

0773

BOX:

321

FOLDER:

3056

DESCRIPTION:

Sabbathina, Lorisa

DATE:

09/25/88



3056

0774

Witnesses;

Counsel,

Filed 25 day of Sep 1888

Pleads, *Christy*

THE PEOPLE

vs.

Lucia Sabbathina

KEEPING A HOUSE OF ILL FAME, ETC.
[Sections 322 and 385, Penal Code]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

J. Weaver
Foreman,
Sept. 25. Detainer 8/88
Pleads Guilty.
Judgment rendered.
W. H. G.

0775

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

Louisa Sabbathini 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. *Louis Sabbathini*

Question. How old are you?

Answer. *38 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *39 Mulberry Street 2 years*

Question. What is your business or profession?

Answer. *Housekeeper*

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

Answer. *I am not guilty and demand an examination.*

Louisa Sabbathini
mark

Taken before me this

day of

188

Police Justice.

0776

Sec. 151.

Police Court— District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by *Donato Tuzzo* of No. *37 Mulberry* Street, that on the *21st* day of *July* 188*8*, at the City of New York, in the County of New York, *Jacquesi Roach* did keep and maintain at the premises known as Number *39 Mulberry* Street, in said City, a *house of prostitution* and there unlawfully procure and permit as well men as women of evil name and fame, and of dishonest conversation to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution, and there unlawfully and wilfully did permit said men and women of evil name and fame there to be and remain drinking, dancing, fighting, disturbing the peace, whoring and misbehaving themselves whereby the peace, comfort, and decency of persons inhabiting and residing in the neighborhood and there passing is habitually disturbed in violation of the statute in such case made and provided.

THESE ARE, THEREFORE, in the name of the People of the State of New York, to Command you, the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the body of the said

Jacquesi Roach and all vile, disorderly and improper persons found upon the premises occupied by said *Jacquesi Roach* and forthwith bring them before me, at the DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this *23* day of *July* 188*8*

J. H. Smith POLICE JUSTICE.

0777

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

[Signature] Police Justice.

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

Dated.....188

[Signature] 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.

0778

Police Court---

1165
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Donato Cuzzo
37 Mulberry
Louisa Sabbatini

Offence
Rus House

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Dated

1888

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

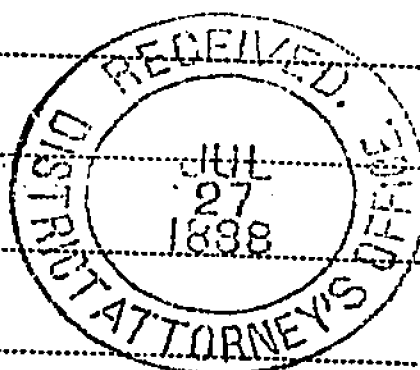
Street.

\$

to answer

Bailed

Don



0779

POLICE COURT, _____ DISTRICT.

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

of No. Donato Tuzzo Street, being duly sworn, deposes and says,
that Louisa Sabbatini (now present) is the person, of ~~that name~~ the name of Louisa Rosen
mentioned in deponent's affidavit of the 23 day of July 188 8
hereunto annexed.

Sworn to before me, this 24 day of July 188 8

Donato Tuzzo

J. H. Smith POLICE JUSTICE.

0780

Sec. 322, Penal Code.

District Police Court.

CITY AND COUNTY OF NEW YORK

Luigi Tuzzo
of No. 37 Mulberry Street, in said City, being duly sworn says,
that at the premises known as Number 39 Mulberry Street,
in the City and County of New York, on the 21 day of July 1888, and on divers
other days and times, between that day and the day of making this complaint

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

Deponent therefore prays, that the said Louisa Rosen
and all vile, disorderly and improper persons found upon the premises, occupied by said

Louisa Rosen
may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me, this 23 day
of July 1888

Conrado Tuzzo
Philip Police Justice.

0781

m

Police Court— / District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Alvino Gugg

vs.

Jurisa Rosen

AFFIDAVIT—Keeping Disorderly House, &c.

Dated *July 23* 188 *P*

Rebreeth Justice.

Officer.

Precinct.

WITNESSES :

0782

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Sonia Sabbathina

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

Sonia Sabbathina

(Sec. 322,
Penal Code.)

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

The said *Sonia Sabbathina*,

late of the *Sixth* Ward of the City of New York, in the County of New York aforesaid, on the *21st* day of *July*, in the year of our Lord one thousand eight hundred and eighty *eight*, and on divers other days and times, as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said *Sonia Sabbathina*

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

SECOND COUNT—

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

Sonia Sabbathina

(Section 385,
Penal Code.)

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

The said *Sonia Sabbathina*,

late of the Ward, City and County aforesaid, afterwards, to wit: on the *21st* day of *July* in the year of our Lord one thousand eight hundred

0783

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

THIRD COUNT—

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

Sonia Sabathnia —

(Section 822
Penal Code.) of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said *Sonia Sabathnia*

late of the Ward, City and County aforesaid, afterwards, to wit: on the ~~21st~~ day of ~~July~~ in the year of our Lord one thousand eight hundred and eighty-~~eight~~ and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for ~~the~~ own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in ~~the~~ said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0784

BOX:

321

FOLDER:

3056

DESCRIPTION:

Sammon, John

DATE:

09/20/88



3056

0785

Estelle Kufornatoro

0786

Police Court— 3 District.City and County } ss.:
of New York, }of No. 171 Mulberry Street, aged 22 years,
occupation Driver being duly sworndeposes and says, that on the 26th day of August 1888 at the City of NewYork, in the County of New York, in the Liquor Saloon No 355 Boweryhe was violently and feloniously ASSAULTED and BEATEN by JohnCommon (now here) who wilfully
maliciously and deliberately
pointed aimed, and discharged
a revolving pistol loaded with
powder and leaden ball at the
body of deponent, one of the
balls from said pistol striking
deponent on the left breast
and passing through deponent's
body.That deponent was
assaulted as aforesaid by
said defendantwith the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without
any justification on the part of the said assailant :Wherefore this deponent prays that the said assailant may be ~~apprehended~~ and bound to answer
for the above assault, etc., and be dealt with according to law.Sworn to before me, this 15 dayof September 1888.John James ClancyR. G. Duffy
Police Justice.

0787

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *John Sammon*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *76 East Horseton Street, New York City about 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 may think will tend to your
exculpation?

Answer. *I have nothing to say at present.*

John Sammon

Taken before me this

day of

1885

Police Justice.

0788

Bellevue Hospital
Sept 14/88 -

Dear Judge -

Please send John
Clancy back here after
the examination as I want
to keep him under obser-
vation for certainly a week
longer and oblige.

Yours Very Respectfully
William D. Ballou
House Surgeon

0789

Hon Judge Ford
John O'Leary's condition
is very good, and will be able to appear
in Court, next Saturday, Sept 15th/88.
Sept 12th/88 W. R. Ballou
House Surgeon

0790

arrested by you on the 20th day of
August, 1888, and held to await
result of injuries.

G. M. M. M. M.

Police Justice.

0791

Bellevue Hospital
Aug. 29/88
The condition of John Clancy
under my care is much better
to day - and looks favorable
for recovery.
Respectfully
William P. Ballou M.D.
House Surgeon

Bellevue Hosp.
Aug 26/88
This is to certify that John
Clancy is in a very dangerous
condition & unable to appear in
court to day

0792

CITY AND COUNTY
OF NEW YORK, ss.

POLICE COURT,

DISTRICT.

Michael Bissant

of No. 121 Preservat Street, aged years,

occupation Police Officer being duly sworn deposes and says,

that on the 2nd day of May 1888

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

John Sammon (Nuzher) on the
Complaint of John J. Harney who
informed Deponent in the presence
of Mr. Quia Sammon that he had
been associated by the Quia Sammon
White he was in a liquor store 353
Bway by the Sammon who shot him
in the left breast with a pistol
then held in his Sammon hand.

Deponent further says that the Quia
Harney is now in Bellevue Hospital.

• Made to before me, this

1888

day

Police Justice

0793

Suffering from (Dart) Injuries
and is a dangerous condition
and unable to appear in Court
Sworn before me this Michael Bissect
26 day of August 1885
P. J. Duff
Police Justice

1903
Police Court District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

AFRIDA VIT.

vs.
John Sammons
27. Balance of Estate

Dated Aug 26 188

Duffey Magistrate.
Sworn Officer.

Witness,

14

Disposition, Emma M. Milbank

Born to August - March

0794

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 September 15, 188 8 J. H. Duff 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.

0795

Police Court---

3

1457 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John J. Clancy
171 1/2 Mulberry St
John Sampson

2

3

4

Offence
Barbarous
Assault

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

September 15 188 *8*

Magistrate.

Leon

Officer.

14

Precinct.

Witnesses

No.

John Smith

354 Broadway

Jacob Leon

14th Precinct Police

James R. Anderson

Samuel Wilson

\$

2000 to answer

Car

*Asst. -
District*

COURT OF GENERAL SESSIONS, PART III.

----- x
 The People of the State of New York : Before
 : Hon. H. A. Gildersleeve
 : and a Jury.
 :
 :
 :
 J O H N S A M M O N :
 ----- x

Indictment filed September 20th., 1888.

Indicted for assault in the first degree.

New York, October 9th., 1888.

A P P E A R A N C E S:

For the People,

Asst. Dist. Atty. Henry Macdonald;

For the defendant,

Thomas J. Sullivan.

JOHN J. CIANCY, a witness for the People, sworn, testifies:

I am a driver. On the night of the 8th. of August last I was in the saloon No. 355 Bowery. The prisoner John Sammon, who is now at the bar, had charge of the door of that place on that night. It was half past six on Sunday morning when I went in there. Myself and a man named Casey went into Grant's saloon, where this man was employed as a bar tender; there were some eighteen or twenty men and women in there, in the back room. This friend of mine went in the place and I followed him. We

were in there about a minute, when the bar-tender fired a shot. I came up and I said "What are you shootin' for Mine; don't you know that this is Sunday mornin'; you will get arrested". This man Sammon had a pistol and he said "What is it your business"; I said "What's that" and as soon as I did he put the pistol to my breast and fired; it went off. I did not think I was shot; I felt the blood running down my leg. Sammon went to go out of the side door and I followed him out; I fell in the hall; he had his foot over me and kicked me in the head and chest. Then an officer came in. I was taken to the hospital and I was laid up there nearly six weeks with a wound through my lung. I never had any difficulty with the defendant before. My conversation, when I went into the squaloon, was addressed to the bar tender with whom I was acquainted and whose name was Mike". The bar-keeper was behind the bar when the shot was fired. Sammon had the pistol in his hand and he called me a name and said he would give me one of those balls. I was still standing in front of the bar when he said the .

was fired. I saw the pistol in Sammon's hand and I saw him fire it; he was about 3 feet away from the complainant when he fired.

