0545

BOX:
326
FOLDER:
3094
DESCRIPTION:
Schmid, Joseph
DATE:
10/18/88

3094

243

WITNESSES:

Counsel,

Filed 18 day of Oct 1888

Pleads Not guilty

THE PEOPLE,

vs.

39. 405-424.

Joseph Schmidt

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1983, Sec. 21 and page 1986, Sec. 5.]

Spin & cont. Jan 14/89.

JOHN R. FELLOWS,
District Attorney.

Nov 15/88 pleads guilty.

A True Bill. Fined $30. Com'd

Lowell Lincoln *Foreman.*

0546

0547

Excise Violation—Selling on Sunday. POLICE COURT— 4 DISTRICT.

City and County of New York, } ss.

James Duncan

of ~~No.~~ the 29th Precinct ~~Street,~~

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 8 day

of July 188 8, in the City of New York, in the County of New York, at

premises No. 649 First Avenue ~~Street,~~

Joseph Schmid (now here)

did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors, to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

WHEREFORE, deponent prays that said Joseph Schmid may be ~~arrested and~~ dealt with according to law.

Sworn to before me this 8 day of July, 188 8. } James Duncan

Daniel C. Neill Police Justice.

Sec. 198—200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Joseph Schmid

Question. How old are you?

Answer. 39 years

Question. Where were you born?

Answer. Saxonia

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

Answer No 449 First Ave Cross

Question. What is your business or profession?

Answer. Saloon Keeper

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

Answer.

I am not guilty and I hold after examination I demand a trial by Jury

Joseph Schmid

Taken before me this 9 *day of* July 188 9

Police Justice.

Sec. 198—200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Joseph Schmid

Question. How old are you?

Answer. 39 years

Question. Where were you born?

Answer. Saxonia

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

Answer No 449 First Ave Cross

Question. What is your business or profession?

Answer. Saloon Keeper

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

Answer.

I am not guilty.
and if held after examination
I demand a trial by jury
Joseph Schmid

Taken before me this 5 *day of* July 188 8

Geo. F. Shelley *Police Justice.*

0550

BAILED,

No. 1, by Andrew Olech

Residence 2nd & E 3d Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

77 293

Police Court— 4 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Geo. Schmidt

Offence Violation Excise Law

Dated July 9 1888

Geo. Ruhl Magistrate.

Sauveur Officer.

24 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

$ 1000 to answer

P. Paulsen

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

Dated July 9 188 8 ..... *Police Justice.*

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

Dated July 10 188 8 ..... *Police Justice.*

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

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

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Joseph Schmidt

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

of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said Joseph Schmidt,

late of the City of New York, in the County of New York aforesaid, on the eighth day of May, in the year of our Lord one thousand eight hundred and eighty-eight, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one James Duncan, —

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

SECOND COUNT—

And the Grand Jury aforesaid by this indictment further accuse the said Joseph Schmidt —

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said Joseph Schmidt,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, 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.

JOHN R. FELLOWS,
District Attorney.

243

WITNESSES:

Counsel,

Filed 18 day of Oct 1888

Pleads Not guilty

THE PEOPLE,

vs.

39. 405 229.

Joseph Schmidt

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1933, Sec. 21 and page 1980, Sec. 5.]

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Foreman.

POOR QUALITY ORIGINAL

0552

0553

BOX:
326
FOLDER:
3094
DESCRIPTION:
Schmidt, Edmund
DATE:
10/19/88

3094

Witnesses:

May Rinlohn

323

Jno. W. McLaughlin
W. Barry

Counsel,

Filed, 19 day of Oct 1888

Pleads Guilty

THE PEOPLE,

28 Sure Minimum
523 2/6 Single
clerk

Edmund Schmidt

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

JOHN R. FELLOWS.

District Attorney.

A True Bill.

Lorin Lincoln *Foreman.*

Pd III October 24/88.
Pleads Guilty
State Reformatory Elmira
12

Court of General Sessions,
Judge's Chambers,
32 Chambers Street.

New York, March 28, 1889 188

To His Excellency,
David B. Hill,
Governor of the State of New York.

Sir:

Replying to executive letter of March 8, in reference to Edmund Schmidt, I beg to state as follows:

Edmund Schmidt was brought to the bar of this Court October 4, 1888, upon an indictment charging him with the crime of forgery in the second degree. He pleaded guilty, and asked to be remanded for a few days in order to furnish evidence of previous good character. On October 29, being again brought to the bar, and satisfying me that the offense to which he had pleaded was his first crime, I sent him to the State Reformatory at Elmira.

The complaint showed that he was in debt to his boarding-house keeper, to whom he gave a forged check for one hundred dollars. Some statement was made to the effect that his previous employers had discharged him for dishonesty, some discrepancy having been discovered in his accounts, but there was nothing tending to show that he had ever before been convicted of a crime.

I know of no reason why Edmund Schmidt should receive the benefit of executive clemency. In my opinion, his discharge should be left to the good judgment of the managers of the Reformatory.

Respectfully,

Geo. F. Gildersleeve.

VI

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

March 8, 1889.

Sir:

Application for Executive clemency having been made on behalf of Edmund Schmidt..... who was convicted of forgery, second degree in the county of New York..... and sentenced October 29, 1888, to imprisonment in the State Reformatory..... for the term of (max) ten years.....I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, as amended in 1884, you will forward to him a concise statement of the facts and circumstances developed upon the trial, or upon the preliminary examination, or before the coroner's jury if no trial was had, together with your opinion of the merits of the application. Will you also inform the Governor of any other matters having a bearing upon this case which have come to your knowledge since conviction?

It is particularly requested that each letter of inquiry from the Executive Chamber should be separately answered.

I am,

Hon. John R. Fellows,
District Attorney,
New York City.

very respectfully yours,
William Rice
Private Secretary.

Answered
April 20/89
J.R.F.

Police Court— 2 District. Affidavit—Larceny.

City and County of New York, } ss.:

Mary Reulohn

of No. 523 West 16th Street, aged 35 years, occupation Housekeeper being duly sworn deposes and says, that on the 10 day of October 188 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

One hundred dollars in gold and lawful money of the United States

$100

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 Edmund Schmidt, now here, under the following circumstances, The defendant was a boarder in deponent's house, and owed deponent for board, and, on said date, under pretense of paying his board the defendant got deponent to cash a check purporting to be drawn by Hugo Kaul & Co on the East River National Bank for one hundred dollars. deponent is informed by Hugo Kaul, now here that the said check was a false and fraudulent paper, and not signed by said firm of Hugo Kaul & Co. Therefore deponent charges defendant with the larceny of the said one hundred dollars.

Mario Reulohn

Sworn to before me, this 16 day of Oct 188

Police Justice.

0559

CITY AND COUNTY OF NEW YORK, } ss.

Hugo Mauch

aged 46 years, occupation Manufacturer of silk trimmings of No. 19 Bond Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Max Rosenbach and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 16 *day of* Oct 188 } Hugo Mauch

Police Justice.

0560

No. 682 Broadway.

No. 141 New York, Oct. 8th 1888

East River National Bank,

Pay to ~~the order of~~ Beaver

"One Hundred" Dollars.

In Currency.

$100/00

Hugo Maul & Co.

Macgowan & Slipper, Printers, 30 Beekman Street, N. Y.

0561

E. Schmidt

M. Reule fm

A. L. Gebertsreuth

FOR DEPOSIT
IN THE MUSEUM OF

Giessen

0562

The Germania Bank,

215 BOWERY.

New York, Oct 12 1888

The check of
H Maul & Co for
$ 100 on the East River Bk
deposited in this Bank, has been returned to us.
Forgery

Please give this your immediate attention.
Yours respectfully,

PAYING TELLER.

To F Ottermann Jr

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Edmund Schmidt

Question. How old are you?

Answer. 28 years

Question. Where were you born?

Answer. Germany

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

Answer. 523 East 16

Question. What is your business or profession?

Answer. None.

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

Answer. I have nothing to say
Ed. Schmidt.

Taken before me this 6 *day of* Oct 188 [illegible]

[illegible] *Police Justice.*

0564

323.

Police Court 2 District. 1631

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Mary Rudolph
523 East 16 St
Edmund Schmidt

2
3
4

Offence Larceny
felony

BAILED,

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

Dated Oct 16 188

Sherman Magistrate.

Mc Auliffe Officer.

Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

$ 500 to answer

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

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

Dated Oct 16 188 J. Sherman *Police Justice.*

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated 188 *Police Justice.*

There being no sufficient cause to believe the within named

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

Dated 188 *Police Justice.*

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
Edmund Schmidt

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

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

The said Edmund Schmidt,

late of the City of New York, in the County of New York aforesaid, on the fourth day of October, in the year of our Lord one thousand eight hundred and eighty-eight, with force and arms, at the City and County aforesaid, feloniously did forge, and cause and procure to be forged, and willingly act and assist in the forging a certain instrument and writing, to wit: an order for the payment of money of the kind called bank drafts, — which said forged bank draft — is as follows, that is to say:

No. 141 New York, Oct. 4 1888
East River National Bank,
Pay to Bearer
"One Hundred" Dollars.
$100/00 Thos. Ward Treas.

with intent to defraud, 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 Edmund Schmidt —

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

The said Edmund 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, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, to wit: an order for the payment of money of the kind called bank drafts, which said forged bank draft —
is as follows, that is to say:

No. 141 New York, Oct. 8th 1884
East River National Bank,
Pay to Bearer
"One Hundred" Dollars.
$100/00 Hugo Mauk Esq.

with intent to defraud, he the said Edmund Schmidt, 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.

JOHN R. FELLOWS,

District Attorney.

0567

BOX:
326
FOLDER:
3094
DESCRIPTION:
Schofield, Patrick
DATE:
10/16/88

3094

240

Witnesses:—

Hannah Wagner
Off Jackel

Counsel,

Filed 16 day of Oct 1888

Pleads, Guilty

THE PEOPLE

18
129 Washington st.
dwelling

vs.

P

Patrick Schofield

Grand Larceny, Second Degree.
(From the Person.)
[Sections 528, 531 — Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Lowell Lincoln *Foreman.*

Part III October 18/88.
Def. Pleads. Guilty.
J. H. Lwo yrs & 6 mos

Police Court—1 District. Affidavit—Larceny.

City and County of New York, } ss.

Hannah Wagner

of No. 15 Washington Street, aged 38 years, occupation Keep House being duly sworn deposes and says, that on the 8th day of October 188 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession and person of deponent, in the day time, the following property viz:

One pocket book containing lawful money of the United States of the value of Eight dollars and fifty cents

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 Patrick Schofield (now here) for the reason that on said day deponent was passing through Washington Street and carried said pocket book containing said money in her hand. That the defendant approached deponent and seized said pocket book from her hand and ran away and escaped. Deponent here in Court positively identifies the defendant here as the same person who did steal and carry away said property as aforesaid

Hannah Wagner

Sworn to before me, this day of 188

Police Justice.

Sec. 198—200.

_____ District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Patrick Schofield 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 Patrick Schofield

Question. How old are you?

Answer 20 years

Question. Where were you born?

Answer. United States

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

Answer. 129 Washington St. 3 years

Question What is your business or profession?

Answer Cart Driver

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

Patrick Schofield

Taken before me this _____ *day of* October *188* 8

_____ *Police Justice.*

0571

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street

240 / 1591

Police Court— ..... District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Hannah Wagner
60 Washington St
Patrick Schofield

Offence Larceny from the person

2 .....

3 .....

4 .....

Dated Oct 9 188 8

Patterson Magistrate.

Jacobs Officer.

2 Precinct.

Witnesses

No. ..... Street.

No. ..... Street.

No. ..... Street.

$ 1000 to answer G.S.

Comm. 5 P.M.

G. Nerson

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

Dated Oct 9 188 8 J. M. Patterson *Police Justice.*

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

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

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

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

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Patrick Schofield

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

The said Patrick Schofield

late of the City of New York, in the County of New York aforesaid, on the eighth day of October in the year of our Lord one thousand eight hundred and eighty-eight, in the day time of the said day, at the City and County aforesaid, with force and arms, one pocket-book of the value of twenty-five cents one promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination and value of five dollars; one promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of the denomination and value of five dollars; one United States Silver Certificate of the denomination and value of five dollars; one United States Gold Certificate of the denomination and value of five dollars;

four promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination and value of two dollars each; four promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of the denomination and value of two dollars each; four United States Silver Certificate of the denomination and value of two dollars each; four United States Gold Certificate of the denomination and value of two dollars each;

eight promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination and value of one dollars each; eight promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of the denomination and value of one dollars each; eight United States Silver Certificate of the denomination and value of one dollar each; eight United States Gold Certificate of the denomination and value of one dollars each; divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of eight dollars and fifty cents of the goods, chattels and personal property of one Anna Wagner on the person of the said Anna Wagner then and there being found, from the person of the said Anna Wagner 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.

John R. Fellows
District Attorney.

0573

BOX:
326
FOLDER:
3094
DESCRIPTION:
Schultz, Louisa
DATE:
10/18/88

3094

264

WITNESSES:

Counsel,

Filed 18 day of Oct 188

Pleads

THE PEOPLE,

vs.

Louisa Schultz B

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1983, Sec. 21 and page 1989, Sec. 5.]

3100

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Foreman.

Plead guilty 1st count

Fined $30

264

WITNESSES:

Counsel,

Filed 18 day of Oct 188

Pleads

THE PEOPLE,

vs.

Louisa Schultz

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1983, Sec. 21 and page 1989, Sec. 5.]

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Foreman.

Plead guilty 1st Count
Fined $30

0576

Excise Violation—Selling on Sunday. POLICE COURT— 3 DISTRICT.

City and County of New York, } ss.

George Baker

of the 11th precinct Police ~~Street~~,

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 9th day of September 1888, in the City of New York, in the County of New York, at premises No. 72 Forsyth Street, Louisa Schultz (now here) did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors, to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

WHEREFORE, deponent prays that said Louis Schultz may be ~~arrested and~~ dealt with according to law.

George Baker

Sworn to before me, this 9th day of September 1888.

P. G. Duffy Police Justice.

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Louisa Schultz

Question. How old are you?

Answer. 25 years

Question. Where were you born?

Answer. Germany

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

Answer. 318 East 35th street one 1/2 years

Question. What is your business or profession?

