

0335

**BOX:**

526

**FOLDER:**

4790

**DESCRIPTION:**

Sanburne, William B.

**DATE:**

06/22/93



4790

Witnesses:

*Chas. W. Callan*  
*Off Brauch & Co.*

*218X*  
Counsel,  
Filed *20* day of *June* 1893

Pleads,

THE PEOPLE

vs.

*William B. Sanborn*

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

DE LANCEY NICOLL,

District Attorney.

*350  
17/10/93*

A TRUE BILL.

*Wm. S. Loran*  
Foreman.

*June 23/93*

*Wm. S. Loran*

*James R. P.*

0337

New York Feb 21/03

The National Loan Bank  
of Morristown N.J.

Pay to the order of Wm B. Sautman

\$ Twenty-five \_\_\_\_\_ Dollars

25.00

C. M. Collins

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 Sum

by C. Mc Collins

dated Feb 21 1893 at

\$2500 and

First Nat Bank to John - 20

20

FOR DEPOSIT TO THE CREDIT OF

TOPPING, MAYNARD & HOBSON

PAY

Cashier, or Order, or Collection

EAST RIVER NATIONAL BANK,

NEW YORK

*[Handwritten signature]*

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

THUS DONE AND  
the presence of  
for Testimony  
fixed my Notarial

*[Handwritten signature]*

RECORDED IN BOOK  
Page 191

0000

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. Boell, Tallen,

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 G  
PAGE 191

FOR DEPOSIT TO THE CREDIT OF  
TAPPING, MAYNARD & HOBBS  
M. J. J. J. J.



PROTEST OF

*Protest of*  
*C. McCallum*

FOR  
The First National Bank,

OF MORRISTOWN, N. J.

MORRISTOWN, *Feb'y 27* 1893

Check \$25.00

NOTARIAL FEE..... 1.30

POSTAGE..... .04

1.40

.06 76.40

*1.46*  
*2.06*

76.46

*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 No. Morristown New Jersey Street, aged 46 years,  
occupation Livery - stable keeper being duly sworn, deposes and says.  
that on the 23<sup>rd</sup> 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 Frederick 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 to said Sanburne said check and accuses him of having forged deponent's name to said check and to have feloniously uttered the same with intent to injure deponent in violation of Section 514 of the Penal Code <sup>Law</sup> that he may be arrested and dealt with according to law

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

John P. Woodhouse  
Police Justice

0342

CITY AND COUNTY }  
OF NEW YORK, } ss.

1021

*Frederick L. Maynard*

aged *39* years, occupation *Lat Salesman* 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 } *Frederick L. Maynard*  
of *April* 1893

*John St. Louis* Police Justice.

0343

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*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 27th. 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. Lawrence*

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* 189*7*

*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

Police Court <sup>666</sup> District <sup>2</sup>

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Charles M. Collins*  
*vs.*  
*William B. Sanborn*

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

*Offense*  
*Forgery*

Dated, *June 13* 1897

*John D. Brand* Magistrate.

*John D. Brand* Officer.

*C. O.* Precinct.

Witnesses *Wm. L. Maynard*

No. *679 Broadway* Street.

\_\_\_\_\_ Street.

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

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

\$ *1500* to answer \_\_\_\_\_

*Wm. L. Maynard*

*Wm. L. Maynard*

*\$1500 24 June 15. 1897*



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

Sec. 151.

Police Court 2 District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Charles M. Collins of No. Morristown St. James 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 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. ... POLICE JUSTICE.

0347

Police Court 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Charles McCallum

vs.

William G. Sanburne

Warrant-General.

Dated April 17 1888

Worship Magistrate

Officer.

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

Titus Krauch Officers,

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

This Warrant may be executed on Sunday or at  
night.

Police Justice.

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

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

Police Justice.

The within named

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William 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. McCollum*

*[Large handwritten flourish]*

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 Selwitz*

*Monty Selwitz*

*Chapman*

*1187*

Counsel,

*13 June 1893*

Filed

day of

*June 14*

Pleads,

*Myrtle 14*

THE PEOPLE

vs.

*A P*

*Ferdinand & Davts.*

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

DE LANCEY NICOLL,

*District Attorney.*

A TRUE BILL.

*Harry J. Barron*

Foreman,

*Subscribed - June 20, 1893*

*and acquitted*

Police Court 3 District.

1931

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

of No. 12 Myrtle Levy Selistay Street, aged 35 years,  
occupation pedler 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 deponent in 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 9 day } Levy Selistay  
of June 1893 } Mayor

Charles K. Winter Police Justice.

0353

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. Steiner*

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. Justice 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.

0359

#500 for 24  
June 10/93 - 10 AM.