CROSS EXAMINATION:

I do not go by any other name. I am a tailor by oc

0798

CORRECTION

COURT OF GENERAL SESSIONS, PART III.

----- x
 :
 The People of the State of New York : Before
 : Hon. H. A. Gildersleeve
 against : and a Jury.
 :
 J O H N S A M M O N :
 :
 ----- x

Indictment filed September 20th., 1888.

Indicted for assault in the first degree.

New York, October 9th., 1888.

A P P E A R A N C E S:

For the People,

Asst. Dist. Atty. Henry Macdona;

For the defendant,

Thomas J. Sullivan.

JOHN J. CIANCY, a witness for the People, sworn, testifies:

I am a driver. On the night of the 8th. of August last I was in the saloon No. 355 Bowery. The prisoner John Sammon, who is now at the bar, had charge of the door of that place on that night. It was half past six on Sunday morning when I went in there. Myself and a man named Casey went into Grant's saloon, where this man was employed as a bar tender; there were some eighteen or twenty men and women in there, in the back room. This friend of mine went in the place and I followed him. We

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2

were in there about a minute, when the bar-tender fired a shot. I came up and I said "What are you shootin for Mine; don't you know that this is Sunday mo rin ; you will get arrested". This man Sammon had a pistol and he said "What is it your business"; I said "What's that" and as soon as I did he put the pistol to my breast and fired; it went off. I did not think I was shot; I felt the blood running down my leg. Sammon went to go out of the side door and I followed him out; I fell in the hall; he had his foot over me and kicked me in the head and chest. Then an officer came in. I was taken to the hospital and I was laid up there nearly six weeks with a wound through my lung. I never had any difficulty with the defendant before. My conversation, when I went into the sqloen, was addressed to the bar tender with whom I was acquainted and whose name was Mike". The bar-keeper was behind the bar when the shot was fired. Sammon had the pistol in his hand and he called me a name and said he would give me one of those balls. I was still standing in front of the bar when he said tha .

CROSS EXAMINATION:

I have been driving a truck for John Collins for four years. I have never been in the Penitentiary in my life or in the State Prison or in the Reformatory. I have been in the Work House, ho ever, three times. I have been arrested about seven times. I d not frequent this

place every night but I go there quite a number of times.

Q Don't you associate with a number of crooks and thieves who frequent this saloon?

A No, sir.

Q You did nothing at all in this place?

A No, sir.

Q Isn't it true that you were in this place drinking with this gang all night long?

A No, sir; I went in there at the time I said I did in the morning. I did not force my way in. I have never been charged with any crime except drunkenness and standing around a corner.

JAMES DIMON, a witness for the People, sworn, testified:

I was in the saloon No. 355 Bowery on the 26th. of August of this year at about 7 o'clock A.M. I saw the defendant come out of the back room and fire a pistol shot at the complainant; the defendant was standing somewhere in the back part of the room and Glancy was standing between the end of the bar and the lunch counter. I did not hear any conversation between the two men before the shot was fired. I saw the pistol in Sammon's hand and I saw him fire it; he was about 3 feet away from the complainant when he fired.

CROSS EXAMINATION:

I do not go by any other name. I am a tailor by oc

cupation. I was out the best part of the night before this thing took place. I was in this saloon on the right in question; I am sure of that. I was there with my friend Wilson. Wilson is in Court to-day.

Q Who first spoke to you about being a witness?

A Clancy himself. He spoke to me about it one day that I met him when I was coming over on the boat from the Island. I was arrested in this place on the morning that the shooting occurred and I was sent to the Island. I have been in the Work House but I have never been in the Penitentiary or State Prison or in the Reformatory.

SAMUEL WILSON, a witness for the People, sworn, testified:

I was in the saloon No. 355 Bowery on the night of the 26th. of August last. I heard a shot of a pistol and then I heard Clancy say he was shot; I saw the pistol in Sammon's hands afterwards; there was a second shot fired in the hall. I went in this place to have a drink with a friend of mine named Dimon; we were standing before the bar and had asked for a drink and the bar tender then refused to give us a drink; it was just then that I heard the shot fired; Clancy was in the saloon when myself and Dimon went in there. We were standing at the end of the bar near the door; Clancy was standing close to the door I think. I had my face turned towards the door when I heard the report of the pistol. Then I heard

Clancy say that he was shot and he staggered towards the door; I did not see any pistol in Sammon's hand until I got to the hall. Clancy was lying in the hall way when the second shot was fired.

CROSS EXAMINATION:

I am a musician by occupation. I am a married man, but I don't live with my wife; I sleep in a lodging house in the Bowery.

Q Weren't you in this saloon all night long?

A No, sir.

Q Is it not true that you have no recollection of what occurred in this saloon?

A No, sir.

Q Do you remember being thrown out of this saloon at four o'clock or being drunk?

A No, sir.

Q How many times have you been on the Island?

A I never was on the Island. I have been arrested twice in my life.

JACOB LEON, a witness for the people, sworn, testified:

I am a police officer. I remember seeing the complainant John Clancy go into the saloon at No. 355 Bowery on Sunday morning, August 16th. about 7:20 A.M. About 5 or 6 minutes after he went in I heard the report of a pistol and I ran into the place; I found Clancy lying in the door which entered into the liquor store from the hall-way

I stooped over him and at that time I saw Sammon putting the pistol back behind the bar. As he laid the pistol down I picked it up and I asked him what he shot Clancy for and he could not speak.

Q How many chambers of that revolver were empty when you saw it ?

A Three; the others were all loaded. I brought Sammon over to Clancy and I asked Clancy whether this was the man who shot him and he said "yes"; I turned about and I saw another officer coming into the door and I said to the other officer "You stop here until I take Sammon to the Station House". I asked the officer then whether he had a pistol and he said no, and I handed him my pistol and I said to him "Leave no one out of here until I get back"; I want everybody that is in the place"; I went to the Station House with the prisoner and brought a number of men back with me and we took 13 prisoners out of there.

CROSS EXAMINATION:

Clancy has the reputation among the police of a bad character.

D E F E N C E.

JOHN SAMMON, the defendant, sworn, testified:

I was employed as bar-tender in the saloon No. 355 Bowery on Saturday nights by Mr. Grant, the proprietor.

0005

7

On the evening in question the complainant Clancy had been in and out all the evening and had raised several little disturbances. During the evening the other bar-tender had fired a shot to scare them away. I stood at the end of the bar to prevent them from getting behind it and Clancy said "Give him a licking". I got struck in the neck and I fell down; I managed to struggle to my feet and I took a revolver from the bar-tender's pocket and I fired a shot; if I hadn't done that they would have done me. Previous to this shooting I saw Clancy put something into an Irishman's beer who was drinking in the back room, and I called the man's attention to it and after that Clancy said he was going to do me up. At the time I fired this shot there were 3 or 4 men rushing at me they had knocked me down and I was getting up and they were coming at me for a second time. I knew what kind of people they were and I thought that I was justified in shooting at them; they are all bad characters.

CROSS EXAMINATION:

Q Why didn't you make the explanation which you now make at the Police Station ?

A I made it to the detectives. I told them in the Police Court that it was done in self-defence.

MICHAEL BARRETT, a witness for the defendant, sworn, testified:

I am a bar-tender in this saloon at No. 355 Bowery.

0006

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On the night in question I got distinct orders from the boss to close the place up at 12 o'clock. I did so. These parties came around to the door shortly afterwards and wanted to get in and I told them "No one can get in here". I was cleaning up the place behind the bar and one of these fellows came around to me and said something and I ordered them out; they told me they would not go out and then they used threatening language to me. About 7 o'clock in the morning the same parties came back and they came to me at the bar. I ordered them out and they would not go so I took a revolver out of the drawer and put it in my pocket. I got Sammon to help me put them out, and when we were tusseling with them I felt Sammon pulling the revolver out of my pocket and telling them to stand back. I turned around and just then I heard a shot.

Q Was Clancy among these parties that you are talking about?

A Yes, sir.

Q Did you see the shot fired?

A No, sir; my back was turned.

Q The pistol was sticking out of your pocket?

A Yes, sir.

CROSS EXAMINATION:

I had my apron on me this morning and was behind the bar. I did not hear Sammon say anything except "Stand

0007

8

back". When I ordered these men out of the place they were very boisterous and threatened to shoot me. I can not tell whether Clancy said anything or not.

The Jury returned a verdict of guilty of assault in the second degree.

INDICATE IT FILED SEPT. 20 1888

COURT OF GENERAL SESSIONS,
PART III.

The People & Co.

γ.

JOHN SAMPOL,

ABSTRACT OF TESTIMONY ON
TRIAL OCTOBER 9, 1888.

0809

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 Sammon

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

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

The said

John Sammon

late of the City of New York, in the County of New York aforesaid, on the *twenty-sixth* day of *August*, in the year of our Lord one thousand eight hundred and eighty-~~eight~~^{eight}, with force and arms, at the City and County aforesaid, in and upon the body of one *John J. Clancy* in the peace of the said People then and there being, feloniously did make an assault and to, at and against *him* the said *John J. Clancy* a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said *John Sammon* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there shoot off and discharge, with intent *him* the said *John J. Clancy* thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said *John Sammon* of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

John Sammon

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *John J. Clancy* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against *him* the said *John J. Clancy*

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

in *his* right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully shoot off and discharge, 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.

