Charles N. Lainto 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.

Police Court---

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Abraham Lichtenberg
Samuel Shalove

633
Voluntary Complaint
offense

BAILED.

No. 1, by *Nathan Isaacs*
Residence *128 Delancy Street.*

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Date,

June 7 189*3*

Magistrate.

Samuel Shalove
Kerman & Glendon

Precinct.

Witnesses

Wm. Kuskla
108 Norfolk Street.

No.

Samuel L. Lerman
115 Norfolk Street.

No.

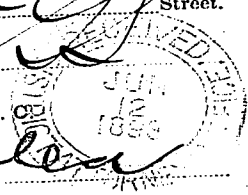
John H. Dietz
29 1/2 - 4 Ave Street.

No.

to answer

Com. to S. P. C. Clk

Paulson



0496

Report of General Session
The People

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

No. 297 FOURTH AVENUE,
(Corner East 23d Street.)

New York, June 9th 1893

Samuel Shalovic

CASE NO. 43120

DATE OF ARREST June 8/93

OFFICER J. H. Dietz

CHARGE

Deliberate Assault

AGE OF CHILD 13 years

RELIGION Hebrew

FATHER Hyman

MOTHER Bertha

RESIDENCE 57 Orchard Street

AN INVESTIGATION BY THE SOCIETY SHOWS THAT The Society has no record of boy being arrested before. Samuel, goes to work, and is well spoken of by the people in the house where he lives with his parents whose home is clean, and comfortable.

All which is respectfully submitted,

William L. Lusk
Rpt

To District Atty

Count of General Sessions	
The People or Samuel Shalogue	California Penal Code, § 261000

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

ELBRIDGE T. GERRY,
President, &c.,
No. 297 Fourth Avenue,
Corner East 23d Street,
NEW YORK CITY.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Samuel S halogic

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

Samuel S halogic

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

The said

Samuel S halogic

late of the City and County of New York, on the *11th* day of *June* in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, in and upon one

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

Samuel S halogic

with a certain *sharp instrument to the name of* which the said

Samuel S halogic

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

SECOND COUNT—

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

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

The said

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

Abraham Ludman

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault; and the said *Samuel Stalgie* the said *Abraham Ludman* with a certain *instrument*

which

the said

Samuel Stalgie

in

his right hand then and there had and held, in and upon the *right arm* of *him* the said *Abraham Ludman* then and there feloniously did wilfully and wrongfully strike, beat, *cut, slash* ~~bruise~~ and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said *Abraham Ludman* to the great damage of the said *Abraham Ludman* 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.*

0500

BOX:

526

FOLDER:

4790

DESCRIPTION:

Sherman, Jacob A.

DATE:

06/19/93



4790

Witnesses:

Anthony Constock

The District Attorney

for the name stated

in the enclosed warrant

recommends that the

defendant be in his

charge in his own name

James

J. M. Vary

Adm.

Counsel,

Filed

19 day of June 1893

Pleads

July 27

THE PEOPLE,

vs.

ENTERED
T. J. W.

B

Jacob A. Sherman

O'Brien Book
[Section 317, Penal Code]

DE LANCEY NICOLL,

District Attorney

A TRUE BILL.

Henry J. Sherman

P. M. Feb. 25/98. Foreman.

Discharged on his

unpaid money

D. A. M. W. S.

Feb. 25-98

City, County and State of New York, ss:

Anthony Buntich, of 41 Park Row, being duly sworn, deposes and says, that he is Chief Special Agent of THE NEW YORK SOCIETY FOR THE SUPPRESSION OF VICE, and more than twenty-one years of age; that he is informed, has just cause to believe, and verily does believe and charge that Jacob A. Sherman

whose real name is unknown, but who can be identified by

did on or about the 7th day of June 1893, unlawfully sell, lend, give away, or show, and offer to sell, lend, give away, or show, and had in his possession with intent to sell, lend, give away, or show, and did offer for loan, sale, gift, or distribution, a certain obscene, lewd, lascivious, filthy, indecent and disgusting book

