

0348

BOX:

137

FOLDER:

1417

DESCRIPTION:

Smith, John J.

DATE:

04/25/84



1417

POOR QUALITY  
ORIGINAL

0349

Witnesses:

August Schreiner

SV D

Deft Johnson

at his appearance

SV D

19<sup>th</sup> J. M. Smith  
Day of Trial,

Counsel,

Filed 25<sup>th</sup> day of April 1884

Pleads *Not Guilty*

THE PEOPLE

vs.

John J. Smith

Selling Lottery Policies, etc.  
[Section 844, Penal Code]

PETER B. OLNEY,

District Attorney.

A TRUE BILL.

John M. Olcott Foreman.

*May 21/84*  
*Wm. J. Smith*  
*Attest \$100.00*  
*Paul*

0350

**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 J. Smith*

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

*John J. Smith*

of the crime of "Selling to another what is commonly known as a Lottery Policy," committed as follows:

The said *John J. Smith*

late of the First Ward, in the City and County aforesaid, on the *twenty sixth* day of *December* in the year of our Lord one thousand eight hundred and eighty *three* at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one

*August Schreiner*

a certain paper, instrument and writing, commonly called a lottery policy, which said paper, instrument and writing, called a lottery policy, is as follows, that is to say:

E 12/26

9 for 40

(a more particular description of which said instrument and writing so commonly called a lottery policy is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the Peace of the People of the State of New York, and their dignity.

**SECOND COUNT—**

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

*John J. Smith*

of the crime of "Selling to others what are commonly called Lottery Policies," committed as follows:

The said *John J. Smith*

late of the Ward, City and County aforesaid, afterwards, to wit: On the day and in year aforesaid, and on divers other days and times between that day and the day of the taking of this inquisition, was and yet is a common gambler; and on the day and in the year aforesaid, and on said other days and times, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to divers persons (whose names are to the Grand Jury aforesaid unknown and cannot now be given), certain instruments and writings, commonly called lottery policies (a more particular description of which is to the Grand Jury aforesaid unknown and cannot now be given), against the form of the statute in such case made and provided, and against Peace of the People of the State of New York and their dignity.



0351

THIRD COUNT—

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

John J. Smith  
of the crime of "Selling a paper and writing, in the nature of a bet and wager upon the drawn numbers of a Lottery," committed as follows :

The said John J. Smith

late of the First Ward, in the City and County aforesaid, on the twenty sixth day of December, in the year of our Lord one thousand eight hundred and eighty-three at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one

A. J. Schermer

a certain paper and writing, in the nature of a bet and wager upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper and writing is as follows, that is to say :

E 12/26

9 12 41

(a more particular description of which said paper and writing is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

FOURTH COUNT—


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

John J. Smith  
of the crime of "Selling a writing, paper and document in the nature of an insurance upon the drawing of a Lottery," committed as follows :

The said John J. Smith

late of the Ward, City and County aforesaid, afterwards, to wit: On the day and in year aforesaid, and on divers other days and times between that day and the day of the taking of this inquisition, was and yet is a common gambler ; and on the day and in the year aforesaid, at the Ward, City and



County aforesaid, with force and arms, feloniously did sell to one Schreiner 

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows. that is to say :