Answer. Servant girl

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

Answer. I am not guilty. I plead I demand a trial by Jury.

Louisa Schultz

Taken before me this 9 *day of* September *1889*

Police Justice.

243 264 1439

Police Court--- 3 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

George Baker

Louisa Schultz

2

3

4

Offence Grand Larceny

BAILED,

No. 1, by Henry Lerrichs

Residence 152 Orchard Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated September 9 188 8.

Duffy Magistrate.

Baker Officer.

11 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

100 to answer G S

Barled

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 Two *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 September 9 188 8

Duffy *Police Justice.*

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

Dated 188

Duffy *Police Justice.*

There being no sufficient cause to believe the within mentioned, I order h *to be discharged.*

guilty of the offence within mentioned.

Dated 188

Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Louisa Schultz

The Grand Jury of the City and County of New York, by this indictment, accuse Louisa Schultz of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said Louisa Schultz late of the City of New York, in the County of New York aforesaid, on the ninth day of September in the year of our Lord one thousand eight hundred and eighty-eight, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one George Baker and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid by this indictment further accuse the said Louisa Schultz of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said Louisa Schultz — late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, 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.

JOHN R. FELLOWS,
District Attorney.

0580

BOX:
326
FOLDER:
3094
DESCRIPTION:
Schuyler, Martin
DATE:
10/02/88

3094

WITNESSES:

Counsel,

Filed 2 day of Oct. 188 8

Pleads Guilty

THE PEOPLE,

vs.

Martin Schuyler

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

JOHN R. FELLOWS,
~~RANDOLPH B. MARTINE~~,
District Attorney.

Trans. Oct 5/88
Transferred to Ct of S.S. for trial by court.

A True Bill.

Lowell Lincoln *Foreman.*

1850

0582

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
Martin Schuyler

The Grand Jury of the City and County of New York, by this indictment, accuse Martin Schuyler of a MISDEMEANOR, committed as follows:

(Chap. 183, Laws of 1885, § 1, as amended by Chap. 577, Laws of 1886, § 1.)

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

SECOND COUNT: (§ 186, Sanitary Code.)

And the Grand Jury aforesaid, by this indictment, further accuse the said Martin Schuyler of the CRIME OF VIOLATING THE SANITARY CODE OF THE BOARD OF HEALTH OF THE HEALTH DEPARTMENT OF THE CITY OF NEW YORK, committed as follows:

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

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

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

John R. Fellows
~~RANDOLPH B. MARTINE,~~
District Attorney.

0584

BOX:
326

FOLDER:
3094

DESCRIPTION:
Sechnal, Joseph

DATE:
10/19/88

3094

Witnesses:

Off Meyer 13

268

Counsel,

Filed, 19 day of Oct 1888

Pleads, Not guilty

THE PEOPLE,

vs.

B

Joseph Sechual

VIOLATION OF EXCISE LAW
(Keeping Open on Sunday.)
[III Rev. Stat. (7th Edition), Page 1080, Sec. 5.]

JOHN R. FELLOWS.

District Attorney.

A True Bill.

Lowell Lincoln *Foreman.*

Part 3, October 24/88
Complaint sent to Special Sessions

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Joseph Sechnal

The Grand Jury of the City and County of New York, by this indictment, accuse Joseph Sechnal of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES ALE AND BEER, committed as follows:

The said Joseph Sechnal late of the City of New York, in the County of New York aforesaid, on the thirteenth day of September in the year of our Lord one thousand eight hundred and eighty-eight, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of, and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid, unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did open and cause and procure, and suffer and permit to be open, and to remain open, 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.

JOHN R. FELLOWS,
District Attorney.

0587

BOX:
326

FOLDER:
3094

DESCRIPTION:
Sheehan, James

DATE:
10/23/88

3094

385

Blake Mathews —

Witnesses;

J. P. Silberstein

Jos. Klein 14

Counsel,

Filed 23 day of Oct 188

Pleads, Not guilty

THE PEOPLE

vs.

P

James Sheehan

19. 639

Burglary in the Third degree.
Grand Larceny 2nd degree.
Receiving Stolen Goods.
[Section 498, 528, 1 R.S. 537, 550].

JOHN R. FELLOWS,

District Attorney.

Oct 31. 1888

Nov. 1. 188

Nov 1888

A True Bill.

Lowell Spencer Foreman.

Nov. 1/88

Tried & Convicted

of Receiving Stolen Goods

Elmira Ref Nov 2/88

POOR QUALITY ORIGINAL

0588

0589

Police Court— 6 8 District.

City and County of New York, } ss.:

Joseph Silberstein

of No. 74 — 3d Avenue Street, aged 36 years,

occupation Confectionery being duly sworn

deposes and says, that the premises No. 74 — 3d Avenue Street, 17 Ward

in the City and County aforesaid the said being a four story Brick

Building and the 1st floor

which was occupied by deponent as a Candy Manufacturing

and in which there was at the time no human being, by name

were BURGLARIOUSLY entered by means of forcibly forcing open

a door from the hallway leading

into deponent's store

on the 21 day of October 188 8 in the night time, and the

following property feloniously taken, stolen, and carried away, viz:

Thirty Boxes of Candy

of the value of forty

four dollars

the property of Deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen and carried away by

James Sheehan (Sullivan)

for the reasons following, to wit: That previous to said

Burglary and larceny the said

door leading into said premises

was securely fastened and this

deponent has been informed

by officer Julius Klein that ~~the~~

he arrested the said defendants at

the hour of one Thirty am on the

Police Court, _____ District.

THE PEOPLE, &c.,
on the complaint of

vs.

1 _____
2 _____
3 _____
4 _____

Offence—BURGLARY.

Dated _____ *Magistrate.* 188

_____ *Officer.*

Witnesses, _____ *Clerk.*

No. _____ *Street,*

No. _____ *Street,*

No. _____ *Street,*

$ _____ *to answer General Sessions.*

3rd Ward Station
Burglary
Officer Mulcahy
A house entered into by persons unknown
Offence Attempted Burglary &c.
Witness Mr. Thos. Dunham
Where the house is located
Between the hours of 1 & 2 A.M.
21st day of October 1888
Joseph McCormick

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

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

Dated _____ 188 . _____ *Police Justice.*

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

Dated _____ 188 . _____ *Police Justice.*

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

Dated _____ 188 . _____ *Police Justice.*

CITY AND COUNTY OF NEW YORK, } ss.

Julius Klein

aged 41 years, occupation Police Officer of No. 124 Orchard Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Jacob Silberstein and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 21 *day of* Oct 1888

Julius J. Klein

[illegible]

Police Justice.

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

James Sullivan 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. James Sullivan

Question. How old are you?

Answer. 28 Years

Question. Where were you born?

Answer. New York

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

Answer. 888 E 3 9 Street 2 months

Question. What is your business or profession?

Answer. Laborer

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

Answer. I Bought the property from a Man on 8d Street I am not Guilty of the Charge of Burglary

James Sullivan

Taken before me this 21 *day of* Oct 188 8

Police Justice.

0593

385

1651

Police Court—3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
John Gallagher
174 E. 3 St
Anna Gallagher

Offence Burglary

BAILED,
No. 1, by Christian Schmoll Street.
Residence 157 Ludlow Street.
No. 2, by Christian Schmoll
Residence 157 Ludlow Street.
No. 3, by Christian Schmoll
Residence 157 Ludlow Street.
No. 4, by
Residence Street

2
3
4

Dated Oct 21 1888

Magistrate. Grady
Officer. Klein
Precinct. 14
Witnesses Wilhelm Klein
No. 14 Prince St Street.
No. Street.
No. Street.

RECEIVED. OCT 22 1888 DIST. ATTORNEYS OFFICE

to answer
No. Street.

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

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 Oct 21 188 *Police Justice.*

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated 188 *Police Justice.*

There being no sufficient cause to believe the within named

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

Dated 188 *Police Justice.*

Court of General Sessions

The People vs. James Sheehan } Burglary

City and County of New York ss.

Joseph Silberstein being duly sworn says he is the complainant herein says that since the arrest of the defendant he has investigated the character of Sheehan as he is now satisfied that Sheehan had nothing to do with the said Burglary committed as alleged in the complaint as further that deponent cannot conscientiously upon oath say that the said goods found in the possession of defendant are part of the property stolen from complainants store

Sworn to before me this 24 day of [illegible]

Joseph Silberstein

[illegible] Commissioner of Deeds City of New York

In the Circuit Court
The People
vs
Geo. Sheehan

Affidavit

The People
vs.
James Sheehan.

Court of General Sessions, Part I.
Before Judge Cowing.

Thursday, Nov. 1, 1888.

Indictment for burglary in the third degree.

Joseph Silberstein sworn and examined. What is your business? Wholesale confectioner of fancy candies, fruit candies. Where do you conduct that business? At 74 Third Avenue in this city. Do you remember the 21st day of October? Yes, it was Sunday morning. Were you at your store on the 20th of October? Yes, I left it at nine o'clock in the night time and I was the last person to leave it; my store is on the first floor, it has one double door and show windows in front, there are two doors on the back side and in all there are three doors to the place. I locked those doors when I left that night with a lock and key and with a kind of catch I fastened the door. I went to the store at half past eight on Sunday morning after I was in the Station House. I found the door closed with a couple of nails which the policeman put in; the screw that I fastened the door with was broken off inside, the door leading from the yard. I know Officer Klein, I first saw him at half past three o'clock on Sunday morning, he came to my house where I live No. 8 Pitt Street, I had some talk with him and I went to the Station House in the morning to see the boxes which belonged to me; he showed me five boxes of pineapple candy, I had seen that candy before, it is my own manufacture, I cannot say positively that that candy was in my place on the 20th of October, I had candy similar to that in the store on the night of the 20th of October, I missed about thirty boxes,

piled up on a couple of hundred of boxes; it was valued at $1.50 a box, they are five pound boxes; the candy which Officer Klien showed me was similar to that which I missed.

Cross Examined. The boxes were eighteen inches long by ten wide. I sell this candy in a great many places in the city of New York, I cannot state surely that the candy which was found was in my store on the night of October 20 because all around the nieghborhood you can find the same candy; I did not have a stock book, I only know I missed thirty boxes and these candies are of my own make. I have here in the city a couple of hundred customers who buy this candy from me, I retail and wholesale it. The hook with which I fastened the inside door was sawed through with a steel saw, the officer showed it to me. They broke in five trunks and it took considerable force to break the locks; they took one trunk out in the yard and I found it on Sunday morning; there were books and bills in the trunk. I went to your office and said that I made an investigation about this defendant and I found out that it is the first time the young man was arrested and I was sure if he was caught with five boxes of candy it must be a regular gang and for my part I didn't want to press the charge against him. I concluded it was a gang who broke in owing to the fact that some instrument had been used in opening these trunks. I have found out that the Defendant's character is good and that for the last two years he has been working daily, his boss's son called on me and told me so. The prisoners brothers and father and a brother-in-law called on me and told me abou his good character, I believe his uncle

wanted to go bail for him, I believe he lives in Greenpoint and they would not take bail from him.

Julius J. Klein sworn and examined. I know the premises 74 Third Avenue in this city, they are in the 17th Ward, I remember the night of the 20th of October and the morning of the 21st, I was on duty that night, my hours of duty were from twelve until six in the morning of October 21st, I saw the Defendant that morning on Third Avenue and Stuyvesant Street, about two blocks from No. 74 Third Avenue on the west side, he seemed to be carrying something about one o'clock in the morning, he was alone. I stood on the east side on the corner of Stuyvesant Street and Third Avenue and saw him coming along and when he got to Stuyvesant Street on the west side I corssed over to see what he had and I followed him to 8th Street and Third Avenue and then I stopped him: I saw he had some boxes, I asked him what he had and he did not answer, I opened one of the boxes and saw what it was, I said, "where did you get it?", and he did not answer: Itook him to the Station House, I asked him where he was going with it and he said he was going home; the Station House was five blocks from there. I searched him when I got to the Station House but did not find anything on him; he acted as if he had been intoxicated but he was sober enough to give the Sergeant his pedigree. I locked him down that night and took him to the Police Court the next morning, I asked him going down to the Police Court in the morning where he got thecandy and he said he bought it off a young fellow, he did not give the young fellow's

name, he said he was a stranger, he said he bought it at 9th Street and Third Avenue and gave fifty-five cents for it, he was going down towards the Bowery. I asked him where he lived and he todd me in 39th Street. I then went to 74 Third Avenue and made an examination and found that the hall door of the store had been forced evidently with a jimmy from the marks; there were boxes similar to the boxes which I found with the Defendant in the show window. He was going down Third Avenue and he stated to me his home was in 39th Street, he was going away from his home. After I examined the premises I nailed up the door and went downto notify Mr. Silberstein that his place had been broken. The Defendant had five boxes of this candy, I left it in the Station House, Mr. Silberstein saw it that Sunday and identified it as his. The Defendant was walking along and he did not try to run away.

David Sheehan sworn and examined for the Defence, testified: I am a shipping clerk and a brother of this Defendant, he has always lives at home and the last place he worked was at the Manhattan Brass Works in 29th Street and First Avenue , he has never been arrested before, he never was in any trouble before this. Previous to his working with the Manhattan Brass Company he was with Mora, the photographer for a few years and then he worked for Mr. Feeney in 16th Street; I work for O'Neill & Co., Sixth Avenue and 20th Street.

Cross Examined. I live at 339 East 39th Street and my brother sleeps there every night, occasionally he goes to a cheap theater; he came home on the evening of

the 20th of October and had his supper, I did not get home till half past seven, he was upstairs talking with my wife and playing with my young one; I can't say how much salary he brought home, he gave it to his mother, she generally allows the boys a few pennies for themselves; it must have been about a quarter to eight when he left the house, he did not say where he was going, my brother William went out with him and left him at 34th Street, William is not in Court, he is working in the Navy Yard; I know a man named Diffley, he is in the feed buxiness, Diffley never ~~was~~ went to school with my brother who is on trial, he knows him since he was a little boy, we used to live in 16th Street between First and Avenue A and my brother goes down to see the boys that he went to school with. Diffley has a feed store and when my brother was out of workhe gave him a position for a while. My brother is never out later than half past nine or ten o'clock except a night that he would go to the theater and generally one of my brothers would go with him. His employer Mr. Diffley was here on Monday as a witness.