Police Court---<sup>104</sup> 3 District 634

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Levy Schinsky  
vs Norfolk  
Ferdinand Sauto

Officer  
Ferdinand Sauto

2  
3  
4

BAILED,

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Dated, June 9 189 3

Dayton Magistrate.

Larkin Officer.

12 Precinct.

Witnesses Mark Selikowitz

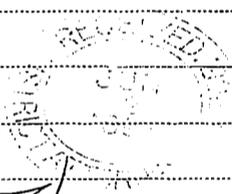
No. 148 Clinton Street.

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

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

\$ 500 to answer

*[Signature]*



**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*Richard ...*

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

*Richard ...*

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

The said *Richard ...*

late of the City and County of New York, on the \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord one thousand eight hundred and ninety-

\_\_\_\_\_ 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

with a certain \_\_\_\_\_ which \_\_\_\_\_ the said

in \_\_\_\_\_ 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, \_\_\_\_\_ the said \_\_\_\_\_ then and there feloniously did wilfully and wrongfully strike, beat \_\_\_\_\_ 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

*Jordan B. ...*

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

The said

*Jordan B. ...*

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 B. ...*

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault; and the said *Jordan B. ...* the said *Levy B. ...* with a certain *...*

which *...* the said *...*

in *his* right hand then and there had and held, in and upon the *hand* of *him* the said *Levy B. ...* 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 B. ...* to the great damage of the said *...* 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:**

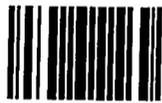
4790

**DESCRIPTION:**

Scarlato, Damiano

**DATE:**

06/07/93



4790

Witnesses:

*Off. Scully*  
*Perrage*

*24.*

Counsel,

Filed

Pleads,

*Ind. no. # 24*  
*7* day of *June* 189*3*  
*Guilty.*

THE PEOPLE

vs.

*P*

*Damiano Scarlato*  
*H of D.*

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

DE LANCEY NICOLL,

District Attorney.

*Angelo Socci sent to*  
*House of Detention June 7/93*

A TRUE BILL.

*Ray D. Herrin*  
Foreman.

*Let report be*  
*desch on his*  
*own record on*  
*no of days*  
*on report with*  
*AR 1079 D 74*

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 Muscovsky, 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 ~~with anyone~~ 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 adjourn-  
ment 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 state-  
ment of the Deputy Coroner, that Jacob Goldstein died  
at St. Vincent's Hospital ~~fronxxxxxx~~ 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 act-  
ion of the Grand Jury. Is that satisfactory to the  
Jury?

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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*

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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.

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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

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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 ws 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 Scilati

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, Parazzo, 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 with her 15 minutes~~ <sup>remained</sup> 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 <sup>Men</sup> 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.

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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.

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OFFICER ANTONIO PERAZZO, duly sworn:

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

BY MR. O'HARE:-

Q Whn 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 ~~It~~ 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 walksd 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 Tocci 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 ~~of~~ by Tocci?

A No, sir; I did not.

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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.)

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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 24<sup>th</sup> 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

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while he <sup>was</sup> 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 25<sup>th</sup> 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 <sup>hi</sup> Tocci  
 Timothy J. Hayden Capt, 10<sup>th</sup> Prec.      mark  
 Antonio Perazzo. Det. Sergt.  
 Michael J. Carey  
 Cornelius D. Scully

Police Department of the City of New York,

Precinct No. 10

New York, April 25<sup>th</sup> 1893

Statement 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<sup>cts</sup>. 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

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## Police Department of the City of New York,

Precinct No. ....

New York. ....

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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 Ciello's banking office, in North St, near Mulberry St, and told him the story, calling him from his office for the purpose. Mr Ciello 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

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Police Department of the City of New York.

Precinct No. ....

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Witnesses to the foregoing statement  
Timothy J. Moran, Captain 10<sup>th</sup> Precinct.  
Antonio Perazzo, Det. Serg't.  
Michael J. Garvey  
Cornelius D. Sully

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Police Department of the City of New York,

Precinct No. ....

New York, 189

State of New York  
City and County of New York } AS

Julia Moskalska

being duly sworn deposes and says as follows:

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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 24<sup>th</sup> inst on or about 4 P. M. I was seated in the rear room on the 2<sup>nd</sup> 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.

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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

29<sup>th</sup> day of April 1893

Julia Moskul'ska,

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'l 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)

immediatly 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 ~~rusty~~ 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.

0398

(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

*Gordon Battle*

Deputy Assistant District Attorney.

*Count of Genl. 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.

*Supplement to the con-  
clusionary statement in  
this report.*

*De Lancey Nicoll  
District Attorney*

0400

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

Capn Brown  
100 Prct

Continued

04001

House of Detention No. 4  
93.

