

0925

BOX:

325

FOLDER:

3088

DESCRIPTION:

Nagel, August

DATE:

10/11/88



3088

0926

BOX:

325

FOLDER:

3088

DESCRIPTION:

Meyer, Louis

DATE:

10/11/88



3088

0927

BOX:

325

FOLDER:

3088

DESCRIPTION:

Nagel, Otto

DATE:

10/11/88



3088

POOR QUALITY
ORIGINAL

0928

185-109 / 88-1/89

01 2 Humboldt
3 Humboldt
Counsel,

Filed 11 day of Oct 1888

Pleads, *Chargely in*

Grand Larceny's second degree
[Sections 528, 529, 530 Penal Code]

THE PEOPLE
vs.

P
Otto Stager,
P
Louis Stager,
and 11. *P*
Ginger Stager
19. 31st 11

JOHN R. FELLOWS,

District Attorney.

Oct 19, 1888 No 1 Home of *Rept*
No 2 Elmore 12
No 3 S.P. 21/2 yd.

A True Bill.

Spencer Foreman.
Ch. 17 *Oct 12/88*
17 *Oct 19/88*
No 2 & 3
Charged & convicted of
R. A. Good

Witnesses:

Arthur W. Brown
John Kelly

POOR QUALITY
ORIGINAL

0929

Police Court— 3 District.

Affidavit—Larceny.

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

Lillie V. Burns

of No. 264 East 10th Street, aged 22 years,
occupation Housekeeper being duly sworn

deposes and says, that on the 3rd day of October 1888 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property viz :

One Gold Ring set with Diamonds
of the Value of Fifty dollars
and one gold Ring of the Value of
ten dollars
said property being in all of the Value of
Sixty dollars \$ 60.00

the property of deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by Otto Nagel was here.

From the fact that said Rings were
lying upon the mantlepiece in deponent's
Room that said defendant brought
Coal and Ice to said Room and
after he left deponent missed said
property.

and from the further fact that
said defendant acknowledged
to deponent in the presence of
Witnesses that he stole said
property and that he gave them to
his brother August Nagel who found
the same.

Lillie V. Burns.

Sworn to before me, this

day

1888

John J. Burns
Police Justice.

POOR QUALITY
ORIGINAL

0930

Sec. 193-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

3 District Police Court.

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

Question. What is your name?

Answer. Otto Nagel

Question. How old are you?

Answer. 16 years

Question. Where were you born?

Answer. United States

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

Answer. 522 East 11 Street, New York

Question. What is your business or profession?

Answer. Coal & ice peddler.

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.

Otto Nagel

Taken before me this

17

day of October 1938

Edward J. Conner
District Police Justice.

POOR QUALITY
ORIGINAL

0931

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

188 3 15-70
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Alfred J. Brown
364 West 10 St
The Macgill

Offence Larceny
Liberty

Dated Oct 11 188

Magistrate.

Officer.

Witnesses Michael S. Macgill

No. 557 Sever case

No. 329 31st Ave

No. 1000 to answer

Sever

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

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

Dated Oct 4 188 John J. Hendon Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

The People
vs.
Louis Meyer and
August Nagel.

Court of General Sessions, Part I .

Before Judge Cowing.

Friday, October 19 , 1888.

Indictment for grand larceny in the second degree.

Lillie V. Burns sworn and examined. I am married and reside at 264 East 10th Street and resided there on the 3rd of October, 1888, I missed some property from my apartments, I identify both of these rings shown me by my and my husband's initials and by the peculiar gold band around the diamond setting. I had taken them off about ten minutes before the boy had served me with ice and coal I laid them on the mantel-piece in my apartments. Otto Nagel the boy, came into my room; in the meantime I had gone into the next room leaving the kitchen door open and he entered the room while I was in the room next to it which was the kitchen where the rings were lying; he made no noise. I took the ice and coal from him and I was going to pay him for it and he says, "I will run down and get change, I had not offered him any money, he did not know what piece of money I was going to give him; so after he had gone I looked for the rings about an hour after for I had taken them off when I was cleaning and was going to put them on and I missed the rings, I knew that he was the only stranger that came into the house from the time I took the rings off until I missed them, I had not left the house and nobody had been there during that time but Otto Nagel. When I missed them I thought my husband had taken them because he had left in the meantime. Nobody in the house knew where the boy lived and I went down to

the Station House and First Avenue and made a complaint to
the Captain, I ^{did not} caused the arrest of the Defendants, I did
not have any conversation with either one of these De-
fendants and had never seen them before they were arrested
I did not hear them say anything about the matter; one
ring is worth fifty dollars and the other ten, the rings
were taken away without my permission or consent.

Otto Nagel sworn. I have pleaded guilty to
stealing the rings from Mrs. Burns. I worked for a coal
man and with an ice man four years, I got acquainted with
them two fellows, they was talking about stealing and one
of them said I had got plenty of chances; I tried to get
something and I took the two rings, I went around to where
they was, they saw I had something, they come running down
and took the rings and sold them. I worked for a man
named Helmut selling ice. I was in Mrs. Burns's house,
264 East 10th Street on this day, I was delivering ice in
the same house, I brought her ice and coal, she was in the
next room and could not see me when I took the rings; they
were on the mantel-piece in the kitchen and when I took
them I looked for these two boys after my work was done,
they were around 12th Street, I went around to see them, I
had seen them about an hour before I took the rings and I
saw them about an hour afterward in 12th Street. They
knew something was up, they seen me coming down and they
said, "what have you got?" I told them two rings; they
said, "give me them and I will pawn them for you, you will
not get in any trouble, it is we that will get in trouble,"
They pawned them and gave me two dollars.

Cross Examined. I took these rings about eleven o'clock and I carried them in my pocket until half past two when I stopped work. Mr Helmut for whom I work is not my sister's husband. August Nagel is my brother but Louis Meyer is a stranger to me. I have pleaded guilty to stealing the rings but have not been sentenced yet, I have had no talk with anybody as to what my sentence will be, I spoke to my brother about the case. The prisoner in the cell told me that they were going to call on me to testify against my brother.

Pater Reilly sworn and examined. I am an officer of the 14th precinct. The Defendants came to the Station House on the 9th of October; they heard that I was looking for them and they gave themselves up to me in the back room of the Station House; they told me that they first tried to sell the wedding ring and the man in the store would not buy it and then that they pawned it, that they did not know that it was stolen. August Nagel told me that his brother Otto gave the rings to them.

The Case for the Defence.