The Counsel read the following certificate from Mr. C. Diffley, who is engaged in the flour, feed, hay and straw business. No. 412 East 16th Street, near First Avenue.

New York, October 28, 1888. To whom it may concern: I have known James Sheehan for over ten years and in that time have never known him to be anything but a quiet, unoffending boy and always attending to his work, and would be down myself to testify to his character only my business will not allow me. John J. Diffley.

James Sheehan sworn and examined, testified: I live at 338 East 39th Street and my business is Power-press handler for the Manhattan Brass Company, I worked there for the last three years steadily and was working there the day of my arrest; before I went with that company I worked about two months for Liffley and before that for Mr. Mora for three years, I am twenty years old and have been working since I was fourteen years old, I was never arrested in my life before. On the night in question I came home from work to my mother's house about half past five, I had $7.75 and gave my mother five dollars, I paid my board to my mother every week, I left home about half past seven o'clock that night, I went down 16th Street and First Avenue, I used to live around there and knew the boys, I met a young fellow named Matthews and we went down the Bowery, we were going in and out of saloons playing pool and drinking, I treated him and he treated me, I did not meet anybody else down there whom I knew, we were drinking beer, I do not remember where I left him because I was too drunk, I have no recollection of how many glasses of beer I drank. How did you come possessed of this candy? I was going up home when two men stopped me and one of them asked me for five cents for a drink; I told him I dndn't have it, then he asked me would I buy some candy, I asked him how much would he take for the lot and he says $1.50 or something like that. I told him I did not think I had that much but I would give him all I had, I gave him every cent I had for the candy, I could not have more than about sixty or seventy cents left. I took the candy from him and walked along. I do not

remember the officer coming up to me at all, I saw the officer in uniform there, I knew the next morning that he took me to the Station House, I do not remember whether I was going up or down Third Avenue when I was arrested, I was standing, I think on Third Avenue, I walked up from the Bowery, I was going home, I could not say whether I was going up or down when I bought this candy, I remember the incident of buying this candy from these men and giving them what money I had in my pocket, I never carried a saw to file through half inch brass, I never saw a steel saw used by burglars, I never carried a jimmy so that I could pry open trunks and locks; I never saw a burglar's jimmy, I am twenty years old and live with my mother and brothers. I was very much under the influence of liquor when I was arrested and I did not know whether I was going up or down because of my intoxicated condition.

Cross Examined. I was very drunk that night and could not walk straight; the reason I was going down Third Avenue was because I could not remember where I lived, I remembered where my home was and remembered whether I was married or single and where I was born, I am sure I walked to the Station House but I do not remember going before the Sergeant's desk, I started out from the house innthe evening about half past seven o'clock with my brother William, I went with him to 34th Street and First Avenue and from there I went down to 16th Street between First and Avenue A, about a quarter down the block; I went to a cigar and candy store, I don't know the last name of the person who keeps it, but his first name is Dave, his sister was there, I don't know her name, I got there about eight

o'clock, I used to go there every Firday night for tobacco, I used to run a bill up with him every week of fifty-eight cents, I paid fifty cents of it to his sister, she is not here, I was not real sober when I went out of the store for I was drinking before that, I had about seven glasses of beer and I drank three on my way down, I drank four before I went home but I could walk and talk straight, I did not know what I was doing really, I stopped in 34th Street and First Avenue with my brother William and had two beers there and then I stopped at 20th Street and First Avenue at Boylan's and had one there and the next stopping place was Dave's but I did not drink anything there, I came out on the street and stood there about five minutes alone and then I met John Matthews who lives in 16th Street, I know him about nine years, we were talking and were going down to the London Theater and then we changed our minds and we went playing pool, going in and out of the saloons, I went down First Avenue as far as Eleventh Street and went through 11th Street to Stuyvesant Place down the Bowery, I stopped nowhere between 11th and 16th Streets, the first place I stopped was corner of Houston Street and the Bowery, I don't know the name of the man who kee ps it, it is on the east side, I have been there before once or twice with this same Matthews, we had two drinks there, I paid for one and he for the other, it took us over half an hour to go to these different places, I guess we got to Houston Street about nine o'clock and staid there about twenty minutes, then I went further down the Bowery and went into a basement and hadna couple of games of pool, I have been there before.

I do not know a man commonly called "Goo Goo" who lives in First Street, I don't know anybody who hangs around First Street, I got stuck in one of the games of pool and paid ten cents, we had about six drinks of beer and I trigk I paid the biggest part of them, I don't know what time we left there, we staid a couple of hours, we went into about four saloons, I do not remember how many drinks we had, I guess I had over fifteen, all beers; I couldnot say how much money I paid that night for drink, I lost Matthews about half past eleven but I could not say where. I lost him down the Bowery somewhere and have not seen him since, I did not tell my Counsel about his being with me; I do not remember just where these young men came up to me with the candy, I am not sure whether I gave them sixty or seventy cents but I remember giving them something: one of the men was about my size and he had a very poor jumper on and around soft hat, he had a moustache, I could not say how the other man was dressed, I did not see his face, he had his back turned to me; they asked me for five cents for a drink and I told them I didn't have it, then one of them asked me would I buy this candy from him, I believe I told him yes, I would: he said he wanted $1.75 for it and I told him I would give him all I had. William Garry is my foreman in the Brass Works, my brother William is working in the Navy Yard, I have not seen him since nor communicated with him in any way.

Julius K. Klein recalled. When I arrested the prisoner he walked straight and answered questions put to him.

The Jury rendered a verdict of guilty of receiving stolen goods.

Testimony in case of
James Sheahan
Feb 10th, 1888.

0606

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Sheehan

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

James Sheehan

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

The said James Sheehan

late of the Seventeenth Ward of the City of New York, in the County of New York, aforesaid, on the twenty-first day of October in the year of our Lord one thousand eight hundred and eighty-eight, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the store and warehouse of one

Joseph Silberstein

feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent, the goods, chattels and personal property of the said

Joseph Silberstein

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

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment further accuse the said James Sheehan of the CRIME OF Grand LARCENY in the second degree committed as follows:

The said James Sheehan late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, in the night time of the said day, with force and arms, thirty boxes of candy, of the value of one dollar and fifty cents each box

of the goods, chattels and personal property of one Joseph Silberstein in the store and factory of the said Joseph Silberstein there situate, then and there being found, in the store and factory aforesaid, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said James Sheehan of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said James Sheehan late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, thirty boxes of candy of the value of one dollar and fifty cents each box, of the goods, chattels and personal property of one Joseph Silberstein by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said Joseph Silberstein unlawfully and unjustly, did feloniously receive and have; the said James Sheehan then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

0609

BOX:
326
FOLDER:
3094
DESCRIPTION:
Sherwood, Chanucey
DATE:
10/03/88

3094

Witnesses:

311

Court of Oyer and Terminer

Counsel,

Filed, 3 day of Oct 188 8

Pleads, Not guilty Dec 10

THE PEOPLE,

vs.

Chauncey B Sherwood

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[Ill Rev. Stat. (7th Edition), page 1988, Sec. 21 and page 1980, Sec. 5.]

JOHN R. FELLOWS.

District Attorney.

A True Bill.

Dated ..... 188.

Foreman.

Transferred to the Court of Special Sessions for trial and final disposition.

Transferred to the Court of Special Sessions for trial and final disposition.

S. S.

Dated Dec 17 188 8

POOR QUALITY ORIGINAL

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Chauncey B. Sherwood

The Grand Jury of the City and County of New York, by this indictment, accuse Chauncey B. Sherwood of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said Chauncey B. Sherwood late of the City of New York, in the County of New York aforesaid, on the third day of October in the year of our Lord one thousand eight hundred and eighty-Eight, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one Frederick D. Robbins and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid by this indictment further accuse the said Chauncey B. Sherwood of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said Chauncey B. Sherwood late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, 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.

JOHN R. FELLOWS,
District Attorney.

0612

BOX:
326

FOLDER:
3094

DESCRIPTION:
Shupe, Walter

DATE:
10/16/88

3094

105.

287.

Witnesses:

Gustave Gulack

Jerome Buck

I am satisfied that no conviction can be had in this case. I therefore recommend the dismissal of this indictment.

Dec. 24/90

Vernon M. Davis
Asst

There is reliable evidence in the case proving that the order for money given by defendant to the complainant, upon which the goods were delivered, would have been paid, had it been presented to Mr. Stephens the drawee. It was not presented, because at the time Stephens was sick at home. At any rate there is no evidence of intent to commit any crime.

Dec 29/90

Vernon M. Davis
Asst.

Counsel,

Filed 16 day of Oct 1888

Pleads, Not guilty (17) with leave to withdraw plea

THE PEOPLE

vs.

Walter H. Skupe

LARCENY,
(False Pretenses).
[Section 528, and 531, Penal Code].

JOHN R. FELLOWS,
District Attorney.

Indictment dismissed on motion of Dist. Atty. & Bail discharged

A True Bill.

Dec 29/90

Filed in Open Court

Off. Dec. Term

Foreman.

Off. Jan. Term 89.

POOR QUALITY ORIGINAL

E1 89

0614

No. 7

New York, Sept. 17th 1888.

GEORGE W. STEPHENS, 132 Nassau Street,

Pay to the Order of G. H. Gerlach

One hundred and thirty-five and 19/100 Dollars

on Account of Supplies for City of Albany

and charge to Account of

$135 19/100

Martin H. Chuse

Trustee.

Sept 18 - 1918

G. W. Gerlach

BANK OF HARLEM
SEP 17
ENDORSEMENT GUARANTEED
NEW YORK

NAT'L BANK OF THE REPUBLIC, HARLEM

Pay to the order of
M. J. Brock
Cashier

0616

United States of America,
State of New York. } ss.

I, **NOEL B. SANBORN,** *Notary Public in and for the State of New York, duly Commissioned and sworn, do hereby Certify that on the* Eighteenth *day of* September *in the year of our Lord one thousand eight hundred and eighty* eight *, at the request of the* NATIONAL BANK OF THE REPUBLIC *the original Instrument hereunto annexed was duly presented* to a person in charge at the office of the drawee thereof No 132 Nassau Street *in the City of New York,*

and payment thereof was then and there demanded, which was refused.

Whereupon, *I, the said Notary, at the request aforesaid, did* **PROTEST,** *and by these Presents do publicly and solemnly* **PROTEST,** *as well against the* drawer *and endorsers of the said Instrument, as against all others, whom it doth or may concern, for exchange, re-exchange, and all costs, damages, and interest already incurred, and to be hereafter incurred, for want of payment of the same.*

Thus done and protested, *in the City of New York, in the presence of John Doe and Richard Roe, witnesses.*

QUAD ATTESTOR.

N B Sanb

Notary Public

0617

United States of America,
State of New York. } ss.

I, **NOEL B. SANBORN,** *Notary Public in and for the State of New York, duly Commissioned and sworn, do hereby Certify that on the* Eighteenth *day of* September *in the year of our Lord one thousand eight hundred and eighty* eight *, at the request of the* NATIONAL BANK OF THE REPUBLIC *the original Instrument hereunto annexed was duly presented* to a person in charge at the office of the drawee Shew No 132 Nassau Street *in the City of New York,*

and payment thereof was then and there demanded, which was refused.

Whereupon, *I, the said Notary, at the request aforesaid, did* **PROTEST,** *and by these Presents do publicly and solemnly* **PROTEST,** *as well against the* drawer *and endorsers of the said Instrument, as against all others, whom it doth or may concern, for exchange, re-exchange, and all costs, damages, and interest already incurred, and to be hereafter incurred, for want of payment of the same.*

Thus done and protested, *in the City of New York, in the presence of John Doe and Richard Roe, witnesses.*

QUAD ATTESTOR.

N B Sanborn
Notary Public.

0618

Walter H. Shupe Trustee
FOR
Bank of Harlem

Protested Sept 18 1888

Protest and Disbursements. $ 1.31

$ 135 19

135 19
1 31
136 50

N. B. SANBORN,
NOTARY PUBLIC,
Attorney and Counsellor-at-Law,
29 Wall Street, New York.

0619

Sec. 192.

5 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY OF NEW YORK, } ss.

An information having been laid before Henry Murray a Police Justice of the City of New York, charging Walter H Stupe Defendant with the offence of 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, Walter H Stupe Defendant of No. 312 East 89th Street; by occupation a Trustee and John D Henderson of No. 253 West 55 Street, by occupation a Mining operator Surety, hereby jointly and severally undertake that the above named Walter H Stupe Defendant shall personally appear before the said Justice, at the 5 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 One Hundred Dollars.

Taken and acknowledged before me, this 27 *day of* September 188 8.

Walter H Stupe
John D Henderson

Hy Murray Police Justice.

0620

CITY AND COUNTY OF NEW YORK, } ss.

John D Henderson

the within named Bail and Surety being duly sworn, says, that he is a resident and House holder within the said County and State, and is worth Twenty Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of One hundred shares of stock in The Parsons Block Switch & Frog Co and worth five thousand dollars above all legal liabilities

Sworn to before me this 1 day of December 188

Police Justice.

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear during the Examination.

Taken the day of 188

Justice.

0621

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, _____ DISTRICT.

Jenne Buck

of No. 104 West 128th _____ Street, aged 50 years,

occupation Lawyer being duly sworn deposes and says,

that on the 22nd day of September 188 6

at the City of New York, in the County of New York, that I called at the office of Stevens & Foster at 132 Nassau Street lawyers and there met Mr Foster. I asked him if Mr Stevens had any money in his possession on the 17th day of September 1886 belonging to Walter H Shupe. He replied no. that on that day he saw Mr Stevens who told him that Shupe had that morning called on Stevens ~~Buck~~ as he was land lord to get money from him

Jenne Buck

Sworn to before me, this 26th day of September 188 6

Police Justice,

0622

Geo. P. H. McVay.

Editor.
Upr. Town Press.

231 E. 8th Ave. N.Y.

0623

Police Court— 5 District.

Affidavit—Larceny.

City and County of New York, } ss.

