

10 14

BOX:

515

FOLDER:

4695

DESCRIPTION:

Kellermann, Emily

DATE:

03/20/93



4695

Witnesses:

Maude M. Arnold

Frank D. Dyer

~~In view of the~~
~~circumstances of this~~

Upon a trial of this case,
I doubt that there
could be any conviction
of a crime higher than
Petit Larceny. I therefore
recommend that such
plea be accepted for
dependent.

March 30th 1893,

V. M. Davis,
Clerk.

Counsel,

Filed

Pleads,

THE PEOPLE

vs.

perpetrator

Emily Kellerman

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Wm. H. Keaton.

Foreman.

March 30th 1893

Pleads Petit Larceny

City Prison 2 cond.

Grand Larceny,
[Sections 628, 629,
Penal Code.]

1015

10 16

Police Court 2 District.

Affidavit—Larceny.

City and County } ss:
of New York,

Maud Mc Donald
 of No. 421 South Avenue or 294 W 12th Street, aged 29 years,
 occupation None being duly sworn,
 deposes and says, that on the 25 day of February 1893 at the City of
 New York, in the County of New York, was feloniously taken, stolen and carried away
 from the possession of deponent, in the day time, the following property, viz:

one cloth dress and Cloak and other
property all of the value of Fifty
dollars

\$50

the property of

Deponent

and that this deponent
 has a probable cause to suspect, and does suspect, that the said property was feloni-
 ously taken, stolen and carried away by Emily O'Callaghan

(conferment) from the fact that deponent
 is informed by Dennis Brady of the
 Central office that he found tickets
 representing the aforesaid property that
 was pledged and sold in divers
 places in possession of the aforesaid
defendant

Mrs Maud Mc DonaldSworn to before me this 25 day

of

189

John J. Brady Police Justice.

10 17

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 29 years, occupation Electrician of No. 300 Murray Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Edward McDonald and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 6 day of Oct 1893 } Thomas Grady

Thomas Grady
Police Justice.

10 16

Sec. 108—200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Emily Kellerman 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.

Emily Kellerman

Question. How old are you?

Answer.

17 years

Question. Where were you born?

Answer.

United States

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

Answer.

446-8 Avenue

2 days

Question. What is your business or profession?

Answer.

Domestic

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

Answer.

*I am not guilty -
Emily Kellerman.*

Taken before me this
day of *March* 1893

Police Justice.

10 19

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

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

Dated March 6 1893 Thos. H. Brady Police Justice.

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

Dated 18 Police Justice.

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

Dated 18 Police Justice.

St. Church,

Tit, W. M. Esq., and H. H. Cam-
mann, Executors.

Map and particulars at the auctioneer's office, 9
Pine St., and of H. H. Cammann & Co., 51 Liberty St.

JAMES S. McQUILLLEN, AUCTIONEER.

PEREMPTORY SALE.

D. PHOENIX INGRAM & CO.

TUESDAY, MARCH 14, 1893.

At the New-York Real Estate Salesroom, 111 Broad-

way, Trinity Building.

NO. 42 EDGEBOURNE AVENUE.

three-story brick and brownstone trim private

dwelling, hardwood trim throughout; decorated; all

the fixtures.

POOR QUALITY
ORIGINAL

1022

JAMES S. MCGILL, ATTORNEY
AT LAW
100 N. 3RD ST.
PHILADELPHIA, PA.
ESTABLISHED 1854
SPECIALTY IN REAL ESTATE
AND PERSONAL FINANCE
ALL BUSINESS HANDLED
WITH PROMPTNESS AND
DISCRETION

St. Paul's Church,

9th STREET.

Telephone Columbus 196
NEW YORK, MAR 7th

189

5

MY DEAR MR ROYNTON,

THE GIRL DESCRIBED ON THE ENCLOS

ED SLIP WAS FORMERLY IN OUR SUNDAY SCHOOL AND I

SHOULD LIKE VERY MUCH TO HAVE MRS FOSTER SEE HER

AND DO WHATEVER IS POSSIBLE TO SET HER ON A RIGHT

TRACK AGAIN.

WHEN SHE FIRST BEGAN TO SHOW DISHONEST PROPENSITIES

HER FATHER WAS VERY SEVERE WITH HER RESORTING TO BEAT

ING AND NO ONE HAD THE CONFIDENCE OF THE GIRL AT

HER OWN HOME. THE MOTHER DID NOT ENTIRELY APPROVE

BUT SEEMED TO HAVE LITTLE INFLUENCE.

WE TRIED TO GET HER TO COME TO OUR SOCIETIES ETC. BUT

FAILED. SHE HAS SINCE THEN GONE ON FROM BAD TO WORSE

1023

EVIDENTLY , BUT I TRUST THAT WE MAY STILL BE ABLE TO
GET A HOLD UPON HER.

YOURS SINCERELY

Mr. Perkins.

P.S. IF SHE SHOULD PROVE TO BE A PROPER SUBJECT FOR

THE HOUSE OF MERCY SISTER MARY WILL TAKE HER AT

MY DESIRE .

Dear Mr. Fosh
Can you see to this & oblige
Dr. 1813

EUGENE D. WHITE & CO.
PORTLAND, OREGON.
(SEE INSIDE OF FRONT COVER.)

Frederic C. Markin
362 N. 27th St
7-9.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Emily Kellermann

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

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

The said

Emily Kellermann

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

*one dress of the value of thirty
dollars, one cloak of the value of
fifteen dollars, and divers other goods,
chattels and personal property,
(a more particular description where-
of is to the Grand Jury aforesaid un-
known) of the value of thirty dollars*

of the goods, chattels and personal property of one

Maud McDonald

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

SECOND COUNT—

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

Emily Kellermann

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

The said *Emily Kellermann*

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 dress of the value of thirty dollars, one cloak of the value of fifteen dollars, and divers other goods, chattels and personal property, (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of thirty dollars

of the goods, chattels and personal property of one *Maud McDonald*

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

unlawfully and unjustly did feloniously receive and have; the said

Emily Kellermann

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

DE LANCEY NICOLL,
District Attorney.

1026

BOX:

515

FOLDER:

4695

DESCRIPTION:

Kelly, John

DATE:

03/10/93



4695

Witnesses:

Victor C Gardin

Mr Conrad

Michael Watson

Mr Glenlon

* Sinclair House

Mr J. J. Patrick

Grand Juror on Hotel

Clarks - 8th Ave

ock. cor. 8th

125th St 7th Ave

McCall 220th 7th Ave

See History

Counsel,

Filed

day of

March 1893

Pleads,

THE PEOPLE

vs.

John Kelly

Grand Larceny, Second Degree.
[Sections 528, 529, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

March 1893

Per Conrad

A TRUE BILL.

Wm. W. Keaton

Foreman.

March 1893

Keaton

March 23

20 X

1027

1028

(1365)

Police Court—4th District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Victor C. Gardin

of No. 206 E 22nd Street, aged 24 years,

occupation Artist being duly sworn,

deposes and says, that on the 2nd day of March 1893 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the night time, the following property, viz:

One over-coat, valued at—
Twenty-eight dollars—

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by

John Kelly, now here, from the fact, that said deponent was in a saloon #259-3rd Avenue, and had said coat on a table, deponent subsequently missed said coat, and saw this defendant wearing said coat, and deponent immediately had said defendant arrested.

Defendant was in the act of pawning said property.

Wherefore deponent asks that the said defendant may be held to answer.

V. C. Gardin

Sworn to before me, this 2nd day of March 1893, at New York, Police Justice.

1029

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss:

4 District Police Court.

John Kelly 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. *John Kelly*

Question. How old are you?

Answer. *31 yrs*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *854 - 6th Ave. 2 yrs*

Question. What is your business, or profession?

Answer. *Writer*

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

Answer. *I am not guilty.*

John Kelly

Taken before me this

day of *March*

1893

Police Justice

1030

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

John J. Buchanan
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, March 2 1893

Thomas J. [Signature] Police Justice

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

Dated, _____ 189

Police Justice.

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

Dated, _____ 189

Police Justice.

103

61 250
Police Court---H--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Victor C Gardin
206 St 22nd
John W Kelly

Offense
Gardin
Kelly

2
3
4

Dated, March 2 189 3
Meads Magistrate.
Timothy Officer.
98 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ 1000 to answer GS

On 9/2

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

1032

505

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

THE PEOPLE OF THE STATE OF NEW YORK

against

John Kelly

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

of the CRIME OF GRAND LARCENY IN THE
as follows:

DEGREE, committed

The said

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

*one overcoat of the value of
twenty-eight dollars*

of the goods, chattels and personal property of one

Victor C. Garden

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.

De Laury

SECOND COUNT—

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

John Kelly
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:
The said

John Kelly
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 overcoat of the value
of twenty-eight dollars*

of the goods, chattels and personal property of one

Victor C. Garden

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

Victor C. Garden

unlawfully and unjustly did feloniously receive and have; the said

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

DE LANCEY NICOLL,

District Attorney.

1034

BOX:

515

FOLDER:

4695

DESCRIPTION:

Kenny, Thomas

DATE:

03/24/93



4695

Witnesses:

Wm. S. Sicker

224

Counsel,

Filed

day of

March 1893

Pleads,

My guilty

THE PEOPLE

23

624 29th

vs.

Vendor single present

Thomas Henry

Section 488, of the Third Degree

DE LANCEY NICOLL,

District Attorney.

11

Part 2 - April 6/93

Pleads Burg. 3rd Degree

A TRUE BILL.

Wm. S. Sicker

Foreman.

Ed. Ref. by

April 11/93

1035

Police Court—

District.

City and County { ss.:
of New York,

Hermon Garnjost
 of No. *54th East 12th* Street, aged *30* years,
 occupation *Manufacturer of pantaloon* being duly sworn
 deposes and says, that the premises No *54th East 12th* Street, *17th* Ward
 in the City and County aforesaid the said being a *dwelling house, the*
store of which
 and which was occupied by deponent as a *Tailor shop*
 and in which there was at the time a *human being by name*

were BURGLARIOUSLY entered by means of forcibly *breaking shatters*
of the window in the rear of the store and
broke a pane of glass and inserted a
hand and pushed a bolt used in fastening
the door leading into the store and opening said
door on the 26 day of November 1893 in the night time, and the
 following property feloniously taken, stolen, and carried away, viz:

Forty two pairs pantaloon, an
overcoat and a pair of shoes all
of the value of Two hundred and
thirty dollars

the property of *deponent and others and in deponents care and charge*
 and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
 BURGLARY was committed and the aforesaid property taken, stolen and carried away by
Thomas Kenny (now here) and other persons not
arrested who were acting in concert

for the reasons following, to wit: *deponent locked and*
fastened the doors and windows leading
to said store and said property was
therein. Deponent on the following morning
found the store broken and entered
in the manner aforesaid and said
property stolen. Deponent is informed
by John Hock, a police officer that
he arrested the defendant and he

has acknowledged and confessed to
said Hock that he, with other persons
broke and entered said premises and
stole said property.
Sworn to before me this 21st March 1893
Herman Garjort
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 188
Police Justice.
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 188
Police Justice.
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 188
Police Justice.

Police Court, District, 103
THE PEOPLE, &c.,
on the complaint of
13
23.
1
2
3
4
Dated 188
Magistrate.
Officer.
Clerk.
Witnesses,
No. Street,
No. Street,
No. Street,
\$ to answer General Sessions.

Offence—BURGLARY.

1038

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 29 years, occupation Police officer of No. 14 Precinct Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Norman Lary and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 21 day
of March 1893

John Hock

Heppel

Police Justice.

1039

Sec. 198-200.

3

District Police Court.

1882

City and County of New York, ss:

Thomas Kenny 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.

Thomas Kenny

Question. How old are you?

Answer.

23 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

*627 East 9th St.**4 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 guilty**Thomas Kenny*

Taken before me this

day of

March

1893

Police Justice.

1040

CITY AND COUNTY }
OF NEW YORK. } ss.