To Foreman of the grand  
jury 33 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 arrestet since last  
April. I losed 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. Futch

0402

Case of  
Damiano Scordato  
{ Homicide

---

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

---

0403

District Attorney's Office

Part I - Nov. 10<sup>th</sup>

Re.

Damiano Scarlato

Witnesses

Officers Canelus D.

Scully 10<sup>th</sup> Precinct

Officer Carey " "

" Butler " "

Capt. Cadden " "

Nicola Tocco

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 South Ward of the City of New York, in the County of New York, the 22 day of May in the year of our Lord one thousand eight hundred and ninety-three before Louis W. Schultze Coroner, 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

came to his death by on April 24, 1893, at St. Vincent's 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 Lucci 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 1909 Locust
- John D. Strahmann 1246 1/2 Ave. C
- Henry J. Senter 11780 Ave. C
- Augustus Hoyer 1115 Park Ave
- Fredrick Rippe 145-690 St
- Geo. W. Fincke 935 Park Ave
- John Greenbaum 1260 4th
- Louis Arnold 1241 P. Ave.

Louis W. Schultze

Coroner. S. 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 *0* months *0* days. Admitted *Mon* + day, *April*

Nativity, *Russia*; of Father *W* th 18 *93*, at *5<sup>00</sup>* o'clock *P.* M.

Mother ..... By *Ambulance* A  
in U. S., ..... in City. From *136 7<sup>th</sup> St.* B

Civil Bond: ..... Occup.: ..... Examined by Dr. *L. S. 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 18 *93* at *9<sup>30</sup>* o'clock *P.* M.

The Autopsy revealed..... F

Remarks:..... G

*L. S. Walker* M. D.  
HOUSE SURGEON ~~HOSPITAL~~

- Ad. F. 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 Jostare 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 Jostare, M. D.  
 Autopsy performed at St. Vincent's Hospital  
 April 26<sup>th</sup> 1893. 36 hrs. after death.  
 Ext. app. Rigor mortis; marked. Body fairly nourished.  
 Incised wound left temporal region, caused by opera-  
 tion 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 & right~~ <sup>hemispheres</sup> 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 Jostare M.D.

Sworn to before me  
 this 26

day of

April 1893  
 Louis M. Kelly -

CORONER.

0407

MEMORANDA.

AGE		PLACE OF NATIVITY	WHERE FOUND	Date When Reported
Years	Months	Days		
18		Russia	St. Vincent's Hosp.	April 26 1923

Died April 24  
 Single.  
 Russian.  
 1 yr in U.S.

St. Vincent's Hosp. (?)  
 No. 12 Heister St.

Deceased was shot  
 at 156 North H.  
 How?

Scott Land  
 261 Broadway  
 City

Notify  
 W. O. Underly  
 280 Broadway  
 City

0408

*EM*

L. W. S.

No. 788

2<sup>nd</sup> 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.

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; Suicidal.

Frank Foster, M. D.

Autopsy performed at St. Vincent's Hospital April 26<sup>th</sup> 1893. 36 hrs. after death.

Ext. App. Riper mortis; marked. Body fairly nourished. Incised wound left temporal region, caused by operation 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 mentioned was more irregular and bevelled from within outwards, through which the cerebral substance issued; deeper down ~~through the left & right~~ <sup>hemispheres</sup> 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 1893

John McHenry

CORONER.

0410

Coroners' Office.

CITY AND COUNTY }  
OF NEW YORK, } ss.

342

being duly examined before the under-  
signed, 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. *Michael Tucci*

Question. How old are you?

Answer. *27*

Question. Where were you born?

Answer. *Italy*

Question. Where do you live?

Answer. *12 Roosevelt*

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 guilty—  
his ~~is~~ Tucci  
mouth*

*Taken before me this 22 day of May 1893.*

*Louis W. Schuyler*  
*Coroner*

Coroners' Office,

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

Domenico Scialato 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--

Domenico Scialato

Question-- How old are you?

Answer--

47

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--

Domenico Scialato

Taken before me, this 22 day of May 1893

Louis W. Shultz

Coroner.

0412

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
Years	Months	Days			
18			Russia	St Vincent Hospital	April 26, 1893

Born April 24, 1875

Single

Occupation Peddler

One year in U.S.

From 21 West 8th St

Residence 83 West 8th St

I consider that 799  
de defendeur Jozai  
be admitted to bail  
in the sum of \$5000.  
retained in full  
of the

Business Jozai Bailor  
June 1893 in \$2500 by  
Frank Aiello  
180 words  
by

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.  
Dameau Scilate

Angelo Jozai  
DISMISSED  
FOREMAN  
Jury  
W. J. Jozai Coroner.