Louis Meyer sworn and examined. I have never been arrested before and live at 518 East 11th Street with my mother, my father is dead about six weeks and I have three brothers and three sisters, I am eighteen years old, I was peddling for Mr Sudgenger just then and I was working up in the button works in 14th Street, I worked for Mr. Sudenger four or five months and have worked for him off and on for eight years, I was not working at the time of my arrest, I remember meeting Otto Nagel on the 3rd of October in 12th Street, I was standing by a peddler's

wagon, August Nagel was there also, Otto Nagel came to us about a quarter past twelve last Wednesday and he told ~~us~~ his brother that the boss wanted him, he told him to take a walk to the corner: when we got around to 13th Street he says, "I bought two rings for fifty cents, are they gold?" August says, "I think one is but I do not know about the other one." So I went in a jeweler's store and asked were they gold, trying to sell them; they would not buy them, August Nagel pawned the first one and got \$2.50 on it, the plain gold ring and then August and Otto went to another jeweler to see whether the other one was gold, the diamond, I went into the pawn shop with them and August got five dollars on that. Otto says, "give me two dollars." So the night come and we had \$2.25 left and he gave me one dollar and he kept \$1.25. In the night he says, "what will you get done to you if you stole them?" So we knew then he stole them; the next morning the boss come around and told us that he was arrested for stealing two rings and he says we had the rings, I walked around that day and the next week I says, "I am going to give myself up on Tuesday": August Nagel and I went to Essex Market and they sent us down to 5th Street Police Station, we told them we wanted to give ourselves up and they kept us. Otto Nagel did not tell us anything about these rings being stolen before they were pawned, we did not know they were stolen, I do not see many diamond rings, we did not know that was a diamond. On that day August Nagel and I were looking for work: we did not say to Otto Nagel that he had plenty of chances to steal and that he should steal and we would pawn it for him, I did not hear August Nagel say

that to him and I did not say it. It is not true that as Otto Nagel was going down the street that we saw he had something and ran up to him and took it away from him; he called his brother at Avenue A and said, "the boss wants you, he has got work for you." I have never been arrested before.

Cross Examined. We were standing at 516 12th Street when I came up and said the boss wanted his brother. I heard that, August told me to take a walk to Avenue A and I went with him, we walked only around to 13th Street when we saw these rings, Otto said he bought them, he did not say anything then about the boss, we went right off to try to sell the rings, I was with him all the afternoon, we did not go to see the boss; it did not strike me as very queer that Otto and August did not continue on and go to see the boss and get work, I did not go and see the boss, Otto wanted August to go, we were not walking toward the boss's place, he lives in 11th Street, I went around with them because they told me to go along, the rings were displayed by Otto near 13th Street; Otto and me went into a jewelry store and August remained outside, I don't know the street, it was uptown around 32nd or 35th Street and Third Avenue, we walked from Avenue A near 13th Street up to 35th or 36th Street and Third Ave. I went in to the jewelry store and asked him whether this ring was gold or not and he said yes, I tried to sell it and he said he didn't buy them, he said it was worth five dollars, I told Otto and August what he said, August did not say anything but went and pawned them. This was about one o'clock. We were looking for a pawn shop, I did not

go in but August went in, the pawn shop was in 32nd St. and Second Avenue. The man now shown me is not the man with whom it was pawned. The plain gold ring was pawned there, I remained outside, when August came out he did not give me some money right away, he said he got \$2.50 on it, he kept the money, he did not give it to Otto; then they went into another jeweler's store, I don't know where it was, it was on Third Avenue, I think around 28th or 29th Street, I did not go in but Otto and August did, they did not sell it there, we went to a pawn shop and I went in with August and he pawned it in that store. The gentleman now shown me is not the man with whom it was pawned, I don't remember the name of the office; August received five dollars for it and put the money in his pocket and came out, Otto was waiting outside, I think this was about half past one; August had all the money in his pocket, \$7.50 and we had none. Otto says, "give me \$5.50 and each of you keep a dollar"; we got to arguing, we said, "is that all." He said, "give me two dollars and keep \$5.50 and buy me everything I want;" so we bought him everything until the night, we had \$2.25 left and I got one dollar out of it and August got \$1.25. We thought these things were Otto's, he said he would give me something if I would go with him to sell them; we had a little argument about the division of the money, August told him that was not enough to give each of us one dollar; he said he would give us more if we would go with him, so he gave us \$5.50 and told us to buy everything he wanted.

**POOR QUALITY
ORIGINAL**

0938

How long did that argument last? Not long, about ten minutes. It was ten minutes before you decided how you would divide the money? Yes. Where did you go to divide the money? We went in a restaurant at 18th Street and Third Avenue to eat something: we staid there about a quarter of an hour, August Nagle paid the bill; then we went down and took a walk around the park around 12th St. seeing them put up a banner at a political meeting. You did not go to the theater that night? No. August and I parted that night about nine or half past nine o'clock, I went down to bed ahead of him, I left him at the corner of 12th Street and Avenue B, this was on Wednesday night, I heard that Otto was arrested on Thursday morning. Wednesday we pawned the goods and Thursday morning I heard that Otto was arrested and we heard on Monday th at the policewere looking for us, Friday, Saturday, Sunday and Monday had elapsed before we gave ourselves up. Otto said "what will get done to you if you stole them?" He said that after nearly all the money was spent, we were in 12th Street when he said that, August heard that, he said to me, "I did not think that he stole them, he said if he knew he stole them he would not have went with them, he reformed up in the Penitentiary the last time he was there and he did not want to get arrested. I did not say anything then. I don't know what name August gave when he pawned the diamond ring, I was not up to the desk when he pawned them, I could not tell if he gave the name of O'Brien, I pawned one myself. I think the name on this card which is now shown me recalls the name of the pawn shop to which I went. I did not go into the other pawnshop

Katie Meyer sworn and examined by Counsel,
testified: Mrs. Meyer this boy is your son, is he? Yes
sir. And where do ou live? No. 518 East 11th Street.
Your boy had left home a little before the 3rd of October,
hadn't he? Yes sir, he had no work. You go on and tell
the Court and Jury how he come to leave home. He had no
work a couple of days, I was speaking to him, "Louis, I am
sick myself, I have four small children, I lost my husband
six weeks ago. Your boy left home at your request? Yes,
and that was a little before the 3rd of October. Up to
the time that he did leave home or a little before the
time, did he work? Yes sir. Who did he work for? He
worked for Suddenger sometimes and for different paddlers
when Suddenger had no work and then he tried to get work
with some other men. Do you know what he did with his
wages? He gave it to me. He brought his wages home to
you? Yes. Do you know of his ever having been in trouble
before? No, he never was in trouble, he was a good boy
always, he was working since he was eleven years old.
How old is he now? Sixteen. Are you sure he is sixteen?
Yes sir, he is sixteen, he don't know how old he is, he
was sixteen the 26th of July. Where do ylu live? 517
East 11th Street.

Jacob Rauth sworn. You have a loan
office at 325 Third Avenue near 24th Street in New York
City? Yes. Look at that ring I show you and say whether
you ever received that in pawn and made a loan on it? I
cannot tell you, the ticket is correct, this card now
shown me is one of my cards; there was an order brought to

my office for the delivery of that diamond ring and I delivered it, I have not the order with me and do not know where it is, it might be in the pawn shop but I was not home when the order came; the writing on this paper is not mine, my clerk is not here, I can't tell in whose name that ring was pawned, I don't know anything about it. Where is your clerk now? He is at home.