POLICE COURT, 3 DISTRICT.

of No. 14th Precinct Street, aged years,

occupation being duly sworn, deposes and says

that on the 20th day of March 1893

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

Thomas Kenney (now here) on suspicion of being implicated in the crime of burglary and deponent asks that the defendant be held a reasonable time to enable deponent to secure the necessary evidence to substantiate said charge.

John Hock

Sworn to before me, this

20th day of March 1893

Police Justice.

2603 Police Court, District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.
Thomas Kenney

AFFIDAVIT.

Dated March 20 1893

Koch Magistrate.

Koch Officer.

Witness, 14

Disposition

Ex. adj. to 21 March at 9
left returned to officers
lately

1042

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, March 20 1893

[Signature] Police Justice.

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

Dated, _____ 189 _____

Police Justice.

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

Dated, _____ 189 _____

Police Justice.

2243
Police Court---330
District.THE PEOPLE, &c.,
ON THE COMPLAINT OF*John Hock*
*Thomas Kenny*2
3
4*Gurglary*
Offense

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

Dated, *March 28* 1893*Koch* Magistrate.*Hock & Mallon* Officer.*14* Precinct.Witnesses *George Siebert*No. *378 E. 8th* Street.

No. Street.

No. Street.

No. *1000* to answer *G...*Com *...*

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Kenny

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

Thomas Kenny

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

The said

Thomas Kenny

late of the *17th* Ward of the City of New York, in the County of New York aforesaid, on the *twenty-sixth* day of *November*, in the year of our Lord one thousand eight hundred and ninety-*two*, in the *night*-time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the *shop*—of one

Herman Garryost

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

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

SECOND COUNT—

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

Thomas Kenny
of the CRIME OF *Graced* LARCENY in the second degree, committed as follows:
The said *Thomas Kenny*

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

*forty - two pairs of trousers of
the value of five dollars each
pair, one overcoat of the value
of twenty dollars and one pair
of shoes of the value of five
dollars*

of the goods, chattels and personal property of one *Herman Gargosh*

in the *shop* — of the said *Herman Gargosh*

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

De Lancey Nicoll
District Attorney

1046

BOX:

515

FOLDER:

4695

DESCRIPTION:

Kievent, Philip

DATE:

03/09/93



4695

1047

BOX:

515

FOLDER:

4695

DESCRIPTION:

Zewig, Rebecca

DATE:

03/09/93



4695

1048

POOR QUALITY
ORIGINAL

Witnesses:

33.

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

38 Suffolk St.
86 Salisbury Sts.

Philip Kievent

30 Suffolk St.
86 Salisbury Sts.

Rebecca Zewig
H. D.

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

DE LANCEY NICOLL,

District Attorney.

June 19/93

Motion for a new trial
denied by Judge Irving

A TRUE BILL.

Wm. W. Heaton

Foreman.

Part 2 - March 24/93

Both trial and con-
victed with recommenda-
tion & mercy of the court.

7101 S. P. 6 years

No 2 1 on 10 on 10

1049

Monday.

TIME	NAMES	Age	Color	Nation	Calling	Married or Single	Read and Write	RESIDENCE	COMPLAINT
17. P. M.					Pool call.				

12 midnight Philip Hievent
 " " Rebecca Sweith

38 W. Russ. Lager ^{beer} S. yes 86 Suffolk St Robbery.
 30 " " none " " 86 " " Robbery.
 Complainant went into the Lager
 was invited by the proprietor,
 which the prisoner, Philip Hievent,
 prisoners robbed complainant
 for detention. Prisoner Hievent
 Complainant and witness

42430, 42432, 42435 & 62073.

BRIEF HISTORY OF PHILIP KEWENT.

May 15/89.

Complaint received by Society that saloon of Philip Kewent at 94 Columbia Street was a dive, the rooms in the rear being used for purposes of prostitution.

May 31/89.

Officers of Society were solicited in above rooms by a nude female on this and prior dates.

June 4/89.

Warrant was secured at Third D. P. Court for Philip Kewent, on charge of "Keeping a disorderly house".

Later on same day, place was raided by the Police and Society's Officers, and Kewent, his alleged wife, the "Madam" and two other females arrested and locked up in 13th Precinct Police Station.

June 5/89.

At Third D. P. C., Kewent held in \$700. bail for trial at Spec. Sessions.

June 21/89.

At Court of Spec. Sessions, Philip Kewent was found guilty on above charge, and, by Justices Smith, Kilbreth and Patterson, sentenced to Penitentiary for six months. on house

August 7/91.

Philip Kewent reported arrested for "Keeping disorderly house" at 320 West 73rd Street.

August 11/91.

In Court of Spec. Sessions, Kewent was found guilty on above charge, before Justices Duffy, Hogan and O'Reilly, and sentenced to Penitentiary for six months. Appeal taken.

May 10/92.

In Court of Gen'l. Sessions, Judge Martine sustained the action of the lower Court.

Jan. 16/92.

Society was informed that Police had arrested Philip Kewent for selling liquor without a license at 86 Suffolk Street. Later, he was held for trial at General Sessions. No disposition of this case on Society's records.

[Signature]

*Alfred
Zearing*

Friday Feb 2/93

Philip Kewent arrested for Robbery
#1000 Bail for 24 hr Justice Smith
Discharged Feb 6/93 by Justice Noel
Great Western Court

and word day before 7 years

Barth Bartley

Barth Bartley

*papers with
clerk Gen Sessions re
arrested*

1052

A. L. GERMANSKY,

PASSAGE TICKETS FOR ALL STEAMERS

TO AND FROM EUROPE.

DRAFTS

ON ALL THE PRINCIPAL CITIES OF EUROPE.

Money Orders & European Express.

30 Canal St., New York.

No. 13518

New York, ~~Aug~~ ^{Sept} 4, 1892

Received from Andreas Mikitow
Twenty (20) 70 Dollars,
for the remittance of Forty Rubel
to be forwarded to Afrasia Ruzensk

Gub. Suwalkski augustowski Powiat Gmina Szebra Olechowa
Wies Prawno Ruskie A. L. GERMANSKY.

\$20 70 100

Or 40 Rubel

Per A. L. Germansky

Smith - Bartender.

Complainant came in about 7.

Defendant Philip was not there then.

See Butcher.

Spanier, Rebecca & two Poles only were there.

Poles were there from 7 to 9 ³⁰.

Beyer came in at about 8 ³⁰.

Spanier came in before the Poles.

Butcher " " after " "

Beyer went out with them.

Steth saw them when they came with Policeman about 11.

He went was asleep when Police came.

Butcher left about 9 ³⁰.

Beyer. Poles were there when I came in at 7 ⁴⁵.

Took Poles home with me - got home 9 ³⁰.

Poles left home at 11 ¹⁰.

In the saloon talked with Poles about Russians.

Spanier. Poles came in 7-7 ¹⁵.

Beyer came in about 8 - I looked at him.

I went there about 7.

Butcher was there when I went in. He was reading a paper.

Butcher left after 10 I am sure.

I left at 11 ¹⁵ - Was about three houses

1054

STENOGRAPHER'S MINUTES.

Third District Police Court.

THE PEOPLE, vs. IN COMPLAINT OF

John Philips
Philip Rupert
Rebecca Jennings

BEFORE HON.

Dr. Koch

POLICE JUSTICE,

Feb 28 188*9*3

APPEARANCES:

For the People,

For the Defence,

188

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WITNESSES.

Direct Ex.

Cross Ex.

Re-Direct.

Re-Cross.

John Philips
Rupert
Hymann

1 *17*
8 *15*
16

Myra Lacey

Official Stenographer.

New York Feb 28th 1893
 Third District Police
 Court
 Henry Joseph Koch
 Presiding Justice

John Philips }
 vs }
 Philip Bevan }
 Rebecca Jennings } Robbery

John Philips being and
 duly sworn, deposes and
 says:

Q. Where are you
 employed?

Q. A. Ricketts, I am in
 the gun mill working
 there?

Q. A. No Sir,
 the gun mill is
 the employ of the
 Ricketts Mfgs, where
 do you work?

Q.

A. Q. I have no work
What is the name of
the Mine?

A. Q. No. 4, The
Reading Company
Q. What was the
name of your Boss?

A. Q. Joe Williams
Q. When did you stop
working?

A. Q. A couple of
months ago

Q. How
much money did
you get when you
stopped work?

A. Q. Ten
dollars a week, every
two weeks

Q. How
much did you have
yesterday?

A. Q. Two hundred and

Q.

Q. Fifty dollars I got it
in Pennsylvania

Q. Did you bring it
here?

Q. I brought it from
the old country \$50,
in American money

Q. Who was with
you when you brought
it?

Q. My Mother gave
me the money

Q. Who says that
money with you
when you got here?

Q. I cannot under-
stand you

Q. You spoke
English yesterday
where was the Exchange
Office?

Q. I cannot
tell

H.

Q. Where did you exchange the money?

A. About four

Q. O'clock yesterday
Q. Who was present in this saloon yesterday besides yourself?

Mike

Q. Landmark? Did you go in drunk?

A. No Sir

Q. You two were in the saloon?

Q. Yes Sir, What time did you get in there?

A. About ten o'clock night

Q. What time did you go out?

A. 11 O'clock

H.

5.

night, I had two
 Q. glasses of Beer

Q. You knew Finkenberg
 A. No Sir

Q. Who was in the

A. Saloon with you

A. That is the
 man and that is
 the woman and the
 bartender

Q. Was Adolph
 Francis there

Q. Yes Sir
 Was that woman
 there?

Q. A. No Sir
 A. Yes did it happen

Q. I was in the
 Saloon I pay and
 that woman sat by
 me while the Boss
 she spoke something &

5-

6

She had a nice girl
 she said down town,
 the Defendants came in
 I paid the Mrs One
 dollar, in a few
 minutes they caught
 me by the neck and
 I could not get
 up, they took the
 money from my
 pocket, I got no hat,
 the men away the
 pocketbook, after that
 I roared and this
 man and woman
 pushed me out of
 the place, I found
 a Policeman

Q.

How much money

A.

Did you have?

One hundred and
 fifty dollars, the police-
 man saw where

6

17

Q I was robbed where

A And gave the money
book, the book the

Q money from me
live at Whipple Av

A Brooklyn? Yes Sir, with

Q Mrs. Kinsley Have you
any Power tickets

I want to become
this 28th day of Feb 1893

Police Justice

17

L

Philip Keirant being
fully sworn deposed
and says

Q.

You are the
owner of the saloon at
Clifford St, Yes Sir,

Q.

Did you ever see
the complainant before

Q.

Never
Has he in your
place?

Q.

No Sir
Did you see the
officer before?

Q.

Yes Sir,
Did you see

Q.

Grogan? No Sir,

The complainant
testified that he was
in your place on
8

Q

Feb 2/14th at 10 o'clock
at night and took
a drink is that true?
Q. I did not give
him the drink, he
was there I did not
see him.

Q. He says you
robbed him of two
hundred ~~dollars~~ and
fifty dollars?

A. I never
saw a cent with
him, the bartender
attended to him.

Q. This is a put
up job, a conspiracy

A. Q. Yes Sir,
a man named
Pinkelberg had you
arrested for robbery
and you were
discharged.

Q

10

Q. Yes Sir,
Shalvey was the
Officer?

A. Yes Sir

Spurred before me }
this 28th day of Feb 1893 }

Police Justice

Rebecca giving being
my own deposer and
days I was arrested
by the policeman
Q. You live at 86
Suffolk St?

Q. Yes Sir,
Here you give the
Saloon Feb 24th at
about ten o'clock

A. night time when the
policeman came in

11.

A When the Policeman came in I was lying on the lounge sleeping

Q Did you see the complainant in the store

A. They were in the day time at 11 o'clock, they had another glass of Beer and went away, in the evening he came back with a Policeman and said they were robbed, that was four hours after, the Policeman said we had to go, we went

Q. When did Officer Chaavey show up

A. He never was in the place.

11

12

Q The complainant
 swears that he had
 \$250. in his possession
 in this pocketbook, that
 you called him into
 the saloon and that
 he was robbed there
 by your husband?