E 12/26

Q. Am. 40 P.

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

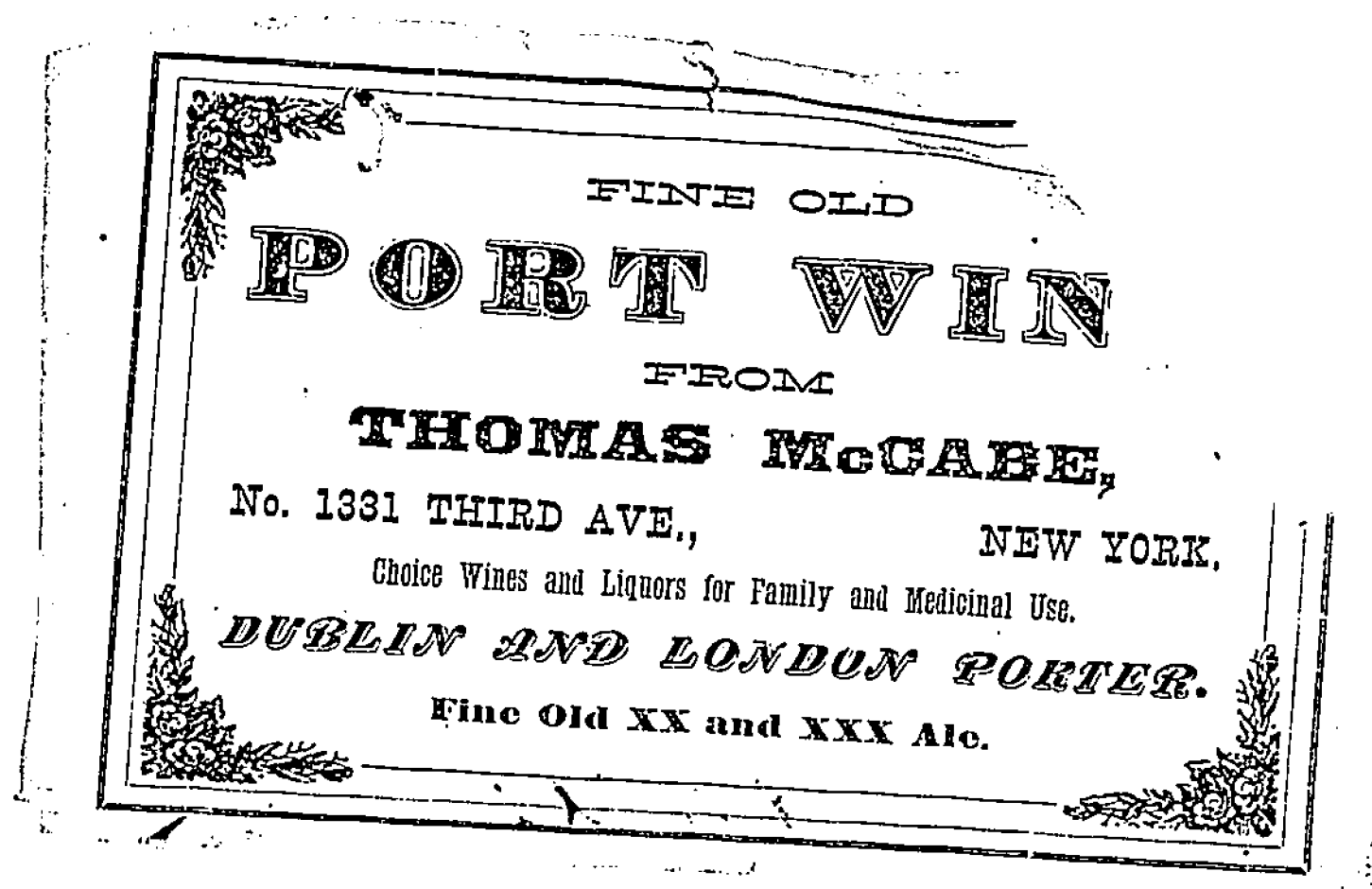
**PETER B. OLNEY.**

**District Attorney.**

TORN PAGE

POOR QUALITY  
ORIGINAL

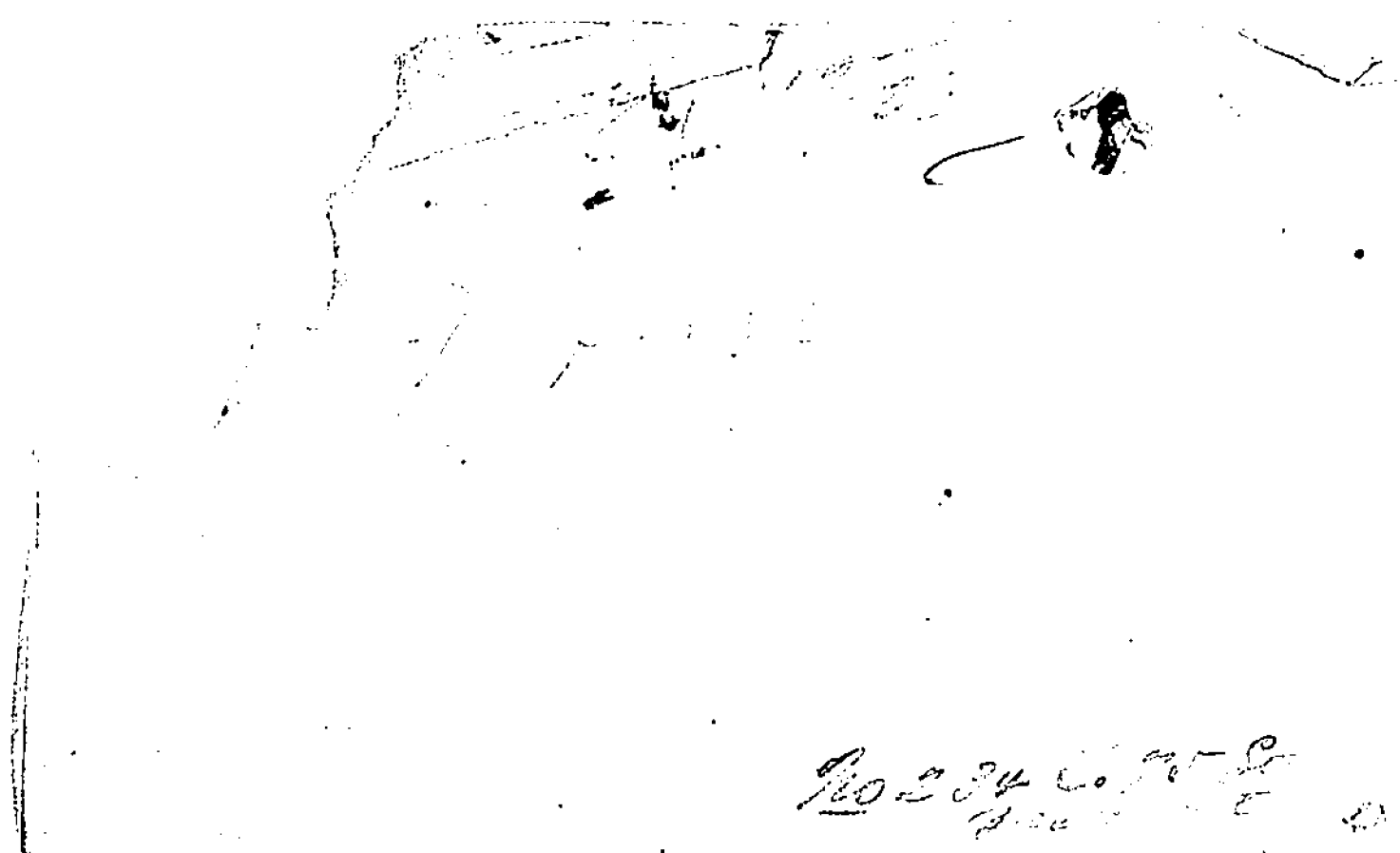
0353



TORN PAGE

POOR QUALITY  
ORIGINAL

0354





0355

BAILED,  
No. 1, by Orlando Crawford  
Residence 220 W 28 Street.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

190  
Police Court  
District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

August Schreiner

John J. Smith

1  
2  
3  
4

Offence Delany Violation

Dated January 5 188 X

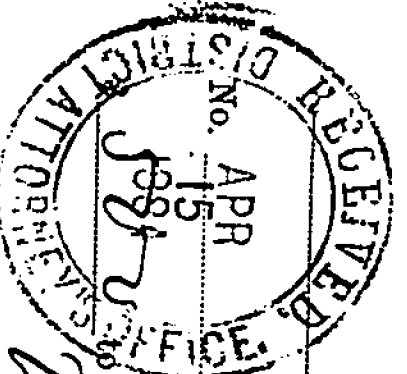
Magistrate.

Richard O'Connor

Witnesses Richard O'Connor

Notary Public

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



to answer \_\_\_\_\_ Sessions.

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

John J. Smith

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 Apr 14 188 X

P. R. Duffy Police Justice.

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

Dated Apr 14 188 X

P. R. Duffy 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.

0356

City County  
of New York ss John J. Smith  
aged 54. being sworn says  
that he is the defendant  
in this case  
Q Do you know August  
Schreiner  
A No & never saw him before

John J. Smith  
Sworn to before me  
this 26 day of April 1884  
[Signature]  
Notary Public

0357

City ~~and~~ County  
of New York

Cross Examination of  
August Schreiner in the  
case of John J. Smith March  
26, 1884.

Q on the 26 December 1883 you  
have seen you visited  
no 234 East 75 street  
in this city is that so

A Yes  
Q What time of day did  
you visit the place

A 9 am. & was alone  
Q What kind of a place  
is it

A Tenement House & the  
place I went in is  
a Basement

Q Did you go into any  
place except the Basement

A No

Q What was kept in the  
Basement

A Seemed to be a private  