Hugh Conway sworn and examined. You are employed by M.C. Madigan in his loan office 1537 Second Ave.? Yes. Is that one of the tickets made out in your loan office? (Ticket shown.) Yes. And upon that ticket was a ring received and a loan made? I could not really identify the ring, it was a plain gold ring, You do not identify the person who brought it? I could not really do it. Did this officer call at your place and receive a ring? Yes sir, he received a plain gold ring. In whose name was that plain gold ring pawned? In the name of O'Brien. Is that the ticket for it? (Ticket shown.) That is the ticket.

Peter Reilly recalled by Mr Davis. Did you get this stolen property from the pawn broker's, did you see that last witness upon the stand and is that the ring that you received from him? Yes; I got this pawn ticket from another officer, I got this diamond ring from Mr. Rauth's clerk upon an order from Judge O'Gorman, it was pawned in the name of O'Brien.

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

POOR QUALITY
ORIGINAL

0941

Testimony in case of
Louis Meyer and
August Nagel

filed Oct. 1988.

POOR QUALITY
ORIGINAL

0942

3rd
Police Court— District.

Affidavit—Larceny.

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

of No. 264 East 10th Street, aged 22 years,
occupation Married Lady being duly sworn

deposes and says, that on the 3rd day of October 1888 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property viz:

One Diamond Ring and One plain
gold ring together of the value of
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 August Vogel and Louis Meyer

both now held for trial at the Court of General
Sessions from the fact that deponent missed
said property from the mantelpiece in deponent's
apartment and the other young man Otto Vogel
now held for trial had been in deponent's
apartment delivering a scuttle of coal and some
glue and immediately after Otto left
said apartment deponent missed said property
no other person had been in deponent's apartment
and deponent is informed by Officer Peter
Reilly of the 14 Precinct Police that he found
two rings in two different pawn offices to wit:
M O Madigan 553 Second Avenue and Frank

POOR QUALITY
ORIGINAL

0943

pawn office 325 Third Avenue here shown
in court and identified by defendant
as the property taken stolen and carried
away as aforesaid defendant further says
that he is informed by Officer Peter Kelly
that the defendants admitted and confessed
to him said Officer that they defendants
had pawned said property

Sworn to before me
this 10th day of Oct 1888 } Lillie V. Burns.
J. H. M. P. D. }
Police Justice

Dated 1888 Police Justice

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

Dated 1888 Police Justice

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

Dated 1888 Police Justice

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

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—LARCENY.

1
2
3
4

Dated

1888

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

to answer

Sessions.

POOR QUALITY
ORIGINAL

0944

CITY AND COUNTY }
OF NEW YORK, } ss.

Peter Reilly
aged *46* years, occupation *Police Officer* of No
The 14th Precinct Police Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of *Lillie T Burns*
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this

day of

10th
Oct 188*8*

Peter Reilly

John J. Ford

Police Justice.

POOR QUALITY
ORIGINAL

0945

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK }

3
District Police Court.

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

Question. What is your name?

Answer. Louis Mayer

Question. How old are you?

Answer. 18 Years

Question. Where were you born?

Answer. New York City

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

Answer. 578 East 11th St 3 Months

Question. What is your business or profession?

Answer. Redder

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
Louis Mayer

Taken before me this
day of Oct 1888

Police Justice.

POOR QUALITY
ORIGINAL

0946

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK, }

3
District Police Court.

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

Question. What is your name?

Answer. *August Nagel*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *522 East 11th St 8 years*

Question. What is your business or profession?

Answer. *Butcher*

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*
August Nagel

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

John W. Ford
Police Justice.

0947

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

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

Dated 20th Nov 1888 G. H. M. J. J. Police Justice.

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

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

POOR QUALITY
ORIGINAL

0948

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against
Otto Nagel, Louis
Meyer and August Nagel

The Grand Jury of the City and County of New York, by this indictment,
accuse Otto Nagel, Louis Meyer and August Nagel

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

The said Otto Nagel, Louis Meyer
and August Nagel, all
late of the City of New York, in the County of New York aforesaid, on the third
day of October in the year of our Lord one thousand eight hundred and
eighty-eight, at the City and County aforesaid, with force and arms,
one ring of the value of fifty
dollars, and
one other ring of the value of ten
dollars

of the goods, chattels and personal property of one

Fillie V. Burns

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.

POOR QUALITY
ORIGINAL

0949

SECOND COUNT—

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

Louis Meyer and August Nagel
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said

Louis Meyer and August Nagel, both —

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

one ring of the value of fifty dollars, and

one other ring of the value of ten dollars

of the goods, chattels and personal property of one

Hillie V. Burns
one Otto Nagel, and by

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

Hillie V. Burns

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

Louis Meyer and August Nagel —

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

JOHN R. FELLOWS,

District Attorney.

0950

BOX:

325

FOLDER:

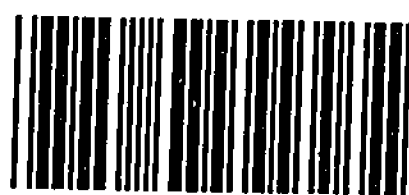
3088

DESCRIPTION:

Nathans, Nathan

DATE:

10/30/88



3088

POOR QUALITY
ORIGINAL

0951

Witnesses:

[Signature]

Counsel,

Filed, 30 day of Oct 1888

Pleads *Chattel Mortgage*

THE PEOPLE,

vs.

*3rd & 36
510
St. Louis*

Stathan Stathan

VIOLATION OF EXHIBIT LAW

(Keeping Open on Sunday)
(III Rev. Stat. (7th Edition), Page 1888, Sec. 1, 1/2)

JOHN R. FELLOWS.

District Attorney.

P. L. Nov 28/88.

*Bail forfeited & entered.
A True Bill.*

*Post II May 27/89.
Pleas guilty.*

Amelia M. M. Foreman.

Fine \$30.

Apr. 2, 1888

POOR QUALITY
ORIGINAL

0952

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Nathan Nathan 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. *Nathan Nathan*

Question. How old are you?

Answer. *32 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *570 West 28th - 2 years*

Question. What is your business or profession?

Answer. *Restaurants and Boarding House*

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

Answer. *I am not guilty. I was not selling liquor. The officer called me for liquor and I told him I was not selling anything and I refused to sell him anything. My boarder was actually drinking liquor when the officer was there. They always take meals in the saloon. I demand a trial by jury if held*

N. Nathans

Taken before me this

day of

188

Police Justice.

POOR QUALITY
ORIGINAL

0953

Bailed, *Grand renewed Dec. 9/88*
No. 1, by *John M. Starnes*
Residence *463 W 87 St*
Street
No. 2, by _____
Residence _____
Street
No. 3, by _____
Residence _____
Street
No. 4, by _____
Residence _____
Street

573
Police Court *2* District *1465*

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Jack M. News

William Williams

2
3
4

Offence *Viol. Law*

Dated *July 3* 188 *8*

Carman Magistrate.

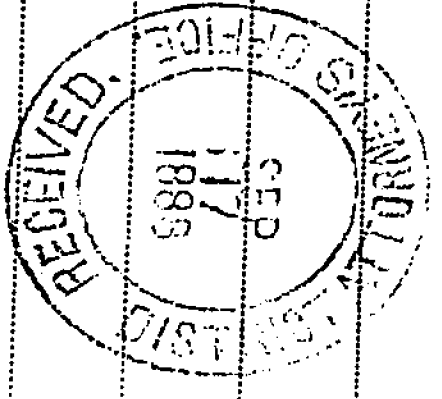
Press Officer.