A. I never did
 that, I did not call
 him in.

Q. He swears you
 introduced him to
 a female in there?

A. Q. No Sir.
 And that the male
 Defendant got him
 by the throat?

A. Q. No Sir.
 He swears you took
 some money from
 him?

A. No Sir,
 12

13

Sworn to before me
this 28th day of Feb 1893

Police Justice

Wolfe Spawner
being duly sworn
deposes and says,

Q.

What is your
business?

A.

Wharrier, at
88 Prince St,

Q.

Were you in the
Deferant Saloon
yesterday?

Q.

Yes Sir,
What time were
you there?

A.

I went
there about eight
o'clock in the evening,
and was there till
half past ten or

14

Q. 11 o'clock Did you
see the companion
and his friend there?

A. Yes Sir
Q. You were there
before they went in

A. Yes Sir,
Q. What did you see
them doing?

A. The two
(2) were at the bar
and had several
beers and everytime
he took out his
pocketbook, after they
paid for the last
drink, another man
came in and said
he was a country
man, and the lady
asked me if I knew
him

14

15.

Q. How long do you
 A. know the Defendant

Q. every day Did you see
 any quarrel between
 these people?

Q. A. No Sir,
 Did you see the
 Defendant take any
 money?

Q. A. No Sir
 Were you ever
 arrested?

Q. A. No Sir
 How long are you
 here?

A. 4 Years

Sworn to before me
 this 28th day of Feb-1893

Police Justice
 15

16

Rachel Hyman of No
149 Delaware St I am
a widow

Q.

Were you
in 86 Suffolk St on
this night in question
at

A. Q.

Yes Sir,
I was there when
the complainant went
in with his friend?

A. Q.

Yes Sir,
What did you see?
I saw him
having beer and
another beer and
the other man and
the third man and
he said he was a
friend and he said
come to another place
and he took him

16

14

cut and said good
bye

Q

The third man
look the two men
cut?

Q. A.

Yes Sir,
that time was that
about 8 o'clock and
came back after 11
o'clock and took
another deer and
went away, again
they came back with
a policeman and
said he was robbed.

Q.

Did you see the
Defendant take any
money or take this
man by the throat?

A.

No, he was not
near him

Q.

Did you see the
other Defendant, the

14

18.

Woman take any
part in any
Robbery?

2. Q.

Ans. No Sir,
Were you in company
with anyone?

Q.

Ans. I was
alone, I had my
supper there, I was
there till Eleven o'clock,
I have four children,
my children are in
the orphan asylum

Subscribed before me
this 28th day of Feb 1893

Police Justice

Defendants held in One
thousand dollars each

1073

District Police Court.

John Wheeler

vs.

*William Fitzgerald
Pellica George*

STENOGRAPHER'S TRANSCRIPT

Attest 1887

BEFORE HON.

Joseph Koch

Police Justice.

Wm. J. Greaney
Official Stenographer.

COURT OF GENERAL SESSIONS OF THE PEACE.

-----X

The People etc., :

-vs- :

Philip Kievent and :

Rebecca Zweig :

-----X

City and County of New York SS.

R A C H E L H Y M A N being duly sworn says that she is a sister of Philip Kievent, one of the defendants herein. That she called upon Millie Kulowkofsky at her residence #296 Wythe Avenue, in the City of Brooklyn. That deponent understands and speaks the Polish language fluently. That she had a conversation with said Millie Kulowkofsky and the said Millie Kulowkofsky stated to this deponent that she had received a letter from John Phillips who called her to the House of Detention and that in accordance with said request, she called at the House of Detention and that in a conversation had with the said John Phillips, the said John Phillips stated to her that he was sorry he ever made the charge against the prisoners, and that she replied " I dont see how you could make such a charge when you know in your own heart and soul that all the money you had was the \$50 you gave me to save for you." And John Phillips in return replied " How do you know how much money I had? I had the money sewed up in my coat, and they ripped my coat and took the money from me."

I asked the said Millie Kulowkofsky whether she would make an affidavit of this statement, and she replied to me that if the Court requested her to do so she would do so,

but she did not want anybody to bother her any more as she
 does not know what the lawyers ask her to sign and she is a-
 fraid that she may be put to trouble.

Sworn to before me this 3rd

day of June, 1893.

Michael Micholzburg
Com. of Deeds
Wyo.

been sworn
Rachel (K...) in Hebrew
Hyman

but she did not want anybody to bother her any more as she
 does not know what the lawyers will do to her and she is a
 afraid that she may be put to trouble.
 Sworn to before me this 2nd
 day of June, 1902.

Court of General Sess.

The People vs.

- vs -

Philip Hewitt
 & Co

Affidavit

Court of General Sessions.

The People etc.

-vs-

Philip Kivent and
Rebecca Zweig.

City and County of New YorkSS

Abraham D. Levy being duly sworn deposes and says: I am an attorney and counselor at law and acted as associate counsel with Ambrose H. Purdy of the firm of Purdy & McManus in the conduct of the above entitled case. Dependent further says: I called upon the landlady of the boarding house where the above complainant and his witness Micheal Reginsky resided at #296 Wythe Ave. Brooklyn on the 16th day of April and there made inquiries about the complainant and his witness Micheal Reginsky. I informed the landlady and the other boarders present at the time of my mission through an interpreter and related to them the story of how the complainant and his friend Micheal Reginsky had one Philip Kivent and Rebecca Zweig arrested for robbery, charging them with robbing the complainant of the sum of \$250.

The landlady informed me that the complainant and his witness Micheal Reginsky did board at her house about two weeks and paid her \$1.25 a week for lodging and at the same time he gave her \$50 for safe keeping stating that he was afraid to keep the money in his clothes as four boarders slept in one room together. About a week later he took back the \$50 from the said landlady and went on a spree with Micheal Reginsky who was a habitual drunkard, then dependent

said if John Philipps ever gave her \$10 in advance for board and lodging, and the landlady answered never did he give her more than \$1.25 a week for lodging. Then one of the boarder who speaks a little of the English Language said that he and John Philipps sent money away to Poland together, and I asked the boarder if he had a receipt for the money, he said I have a receipt for the money I sent away and I will show it to you, he exhibited to me the receipt and I immediately took the name and address of the money broker he sent away the money with to Poland.

Deponent further says: that he called on Henry Fr. Koch at his place of business at #48 Broadway Brooklyn and there inquired if two Russian or Polish people sent away money to Russia through his office on February 24th 1893, from Wythe Ave. Brooklyn. The clerk opened the book and looking through the entries of said day showed me two persons did send away money to Russia through ~~their firm~~ them from #296 Wythe Ave. Brooklyn. Deponent wanted to get the names from the said broker but this he refused to do stating that this was strictly private but deponent noticed the name of "Philip" upon the register of Henry Fr. Koch's book.

Sworn to before me this 8th day of May, 1893.
8th day of May, 1893.

Abraham D. Levy

*Michael Nicholasburg
Counsel of Records
N.Y.C.*

Court of General Sessions.

The People etc.

-vs-

Philip Kivent and
Rebecca Zweig.

Affidavits.

1080

Court of General Sessions.

The People etc.

-VS-

Philip Kievent and
Rebecca Zweig.

City and County of New York SS.

John Zlatnokofsky being duly sworn says:
He resides at #296 Wythe Avenue, City of Brooklyn, that he
knows John Phillips the witness in above case and that said
Phillips resided in the same house with deponent that on the
24th day of February 1893 deponent went together with John
Phillips to #48 Broadway Brooklyn at the office of Henry
Fr. Koch the said Phillips sent to Poland twenty-five rubel
amounting to \$14 of United States money at the same time
deponent sent also money to Poland with the same broker.

Sworn to before me this:

10th day of May 1893. :

Court of General Sessions of the Peace.

The People etc.

-vs-

Philip Kivent & ans.

City and County of New York SS.

Abr. A. Joseph being duly sworn says that he is an Attorney and Counselor at law and transacts business at #273-277 Broadway, that he called at the residence of John Zlatnokofsky at #296 Wythe Avenue in the City of Brooklyn and that deponent had a conversation with the said John Zlatnokofsky in which conversation he stated that he knew the complainant in the above proceedings and that he went with the said complainant John Phillips to send money to Europe with Mr. Phillips and that he boarded with the said John Phillips at #296 Wythe Avenue in the City of Brooklyn during the latter part of February 1893. That said John Zlatnokofsky also stated to deponent that on or about the 24th day of February 1893 he sent money off to Europe to his relatives and that said John Phillips also sent twenty-five rubel amounting to \$14 of United States money. That deponent asked Mr. Zlatnokofsky to make an affidavit to that effect which he refused to do but stated that he would swear to these facts, in court.

Sworn to before me this
13th day of May, 1893.

Abr. A. Joseph

*Michael Nicholsburg
Counsel of Needs
N.Y.C.*

Court of General Sessions.

The People etc.

-VS-

Philip Kievent and
Rebecca Zweig.

City and County of New York SS.

Mrs. Millie Kulowkofsky being duly sworn deposes and says: I reside at #296 Wythe Avenue in the City of Brooklyn, I keep a boarding house at that number and have kept such boarding house for the past four years. That deponent is acquainted with John Phillips and Micheal Roginsky witnesses who was sworn upon the trial herein. That the said John Phillips was a boarder at her house, that he came to deponents house about the 12 day of February 1893 and left about February 27th 1893, that he remained about two weeks; that ~~when~~ the said Phillips paid deponent the sum of \$1.25 per week for his lodgings that the day when the said Phillips came to deponents house he gave to deponent for safe keeping the sum of \$50, and he stated at that time to me that \$50 was all the money he had and that he was afraid to keep it on his person because four persons slept in the same room that a week later he came to deponent and demanded the return of the said money and she gave back to said Phillips the sum of \$40. That during the week Phillips drew several small sums of money that deponent kept account of the same which together with the two weeks lodging amounted to \$10 which deponent deducted at the time the said

Phillips demanded the return of the money which he placed
with her for safe keeping.

Sworn to before me this
10th day of May 1893.

Atty. Joseph
Notary Public
N.Y.C.

her
} *Millie (X) Kulcovsky*
mark

Court of General Sessions

The People etc.

-agt.-

Philip Kivontu

Rebecca Zweig

A T T I D A V I T S

Ambrose H. Purdy,

Counsel for Deft's.

#116 Centre St.

N. Y. City.

May 13, 93
11 40 A.M.

1084

COURT OF GENERAL SESSIONS OF THE PEACE,
City and County of New York.

The People,

vs.

PHILIP KIEVENT,

and

REBECCA ZEwig.

"
"
"
"
"
"
"
"
"
"

Before,

HON. RUFUS B. COWING,

and a Jury.

Tried MARCH 21ST, 1893.

Indicted for ROBBERY, in the FIRST DEGREE.

Indictment filed March 9th, 1893.

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY VERNON M. DAVIS,

For THE PEOPLE.

AMBROSE H. PURDY, ESQUIRE,

For THE DEFENCE.

JAMES McCARTHY, being duly sworn, testified that he was attached to the 12th Police Precinct. He arrested the defendants, on the night of the 27th of February, 1893. He arrested them in their own place of business, 86 Suffolk street, in the city of New York. He made the arrest about 11:45; he went into the saloon about 11:30 or 11:35. The only person he saw in the saloon when he entered was the bartender. He did not know the bartender's name; but he recognized the man pointed out to him by the District Attorney as John Smith, as the man whom he saw in the saloon. He, the witness, asked where the mistress of the house was, and where the proprietor was, and he was told that they were in the back room. He entered the back room, and found the mistress of the house there, alone. He told her that the complainant had preferred a charge against her. When he, the witness, went into the saloon he was accompanied by the complainant, John Phillips, and a witness by the name of Micheal Roginsky. He, the witness, told the defendant Zewig that she was charged with robbing the complainant and the witness, Roginsky, of two hundred and fifty dollars---her and

her alleged husband; and he asked her where her husband was. She told him, the witness, that he was down stairs, and she called him up. The man came up and he, the witness, told him, Kievent, what he was charged with. Kievent denied the charge. He, the witness, then went to the door and waited until the officer on that post came along. He called the officer over, and he and the other officer arrested the defendants. There was a trap door in the room in which he arrested the defendants. The trap door was on the right side of the room as he entered. The trap door was open. He went down the stairs, and found that there was two small rooms down there. There was a bed in each room, some bed-chamber furniture, and a few chairs scattered around. The complainant went down stairs with him, and the defendant Zweig also went down stairs with him. The complainant, in the presence of the defendant Zewig, pointed out to him, the witness, where he, the complainant, had been robbed. The complainant said to him, "I was in this bed with her," meaning the female defendant, "and when I was getting out, he, " meaning the male defendant, "hit me right here, on

the bridge of the nose, while she," meaning the female defendant, "held me." He, the witness, did not see any window in the rooms down stairs; he didn't pay any particular attention to that. There was no daylight down there; the female defendant turned up the gas. When he, the witness, went up stairs the bartender and the man defendant were there. He then arrested both the defendants, and took them to the station house. He did not search them in the saloon. They were searched in the station house. Twenty-six dollars in money was found on the male defendant --- one ten dollar bill, and sixteen one dollar bills. He, the witness, by orders of the sergeant, took the female defendant to the 11th precinct station house, where she was searched by the female attendant, who reported that nothing was found upon her person. He, the witness, did not have any talk with the defendants on the way to the station house. He did not have any conversation with the complainant, in the presence of the defendants. He did not make any search of the defendants' saloon for the purpose of finding any of the things which the complainants claimed to have lost.