08 10

BOX:

321

FOLDER:

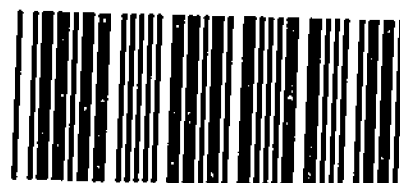
3056

DESCRIPTION:

Samwells, Walter

DATE:

09/10/88



3056

0811

Witnesses:

#103
~~Edward Frankenburg~~
Counsel,
Filed 10 day of Sep 1888
Pleads, *Charguilly (H)*

THE PEOPLE
Count 1st
11-11-11
P
H. D.
Assault in the First Degree, Etc.
(Sections 217 and 218, Penal Code.)
Walter Samuels

JOHN R. FELLOWS,
District Attorney.
Sept. 25/88.
A True Bill.
J. W. Hayes
Foreman.

Part III Oct. 1, 1888.
Defendant discharged on
his own recognizance
Bond of \$1000 forfeited.

08 12

Police Court—1 District

CITY AND COUNTY }
OF NEW YORK, } ss.

of No. James O'Hearn Street,

Bartender

being duly sworn, deposes and says, that

on Tuesday the 4 day of September

in the year 1888 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED ~~and BEATEN~~ by

Walter
Samwells, (nowhere) who
wilfully and feloniously
pointed and aimed a revolver
loaded with cartridges con-
taining leaden balls and powder,
at the body of this deponent.
That at the time when said
revolver was so presented, the
same was cocked and the defen-
dant did twice snap the same

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

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

Sworn to before me, this 5 day
of September 1888

James O'Hearn

Sam'l C. Kelly POLICE JUSTICE.

08 13

Sec. 198—200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Walter Samwells 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 Samwells

Question. How old are you?

Answer.

20 years

Question. Where were you born?

Answer.

New York.

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

Answer.

9 Albany Street; 1 year

Question. What is your business or profession?

Answer.

Signhanger

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.

Walter Samwells

Taken before me this

5

day of *Sept* 188*8*

David C. McNeill
Police Justice.

08 14

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

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

Dated, Sept 5 1888 Sam'l C. Kelly 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.

0815

Police Court---1390 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James O'Hearn
House of Detention
Walter Samuels

2

3

4

Office

James O'Hearn

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

Sept 5 1888

Magistrate.

O'Reilly
Schlottman

Officer.

2 Precinct.

Witnesses

Off
Fred L. Schlottman

Street.

2nd Precinct

No. Complaint sent to House
of Detention in default of
\$100. Bail

No. 100. Bail

Street.

\$1000 to answer

COMMITTED.

Complainant bailed by
John A. Hean 25 Becker St

0816

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 1 DISTRICT.

of No. Second Precinct Police Street, aged 24 years,
occupation Police Officer being duly sworn deposes and says,
that on the 4th day of September 1888

at the City of New York, in the County of New York, he arrested Walter Samuels (now here) on charge of felonious assault on complaint of James O'Hearn. That the said O'Hearn is material and necessary witness and deponent believes that said O'Hearn will not appear as a witness when wanted and deponent prays that O'Hearn be sent to the House of Detention for witnesses.

Fred Schlottman

Sworn to before me, this

of

Sept

188

day

Samuel C. Smith Police Justice,

08 17

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 Samwells

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

Walter Samwells

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

The said

Walter Samwells

late of the City of New York, in the County of New York aforesaid, on the *fourth* day of *September*, in the year of our Lord one thousand eight hundred and eighty-eight, with force and arms, at the City and County aforesaid, in and upon the body of one *James O'Hearn* in the peace of the said People then and there being, feloniously did make an assault and to, at and against *him* the said *James O'Hearn* a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said *Walter Samwells* in *his* right hand then and there had and held, *the same being a deadly and dangerous weapon, wilfully and feloniously did then and there shoot off and discharge, with intent* *him* the said *James O'Hearn* thereby then and there feloniously and wilfully to kill,, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

Walter Samwells

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

The said

Walter Samwells

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *James O'Hearn* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against *him* the said

James O'Hearn a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said *Walter Samwells*

in *his* right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully shoot off and discharge, 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.

08 18

BOX:

321

FOLDER:

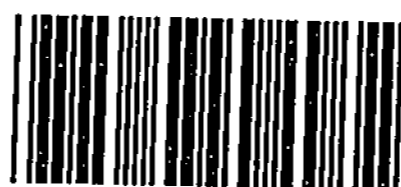
3056

DESCRIPTION:

Sarne, Raffaelo

DATE:

09/14/88



3056

0819

#205 R. H. Racy X

Witnesses:

Counsel,
Filed, 14 day of Sept 1888
Pleads, *Magistry 17*

THE PEOPLE,

vs.

RECEIVING STOLEN GOODS.
(Section 550, Penal Code.)

ad

Raffaello Sane

JOHN R. FELLOWS.

District Attorney.

presented by R. H. Racy

A True Bill.

Order of Return of R. H. Racy

W. J. R. Racy
Part III October 4/88

Foreman.

True & Acquitted

Part 1-3

0820

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

Roffalo Carm 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.

Roffalo Carm

Question. How old are you?

Answer.

29 yrs

Question. Where were you born?

Answer.

Italy

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

Answer.

33 Mulberry 3 yrs

Question. What is your business or profession?

Answer.

Regular Hunter

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
Roffalo Carm
Murder

Taken before me this

day of

188

Police Justice.

0821

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 Charles

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

Dated Aug 11 1888 J. G. Duffy Police Justice.

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

Dated August 12 1888 J. G. Duffy 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.

0022

#174

1286

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William Birlowitz
5 Bayard 3
Poffallo same

2

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4

*Offence: Receiving and
Holding Goods*

BAILED,

No. 1, by *P. Cellilo*
Residence *35 Mulberry* Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated *Aug 11* 188

Reap Magistrate.

Reap Officer.

11 Precinct.

Witnesses *Michael Reap*

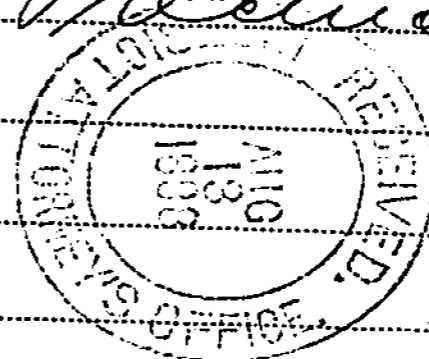
No. *11 Precinct* Street.

No. _____ Street.

No. _____ Street.

2000 to answer.

Chris Bailed



0823

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 3 DISTRICT.

of No. 5 Bayard Street, aged 33 years,

occupation cigar manufacturer being duly sworn deposes and says,

that on the 27 day of July 1888

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

I, Joseph Bilowitz, do hereby depose and say that on the day
 in question his place was being burglarized
 broken into and a quantity of cigars
 was stolen and the defendants named Jacob
 Cohen, Harry Wee arrested for the
 offense and ~~the~~ Joseph Cohen one
 of the defendants took office Michael
 Reap to the premises of the defendant
 Carno at 35 Mulberry Street and found
 a quantity of defendants cigars
 concealed in a trunk under

Sworn to before me this

1888

day

J. J. J.

0824

The defendant James Beck.
Defendant here for charges the same
same with having guilty knowledge
that the same property was stolen
when he bought the same from one of
the defendant Skizberg
Sworn before me this
11 day of August 1888

P. H. B. 1870

[Signature]
Police

Police Court District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated 1888

Magistrate.

Officer.

Witness.

Disposition.

0825

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 35 years, occupation Police Officer of No.

11 Bremer Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Solomon Bulowitz

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

Sworn to before me, this 11

day of Aug 188

Michael R. Reap
P. J. Reap
Police Justice.

0026

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Raffaello Sarno

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

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

The said *Raffaello Sarno*,

late of the City of New York, in the County of New York aforesaid, on the *27th* day of *July* in the year of our Lord one thousand eight hundred and eighty ~~eight~~, at the City and County aforesaid, with force and arms,

two hundred cigars of the value of five cents each,

of the goods, chattels and personal property of one *Solomon Birdvintz*, *my Joseph Cohen, Samuel Herzberg, and Samuel Jacobs, and*

by — certain *other* persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said

Solomon Birdvintz — unlawfully and unjustly, did feloniously receive and have; the said

Raffaello Sarno

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.

0827

BOX:

321

FOLDER:

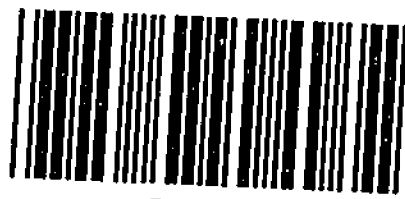
3056

DESCRIPTION:

Sauer, Jacob

DATE:

09/27/88



3056

0020

Witnesses:

Counsel,
Filed, *27* day of *Sept.* 188*8*
Pleads *Guilty-verdict*

THE PEOPLE,
vs.
Jacob Sauer
VIOLATION OF EXCISE LAW
(Keeping Open on Sunday)
[III Rev. Stat. (7th Edition), Page 1889, Sec. 2.]

JOHN R. FELLOWS.
District Attorney.
P.L. vs. 4/88.
Transferred to C. of S.S. for trial
by Consent.
A True Bill.
J. Sweeper
Foreman.

0829

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Jacob Sauer

The Grand Jury of the City and County of New York, by this indictment, accuse *Jacob Sauer* 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 *Jacob Sauer* late of the City of New York, in the County of New York aforesaid, on the *26th* day of *August* 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.

J. R. Fellowys
JOHN R. FELLOWYS,

District Attorney.

0830

BOX:

321

FOLDER:

3056

DESCRIPTION:

Schafer, Mary T.

DATE:

09/11/88



3056

0831

BOX:

321

FOLDER:

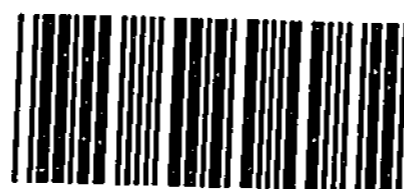
3056

DESCRIPTION:

Schafer, Henry

DATE:

09/11/88



3056

40.

Ludwickson

Counsel,

Filed

day of

1888

Pleaded

in *in* *in*

THE PEOPLE

vs.