Committed May 22 1893  
Deiled to City Prison  
Discharged

Date of Death April 17 1893  
788  
RECEIVED  
MAY 17 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 *in* 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.~~

*Heu and there died.*

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

*Dominicus Deardato, Min.*

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.*

0416

**BOX:**

526

**FOLDER:**

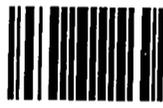
4790

**DESCRIPTION:**

Schaller, Michael

**DATE:**

06/21/93



4790

0417

203

Witnesses:

*Manetta Blauhad*

Counsel, *[Signature]*  
Filed *21* day of *June* 189*3*

Pleas *Guilty*

THE PEOPLE

vs.

*Michael Schuller*

*Sept 7/93*  
*Forced to Convict*  
*of* **FRANCOIS NICOLL,**  
District Attorney.

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

A TRUE BILL.

*May Schuman*  
Foreman.

*Part 1 to 10*  
*5 yrs*  
Sept 7, 1893. U.M.S.

0418

Police Court District.

CITY AND COUNTY OF NEW YORK, ss

Maurice 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 1883, 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 deponent by force and violence, without his consent and against his will, the following property, viz:

The gold watch

330

of the value of One hundred DOLLARS, the property of Repeur

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 sum King for the reasons following to wit: At the hour of 9 o'clock P.M. as deponent was on West 57 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 grapple the prisoner - then from her home. He ran away with said watch and was arrested in a cellar on West 49 Street where he had concealed himself. Maurice Blanchard.

day of June 1883 Sworn to before me, this 18th day of June 1883. Michael Shaler Police Justice.

Sec. 196-200.

4

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

*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

*[Signature]*

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.....

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

Dated *June 18 95* 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 he to be discharged.

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

0421

671

Police Court--- District.

THE PEOPLE, &c,  
ON THE COMPLAINT OF

*Arrested by Michael*  
*312 312*  
*Michael*

2  
3  
4

Dated *June 18 1893* Magistrate.

*Officer*  
*74* Precinct.

Witnesses *Henry P. Pinkmann*  
*Cafe Mc-Nelson Wassaic*  
No. *230 W. Guildwood* Street, N.Y.

*Cole the officer*  
No. Street.

No. *3000* to answer Street.



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

2/1/93

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 the man ran after him. I did not see 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 any  
thing 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 Tombs 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.

examination. Micheal 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 drove a coach for me for a week.  
Counsel That is our case.

Counsel

Atty

Marnotte Blanchard recalled by the Det.  
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 morn-  
ing 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 Brank-  
man 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 <sup>S</sup> ~~En~~

879

**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 *Marquette 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 *Marquette Blanchard* from the person of the said *Marquette Blanchard* against the will and by violence to the person of the said *Marquette 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

# 45  
Counsel, *S. D. [Signature]*  
Filed day of *June* 189*3*

Pleads,

THE PEOPLE

vs.

*N. A.*

*Louis Schister*

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

DE LANCEY NICOLI

District Attorney.

A TRUE BILL.

*[Signature]*  
Foreman.

*July 11/93*

*[Signature]*

*Amos W. [Signature]*  
*July 11/93*

Witnesses:

*[Signature]*

*Chas. H. Downes*

*A. C. McCoy*

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

0439

NOTARY PUBLIC FOR THE COUNTY OF ...

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

*[Handwritten signature]*

Sworn to before me  
this 7<sup>th</sup> day of June 1893

*A. G. ...*  
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, 1895, 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, 1895, 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

0441

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

0442

\$144.26    \$142.25  
 New York, April 12 1898  
 Pay to the order of *A. L. ...*  
*Mr. ...* Dollars  
 Preferred Mutual Accident Association of New York,  
 To Allen S. ... Treas.  
*P. L. Lombardy* President  
*...* Secretary  
 No. 10294  
Class 7, Ketchum & Co., 37 & 39 Nassau St., N.Y.

0443

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

THE COMPANY TRANSMITS and DELIVERS messages only on conditions limiting its liability, which have been assented to by the sender of the message. It 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 to the Company for transmission. It is not held liable for the non-delivery of Repeated Messages, 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 9 1893

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

R.C.Gifford



0445

RECEIVED  
MAY 31 1893

Wrote Mr. Hill  
Cory May 31<sup>st</sup>

501  
75-

Hollidaysburg Pa.  
May 29<sup>th</sup> 1893

K.C. Stwood Co.  
Secy.

Dear Sir:

Mr. A.C. McBooy  
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. McBooy tells me his  
attorney stipulated to you

0446

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 will know  
here. Please act

0447

in the matter at once for  
the good of all concerned.