After coming out of the basement the complainant, in the presence of the defendants and Roginsky, showed him, the witness, a pocket-book. The complainant said to him, the witness, in the presence of the defendants, "After they took the pocket-book from me, and removed the contents of it, they threw it on the floor". Roginsky said, "Yes, that is the pocket-book." He, the witness, said, "Are you sure that is the pocket-book?" Roginsky said, "Yes, that is the pocket-book." He, the witness, examined the pocket-book, but did not see any money in it. The complainant retained possession of the pocket-book. The front room of the defendant's place was a bar-room, about twelve or fifteen feet wide. The back-room was separated from the front by "apparently like two folding doors." In the back room there were a few chairs, and a sofa or lounge, apparently, on one side, and a few tables for drinking purpose on the other side. The trap door was open when he, the witness, entered the back-room. The witness identified a pocket-book shown to him by the District Attorney as the one which the complainant showed him on the night of the arrest of the defendants, and the

one from which the complainant claimed his money had been taken.

In cross-examination the witness testified that the saloon in question was not on his regular beat, but he had been on and off that post about ten months. The only time he, the witness, had been in that saloon before was when he was called in there one night, to put somebody out. He had only been in there once. On one side of the saloon in question there was a milk store, and on the other side a barber shop. He, the witness, had never been in that barber shop. He did not know whether a person could enter the barber shop by going through the trap door in the defendant's saloon. He did not notice whether there was a kitchen in the basement or not. He, the witness, met the complainant and Roginsky in the street, while he was patrolling his post, about twenty minutes after eleven o'clock. As a result of the conversation he had with them he took them into the defendant's saloon. The male defendant said to him, the witness, referring to the complainant, "He stood at the bar and he had a couple of glasses of beer." The female defend-

ant said, "While he was standing at the bar he wanted to go into the back-room, and I brought him into the back room." The male defendant denied taking the complainant's money; he said, "I didn't take it." The male defendant did not go down stairs with him, the witness. Before going down stairs he placed the male prisoner in the custody of the officer on that post. When they were up stairs the female defendant said, "This man did not have \$250.00 in all his life; whoever heard of a Pollack having \$250.00, and he comes here charging me with stealing \$250.00." The saloon in which the defendants were arrested was a licensed saloon, and the license was made out in the name of the female defendant. He, the witness, did not know that the female prisoner was the wife of the male prisoner. He, the witness, could not speak any other language than English. The conversations which were had between him and the defendants and the complainant were all in English. The complainant could speak good enough English for any intelligent man to understand, and Roginsky could too.

In re-direct examination the witness testi-

fied that when they were in the saloon, the complainant said, in the presence of the defendants, "I stood at the bar and had a couple of glasses of beer, and while I was standing at the bar the woman prisoner she came over to me, and she said, 'Do you want something?' " The complainant said he didn't care, and the woman took him, the complainant, into the room and went down stairs with him.

In re-cross examination the witness testified that the complainant said that the defendants had taken the money out of the pocket-book, and had thrown the pocket-book after him when they put him out. Roginsky picked the pocket-book up.

JOHN PHILLIPS, THE COMPLAINANT, being duly sworn, testified that his home was at 296 Wytheavenue, Brooklyn. He was a laborer, and during the Summer preceding the trial he had worked at the coal mines at Keystone, Pennsylvania. He came to New York from Keystone, Pa. He was in New York on the 27th of February, 1893. On that day he had \$270.00 in his pocket, which he had saved from his wages. He arrived in New York about six o'clock at

night, accompanied by a man by the name of Mike Rozinsky, whom he had met in Brooklyn. He, the complainant, went into an exchange office, to send some money to his mother, but it was too late and the clerk told him to call the next day. He walked out of the money exchange office, and went into the saloon where he saw the defendants. He intended to send about \$200.00 to the old country, but he did not send it that day. It was about seven o'clock when he went to the money broker's office. He got to the defendant's saloon about nine o'clock, accompanied by Rozinsky. He, the complainant, did not know the streets of New York, and did not know what street the saloon was on. When he entered the saloon the male defendant was behind the bar; there was nobody else in the saloon. He asked the male defendant for a glass of beer, he had a couple of glass of beer, and he took out his pocket-book and took out a five dollar bill. The pocket-book in evidence was his. He had \$250.00 in the pocket-book when he took it out of his pocket in the saloon. He took a five dollar bill out of the pocket-book and gave it to the male defendant, and the male defendant gave him

the change. After that the female defendant came from the back room, and said to him, the complainant, "If you like a girl, I have got two girls; any time you want to come and see them I have got two girls, if you want to see them you can." He and Rozinsky went into the back room to look at the girls. They saw two girls in the back room. The female defendant said, "Pick up the girl and go down stairs; you pay a dollar for that girl." He went down stairs with the girl. He took out his pocket-book and gave the girl a dollar. A few minutes later the male defendant went down stairs and grabbed him, the complainant, and punched him right across the nose, and the girl held him. The male defendant put his hand into his, the complainant's, pocket, and pulled the money out of his pocket. He the complainant, shouted, and as soon as they let go of him, he ran up stairs. Rozinsky asked him, "What is the matter with you?" He, the complainant, said, "I got robbed." The male defendant then came up stairs and threw him, the complainant, a pocket-book. Rozinsky asked, "Is this your pocket-book." He said, "Yes." The pocket-book was torn. The male defendant then

pushed him, the complainant, out. All this time the female defendant had a hold of him, the complainant. He then went to look for a policeman and found one. He and the girl went down stairs through a hole in the floor, he walked down. After he, the complainant, had a conversation with the officer, the officer accompanied him and Rozinsky back to the saloon and arrested the defendants. He, the complainant, did not pick up the pocket-book when he was thrown out; Rozinsky picked it up. His money was United States bills.

In cross-examination the complainant testified that he had been in America five years. He could not tell the name of the steamer on which he came. He sailed from Antwerp and landed at Castle Garden. He had fifty dollars when he landed in this country. He then went to Mount Carmel, in Pennsylvania, and worked in the coal mines, for Peter Jones, for two years. When he quit work in Mount Carmel he had \$150.00. He earned \$10.20 a week in Mount Carmel. He kept the money in his pocket-book. From Mount Carmel he went to Erie, Pennsylvania. He worked in Erie four months and received fifty dollars a month. He had \$250.00

when he left Erie. Then he went to Keystone, Pa., where he worked for four months. He saved about fifty dollars in Keystone. He had also worked in Shenandoah and Wilkesbarre. He went to Brooklyn from Keystone. When he arrived in Brooklyn he had \$270.00 in his possession. He, the complainant, always kept his money in a pocket-book like the one in evidence, in his right-hand trousers pocket. He, the complainant, went to live with Mr. Kolokoffsky, in Wythe avenue, in Brooklyn. For three years he, the complainant, had been carrying two hundred dollars in his pocket. Roginsky lived in Kolakoffsky's house, he boarded there. He, the complainant, was a Catholic. He came from Russian Poland. He, the complainant, stayed a week in Brooklyn, at the house of Kolokoffsky. He waiting for a job in the sugar refineries. He, the complainant, did not know whether he was going to get his \$250.00 back or not; he would take it if they gave it to him. He thought the Court would order that he should get \$250.00. He, the complainant, had lent \$10.00 to a Pole living in the same house, to send home to his wife. The other \$10.00 he left with the landlord.

He had heard Roginsky mention the name "Canal street," as the place where the money broker was. He did not take the money out of his pocket-book in the money broker's office. He was not a married man. He had received a letter from home asking for money, and that was the reason he was going to send it. John Smith, the bartender was present when the defendants were arrested, but he was not present when he, the complainant, first went into the saloon. He, the complainant, had intercourse with the girl whom he took down stairs. The two defendants went down stairs, and the male defendant hit him in the face; the female defendant held him by the legs, and the girl held his arms. He had a watch also in his possession. The male defendant took his money and tried to take his watch, but he, the complainant, held on to the watch. The watch crystal broke in the struggle. He, the complainant, did not know a man pointed out to him by counsel for the defendant, and called by counsel Mr. Beyer.

In re-direct examination the complainant testified that he was in the saloon about an hour, he

couldn't tell exactly. He was looking for the policeman about half an hour. The defendants spoke Polish to him; the girl also spoke Polish to him.

In re-cross examination the complainant testified, all the witnesses for the defence being pointed out to him, that the only ones he had seen before were a man and a woman, called by counsel for the defendant Adolph Spania and Rachel Hyman, who went up and spoke to the policeman after the arrest of the defendants.

MICHEAL ROZINSKY, being duly sworn, testified, through the Official Interpreter, that he lived at #196 Wythe avenue, Brooklyn. He worked in the sugar refineries in Brooklyn. He first met the complainant, John Phillips, at the place where he boarded, Kolakaffsky's. He came to New York from Brooklyn on the 27th of February, 1893. He did not know what time it was, but it was just commencing to be dark. He took the complainant to the office of a money changer, whose name was Germansky, at 30 Canal street, the complainant having told him, the witness, that he wanted to send some

money home to Russia. The clerk in the money exchange office said, "The boss is sick, you had better come tomorrow if you want to send any money." He, the witness, did not know the name of the man who said that, but he was an old man, and had a black beard. The man pointed out to him by the District Attorney was not the man whom he saw in the money exchange office. They then left the office and took a walk through several streets. They went into a saloon which was near the money changer's and had a glass of beer. They then left that saloon and went into the saloon in which the robbery occurred. When they entered the saloon the only two people in there were the defendants. They had some beer. The complainant paid for the beer with a five dollar bill. After they had drank their beer, the female defendant said to them, "May be you want to go with a girl." The complainant said, "How much will it cost?" The female defendant said, "One dollar." Phillips then got up and went into the rear room. He, the witness, saw two girls in the rear room, playing cards. The complainant remained in the room for a little while, and then he, the witness, saw one of the

girls go down stairs, followed by the complainant. He, the witness, was standing at the bar at the time. The woman defendant then went down stairs and immediately returned. Then the female and male defendant both went down stairs, through the back room. He, the witness, was still standing at the bar, waiting for the complainant to return. He did not know how long the complainant stayed down stairs. The complainant ran up the stairs from the basement, shouting. He did not hear any noise before he heard the complainant shouting on his way up stairs from the basement. The complainant said, "They took my money." The pocket-book in evidence was thrown on the floor of the saloon, but he, the witness, did not know who threw it there. After the complainant ran up stairs, the male defendant came up, and he was followed by the female defendant. He, the witness, and the complainant were then chased into the street, and they went to look for a policeman. He, the witness, picked up the pocket-book and gave it to the complainant, but there was nothing in the pocket-book. They found a policeman and took him back to the saloon with them. When

he, the witness, entered the saloon with the policeman the male defendant went up to him and said, "Be quiet; I will give you fifteen dollars." He, the witness, could not speak to the policeman, but he made the policeman understand that the male defendant had offered him money. The defendants were then arrested. He, the witness, did not go down stairs at all.