which said book bears upon its title page, the following words, and title, to wit: J. A. Sherman, Nervin Specialist advertiser of the popular Sherman method is hereto entitled by the words following, to wit: Known and addressed for its past forty years in its United States and other countries as Dr. J. A. Sherman, the best evidence of ability is success. Copies of photographs of exposed and diseased cases before and after treatment bear an ocular demonstration of the efficacy of the Sherman method with detailed statements of its perfect cure, complete effect, No. 294 Broadway New York, and 64 Chancery Lane London England. Book represents and is descriptive of

scenes of lewdness and ~~obscenity~~ ^{and indecent display}, and particularly upon pages, 4, 5, 8, 9, 12, 13, 14, 15, 18, 19, 22, 24, 25, 28, 29, 30, 31, 34, 35, 38, 39, 40, 42, 43, 46, 47, which pages, contain representations of the figure of a male person with his private or sexual organs exposed.

which said book is so obscene, lewd, lascivious, filthy and indecent that the same would be offensive to the Court, and improper to be placed upon the record thereof, wherefore the same is not set forth in this complaint.

certain article or instrument for indecent and immoral use or purpose, or purporting to be for indecent or immoral use or purpose.

and further did design, copy, draw, photograph, print, utter, publish, manufacture and prepare a certain obscene, lewd, lascivious, filthy, indecent or disgusting

and further did write, print, publish, utter, cause to be written, printed, published and uttered, an advertisement or notice giving information, stating, or purporting so to state, where, how, of whom, or by what means an or what purports to be, an obscene, lewd, lascivious, filthy, disgusting or indecent book, picture, writing, paper, figure, image, and matter, article, thing or instrument for indecent or immoral use or purpose, or purporting to be for indecent or immoral use or purpose, could be purchased, obtained or had.

Deponent further says that he is further informed, has just cause to believe, and verily does believe and charge, that the said

aforsaid, did unlawfully print, utter, publish, sell, lend, give away, or show, and have in his possession with intent to sell, lend, give away and show, and did otherwise offer for sale, loan, gift, or distribution, a certain book, pamphlet, magazine, newspaper and other printed paper devoted to the publication and principally made up of criminal news, police reports, or accounts of criminal deeds, or stories of deeds of bloodshed, lust and crime, which said

is hereto annexed and made part of this complaint, which said

is more particularly described and known by the title following, to wit:

City, County and State of New York, ss:

Anthony Guntch, of 41 Park Row, being duly sworn, deposes and says, that he is Chief Special Agent of THE NEW YORK SOCIETY FOR THE SUPPRESSION OF VICE, and more than twenty-one years of age; that he is informed, has just cause to believe, and verily does believe and charge that Jacob A. Sherman

whose real name is unknown, but who can be identified by

did on or about the 7th day of June 1893, unlawfully sell, lend, give away, or show, and offer to sell, lend, give away, or show, and had in his possession with intent to sell, lend, give away, or show, and did offer for loan, sale, gift, or distribution, a certain obscene, lewd, lascivious, filthy, indecent and disgusting book

which said book, bears upon its title page, the following words, and title to wit: J. A. Sherman, Nervin Specialist of the popular Sherman method is hereto entitled by the words following, to wit: Known and addressed for its past forty years in its United States and other countries as Dr. J. A. Sherman, the best evidence of ability is success. Copies of photographs of exposed genital organs, before and after treatment, bear an ocular demonstration of its efficacy of the Sherman method, with detailed statements by its respective cases, consultation office, No. 294 Broadway New York, and 64 Chancery Lane London England. Male represents and is descriptive of

scenes of lewdness ^{and indecent display} and obscenity, and particularly upon pages, 4, 5, 8, 9, 12, 13, 14, 15, 18, 19, 22, 24, 25, 28, 29, 30, 31, 34, 35, 38, 39, 40, 42, 43, 46, 47, which pages, contain representations of the figure of a male person with his private or sexual organs exposed.