Yours truly  
R. D. 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 Traubert  
Notary Public  
N.Y. County



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 New York, April 12 1893
Pay to the order of A. C. McCoy
One Hundred Forty two 86/100 Dollars
in full settlement of claim.
Mutual Accident Association of New York
J. Allen ... Treas. P. B. Lounsbury President
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 instrument and writing, in the words and figures following, that is to say:

*\$142.<sup>86</sup>/<sub>100</sub> New York, April 12 1893*

*Pay to the order of A. C. McCay*

*One Hundred Forty two <sup>86</sup>/<sub>100</sub> Dollars*

*Full settlement of claim.*

*Approved Mutual Accident Association of New York,*

*To Allen A. [unclear], Treas. } J. C. Lounsbury President*

*no. 1029 [unclear] } 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

*Alvin L. ...*

Counsel,

Filed

Pleads,

189

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

*June 26, 1893.*

*Schmidt and acquitted*

Police Court— 3 District.

1931

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

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  
Thrupke Police Justice.

0455

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. *John Schmidt*

Question. How old are you?

Answer. *36 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *40 Rose St. 8 days*

Question. What is your business or profession?

Answer. *Marble polisher*

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

Answer. *I am not guilty.*

*John O. Bennett*

Taken before me this

day of *April* 189*3*

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.

Police Court--- 3 ~~708~~ 664 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Henry Lenz*  
*332 East Houston*  
*John Schmidt*

*Fel Arst*  
Officer

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

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

Dated, *June 17* 189 *13*

*Koch* Magistrate.

*Rohloff* Officer.

*13* Precinct.

Witnesses .....

No. .... Street.

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 *tent*  
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* *Lutz* 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 Lutz* —

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, *Henry Lutz* 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 Lutz* —

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:

*Robert Kennedy*  
*John Conroy*  
*Joe Daley*

#23  
Counsel,  
Filed  
Pleas,  
7  
day of June  
1893

1893

THE PEOPLE

vs  
COUNT P

*Charles Schneider*

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

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*Ray S. ...*  
Foreman

Part 3, June 9/93

Sworn and convicted  
Assault & ...

*Per 1 yr - ...*

Police Court— 3 District.

1931

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

of No. 3 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~~ and 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, } James Hendsey

Charles N. Linter Police Justice.

0463

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. Schreiber

Taken before me this

day of

1893

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. Lester 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. 2 AM

87  
Police Court--- 3 District 608

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James Kearney  
vs.  
Charles Snyder

Thomas J. ...

2  
3  
4

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Dated, June 2 1893

Thomas J. ... Magistrate.

Corry Officer.

12 Precinct.

Witnesses John Daly

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

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

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

\$ 500 to answer

Com



0466

Department of Public Charities and Correction.

GOUVERNEUR HOSPITAL,

New York, June 2<sup>nd</sup> 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.

0467

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

Witnesses:  
M. K. Wilson  
Chas. Mulvey Co

Counsel,  
Filed  
8 day of June 1893

Pleads, *My guilty*

THE PEOPLE,

3d *John*  
*Phillip Robinson* I

Winfield M. Scott

*Grand Jurors, 1st degree*  
*See 528 & 530, Code Code*

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*Ray S. Sherman*

*June 14/93 Foreman.*

*Reads guilty*

*5 yrs & 6 months*  
*for*

04771

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 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* Society, 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* *Fredrick Frisch*  
*May* 18*93* *Armin Hark*

day of *May*  
*John Ryan* POLICE JUSTICE.

0472

CITY AND COUNTY } ss.  
OF NEW YORK, }

*John H. [Signature]*  
1881  
Justice

Sworn to before me, this

*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 11<sup>th</sup>* 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 1<sup>st</sup> 1893

Messrs W. H. Wood & 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 Hack	Phila	
20,000 cigars	{	Jan 22/93	580.00
		21	4.67
		30	<u>330.-</u>

\$ 914.67

	Wm Brown	Newb H.	
6000 cigars	{	Jan 9/93	63.-
		30	<u>246.-</u>

309.-

	A R Snyder	Phila	
23600 cigars	{	Feb 24/93	641.50
		Mar 5/93	57.50
		13	<u>246.50</u>

945.50

Cash for Commission on above

	170.88
	<u>2,340.05</u>

0476

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Frederick Fusch* 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. *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. *171 East 37 St.*

Question. What is your business or profession?

Answer. *Algas 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

*lucer*  
*1000. Alga again*

0477

Police Court— District.

1912

Affidavit—Larceny.

City and County of New York, ss.

of No. 44 West Broadway Street, aged 40 years, occupation Cigar

deposes and says, that on the 24 day of February 1893, 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 \$600 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 Winfield H. Sork, Henry Murphy and Frederick Frisch from the fact that at the time said Sork was in the employ of deponent as a salesman and gave to deponent an order for cigars to the amount the same to be shipped to care of Snyder Co. 1515 Columbia Avenue Philadelphia Pa. That believing the order the cigars were 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.