dwelling I saw a cooking  
stove table.

Q Who did you see there



0358

a The defendant who opened  
the door for me

q Had you ever been there  
before

a No

q Ever in that house before

a No

q Do you know who occupied  
that house

a No

q Do you know how many  
rooms in that house

a No

q Do you know who occupied  
the rooms above the  
basement

a No

q How did you get into  
the basement

a Through a door

q Did you first enter a  
hall

a Yes & then entered a door  
leading from this hall  
to this room

q Did you see steps leading  
from the hall to the upper  
hall

a I did not notice

0359

Q Who else did you see  
there besides this defendant?  
A Nobody in the house, the  
basement was a pump  
basement & I believe there  
was a door leading to  
the back basement. I do  
not know whether it was  
occupied did not go  
in there.

Q How long were you in  
this basement altogether?  
A Ten minutes.

Q What did you do  
there?  
A I bought Lottery Policies.  
Q Do you know of anyone  
else who  
rented that basement?  
A No.

Q You say you bought a  
ticket there?  
A Yes.

Q What kind of a ticket  
did you buy there?

A A piece of paper with  
the number nine put on  
it, and the paper is printed  
on one side representing a

0360

Sigis dealers firm on the  
back the number 9 just  
404 is marked

Q Did you say that paper  
A Yes. I gave the man the  
paper. He classed the  
paper & dated it & returned  
it to me. He also took  
a memorandum

Q Where did you get the  
piece of paper from  
A From a liquor store on  
the North East Corner 76<sup>th</sup> St  
& Avenue. The paper I  
got had the address  
of the firm on it. I  
am sure I cannot  
be mistaken

Q You carried the paper with  
you when you went there

A Yes. I have had  
it in my pocket  
two or three days before  
I went there

Q Did you have any other  
papers besides this

A Not on that day of the  
same firm.