M

Mary J. Schaefer

and

PI

Henry Schaefer

Arson in the 1st Degree. [Sec: 487, Penal Code.]

JOHN R. FELLOWS,

Pro *per* *19/88*

not *in* *tried* *reagarded.*

Pro *per* *19/88*

not *tried* *removed.*

30

A True Bill.

Isaacs

Foreman.

19/88

19/88

19/88

19/88

19/88

19/88

19/88

19/88

0833

District Attorney's Office.

PEOPLE

^{vs}
Mary J. Schaefer

On the trial of the
above indictment
it is admitted that
the defendant Mary
J. Schaefer is the
same Mary Schaefer
to whom were issued
the Policies No 203205 &
208714, each for \$1000,
by the Steyvesant Insu-
rance Co & Policy 336493
by the Hannover Insurance
Co & that said policies in
possession of Dist Atty
are genuine

0834

STATE OF NEW YORK

POLICE COURT 3 DISTRICT.

CITY and COUNTY of NEW YORK SS:

THOMAS F. BARRET of No. 17 Seventh Street, being duly sworn, deposes and says that on the 4th day of August 1888 at the City of New York, in the County of New York, Mary J. Schaeffer and Henry Schaeffer (now here) did feloniously and willfully set on fire and burn in the day time of said day, to-wit, at or about the hour of 8 o'clock a.m., certain premises by them occupied at No. 125 E. 11th St.

Deponent bases the above charge upon the following facts :- At the hour of 8.38 o'clock a.m. he accompanied said Hook and Ladder Company upon an alarm of fire from said premises. Found the front door thereof locked and he broke it open with an axe and discovered fire on the first floor in the center room occupied as deponent is informed and believes, by said defendants. Upon said premises and partly upon the floor above, and on the shelves of the closets, deponent found the various bottles of benzine and the kerosen here exhibited uncorked and unclosed, and the packages of powder and the cartridges herewith shown with the original packages therein, one bearing the name of the said Mary. There was nobody on the floor above the basement, but in the basement below there was at said time three human beings. Wherefore deponent prays that said defendants may be dealt with according to law.

Thomas F. Barrett

Sworn to before me this
6th day of August 1888.

. . . Duffy
Police Justice.

0035

2

CITY and COUNTY of NEW YORK ss:

JACOB LEON, aged 28 years, occupation Police Officer of 14th Precinct Police Street, being duly sworn, deposes and says, that he has heard the foregoing affidavit of Thomas F. Barrett, and that the facts stated therein on information of deponent are true of deponent's own knowledge.
Jacob Leon.

Sworn to before me this.
6th day of August, 1888.
P. O. Duffy,
Police Justice.

MICHAEL BISSERT, officer of the 14th Precinct Police, being duly sworn, deposes and says that on the 4th day of August, 1888, at the City of New York, in the County of New York, deponent arrested defendants about 7.30 o'clock in the afternoon at No. 125 East 11th, as she was entering the house and found in her possession the following property when searched at the Station House, to-wit : -

The bundle of papers marked Exhibit A. and herewith filed. Insurance policy on the Stuyvesant Insurance Company, N.Y. City, No. 203205 issued to Mary Schaeffer, to \$1000.00. Insurance policy No. 336493 on Hanover Fire Insurance Company, New York City, issued to Mrs. J. Schaeffer for \$1000.00.

Insurance policy on Stuyvesant Company N.Y. City, No, 208714 issued to Mary Schaeffer (\$1000.00) and which embrace Exhibits Nos. I to 11 inclusive, and a gold watch

0036

3

marked Exhibit B. and an envelope containing trinkets marked Exhibit C. including Post Office receipts, and one opera glass marked Exhibit D. and the Bank books and a pocketbook containing sixty dollars in United States Bank Bills, together with some valuable papers.

Deponent further states that he has retained possession of the articles mentioned in the affidavit of the Fire Marshall, Jacob Frank, of this date.

Michael Bissert.

Sworn to before me this
9th day of August, 1888.
P. G. Duffy,
Police Justice.

- - - O - - -

JACOB FRANK, Acting Fire Marshall at No. 242 East 60th St, being duly sworn, deposes and says, that on the 4th day of August, 1888, at the City of New York, in the County of New York, about 9.30 o'clock a.m. deponent visited premises No. 125 11th Street, made an examination of said premises and found therein the following named articles :-

One gallon can of oil in the centre room of the first floor among the debris, marked Exhibit 1. In the front room 5 feet from where the can of oil was, I found 5 cartridges, marked Exhibit 2. about 5 feet distant from the can of oil, I found a quantity of gunpowder lying on the front room floor, which I gathered up and is marked Exhibit 3.

On the 2nd floor front room east side closet in floor, de-

0837

4

ponent found a bottle containing about half a gallon of benzine, uncorked, and is marked Exhibit 4. On the floor of same closet I found a quantity of gunpowder weighing about one quarter of a pound and marked Exhibit 5. On the same floor, west side closet deponent found four half pint bottles containing benzine all uncorked and marked respectively Exhibit 6., 7, 8 and 9.

On the shelf in the same closet deponent found a quantity of gunpowder weighing about 2 ounces and marked Exhibit 10.

On the Second floor, rear room closet, deponent found 2 quart bottles containing benzine, uncorked, and marked Exhibit 11. and 12 respectively. In same closet deponent a quantity of gunpowder marked Exhibit 13.

In same closet deponent found 2 empty cigar boxes saturated on the inside with benzine and marked Exhibit 14.

That these Exhibits above described have all been taken possession of by deponent and labelled and are now identified by deponent and delivered to Police Officer, Bissert of 14th Precinct Police. All of which was done between the hours of 9.30 and 10.30 o'clock a.m. on the 4th day of August, 1888

Sworn to before me this.
9th day of August, 1888.
P. G. Duffy,
Police Justice.

Jacob Frank.

0030

5

Thomas H. Mathews of No. 354 West 26th St, being duly sworn, deposes and says, that on the 31st day of July, 1888, at the City of New York, in the County of New York, My son served Mr. J. Schaeffer at premises No. 125 East 11th St, one gallon of Kerosene oil 100° flash, 132° test.

J.H. Matthews.

Sworn to before me this
9th day of August, 1888.
P. G. Duffy,
Police Justice.

--- 0 ---

City and County of New York ss:

JACOB LEON, of the 14th Precinct Police, being duly sworn and examined, deposes and says :- That when he entered the room No. 125 East 11th St. about 8.30 o'clock on the 4th inst, after breaking down the rear door to get in, he found the room full of smoke which proceeded from under the bed, and when he removed the mattresses, he saw a blue blaze, which came from the bedding and the moulding of the room,

Cross-Examin.

In the centre room where the fire took place, I did not see anything except a bottle. I do not know what was in it. This was immediately after the discovery of the fire. The rear door through which I entered, the lower portion was made of wood and the upper portion was composed of glass. I smashed the glass and the wood of the door in order to obtain an entrance.

Re-direct.

When first I entered the room, I remained there about two minutes. I could not see anything as the room was full of

smoke. When I entered there a second time, I could not see anything as the room was full of smoke.

Jacob Leon,

Sworn to before me this
9th day of August, 1888.
P. G. Duffy,
Police Justice.

--- O ---

JAMES CUSH of No. 297 Avenue A., being duly sworn deposes and says that on the 26th day of July, 1888 at the City of New York, in the County of New York, deponent removed three pieces of furniture from No. 125 East 11th St. premises occupied by Mary J. Schaeffer.

James Cush,
his mark.

Sworn to before me this
9th day of August, 1888.
P. G. Duffy,
Police Justice.

--- O ---

City and County of New York ss:

JULIA HUTCHINGS being duly sworn, states that on last Saturday morning about 30 minutes before the fire broke out on premises No 125 East 11th St. New York City, she saw the defendant, Mary J. Schaeffer, leave said premises with a bundle and a basket in her hand and close the door and lock it.

Mrs. Hutchings,

Sworn to before me this
9th day of August, 1888.
P. G. Duffy,
Police Justice.

JOSEPH MARESCO of No. 125 East 11th St, rear house, being duly sworn, deposes and says that on the 4th day of August, 1888, at the City of New York, in the County of New York, about 8.30 o'clock a.m. deponent saw smoke coming out of the rear windows of the premises occupied by Mr. Schaeffer and gave the alarm.

Joseph Maresco.

Sworn to before me this
9th day of August, 1888.
P. G. Duffy,
Police Justice.

----- 0 -----

ALBERTINA SCHLIE of No. 125 East 11th St, being duly sworn, deposes and says that on the 4th day of August, 1888, at the City of New York, in the County of New York, about 8.30 o'clock a.m., she and her husband who occupied the premises at the above number and which are situated immediately under the rooms occupied by defendants, heard a tremendous crash up stairs on the 2nd story, and immediately thereafter fire broke out..

Albertina Schlie.

Sworn to before me this
9th day of August, 1888.
P. G. Duffy,
Police Justice.

The People

vs.

Mary J. Schaefer, et al.

Copy of Complaint
in the evidence taken
on the preliminary
examination.

0842

POOR QUALITY
ORIGINAL

Court of General Sessions of the Peace.

For the City and County of New York.

----- x

The People :

against :

Mary I. Schafer :Before

Jointly indicted with Henry Schafer.:Hon.Frederick Smyth,

(Arson in second degree.) : and a Jury.

(Indictment filed September, 1888.) :

----- x

Trid. October 20th, 1888

Appearances: Assistant District Attorney Dawson for the
People; Mr. Bankson T. Morgan, for the defence.

The policy of Insurance, for \$1000, in the Hanover
Fire Insurance Co, in favor of the defendant, and a policy
in the Stuyvesant Insurance Co for the same amount, offered in evidence.

OFFICER JACOB LEON testified that on the 4th of
August he was on duty on Third Avenue. At about 1/2 past
8 o'clock in the morning he stood on the corner of Third
Avenue and 11th street; an Italian boy gave an alarm and

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he ran to the house at 125 East 11th street. He ran up the front stoop, but the front door was locked. Then he went through the area and through the basement floor into the back area. He prized a rear door off its hinges, and the front room on the first floor was full of black smoke. The smoke was so strong that he ran out of the house, and gave the fire alarm at the corner of Third Avenue and 11th street. Then he returned, and put his elbow through a pane of glass in a window opening on the front piazza, and ^{got} into the front room. He then opened the window, and pulled a blazing mattress from the bed. The moment he touched the mattress, it burst into flame. The mattress was on the bed in the middle ^{room} of the three rooms on the second floor. When he returned to the bed, and attempted to take off the second mattress, a blue blaze sprang up. He dropped the mattress. There was fire under the bed. Then a fireman ^{burst} came. They ~~passed~~ open the front door into the hall, and extinguished the fire in the room with a fire extinguisher.