Gustave W Gerlach

of No. 2346 - 8th Avenue Street, aged 35 years, occupation Butcher being duly sworn deposes and says, that on the 17 day of September 188 8 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

One hundred and thirty five dollars and nineteen cents good and lawful money

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 Walter H Shupe now present

That on said day the defendant obtained from deponent a quantity of meat and vegetables for which he promised to pay when said property was delivered to him. That after the delivery of the property said Shupe gave in payment therefor that certain false forged check or draft hereto annexed stating and declaring to deponent that the same was genuine and worth its face value. That deponent has since discovered that said check was fraudulent and of no value whatever a fact well known to the defendant at the time he [illegible] it for the purpose of cheating and defrauding deponent & depriving him of his property

Gustave W. Gerlach

Sworn to before me, this 18 day of [illegible] 188 [illegible]

[illegible] Police Justice

Sec. 183, 200.

5 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Walter H Shupe 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. Walter H Shupe

Question. How old are you?

Answer. 5 Years

Question. Where were you born?

Answer. Ohio

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

Answer. 312 East 89 Street

Question. What is your business or profession?

Answer. Trustee

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 of the charge

Walter H Shupe

Taken before me this 26 day of December 188 [illegible]

[illegible]

Police Justice.

0625

BAILED,

No. 1, by Franklin Mauds

Residence 149 - 4th Ave. Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Walter H. Gulick
2346 Webster Ave
Petty larceny
Walter H. Supe

1 Walter H. Supe
2
3
4

Offence Larceny Felony

Dated September 26 188

Magistrate.

Officer.

Precinct.

Witnesses Lewis Becker
236 1st Street

No. Street.

No. Street.

No. Street.

No. Street.

RECEIVED. OCT 1 1886

Bailed to answer.

Police Court— District.

1342

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 Walter H. Supe *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 September 26 188 *Police Justice.*

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

Dated 188 *Police Justice.*

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

Dated 188 *Police Justice.*

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
AGAINST
Walter W. Dhumpe

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

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

The said Walter W. Dhumpe,

late of the City of New York, in the County of New York aforesaid, on the seventeenth day of September, in the year of our Lord one thousand eight hundred and eighty-eight, at the City and County aforesaid, with force and arms, with intent to deprive and defraud one Egerton W. Fredder

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 Egerton W. Fredder,

That a certain paper writing in the words and figures following, to wit:

"No. 2 New York, Sept. 17th 1888

Egerton W. Stephens, 132 Nassau Street, Pay to the order of Eg. W. Fredder One hundred and thirty five and 19/100 Dollars on account. Purchase from City Attorney and charge to account of

$135 19/100 Walter W. Dhumpe, Trustee."

which he the said Walker W. Dehuff then and there produced and delivered to the said Gustave W. Eyslach, was then and there a gold and valid order for the payment of money, and of the value of one hundred and sixty-five dollars and nineteen cents, ——

And the said Gustave W. Eyslach ——

then and ~~their~~ there believing the said false and fraudulent pretenses and representations so made as aforesaid by the said Walker W. Dehuff ——

and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver to the said Walker W. Dehuff, five hundred of notes of the value of two dollars and fifty cents each, one hundred of notes of the value of three dollars, twelve of notes of the value of ten cents each, one hundred of notes of the value of seven dollars, one hundred and seventy-two pounds of oranges of the value of seventy cents each pound, one half dozen of the value of eight dollars, ninety-six pounds of bran of the value of nineteen cents each pound, two hundred and four pounds of feed of the value of thirteen cents each pound, one hundred and ninety-six pounds of corned feed of the value of twelve cents each pound, twelve hundred and sixty eggs of the value of two cents each, and one box of lemons of the value of three dollars and fifty cents of the ~~proper moneys,~~ goods, chattels and personal property of the said Gustave W. Eyslach, ——

And the said Walker W. Dehuff ——

did then and there feloniously receive and obtain the said ~~proper moneys,~~ goods, chattels, and personal property, from the possession of the said Gustave W. Eyslach

by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said Gustave W. Eyslach ——

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 paper writing which he the said Walker W. Dehuff as aforesaid then and there produced and delivered to the said Gustave W. Eyslach, was not then

and there a good and valid order for the payment of money, and was not of the value of one hundred and thirty five dollars and nineteen cents, or of any value whatever, but was in truth then and there wholly void and worthless;

And Whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said Walter H. Dunne to the said Ignatius W. Ingalsbe was and were then and there in all respects utterly false and untrue, as he the said Walter H. Dunne at the time of making the same then and there well knew

And so the Grand Jury Aforesaid, do say that the said Walter H. Dunne in the manner and form aforesaid, by the means aforesaid, the said ~~proper moneys~~, goods, chattels and personal property of the said Ignatius W. Ingalsbe then and there feloniously did STEAL, against the form of the Statute in such case made and provided, and against the peace and dignity of the said people.

JOHN R. FELLOWS,

District Attorney.

0629

BOX:
326

FOLDER:
3094

DESCRIPTION:
Siemers, John

DATE:
10/03/88

3094

Witnesses:

Off. Follis
3rd Dist Court

330

Court of Oyer and Terminer

Counsel,

Filed, 3 day of Oct 188 8

Pleads Not guilty. Appeals

THE PEOPLE,

vs.

Indictment for Violations for trial, by request of

B

John Clemens

F

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
III Rev. Stat. (7th Edition), page 1983, Sec. 21 and page 1990, Sec. 6.]

JOHN R. FELLOWS.

District Attorney.

Off for April Term

58A

A True Bill.

Foreman.

Received Dec 3 188 8

Transferred to the Court of ~~Special~~ Sessions for trial and final disposition.

Dated

Sept 26. 1888

Foreman.

F Dec. 21. 1888

May 14/89 vmd

POOR QUALITY ORIGINAL

0590

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

John Riemers

The Grand Jury of the City and County of New York, by this indictment, accuse John Riemers of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said John Riemers late of the City of New York, in the County of New York aforesaid, on the third day of October in the year of our Lord one thousand eight hundred and eighty-six, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one Patrick Follis and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid by this indictment further accuse the said John Riemers of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said John Riemers late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, 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.

JOHN R. FELLOWS,
District Attorney.

0632

BOX:
326

FOLDER:
3094

DESCRIPTION:
Siemshker, Mary

DATE:
10/25/88

3094

Witnesses,

David Ginsburg

Counsel,

Filed 25 day of Oct 188 8

Pleads, Not guilty

THE PEOPLE

vs.

Mary Seimsliker

[Section 256 Penal Code.]

JOHN R. FELLOWS,

District Attorney.

Nov 8. 1888. [illegible]

Nov 12. 1888.

A True Bill.

Lyell Lincoln *Foreman.*

Nov. 8 88

Pleads Guilty

Pen 6 yrs. 6 mo.

RBM

CITY AND COUNTY OF NEW YORK, } ss.

Charles A Place

aged 25 years, occupation Police Officer of No. The 11th Precinct Police Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of David Grisberg and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me this 21st *day of* Oct 188 } Charles A. Place

G. Henry Bond

Police Justice.

Police Court, 3rd District.

City and County of New York, } ss.

David Ginsburg of No. 170 Ludlow Street, aged 28 years, occupation Fish Dealer being duly sworn, deposes and says, that on the 19 day of Oct 188[illegible], at the City of New York, in the County of New York,

Mary Deimashker (now here) who did wilfully mingle poison to wit; paris green with food to wit; fish intended and prepared for the use of human beings in violation of Section 356 of the Penal Code of the State of New York from the fact that on said date the defendant was employed by deponent as a cook and deponents wife Eva Ginsburg was cooking some fish for dinner for deponents family and when deponents wife Eva was about to taste said fish she discovered the green substance in the pot of fish and called deponents attention to the same and the defendant admitted and confessed to deponent in the presence of Officer Charles A Place of the 11th Precinct Police that she defendant did put Paris Green in said pot of fish and she did not know why she did do it

Sworn to before me this 20th day Oct 1888 Geo Ginsburg
Geo Ginsburg
Police Justice.

Sec. 198—200.

3rd District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Mary Siemoshken

Question. How old are you?

Answer. 15 years

Question. Where were you born?

Answer. Poland

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

Answer. 30 Ludlow St one week

Question. What is your business or profession?

Answer. Domestic

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

Answer. I am guilty I did put the Paris green in the food I did not know what was the matter with me

her
Mary x Siemoshken
mark

Taken before me this 21st day of Oct 188

Police Justice.

BAILED,

No. 1, by ..... Street.

Residence .....

No. 2, by ..... Street.

Residence .....

No. 3, by ..... Street.

Residence .....

No. 4, by ..... Street.

Residence .....

Police Court--- 3d ..... District.

THE PEOPLE &c., ON THE COMPLAINT OF

David Friedberg
120 Bleecker
Mary Ann O'Neill

Offence Violation Poisons Law
Sold Felony

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

Dated Oct 21 188 .....

Magistrate.

Charles A Black Officer.

Precinct.

Witnesses Carl Tuc Officer

No. ..... Street.

No. ..... Street.

No. ..... Street.

to answer .....

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendant *guilty thereof, I order that* S *he be held to answer the same and* S *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* S *he* ~~give such bail.~~ is legally discharged

Dated Oct 21 188 ..... *Police Justice.*

I have admitted the above-named .....

to bail to answer by the undertaking hereto annexed.

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

There being no sufficient cause to believe the within named .....

..... *guilty of the offence within mentioned. I order* h *to be discharged.*

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

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Mary Dimsdale

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

of the crime of willfully, criminally, in possession with a poison intended for the use of human beings

committed as follows:

The said Mary Dimsdale,

late of the City of New York, in the County of New York, aforesaid, on the ninteenth day of October, in the year of our Lord one thousand eight hundred and eighty-eight, at the City and County aforesaid, feloniously, did willfully, criminally, with certain poison, to wit: with certain pills intended and then being prepared and ready for the use of human beings, to wit: for the use of David Dimsdale and Eva Dimsdale, a certain deadly poison commonly called "Paris Green"; 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.

John R. Fellows,
District Attorney

0639

BOX:
326
FOLDER:
3094
DESCRIPTION:
Simmons, Raymond
DATE:
10/10/88

3094

Witnesses:

Off Thulthan

35 Pads

11 pass 372

Court of Oyer and Terminer

Counsel,

Filed, 10 day of Oct 188 8

Pleads,

THE PEOPLE,

vs.

Nt Gorton

B

Raymond Simmons

F

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1988, Sec. 21 and page 1989, Sec. 5.]

Transferred to the Court of Special Sessions for trial and final disposition

JOHN R. FELLOWS.

District Attorney.

April 25 89.

Pleaded guilty in Second Court

Time 8 10. RBM.

A True Bill.

Dated 188

Foreman.

F. Feby 15 1889

POOR QUALITY ORIGINAL

0649

0641

Excise Violation—Selling on Sunday.

POLICE COURT— 6th DISTRICT.

City and County of New York, } ss.

Thomas Mulhern

of ~~No.~~ the 35th Precinct Police ~~Street~~,

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 24th day of October 188 6, in the City of New York, in the County of New York, at premises ~~No.~~ Mosholu Avenue & Broadway ~~Street~~, Raymond Simmons (B) (now here) did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors, to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

WHEREFORE, deponent prays that said Raymond Simmons may be ~~arrested and~~ dealt with according to law.

Sworn to before me, this 25th day of October 1886 } Thomas Mulhern

Wm. Wolde Police Justice.

Sec. 198—200.

6th District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Raymond Simmons 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. Raymond Simmons

Question. How old are you?

Answer. 21 years

Question. Where were you born?

Answer. New York

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

Answer. Nicholas Ave & Broadway? 21 years—

Question. What is your business or profession?

Answer. Bar-tender

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 of the charge and demand a Jury trial

Raymond Simmons.

Taken before me this 21st *day of* October 188 6

Police Justice.

0643

BAILED,

No. 1, by Rachel Shannon

Residence Mayfield Co. Broadway Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

1672

Police Court— 6th District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Thomas Bradshaw

vs.

Raymond Simmons (B)

2

3

4

Offence Violation Excise Law

Dated October 25th 1886

Before Magistrate.

Thomas Braddshaw Officer.

25th Precinct.

Witnesses

No. Street.

No. Street.

RECEIVED. OCT 25 1886 DISTRICT ATTORNEY'S OFFICE

No. Street.

$ 1000 to answer

Paulus

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

Dated October 25th 188 6 — Wm. Pinck *Police Justice.*

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

Dated October 25th 188 — Wm. Pinck *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.*

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Raymond Simmons

The Grand Jury of the City and County of New York, by this indictment, accuse Raymond Simmons of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said Raymond Simmons ~~late of~~ the City of New York, in the County of New York aforesaid, on the Twenty fourth day of October in the year of our Lord one thousand eight hundred and eighty-six, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one Thomas Mulhern and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid by this indictment further accuse the said Raymond Simmons of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said Raymond Simmons late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, 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.

JOHN R. FELLOWS,
District Attorney.

0645

BOX:
326
FOLDER:
3094
DESCRIPTION:
Singler, Anna
DATE:
10/26/88

3094

0646

BOX:
326

FOLDER:
3094

DESCRIPTION:
Singler, Charles

DATE:
10/26/88

3094

Witnesses:

Lena Zempelman

Off Reilly 12

I have examined this case and I find that the People have no evidence whatever against Charles Singler and I respectfully recommend that he be discharged on his own recognizance. As to the defendant Anna Singler I respectfully recommend that a plea of petty larceny be accepted as I am satisfied that the value placed upon the wearing apparel is excessive.

Nov. 1st 188 Part I.

Wm Travers Jerome
Deputy Asst.

Counsel,

Filed 26 day of Oct 188 8

Pleads, Guilty 29

THE PEOPLE

vs.

Charles Singler

and

Anna Singler

Grand Larceny ~~Second~~ degree.
[Sections 528, 53], Penal Code].

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Lowell Lyman *Foreman.*

Nov 1/88.

Plead P.L.

Per one yr
Nov 1. Discharged

8

Police Court— 8 District. Affidavit—Larceny.

City and County of New York, } ss.:

Lena Zimpleman

of No. 208 East 8 Street, aged 70 years, occupation Housekeeper being duly sworn deposes and says, that on the 1st day of Sept 188 8 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

a quantity of wearing apparel of the value of fifty Dollars ($50)

the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was felonionsly taken, stolen, and carried away by Charles Zingler and Anna Zingler both now here, for the reason that on said day and date said Defendants left said premises where they had had a furnished room, and Deponent missed said property immediately thereafter and now Deponent charges said Defendants with taking, stealing and carrying away said property and prays that they be dealt with as the law directs

Lena Zimpelman.