Deppunt now 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 and that  
 Deppunt has seen a portion of  
 the property in the possession of  
 said Trisch and further Deppunt  
 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 27<sup>th</sup> day of May 1893

John J Ryan  
 Police Justice

0479

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<sup>m</sup> H. Wilson by H. H. Scott for A. R. Snyder, Philadelphia Pa. Feb 23/93

5000	Queen Olga Perfector	@ \$70 per 100
7500	" " Reims Victoria	@ \$61 " "
7500	" " Pintaux	@ \$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 Pintaux	@ \$60 " "	150.00
1500	" " Reims Victoria	@ \$61 " "	91.50
1000	" " Perfector	@ \$70	70.00
			<u>641.50</u>

0481

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. Wesley H. Scott

Question. How old are you?

Answer. 38 years

Question. Where were you born?

Answer. MS

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

Answer. Refugee (Hans Hotel)

Question. What is your business or profession?

Answer. Salesman

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

Answer. I am not guilty  
W. H. Scott

Taken before me this

day of

Wesley H. Scott  
Police Justice

Police Justice.

0482

Sec. 198-200.

District Police Court. 1882

City and County of New York, ss:

*Murray Murphy* 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.

*Murray Murphy*

Question. How old are you?

Answer.

*32 years*

Question. Where were you born?

Answer.

*Ill*

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

Answer.

*Refused (161 East 109 St)*

Question. What is your business or profession?

Answer.

*Salesman*

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

Answer.

*I am not guilty*

Taken before me this

*[Signature]*

Police Justice.

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

Murphy A. Lark  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 200 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, June 1<sup>st</sup> 1893 J. 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, June 1<sup>st</sup> 1893 J. M. White Police Justice.

176 Police Court--- District. 617

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*James Melan*  
*44 West 10th St*  
*Wayland Mass*  
*George Murphy*  
*100*  
*100*

*Office of David*  
*James*

BAILED,

No. 1, by.....

Residence ..... Street.

No. 2, by.....

Residence ..... Street.

No. 3, by.....

Residence ..... Street.

No. 4, by.....

Residence ..... Street.

Dated, *Aug 28* 189*3*

*Ryan* Magistrate.

*Mulvey & Murray* Officer.

*100* Precinct.

Witnesses .....

No. .... Street.

*No. 2 & 3 Discharge*

No. *1* Committed by

.....

No. .... Street.

§ *1000* to answer. *S.S.*

.....

*No 3 Bailed 1000 Exp*

*Committed*

*100*

*100*

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Wilfield H. Scott

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

— Wilfield H. Scott —

of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said Wilfield 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 Wilfield 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. P. Snyder, a dealer in fine groceries and table 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 Wilfield H. Scott, as such salesman as aforesaid, an order for the sale and delivery to him the said A. P. Snyder, of the various items alleged, by the said William H. Wilson, of fine thousand cigars of the brand called Queen of the Perfectos, as the

price of seventy dollars per thousand,  
Twenty five hundred cigars of the brand  
called Queen of the Victoria at the  
price of sixty one dollar per thousand,  
Twenty five hundred cigars of the brand  
called Queen of the Emulators, 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 —

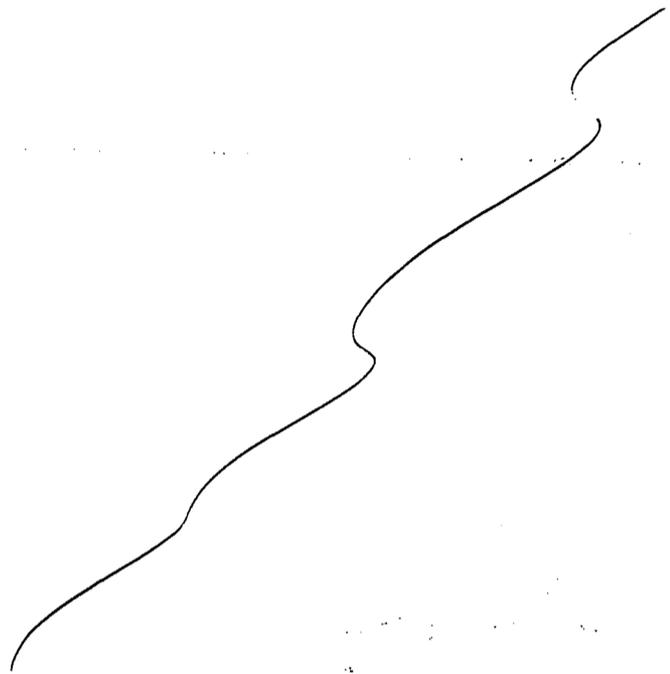
with intent to deprive and defraud the said

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. P. 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

of a. P. Snyder, then carrying on business  
as a <sup>dealer</sup> 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

Witnesses

Counsel,

Filed,

day of

189

Pleades,

THE PEOPLE

vs.