JULIA HUTCHINGS testified that she lived at 118 East 11th street. At about 8 o'clock on the morning of the 4th of August, she happened to go to her front room for some

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water, her house being opposite the defendant's house. She ~~know~~^{saw} the defendant opposite. She saw the defendant come out of her house, and shut the front door. She had a basket and bundle on her arm, and, about half an hour afterwards, there was an alarm of fire from the defendant's house.

THOMAS F. BARRETT testified that he was a member of the Fire Department of the City of New York. On the morning of the 4th of August, he was at the headquarters of the Company to which he was attached, a Hook and Ladder Co. At 8:36 they received an alarm of fire and two minutes afterwards they reached the house.—The Hook and Ladder Co to which he was attached, with its apparatus. The front door was locked, and, at the direction of the Assistant Foreman, he broke open the door with an axe, then, with a fire extinguisher, he extinguished the fire. The fire was burning in the southeast corner of the middle room on the first floor. There was a big flame and much smoke. The fire had gone up the wall towards the ceiling. There were 4 or 5 single beds piled up in the room; the wainscoting was burned up to the ceiling and the beds were burned and charred. There were a lot of old carpets and clothing

0845

4

in the room, and it was torn up to see that no fire was in it. The witness then went up, after the extinguishment of the fire, to the second floor, rear room. He opened a closet door on the East side of the room, and saw a paper of gun-powder and several bundles, containing benzine, and which had charred paper around them. He reported this to the officer in command at the fire, and took him up stairs. Then they examined the closets in the front room on the same floor, and found several bottles of benzine. They left everything in charge of the Fire Insurance Patrol, and notified the Fire Marshal. At noon of the same day, the Fire Marshal came to the engine-house, and he, the witness, was detailed to accompany him as a witness in his examination of the house. He, the witness, marked the different packages and bottles, and identified them as the packages and bottles in evidence. He also identified a kerosene oil can found in the room where the fire was discovered, on the first floor, and a cigar-box was found on a shelf in the closet in the rear room on the second floor. He found a package of gun-powder on the second floor, and several packages of gun-powder were found in the different closets.

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He also found a package of ball cartridges on the first floor in the room where the fire was. The packages of gunpowder and cartridges were all open. The powder and cartridges were spread out on a newspaper. In the rear room on the second floor he also found bedding saturated with benzine or kerosene. The mantel piece was also saturated with kerosene, and in a closet on the west side, under the lower shelf, there were two mattresses stuffed in, and saturated with benzine or kerosene.

OFFICER MICHAEL BISSERT testified that he was ordered to go to a fire at 125 East 11th street on the morning of the day in question. He found the Fire Insurance Patrol in charge of the house. Later, the Fire Marshal came to the house, and took charge, and ordered him, the witness, to arrest Mr. and Mrs. Schafer, when they returned to their house. He took the bottles, packages and cans in evidence to the station house, by order of the Fire Marshal, and delivered them to the Presiding Justice at the Police Court. The Justice presiding in the Police Court was Justice Duffy. He went to the house several times during that day the last time about five o'clock, and found Henry Schafer in the house and arrested him, and took him to the Police Sta-

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tion. About seven o'clock on the evening of the same day Mrs Schafer returned to the house, and he arrested her. In the Station House he asked her if she had any valuables that she wished to leave at the desk and she took out a pocket book containing about sixty dollars, some insurance policies, a watch and chain, in their case, some papers, some jewelry, and some bank books. He asked her, when he arrested her on the sidewalk in front of her house, if she knew that there had been a fire in her house, and she said, "No". He asked her what time she left her house that morning, and she said about eight o'clock, to go to a picnic. She denied all knowledge of the fire. He went afterwards to Number 7 Leroy street, and the landlady showed him a room on the top floor and he found a large amount of furniture, bedding, and clothing in that room. He received the key of the room from the Society for the Prevention of Cruelty to Children, and the landlady, Mrs. Goebel, showed him the room.

MRS. GOEBEL, of No. 7 Leroy street, testified that she was a dealer in real estate. Mary Schafer, the female defendant, hired a room of her--top floor front room--in February. She, the witness, showed the officer up to the room when he came with the key, early in August. When Mrs.

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Schafer hired the room, she said that she wanted it for another party, a woman that had broken up housekeeping, and was going to live out, and that the furniture belonged to this woman and that she would not put much in. She, the witness, asked Mrs. Schafer who the woman was, and Mrs. Schafer said she was traveling with a sick lady, and that the witness would deal with her, and that she would not see the other woman. Then she, the witness, told the defendant that she would hold her as the tenant, and the defendant said, "Very well. I will pay the rent". She paid a months rent in advance, \$5. The property found in the room by the officer, was moved in shortly after the rent was paid. She, the witness, saw the defendant there several times, after the furniture and other articles were delivered there. She gave her a key of the room and of the front door, at the time she hired the room to her. She saw the defendant bringing in some articles, after the greater part of the furniture and other articles were brought in. She also saw the defendant's little girl bringing in some articles and storing them in the room. The rent paid was usually sent by the little girl. The defendant told her the little girl was her daughter. After the defendant's

arrest and imprisonment in the Tombs, a colored woman came with an order from Mrs. Schafer for articles contained in the room and she allowed the colored woman to take them. Mrs. Schafer paid the last two months rent together, after she was imprisoned in the Tombs.

CROSS-EXAMINATION: The witness said that she could not be sure the defendant said she was hiring the room for a woman by the name of Breckenried. She did not think that that was the name mentioned, or that any name was mentioned. She never saw any woman come to the house with Mrs. Schafer and knew Mrs. Schafer as the tenant of the room.

RE-DIRECT: She received a letter purporting to come from a Mrs. Breckenreid after the defendant's imprisonment in the Tombs. It was forwarded to her from the Tombs by the defendant. She produced the letter in evidence.

DOCTOR JAMES H. MACNAMARA: testified that he was a physician and a surgeon, and also a chemist. He had examined the contents of the bundles and cans in evidence and they contained benzine and kerosene.

ALFRED E. GOETZ: testified that the premises 125 East 11th street belong to his father Ignace Goetz. He, the witness, was the agent for his father. The house was sit-

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uated in the 17th Ward. The female defendant rented the three upper floors in January, 1887, the defendant succeeded her sister, who had previously kept the premises. The defendant's tenancy was to begin on the 1st of February, 1887. Her sister died while in occupation of the house. Her sister occupied the premises for five or six years previously, and died on the 8th of January, 1887. The defendant agreed to pay a rent of \$73. a month.

CROSS-EXAMINATION: There were twelve rooms rented to the defendant, including the extension on the first floor. The rent was regularly paid. He got the August rent on the 16th or 17th of August.

JAMES CUSH, testified that he was a truckman. He took three pieces of furniture for the defendant, Mrs. Schafer, from 126 East 11th street to No. 7 Leroy street on the 25th day of July. Mrs. Schafer employed him. There were two chairs and one mattress in the load.

ALBERTINA SCHLIE, testified that she lived with her husband and children in the basement at 125 East 11th street. At about half past eight o'clock on the morning of the fourth of August, she was scrubbing her floors, and her husband, a tailor, was at work on his table. She heard a terrible

crash upstairs and thought a ceiling had fallen, and a Chinaman occupying the back kitchen called to her that there was smoke coming out of the rear windows on the parlor floor, into the year. Then the alarm was given through an Italian boy, and the firemen came and extinguished the flame.

JOHN SCHLIE, testified that he was a tailor. He corroborated his wife's testimony.

JOHN R. VAUGHAN, a fare insurance patrolman, JOSEPH BENZINGER, also a fire insurance patrolman, THOMAS FARLEY, and FIRE MARSHAL FRANK, corroborated Fireman Barrett's testimony as to the condition of the house after the discovery of the fire.

FOR THE DEFENCE: BANKSON T. MORGAN, testified that he visited the premises at 125 East 11th street at about twelve o'clock on the 7th day of August. He made an engagement with Fire Marshal Frank to visit the premises. The rear door that he understood officer Leon to testify that he broke open and smashed into fragments, was not broken. There was a pane of glass out, and that was all.

CROSS-EXAMINATION: He, the witness, did not know whether the door might have been repaired since the fire. He did not know whether there might not have been another door partly of glass that Officer Leon did break in.

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RE-DIRECT: Mrs. Schafer's character was good. Then the witness contradicted Fire Marshal Frank as to the various discoveries in the several rooms after the discovery of the fire.

ALFRED E. GOETZ, being recalled for the defence, testified in contradiction of the testimony of the firemen and fire insurance patrolmen, and Fire Marshal Frank, as to the discoveries in the house after the discovery of the fire.

MARY I. SCHAFER, the defendant, testified that she was 49 years of age. She was born in Ireland. She came to the United States when she was 17 years of age. She had been married 17 years. She did washing and ironing prior to her marriage. She had two children, both girls. She went to the house 125 East 11th street in November, 1886, to nurse her sick sister, and when her sister died on the 8th of January, 1887, she took possession of the house in her own name and took lodgers. On the 4th of August she sent her little girl upstairs to clean up the lodgers' rooms before she started for a picnic of ~~Christ~~ Grace Chapel. She left the house herself about five minutes after eight o'clock and went to the foot of Eighth street, East River, where the excursion was to start from. They went up the River. Her daughter Elizabeth Schafer and a little girl, Clara Geisler,

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who lived in 59th street near the East River, whom her little girl had gone uptown to meet, met her there. On her return to her house at seven o'clock that evening, she was arrested. She had lodgers in the house, and when she went out in the morning she left a lodger in the front room on the second floor. She made up his bed and left his room. All the rest of the house was locked up. There was no fire anywhere in it. She could not recall the lodger's name because she did not take his name down. She rented the room to him on the 2nd of August. She hired the room at 7 Leroy street for a Mrs. Breckenreid. She had met Mrs. Breckenreid at the house when her sister was sick. She, the defendant, did not set fire to the house, nor did she know who did. She always carried her valuables with her, even if she went out for a few moments to the grocery.