0361

- Q How many per papers like this did you have with you before you went to the number 234 East 78th
- A None to my recollection
- Q Did you have papers of any other place you intended to visit besides this paper
- A I don't remember
- Q You sworn to this affidavit on the 4 January last
- A I believe so
- Q Have you seen the paper since this time
- A I have not seen this paper since the 26 of December 1883.
- Q About what time did you commence going to the different places to find out whether the Solting law had been violated
- A On the 23 day of August 1883. 12 m.
- Q From that time until the 27 Dec last do you know

0362

- how many papers you  
might from different  
persons
- A Up to the 3 day of January  
1884 about twenty two
- Q How many up to  
the 26 December 1883
- A About thirteen
- Q Is your memory very  
good
- A It has not been of  
late very good.
- Q When you received these  
papers from the different  
places did you keep  
copies of them
- A No
- Q Do you think you could  
not tell from memory what  
was written on those papers  
on the 26 January December  
last
- A In some cases I could  
some others I could  
not
- Q Is there any reason why  
you could in some cases &  
in others you could not

0363

a Yes as some men have different marks for representing the dates of the month

Q Is that the only reason  
a Yes. As the classes commenced at the 2 day of January 2<sup>nd</sup> 1883. some policy writers head their policy papers by classes. some others use the date of the month

Q Which class can you recollect

a 604, 605, 606 class.

Q Suppose there is no class mentioned

a Then it is the date of the month

Q Do you mean to say that you recollect from the 26 December 1883. the date of the month & the month of the year that was put upon the ticket

a I do recollect the date of the month, the month & year when I visited



0364

234 East 75<sup>th</sup> Street and it  
was the 26 day of December  
1883 the day after Christmas  
Q Was the date of the  
month put on the ticket  
A It was either the class  
or date of the month  
was on it. I will  
not swear in this  
particular case whether  
the date of the month  
is put down in figures  
the regular way or if  
it is only classed  
Q Do you know what  
is written on this card  
A 9 First 40¢. I  
believe he marked on  
top of the paper the  
date of the month  
that is all I remember  
without looking at the  
ticket besides I marked  
on the bottom the number  
of the place I handed  
to the agent & that is  
all I remember. I  
handed Smith the ticket

0365

Just & he marked the tickets  
after marking & dating  
the ticket. He entered  
it in his copy book &  
said it was all right

Q There was nothing else  
done except what you  
have stated

A Yes.

Q Did you make any statement  
to Smith when you went  
in

A No

Q You made no statement  
to him whatever

A Not when I handed the  
card

Q You got the card back  
from him

A Yes.

Q How long after you  
gave it to him did  
you get it back.

A 20 seconds

Q You got the card  
back

A Yes what in twenty  
seconds I said to Smith

0366

I mailed No 9 first  
Q Did you say where you  
came from  
A Yes after the card was  
~~headed~~ returned to me  
Smith said you are a  
stranger to me how did  
you come to find out  
that I kept my Police  
shop here. I told  
him that I found  
out all about in  
the Painters Basement in  
3 avenue & then he said  
all right.

Q All the information you  
got about <sup>this place</sup> ~~police~~ shop  
was from information  
derived from in a paint  
shop

A Yes & it was formerly a police  
shop & the man had  
removed from this place  
to a basement in 70 street

Q Did you ever see Smith  
in the Paint Shop

A No. Don't know that he  
ever kept there



0367

Q Were you at this place after  
the time you earned a  
ticket there & returned with  
it

A I was there in the afternoon  
same day

Q Anybody with you

A No

Q What did you go there  
for

A To see the winning numbers  
in Lottery Policy

Q As the Is that what you  
went there for

A Yes

Q Did you go in

A Yes & found plenty of  
people

Q Did you sexual men there

A Yes. But did not know  
them

Q How many were there

A Six men two women

& two small children

I remained there ten minutes

I did not expect to win  
anything

Q Why did you want to

0368

Q Are the running numbers  
A Curiosity sale  
Q How far from your house  
to this place  
A 3 blocks.

Q Did you not go there  
the second time in order to  
get evidence to show  
that Smith was carrying  
on the policy business

A No.

Q Have you not seen that  
you found certain instruments  
there

A No. I saw them

Q Did you not go there  
to get papers or in order  
to get evidence against  
Smith

A No. I went there the  
second time to find  
out the running numbers  
in which I was not  
interested whatever

August 26, 1903  
Sumner to Ref. me  
this 26 day of March 1903  
J. H. Claffey  
Police Master

0369

City County  
of New York ss John J. Smith  
aged 54. being sworn says  
that he is the defendant  
in this case

Q Do you know August  
Schreiner  
A No & never saw him before

John J. Smith  
Sworn to before me  
this 26 day of April 1884  
J. J. Smith  
Notary Public



0370

Sec. 198-200

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *John J. Smith*

Question. How old are you?