20 Precinct.

Witnesses

No. _____ Street.

No. _____ Street.



No. *100* Street. *to answer S. S.*

Bauer

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

Dated *July 3* 188 *8* *John Sherman* Police Justice.

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

Dated *July 3* 188 *8* _____ 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.

POOR QUALITY
ORIGINAL

0954

Excise Violation-Keeping Open on Sunday.

POLICE COURT- 2 DISTRICT.

City and County } ss.
of New York,

Jacob W. Fess

of No. 20th Street,
Street,

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 2 day

of September 1887, in the City of New York, in the County of New York,

Nathan Nathans

(now here)

being then and there in lawful charge of the premises No. 510 West 36th
Street, a place duly licensed for the sale of strong and spirituous liquors, wines, ale and beer, to be
drunk upon the premises DID NOT KEEP SAID PLACE CLOSED contrary to and in violation of
the statute in such case made and provided.

WHEREFORE, deponent prays that said Nathan Nathans
may be arrested and dealt with according to law.

Sworn to before me, this 3 day
of September 1887

Jacob W. Fess

John J. Brown Police Justice.

POOR QUALITY
ORIGINAL

0955

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Nathan Nathans

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

The said *Nathan Nathans*
late of the City of New York, in the County of New York aforesaid, on the
second day of *September* in the year of our Lord one
thousand eight hundred and eighty-*eight*, the same being the first day of the
week, commonly called and known as Sunday, being then and there in charge of, and
having the control of a certain place there situate, which was then duly licensed as a
place for the sale of strong and spirituous liquors, wines, ale and beer, with force and
arms, at the City and County aforesaid, the said place so licensed as aforesaid, unlawfully
did not close and keep closed, and on the said day the said place so licensed as aforesaid
unlawfully did open and cause and procure, and suffer and permit to be open, and to
remain open, against the form of the Statute in such case made and provided, and against
the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0956

BOX:

325

FOLDER:

3088

DESCRIPTION:

Neufeld, Emil

DATE:

10/26/88



3088

POOR QUALITY
ORIGINAL

0957

WITNESSES:

Counsel,

Filed

day of

1888

Pleads

THE PEOPLE,

vs.

VIOLATION OF EXCISE LAW

(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1883, Sec. 21 and
page 1889, Sec. 5.]

Emil Stenfeld

JOHN R. FELLOWS,

District Attorney.

Transferred to the Court of Special
Sessions for trial and final dis-

A True Bill.

Sessions for trial and final dis-

positions

Foreman.

Sc.

**POOR QUALITY
ORIGINAL**

0958

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Emil Neufeld

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

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

The said

Emil Neufeld

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

Louis Mc Cord

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

SECOND COUNT—

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

Emil Neufeld

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

The said

Emil Neufeld

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

JOHN R. FELLOWS,

District Attorney.

0959

BOX:

325

FOLDER:

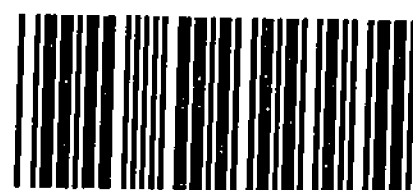
3088

DESCRIPTION:

Newell, Matthew J.

DATE:

10/23/88



3088

0950

Feb 7. 96 Mr. S.

Recurrent deficit and
check on its own
sequences, new, being changed
and being

POOR QUALITY
ORIGINAL

0961

357
see page 11/1/16

Counsel,

Filed

day of

1888

Pleads

THE PEOPLE,

vs.

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1883, Sec. 21 and
page 1883, Sec. 5.]

Matthew J. Newell

JOHN R. FELLOWS,

District Attorney.

Ad. Dec. 8 - 1895
affirmative of Order

A TRUE BILL.

James L. McLaughlin
Foreman.

James L. McLaughlin, Foreman, says that
the defendant died in Lebo, Kansas

Beie discharged 1/11/16

Feb 7. 96 Mr. J.

Process in case following

WITNESSES: 96

W. J. English

1895/96

These papers were received in
a general round-up in the
District attorney's office some
months ago. Some five years
ago they were given to and
obtained by ex. J. J. R. R. R. R.
to chief of the case. The only
issue of fatality the case has
been killed and headed for
about eight years in the
various divisions of the various
attorneys offices in the town
of General Simon. No public
interest demand, the father
presentation of this title
and antipractical change

of misdeeds. It
is stated by the bank
man that the defendant
died in Lebo, Kansas
three years ago, in 1892
is no reason to strike
this reasonable contention
in any event, although
the defendant may be
Cora non-judice, the
indictment is not, and to
secure some just and final
disposition of it. I find
recommend defendant and
discharge on the ground
of acquittal. The defendant

POOR QUALITY
ORIGINAL

0962

Excise Violation-Selling on Sunday.

POLICE COURT-

DISTRICT.

City and County } ss.
of New York,

of No.

being duly sworn, deposes and says, that on SUNDAY the

of

premises No.

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

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

Sworn to before me, this

of

Police Justice.

POOR QUALITY
ORIGINAL

0963

Sec. 108-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Matthew J. Newell

Question. How old are you?

Answer.

26 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

600-3rd Avenue 4 days.

Question. What is your business or profession?

Answer.

Porter

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

Answer.

*I am not guilty
and if held I demand
a trial by jury.*

Matthew J. Newell

Taken before me this

day of

1888

Police Justice.

0964

1067

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Arthur Cardick
vs.
Matthew A. Murdock

Offence
Dr. Excise Law

Dated July 9 1888

Smith Magistrate.

Cantelick Officer.

Kunt Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

No. Street.

RECEIVED JUL 12 1888 DISTRICT ATTORNEY'S OFFICE.

108 Sts,
to answer.

Baird

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

POOR QUALITY
ORIGINAL

0965

COURT OF GENERAL SESSIONS, Part /

THE PEOPLE

INDICTMENT

For

vs.
Matthew J. Newell

To

M.

Brian J. Hughes

No.

242 Centre

Street.

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *Trial* at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House in the Park of the said City, on *Dec.* the *7th* day of instant, at eleven o'clock in the forenoon.

If the defendant is not produced at that time, your bond will be forfeited.

DE LANCEY NICOLL,

District Attorney.

POOR QUALITY
ORIGINAL

0966

Chas. H. Smith's Book

Dead

POOR QUALITY
ORIGINAL

0967

COURT OF GENERAL SESSIONS, PART *One*

(1700)

THE PEOPLE

vs.

INDICTMENT

For

Matthew J. Newell *vs. 3. 2. 1910*

To

M. B. J. Hughes

No. *242 Centre* Street.

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *Pleading* at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House in the Park of the said City, on *May* the *16* day of instant, at eleven o'clock in the forenoon.

If the defendant is not produced at that time, your bond will be forfeited.

DE LANCEY NICOLL,

District Attorney.