B

Whitfield H. Scott

*James A. Roberts, first degree*  
*(Falsely Pretenses)*  
*[Section 588 and 590 Penal Code]*

DR. HANCOCK NICOLS,

District Attorney

A. FRUIT BELL,

Attorney

Second COUNT:-

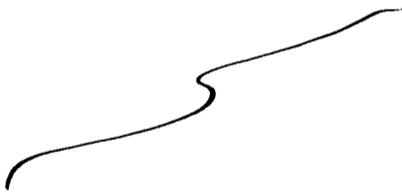
AND THE GRAND JURY AFORESAID, by this indictment further accuse the said *Winfield H. Scott* —

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 *twentyfourth* 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.

*Stanley Wise,*  
*District Attorney*

0490

**BOX:**

526

**FOLDER:**

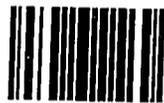
4790

**DESCRIPTION:**

Shalagic, Samuel

**DATE:**

06/13/93



4790

# 113  
JWH

Witness  
Abraham  
Walter  
Simeon

Counsel, *B*  
Filed *B* day of *June* 189*3*  
Pleads *Not guilty* 15

THE PEOPLE

vs.

*B*  
Samuel Shalovic

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

Indigent trial assault  
in 3<sup>rd</sup> degree reception  
in this case

June 21, 1893

John W. Talley  
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

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*14*  
*52*  
*16/94*  
*16/94*  
*16/94*  
Foreman.

Sept 13/93  
Part I Oct 13/94

Police Court 3rd District.

1931

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

of No. 115 Norfolk Street, aged 14 years,  
occupation Trupee-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  
slashed 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 } Abraham Ludman  
} Wm  
Charles N. Linton Police Justice.

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 *May* 189*3*

*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. Linton Police Justice.

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

Dated, June 9<sup>th</sup> 1893

Charles N. Linton 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.

0495

633

Police Court--- 3 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Abraham Lichtenberg*  
*Samuel Chaloye*

*Felmona...*  
offense

2  
3  
4

Date, July 3 1893

*Lamp* Magistrate.  
*Kerman & Glenn* Office.

11 Precinct.

Witnesses *Wm. Kuslik*

No. 108 Norfolk Street.

*Samuel Ludman*

No. 115 Norfolk Street.

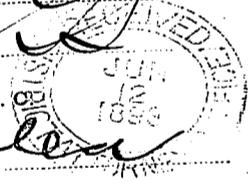
*John H. Dietz*

No. 297-4 Ave Street.

\* to answer

Com. to S. P. C. O.

*Dillon*



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.

0496

Report of General Session

The People

vs

Samuel Shalovic

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

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

New York, June 9<sup>th</sup> 1893

CASE NO. 43120 OFFICER J. H. Dietz  
DATE OF ARREST June 8/93  
CHARGE Sphonious 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,

Stellows Serkup  
Rt

To District Atty

0497

Count of  
General Sessions

The People

vs

Samuel Shalogen

*Performance Account*

PENAL CODE, §

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 Shalovic

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

Samuel Shalovic

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

The said Samuel Shalovic

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 Shalovic

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

Samuel Shalovic

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

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

The said *Abraham Indman*

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 Indman*

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

which *the said Samuel Staloy*

in *his* right hand then and there had and held, in and upon the  
*right arm* of *him* the said *Abraham Indman*  
then and there feloniously did wilfully and wrongfully strike, beat, *cut, slash*  
~~blow~~ and wound, and did then and there and by the means aforesaid, feloniously, wilfully  
and wrongfully inflict grievous bodily harm upon the said *Abraham Indman*  
to the great damage of the said *Abraham Indman*  
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 Constreet  
 the District Attorney  
 for the woman slain  
 in the enclosed account  
 recommends that the  
 defendant here in be  
 charged in his own name  
 James  
 J. Hoare  
 Clerk

*[Signature]*

Counsel,

Filed *19* day of *June* 189*3*

Pleads *Guilty*

THE PEOPLE,  
 vs.  
*Jacob A. Sherman*

ENTERED  
 T. J. W.  
 3

*Deacons Book*  
*Section 317, Penal Code*

DE LANCEY NICOLL,  
 District Attorney

A TRUE BILL.