CROSS-EXAMINATION: She could not recall the name of anyone who knew Mrs. Breckenreid, or who had ever seen her, neither her husband nor her children had ever seen Mrs. Breckenreid at the house. She sent for clothing from the room after her arrest, because a Mrs. Collins, of Thompson street, borrowed some of her children's clothing to go to a funeral in, and left it in the room, and she sent for it.

0054

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She could not remember the name of the person who was buried, or where Mrs. Collins lived. She knew nothing about the bottles of benzine or kerosene, and never had gunpowder or ball cartridges in her house. Mrs. Breckenreid was travelling with a sick lady as she understood, but she did not know where she was, and she did not know where she lived in New York. Mrs. Breckenreid came to her house several times, when she wanted to see her. Mrs. Breckenreid gave her \$20. in June to pay the rent, and she would pay anything that came due before she saw her again. Her husband worked for Mr. McDonald, Sexton of the Baptist Church on 23rd street and Lexington avenue, and was rarely at home, therefore she carried her valuables with her whenever she went out. She also locked up all the doors, so that he could not get in unless she was home.

DOCTOR ADRIAN Y. REED, of 100 Lexington Avenue, testified that he attended the defendant's sister in her last illness. To his knowledge the defendant's character was good.

ELIZABETH SCHAFER testified that she was fifteen years of age, and the daughter of the defendants. On the morning of the fourth of August, she attended to her chores in the lodgers' rooms. Then she had breakfast and dressed herself.

0055

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At about half past seven o'clock she started for the house of Clara Geisler, a friend, who lived in 59th street near the East River. Clara Geisler was to go to the picnic with her. She met her at her house and they went down to the foot of 8th street on the East River, and there joined her mother. After her mother's arrest she went to the house of a Mrs. Pitts, living on the next block. Then the Society for the Prevention of Cruelty to Children took charge of her. She saw nothing of any fire when she left the house on the morning of the fire. Her little sister, Titia, was in the country on a visit at the time of the fire.

CROSS-EXAMINATION: She never saw Mrs. Breckenreid at her mother's house, and she never heard her mother say that a Mrs. Breckenreid had been to see her. Her sister was 12 years of age. She was at Clinton, New York, at the time of the fire, staying with a Mrs. Burdick.

MARY B. PITTS, of 244 East 13th street, a school teacher, the Reverend Robert E. Wright, of 230 East 13th street, Assistant Priest of Trinity Parish, and Marcia D. Darby of 9 West 21st street, testified that the defendant's character was good.

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0856

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

POLICE COURT

DISTRICT.

Officer Michael Pison
of No. 14th Precinct Police Street, being duly sworn, deposes and

says that on the 14th day of August 1888
at the City of New York, in the County of New York, deponent arrested

defendants about 7:30 o'clock in
the afternoon at No 125 East 11th
is ~~here~~ as she was entering the
house and found in her possession
the following property: —
when searched at the Station House
to wit: —

The bundle of papers
first marked Exhibit A and herewith
filed, Insurance policy of
the Thuyvant Insurance Company
N.Y. City No 203705 issued to
Mary Schaeffer amounting to (\$1000⁰⁰/₁₀₀)
Insurance policy No 336493 on
Hanover Fire Insurance Company
New York City issued to Mrs J. Schaeffer
for (\$1000⁰⁰/₁₀₀)

Insurance policy on Thuyvant
Insurance Company N.Y. City No 208704
issued to Mary Schaeffer (\$1000⁰⁰/₁₀₀)
and which embrace Exhibits No 1 & 2 inclusive
And a gold watch marked
Exhibit B. and an envelope containing
tickets marked Exhibit C including
post office receipts, and one
opera glass marked Exhibit D
And three Bank Notes and a
pocket Book containing ~~five~~
dollars in United States Bank Bills
together with some valuable papers.

deponent further states that he has retained possession
of the Article mentioned in the Affidavit of the fire insurance agent
none of this said state

0057

Sworn to before me
the 9th day of August 1888

Michael Bissert
P.C. Duffy
Police Justice

Police Court, District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

AFRIDAVID.

vs.

Dated 1888

Magistrate.

Officer.

Witness,

Disposition,

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

POLICE COURT, 3 DISTRICT.

Acting Fire Marshall McB. Frank

of No. 242 East 60th Street, being duly sworn, deposes and says,

that on the 11th day of August 1888

at the City of New York, in the County of New York, About 9.30

o'clock am. Deponent visited premises 125 East 11th street, made an examination of said premises, and found therein the following named articles:-

One gallon Can of oil in the Central room of the first floor among the debris, marked exhibit 1. In the front room 5 feet from where the Can of oil was, I found a package containing ~~a number~~ 5 cartridges, marked exhibit 2. About 5 feet distant from the Can of oil, I found a quantity of gunpowder lying in the front ^{floor} room which I gathered up and is marked exhibit 3.

On the 2nd floor front room east side Closet ^{on floor} deponent found a bottle containing about half a ~~bottle~~ ^{gallon} of kerosene uncorked and is marked exhibit 4. ~~On the floor of same closet~~ ^{On the floor of same closet} I found a quantity of gunpowder weighing about one quarter of a pound and marked exhibit 5.

On the same floor, west side Closet deponent found four half pint bottles containing kerosene all uncorked and marked respectively 6, 7, 8 and 9.

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

POLICE COURT, _____ DISTRICT.

of No. _____ Street, being duly sworn, deposes and says,
that on the _____ day of _____ 188

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

On the shelf in the same closet
deponent found a quantity of
gunpowder weighing about 2 pounds
and marked Exhibit 10.

On the second floor, rear room closet
deponent found 2 quart bottles
containing benzine marked and
marked exhibits 11 and 12 respectively.

In same closet deponent found
a quantity of gunpowder marked
exhibit 13.

In same closet deponent found
two empty cigar boxes saturated
in the inside with benzine and
marked exhibit 14.

That these exhibits above
described have all been taken
possession of by deponent and are
labelled, and are now identified
by deponent and delivered to
Police Officer Robinson of 14th Precinct
Police, all of which was done
between the hours of 9.30 and
10 o'clock am on the 4th day
of August 1888.

Jacob Frank

Known to before me this
4th day of August 1888

Witness my hand and seal
this 4th day of August 1888

POOR QUALITY
ORIGINAL

0860

STATE OF NEW YORK.
CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT—

3

DISTRICT.

of No.

334 west

106th

Street, being duly sworn, deposes and

says that on the

31st

day of

July

1888

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

my son served

Mr. L. Schaefer at premises
No 125 East 11th street one gallon
of Kerosene oil 100° flash
132° test.

Sworn to before me
this 9th day of August 1888

J. H. Matthews

P. G. Duffy
Police Justice

City and County
of New York } S. V.

Jacob Low of the
14th precinct police being duly
sworn and examined, deposes and
says:— That when he entered the
room No 125 East 11th street about 8:30
o'clock am. on the 31st instant, after
breaking down the rear door to get
in, he found the room full of smoke
which proceeded from under the
bed, and when he removed the mattress
he saw a blue blaze, which came
from the bedding and the moulding
of the room.

Cross Ex.

In the Centre room where the fire took place

POOR QUALITY
ORIGINAL

0861

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK,

POLICE COURT—

3 DISTRICT.

No. 17

of No. 17

day of

Street, being duly sworn, deposes and

says that on the 11th day of August 1888

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

Thomas F. Barrett
Mary J. Schaeffer
And Henry Schaeffer, did feloniously and wilfully set on fire and burn in the day time of said day, to wit: at or about the hour of 8 o'clock a.m. Certain premises by them occupied at No. 125 East 11th street.

Defendant bases the above charge upon the following facts: At the hour of 8.38 o'clock a.m. he accompanied said Hook and Ladder Company upon an alarm of fire from said premises. Found the front door thereof locked. He broke it open with an ax and discovered fire in the first floor in the Centre room, occupied as defendant is informed and believes by said defendants. Upon said premises found partly upon the floor above and on the shelves of the closets, defendant found the various bottles of benzine and the kerosene here exhibited uncorked and unclipped and the packages of powder and the cartridges herewith shown with the original packages thereon, one bearing the name of the said Mary. There was nobody upon the floors above the basement.

POOR QUALITY
ORIGINAL

0862

but in the basement below there was
at said time three human beings.
Wherefore defendant prays that
said defendant may be
dealt with according to law.

Thomas F Barrett
Sworn to before me
this 6th day of August 1888
J. G. Duffy
Justice

Police Court, District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

AFFIDAVIT.

vs.

Dated

188

Magistrate

Officer

Witness

Disposition

0863

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 28 years, occupation Police Officer of No. 14 Recruit Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Thomas J. Barrett
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 6 day of August 1888
P. Q. Murphy
Police Justice.

0064

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

POLICE COURT—

DISTRICT.

of No.

Street, being duly sworn, deposes and

says that on the

day of

188

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

I did not see anything except a bottle. I do not know what was in it. This was immediately after the discovery of the fire. The rear door through which I entered, the lower portion was made of wood and the upper portion was composed of glass. I smashed the glass and the wood of the door in order to obtain an entrance.

Re-direct:

When first I entered the room I remained there about two minutes. I could not see anything as the room was full of smoke.

When I entered there a second time I could not see anything as the room was full of smoke.

Sworn to before me
this 9th day of August 1885 Jacob L. Lamm
J. G. Deffert
Police Justice

0865

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

POLICE COURT

DISTRICT.

of No. 297 Avenue J Street, being duly sworn, deposes andsays that on the 26th day of July 1888at the City of New York, in the County of New York, Dependant removed

three pieces of furniture from
No 125 East 11th Street premises
occupied by Mary J. Schaffer -

Sworn to before me
this 9th day of August 1888

James Bush
Stenok

City Clerk of
New York } S.S.