POOR QUALITY
ORIGINAL

0968

COURT OF GENERAL SESSIONS, PART /

(1703)

THE PEOPLE

vs.

INDICTMENT

For

Matthew J. Newell

To

M. Bryant Hughes

No. *242 Centre*

Street.

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *Reading* at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House in the Park of the said City, on the *12* day of *June* instant, at eleven o'clock in the forenoon.

If the defendant is not produced at that time, your bond will be forfeited.

DE LANCEY NICOLL,

District Attorney.

POOR QUALITY
ORIGINAL

0969

Epis. 1888

Meat aff

Swinger

7. 5. 88

7. 5. 88

Cor. Hill

POOR QUALITY
ORIGINAL

0970

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Matthew J. Newell

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

The said

Matthew J. Newell

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

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

SECOND COUNT—

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

Matthew J. Newell

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

The said

Matthew J. Newell

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

JOHN R. FELLOWS,

District Attorney.

0971

BOX:

325

FOLDER:

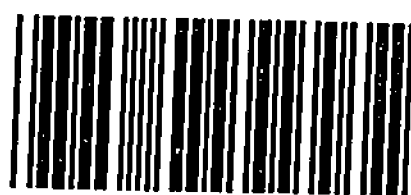
3088

DESCRIPTION:

Newman, Gustave

DATE:

10/05/88



3088

POOR QUALITY
ORIGINAL

0972

Witnesses;

Counsel,

Filed

Pleads,

day of

1888

THE PEOPLE

No. 170 vs.

Pr
vs

Gustave Neumann

ABDUCTION.
[Section 282, Sub. 1, Penal Code.]

JOHN R. FELLOWS,

Pr Dec 11/88 District Attorney.

pleads guilty. con. d

A True Bill.

True \$300.

Did
W. M. Jr.
Foreman.

D. F. Gerry Esq.

Sir!

The undersigned most respectfully petition you relative to the case of Gustave Newman, charged with abduction and now a fugitive, and beg you to show clemency in his behalf.

Newman as a mere boy enlisted in the 18th Regt. Mass. Volunteers during the late rebellion; he was taken prisoner and confined in Libby, Andersonville and Salisbury prisons, and suffered and endured the utmost hardships; he was a good and faithful soldier, and was honorably discharged after the capture of Savannah, Ga. in 1865 having been a prisoner for over fifteen (15) months.

He was respected and enjoyed the utmost confidence by all his associates was a member for years and Adjutant of one of the largest G. A. R. Posts in the State of N. Y. His home is now broken up, his wife almost desolate and broken hearted. Therefore dear sir, we petition you and beg you to overlook the great

wrong Newman has done, and bring
him back to his home, his wife, who without
him is forlorn and helpless, and dependent
upon others. Hoping you will take
our appeals into your favorable consideration
we remain Sir, yours very respectfully

Office of Anti-Slavery, No. 32, E. 8th St.

Newman St. Thomas 545 E. 8th St.
J. Letzger 772 Ninth Ave
William Thies 29 Sutton Place
Thos Schmiedt 1887 - 3rd Ave
Col. Ab. George Kottus Post 32
Wm. Dabau 218 E. 13th St.
Haritz David 421 E. 7th St.
Aug. Schleimacher 76 Allen St.
Charles L. Lysen 423 - 2nd Ave.
Emil K. Lysen 241 Barry

Alman 957 - 10th Ave
Chas. Wimpfheimer Mt. Sinai Hospital
Christian Bang E 632 E 13 St
George Fries 112 E. 4th St.
Francis Buschler
John H. Ruhl 317 E. 6th St.
Karl Wickenheiser 20 St. Marks Pl.
John P. D. Cagenbuehler 4430 - 2nd St.
John Eickler 113 E 8th St. W. M.
Bruno W. Berger 52 Bible House
August Hauck 8 Warren St.
J. Norber 178 Forsyth St.
J. Guschlag 6 - 2nd Ave

Ernest J. Kugler. 277 Bowers
H. Hottens
Ruse & Miller 12 279 Bowers
Jacob D. Baker 90. 98. East Houston
Werfelman Bros 286 Bowers
H. Lasey 123 East Houston
Alex Gartner 39 Stanton Str
L. Hans Knech 305. E. 69 Str.
Franklin Baylies Archt 52 Bldg. House
Anthony Schroeder. 224 Henry St.
John J. Schilling 401-413 E 91 St
Kuhn & Hays 227. 6th St.
William Berger 101 - 4th Ave
Hidel Schaid 33 East 8 St
Henry Westphal 236 - E. - 53rd St.
x J. Emory 96 York St
Louis F. Henrich 374. 2nd Ave
J. Schin 71 9. 3rd Ave
E. Jochi 73 E 109. 4th Buelder
Chas. Gaefens 125; 2, Ave
Gustav Kiger 45 9th Ave.
Samuel Kusta 130 E 103 St
Frank Mauch 99 - 2nd Avenue
Ch. Dado 100 - 2nd Ave
W. C. Anderson 121 2nd Ave.
John W. 576. 1st Ave.
Fritz Bannan 50 Bowers

COURT OF GENERAL SESSIONS OF THE PEACE
IN AND FOR THE CITY AND COUNTY OF NEW YORK.

The People

v.

BRIEF FOR THE PEOPLE.

Gustave Neuman.

STATEMENT OF THE CASE.

The prisoner, a German 39 years of age and an insurance broker formerly residing at 130 Second Avenue, is indicted for the abduction at the premises ~~522 East 15 Street~~, on July 20, 1883, of Mary Smith, a girl 15 years of age, for the purpose of prostitution and sexual intercourse. Elizabeth Miller who kept the house was tried, convicted and sent to the penitentiary in September 1883. Charles Hahn, the intimate friend of the prisoner, was indicted, tried and convicted and sentenced, for an offence similar to that charged in the indictment, to the State prison by Recorder Smyth in Part I of the General Sessions, for one year and ten months, October 2, 1883. The prisoner was arrested on August 12th, arraigned before a Police Justice, jumped his bail and went to Canada. The facts constituting the offence appear in the evidence.

EVIDENCE FOR THE PEOPLE.

MARY SMITH. - Is 15 years of age, and is at the present time an inmate of the House of the Good Shepherd. In the month of July last witness was an inmate of the house kept by Mrs. Miller, 522 East 15 Street, in company with Mary Crawley. Witness knew Charles Hahn whom she met in the house. Received from Charles

POOR QUALITY
ORIGINAL

0977

2

Hahn a note to the prisoner alias Charles Newman as he was known to them, a real estate broker at 130 Second Avenue. Witness went there first with Mary Crawley and saw Newman's clerk, who said he was out and told them to call again. They called in the evening and saw the prisoner, who had connection with Mary Crawley in his inside office, closing the folding doors, and the witness Mary Smith remaining outside. He gave Mary Crawley \$1., and they visited his office again when he had sexual intercourse with witness, the Crawley girl remaining outside in the outer office. He gave witness \$1. He subsequently visited 522 East 14 Street, and again had sexual intercourse there with witness and gave her \$1. and also gave Mrs. Miller \$1. Later and after Mrs. Miller had moved to 415 East 9th Street, witness and Mary Crawley met the prisoner in front of his office and told him where they lived, and on July 20th - they remember the day because Hannah Mrs. Miller's daughter came back from a vacation and it was on a Friday - the prisoner visited them in 9th Street and had sexual connection with witness.