*[Signature]*  
 P. W. Foreman  
 Feb. 25/98.  
 Discharged on his  
 own bond Monday  
 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 Field 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 7<sup>th</sup> 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 which is success. Copies of photographs of Express, Scientific, and American Cases before and after treatment, bear an ocular demonstration of its efficacy of the Sherman Method, with detailed statements of its perfect success, cerebral effects, No. 294 Broadway New York, and 64 Chancery Lane London England. Book represents and is descriptive of

scenes of lewdness ~~and obscenity~~ <sup>and indecent display</sup>, 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

aforsaid, at, in and upon certain premises situate and known as the 3<sup>d</sup> 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

aforsaid, ~~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.

Anthony Cantor

Subscribed and sworn to before me

this 7<sup>th</sup> day of June 1899

John Blumenthal

Police Justice.

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

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 Defendant to bail to answer by the undertaking hereto annexed.

Dated, June 9 1893 John Ryan 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.

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

N 703 Police Court---

District

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

THE PEOPLE, &c., ON THE COMPLAINT OF

John Birch Jacobs

Arthur J. Conner 241 West Park Row

BAILED,

No. 1, by Frederick W. Vanhook 27 Park Place Street

No. 2, by Residence Street

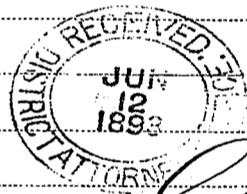
No. 3, by Residence Street

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 9th

643  
Offense  
Dec 31

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 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. *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. *Naval 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 of  
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 24<sup>th</sup> 1898.

*Jacob A. Sherman*  
*By Charles Lef Brooker*  
*Atty in fact.*

*Charles Lef Brooker*  
*Atty for Defendants.*

0509

KNOW ALL MEN BY THESE PRESENTS-

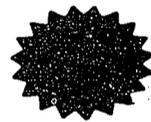
That I, Jacob A. Sherman, late of the City and County of New York, now temporarily residing in London, England, have and by these presents do nominate, constitute and appoint Charles Lex Brecke Esq. of the said City, County and State of New York, my true and lawful attorney in a certain proceeding or 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.

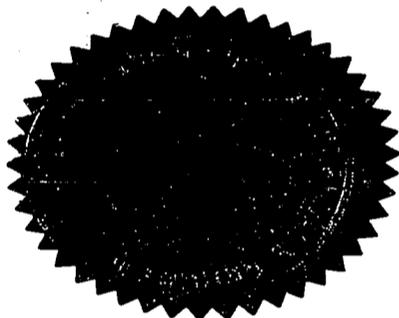


Kingdom of Great Britain:  
and Ireland \_\_\_\_\_ :  
City of London : SS.  
County of London :

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



*J. 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. :

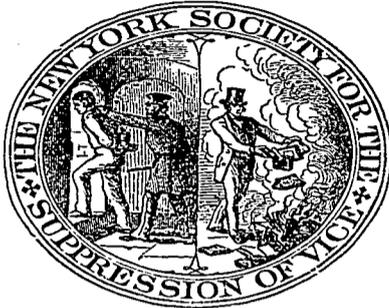
*Joseph McDermott*  
*Notary Public of N.J.*

0512

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.



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BOWLES COLGATE.  
JOHN SINCLAIR.  
CHARLES M. JESUP.  
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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

0513

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 two 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.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 104<sup>th</sup> 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 29<sup>th</sup>  
 day of January, 1898. }

*W. B. Chapin*  
 Notary Public,  
 N.Y.C.

0515

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before Solomon B. Smith a Police Justice of the City of New York, charging Jaacob 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, Jaacob A. Sherman Defendant of No. Refused Street; by occupation Mermaid Special and Fredrick W. Wanchy of No. 27 Penn Place

Street, by occupation a News paper Agent Surety, hereby jointly and severally undertake that the above named Jaacob 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 1893  
Solomon B. Smith POLICE JUSTICE.

Jaacob A. Sherman  
Fredrick W. Wanchy

05 16

CITY AND COUNTY }  
NEW YORK, } ss.

*Frank W. W. Justice*  
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 Five Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of

One third interest in  
lot of land 127 x 100 feet situated  
on north side of Carroll Street  
between 5 & 9<sup>th</sup> Avenues, Brooklyn  
NY. 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. W. Justice*

District Attorney's Office.

PEOPLE

vs.

Jacob A. Sherman  
*(etal)*

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

Offense.....

Date of Indictment.....

The disposition of  
the above  
case suggested  
by Mr. Constock  
is satisfactory  
to the District  
Attorney

*A. Bryan*

SECRETARY TO THE DISTRICT ATTORNEY.

0518

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 twentieth 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  
copies, entitled "*Dr. 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 which is annexed. 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 let  
 "Dancey & Co. London, England." "Public"  
 said to be a book and there contained, among  
 other things, various pictures representing  
 the figures of nude 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 said  
 books 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:

Dancey, Mill,

District Attorney.