Sworn to before me, this day of 188 8

Police Justice.

0649

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Charles Smigler 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. Charles Smigler

Question. How old are you?

Answer. 24 years of age

Question. Where were you born?

Answer. Germany

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

Answer. Flushing L.I.

Question. What is your business or profession?

Answer. Barber

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

Answer. I am not guilty
Charles Smigler

Taken before me this 9 *day of* August *188*9

Police Justice.

0650

Sec. 198—200

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Anna Sigler

Question. How old are you?

Answer. 36 years of age

Question. Where were you born?

Answer. Germany

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

Answer. Flushing

Question. What is your business or profession?

Answer. House Keeper

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

Answer. I am not guilty
I Single

Taken before me this 8 day of May 1888

Police Justice

0651

448 B 1669

Police Court 6 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Jonathan Lawrence
Office 8 East 18 St
Office Supplies
Manufacturer

Offence Grand Larceny

BAILED,

No. 1, by ..... Street.

Residence .....

No. 2, by ..... Street.

Residence .....

No. 3, by ..... Street.

Residence .....

No. 4, by ..... Street.

Residence .....

3 .....

4 .....

Dated Oct 23 188

Magistrate.

Officer.

Precinct.

Witnesses

No. ..... Street.

No. ..... Street.

No. 7 Wall St Street.

$ ..... to answer

Comp

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

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

Dated Oct 23 188 ..... *Police Justice.*

I have admitted the above-named .....

to bail to answer by the undertaking hereto annexed.

Dated ..... *Police Justice.*

There being no sufficient cause to believe the within named .....

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

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

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 Singer and
Anna Singer

The Grand Jury of the City and County of New York, by this indictment, accuse Charles Singer and Anna Singer —

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

The said Charles Singer and Anna Singer, both —

late of the City of New York, in the County of New York aforesaid, on the first day of September, in the year of our Lord one thousand eighty hundred and eighty-eight, at the City and County aforesaid, with force and arms,

divers articles of clothing and wearing apparel of a number and description to the Grand Jury aforesaid unknown, of the value of fifty dollars,

of the goods, chattels and personal property of one Sarah Zimmelman,

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.

John R. Kellum,
District Attorney

0653

BOX:
326
FOLDER:
3094
DESCRIPTION:
Sittner, Siegfried
DATE:
10/16/88

3094

Witnesses:

Henry H. Heinrich

Off. Cowly

Mark. Salonick

~~22255~~

22553 A.T.

Seneca

Sheah, recv of Wfb.

Counsel, Wm J. Steinert
Judge McCarty

Filed 16 day of Oct 1888

Pleads, Not guilty

THE PEOPLE

vs.

Siegfried Sittner

(Prisoner)

Grand Larceny 2nd degree.
[Sections 528, 530, Penal Code].

JOHN R. FELLOWS,
District Attorney.

Pr. Nov 19/88
Pleads guilty

A True Bill.

Foreman.

November 16 88 Part 3

Tel. Ref

16

0554

City County & State
of New York ss Frederick F
Seitz being duly sworn doth
depose and say that he resides
at 100 West 45th Street in the
City of New York and is engaged
in the business of Watchmaker
and jeweler at number 791. 6th
Avenue in said City and has been
Engaged in said business at said
place for the past 15 years

That on or about the
10th day of September 1888 de-
fendant delivered to Seigfried
Sittner for repairing two watches
One an open face English
key winder gold watch - and
disguised by the number 5419
another open face silver
watch stemwinder.

That deponent is
informed & believes - that about
the month of September said
Sittner was arrested for
stealing. that an indictment
was found against him - that
he plead guilty to the charge
and was sentenced to the

imprisonment in the Elmira Reformatory

Deponent further says that said Littner appropriated to his own use the two watches above described and pawned the same with one of the pawnbrokers in the City as deponent is informed; that deponent is informed and believes that when said Littner was arrested two pawn tickets representing the two watches above described was found upon his person and that the same are now in the possession of the property Clerk at Police Headquarters in this City.

Sworn to before me this 7th Dec 1888

Chas H Kelche
Notary Public
N Y Cty

Frederick F Heitz

The People

vs

Siegfried Sittner

OFFICE OF
J. W. NAMMACK & CO.,
Real Estate & Insurance,
No. 70 SECOND AVE.,

New York, October 8 1888

Hon - Smyth
Recorder General Sessions
My. City

Sir;

I am to appear before your Honor to morrow for sentence on a charge of Grand Larceny, And I avail myself of the liberty to ask your Honor to mete out justice to me, mingled with as much Mercy, as your Honors feeling may allow without defeating the end.

In palliation for my crime if so it must be termed, I will say that my intent was not to defraud. I owed my people some money and they harrassed me for it. I had goods on Memorandum & pawned it, to pay my debt, to them - I pawned other goods to pay the people from whom I got the goods on Memorandum, with the intent to pay the final deficit when I got married which was to be soon, when I would get Money. 14 days previously I got arrested and here my hopes are frustrated, unless you exercise some Christian Sympathy in my Case - I am a cripple and suffers from Cancer in the bones - and my Character

is of the first class as well as integrity as habits & veracity, and I humbly and respectfully, earnestly appeal to your Honors Kindness to save me from the disgrace and such suffering as might be otherwise my lot to undergo—

I shall try to prove worthy of all and any leniency and mercy your Honors might feel in clined to exercise in my case.

Your Obedient Servant
Sigfrid Siewer

~~Charged with Grand Larceny~~
Now Confined in The Tombs
New York City

Robert Siebers
Firm Refer

0660

Police Court— 7 District. Affidavit—Larceny.

City and County of New York, } ss.:

Simon Stern,

of No. 13 Maiden Lane ~~Street~~, aged 35 years, occupation Merchant being duly sworn deposes and says, that on the 24th day of September 1888 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

One diamond weighing 2/64 carats of the value of	$151.17.
One diamond weighing 2/4/32 carats of the value of	171.09.
One gold stud mounting of the value of	6.00.
One diamond stud of the value of	78.00.
One pair diamond earings of the value of	184.00.
And all of the aggregate value of	$590.26.

the property of deponent, and deponent and Dina Stern, as executors of the estate of Joseph Stern, deceased, as copartners composing the firm of Stern and Stern 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 one Siegfried Sittner, in the manner following to wit: That on the said 24th day of September 1888, the said Sittner called upon deponent at his store #13 Maiden Lane this city and told deponent that one Steiner wanted to purchase a pair of diamond earings and a diamond stud and requested deponent to allow him to take the property in question to show to the said Steiner, whereupon deponent, solely relying upon the aforesaid statements of the said Sittner entrusted said Sittner with the property aforesaid for the purpose aforesaid and as deponent's agent for such purpose only and said Sittner thereupon took and carried away the said earings and the said diamond stones and mounting and said diamond stud. That the said property was to remain and did remain the

Sworn to before me, this day of 1888

Police Justice.

property of deponent and his aforesaid copartners and was to be and was returnable on demand and said property was given to and taken by the said Sittner upon that express understanding. That said Sittner did not show the said property nor any of the same to said Heiner but has told deponent that he pawned the earrings and diamonds in question and appropriated the same and the proceeds thereof to his own use; and has so far failed to return the said property or any thereof or the proceeds thereof to deponent or his said copartners although duly demanded but has wrongfully converted the same or the proceeds thereof to his own use.

Sworn to before me
this 10th day of October 1888

Simon Stein

Police Justice

Police Court, _____ District.

THE PEOPLE, &c.,
on the complaint of

vs.

1 _____
2 _____
3 _____
4 _____

Offence—LARCENY.

Dated _____ 188

Magistrate.

Officer.

Clerk.

Witnesses, _____

No. _____ *Street,*

No. _____ *Street,*

No. _____ *Street,*

$ _____ *to answer* _____ *Sessions.*

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named _____ *guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of* _____ *Hundred Dollars* _____ *and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.*

Dated _____ 188 _____ *Police Justice.*

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

Dated _____ 188 _____ *Police Justice.*

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

Dated _____ 188 _____ *Police Justice.*

Sec. 198—200.

2

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Siegfried Sittner 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. Siegfried Sittner

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. Germany

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

Answer. 236 East 71 st street living about 1 year

Question. What is your business or profession?

Answer. Watchmaker

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 have nothing to say at present.

Siegfried Sittner

Taken before me this 10 *day of* October *188*8

Police Justice

0663

233 1594

Police Court---..... **District.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Thomas Slater
13 Madison Ave
Grey friend Dutton

Offence Larceny
felony

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 Oct 10 1888

Magistrate.

Officer.

Precinct.

Witnesses Michael Quinlan

No. Central Office Street.

No. ..... Street.

No. ..... Street.

RECEIVED OCT 11 1888 DISTRICT ATTORNEY'S OFFICE

$1500 to answer

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

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

Dated Oct 10 188 8 ..... *Police Justice.*

I have admitted the above-named .....

to bail to answer by the undertaking hereto annexed.

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

There being no sufficient cause to believe the within named .....

..... *guilty of the offence within mentioned. I order h to be discharged.*

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

Police Court— 2nd District.

Affidavit—Larceny.

City and County of New York, } ss.:

Rudolph Bettner

of No. 64 Nassau Street, aged 29 years, occupation Merchant being duly sworn deposes and says, that on the 14th day of September 1888 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

One pair of diamond earrings of the value of $236.00

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by one Siegfried Sittner, in the manner following, to wit: That on said September 14th, 1888, the said Sittner called upon deponent at his office #64 Nassau St. this City and told deponent that his, Sittner's, brother wanted to buy the earrings in question and asked deponent to allow him, said Sittner, to take said earrings to sell or show to his, said Sittner's, brother, acting for and in behalf of deponent, as deponent's agent, for the purpose only, and at the same time stated to deponent, that if his Sittner's said brother purchased said earrings, he Sittner would at once return to deponent with the money, their price and value aforesaid or otherwise the Sittner would at once return the said earrings to deponent. That thereupon and solely relying upon the said statements, deponent then entrusted the said earrings to the

Sworn to before me this 18 day of

Police Justice

said Littner as deponents agent for the sole purpose aforesaid and the said Littner thereupon took and carried away the earings aforesaid as deponents agent aforesaid. That the said Littner did not take the said earings to show to his brother nor did he show the same to his brother as deponent believes but has pawned the said earings and wrongfully converted the same & the proceeds thereof to his own use, that deponent has duly demanded the return of the said earings from the said Littner but the said Littner has ever failed & neglected to return the said earings or the proceeds thereof or any part thereof to deponent and has appropriated the same or the proceeds thereof to his own use while in possession thereof as deponent's agent as aforesaid.

Sworn to before me
this 10th day of October 1888 } Rudolf Brettner

J H Duffy
Police Justice

Police Court, ______ District.

THE PEOPLE, &c.,
on the complaint of

vs.

1 ______
2 ______
3 ______
4 ______

Offence—LARCENY.

Dated ______ 188

______ Magistrate.

______ Officer.

______ Clerk.

Witnesses, ______

No. ______ Street,

No. ______ Street,

No. ______ Street,

$ ______ to answer ______ Sessions.

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named ______ guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of ______ Hundred Dollars ______ and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated ______ 188 . ______ *Police Justice.*

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

Dated ______ 188 . ______ *Police Justice.*

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

Dated ______ 188 . ______ *Police Justice.*

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Siegfried Sittner 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. Siegfried Sittner

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. Germany

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

Answer. 336 East 75th Street about 1 year

Question. What is your business or profession?

Answer. Watchmaker

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 have nothing to say at present.

Siegfried Sittner

Taken before me this 10 *day of* August 1886

Police Justice.

0667

231

1594.

Police Court— 2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Michael Breitner
764 Hassau
Daughter, Witness
2
3
4

Offence Larceny
felony

BAILED,

No. 1, by ..... Residence ..... Street.

No. 2, by ..... Residence ..... Street.

No. 3, by ..... Residence ..... Street.

No. 4, by ..... Residence ..... Street.

Dated Oct 10 188 8

Chas. Mackey Magistrate.

Officer.

Detective Office Precinct.

Witnesses Michael Crowley

No. Detective Office Street.

No. ..... Street.

No. ..... Street.

$ 1000 to answer

RECEIVED. DISTRICT ATTORNEY'S OFFICE OCT 11 1888

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 [illegible]

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

Dated Oct. 10 188 8 ..... *Police Justice.*

I have admitted the above-named .....

to bail to answer by the undertaking hereto annexed.

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

There being no sufficient cause to believe the within named .....

..... *guilty of the offence within mentioned. I order h to be discharged.*

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

0668

Police Court— 2 District. Affidavit—Larceny.

City and County of New York, } ss.:

Henry H. Heinich of No. 14 John Street, aged 65 years, occupation Manufacturer of watches & Chronometers. being duly sworn deposes and says, that ~~on the day of~~ from the 29th day of March to the 21st Sept 188 8 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

Eleven ship Chronometers, four gold watches and one silver watch together of the value of two thousand Dollars. ($2,000)

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 Siegfried Sittner (now here) from the fact that the said defendant was employed by deponent as a salesman for the past six months and during that time he the defendant represented to deponent that he had customers for the above mentioned property and took said property from deponent for the purpose of selling it to said customers and turned in to deponent the names of different people who he represented to deponent that he had sold said property to.

Deponent is informed by Aaron H. Zeckendorf who is employed by deponent

~~Sworn to before me this day of 188~~

~~Police Justice.~~

as a manager. that he went to
several of the people who the defendant
represented that he had sold a portion of
said property to and learned from them
that they had not bought any such
property from the defendant and that
they did not know the defendant.
Deponent is further informed by Detective
Sergeant Michael O'Neill of the central
office police that after he had arrested
the defendant he found in his possession
sixteen pawn tickets which the defendant
admitted to him the said Detective Sergeant
represented the property here mentioned
which he the defendant had pledged
Wherefore deponent charges the said
defendant with feloniously taking,
stealing and carrying away said
property and prays he may be held
and dealt with according to law.

Sworn to before me
this 1st day of Oct 1887

Tommy H Thomas

Police Justice.

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

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

Dated _____ *188* _____ *Police Justice.*

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

Dated _____ *188* _____ *Police Justice.*

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

Dated _____ *188* _____ *Police Justice.*

Police Court, _____ District.

THE PEOPLE, &c.,
on the complaint of

vs.