MARY CRAWLEY. - Was 15 years old January 22, 1888. Knew Mrs. Elizabeth Miller in June last. Will corroborate the statement of the previous witness.

CATHARINE SMITH. - Resides at Is the mother of Mary Smith, who was born October 28, 1872, and baptized at the Church of the Most Holy Redeemer, November 10, 1872.

**POOR QUALITY
ORIGINAL**

0978

REV. T. ANDREW ZIEGLER. - Is Rector of the Church of the Most Holy Redeemer. Will produce the Register of Baptisms kept at that Church, an extract from which is as follows:

THIS CERTIFIES that Mary Schmitt born the 23 day of October 1872, of John Schmitt from Weidbach, Bavaria, and of Catherine Muller from Hertzbach, Curbessen, was baptized by the Rev. Rhabanus Preis, C. M. R., on the 10 day of November 1872 in presence of Maria Distler.

As appears from the Register of Baptisms kept at the Church of the Most Holy Redeemer.

New York, Aug. 29, 1888.

(signed) P. Andre Ziegler C.S.S.R.

(Seal of Church)

True copy.

OFFICER GARDNER. - Is an officer of the N.Y.S.P.C.C. Arrested the prisoner at his office, 130 Second Avenue, on August 11, at 4 P.M. The place is a real estate and insurance office (will describe it.) When informed of the charge the prisoner said, "I suppose that God damned Mrs. Miller who I read of in the papers is at the bottom of this, ain't she?" He then wanted to know what the girl said, and said that he went to No. 522 East 18 St. once and to 415 East 9 Street once, and paid the girls \$1. each, - the Smith girl and the Crawley girl. That he went to the houses the same as he would to any whore house and paid \$1. for a bed and \$1. for each girl. That no force was used, and he would prove that other men had had connection with them. Said that he was introduced to them through a friend who had sent them to his office with a note. Officer took the prisoner to the office of the

**POOR QUALITY
ORIGINAL**

0979

Society, where both Mary Smith and Mary Crawley identified him, and in the presence of Officer Knoll and Officer he asked the girls if he forced them to go to bed with him, and if they did not go of their own free will, and if he did not give them \$1. each and Mrs. Miller \$2., and they replied Yes. "Then how in the world can you hold me for abduction?" he said.

DEFENCE.

The prisoner, whose real name is Auguste Neuschilling, was indicted, tried and convicted in the Court of General Sessions, April 7, 1871, on the charge of forgery, and sentenced by Recorder Hackett to four years in the state prison. He was the intimate friend of Charles Hahn who was convicted and sentenced for a similar term for a like offence on the same day. The indictment has disappeared from the Clerk's office, but Hahn will identify him, and also the keeper of the Sing Sing prison if sent for.

POOR QUALITY
ORIGINAL

0980

N. Y. GENERAL SESSIONS

THE PEOPLE AGAINST	<i>Gustave</i>	<i>Abdurtin</i> PENAL CODE, §
	<i>Neumann</i>	

BRIEF FOR THE PEOPLE.

POOR QUALITY
ORIGINAL

0981

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

Henry C. Stocking

of No. *100 East 23rd* Street, being duly sworn, deposes and says,

that *Gustave Neuman* (now present) is the person of the name of

Charles Neuman mentioned in deponent's affidavit of the *11th*

day of *August* 188*8*, hereunto annexed.

Sworn to before me, this *12th*
day of *August* 188*8*

Henry C. Stocking

Jos. J. Attorne POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0982

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

2 District Police Court.

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

Question. What is your name?

Answer.

Gustave Neumann

Question. How old are you?

Answer.

39 years of age

Question. Where were you born?

Answer.

Germany

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

Answer.

130 - 2nd Avenue, 2 years.

Question. What is your business or profession?

Answer.

Insurance Broker

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

Answer.

*I am not guilty. I demand
an examination*

Gustave Neumann

Taken before me this

12th

day of

1888

at

Police Justice

POOR QUALITY
ORIGINAL

0983

Sec. 151.

Police Court 2 District.

CITY AND COUNTY }
OF NEW YORK, } ss.

In the name of the People of the State of New York; To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York, GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Henry C. Stocking
of No. 100 East 23rd Street, that on the 20 day of July
1888 at the City of New York, in the County of New York,

one Charles Newman
did unlawfully and willfully take said
number and keep same for the purpose of sexual intercourse of
4/15 East 9th Street in violation of Sec
282 of the Penal Code of the State of New York.

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 2nd DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 11th day of August 1888

J. M. Patterson POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0984

POLICE COURT ^A 2^D DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Charles Newman

Warrant-General.

Galley

Dated *August 11* 188*8*

Patterson Magistrate.

Sardner Officer.

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

Charles W Sardner Officer.
E. R. L. L.

Dated *August 12* 188*8*

This Warrant may be executed on Sunday or at
night.

Police Justice.

Dated 188

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

The within named

Police Justice.

POOR QUALITY
ORIGINAL

0985

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

111
Police Court... 2
District... 1924

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry E. MacKenzie
Gustave Neumann

Offence Abduction

Dated August 10, 1888

Magistrate
Officer
Precinct

Witnesses
No. 1, by _____
No. 2, by _____

No. 3, by _____
Street _____

No. 4, by _____
Street _____

No. 5, by _____
Street _____
Aug 22

No. 6, by _____
Street _____
Aug 24 at 9 a.m.

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 _____

Gustave Neumann

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 August 1888 _____ Police Justice.

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

Dated _____ 1888 _____ Police Justice.

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

Dated _____ 1888 _____ Police Justice.

POOR QUALITY
ORIGINAL

0986

CITY AND COUNTY
OF NEW YORK, ss.

POLICE COURT, 2 DISTRICT.

Henry C. Stocking
of No. 100 East 23rd Street, aged 42 years,
occupation Agent being duly sworn deposes and says,
that on the 12th day of August 1888

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

Charles Neumann was arraigned
before Police Justice Patterson, at the 2nd
District Police Court, charged on each
of dependent with abduction. That he
pleaded not guilty and demanded an
examination which was set down for
August 15th inst. That he gave surety
for his appearance at such examination
in the sum of fifteen hundred dollars,
Leopold Adler of 93 N. Nassau Place
becoming his bondsman. That such ex =

POOR QUALITY
ORIGINAL

0987

Admon & Exon on this
22 day August 1888
J. H. [Signature]
J. H. [Signature]

arrangement was on motion of defendant
further adjourned to August 22nd inst. at
3 o'clock P. M. That said defendant fails
to appear in Court on such adjourned
time of examination in conformity to
his bond, and deposit, therefore, may
a warrant may issue for his arrest.

Henry E. Stocking.

Police Court-- District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated 188

Magistrate.

Officer.