Answer. *34-*

Question. Where were you born?

Answer. *New York City*

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

Answer. *324 East 80 street, 18 months*

Question. What is your business or profession?

Answer. *Clerk*

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

Answer. *Not guilty.*

*John J. Smith*

Taken before me this

*5th*

day of *January* 188*8*

*John J. Smith*

0371

City and County of New York, ss:

N<sup>o</sup> = 27.

In the name of the People of the State of New York:

To any Sheriff, Constable, Marshal, or Policeman in the City and County of New York:

Proof, by affidavit, having been this day made before me, by

August Schreiner

that there is probable cause for believing that John Doe has in his possession within and upon the premises occupied by him and known as number 234 East 7<sup>th</sup> Street in the City of New York various papers, instruments and writings of the kind commonly known as and called lottery tickets and also certain writings, cards, books, documents, tables, devices and apparatus for the purpose of enabling others to sell lottery tickets and with intent to use the same as a means to commit a public offense

You are therefore commanded, in the day time, to make immediate search in the building situated and known as number 234 East 7<sup>th</sup> Street in the City and County aforesaid

for the following property: One thousand instruments, papers, writings of the kind known as lottery tickets and thousand other writings known as policy slips and thousand cards, fifty books, four tables, two black boards

And if you find the same or any part thereof, to bring it forthwith before me at or in case of my absence or inability to act before the nearest and most accessible Police Magistrate in the County

Dated at the City of New York, the 14 day of January 1894

P. G. Deffert  
Police Justice

0372

Inventory of property taken by Detective Sergeant  
Richard Honnor the policeman by whom  
this warrant was executed.

Lottery slips & points used in carrying  
on the pooling business

City & County of New York ss

I, Richard Honnor the officer by  
whom this warrant was executed do swear  
that the above inventory contains a true  
and detailed account of all property  
taken by me in this warrant.

Sworn to before me this } Richard Honnor  
5 January 1884

J. J. Duffy  
Police Justice

271

THE PEOPLE

ON COMPLAINT OF

against

SEARCH WARRANT.



0373

710 27.

STATE OF NEW YORK,  
AND  
CITY OF NEW YORK.

*August Schreiner* of *1494 2<sup>d</sup> avenue* Street, New York, being duly sworn,  
deposes and says ~~that he has just cause to believe and does believe that~~  
*John J. Smith*

did, on the *26* day of *December*, 188*2*, at number

*234 E. 7<sup>th</sup>* Street, in the City of New York and County of New York,  
unlawfully and knowingly sell, furnish, vend and procure, and cause to be furnished and  
procured, ~~a certain paper or instrument, purporting to be a ticket or part of a ticket in a~~  
*for deposit only* lottery, which said ticket or part of a ticket is hereto annexed, and which said paper or  
instrument hereto annexed is what is commonly known as, or are called, lottery policies;  
and further that the said *John J. Smith*  
has in *his* possession, within and upon certain premises, occupied by *him* and

situated and known as number *234 E. 7<sup>th</sup>* Street,  
in the City of New York and County of New York aforesaid, certain others, what are  
commonly known as, or are called lottery policies or lottery tickets, and also certain  
writings, cards, books, documents, personal property, tables, devices, and apparatus, for  
the purpose of enabling others to sell or vend lottery policies or lottery tickets, and at,  
within and upon said premises, sells, vends, furnishes and procures, and has in  
possession, the aforesaid articles in violation of the laws of the State of New York, in such  
case made and provided, and with intent to use the same as a means to commit a  
public offence, and to promote, maintain and carry on a common and public nuisance.

Subscribed and sworn to before me,  
this *4* day of *January*, 188*3*  
*Police Justice August Schreiner*

0374

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before Patience G. Duffy a Police Justice  
of the City of New York, charging John J. Smith Defendant with  
the offence of

Violation Lottery Law

and he having been brought before said Justice for an examination of said charge, and it having been made to  
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-  
ing thereof having been adjourned.

We, John J. Smith Defendant of No. 324  
East 57th Street; by occupation a Clerk  
and Ernest Crawford of No. 220 West 28  
Street, by occupation a Engineer Surety, hereby jointly and severally undertake that  
the above named John J. Smith Defendant  
shall personally appear before the said Justice at the 1 District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York, the sum of ten  
Hundred Dollars.