In cross-examination the witness testified that he had been in this country one year. After the complainant went to the boarding house, he, the witness, saw that the complainant had money, but he did not know how much the complainant had. The complainant told him he wanted to send some money to Europe, and that was the reason he, the witness, brought the complainant to New York. He, the witness, had sent money to Europe, through Germansky. He, the witness, had not been sleeping in the same bed with the complainant. After he, the witness, came to this country he worked for a man of the name of Cole, on Barren Island. He worked for Cole from the time of his arrival up to December, 1892. He arrived in this country in March, 1892, from Hamburg. He did not know the name of the

ship on which he came, nor the name of the captain of the ship. He, the witness, had been in New York twice before he came over with the complainant. The first time he came over he was with a friend of his, Carol Saffron. Saffron took him to Germansky's office, and he sent money home. After sending the money home he went right back to Brooklyn, and didn't drink in any saloon. He, the witness, had stopped work on Barren Island before Christmas, but he did not know what date Christmas was. He left Barren Island in August, 1892, and went to work in the sugar refinery, in Brooklyn. The boss of the sugar refinery was a man of the name of Havemeyer; the foreman's name was "Herman." The complainant invited him, the witness, to take a drink on the night in question. In the money changer's office the complainant took out his pocket-book and said he wanted to send some money home. He did not remember whether or not the complainant opened the pocket-book. He, the witness, didn't know any reason why he and the complainant walked around the streets instead of immediately returning to Brooklyn, as he, the witness, had done when he formerly came to New York.

He, the witness, had never seen a man pointed out to him as Mr. Beyer before. Beyer was not in the defendant's saloon when he, the witness, went in there. He did not go to Beyer's house and have two pints of beer. He had never seen Beyer before. The man who had been described as the bar-keeper, John Smith, was not in the saloon when he, the witness, first entered the saloon; he was there when the defendants were arrested. The complainant did not say anything about wanting a girl before the female defendant spoke to him about having one. When he, the witness, came to New York with the complainant he had about fifty cents in his pocket but he spent it for beer. When the defendants were arrested he, the witness, had no money in his pocket. He did not know how much money the complainant had. The complainant was pushed out of the saloon of the defendants, but he, the witness, was not pushed out. He went out first and the complainant was pushed right after him. The complainant's hat was also thrown out, and he, the witness, picked the hat up and gave it to the complainant. He did not know what streets they passed through when they were looking for a policeman.

They were looking for the policeman about half an hour.

FOR THE DEFENCE, JOHN SMITH, being duly sworn, testified, through the official interpreter, that he was a bar-keeper for the defendant. He had seen the complainant and the witness Rozinsky before. On the night of the arrest of the defendants he gave the complainant and Rozinsky beer. The complainant and Rozinsky entered the saloon about seven o'clock in the evening. He, the witness, was there at the time, and another man of the name of Spania was present; the female defendant was also in the saloon, but the male defendant was not there when the complainant and Rozinsky entered. The complainant paid for the beer. The complainant took the money out of a pocket-book. The complainant paid for the beer with change eachtime ---twice with a quarter and once with a fifty cent peiece. The two men were in the saloon about two hours. He, the witness, knew a man named Isaac Beyer. Beyer entered the saloon on the night in question, while the complainant and

Rozinsky were in there, about eight o'clock. A man of the name of Adolph Spania, and another man called "Max, the Butcher," were in the saloon while the complainant and Rozinsky were in there. The complainant and Rozinsky left the saloon at about nine o'clock, and Beyer went with them. Before leaving the saloon they bid him, the witness, good-night. The woman defendant was at the bar at the time and they shook hands with her also, and bid her good-night. Neither the complainant or Rozinsky entered the back-room while they were in the saloon. They passed the time in drinking and talking with him, the witness, and the others. The complainant and Rozinsky returned to the saloon after eleven o'clock, accompanied by a policeman. The male defendant was not present at any time while the complainant and Rozinsky were in the saloon. The male defendant did not kick the complainant out of the saloon.

In cross-examination the witness testified that he had been working for the male defendant for three months. He, had never been convicted of crime. He had been in this country four years. Before going

to work for the defendant, he, the witness, had worked in Richard street, for about a year and ahalf. Immediately after his arrival in this country he had worked as a farm-hand. He, was the only bar-keeper the defendant had. He, the witness, did not leave the saloon from the time the complainant and Rozinsky entered until they returned with the policeman. The defendant's sister was in the saloon during the evening. When the complainant and Rozinsky entered the saloon the female defendant was in the back room. He, the witness, was behind the bar. Spania was in the saloon when the complainant and Rozinsky went in. Spania stayed in the saloon from seven to eleven o'clock, and the female defendant was there from seven to eleven. The male defendant went into the saloon about eleven o'clock, and immediately left to go to bed. The male defendant went to retire about twenty-five minutes before the officer went into the saloon. When the complainant and Rozinsky left the saloon they were a little under the influence of liquor; they were not drunk. He, the witness, did not look at the clock when the complainant and Rozinsky went in there, but

he thought it must have been about seven o'clock. He did not look at the clock when they left, but he thought it must have been about nine o'clock. Spania was in the saloon when the complainant and Rozinsky went in. "Max the Butcher" went into the saloon between eight and nine o'clock. Beyer went into the saloon about half-past eight o'clock. He, the witness, did not know the exact time that any of the men entered the saloon, but he gave his best judgment. He, the witness, was present when the police officer went to the saloon. Spania was also there, the female defendant was there; the sister of the male defendant was also there. He, the witness, did not know the name of the sister; he very seldom saw her. "Max, the Butcher" left about half-past nine o'clock.

ISAAC BEYER, being duly sworn, testified, through the Official Interpreter, that he was a cloak ironer. He had been in this country four years. He had known the defendants three years. He had seen the complainant and the witness Rozinsky before. He first saw them when he

went into the saloon in question, on the night in question, about quarter to eight o'clock. He went in to get a glass of beer. The female defendant was behind the bar, and the bar-keeper was also there. He, the witness, sat down at a table to drink his beer. Rozinsky was standing at the bar, with another man. The complainant was sitting at a table, drinking beer with another man. He, the witness, finished his beer, and then got up from the table. Rozinsky went up to him and said, "I think I know you." They talked together, and he, the witness, found out that he often seen Rozinsky in Russia. The complainant then went up, and they all talked about the latest news from Russia. The complainant then ordered three beers, and they sat down at a table and drank the beer. The complainant took out his pocket-book and paid for the beer, with one ten cent piece and one five cent piece. They sat together until nine o'clock, talking and drinking beer. Rozinsky and the complainant then expressed a desire to visit his, the witness's, home." They left the saloon, and on the way out they met the male defendant. He, the witness, took the complainant

and Rozinsky to his home. They stayed at his home until about ten minutes past eleven, when they left. His home was at 184 Norfolk street. It was about half-past nine when they reached his, the witness's, home. There two of his relatives living with him, and they were present when he went home; his wife and two children were also there, and there were two men who had gone there to see him. The names of his two relatives were Morris Rosenberg and Abraham Feldman, and the name of one of his friends was Abraham Schinkowitz. His, the witness's, wife had only been in the country a short time, and the complainant asked her what was the latest news from Russia. The complainant then sent his, the witness's, wife for a pint of beer, and the beer was finished. He, the witness, then sent for a pint of beer, and that was also finished. The complainant and Rozinsky then left the house. He, the witness, had a boy twelve years of age. The complainant sent the boy for cigars when they were at his, the witness's, house. He saw a pocket-book similar to the one in evidence in the hands of the complainant. He only saw the complainant pay for

drinks in the saloon once.

In cross-examination the witness testified that it was about half-past eight when the complainant paid for the drink in the saloon. He, the witness, went into the saloon at about ten minutes to eight. He, the witness, stopped work at half-past seven. Spania was in the saloon when he went in there. At that time Spania was talking to Rozinsky. After leaving the saloon, they met the male defendant about a block and a half or two blocks away from the place.. The male defendant was going in the direction of his saloon at the time. He, the witness, did not ask the male defendant where he was going. He, the witness, lived on the first floor, in the rear house. He, the witness, had not talked with anybody about the case. He had not talked with either of the defendants, nor with Mr. Purdy, their counsel, or his associate. He, the witness, had not told anybody what he would swear to.

In re-direct examination the witness testified that he had talked with Mr. Levy, Mr. Purdy's associate. Mr. Levy went to him and asked him what he

knew about the case, and he told Mr. Levy what he knew about it. He had met the complainant and Rozinsky in Russia, seven or eight years before this trial, at a village fair.

In recross examination the witness testified that he would not have recognized them if Rozinsky hadn't spoken to him. He did not see Rozinsky and the complainant together in the village, but he had seen them both in the one village. He came from the government of Gitoma, but the city was Nova-Gradolinski.

RUDOLPH SPANIA, being duly sworn, testified, through the Official Interpreter, that he was a fur cutter. He knew the two defendants. On the night in question he saw the complainant and Rozinsky enter the defendant's saloon, between seven and quarter past seven o'clock. The complainant and the witness Rozinsky called for a glass of beer. They got the beer, and when they finished the beer the complainant took out his pocket-book and paid for the beer. He, the witness, thought the complainant paid for the beer with a quarter. The complainant and Rozinsky had more beer. About eight

o'clock, he, the witness, looked at the clock-- a man went into the saloon, whose name was Beyer. The complainant and Rozinsky commenced to talk to Beyer, and he, the witness, heard that they were talking about Russia. The complainant order more beer and paid for it with some silver coin. He, the witness, understood some Polish, and he heard Rozinsky say to Beyer, "Let us go." The complainant then went up to the bar and shook hands with the female defendant, who was behind the bar, and said, "Good-night." The complainant also shook hands with the bartender. The complainant and Rozinsky and Beyer then left the saloon. It was then about nine o'clock. He, the witness, knew a man of the name of Max Plath, called "Max, the Butcher." Max Plath was in the saloon during the evening.

In cross-examination the witness testified that he did not know exactly what time he entered the saloon, but it was about seven o'clock. It was not a quarter after six. When he went into the saloon there were present the female defendant, the bar-keeper and Max Plath or Blath. After he, the witness, had been in the saloon a few minutes he went outside to a to-

bacco stand, and when he returned the complainant and Rozinsky were in the saloon. He did not see them enter the saloon. Max Blatt was in the saloon when he, the witness, went there. Max Blatt left the saloon about quarter past ten, to the best of his judgment. He, the witness, left the saloon at a quarter past eleven. He, the witness, saw the male defendant in the saloon when he went in there first. The male defendant remained there about half an hour after that, and then he was called away by a boy. He, the male defendant, did not return that evening, that he, the witness, saw. He, the witness, left the saloon at a quarter past eleven, and he returned in a few minutes and saw the officer there. The reason he returned to the saloon was that he saw the policeman enter the saloon and he was curious to see what was the matter. He did not see anybody go into the saloon, except the police, after he left.