Julia Hutchinson being
duly sworn, states that on last
Saturday morning, about 30
minutes before the fire broke out
on premises No 125 East 11th Street
New York City, she saw the defendant
Mary J. Schaffer leave said
premises with a bundle and a
basket in her hand and close
the door and lock it.

Sworn to before me
this 9th day of August 1888 } Mrs Hutchinson
P. G. Buff
Police Justice

0066

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

POLICE COURT—

3 DISTRICT.

of No.

125 East 11th Street, being duly sworn, deposes and

says that on the

14th

day of

August

1888

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

About 8:30 o'clock

The deponent saw smoke
coming out of the ^{rear} windows
of the premises of the ~~premises~~
occupied by Mr. Schaffer
and gave the alarm.

Giuseppe Maresco

Sworn to before me
this 9th day of August 1888 }

J. G. Deffen
Police Justice

0867

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

POLICE COURT—

DISTRICT.

Albertina Schlie
 of No. *125 East 14th* Street, being duly sworn, deposes and
 says that on the *14th* day of *August* 188*8*.
 at the City of New York, in the County of New York, *About 8.30 o'clock*

a.m., she and her husband
 who occupied the premises at
 the above number and which
 are situated immediately under the
 rooms occupied by defendants
 heard a tremendous crash
 up stairs on the *2nd* story. And
 immediately thereafter fire broke
 out

Sworn to before me
this 14th day of August 1888. } *Albertina Schlie*
P. J. Deffert
Police Justice

POOR QUALITY
ORIGINAL

0068

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

30 District Police Court.

Mary Emma Schaffer 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 sees 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.

Mary Emma Schaffer.

Question. How old are you?

Answer.

49 years of age.

Question. Where were you born?

Answer.

Ireland.

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

Answer. 125 East 11th Street - about two years.

Question. What is your business or profession?

Answer.

Housekeeper.

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

Answer.

I am not Guilty.

Mary Emma Schaffer
Mans

Taken before me this

day of August

1880.

Police Justice.

0069

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

3d District Police Court.

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

Question. What is your name.

Answer.

Henry Schafer -

Question. How old are you?

Answer.

45 years of age -

Question. Where were you born?

Answer.

Germany -

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

Answer. 125 East 11th Street - about two years -

Question. What is your business or profession?

Answer.

Laborer -

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

Answer.

I am not guilty -

Henry Schäfer

Taken before me this

day of

188

Police Justice.

0870

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

Referred
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Three* Hundred Dollars, *350* and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated *Aug 9* 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.

0871

Police Court 43 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas F. Barrett

Mary L. Schaffer
Mary Schaffer

Wren
Offence

Dated *August 6* 188 *8*

Driffy Magistrate.

Barrett Officer.

Barrett Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

500 to answer *G.S.*

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

for Ex 10.30 am

August 9

at 2 o'clock in

0872

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

Dated August 9 1888 [Signature] Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0873

Witnesses

Mrs. Hutchings
120 East 11th St.
John Marisco
175 East 11th St.
Mr. & Mrs. Schlie
124 East 11th St.
J. Gortz 4th Ave. near 12th St.
Mary Goble 7 Leroy St.
Vaughan Insurance Patrol
Great Jones St.

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Thos. A. Matthews
334 West 26

James Cusick
297 Avenue A
Joseph Marisco
125 East 11
Albert Schlie
125 East 11

#4 Bill Ordered 1253
Police Court--- 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thos. F. Barrett
17 East 7th St.
Mary J. Schaeffer
Henry Schaeffer

Offence from

Dated August 6 1888.

Orffy Magistrate.
Bessie A. Leow Officer.
Precinct.

Witnesses Jacob Leow

No. 1, by _____

Michael Bissert

No. 2, by _____

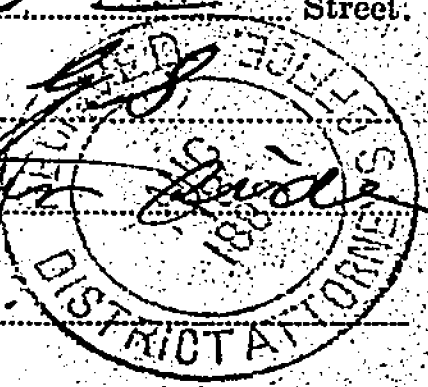
Jacob Frank

No. 3, by _____

\$ 25.00 to answer

Witnesses on oath

Can.



Louis A. Steen. 100 E. 23rd St.

0874

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 D. Scholter
and Henry Scholter

The Grand Jury of the City and County of New York, by this indictment, accuse
Mary D. Scholter and Henry Scholter
of the CRIME OF ARSON IN THE *second* DEGREE, committed as follows:

The said *Mary D. Scholter and Henry Scholter*,
Scholter, both
late of the *Seventeenth* Ward of the City of New York, in the County
of New York aforesaid, on the *fourth* day of *August*,—
in the year of our Lord one thousand eight hundred and eighty-*eight* at the
Ward, City and County aforesaid, with force and arms, in the *day* time of the said
day, a certain *dwelling house* of one *John Schlie*,—
there situate, there being then and there within the said *dwelling*
house some human being, to wit: *the said John*
Schlie and one Albertina Schlie,—

feloniously, wilfully and maliciously did set on fire and burn, 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
Mary D. Scholter and Henry Scholter
of the CRIME OF ARSON IN THE *second* DEGREE, committed as follows:

The said *Mary D. Scholter and Henry Scholter*,
Scholter, both
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, in the *day*
time of the said day, a certain *dwelling house* of one
John Schlie, there situate, there being then and there
within the said *dwelling house* some human being, to wit:
John Schlie and Albertina Schlie,
feloniously, wilfully and maliciously did set on fire and burn, 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.

0075

BOX:

321

FOLDER:

3056

DESCRIPTION:

Schaitberger, Emil

DATE:

09/11/88



3056

Witnesses:

#133

Counsel,

Filed

day of

188

Pleads,

11 Sept 1888

Pleads, *Indignity (12)*

THE PEOPLE

15th Sept 1888

P

Emil Schreiber

Grand Larceny 5th Sec. [Sections 528, 531, 552, Penal Code].

JOHN R. FELLOWS,

District Attorney.

15th Sept 1888

A True Bill

W. H. H. H.

Foreman.

Part III September 18/88

Pleads. Potik Larceny

Judge's suspended

W. H. H.

0877

N. Y. Court of General Sessions

----- :

The People &c. :

) v s- :

Emil Schaitberger :

----- :

City and County of New York, ss:

Max Frayknecht of No:

34 Bowery being duly sworn deposes and says:

That he is employed as foreman with A. Luckner, Sugar Manufacturer. That during the last past two years and a half, previous to the last past six months, the defendant was employed with the above mentioned Mr. Luckner and under the charge and control of your deponent. That defendant's duties were to attend the store and parcel carrier.

That during all of that time defendant had many opportunities of taking goods or money, but never did so, and that your deponent can speak of him only as an honest, truthful industrious boy and willing to work.

That he left the situation ^{on} ~~at~~ his own account and that your deponent would be ready and willing to take him back in his employment at any time.

Sworn to before me this :::

17th, day of Sept. 1888 :::

Jacob Meyer
Commissioner of Recs.,
New York City.

Max Frayknecht

0078

N. Y. Court of General Sessions

N. Y. Court of General Sessions

The People &c.

- v s -

Emil Schaitberger

City and County of New York, ss:

William W. Cowen being

of No: 343 East 55th. Street being duly sworn deposes and
says: That he is a Book-Publisher doing business at No: 114
Nassau Street, this city.

That he is well acquainted with the defendant above named
and his parents having known them intimately for the last
past ten years. That during all of that time, the reputation
and character of the defendant was of the best and deponent
has always considered him an honest and truthful ~~young man~~
boy.

Sworn to before me this ::::

17th. day of Sept. 1888 ::::

Jacob Meyer
Commissioner of Deeds,
New York City.

William W. Cowen
11

0079

N. Y. COM. OF GENERAL SESSIONS

Court of General Sessions

The People &c.

- v -

Emil Schaitberger

City and County of New York, ss:

William Oppenheimer of No:

172 Ludlow Street being duly sworn deposes and says: That
he is engaged in the business of Segar Dealer. That he has
known the defendant and his parents for the last past 15
years. That he has during all that time known the defendant
as an honest truthful and industrious young man,

That your deponent has never previous to this complaint
heard of the defendant's arrest or imprisonment before.

Sworn to before me this :::

William Oppenheimer

17th. day of Sept. 1888 :::

Jacob Meyer
Commissioner of Deeds,
New York City.

0000

1888

CONF. OF GENERAL S. 2000

N. Y. Court of General Sessions

The People &c.

- v -

Emil Schaitberger

City and County of New York, ss:-

Louis Schoenthal of No:

186 Attorney street, ~~deposes~~ being duly sworn deposes and

says: That he is engaged in the business of Baker.

That he has known the defendant and his parents for the
last past 12 years., and during all of that time, have known
the defendant to be an honest, truthful and industrious boy.

And have never known him to be charged with any offence
heretofore.

Sworn to before me this :::

17th. day of Sept. 1888 :::

Jacob Meyer
Commissioner of Deeds,
New York City.

0001

CITY AND COUNTY OF NEW YORK, ss.,
being duly sworn, deposes and says: that he is _____ years of age, and a clerk in
the office of CHARLES STECKLER, Esq., the attorney for the _____ in this
action; on the _____ day of _____ 188 at No. _____
in the City of New York, he served the annexed _____
upon _____ the _____ therein
by delivering to, and leaving with _____ personally _____
_____ true cop thereof _____

Deponent further says that he knew the person so served to be _____

Sworn to before me this
day of _____ 188 }

N.Y. Gen Sec Court.

The People vs.
Plaintiff.

AGAINST
Emil Schaitberger.
Defendant.

Alfredante

CHARLES STECKLER,
Deft. Attorney.

Nos. 47 & 49 Centre Street,
N. Y. City.

Due and timely service of a copy within
_____ and endorsed notice is
hereby admitted.

Dated N. Y., _____ 188

Atty.

To _____ Esq.

Atty.

Sir:

Please take notice that the within is a
true copy of an _____
this day duly filed and entered in the office of
the clerk of _____

in this action.