which said book is so obscene, lewd, lascivious, filthy and indecent that the same would be offensive to the Court, and improper to be placed upon the record thereof, wherefore the same is not set forth in this complaint.

certain article or instrument for indecent and immoral use or purpose, or purporting to be for indecent or immoral use or purpose.

and further did design, copy, draw, photograph, print, utter, publish, manufacture and prepare a certain obscene, lewd, lascivious, filthy, indecent or disgusting

and further did write, print, publish, utter, cause to be written, printed, published and uttered, an advertisement or notice giving information stating, or purporting so to state, where, how, of whom, or by what means an or what purports to be, an obscene, lewd, lascivious, filthy, disgusting or indecent book, picture, writing, paper, figure, image, and matter, article, thing or instrument for indecent or immoral use or purpose, or purporting to be for indecent or immoral use or purpose, could be purchased, obtained or had.

Deponent further says that he is further informed, has just cause to believe, and verily does believe and charge, that the said

aforsaid, did unlawfully print, utter, publish, sell, lend, give away, or show, and have in his possession with intent to sell, lend, give away and show, and did otherwise offer for sale, loan, gift, or distribution, a certain book, pamphlet, magazine, newspaper and other printed paper devoted to the publication and principally made up of criminal news, police reports, or accounts of criminal deeds, or stories of deeds of bloodshed, lust and crime, which said

is hereto annexed and made part of this complaint, which said

is more particularly described and known by the title following, to wit:

Deponent further says that he is further informed, has just cause to believe, and verily does believe, and is positive, that the said Jacob A. Sherman

aforesaid, at, in and upon certain premises situate and known as the 3rd floor

of premises situate and known as No. 294 Broadway Street in said City, County and State of New York as aforesaid, ~~now had~~ in his possession with intent to use the same as a means to commit a public offense, divers and sundry ~~obscene~~, lewd, lascivious, filthy, indecent and disgusting books, magazines, newspapers, story papers, writings, papers, pictures, drawings, photographs, figures, images, written and printed matter of an indecent character, articles or instruments ~~of indecent and immoral use or purpose, or purporting to be for indecent or immoral use or purpose~~; also advertisements or notices giving information directly or indirectly, stating or purporting to state where, how, of whom, or by what means certain obscene, lewd, lascivious, filthy, disgusting, indecent books, papers, writings, pictures, figures, images, and matters, articles and things for indecent and immoral use or purpose, or what purports to be obscene, lewd, lascivious, filthy, disgusting, and indecent books, pictures, writings, papers, figures, images, matters, articles, or things, or instruments for indecent or immoral use, or purporting to be for indecent and immoral use, may be obtained or had; also certain books, pamphlets, magazines, newspapers and other printed papers devoted to the publication and principally made up of criminal deeds, or stories of deeds of bloodshed, lust and crime, instrument, article, recipe, drug or medicine for the prevention of conception, or for causing unlawful abortion, or purporting to be for the prevention of conception, or for causing unlawful abortion, cards, circulars, pamphlets, advertisements or notices giving information when, where, how, of whom, or by what means such instruments, articles, recipes, drugs and medicines as aforesaid can be purchased or obtained.

Wherefore, deponent prays that a warrant may be issued for the arrest of the said

Jacob A. Sherman

aforesaid, and to search for, seize, take possession of all and singular said matters, articles and things herein set forth, and that all may be dealt with according to law.

Deponent further says, that his information and belief is based upon personal observations, conversations and dealings had with the said Jacob A. Sherman

and further from statements made to deponent by Jacob A. Sherman & others, whose affidavit is hereto annexed and made part of this complaint.

Subscribed and sworn to before me

this 7th day of June 1899

Solomon Blumenthal

Police Justice.

Anthony Cantor

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 9 1893

John Ryan Police Justice.

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

Dated, June 9 1893

_____ Defendant
John Ryan 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.

\$300 for Ex. June 9th
2 P.M.