Taken and acknowledged before me, this 5  
day of January 188 8

John J. Smith  
Ernest Crawford

Patience G. Duffy POLICE JUSTICE,

0375

CITY AND COUNTY  
OF NEW YORK, } ss,

Police Justice  
861  
Sojourner Truth  
day of

the within named Bail and Surety being duly sworn, says, that, he is a resident and holder within the said County and State, and is worth seven Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of three and

but No 220 West 28th  
New York City value  
Eight thousand dollars  
No mortgage  
Erastus Crawford

District Police Court.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

Undertaking to appear during  
the Examination.

vs,

John J. Smith

Taken the

5 day of July 1887

Justice,

duffy



0376

BOX:

137

FOLDER:

1417

DESCRIPTION:

Smith, Peter

DATE:

04/03/84



1417

*Edwards*  
*July 4. 1884*

*315*

Counsel,  
Filed *3* day of *April* 188*4*  
Pleads *July 4.*

*26 for THE PEOPLE*  
*11 1/2*  
*P*  
*Peter Smith*

ROBBERY—First Degree.

PETER B. OLNEY,  
JOHN McKEON,  
District Attorney.

A True Bill.

*Robert B. Kennedy*

Foreman.

*June 3, 1884*

*Tried and convicted. P.L.*  
*with rec. to mercy*  
*Pen. Six mo.*

POOR QUALITY  
ORIGINAL

0377

0378

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

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Peter Smith*

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

*Peter Smith*

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

The said *Peter Smith*

late of the First Ward, of the City of New York, in the County of New York, aforesaid,  
on the *Seventeenth* day of *March* in the year of our Lord  
one thousand eight hundred and eighty *four* at the Ward, City and County  
aforesaid, with force and arms, in and upon one *John J. Kelly*  
in the peace of the said People, then and there being, feloniously did make an assault: *the said*  
*Peter Smith* *being then and there armed with a knife, and did take from the said John J. Kelly*  
promissory notes for the payment of money, being then and there  
due and unsatisfied, and (of the kind known as United States Treasury Notes), of the  
denomination of twenty dollars, and of the value of twenty dollars *one*: *three*  
promissory notes for the payment of money, being then and there due and unsatisfied,  
(and of the kind known as United States Treasury Notes), of the denomination of ten  
dollars, and of the value of ten dollars each: *five* promissory notes for the  
payment of money, being then and there due and unsatisfied, (and of the kind known  
as United States Treasury Notes,) of the denomination of five dollars, and of the value of  
five dollars each: *ten* promissory notes for the payment of money, being then and  
there due and unsatisfied, (and of the kind known as United States Treasury Notes)  
of the denomination of two dollars, and of the value of two dollars each: *one*  
promissory notes for the payment of money, being then and there due  
and unsatisfied, (and of the kind known as United States Treasury Notes), of the  
denomination of one dollar, and of the value of one dollar each: *one*  
(of the kind known as cents), of the value of one cent each: *one*  
(of the kind known as two cents), of the value of two cents each: *one*  
(of the kind known as five-cent pieces), of the value of five cents each: *one*  
*watch of the value of twenty*  
*dollars, and one chain of the*  
*value of five dollars.*

of the goods, chattels, and personal property of the said *John J. Kelly*

from the person of said *John J. Kelly* and against  
the will, and by violence to the person of the said *John J. Kelly*  
then and there violently and feloniously did rob, steal, take,  
and carry away, against the form of the Statute in such case made and provided, and  
against the peace of the People of the State of New York, and their dignity.

PETER B. OLNEY,  
JOHN McKEON, District Attorney.



0379

CITY AND COUNTY OF NEW YORK, ss :  
being duly sworn deposes and says ; that he is \_\_\_\_\_ years of age, and a clerk in  
the office of CHARLES STECKLER, Esq., the attorney for the \_\_\_\_\_ in this  
action ; on the \_\_\_\_\_ day of \_\_\_\_\_ 188 at No. \_\_\_\_\_  
in the City of New York, he served the annexed \_\_\_\_\_

upon \_\_\_\_\_ the \_\_\_\_\_ therein  
by delivering to, and leaving with \_\_\_\_\_

\_\_\_\_\_ a true copy thereof. \_\_\_\_\_

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

Sworn to before me this  
day of \_\_\_\_\_ 188 }

*N.Y. General Sessions Court.*

*The People &c*

*Plaintiff,*

AGAINST

*Pete Smith*

*Defendant.*

*Copy Notice of Motion to  
Discharge Defendant*

CHARLES STECKLER,

*deft* Attorney,

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

Due and timely service of a copy within

\_\_\_\_\_ is hereby admitted.

Dated N. Y., \_\_\_\_\_

Atty.

*RECEIVED  
MAY 188  
DISTRICT ATTORNEY'S OFFICE  
To: Pete Smith Esq.*

Sir :

Please take notice that the within is a

true copy of an \_\_\_\_\_

this day duly \_\_\_\_\_ in the office of the

Clerk of this Court in this action.

Dated N. Y., \_\_\_\_\_ 188.

Yours &c.,

Charles Steckler,

Attorney for \_\_\_\_\_

To :

\_\_\_\_\_ Esq.