PHILIP KLEVANT, THE MALE DEFENDANT, being duly sworn, testified that the female defendant was his wife. They had been married thirteen years. He, recollected the night of

his arrest. On that night a young man went into his saloon, about half-past seven o'clock, and had a conversation with him. He, the defendant, then went to Mr. Hyman Harris's place, 208 Stanton street. He stayed there about half an hour. Before leaving the saloon he had not seen the complainant and Rizonsky. The first time he, the defendant, saw the complainant and Rozinsky was when he met them in Rivington street, in the company of Beyer. After leaving Harris's he, the defendant, went to the corner of the Bowery and Rivington street, to buy a rubber pipe to draw whiskey from the barrels. The hard-ware store was closed up, and he could not get in. He went to the Grand Museum, in the Bowery. He had a few glasses of beer there and looked at the show, and after it was over he went straight home. About a quarter of an hour after he arrived at his home, he went to bed. The saloon in question was his, the defendant's, saloon. The rear room was a sitting room. His kitchen and bed-room were in the basement. The bartender slept in the kitchen, there was a bed for him in the kitchen. When he, the defendant, was all ready for bed, he heard his wife

call him and he went up stairs. His wife told him that the policeman went in and said that the complainant had been robbed in there. He, the defendant, said to the officer, "Officer, do you believe that I did rob them two mens?" The officer said, ". Well, I can't help it, they make a charge against you, you have to go along." He, the defendant said, "I wouldn't speak to those people, I don't know those people at all, I never saw them, only I saw them on the road; I never spoke to them people." The officer said, "Well, I can't help it; they made the charge against you." He, the defendant, asked the officer if he could take him without a warrant; and the officer said, "No matter, you come to the station house and explain and the sergeant, he will leave you go home." He, the defendant, said, "I will do it." He took his hat and went with the officer. The officer said to his, the defendant's, wife, "You have got to come along too; he makes a charge against you too." His wife went to the station house also. The complainant made the charge in the station house, and he, the defendant, said, "You ain't got no money; you can search me." They searched him

and found a pocket-book on him which contained \$26.00-- a ten dollar bill, a two dollar bill, and the rest in small bills. He, the defendant, had heard the testimony of the complainant. He, the defendant, did not hold the defendant or rob him. He did not steal the complainant's pocket-book or money. His, the defendant's, wife's maiden name was Rebecca Zewig; the license was taken out in her name. He, the defendant, had been twice convicted of keeping a disorderly house. The first time he was convicted was about four and a half years before this trial. The second time he had sold some furniture to two young ladies, on which he had a chattel mortgage, and they went up to 73rd street and took rooms. He, the defendant, didn't know what kind of people they were. He, the defendant, wanted to have a new trial, in this court, but his lawyer failed to attend to it. He got six months.

In cross-examination the defendant testified that he had been in the Penitentiary twice. The first time he was there for six months, for selling liquor to minors, without a license. He was convicted on June 21, 1889, before Justices Smith, Kilbreth and

Patterson, of keeping a disorderly house, and sentenced to six months in the Penitentiary, which he served. After that he was charged with keeping a disorderly house and tried before Justices Duffy, Hogan and O'Reilly, and was sentenced to six months in the Penitentiary. At that time, he, the defendant, took an appeal to this court, and the appeal was decided against him, By Judge Martine. He, the defendant, had once been arrested, charged with stealing a watch. He had a hearing before Judge Koch, and was discharged. He had been in this country nine or ten years. Before keeping a saloon he had been a butcher, and had worked at No. 22 Hester street, No. 5 Essex street, and he had a butcher shop of his own, in Rivington street. On the night in question he met the complainant, Rozinsky and Beyer about a block and two houses away from his saloon. After meeting them he went to buy a rubber pipe, he went to the corner of the Bowery. He, the defendant, had been in his saloon about a quarter of an hour before the officers went there ---it was not less than a quarter of an hour, it might have been more.

MICHEAL ROZINSKY, recalled by Counsel for the defendant, being examined through the Official Interpreter, testified that he had never seen the woman pointed out to him as Mrs. Beyer before.

THE COMPLAINANT, being recalled by Counsel for the Defendant, being examined through the Official Interpreter, testified that he had never before seen the woman pointed out to him as Mrs. Beyer.

ROSIE BEYER, being duly sworn, testified, through the Official Interpreter, that she had been in this country a few months. She was married. The witness Beyer was her husband. She had been married fourteen years, and had two children, a girl ten years old and a boy twelve years old. She had seen the complainant and Rozinsky once, in her room. Her husband took them there. Her, the witness's, two cousins were in her house when the complainant and Rozinsky went there. Her two children were also in the house. The name of one of hers cousins was Rosen, and the other was Abraham. The two

men were at work at the time of the trial. Her husband told her that the complainant and Rozinsky were from the same place in Russia that they were. The two men asked her, the witness, "How long have you been in America?" She said, "A few months." They asked, "How does it look in Russia, in our home?" After some conversation, the complainant sent out for a pint of beer. The complainant, gave her, the witness, eight cents, and she went out for the beer. The complainant then sent her, the witness's, son out for some cigarettes. She, the witness, did not see the complainant have much money, he had only a little money. The complainant and Rozinsky were in her house more than an hour that night. They had two pints of beer---the complainant paid for one, and her husband paid for the other.

In cross-examination the witness testified that she had been in this country five months. She brought her children to America with her. Her husband had been here nearly three years. If her husband had testified that he had been here nearly four years, she, the witness, did not know whether that was true or

not -- she did not count the weeks and the days. It was in the neighborhood of ten o'clock when her husband went home with the complainant and Rozinsky. She, the witness, came to court with her husband. She had never told anybody what she was going to testify to. Her husband had said, "Here, they want you at court, come along." . On the night in question her husband did not have his supper at home.

ASCHER GERMANSKY, being duly sworn, testified, through the official interpreter, that he was a money changer and seller of Hebrew books. He did business at 30 Canal street. He did not remember ever having seen the complainant or Rozinsky before. He, the witness, was always at his place of business. He generally kept open until ten o'clock at night. He, the witness, was at his place of business on the night in question. He did not recollect whether or not his son was there on that night. His, the witness's, manager was sick. He, the witness, sometimes received money, in the absence of the manager. If anybody had gone into his place and expressed a desire to send \$250.00 to Russia he would

have accepted the money and sent it.

In cross-examination the witness testified that he did not speak Polish. His manager was sick on the 27th of February, he was not at the office. His manager spoke Polish. To take the place of the manager, he, the witness, employed the manager's brother. The manager's brother spoke Polish. He, the witness, did not remember seeing the complainant and Rozinsky, because he did not interfere with the Poles. It was possible that they might have been in the office without him taking notice of them. He, the witness, identified two receipts shown to him by the District Attorney as receipts for money which he had sent to Russia. He had seen Rozinsky take the receipts from his pocket just before they were shown to him, the witness, but he could not remember having seen Rozinsky before.

In re-direct examination the witness testified that one of the receipts was in his own handwriting, and the other was in the hand-writing of his manager. He, the witness, had been in business five years. When Polish people went to his office, in the

absence of the manager, he, the witness, usually told them to call later on. That had happened many times.

MAX BLATT, being duly sworn, testified, through the official interpreter, that he was a butcher, and lived at 208 Delancey street, where he worked. He had seen the complainant and Rozinsky once before, in the male defendant's saloon, on the night in question. He, the witness, went into the saloon about half-past six o'clock. He saw the male defendant, the bartender, and the female defendant when he entered the saloon. He had some conversation with them. About seven o'clock the complainant and Rozinsky entered the saloon. The male defendant was still in the saloon when they entered. The complainant and Rozinsky spoke to the bartender, in Polish, and they drank beer. A young man then went into the saloon and told the male defendant that a man of the name of Hyman wanted to see him, and the male defendant then left the saloon. A man, whom the witness recognized as the witness Beyer, entered the saloon and had a glass of beer, and then commenced

talking to the complainant and Rozinsky. It subsequently turned out that Beyer and the complainant and Rozinsky were countrymen. They talked Polish and Russian. He, the witness, understood Polish, but he could not understand Russian. Beyer and the complainant and Rozinsky remained in the saloon until about nine o'clock, talking and drinking. The male defendant remained in the saloon about fifteen or twenty minutes after the complainant and Rozinsky entered. There was no mistake about that --the male defendant was in the saloon when the complainant and Rozinsky entered and remained a few minutes while they were there.

In cross-examination the witness testified that he left the saloon about a quarter past ten o'clock, perhaps a few minutes sooner or later. When he, the witness, left the saloon he left the female defendant, the male defendant's sister, Mr. Spania and the bartender in the saloon. He had known Spania about four months. During the recess he, the witness, had talked with Mr. Levy, Mr. Purdy's associate, about the case. Mr. Levy asked him what he knew about the case,

and he said, "Yes, I know, I will tell that." The male defendant's sister was also talking to Mr. Levy, but she did not hear what he, the witness, said to Mr. Levy. He, the witness, did not come up stairs with Spania, Beyer or Mr. Smith, the bartender.

HYMAN HARRIS, being duly sworn, testified, through the official interpreter, that he was a boss cloak maker. He knew the male defendant, and had known him fifteen years. He saw the defendant on the 27th of February, 1893. On that night he sent a boy for the male defendant. The defendant went to his, the witness's, place of business. It was about eight o'clock when the male defendant arrived at his place, and he stayed there about twenty minutes.

In cross-examination the witness testified that he did not look at the clock when the male defendant entered his place, but he thought it was about eight o'clock. He, the witness, lived at 208 Stanton street, and that was where the male defendant went to see him. A person could walk from his, the witness's, place to the defendant's saloon in half an hour.

RACHEL HERMAN, being duly sworn, testified, through the Official Interpreter, that she knew the defendants. She was the sister of the male defendant. She lived at 149 Delancey street. On the night of the 27th of February, 1893, she went to her brother's house, about eight o'clock. When she went into the place she saw the complainant and Rozinsky and Beyer drinking together at a table. The witness Spania, Max Blatt, and the female defendant were also there, and the bartender. The male defendant was not there then. The complainant and Rozinsky remained in the saloon until about nine o'clock, when they left in company with Beyer. She, the witness, left the place about eleven o'clock. The female defendant asked her to keep her company, and that was the reason she, the witness, stayed there so late.

In cross-examination the witness testified that after leaving the saloon she felt like drinking some soda-water, and she returned to the saloon and saw the male defendant there. It was about ten minutes past eleven when she returned to the saloon, and Spania and the bartender were still there. She, the witness,

was in the saloon when the policemen entered. Spania was there when the policemen arrived. . When the policemen went into the saloon the male defendant was in bed. She, the witness, was sitting with the female defendant in the rear room, sewing. She, the witness, talked to the complainant and Rozinsky on that night. She did not go down stairs with them. She, the witness, did not remember the male defendant, her brother, having been tried previously. She had been here two years.

In re-direct examination the witness testified that she was a tailoress. She was working for Cohen and Levenbaum, No. 127 Division street, and had worked for them ever since she arrived in America.

REBECCA ZEWIG, THE CO-DEFENDANT, being duly sworn, testified, through the official interpreter, that she had been married thirteen years. The complainant and Rozinsky entered the saloon, she, the witness, did not know what time, exactly, whether it was seven or half-past seven o'clock. The complainant and Rozinsky asked for beer,

and the bartender gave them beer. They stood drinking the bar. The witness Beyer entered the saloon, and commenced to talk, in Russian, to the complainant and Rozinsky. She, the defendant, then went into the back room, where she was mending some shirts for her husband. The complainant and Rozinsky were in the saloon about two hours. They left about nine o'clock, with Mr. Beyer. While they were in the saloon Max Blatt was there, and all kinds of people were going in and out. Her, the defendant's, husband went out of the place before the complainant and Rozinsky entered, and her husband did not see them in the store. Her husband returned about eleven o'clock. The policeman then entered the store and asked the bartender for the male defendant. She, the defendant, called her husband up. The complainant accused her and her husband of robbing him, and she denied it. They were then arrested and taken to the station house. Her, the witness's, sister-in-law went to the store for soda, and saw the policeman. After that Spania went into the saloon. She, the defendant, did not touch any of the complainant's money; she did not see any money about

the complainant. She, the defendant, had never been convicted of any crime. She, the defendant, had been in that place about three years. She, the defendant, had a little dispute with her husband, and she took the license out in her own name.

IN REBUTTAL, THE COMPLAINANT, being recalled by Mr. Davis, testified that he had never seen the witness Beyer before. Beyer never said anything to him, the complainant, about any Russian fair. He, the complainant, came from Suwalki. He never was in the town or government of Nowogród Volinski; that was about seven or eight miles from his birth-place. He, the complainant, did not go to Beyer's house on the night in question. The sister of the male defendant being pointed out to him, the complainant, he testified that he saw her after the arrest of the defendants; but not before. He did not see Mr. Germansky, Senior, in the money changing office. He saw Mr. Germansky, Junior.

In cross-examination the complainant testified that he spoke Russian and Polish. He had been in the Russian Army, and he learned Russian there. He

joined the Army in 1886, and served nine months. He was allowed to go on an indefinite furlough.