1 _____
2 _____
3 _____
4 _____

Offence—LARCENY.

Dated _____ *188*

Magistrate.

Officer.

Clerk.

Witnesses,

No. _____ *Street,*

No. _____ *Street,*

No. _____ *Street,*

$ _____ *to answer* _____ *Sessions.*

0670

CITY AND COUNTY OF NEW YORK, } ss.

Aaron H. Zeckendorf

aged 22 years, occupation Bookkeeper & Manager of No. 14 John Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Henry H. Hennich and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 1st *day of* Oct 188 } Aaron H Zeckendorf

P. J. Duffy

Police Justice.

CITY AND COUNTY OF NEW YORK, } ss.

Michael Crowley

aged 42 years, occupation Detective Sergeant of No. 300 Mulberry Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Henry H. Hennich and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 1st *day of* Oct 188 } Michael Crowley

P. J. Duffy

Police Justice.

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Siegfried Sittner 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. Siegfried Sittner

Question. How old are you?

Answer. 24 years old

Question. Where were you born?

Answer. Germany

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

Answer. 226, E, 72 St # 1 year

Question. What is your business or profession?

Answer. Watchmaker

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 have nothing to say at present and demand an examination

Siegfried Sittner

Taken before me this _____ *day of* _____ 188

Police Justice.

0672

Witnesses:
Albert Finch 37 Marion St
C. F. Mercomhuy 21 Marion St
Harry Kimmer 31 Marion St
P. Voettier Officer
Geo. Otero 6 Marion St
E. F. Myers 48 Marion St
D. P. McMahon 2 Johnson St

Police Court — 2 — 2327 — 1594

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Henry Hoffman
vs.
Wm. Hoffman 64 Forsyth St
Raymond Arthur

Offence Larceny
Felony

BAILED,

No. 1, by ..... Residence ..... Street.

No. 2, by ..... Residence ..... Street.

No. 3, by ..... Residence ..... Street.

No. 4, by ..... Residence ..... Street.

Dated Oct 1st 188 9

Duffy Magistrate.
Michael Onney Officer.
C. 6 Precinct.

Witnesses Garrett Jackson
No. 114 Orchard Street.
Michael Onney
No. 200 Mulberry Street.

No. ..... Street.
No. ..... Street.

HEREBY CERTIFY THE WITHIN TO BE A TRUE COPY OF THE ORIGINAL ON FILE IN THIS OFFICE
OCT 11 1888
DISTRICT ATTORNEY

$ ..... to answer

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

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

Dated Oct 9 188 9 ..... *Police Justice.*

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

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

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

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

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Siegfried Sittner

The Grand Jury of the City and County of New York, by this Indictment accuse Siegfried Sittner of the crime of Grand Larceny in the first degree committed as follows:

The said Siegfried Sittner late of the City of New York, in the County of New York, aforesaid, on the twenty-fourth day of September in the year of our Lord one thousand eight hundred and eighty-eight, at the City and County aforesaid, with force and arms, one diamond of the value of one hundred and fifty one dollars and seventeen cents, one other diamond of the value of one hundred and seventy one dollars and nine cents, one stud mounting of the value of six dollars, one stud of the value of seventy-eight dollars, and two earrings of the value of ninety-two dollars each of the goods, chattels and personal property of Simon Stern and Dina Stern, co-partners, doing business under the firm name and style of Stern and Stern, then and

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

Second COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said Siegfried Sittner of the CRIME of Grand Larceny in the first degree, committed as follows:

The said Siegfried Sittner late of the City and County aforesaid, afterwards to wit: On the day and in the year aforesaid, at the City and County aforesaid, being the agent and bailee of Simon Stern and Dina Stern, co-partners, doing business under the firm name and style of Stern and Stern, and as such agent and bailee then and there having in his possession custody and control, certain goods, chattels and personal property of the said Simon Stern and Dina Stern, the true owners thereof, to wit: one diamond of the value of one hundred and fifty-one dollars and seventeen cents, one other diamond of the value of one hundred and seventy-one dollars and nine cents, one stud mounting of the value of six dollars, one stud of the value of seventy-eight dollars, and two earrings of the value

[illegible]
of ninety two dollars each, the said Siegfried Dittner, afterwards, to wit; on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously appropriate the said goods, chattels and personal property to his own use, with intent to deprive and defraud the said Simon Stern and Dina Stern of the same and of the use and benefit thereof; and the same goods, chattels and personal property of the said Simon Stern and Dina Stern, did then and there and thereby feloniously steal; against the form of the Statute in such case made and provided and against the peace of the People of the State of New York and their dignity.

John R. Fellows,
District Attorney.

Witnesses:

William Stern

Jeff Conley

283

Counsel,

Filed 16 day of Oct 1888

Pleads, Not guilty

THE PEOPLE

vs.

Siegfried Sittner

(3 cases)

Grand Larceny ~~Second~~ degree.

[Sections 528, 530, Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Lowell Lynch *Foreman.*

Part 3. November 13/88

Nov. 16/88 Pleads Guilty.

Motion for Court

16

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Siegfried Sittner

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

of the crime of Grand Larceny in the Second degree

committed as follows:

The said Siegfried Sittner

late of the City of New York, in the County of New York, aforesaid, on the fourteenth day of September in the year of our Lord one thousand eight hundred and eighty-eight, at the City and County aforesaid, with force and arms, two earrings of the value of one hundred and eighteen dollars each, of the goods, chattels and personal property of one Rudolph Brettner then and there being found, then and there feloniously did steal, take and carry away: against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

Second COUNT.

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

of the CRIME of Grand Larceny in the Second degree,

committed as follows:

The said Siegfried Sittner

late of the City and County aforesaid, afterwards to wit: On the day and in the year aforesaid, at the City and County aforesaid, being the agent and bailee of one Rudolph Brettner, and as such agent and bailee, then and there having in his possession, custody and control, certain goods, chattels and personal property of the said Rudolph Brettner, the true owner thereof, to wit: two earrings of the value of one hundred and eighteen dollars each, the said Siegfried Sittner, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously appropriate the said goods, chattels and personal property to his own use, with intent to deprive and defraud the said Rudolph Brettner of the same

and of the use and benefit thereof; and the same goods, chattels and personal property of the said Rudolph Bretteur did then and there and thereby, feloniously steal; against the form of the Statute in such case made and provided and against the peace of the People of the State of New York and their dignity.

John R. Fellows,
District Attorney.

Witnesses:

Rudolph Bittner

Off Crowley

2371

Counsel, Judge McCarthy 51 Chambers St.

Filed 16 day of Oct 1888

Pleads, Guilty

THE PEOPLE

vs.

Siegfried Sittner

(3 cases)

Grand Larceny ~~[illegible]~~ degree.

[Sections 528, 531, Penal Code].

JOHN R. FELLOWS,

District Attorney.

Oct 4th Part 2

A True Bill.

Foreman.

[illegible]-3. November 13/88

Part 3 November 16/88 Pleads Guilty

Not Back for Sentence

16

POOR QUALITY ORIGINAL

0581

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Siegfried Sittner

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

of the crime of Grand larceny in the first degree

committed as follows:

The said Siegfried Sittner,

late of the City of New York, in the County of New York, aforesaid, on the twenty-ninth day of September in the year of our Lord one thousand eight hundred and eighty-eight, at the City and County aforesaid, with force and arms, seven skin dynamoes of the value of one hundred and fifty dollars each, four watches of the value of one hundred dollars each and one other watch of the value of fifty dollars, of the goods, chattels and personal property of one Henry H. Heinich, 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

170
100
40
410

The State of New York, and their dignity.

Second COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said Siegfried Sikner of the CRIME of Grand Larceny in the first degree committed as follows:

The said Siegfried Sikner, late of the City and County aforesaid, afterwards to wit: On the day and in the year aforesaid, at the City and County aforesaid, being the agent and trustee of one Heinrich Heinrich, and as such agent and trustee then and there having in his possession, custody and control, certain goods, chattels and personal property of the said Heinrich Heinrich, the true owner thereof, to wit: eleven chain dynamometers of the value of one hundred and fifty dollars each, four watches of the value of one hundred dollars each, and one other watch of the value of fifty dollars, the said Siegfried Sikner, afterwards to wit: on the day and in the year aforesaid, at the city and county aforesaid, with force and arms, did feloniously appropriate the

said goods, chattels and personal property to his own use, with intent to deprive and defraud the said Henry H. Heinrich of the same, and of the use and benefit thereof; and the same goods, chattels and personal property of the said Henry H. Heinrich, did then and there and thereby feloniously steal, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

John R. Williams,
District Attorney

0686

BOX:
326

FOLDER:
3094

DESCRIPTION:
Smith, David

DATE:
10/05/88

3094

Witnesses;

71

Counsel,

Filed 5th day of Oct 1888

Pleads,

THE PEOPLE

vs.

P

David Smith

H. D. M

Grand Larceny, Second Degree

(From the Person.)

[Sections 528, 531, Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Lovell Lincoln *Foreman.*

Oct 5/88.

Found G. L. 2 dy

S.P. 4 yrs.

Police Court—1 District. Affidavit—Larceny.

City and County of New York, } ss.

Washington Rivenburgh of No. Verbank New York Street, aged 30 years, occupation Carpenter being duly sworn deposes and says, that on the 28 day of September 188 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession and person of deponent, in the day time, the following property viz: One silver and one gold chain of the value of the sum of Twenty five dollars

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by David Smith (now here) for the reason that on said day deponent was standing in front of premises 194 South Street and had the said watch in the right side fob pocket of the pantaloons then worn on his person and part of his bodily clothing and said watch was attached to a chain which chain was fastened to the suspenders then worn by deponent Deponent is informed by Officer John Crean of the 28th Precinct Police, that he Crean saw the said defendant take said watch and chain from the person of deponent and walk

Sworn to before me, this day of 188

Police Justice.

That said Crean further informs deponent that he Crean found the watch and chain here shown, upon the person of the defendant and deponent identifies the same as his deponent's property.

Sworn to before me
this 28th day of September 1888

[illegible]
Police Justice

[illegible]

0690

CITY AND COUNTY
OF NEW YORK, } ss.

John Crean

aged 48 years, occupation Police officer of No. 28th Precinct ~~Street~~, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Washington Rivenburgh and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 28
day of September 188 8

John Crean

A J Vohs

Police Justice.

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

David Smith 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 David Smith

Question. How old are you?

Answer 27 years

Question. Where were you born?

Answer. New York

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

Answer. 173 Park Row. 1 week

Question What is your business or profession?

Answer Painter

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

Answer. I am not guilty

David Smith

Taken before me this 28 *day of* December *188*4

Police Justice.

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 1 DISTRICT.

John Crean

of No. 28 Pleasant Police Street, aged 40 years,

occupation Police Officer being duly sworn deposes and says,

that on the 28 day of September 1888

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

Riverburgh (now here) is a necessary and material witness for the People against David Smith charged with larceny from the person. That said Riverburgh is a non-resident and deponent fears he will not appear when wanted and prays that said ~~will~~ Riverburgh be required to give bail for his appearance and in default thereof to be committed to the House of Detention for witness

John Crean

Sworn to before me, this 28 day of September 1888

Police Justice,

0693

71

1535

Police Court 1 **District.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Washington Wilburg
Forty Seventh
Ward Church

2.
3.
4.

Offence Larceny from person

Dated Sept 28 188 8

White Magistrate.

Officer.

28 Precinct.

Witnesses call the officer
Complainant Complainant

Street.

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named defendant guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Twenty Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Sept 28 188 8 Police Justice.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

No. 1 Bail

No. Street.

RECEIVED OCT 1 1888 DISTRICT

No. Street.

to answer

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated 188 Police Justice.

There being no sufficient cause to believe the within named

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

Dated 188 Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
David Smith

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

The said David Smith,

late of the City of New York, in the County of New York aforesaid, on the twenty-eighth day of September in the year of our Lord one thousand eight hundred and eighty-eight, in the day time of the said day, at the City and County aforesaid, with force and arms,

one watch of the value of fifteen dollars, and
one chain of the value of ten dollars

of the goods, chattels and personal property of one Washington Rivenburgh on the person of the said Washington Rivenburgh then and there being found, from the person of the said Washington Rivenburgh then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

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

The said David Smith

late of the City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,

one watch of the value of fifteen dollars, and

one chain of the value of ten dollars

of the goods, chattels and personal property of one Washington Rivenburgh

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

unlawfully and unjustly, did feloniously receive and have; the said David Smith

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

JOHN R. FELLOWS,
District Attorney.

0696

BOX:
326
FOLDER:
3094
DESCRIPTION:
Smith, John
DATE:
10/08/88

3094

0697

BOX:
326
FOLDER:
3094
DESCRIPTION:
Nichols, Harry
DATE:
10/08/88

3094

Witnesses;

150

Counsel,

Filed day of 188

Pleads, Not guilty

THE PEOPLE

vs.

John Smith
and
Harry Nichols

Burglary in the Second degree.

[Section 49 of Act 1.

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Lowell Lemuel *Foreman.*

Part III October 11/88

Both tried & acquitted

0699

Police Court— 3rd District.

City and County of New York, } ss.:

Frank Roginski

of No. 134 Division Street, aged 36 years, occupation Cedder being duly sworn deposes and says, that the premises No. 134 Division Street, 13 Ward, ~~in the~~ City and County aforesaid the said being a Four Story Brick Tenement house and Five Floor ~~and~~ which was occupied by deponent as a dwelling room and in which there was at the time a human being, by name Deponent Wife and family were BURGLARIOUSLY ~~feloniously~~ entered by means of forcibly getting on the fire escape attached to said house

on the Nineteenth day of Sept 188 8 in the Eight time, and the following property feloniously taken, stolen, and carried away, viz: Wearing Apparel of the Value One hundred Dollars

the property of Deponent and his family and deponent further says, that he has great cause to believe, and does believe, that the aforesaid BURGLARY was committed and the aforesaid property taken, stolen and carried away by John Smith and Harry Nicols both now here for the reasons following, to wit: Deponents Daughter was out on an entertainment, and came home about half past One O'clock on said night and date, that deponent was lying on the fire escape at about the hour of 2 O'clock am; when he saw the said John Smith and Harry Nicols trying to gain an entrance to this deponents apartments

when deponent made an outcry and said Smith and Nobbs ran away followed by deponent until they were arrested. Whereon deponent prays that said Smith and Nobbs may be dealt with as the law directs

Sworn to before me this 28th day of September

Israel Roginski

John J. Norman

Police Justice

Police Court, _____ District.