W 703
Police Court---

District

The Police Justice sitting
will consider the examination
by reason of necessity
absent.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John B. Smith
Police Justice

Anthony Constantino
241 West 11th St.
New York

BAILED,

No. 1, by *Frederick W. Vanhook*
Residence *27 Penn Place* Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

2 _____
3 _____
4 _____

Dated *June 7* 1893

J. Smith Magistrate.
O. Ames Officer.
Court Precinct.

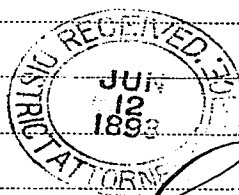
Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

300 to answer.



300 Ex. June 9. J. B. Smith

Do 643
Offense: Obstruction of Justice
Sec. 31 of Penal Code

0507

City and County of New York, ss:

Jacob A. Sherman being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is h ⁵ right to make a statement in relation to the charge against h ⁴; that the statement is designed to enable h , if he see fit, to answer the charge and explain the facts alleged against h ⁴ that he is at liberty to waive making a statement, and that h ⁴ waiver cannot be used against h on the trial.

Question. What is your name?

Answer. *Jacob A. Sherman*

Question. How old are you?

Answer. *Refused*

Question. Where were you born?

Answer. *United States*

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

Answer. *Refused*

Question. What is your business or profession?

Answer. *Nervia Specialist*

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
J. A. Sherman

Taken before me this

day

189

Police Justice.

-----#
)
:
THE PEOPLE)
:
vs:)
:
Jacob A. Sherman,)
William F. Meehan,)
George F. Hendrickson.)
:
-----#

In the matter of certain books and pictures seized
in the above entitled case on the 7th of June 1893, authority
is hereby given to Honorable Asa Bird Gardiner, District
Attorney, and Anthony Comstock, Secretary of The New York
Society for the Suppression of Vice, to destroy all of the
matters thus seized in the samemanner as though a conviction
had been obtained against the defendants and the matters
ordered destroyed under Section 320 of the Penal of the
State of New York.

Februaby 24th 1898.

Jacob A. Sherman
By Charles L. Brooke
Atty in fact.

Charles L. Brooke
Atty for Defendants.

KNOW ALL MEN BY THESE PRESENTS-

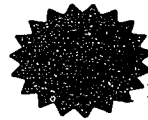
That I, Jacob A. Sherman, late of the City and County of New York, now temporarily residing in London, England, have and by these presents do nominate, constitute and appoint Charles Lex Brecke Esq. of the said City, County and State of New York, my true and lawful attorney in a certain proceeding or matter pending by indictment, in the "Court of General Session of the Peace in and for the County of New York; in the State of New York, United States of America, for the crime or offense of indecent publication, found in the month of June 1893, and now pending, to do any and all acts in reference to the same in my name and stead, the same as if I were personally present and especially to enter a plea of guilty to the said indictment, if in his judgment such plea should be wise and proper, and to do any and all acts in reference to the same for me and in my name that may be necessary, hereby giving and granting to my said Attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises, as fully, to all intents and purposes, as I might or could do if personally present, hereby ratifying and confirming all that my said attorney shall lawfully do, or cause to be done by virtue thereof.

IN WITNESS WHEREOF I have hereunto set my hand and seal the 2nd day of December One thousand eight hundred and ninety seven.

Sealed and delivered in presence of

Richard Westcott *Jacob A. Sherman*

VICE AND DEPUTY CONSUL-GENERAL OF THE
UNITED STATES OF AMERICA AT LONDON, ENGLAND.

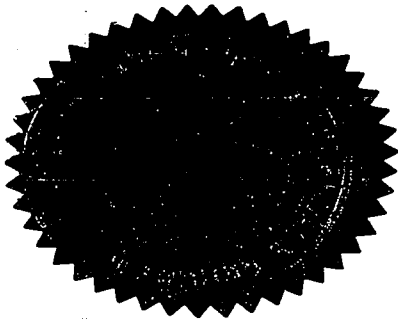


05 10

Kingdom of Great Britain:
and Ireland _____ :
City of London : SS.
County of London :

On this 2nd day of December 1897
before me personally appeared Jacob A. Sherman, to me known and
known to me to be the individual described in and who executed
the foregoing instrument and he duly acknowledged to me that
he executed the same.