MICHEAL S. GERMANSKY, called by the Defence, being duly sworn, testified that he was a clerk in his father's office. He did not remember ever having seen the complainant before, but he would not say that he hadn't because very many people went into the place. He, the witness, did not tell the complainant that the boss was sick and to call the next morning, for he could not speak a word of Russian or Polish, unless there was some in the store to speak for him.

In cross-examination the witness testified that if a man entered the place and spoke Russian or Polish to him, the witness, he couldn't understand him, and could not undertake to send money for him, unless there happened to be some in the store who could speak the language.

FAVISCH BEYER, being duly sworn, testified, through the Official Interpreter, that he had seen the complainant and

Rozinsky before. He first saw them at his father's house, he did not know the time exactly. Sometimes he went to bed at eight o'clock, sometimes at nine o'clock, and sometimes at ten o'clock. On the night in question he went to bed after eleven o'clock. He thought the complainant and Rozinsky went to their house sometime before ten o'clock. The two men entered the house with his, the witness's, father. His, the witness's, mother was present at the time the men went to the house, and also, his two cousins and his sister. The complainant sent for a pint of beer, and after the pint of beer was drank, his, the witness's, father sent for a pint of beer. The complainant then sent him, the witness, for cigarettes, and he got the cigarettes and gave them to the complainant. He, the witness, had been in the country only a few months, and was going to school. The complainant had on the same neck-tie at the time he saw him as he did at the time of the trial.

In cross-examination the witness testified that he had talked on the night preceding his examination with Mr. Levy, Mr. Purdy's associate. He told Mr

Levy that he could go to court and swear that he saw the complainant and Rozinsky in their house. On Tuesday evening his father went home from court and said that the complainant and Rozinsky were denying having been at their house. He, the witness, then told his father that he could go to court and say he saw them there. He had also talked with his mother about the case. He was not a witness in the case at the Police Court. He came to this court at quarter to eleven in the morning.

In re-direct examination the witness testified that he had told Mr. Levy that one of the men sang a Polish song, and he had described to Mr. Levy, before coming to court, how the man was dressed.

MORRIS ROSENBERG, being duly sworn, testified that he had been in this country since he was six years of age. He was a tailor. At the time of the trial he was working for a man in Chrystie street, and had been working there for the last two weeks. Previous to that he had worked for Nicoll, the tailor, for five years. He lived at 184 Norfolk street, with Mr. Beyer, his cousin. He,

the witness, had been at work, and was taken away from his bench to come to court. He remembered seeing two men at his cousin's house. He could not remember exactly when it was he saw them. He had seen a great many men at his cousin's house. His attention was attracted particularly to those two men by the fact that they were Christians. He had never seen two Christians at his cousin's house before or since. He had not seen the two men after they left his cousin's house. He saw the complainant and Rozinsky about twenty minutes past ten. He left the house of his girl, where he had been calling, at exactly ten minutes past ten. He was sure that was the exact time. It was nine nor eleven minutes past ten. He remembered it positively. He, the witness, could remember the exact moment when his father died. His father died at exactly thirty minutes past eleven. He, the witness, was twenty-four years old, and those were the only two times that he could remember having taken notice of the exact minute on the dial of the clock. He usually left his girl's house at ten o'clock. They had a clock on the mantel-piece, and on this night he was unusually

late. When he arrived at his house Mr. Beyer, his cousin, was there. He, the witness, thought he could recognize the two men if he saw them, but he could not describe what they wore. The complainant and Rozinsky being brought to the bar, the witness says, "Yes, those are the men." The men remained in the house until after eleven o'clock. When he, the witness, entered the house the complainant and Rozinsky and Beyer were drinking beer and smoking a cigar. The little boy, the little girl and the mother were there, and Mr. Feldman was also there. Beyer told him, the witness, that he had met the two men in the saloon. He, the witness, had never been in that saloon. He did not know either of the defendants. He, the witness, did not understand Polish or Russian. The complainant and Rozinsky left shortly after eleven o'clock.

THE COMPLAINANT, recalled, testified that he had never seen the preceding witness before. He had never seen the witness Favisch Beyer before. The boy did not go for a cigar for him, the complainant.

MICHEAL ROZINSKY, being recalled by Mr. Purdy, testified that he had never seen the witness Rosenberg before.

In or

MORRIS ROSENBERG, being recalled for CROSS-Examination, testified that it was sometime during the week that he had seen the two men. It was not Sunday nor Monday -- he thought it was Wednesday or Thursday. It was in the month of February that he saw the men, but he could not tell exactly what part of the month it was.

ANNIE BEYER, being duly sworn, testified, through the official interpreter, that she always went to bed at eight o'clock. Her two cousins, Rosenberg and Feldman, lived with her father. She recollected her father taking two strange men home, about three preceding the trial. When her father took the two men home her two cousins were there, and also her mother and brother. She, the witness, had been in this country four or five months. She was going to school. She could speak Polish. She had not seen the two men after they left her house on the night in question. She thought she could identify

the two men if she saw them again. A line of men being brought to the bar, the witness picks out the complainant and Rozinsky as the men who were at her father's house on the night in question. She had seen the men in court before. Her mother had taken her to court in the morning. She, the witness, did not know what time it was when her father took the two men home. She corroborated the previous witnesses in regard to the conversation, beer and cigars. At the time she saw the complainant his face was not in any way disfigured. She, the witness, came from the government of Gitomsky.

In cross-examination the witness testified that her mother had taken her to court, and they had taken a seat in the enclosure for women witnesses. Nobody asked her to look at the complainant and Rozinsky when they came into court.

ABRAHAM FELDMAN, being duly sworn, testified, through the official interpreter, that he had been in this country four years. He was a cloak ironer. He worked at 45 East Broadway. It was a new shop, and he had only worked there a short time. Before that he had worked for Mr.

Katzman, at 4 Montgomery street. He had worked ever since he had been in the country, with the exception of eight weeks. He lived at 184 Norfolk street, with a cousin of his, the witness Beyer. He, the witness, recollected the occasion upon which Mr. Beyer took two Polish gentlemen home with him. He thought it was more than three weeks previous to this trial. He thought it was on Monday. He, the witness, was in the house when Mr. Beyer went in. He had never seen the two Poles since that time, but he thought he could recognize them. The complainant is put among twelve men, and the witness picks out the complainant, saying that the other one was not there. Rozinsky was then brought to the bar, and the witness said, "Yes, that's him; I drank one glass of beer of his." The witness corroborated the previous witnesses as to the occurrences in Beyer's house, the sending out for the beer, and cigars, and the conversation. One of the men also sang a Russian song. They two men went to the house between nine and ten o'clock.

THE COMPLAINANT, being recalled, testified that he had never seen

the preceding witness before.

MICHEAL ROZINSKY, recalled, testified, that he had never seen the witness Feldman in his life before.

ABRAHAM FELDMAN, recalled for cross-examination, testified that he came to court about eleven o'clock. He had passed the cage on his way in. He was not in the court-room during the examination of the little boy, Favis Beyer.

1138

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Brooklyn, E. D., N. Y., 1893

Copy of two orders —
received at my office and
Effectuated and delivered since.
No. 27669. February 24. 1893.
sent by Phil. Michaloff
292 or 296. Myrtle Ave. Bkld. Ed.
Rubel 25. to Salomon Aida
\$ 14-
Lansdowne Miki'Kovoi
gub. Jermak Jov. Zagatli,
quinn Pokorosky
wiss Gluschnin.

No. 27670.
sent by Ean Klotnikov
292 or 296. Myrtle Ave Bkld. Ed.
Rubel 35. to Frau Aini Linnor
\$ 14. 50¢ in Drewee Popelie
quinn Pokorosky,
Zagatli rijest
gub. Suwak Bkld.

COURT OF GENERAL SESSIONS--Part 2

Before Hon. Rufus B. Conner
Assistant District Attorney V. H. Davis for the People.
Calendar for Wednesday March 1883

No. 1 THE PEOPLE, &C.

vs. Jacob Goldberg P
Jacob Springglass Off Bowe P

No. 2 THE PEOPLE, &C.

vs. Burg
Wm Pappas Frank Maugor P
Edward Macy Off Bray P
~~Amos Roth~~ J. Cullen P
Burg Mrs Toddwin P

No. 3 THE PEOPLE, &C.

vs. Chas. Stein Minnie Morganbauer L
Dorothy Roth Shalby. Off S. H
Burg Hussey. Off S. H
Louis Herskovitz L

No. 4 THE PEOPLE, &C.

vs. Harry Meadesthale Isidore Finckel L
G. L. Lawson S. H
Ferdinand Hall P

COURT OF GENERAL SESSIONS--Part--

Before Hon. _____
Assistant District Attorney _____ for the People.
Calendar for _____ 188

No. 9 THE PEOPLE, &C.
vs.

Margaret Bowles L
John Lyden Off. Walter S. H.

No. 10 THE PEOPLE, &C.
vs.

Burg (in Washington)
Lizzie Williams " Sullivan S. H.
G. L. Von Dorman L

No. 11 THE PEOPLE, &C.
vs.

George A. Otis Off. Connor S. H.
G. L.

No. _____ THE PEOPLE, &C.
vs.

114
John Smith

Barkeeper for defendant +
Complainant came in about 7 P.M.
Man dept was not there.

~~A~~ Spanier, Rebecca, Barkeeper, + two complainants
were there +

Philip paid for the beer - took money out of
pocket book - He gave ~~small change~~ -

Twice he gave me a quarter +
Third time he gave me 15 cts +

Last time he gave me half dollar +

They were there about 12 hours - 7 to 9 o'clock.

① Beyers came in about ³⁰ P.M. -

Spanier came in before Philip's Complainant

Max ^{the} Bulcher came afterwards Philip came

Beyers went out with them #

The woman defendant at the bar + they
shook hands + said good night +

didn't see them when they came with
policeman - about 11.

Keweenaw ~~came in~~ was asleep when
the policeman came in.

Spanier -
Smith - } were in Saloon
Rebecca - } when officer
Dyts lister } came.

Bulcher left about 9:30

Beyer + Present + 4 yrs here + Saw samples when I came in
It was 7⁴⁵ P.M. when I came in saloon.

I sat down at table with both couple & we
drank some beer - he took out 15cts - we talked
until 9 - then they said they would like to see your home -
we left & went to my home - on our way saw one
man Philip - we passed him and we went to my
home - we sat home & then left about 11¹⁰ 1844
Norfolk - got home about 9³⁰ - My relations were
at home + my wife - my children - two men Rosenberg
Feldman -

Phillips sent my wife for pint of beer
Then I sent for pint of beer.

Phillips sent my boy for cigar

Novogradovitsky - met both at fair + 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

Spanier saw them in 1st saloon - they came in about 7-7¹⁵
Poles went to bar ordered beer + Philip paid - think it was a quarter - then they
ordered again + about 8 o'clock I looked at clock Beyer came
in - Beyer came they ~~began~~ began to talk then all three were
about 9 -

Max, the Bulcher was there only after refreshing him

X I went there about 7 P.M.

Max, the Bulcher was there ~~and~~ when I
went in - he was reading a paper -

Bulcher left about quarter past 10 -

Am sure it was after ten -

I left 11¹⁵ I was about three hours away
when I saw the police & the two poles -

No. 5

THE PEOPLE, &C.

vs.

Marko Sahing

J. Friedrich L
Off. Hawson S. H
Harry Madethel C.

No. 6

THE PEOPLE, &C.

vs.

Joseph Overle

Daniel Goldstein L
Off. Collins S. H
D. Muller L
Don Saingras L

Asst

No. 7

THE PEOPLE, &C.

vs.