THE PEOPLE, &c.,
on the complaint of

vs.

1 _____
2 _____
3 _____
4 _____

Offence—BURGLARY.

Dated _____ 188

Magistrate.

Officer.

Clerk.

Witnesses, _____

No. _____ Street,

No. _____ Street,

No. _____ Street,

$ _____ to answer General Sessions.

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named _____ guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of _____ Hundred Dollars _____ and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated _____ 188 . _____ Police Justice.

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

Dated _____ 188 . _____ Police Justice.

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

Dated _____ 188 . _____ Police Justice.

0701

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

John Smith 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. John Smith

Question. How old are you?

Answer. 20 years of age

Question. Where were you born?

Answer. New York City

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

Answer. 4 & New Bowery & Mantin

Question. What is your business or profession?

Answer. Cook

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 Smith

Taken before me this 23 *day of* Oct 188 7

Police Justice.

0702

Sec. 188—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Harry Nicols 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. Harry Nicols

Question. How old are you?

Answer. 23 years of age

Question. Where were you born?

Answer. New York City

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

Answer. 244 Madison St 3 Months

Question. What is your business or profession?

Answer. Waiter

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
Harry Nichols

Taken before me this [illegible] *day of* [illegible] 188 [illegible]

[illegible] *Police Justice.*

0703

BAILED,

No. 1, by ..... Street.
Residence .....

No. 2, by ..... Street.
Residence .....

No. 3, by ..... Street.
Residence .....

No. 4, by ..... Street.
Residence .....

1530 1526

Police Court--- 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Paul McGuiness
234 Division St
John Smith
Harry Weeks

1
2
3
4

Offence Attempted Burglary

Dated Sept. 28th 188 8

Lorman Magistrate.
Snyder Officer.
12 Precinct.

Witnesses
No. ..... Street.
No. ..... Street.
No. ..... Street.
No. ..... Street.

1530 to answer 1531

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named defendants *guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of* 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 Sept 28th 1888 ..... *Police Justice.*

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

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

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

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

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 Smith and Henry Nichols

The Grand Jury of the City and County of New York, by this indictment, accuse John Smith and Henry Nichols of the crime of attempting to commit —
~~of~~ the CRIME OF BURGLARY IN THE First DEGREE, committed as follows:

The said John Smith and Henry Nichols, both,

late of the Twelfth Ward of the City of New York, in the County of New York aforesaid, on the twenty-seventh day of September, in the year of our Lord one thousand eight hundred and eighty-eight, with force and arms, about the hour of two o'clock in the night time of the same day, at the Ward, City and County aforesaid, the dwelling house of one Israel Rosenstein —

there situate, feloniously and burglariously did attempt to break into and enter, there being then and there some human being, ~~to wit:~~

within the said dwelling house, with intent to commit some crime therein, to wit: the goods chattels and personal property of the said Israel Rosenstein —

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away; (the said John Smith and Henry Nichols, and each of them being then and there assisted by a confederate actually present, to wit: each by the other) —

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,

John R. Kellogg,
District Attorney

0705

BOX:
326

FOLDER:
3094

DESCRIPTION:
Smith, James

DATE:
10/29/88

3094

0706

BOX:
326
FOLDER:
3094
DESCRIPTION:
Smith, James
DATE:
10/29/88

3094

Bail fixed at $1000. RBM

Witnesses:

Mary E Smith
344 East 76
John J Sullivan
1570 2 Ave
Rev Thomas J Schneider
109 - 1 2nd ave
Rev. James J. Flood
50th Street & First Ave
Mary Smith,
424 (or 427) East 10th Street

Bailed by
Benjamin Lichtenstein
~~Cooler House~~
~~Bowery Square~~
12 West 72nd St

Bailed June 7. 1889 by deposit of money by Lewis Johnston
10 Centre St
N.Y. City

Upon examination, I recommend defendant's discharge upon his own recognizance, and the release of bail.
June 20/90.
A.D. Parker
Asst

388 Burdett

Counsel,

Filed 29 day of Oct 1888

Pleads, Not guilty. Ind

THE PEOPLE

vs.

~~NA~~

James Edward Smith.
B

BIGAMY
(Section 298, Penal Code).

JOHN R. FELLOWS,
District Attorney.

A True Bill.

June 20/90
Lewis Lusk
Foreman.

On recom. of dist. Atty deft. discharged on his own recog. RB.M.

Give deft. continued 10 days notice by

POOR QUALITY ORIGINAL

0107

Bail fixed at
$1000. 12/30

Witnesses:

Mary E. Fritz
344 5th St
John J. Sullivan
Ex 1570 2nd
Rev James J. Schmidt
109-112 ave
Rev. James J. Flood
56th Street & First
Mary Smith,
424 (or 427) East 61st
Street.

Bailed by
Benjamin Lichtenstein
~~Court House~~
~~Tombs Prisoners~~
12 West 72nd St

Bailed June 7, 1899 by
deposit of money by
Louis Johnston
10 Centre St
N.Y. City

Upon examination, I recommend
defendant's discharge for lack of
complaint and the release of bail.
June 20/99. A.L. Barker
AA

No. 388 Block 5.

Counsel,

Filed 29 day of Oct 188 8

Pleads, Not guilty Amt

THE PEOPLE

vs.

~~NA~~

James Edward Smith.

B

BIGAMY.
(Section 298, Penal Code).

JOHN R. FELLOWS,

District Attorney.

Nov 21st 1899
Upon the evidence given before the Grand Jury

A True Bill.

Lunn Rogers
Foreman.

On recommendation of Dist Atty
deft discharged on his
own recog. B.M.
Gen Sessions

Case deft terminated
10 days notice by
Dept of Crim Law

0709

State of New York,
CITY AND COUNTY OF NEW YORK, } ss.

I, William Brückman the surety mentioned in the annexed undertaking to answer, do hereby authorize and empower any Policeman of the City of New York, or ..... or either of them, in my name, place, and stead, to take, seize and surrender the said James Edward Schmidt (in the said undertaking held as defendant,) to the Court wherein he is bound to appear for trial, or deliver him to the custody of the authorities of said city and county, in my exoneration as surety therein.

Dated May 20th 1889

Wm Brückmann Surety. [L. S.]

Code of Civil Procedure § 849.

First District Police Court.

Know all Men by these Presents,

THAT WE, Edward Schmidt Defendant of No 244 East 10th Street, in the City of New York, and William Bruckmann of No 424 East 10th Street, and ..... of No. ..... Street, Sureties in the said City, are held and firmly bound to the People of the State of New York, in the sum of Three Hundred Dollars, lawful money of the said State, to be paid to the said People for which payment well and truly to be made or done, we bind ourselves, our heirs, executors and administrators jointly and severally, firmly by these presents. Sealed with our Seals, and Dated at the City of New York, this 9th day of April in the year of our Lord, one thousand eight hundred and eighty nine

WHEREAS, the said Edward Schmidt has been brought before Charles Weede one of the Police Justices in the City of New York, charged upon the oath of Mary Novak of said City, with being the father of a Bastard Child, which she alleges she was pregnant with

AND WHEREAS, the Police Justice before whom the said Edward Schmidt was brought has this day associated with himself James T. Kilbreth another Police Justice in said City of New York, pursuant to statute to inquire into the charge, and adjudicate respecting the filiation and maintenance of such Child, lately to be born a Bastard.

AND WHEREAS, Edward Schmidt has made application to said Justices to adjourn the examination of the said matter, and the said Justices at the request of said Edward Schmidt and for good cause given have determined to adjourn such examination and adjudication of said complaint upon the execution of this undertaking, until the 19th day of April 1889 at 12 o'clock in the ..... noon, at the First District Police Court, No 101 Centre Street in said City.

NOW THEREFORE, the condition of this undertaking is such, that if the above-named Edward Schmidt shall personally appear before said Police Justices at the First District Police Court, in the City of New York, on the 19th day of April 1889, at 12 o'clock in the ..... noon, and not depart therefrom without leave of said Police Justices, or if he fail to perform this condition, that we, said Sureties will pay to the People of the State of New York, the sum of Three Hundred Dollars, then this undertaking to be void, otherwise to be and remain in full force.

Taken and acknowledged before us the day and year first above written, by whom the sureties and penalty are approved.

James Edward Smith
Wm Bruckmann

Chas Weede
James T. Kilbreth } *Police Justices.*

07111

CITY AND COUNTY OF NEW YORK, } ss.

William Brückmann

the within-named Bail, being duly sworn, says that he is a resident of the State of New York, and Lee holder in said City, and is worth Six Hundred Dollars, over and above the amount of all his debts and liabilities, in property that is not exempt from execution; and that his property is in said City; and consists of The house and lot of land situated at 499 East 10th Street and is worth twelve thousand dollars clear of all debts & encumbrances.

Wm Brückmann

Sworn before me, this ____ day of May 188 9

Geo Meade Police Justice.

CITY AND COUNTY OF NEW YORK. } ss.

the within-named Surety, being duly sworn, says, that he is a resident of the State of New York, and ____ holder in said City of New York, and is worth ____ Hundred Dollars over and above the amount of all his debts and liabilities, in property that is not exempt from execution; and that his property is in said City, and consists of ____

Sworn before me, this ____ day of ____ 188

Police Justice.

NEW YORK COUNTY JAIL
Received MAY 30 1889

James P. Keating
Matron

POLICE COURT,—FIRST DISTRICT.

Commissioners of City

ON THE COMPLAINT OF Mary Moran

vs.

Edward Schneider

Bastardy Undertaking to appear for examination.

Dated ____ 188

Bastardy undertaking to appear.

Dated ____ 188

POLICE JUSTICES.

I certify the annexed to be a copy of the original on file in the Police Court 1st District

May 30 1889

Thos Dolan
Clerk

0712

Mary Novak
442 E. 124 St

Charles Mueller
240 E. 94 St

Commanding Officer
David's Island.

07-13

District Attorney's Office,

PEOPLE

vs.

James F. Smith

Trial Witnesses:

Mary T. Smith
344 East 40 St.

John F. Sullivan
1570 Second Ave

John D. Sullivan
344 East 40 St.

Charles Mueller,

Lawrence J. ~~Leland~~

Dr. Francis Joseph Schneider
109 Second Ave.

Rev. J. J. Flood
St. John's Church
55th St & First Ave.

District Attorney's Office,

John Pinckley
Mail department
N. Y. Post Office.

Mary A. Smith

Get from Clerk of this court Police Court papers against defendant from about 16th October, 1888

0714

DIRECTIONS.

☞ The Grand Jury Rooms are in the third story of the large brown stone building in Chambers Street, near the New Court House in the Park.

☞ When you arrive at the witness room, hand this Subpœna to the officer or clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPŒNA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF GENERAL SESSIONS.

The People of the State of New York.

To Mary Muller

of No. 424 E. 10th Street,

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you *appear* in your proper person, at the Grand Jury Room, in the third story of the Sessions Building adjoining the New Court House in the Park, in the City of New York, on the 23 day of *October* instant, at the hour of 10½ in the forenoon of the same day, to testify the truth and to give evidence before the GRAND JURY, touching a certain complaint then and there pending against

Jas. Edw. Smith

And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder at the City Hall, in our said City, the first Monday of *October* in the year of our Lord 1888.

JOHN R. FELLOWS, *District Attorney.*

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

City and County of New York, } ss.

of No. 365 East 62d St ~~Street, aged~~ George B. McCoy ~~years,~~
occupation Subpoena Server being duly sworn, deposes and says, that on the 23rd day of October 1888, at the City of New York, in the County of New York, I called at No. 424 East 10th St. the alleged residence of Mary Müller the material witness herein. I knocked at her door, and she opened it. I asked if Mary Müller lived here. She answered "yes." I said "Are you Mary Müller?" She answered yes. I then served her with a subpoena a copy of which is hereto annexed. Then I told her she would have to come to court with me forthwith. She said she would have to see her husband, who worked next door. I refused to allow her to do so. She then put on her cloak, started to go with me, and in the lower hall of said premises, met her husband, the defendant herein. She said to him "I've got to go to Court. He took the subpoena out of her hand and said to her "you go up stairs." I said to Smith, "She must go with me." He again said to her "go up stairs." Then he wanted me to go with him and her to the 57th St. Court, so that he could see his lawyer and get the record of his dismissal. I refused to go with him. I told him that I would report his interfering with me in the discharge of my duty. He said all right. He said he would bring a doctor's certificate that said Mary Müller was unwell and unable to appear. Previous to this he had said he would bring said Mary Müller down to the Grand Jury between 12.30 and 1 P.M.

She has failed to appear before the Grand Jury

Sworn to before me
this 23rd day of Oct. 1888.
Jas. L. Driscoll
COMMISSIONER OF DEEDS,
N. Y. C.

George B. McCoy

388

District Attorney's Office,

City and County of New York.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

James Edw. Smith

Offence

Dated October 23 188

Witnesses,

No. Street,

No. Street,

No. Street,

388

District Attorney's Office,

City and County of New York.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles Miller

240 E 94

vs.

James & Sam. Smith

Offence Assault

Dated October 23d 188[illegible]

Witnesses,

No. Street,

No. Street,

No. Street,

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

This letter was not sent off.
E. C.

The People
v.
James Edward Smith } November 22 1888

Geo. M. Curtis, Esq.
Counsellor at Law.
261 Broadway, City

Sir,

Your favor of to-day has just come to hand. In reply thereto I wish to say that in commenting the following words of your letter to Mr. Davis —

"I think I can satisfy you that you have no case, if you will honor me with an interview for that purpose"

into a desire on your part to make a statement, my mind can be said as having labored under a misapprehension, I have to plead guilty. The case has been referred to me to ascertain the exact facts for that purpose ~~in the case~~, and to hear all the parties that know

anything material to the issue herein. We can, of course, not subpoena the defendant or any of his or her witnesses, nor can we compel the defendant's lawyer to make a statement. If they, however, volunteer any material information, I deem it my duty to take the same and ~~to the~~ use it in the best interest of the county.