Witness,

Disposition,

POOR QUALITY
ORIGINAL

0988

2 District Police Court.

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

Henry C. Streking
of Number *100 East 23 Street* being duly sworn,
deposes and says, that on the *20* day of *July* 188 *8*, at the
City of New York, in the County of New York, *deponent is informed*
by one Mary Smith who one Charles
Neuman. at 415 East 9 Street in said
city of New York. did unlawfully and
willfully take said child and use the
said Mary Smith in person a female under
the age of sixteen years to wit: of the age of
fifteen years for the purpose of sexual intercourse
without the consent of her parents. in violation
of the Penal Code of the State of New York
has committed.

Wherefore the complainant prays that the said *Charles Neuman*

may be apprehended, arrested and dealt with according to law.

Sworn to before me, this

day of

August

188

Henry C. Streking

J. M. Patterson

Police Justice.

POOR QUALITY
ORIGINAL

0989

VII

POLICE COURT 2^d DISTRICT
THE PEOPLE, & C.,
ON THE COMPLAINT OF
CRUELTY TO CHILDREN.
See 282 Court House



DATED August 188
Magistrate.

Clerk.
Officer.

Witnesses:
E. Galloway Jenkins, Supt.,
100 East 23rd Street.

Disposition.

This is to Certify, that *Mary*
Schmitt born the *28th* day of *October 1872*
of *John Schmitt* from *Weidbach Bavaria*
and of *Catherine Müller* from *Hetzbad Curhessen*
was **Baptized** by the *Rev. Phabanus Preis C.S.R.*
on the *10th* day of *November 1872*
in the presence of *Maria Distler*

as appears from the Register of Baptisms kept at the
Church of the Most Holy Redeemer.

New York, *August 29th 1888.*

V. And. Ziegler, C.S.R.,
RECTOR.

New York General Sessions.

-----:
The People &c. :

- v s- :

Gustave Newman :

-----:
City and County of New York, Ss:

Charles Gaetjens of No:125

Second Avenue in the said city, being duly sworn deposes and
says:

1. I am well acquainted with Gustave Newman the defend
ant above-named and have known him for the past seven years.

11. That the defendant has been engaged in business as a
real estate agent, and broker at No:130 Second Avenue in
this city ever since I have known him.

111. That I am well acquainted with the character of the
defendant among the people where he has resided and done busi
ness ever since I have known him and his character is good and
above reproach.

Sworn to before me this :::

12th. day of December 1888:

Jacob Meyen

*Comd of Depts
NY City*

Cha Gaetjens

Wm. Samuel Garrison
The People &c.

vs.

Slave Woman

Applicant

Charles L. Chapin
Agent Peter
Bancroft
M. C. C.

New York General Sessions

----- :

The People &c. :

- v s- :

Gustave Newman :

----- :

City and County of New York, Ss:

Leopold Adler of No:93

St.Mark's Place in said city, being duly sworn deposes and
says:

1. I am well acquainted with Gustave Newman the defend
ant above-named and have known him for the past six years

11. That the defendant has been engaged in business as a
real-estate agent, and broker at No:130 Second Avenue in this
city since I have known him.

111. That I am well acquainted with the character of the
defendant among the people where ~~he~~ has resided and done busi
ness and his character is good and above reproach.

Sworn to before me this :::

12th. day of December 1888:::

Jacob Meyer
Corn. of Deeds
NY City

Leopold Adler

POOR QUALITY
ORIGINAL

0994

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Augustine Neumann

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

Augustine Neumann

of the CRIME OF ABDUCTION, committed as follows:

The said *Augustine Neumann*,

late of the City of New York, in the County of New York aforesaid, on the
twentieth day of *July*, in the year of our Lord one
thousand eight hundred and eighty-*eight*, at the City and County aforesaid, did
feloniously take, receive, harbor, employ and use one *Mary Smith*,
who was then and there a female under the age of sixteen years, to wit: of the age of
eighteen years, for the purpose of sexual intercourse, he, the
said *Augustine Neumann*, not being then and there
the husband of the said *Mary Smith*,
against the form of the Statute in such case made and provided, and against the peace of
the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0995

BOX:

325

FOLDER:

3088

DESCRIPTION:

Nicholas, Robert C.

DATE:

10/11/88



3088

POOR QUALITY
ORIGINAL

0996

This indictment is for attempt at suicide,
found in 1888 - The poor fellow was I am
sure not wholly responsible when he jumped
off the Ferry boat. Officer O'Neill is of the
same opinion - I learn that deft in November
1888 was placed in the Insane asylum
vide Papers within - Under the
circumstances I ask that the defendant
indictment be dismissed
May 25th 93
G. S. B.
A. D. A.

211

Counsel,

Filed

Pleads,

11 day of Oct 1888

ATTEMPTING SUICIDE.
(Section 174, Penal Code).

THE PEOPLE

vs.

Robert C. Nicholas

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL

Sworn to before me
at New York

Appointed
Judge of the
Court of Sessions
of the City and
County of New York
J. J. Jones

Witnesses

Off. O'Neill

For my
recommendation
see inside
of indictment

May 25th 1893
G. S. B.
A. D. A.

This indictment, is for attempt at suicide,
found in 1888 - The poor fellow was I am
sure not wholly responsible when he jumped
off the Ferry boat. Officer O'Neill is of the
same opinion - I learn that deft in November
1888 was placed in the Insane asylum
vide Papers within - Under the
circumstances I ask that the defendant
indictment be dismissed
May 25th 93
G. S. B.
A. D. A.

211

Counsel,

Filed

Pleads,

11 day of Oct 1888

THE PEOPLE

vs.

Robert C. Nicholas

ATTEMPTING SUICIDE.
(Section 174, Penal Code).

JOHN R. FELLOWS,

District Attorney.

A True Bill.

David L. Lumb Foreman.

Approns

Office of the District Attorney

Indictment

Dismissed

Off O'Neill

For my
recommendation
see inside
of indictment

May 25th 1893
G. S. B.
A. D. A.

POOR QUALITY
ORIGINAL

0998

CITY AND COUNTY
OF NEW YORK, } ss.

POLICE COURT, 1st DISTRICT.

of No. 28th Precinct Street, aged 44 years,
occupation Police officer being duly sworn deposes and says,
that on the 2nd day of October 1888

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

Robert C. Nicholas, now here,
did jump off the ferry boat
"Idaho" into the East River
while on her trip from New
York to Brooklyn, with the intent
as deponent is informed and
believes to take his own life
by drowning. That deponent may
said deponent may be heard
to enable this deponent to procure
evidence of said alleged crime
Thomas O'Neill

Sworn to before me, this

of October

1888

day

John J. McCaffrey
Police Justice,

POOR QUALITY
ORIGINAL

0999

Police Court-- District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

Thomas O'Neill

vs.

Robert C. Nicholas

AFFIDAVIT.

Alleged at Periculis

Dated Oct. 3 1888

Patterson Magistrate.

O'Neill 2d Officer.

Witness,

Disposition, Ex Cor 14

Q 1/2 AM

POOR QUALITY
ORIGINAL

1000

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 1 DISTRICT.