~~Melvin Haskins~~Christian Birnecke P
Off. Curry S. H

Asst

No. 8

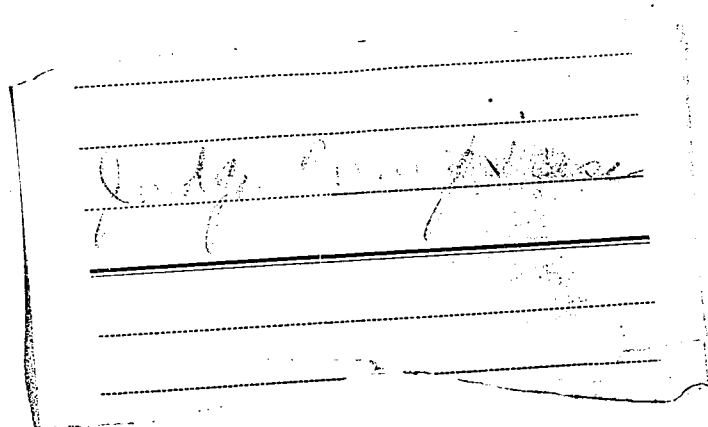
THE PEOPLE, &C.

vs.

Pierre Kennedy

Emil Frank P
Off. Thompson P
Capt Devoy P
Off. Stenon P
W. G. Marshall P
Burg a. J. Ral P

1144



1145

Spanner Cont

When I saw the Poles & Police going
to school - I went back -

Kerwell -

First saw the Poles when I was in Street
did not see them in saloon until
Arrested - I was in saloon then before
Police came - I didn't know which -

Burles

Went to saloon at 6³⁰ - Both depts were
there -

Poles came in about 7.
Dept man was there when they
came in -

Then young man came in &
dept left.

Rachel Hyman.

Got there at 8 P.M. -

Hyman Harris was there - No they only
Spoke of him - I stayed until about
11 - then returned. dept was then there & Spanner -

Rebecca +

Husband did not see Poles in place
He went away before they came.

Court of General Sessions
N.Y. Co.

People

Philip Kimm
Rebecca Zuring

City & County of New York ss:

John Phillips being duly sworn deposes and says as follows: I had been living at 296 Wyeth Ave. Blyn about eight days when I was robbed by the defendants. I know John Zlatnokofski. He was also a boarder at 296 Wyeth Ave. Blyn. On the 24th of May '93 said Zlatnokofski asked me to go with him to a banker in Broadway in Blyn. I ~~think~~ ^{went} with Zlatnokofski to said banker, as he said he wanted to make inquiries about money he had sent to the old country through this ^{banker} about three months before, & of which he had not heard since. He also said he was anxious to know from the banker whether it had been received in Russia. On getting to the banker's office, Zlatnokofski asked the banker if the money had been received, & the banker said he had received no information about it.

While in the banker's place, Zlatnokofski asked me if I ^{had} sent any money to any wife in Russia. I said no,

because she had wronged me the first year I came to this country - I had received information of her bad conduct with another man - Zlatnokopski knew my wife in the old country, & he kept begging to forgive her & send her a little money - I finally decided to send her fourteen dollars, & allowed this banker to send it for me.

When we got home to 296 Wyeth Avenue, we told them that Zlatnokopski got no information ^{from that banker} about the money he had sent through him, & all the boarders were talking about it, & several said it was a very unreliable office, as some others had complained that they had sent money through that same banker & there was great delay in getting information about the delivery in Russia.

While we were talking about this, Michael Roginski said that he had sent money to Russia for his wife ^{twice} through a banker in New York, & had received word

of its delivery in about six weeks.
I then told him (Roginski) that I
wanted to send money to my mother
who had written me that she was
in need of some, & so I asked him
to take me to his banker in New
York.

At first Roginski said
that he did not think he could find
the place as he had been there only twice.
I suggested to him to look at the receipts
& find the address & then the place could
be found. He afterwards did so,
we went to Germani, a banker
in Canal St. on the 27th Feb.

Sworn to this 20th day { John ^{his} Phillips
of May, 1893, Before me { mark

Henry Merzbach

Notary Public
N.Y.C.

1149

County of General Session

People

vs.

Kiviat

Affidavit

Court of General Sessions.

The People etc.

-vs-

Philip Kiovent and
Rebecca Zweig.

City and County of New York SS.

Henry Fr. Koch being duly sworn says: I
am a banker and breker and conduct a banking business at
#48 Broadway Broeklyn that on er about the 24th day of
February 1893 Philip *Michaloff* who gave his residence *494 or*
#296 Wythe Avenue directed me to send twenty-five rubel of
Russian money (being \$14 in American money) to one of his
relatives in Russia that the said Philip *Michaloff* was
accompanied by *John Zlatnekefsky* that the statement of the
money sent is herete annexed and is a true eopy of the
recerds of the books kept in my office. *Rubel 25. = \$14. to*

Swern to beferre me this
15th day of May 1893.

Michael Mielwolsburg
Comer of Dreds
U.S.C.

Salomon Mida
Zamronvic Miki Boric
gab. Pruvack, gov. Lapacki
gmina Potkorsky, Lwov
Guschnian
Henry Fr. Koch

Court of General Sessions

The People &c

-vs-

Philip Kwant &

Rebecca Jorey

affidavit

J. H. Purdy

Criminal Dept.

May 16 / 97
11 AM.

Court of General Sessions

The People vs

Philip Kierent and
Rebecca Lewis

The Defendants were jointly indicted and charged with committing the crime of Robbery in the 1st Degree.

They were duly tried in this Court last March and were both found to be guilty as charged.

They now move for a new trial upon two grounds

First Upon the ground of newly discovered evidence.

Second Upon the ground that the verdict of the jury is against the weight of evidence.

These are the only grounds upon which the Defendants ask a new trial, they make no claim or pretense that the Court made any errors of law upon the trial or that there are any other grounds which would justify the Court in reversing the verdict of the Jury.

So far as the newly discovered evidence is concerned, it does not appear that the Defendants could not have produced it upon the trial, if they had used reasonable diligence

Credibility

In reference to the second ground of objection, namely: that the verdict is against the weight of evidence, I will say that I have carefully read over the whole evidence brought out in the trial and while I find the evidence of the Peoples witnesses and that of the Defendants to be very conflicting yet if the witnesses for the People have told the truth, the verdict is fully sustained by the evidence and ~~a~~ fair and impartial ^{jurors} ~~jury~~ who are made by the law the sole judges of the ~~credibility~~ of the witnesses and the weight due their testimony having come to the conclusion upon this conflicting testimony that the Defendants are guilty as charged, I don't think I should set aside their verdict and grant a

new trial.

Motion for a new trial on both the grounds stated is denied

N.Y. June 19th 1893.

Rufus B. Downing
Clerk

Court of General Session

The People

Philip Kivert
State

Memo opinion

Filed June 19/93
Per Lott for 21
+ M. W. W.

1155

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT 3 DISTRICT.

CITY AND COUNTY } ss.
OF NEW YORK,

Edward Shalvey

of the 12th Precinct Police, being duly sworn, deposes
and says that Michael Rogusky

(now here) is a material witness for the people against
Philip Karam and Rebecca Zewig charged
with Robbery.

As deponent has
cause to fear that the said Michael Rogusky

will not appear in court to testify when wanted, deponent prays
that the said Michael Rogusky

be
committed to the House of Detention in default of bail for his
appearance.

Edward Shalvey

Sworn to before me, this
day of May

189

Police Justice.

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT 3 DISTRICT

CITY AND COUNTY } ss.
OF NEW YORK,

Edward Shalvey

of the 12 Precinct Police, being duly sworn, deposes
and says that John Phillips

(now here) is a material witness for the people against
Philip Nivans & Rebecca Jewes charged
with Robbery

As deponent has
cause to fear that the said John Phillips

will not appear in court to testify when wanted, deponent prays
that the said John Phillips be

committed to the House of Detention in default of bail for his
appearance.

Edward Shalvey

Sworn to before me, this
day of February 1893

Police Justice.

1157

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 30 years, occupation Labourer of No. 296
Wythe Ave Brooklyn N.Y. Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of John Phillips
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 28th day of June 1893 at Manhattan
of John

[Signature]
Police Justice.

Police Court-- 3 District.

CITY AND COUNTY }
OF NEW YORK, } ss

John Philips
 of No *296 Whipple Ave Brooklyn N.Y.* Street, Aged *26* Years
 Occupation *Miner.* being duly sworn, deposes and says, that on the
27th day of *February* 18*93*, at the *13th* Ward of the City of New York,
 in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-
 ponent by force and violence, without his consent and against his will, the following property, viz:

Two hundred and fifty dollars
in good and lawful money of the
United States (in a pocket book.)
250⁰⁰/₁₀₀

of the value of *Two hundred and fifty* DOLLARS,
 the property of *Deponent.*

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

Philip Rievers and Rebecca Zervig
 in the manner following to wit: Deponent
 went into the premises number 86 Suffolk
 Street this City on said date. This while
 in said place he was solicited for
 prostitution by defendant Rebecca. That
 said Rebecca introduced deponent to a
 female unknown to deponent for said
 purpose. That deponent went into the
 basement of said premises he was
 violently assaulted by defendant
Philip who knocked deponent down
 can't remember hold of deponent by

day of

Sworn to before me, this

188

Police Justice.

the throat and that while attempting
 use this wild-said defendant Rebecca
 took said money from the pocket of
 defendant.

Defendant is informed by
 Michael Roginsky that he heard defendant
 make an alarm and that he subsequently
 saw defendant Rebecca take some money
 from a pocket book and throw said pocket
 book away that witness took said pocket
 book to defendant who identified said
 pocket book as the property of defendant.
 Defendant therefor charges the defendants
 with Robbery and prays that they be
 held to answer.

John ^{his} Philips
 Juror

I am to inform you that
 28th day of February 1893
 Charles E. ...

Police Justice

Dated 1889 Police Justice.

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

Dated 1889 Police Justice.

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

Dated 1889 Police Justice.

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.

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

Police Court, District,

THE PEOPLE, &c.,
 on the complaint of

Offence—ROBBERY.

vs.

1
 2
 3
 4

Dated 1889

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.

1160

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY } ss:
OF NEW YORK.

Philip Kavan 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.

Philip Kavan

Question. How old are you?

Answer.

38 years

Question. Where were you born?

Answer.

Russia Poland

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

Answer.

16 Suffolk Street 4 years

Question. What is your business or profession?

Answer.

Saloon Keeper

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

Answer.

I am not guilty
Philip Kavan

Taken before me this

day of

John J. [Signature]

Police Justice.

1161

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Rebecca Zanis

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.

Rebecca Zanis

Question. How old are you?

Answer.

30 years

Question. Where were you born?

Answer.

Russia Poland

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

Answer.

86 Suffolk Street - 4 years

Question. What is your business or profession?

Answer.

Catroom Keeper

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

Answer.

*I am not guilty
Rebecca Zanis*

Taken before me this

day of

1897

Police Justice.

1162

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~~ ^{each} be held to answer the same, and ~~he~~ ^{each} be admitted to bail in the sum of *ten* Hundred Dollars, *each* and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, *February* 189*3* *[Signature]* Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

33 215 253
Police Court, 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Phillips
House of Detention
1 Philip Kivour
2 Rebecca Zewig
3

Offense, Robbery

HOUSE OF DETENTION CASE.

Dated, Feb 28 1893

Koch Magistrate.
Shalvey Officer.
12 Precinct.

Witnesses Michael Roginsky
No. House of Detention Street.

No. Street.

No. Street.

\$1000 to answer A.S.

Cem
Mundeta

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Philip Thierant and
Rebecca Jewell

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

Philip Thierant and Rebecca Jewell

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

The said *Philip Thierant and Rebecca Jewell*

late of the City of New York, in the County of New York aforesaid, on the *24th* day of *February*, in the year of our Lord one thousand eight hundred and ninety-*three*, in the *time of the said day*, at the City and County aforesaid, with force and arms, in and upon one *John Phillips*, in the peace of the said People then and there being, feloniously did make an assault; and

the sum of two hundred and fifty
dollars in money, lawful money of
the United States of America, and
of the value of two hundred and
fifty dollars, and one pocket-book
of the value of fifty cents,

of the goods, chattels and personal property of the said *John Phillips*, from the person of the said *John Phillips*, against the will and by violence to the person of the said *John Phillips*, then and there violently and feloniously did rob, steal, take and carry away, *the said Philip Thierant and Rebecca Jewell*, and each of them, being then and there aided by an accomplice, actually present, to wit: each by the other, and also by divers other persons, whose names are to the Grand Jury unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

Deaneey Moll,
District Attorney.