The examination of the witnesses for the People herein has disclosed a good, strong case for the prosecution; if you, however, will favor me with any information showing the contrary, I shall gladly investigate the same and make my report thereon without fear or favor. Should it be inconvenient to you to call in person, I shall be pleased to see any representative of your office or to receive any written notes from you. My desire and practice is not to delay any ~~matter~~ official business in my charge, and I ~~should~~ therefore respectfully request you to give to this matter your earliest attention.

Yours truly,
Edward Irons
Deputy District Attorney

MAYOR'S OFFICE.

New York, Oct. 20, 1888.

John R. Fellows, Esq.,

District Attorney.

Sir:

I enclose herewith an affidavit of Charles Muller, who will deliver this letter, and who is accompanied by Mary T. Smith, and to request that you will cause the charges of bigamy which they prefer against one James Edward Smith, to be investigated and take such action thereupon as your duty may require.

Yours respectfully,

Hugh J. Grant

Mayor.

MAYOR'S OFFICE,

New York, October 20, 1888.

Charles Muller, of 240 East 94th street, New York City, occupation, soldier in the United States Army, states:

My sister Mary on the 11th of August last was married by Parson Schneider at 109 Second avenue to James Edward Smith, a machine builder who works for Monelli & Lichtenstein, corner of 10th street and Avenue D. My sister made a charge against said Smith, of bigamy, week before last, before either Police Justice White or O'Reilly, I am not sure which, at the 57th street Police Court. Smith had been arrested previously on a warrant procured on a complaint of my father Matthias Muller and then he was afterwards arrested as aforesaid by my sister. My father engaged Ex-Police Justice Marcus Otterbourg as her counsel, and he told her to come down last Monday evening with some letters that she had from Smith; but she failed to appear and disappeared that evening. She was living at my father's house at the time and we traced her and Smith to Jersey City at Taylor's Hotel, where my father saw them and requested her to go home and press the charge against Smith, as he had two other wives living in this city. I saw Judge Otterbourg yesterday and he said he could not do any more in the case because he had nobody to back him, as my sister would not appear against Smith. I un-

MAYOR'S OFFICE

New York,

derstand ~~now~~ the proceedings in the Police Court have been dismissed because of the non-appearance of my sister.

I now produce Mrs. Mary T. Smith, whose maiden name was Sullivan, and who appears from the certificate signed by Rev. James J. Floyd, pastor, to have been married to said Smith on the 29th of November, 1882, by the Rev. P. F. Magann, at the church of St. John, The Evangelist, 55th street and 1st avenue. Said Mary T. Smith as well as myself and my family desire said Smith to be indicted and duly prosecuted and punished for bigamy. Said Mary T. Smith lived with said Smith until last March when he left her.

Sworn to before me this
20th day of October, 1888.

Commissioner of Deeds.

Charles H. Miller

I, **JOHN SPARKS,** Clerk of the Court of General Sessions of the Peace, and Clerk of the Court of Oyer and Terminer held in and for the City and County of New York, (each being a Court of Record and having a Common Seal,) do hereby certify that the annexed is a copy of

An Undertaking to answer

now on file in the Clerk's Office, and that the same has been compared by me with the original, and is a correct transcript therefrom and of the whole of such original.

3d Vol [illegible] Sec. 10, p. 2573.
Laws 1879, p. 611, Sec. 933.

GIVEN UNDER my hand and attested by the seal of the said Court this third *day of* May *in the year of our Lord one thousand eight hundred and eighty* nine,

J. Sparks

0724

GLUED PAGES

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

An indictment having been found on the 29 day of October 1888, in the Court of General Sessions of the City and County of New York, charging James Edward Smith with the crime of Bigamy, and he having been duly admitted to bail in the sum of Ten hundred dollars:

We, James Edward Smith defendant, residing at No. 424 East 10th Street, and Benjamin Lichtenstein residing at ~~No.~~ Cobett House Union Square ~~Street,~~ in the City of New York, surety, hereby jointly and severally undertake that the above-named James Edward Smith shall appear and answer the indictment above mentioned, in whatever Court it may be prosecuted, and shall at all times render himself amenable to the orders and process of the Court; and, if convicted, shall appear for judgment, and render himself in execution thereof; or, if he fail to perform either of these conditions, that we will pay to the people of the State of New York, the sum of Ten hundred dollars.

Taken and acknowledged before me this 31 day of Oct 188 8

H Aldendeleve
Judge General Sessions

James Edward Smith Principal.
Benj Lichtenstein Surety.

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

An indictment having been found on the 29 day of October 1888, in the Court of General Sessions of the City and County of New York, charging James Edward Smith with the crime of Bigamy, and he having been duly admitted to bail in the sum of Ten hundred dollars:

We, James Edward Smith defendant, residing at No. 424 East 10th Street, and Benjamin Lichtenstein residing at ~~No.~~ Cabell House Union Square ~~Street,~~ in the City of New York, surety, hereby jointly and severally undertake that the above-named James Edward Smith shall appear and answer the indictment above mentioned, in whatever Court it may be prosecuted, and shall at all times render himself amenable to the orders and process of the Court; and, if convicted, shall appear for judgment, and render himself in execution thereof; or, if he fail to perform either of these conditions, that we will pay to the people of the State of New York, the sum of Ten hundred dollars.

Taken and acknowledged before me this 31 day of Oct. 188 8

H. A. Gildersleeve
Judge General Sessions

James Edward Smith Principal.
Ben Lichtenstein Surety.

And we, the undersigned, Principal and Surety in the annexed Recognizance, do hereby Stipulate, Agree and Consent, That in case said Recognizance shall be forfeited, that a copy of the order of the Court forfeiting the same, together with this Recognizance, be filed in the office of the Clerk of the City and County of New York, and that judgment may be entered for the several sums set forth in said Recognizance, and that execution issue forthwith thereon according to law.

Witness David Anderson

James Edward Smith Principal. L. S.

Benj Lichtenstein Surety L. S.

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

Benjamin Lichtenstein

The above-named surety, being duly sworn, deposes and says, that he is a resident, and a free holder within the said City, County and State; that he is worth the sum of four hundred thousand ~~hundred~~ dollars, exclusive of property exempt from execution.

Sworn to before me, this 31 day of October 1888. } Benj Lichtenstein

N A Gildersleeve
Judge Gen Sessions

0728

State of New York,
CITY AND COUNTY OF NEW YORK, } ss.

I, Benjamin Lichtenstein the surety mentioned in the annexed undertaking to answer, do hereby authorize and empower any Policeman of the City of New York, or Thomas F. Crawford or either of them, in my name, place, and stead, to take, seize and surrender the said Alfred Edward Smith, (in the said undertaking held as defendant,) to the Court wherein he is bound to appear for trial, or deliver him to the custody of the authorities of said city and county, in my exoneration as surety therein.

Dated May 3d 1889

Benj Lichtenstein Surety.

Certified Copy
NEW YORK
Court of General Sessions of the Peace.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
vs.
Alfred Edward Smith

Recognizance to Answer.

Taken the 3rd day of Oct 188 9

Approved as to Form and Sufficiency.

Dated Oct 3 188 9

Vernon M Davis
Asst District Attorney

Identified by

Filed 3rd day of October 188 9

NEW YORK
Received
MAY 4 1889
COUNTY JAIL

Geo. M. Curtis,
Counsellor at Law,
261 Broadway,
Ascend by Elevator.

New York, Feb. 6 188 9.

Hon. John R. Fellows,
District Attorney, —

Dear Sir, —

I have just received another notice of trial in the case of People vs James Edward Smith (Bigamy).

It was understood when the case was originally adjourned that ten days notice of trial should be given to enable us to bring witnesses residing out of the state. Last term it went over so that we could agree on a day of trial.

We have gotten ready several times — all we desire to know is the exact day of the hearing.

Yours respectfully

Geo. M. Curtis

Geo. M. Curtis,
Counsellor at Law,
261 Broadway,
Ascend by Elevator.

New York, April 6th 188 9

My Dear Sir — In the case of People vs James Edward Smith (bigamy) I desire to request you to send to the Police Headquarters for the certificate of his first marriage which was originally filed with the police magistrate who discharged him. In the indictment he is charged with marrying his present wife while the complainant was still living. In point of fact he was

never legally married
to the complainant because
at the time of his alleged
espousal of her, he
was already married to
a woman who was
still living and from
whom he never ob-
tained any legal
separation! Before
he married the present
woman, the first
woman died —
Consequently in law, he
is only legally married
to the present woman.
I deem it proper to
acquaint you with
these facts.
Yours truly
Geo. M. Curtis
Hon. John McCullough —

District Attorney's Office,

PEOPLE

vs.

James Edward Smith

Bigamy

Mr. McGee,

Please send me these papers, with the report of the enforcement officers thereon.

DDA

0733

Mary E. Smith
not found

John E. Sullivan
1570 - 2d ave.
not found

Rev F. J. Flood
residence 55 W 8 1st Ave

Rev. F. J. Schmidt
Residence 109 - 2d Ave.

Mary Smith
not found

0734

Church of St. John the Evangelist,

55th STREET & FIRST AVE.

I Hereby Certify, that James E. Smith and Mary J. Sullivan were lawfully Married according to the rite of the Roman Catholic Church, by the Rev. P. L. Magann on the 29th day of November 1882, in presence of John E. Sullivan and Annie Sullivan

Copied from the Parish Register, this 23rd day of November 1888

J. J. Flood
Pastor.

Geo. M. Curtis,
Counsellor at Law,
261 Broadway,

Ascend by Elevator.

New York, July 21st 1886.

My Dear Sir:

I was all ready for trial to day in the case of People vs. Yuma Edwards Smith for Bigamy. In your sense of the public duty prompts you to try the case please name it-set down for a day so that I can have at least ten days' notice, as I have to bring witnesses from Auburn - that is from another State. I think I can satisfy you that you have no

Cose if you will have
the Quilts ready in ten-
days for that purpose.
yours truly
Geo. M. Curtis
Hon Mr. Slavis-

People vs. James Edward Smith.

Geo. M. Curtis,
Counsellor at Law,
261 Broadway,
Ascend by Elevator.

New York, Nov 22nd 1888.

Sir.

You are under a misapprehension. I do not "desire to make a statement." Having a friendly feeling for the District Attorney and his staff, and a desire to save the County trouble and expense in a trial which must result in an acquittal, I wrote Mr. Davis giving him the facts of the case.

That is all.

Yours truly

Geo. M. Curtis.

Court of General Sessions.

The People
v
James Edward Smith } Bigamy.

Mary T. Smith, 344 East 40 Street. I am living there with my brother, John T. Sullivan. On the 29th of November 1882, I was married by the Rev. T. F. Magann, at his church, 55th Street and First Avenue, known as the Church of St. John, the Evangelist. My maiden name was Mary T. Sullivan. I cohabited with the defendant for a month immediately after said marriage. From about December 19th, 1882, until the month of April, 1883, I stayed with my parents at Princeton, N.J. I went there at defendants request, and I stayed there until he came to take me back to New York. Thereafter I lived with the defendant in New York city until the month of April, 1888, with the exception of three

months in the summer of 1887. We had broken up housekeeping thereto. The defendant sold all the furniture. When he left me in April 1888, we had lived in 916 East 60 Street. He said to me that I had to make my own living. He has not contributed anything towards my support, except one dollar every week since August, 1888. About two months ago I met him and the woman with whom he lives now as husband and wife in 42d Street. He then denied that he was married to me, but I informed the said woman of all the details of my marriage with him. Said woman afterwards came to me to get me as a witness in a criminal action she had commenced against the defendant. I went to the 57th Street Police Court and gave my testimony. There was been no issue of our said marriage. I am in possession of my marriage certificate. Rev. Magann is reputed to be dead.

John H. Sullivan, 1572 Second Avenue, stairbuilder. I am an uncle of Mrs. Mary L Sullivan and officiated as a witness at her marriage to the defendant by Father Magann on the 29th of November 1882, at the Church of St. John the Evangelist.

John D. Sullivan, 3444 East 40 Street butcher at slaughter house. I am a brother of Mrs. Mary L Sullivan and was present at her above said marriage. Two or three evenings prior thereto I went with the defendant to ~~said Church~~ the Pastor's house to make arrangements for said marriage. I was in defendant's company on the day of said marriage, he was perfectly sober then. After the wedding the couple lived together at my house for about four weeks.

Charles Mueller, 2440 E. 94 Street, Soldier in the U. S. Army. On

or about the 24th of September, 1888, my sister Mary informed me that she had married the defendant, but had since ascertained that he had another wife living and that she wanted to get him punished. She thereafter preferred a charge of bigamy against the defendant at 57th Street Police Court, but on the day before the examination she disappeared from her home and did not return. My father and myself found her thereafter with the defendant at Taylor Hotel, in Jersey City.

Francis Joseph Schneider, 109 Second Avenue, Clergyman. On the 11th August 1888, I celebrated the marriage ceremony between the defendant and Mary Mueller at my said residence. They gave their respective residence as 141 Varick Street and 224 East 94 Street. The defendant stated that he was a married man and by at Pittsburgh, Pa., that his fathers name was John Smith

and his mother's maiden name Mary Edwards. He gave his age as 29 year. The bride stated that she was born at Oggersheim, near Mannheim, Germany, that her father's name was Mathias Mueller and her mother's maiden name Margaretha Hamman. Her age she gave as 19 years. The defendant stated that he was never married before.

Rev. J. J. Flood, Pastor of St John's Church will testify as to the facts stated in the annexed certificate.

Police Court
16 October 1888

COURT OF GENERAL SESSIONS.

THE PEOPLE, &c.
vs.
James F. Smith

BRIEF OF FACTS.

For the District Attorney.

Dated November 1888.
Edward Grosse
Deputy Assistant.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
James Edward Smith.

The Grand Jury of the City and County of New York, by this indictment, accuse James Edward Smith of the CRIME OF BIGAMY, committed as follows:

The said James Edward Smith, late of the City of New York, in the County of New York aforesaid, on the twenty-ninth day of November, in the year of our Lord one thousand eight hundred and and eighty-two, did marry one Mary J. Smith and her the said Mary J. Smith did then and there have for his wife; and the said James Edward Smith afterwards, to wit, on the eleventh day of August, in the year of our Lord one thousand eight hundred and eighty-eight, at the city and county aforesaid, did feloniously marry and take as his wife one Mary Müller, and to the said Mary Müller was then and there married, the said Mary J. Smith being then living and in full life, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.