Witness my hand and seal
of office the day and year
last above written



Wm. M. Osborne

CONSUL-GENERAL OF THE UNITED
STATES OF AMERICA AT LONDON, ENGLAND

STATE OF NEW JERSEY :
COUNTY OF MONMOUTH : SS.

Alexander H. Sherman, of full age, being duly sworn, according to law on his oath saith that he resides in the Township of Manalapan, in the County of Monmouth and State of New Jersey; that he is the son of Jacob A. Sherman who was formerly in business in the City of New York as a hernia specialist, and is the same Jacob A. Sherman, who with one Dauchy gave bail to appear when required before one of the Courts of the City of New York; that said Jacob A. Sherman sold out to deponent all his right, title and interest in the business in the City of New York and the same was afterwards carried on by this deponent from that time; that the said Jacob A. Sherman is now in London, England to the best of this deponent's knowledge, having left America on or about the second day of June, eighteen hundred and ninety seven and is conducting a business there as a hernia specialist.

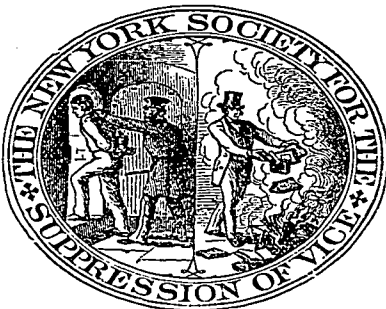
Sworn and subscribed before me this : *Alex H. Sherman*
19th day of November, A.D. 1897. :

Joseph McDermott
Notary Public of N.J.

05 12

BOARD OF MANAGERS.

OFFICERS.

*President.*MORRIS K. JESUP, *Vice-President.*WILLIAM E. DODGE, *Vice-President.*WELCOME G. HITCHCOCK, *Vice-President.*KILIAEN VAN RENSSELAER, *Treasurer.*WM. C. BEECHER, *Counsel.*ANTHONY COMSTOCK, *Secretary.*

EXECUTIVE COMMITTEE.

A. F. LIBBY, *Chairman.*

BOWLES COLGATE.

JOHN SINCLAIR.

CHARLES M. JESUP.

JOHN N. BEACH.

ARPAD S. GROSSMANN.

JOHN V. COCKCROFT.

ALEXANDER M. HUDNUT.

JOHN C. MARTIN.

WILLIAM M. HASTINGS.

Rooms 198 and 199, 41 Park Row, New York City.

(TIMES BUILDING.)

New York, February 23d, 1898.

Hon. Asa Bird Gardiner,
District Attorney,
New York City.

Dear Sir:-

Mr. Charles Brooks, counsel for Jacob A. Sherman, called upon me this morning and stated, that he had an interview with you in which you expressed a desire that I should address you a letter in reference to the cases of Jacob A. Sherman, William F. Meehan, and George F. Hendrickson.

He informs me, that under the Penal Code, it will not be possible to enter a plea of guilty for Mr. Sherman, as was suggested and have sentence suspended in his absence.

He also informs me, that Mr. Meehan, who gave his age as 78, at the time of his arrest in 1893, is very feeble in health, and that Mr. Jacob A. Sherman, who gave his age as 73, at the time of his arrest in 1893, is absent in Europe.

Mr. Brook's desire now is, as I understand it, to have Jacob A. Sherman discharged upon his own recognizance, and the indictment

05 13

Hon. Asa Bird Gardiner,

-2-

against Meehan and Hendrickson dismissed.

before this is done, Mr. Brooks, having power of attorney from Mr. Sherman, proposed to give an order to you authorizing the destruction of all the matters seized at the time of the arrest.