Atty for \_\_\_\_\_

0380

Court of General Sessions of the Peace held in<sup>2nd</sup>  
for the City and County of New York

The People &c  
agst  
Peter Smith

Sir

You will Please take notice, that I will move this  
Court at term thereof at the Court House City Hall, New  
York City on the 2<sup>nd</sup> day of June 1884 at 11 o'clock <sup>in</sup> of the  
forenoon of ~~that~~ <sup>said</sup> day in Part I of said Court before  
Hon. Henry A. Eldersleeve City Judge of said Court,  
for an order releasing and discharging the above  
named defendant and for such other or further  
in the premises  
or relief as to the Court may seem just and Proper.

Dated N.Y. May 28<sup>th</sup> 1884

To

Peter B. Olney Esq.  
District Attorney }

Yours &c

Charles Steckler

Lefts Atty  
47+49 Centre St  
N.Y. City

0381

COURT OF GENERAL SESSIONS.

The People, &c.

vs.

*Peter Smith*

PETER B. OLNEY,  
District Attorney.

*Attest*  
OFFICE

*Affidavit of Off. J. J. Hank*  
*14<sup>th</sup>*



POOR QUALITY  
ORIGINAL

TORN PAGE

0382

**PART 2.**

THE COURT ROOM IS IN THE THIRD STORY AND FRONTING  
ARE.  
If this Subpoena is disobeyed, an attachment will immediately issue.  
Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

**SUBPOENA**

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To John J. Kelly  
of No. Suburban House Street,

GREETING :

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the 29 day of May instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Peter Smith  
in a case of Felony whereof *he* stands indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

Witness, Hon, FREDERICK SMYTH, Recorder, of our said City, at the City Hall, in our said City, the first Monday of May in the year of our Lord 1884

PETER B. O'NEAL, JOHN McKEON, District Attorney.

0383

It is  
before  
me  
said  
at  
Attorney's office  
then served. please send him  
early to the District A  
nt to remain, and you  
out it, and you m  
ourt, please inqu  
be called on

Court of General Sessions  
The People  
vs.  
Peter Smith

City & County of New York ss: -

James J. Hart being duly sworn says: - I am a Police Officer of the 14<sup>th</sup> Precinct. On the 6<sup>th</sup> day of May 1884 I called at the Gilbert House in Chatham Street near Mott and was informed by the Superintendent that John J. Kelty the complainant herein to whom the annexed subpoena is directed, had left there shortly after the robbery had occurred without stating where he was going and that he did not know the whereabouts of the said John J. Kelty nor where he could be found. And that they would send me word in case he returned there. I have made several efforts to find him without success. I know nothing of the case except to make the arrest. I recovered the watch and chain, which the said John J. Kelty identified as his, from William Kerety at that time of No. 56 Bleeker Street and residing at No 250 Elizabeth Street, who claimed that he had received the said watch and chain from the said Peter Smith the defendant herein, for safe keeping. James J Hart

Sworn to before me this  
28<sup>th</sup> day of May 1884  
J. J. Hart  
Court of Records N. Y. City & Co.

COURT OF GENERAL SESSIONS.

The People, &c.

VS.

*Peter Smith*

OFFENCE

PETER B. OLNEY,  
District Attorney.

*Affidavit of J. J. Carroll*

0384



0385

Gene's Pattern  
**PART 2.**

THE COURT ROOM IS IN THE THIRD STORY AND FRONTING THE PARK.  
If this Subpoena is disobeyed, an attachment will immediately issue.  
Bring this Subpoena with you, and give it to the Officer at the Court-Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

*Affidavit made*  
**SUBPCENA**

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To *John X Kelly*

of No. *111 West 10th* Street,

GREETING :

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the *29* day of *May* instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

*John X Kelly*  
in a case of Felony whereof, he stands indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

Witness, *Hon.* FREDERICK SMYTH, Recorder, of our said City, at the City Hall, in our said City, the first Monday of *May* in the year of our Lord 188 *4*

JOHN McKEON, District Attorney.

POOR QUALITY  
ORIGINAL

0386

*Conrad Patterson*  
**PART 2.**

THE COURT ROOM IS IN THE THIRD STORY AND FRONTING THE PARK.  
If this Subpoena is disobeyed, an attachment will immediately issue.  
Bring this Subpoena with you, and give it to the Officer at the Court-Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

*Affidavit March*  
**SUBPOENA**

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

to *John X. Kelly*

of No. *Elbert House* Street,

GREETING :

WE COMMAND-YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the *29* day of *May* instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

*John X. Kelly*  
in a case of Felony whereof he stands indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

Witness, *May* FREDERICK SMYTH, Recorder, of our said City, at the City Hall, in our said City, the first Monday of *May* in the year of our Lord 188 *4*

JOHN McKEON, District Attorney.

0387

Court of General Sessions.

THE PEOPLE

vs.

Peter Smith

City and County of New York, ss.:

sworn, deposes and says: I reside at No.