Dated N. Y., _____ 188

Yours &c.,

CHARLES STECKLER,

Attorney for _____

To:

Esq.,

Atty. for _____

0002

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUSEmile Schautperger

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. The defendant I am informed is fifteen years of age and came to me highly vouched for as an honest boy. He resides with his parents who are in my opinion estimable and worthy people. His mother I am informed is in delicate health and the imprisonment of the defendant is tending to delay her recovery.

The defendant has done all in his power to effect restitution of the property taken. I feel that the boy committed the offence charged not so much of his own volition as by reason of the persuasion of some boy associates. I believe that he has received a severe lesson and that the ends of justice would be better met by giving his parents control of him as I learn it is the intention to send him to a relative in a distant state viz to his uncle Charles Schautperger Jackson

0003

County Michigan

I therefore request if
consistent that the defendant may be
discharged under suspension of sentence

Aaron Schlang

0884

Police Court—

District.

Affidavit—Larceny.

City and County } ss.:
of New York,

of No. 558 5th Avenue Street, aged 25 years,

occupation Pawn Broker being duly sworn

deposes and says, that on the 5th day of June 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:

Three gold watches, two silver watches
one gold watch chain, two gold rings
four silver forks, one silver strainer
two lace shawls, one piece of silk
twelve silver spoons together of the value
of two hundred and thirty seven dollars

\$ 237.00

the property of different people pledged in
deponent's pawn office, and in
deponent's care and custody.

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 Emil Schaitberger (Now here)

from the fact that deponent missed said
property from his pawn office at the above
address. Deponent notified the police when
detective Sergeant James Valley of the Central
Office arrested the said defendant who was
in deponent's employ on suspicion of having
stolen said property. And deponent is informed
by said detective sergeant that the said
defendant admitted and confessed to him in
the presence of detective George Alonzo that
he did take said property. And informed him
the said detective sergeant where he had disposed
of said property and in such information he
the said detective sergeant in company with

Subscribed and sworn to before me this 18th day of June 1888

Police Justice

0005

the said detective Almada recovered said
property.
Wherefore defendant 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 30th day of Aug 1888

Aaron Schlang

J. M. Putnam
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 1888 Police Justice.
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1888 Police Justice.
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1888 Police Justice.

Police Court,	District,
THE PEOPLE, &c., on the complaint of	
vs.	
1.	2.
3.	4.
Offence—LARCENY.	
Dated	1888
Magistrate.	
Officer.	
Clerk.	
Witnesses,	
No.	Street.
No.	Street.
No.	Street.
No.	to answer Sessions.

0006

CITY AND COUNTY }
OF NEW YORK, } ss.

James P. Kelly
aged _____ years, occupation Detective Sergeant of No. _____

200 Mulberry Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Aaron Schlam

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

Sworn to before me, this _____

day of _____

188 _____

James P. Kelly
Police Justice.

0007

Sec. 193-200.

CITY AND COUNTY }
OF NEW YORK } ss.

2 District Police Court.

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

Question. What is your name?

Answer.

Emil Schautberger

Question. How old are you?

Answer.

15 years old

Question. Where were you born?

Answer.

New York City

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

Answer.

Refuse to answer on account of my family

Question. What is your business or profession?

Answer.

Clerk

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

Answer.

*I have nothing to say
at present,
Emil Schautberger*

Taken before me this

30

day of

Aug

188*8*

Alfred J. ...

Police Justice.

0000

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 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 Aug 20 188 J. M. Peterson 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.

0009

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

313
Police Court--- 2 1370 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Adam Schlange
vs
Emil Schaitberger

2
3
4

Offence Larceny
Felony

Dated Aug 30 1888
Patterson Magistrate.

James Valle, Geo Almiche Officer
Cur Affair Precinct.

Witnesses James Valle,
No. 200 Mulberry Street.

George Almiche
No. 200 Mulberry Street.

No. Street.

\$ 1500 to answer

Compton
9/1

0890

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Emil Schaitberger

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

Emil Schaitberger

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

The said

Emil Schaitberger

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

three watches of the value of forty dollars each, two other watches of the value of twenty dollars each, one chain of the value of twenty dollars, two rings of the value of five dollars each, four forks of the value of two dollars each, one strainer of the value of five dollars, two lace shawls of the value of ten dollars each, five yards of silk of the value of one dollar each yard, and twelve spoons of the value of one dollar each

of the goods, chattels and personal property of one *Baron Schlang*

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.

0091

SECOND COUNT—

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

Emil Schaitberger—

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said *Emil Schaitberger*

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,

three watches of the value of forty dollars each, two other watches of the value of twenty dollars each, one chain of the value of twenty dollars two rings of the value of five dollars each, four forks of the value of two dollars each, one strainer of the value of five dollars, two lace shawls of the value of ten dollars each, five yards of silk of the value of one dollar each yard, and twelve spoons of the value of one dollar each

of the goods, chattels and personal property of one *Arvon Schlang*

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

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

Emil Schaitberger—

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.

0092

BOX:

321

FOLDER:

3056

DESCRIPTION:

Schalow, Albert

DATE:

09/12/88



3056

0093

BOX:

321

FOLDER:

3056

DESCRIPTION:

Koehler, August

DATE:

09/12/88



3056

Witnesses :

Counsel,

Filed

day of

Pleads,

THE PEOPLE

vs.

Albert Schatow

and

George Koehler

PETT LARCENY.

[Sections 528, 532, 535 Penal Code.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Draper

Part III September 19, 1888

Foreman.
Butler, indicted convicted

with recommendation to mercy.

City Prison Oct 11, 1888

0095

Court of General Sessions;
The People vs. }
vs. August Koehler }
City & County of New York SS.

John C. Healy being duly
sworn says his office
is at No 68 Wall Street
this City that the reputation
of the above named defendant
is good & will obtain
immediate employment
for defendant as soon as
discharged.

Sworn to before me
this 17th day of September
Fred. O. Swain 1888
County of New
York

John C. Healy

0096

'Court of General Sessions'
The People vs
vs
August Koehler

Frank Patterson being duly
sworn says he has known August
Koehler for several years during
which time defendant was a
neighbor of deponent's and
that said Koehler had always
been known to him as a boy
of good character and associates
and that his reputation for
honesty has been good.
The deponent further says
that the mother of the
defendant is a widow and
a woman of excellent character
and respectability.

Sworn before me this

17th

day of September 1888

Samuel L. Lull

Commissioner

N.Y.C.

Frank Patterson

0097

Court of General Sessions
The People }
vs.
August Koehler }

Herman Jaeger being
duly sworn says he has known
for a number of years August
Koehler the defendant, and that
he has always appeared to him
to be a boy of good character
and habits as also, a reputation
for honesty, and deponent
knows other people who
are acquainted with the defendant
and such persons give
him a good character for
honesty

Sworn to before me
the 17th day of September 1888,
Samuel H. H. H.
Comm. of Sec. H. H. H.
Herman Jaeger

0898

NEW YORK GENERAL SESSIONS.

.....X
PEOPLE ON MY COMPLAINT,
:

versus
:

AUGUST KOEHLER.
:
.....X

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; and I desire to withdraw the complaint which I have made against the defendant, August Koehler, and ask that he be discharged.

He belongs to a very respectable family, well able to take good care of him, and he is also promised employment as soon as discharged.

Witness.

Edward J. Rapp

Isaac Friedman

0900

Police Court

18 District.

Affidavit—Larceny.

City and County } ss.:
of New York,

of No. 168 Essex Street, aged 65 years,

occupation Storekeeper being duly sworn

deposes and says, that on the 30 day of Sept 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 time, the following property viz:

One cigar
holder of the Value of One
Dollar 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

Albert Chalow, and
August Koehler, both now
here, in the manner and for
the reasons following; On said
day and date said defendants
entered said premises (Store
168 Essex St) and the Defendant
Chalow, asked to see some cigar
holders; Deponent showed one
holder, and then said Chalow
asked to see more holders,
and Deponent put the first
holder shown away, and put
three others on the show case
for said Defendants to look

of

188

Police Justice.

0901

at, and then Deponent missed
said holder and charged said
defendants with the theft of the
same, both defendants ran out
of, and away from said store
followed by Deponent to First
Street and First St; 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

Sworn to before me
This 4th day of September 1888
Jacob Friedmann
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 1888 Police Justice.
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1888 Police Justice.
There being no sufficient cause to believe the within named
guilty of the offence mentioned, I order he to be discharged.
Dated 1888 Police Justice.

Police Court, District.

THE PEOPLE, &c.,
on the complaint of

Offence—LARCENY.

23.

1
2
3
4

Dated

1888

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street.

No.

Street.

No.

Street.

\$

to answer

Sessions.

0902

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

3 District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty and ask an Acquittal; if held to demand a trial by jury
Albert Schalom

Taken before me this 11th day of 1888

Police Justice.

0903

Sec. 100-200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty, and
ask an Examination, if
held, I demand a trial
by jury August Koehler.*

Taken before this

day of

188

Police Justice.

0904

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Three Hundred Dollars, each 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 4th 1888 J. Murphy Police Justice.

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

Dated Sept 5 1888 J. Murphy 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.

0905

#300. bail for Ex
Sept 15th 9, 300 a.m.

#137

278

Police Court---

District

THE PEOPLE
ON THE COMPLAINT OF

168th Essex
Albert DePalma
Eng Bohler

BAILED

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Dated

188

Magistrate.

Officer

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

to answer

Not Bailed



0906

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against
Albert Schalow and
August Koehler

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

Albert Schalow and August Koehler

of the CRIME OF PETIT LARCENY committed as follows:

The said *Albert Schalow and August*
Koehler, both

late of the City of New York, in the County of New York aforesaid, on the *third*
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 cigar holder of the value
of one dollar and fifty cents

of the goods, chattels and personal property of one

Jacob Friedmann

then and there being found, then and there unlawfully 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.

0907

SECOND COUNT----

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

Albert Schalow and August Koehler
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *Albert Schalow and August Koehler, both* —

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 Regar Holder of the value of
one dollar and fifty cents.*

of the goods, chattels and personal property of one

Jacob Friedmann

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

Jacob Friedmann

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

Albert

Schalow and August Koehler

then and there well knowing the said goods, chattels and personal property to have been
unlawfully 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.