In consideration of the age of these tow men, and the fact that Sherman has been convicted and sentenced in the United States Court upon this same publication thus placing the condemnation of the law against this pamphlet you think best to comply with Mr. Brook's request, this Society will offer no objections to your making such deposition in this case.

I have the honor to enclose copy of an order for the destruction of the matter for Mr. Brooks to sign.

I have the honor to remain,

Your obedient servant,

Anton J. Antevik
Secretary.

State of New York }
 County of New York } S.S.
 Borough of Manhattan }

I, Warren B. Chapin do hereby certify that I am a physician and surgeon practicing as such in the County aforesaid having an office at No. 52 West 104th Street in the City of New York; I am personally acquainted with William F. Meehan and have attended him for about six months last past; that said William F. Meehan has ~~been~~ confined to his house since October last through his infirmities; that said Meehan is eighty years of age and upwards and in my opinion he is too feeble to leave his residence, 883 Columbus Avenue this City.

Subscribed and sworn } Warren B. Chapin M.D.
 to before me this 29th
 day of January, 1898. }

W. B. Chapin
 Mary Public,
 N.Y.C.

05 15

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before John B. Smith a Police Justice
of the City of New York, charging Jacob A. Sherman Defendant with
the offence of

Selling Obscene Books

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

We, Jacob A. Sherman Defendant of No. Refused
Frederick W. Wanchy Street; by occupation News Agent
and Frederick W. Wanchy of No. 37 Penn Place

Street, by occupation a News Agent Surety, hereby jointly and severally undertake
that the above named Jacob A. Sherman Defendant
shall personally appear before the said Justice, at the 1st District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of Three
Hundred Dollars.

Taken and acknowledged before me, this 7

day of June 18 93
John B. Smith POLICE JUSTICE.

J. A. Sherman
Frederick W. Wanchy

CITY AND COUNTY } ss.
NEW YORK, }

Frank W. Dancy
181
Justice

Sworn to before me this

the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth Twenty Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of One third interest in

Plot of land 124 x 100 feet situated
on north side of Carroll Street
between 8 & 9 Avenues, Brooklyn
7/10 of the full value of Four
thousand dollars

District Police Court,

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear
during the Examination.

Taken the day of 18

Justice.

Frank W. Dancy

District Attorney's Office.

PEOPLE

vs.

Jacob A. Sherman
(etal)

To James J. Walsh,
Asst. Dist. Atty.:-

Offense.....

The disposition of
the above

Date of Indictment.....

case suggested
by Mr. Constock
is satisfactory
to the District
Attorneys

A. E. Bryan

SECRETARY TO THE DISTRICT ATTORNEY.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*George A. Sherman*The Grand Jury of the City and County of New York, by this indictment accuse *George A. Sherman* of a*Misdemeanor,*~~of the crime of~~

committed as follows:

Heretofore, to wit: on the seventh day of June, 1893, at the City and County aforesaid, the said *George A. Sherman*, late of the City and County aforesaid, did unlawfully have in his possession, with intent to sell the same, seven to wit: five hundred tracts, entitled "*G. A. Sherman*, author of the popular *Sherman Method*, known and addressed for the past forty years in the United States and other countries as *Dr. G. A. Sherman*, the best evidence of ability is success. Copies of photographs of extreme English and American cases before and after treatment, bearing an ocular demonstration of the efficacy of the *Sherman Method*, with detailed statements of the respective cases, consultation offices,

No. 294 Broadway, New York, and 1074
 Diamond Lane, London, England." ^{each 25} "which
 said books then and there contained, among
 other things, various pictures representing
 the figures of male persons with their
 private parts and sexual organs displayed
 and exposed, and which said books are
 obscene, lewd, lascivious, filthy, indecent
 and disgusting, that a more particular
 description thereof would be offensive to
 the court here, and improper to be read
 upon the records thereof, wherefore the Grand
 Jury doresaid do not more particularly
 describe the same, or set the same forth
 in this indictment; 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.

Chauncey M. Hall,

District Attorney.