Thomas Maher
of No *435 Kent Avenue, Brooklyn, C. R.* Street, aged *31* years,
occupation *Deck-hand* being duly sworn deposes and says,
that on the *2nd* day of *October* 188*8*

at the City of New York, in the County of New York, *deponent saw*
the defendant, Robert C. Nicholas,
New York deliberately jump
off the deck of the ferry boat
"Idaho" into the East River
while the boat was opposite
Pier 39

Thomas Maher

Sworn to before me, this

of

October

188

day

M. J. Patterson

Police Justice,

POOR QUALITY
ORIGINAL

1001

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss

District Police Court

Robert C. Nicholas 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

Robert C. Nicholas

Question How old are you?

Answer

36 years of age

Question. Where were you born?

Answer.

New York State

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

Answer.

I have no home at present

Question What is your business or profession?

Answer

Civil Engineer

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.

When I jumped into the River I did not know what I was doing

Robt. C. Nicholas

Taken before me this

14

day of

October

188*8*

William J. ...

Police Justice.

POOR QUALITY
ORIGINAL

1002

BAILED,
No. 1, by Matthew Colvine
Residence Wanderhill Street
122 St. 4 Ave.
No. 2, by _____
Residence _____
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____

211 1567
Police Court---
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Wm. C. Neill
Robert L. Nicholas

Offence Attempt at
suicide

Dated October 4 1888

Matthew Magistrate.

C. Neill Officer.

Witnesses Thomas Parker

No. 435 Went Street.

No. Went Went Street.

No. 5 Went Street.
OCT 5 1888
DISTRICT

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

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 October 4 1888 J. M. Plutson 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.

POOR QUALITY
ORIGINAL

1003

DIRECTIONS

The Grand Jury Rooms are in the third story of the stone Building in Chambers Street, near Centre Street, adjoining the New Court House in the Park.

When you arrive at the witness room, hand this Subpoena to the officer or Clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

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

In the Name of the People of the State of New York.

To Off Thomas O'Neill
of No. 284 Street.

Ask to see Mr. Bedford
At 11 1/2 o'clock a.m.

YOU ARE COMMANDED to appear before the Grand Jury of County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of May 1893 at the hour of 10 1/2 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against Robert C. Nicholas

Dated at the City of New York, the first Monday of May 1888
in the year of our Lord 1893

DE LANCEY NICOLL, District Attorney.

POOR QUALITY
ORIGINAL

1004

Hustings on Hudson N.Y.

Octo 10th 1888

This is to certify that Mr Robert
Nicholas of the above village being out
of his mind is advised to remain in
seclusion until such time as he may
be admitted to some institution for
this class of patients

Very Respectfully Yours

H M Fols M.D.

Major & Surgeon

POOR QUALITY
ORIGINAL

1005

TO THE CHIEF CLERK.

PLEASE SEND ME THE PAPERS IN THE CASE OF

PEOPLE

vs.

Robert C. Nicholas

att Suicide

Has been sentenced
to the State Prison
District Attorney.

having again
attempted suicide
after being released
on bail.

Put with papers
in above case

POOR QUALITY
ORIGINAL

1006

Form No. 1.

THE WESTERN UNION TELEGRAPH COMPANY.

This Company TRANSMITS and DELIVERS messages only on conditions limiting its liability, which have been assented to by the sender of the following message. Errors can be guarded against only by repeating a message back to the sending station for comparison, and the company will not hold itself liable for errors or delays in transmission or delivery of Unrepeated Messages, beyond the amount of tolls paid thereon, nor in any case where the claim is not presented in writing within sixty days after sending the message.

This is an UNREPEATED MESSAGE, and is delivered by request of the sender, under the conditions named above.

THOS. T. ECKERT, General Manager.

NORVIN GREEN, President.

NUMBER	SENT BY	REC'D BY	CHECK
2	B/A/S	10 Reid	7
Received at <u>Hastings-on-Hudson</u> <u>Nov 4</u> 188 <u>8</u>			
Dated <u>Geneva ny</u>			
To <u>J Rike</u> <u>Hastings ny</u>			
<u>Has been committed to</u>			
<u>insane asylum mailed</u>			
<u>doctors certificate today</u>			
<u>P. N. Nicholas</u>			

POOR QUALITY
ORIGINAL

1007

Hastings on Hudson N.Y.
Sept 5th 1888

This is to certify that I made a very
careful examination of Mr Robert Dicklas
while here and find his mind very
much impaired and wandering and should
advise that he be placed in an asylum
set apart for such a class, or for per-
-sons in the condition that he now
is in

Very Respectfully
J H M Jones M.D.

POOR QUALITY
ORIGINAL

10008

LAW OFFICE
OF
P. N. NICHOLAS,
NOTARY PUBLIC AND COMMISSIONER FOR MICH.
(Klube Block, Exchange St.)

Ass't Treas. and Bursar,
OF
HOBART COLLEGE

GENEVA, N. Y.,

Oct. 19-1888

Mr. J. Pike
Hastings N.Y.

Dear Sir

I promised to write you about
Robert as soon as I got home, but
I have been so occupied in the care of
him that I have had no time for any-
thing else -

I am afraid he will never regain
his mind and he has to be kept under
the influence of chloral nearly all the
time - If he does not get better soon he will
have to be sent to an asylum -

If I have any better news for you I will
write and in any event will keep you
posted - Give my regards to Mrs. Pike, &
again thanking you for all your kind-
ness I am

Yours truly
P. N. Nicholas

POOR QUALITY
ORIGINAL

1009

Freeborn & certificate
from doctor -

POOR QUALITY
ORIGINAL

1040

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Robert C. Nicholas

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

Robert C. Nicholas —

of the CRIME OF ATTEMPTING SUICIDE, committed as follows:

The said *Robert C. Nicholas*,

late of the City of New York, in the County of New York aforesaid, on the
second day of *October*, in the year of our Lord
one thousand eight hundred and eighty-*eight*, at the City and County aforesaid,
with intent to take *his* own life, did feloniously *cast and*
throw himself into the waters
there commonly called the East
River, and sink and submerge
his body in the waters aforesaid,

the same being an act dangerous to human life, against the form of the Statute in such case
made and provided, and against the peace of the People of the State of New York and their
dignity.

JOHN R. FELLOWS,

District Attorney.

10 1 1

BOX:

325

FOLDER:

3088

DESCRIPTION:

Nugent, Edward

DATE:

10/29/88



3088

POOR QUALITY
ORIGINAL

10 12

Counsel,
Filed *29* day of *Oct* 188*8*
Pleads

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

THE PEOPLE,

vs.

B
Edward Stugent
Complaint sent to the Court
of Special Sessions,
3rd May 1888

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Lund A. Menden Foreman.
Set for proof of guilt in this
Case. V.M.D.

WITNESSES:
J. Menden

**POOR QUALITY
ORIGINAL**

1013

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Edward Nugent

The Grand Jury of the City and County of New York, by this indictment, accuse
Edward Nugent
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVER-
AGE ON SUNDAY, committed as follows:

The said

Edward Nugent

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

Peter Nugent

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

SECOND COUNT—

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

Edward Nugent

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

The said

Edward Nugent

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

JOHN R. FELLOWS,

District Attorney.