John J. Carroll  
245 Clinton

being duly

Street, in the City of New York. I am a subpoena server in the office of the District Attorney of the City and County of New York. On the 27<sup>th</sup> day of May 1884, I called at the Gilbert House at No. 152 Chatham Street New York City

the alleged residence of John J. Kelly

the complainant herein, to serve him with the annexed subpoena, and was informed by the clerk in charge that he is only employed there since two weeks, and that he has not seen or heard of a person <sup>by that name</sup> residing there during that time. I also inquired of two lodgers in the house they said they did not know John J. Kelly. I also called on several previous occasions and was informed by the clerk in charge at that time that he had heard the said Kelly had gone to Patterson, did not know his address or when he would return.

Sworn to before me, this

29<sup>th</sup> day  
of May, 1884

Rudolph L. Schaaf  
Com. of Deeds N.Y. City

John J. Carroll  
Subpoena Server.



COURT OF GENERAL SESSIONS,

The People, vs.

VS.

*Peter Smith*

PETER B. OLNEY,  
District Attorney.

OFFENSE

*Robbery*

*Affidavit of John J. Carroll*

0388

0389

Gone to Patterson

**PART 2.**

THE COURT ROOM IS IN THE THIRD STORY AND FRONTING THE PARK.  
If this Subpoena is disobeyed, an attachment will immediately issue.  
Bring this Subpoena with you, and give it to the Officer at the Court-Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

**SUBPOENA**

FOR A WITNESS TO ATTEND THE

**Court of General Sessions of the Peace.**

The People of the State of New York,

To John D. Kelly Gilbert House

of No. 152 Catharine Street,

GREETING :

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York at the Sessions Building, in the Park of the said City, on the 19<sup>th</sup> day of May instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Peter Smith

in a case of Felony whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

Witness, Hon. FREDERICK SMYTH, Recorder, of our said City, at the City Hall, in our said City, the first Monday of May in the year of our Lord 1887

PETER B. OLNEY, JOHN McKEON, District Attorney.

0390

Court of General Sessions.

THE PEOPLE

vs.

Peter Smith

City and County of New York, ss.:

John J. Carroll

being duly

sworn, deposes and says: I reside at No. 245 Clinton

Street, in the City of New York. I am a subpoena server in the

office of the District Attorney of the City and County of New York. On the 9<sup>th</sup> day

of May 1884, I called at No. 152 Chatham Street

a lodging house called the Gilbert House

the alleged residence of John J. Kelty

the complainant herein, to serve him with the annexed subpoena, and was informed by the Clerk in charge of the lodging house that he had heard that the said John J. Kelty had gone to Patterson about four or five weeks ago. That he did not know his address in Patterson nor when he would return. I called there on three or four other occasions previously and could not find him.

Sworn to before me, this 12<sup>th</sup> day

of May 1884

Rudolph L. Schauff

Comt. of Deeds  
N.Y. City & Co.

John J. Carroll

Subpoena Server.



0391

District Attorney's Office. April 18, 1884  
City & County of  
New York.

The Complainant has not appeared in  
court at any time when the case has been  
on. Will some body show some reason  
why this man cannot be found - or else  
keep the case off the calendar.

J.R.F.

Read this  
J.R.F.

0392

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

Police Court--First District.

*1.3/121* *Brass Polisher* *John J. Kelly age 43 years*  
of No. *the Gilbert House No 152 Chatham* Street, being duly sworn, deposes  
and says, that on the *17* day of *March* 18*86*  
at the *Fifteenth* 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:

*One gold watch and silver chain  
attached of the Value of twenty dollars.  
Good and lawful money of the  
United States amounting to eleven dollars  
in all amounting to, and*

of the value of

Dollars,

the property of

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

*Peter Smith (now here) and two other  
persons unknown to deponent, for the following  
reasons to wit; That on the night of the  
above date at the hour of 11.30 o'clock p.m.  
deponent was in the Lodging House Nos.  
48 and 50 East Houston Street in a state of  
partial intoxication and that he was lying  
in a bed in said premises when the door of  
said room was broken open by three persons  
unknown to deponent, who violently assaulted  
and beat deponent with their fists and a  
wash basin; and that during the excitement  
some of the unknown defendants carried*

Police Justice.

0393

away said property. That Depoant  
now believes said Peter Smith to be one  
of said unknown persons from the fact  
that he is informed by Officer James  
J. Hart of the 14<sup>th</sup> Police Precinct that  
the said Smith acknowledged and Confessed  
to him that he did Assault and beat  
Depoant, and Carry away the aforesaid  
property; And also informed said  
Officer that he could get the watch  
and chain in the Eating Saloon No 56  
Bleeker street. where said Officer informed  
Depoant that he found a watch and  
chain which the proprietor of said  
Eating Saloon informed said Officer  
that said Smith had left there —  
That Depoant has since seen said  
watch and chain and fully identifies  
the same as part of the property stolen  
from his possession by force and Violence  
and against his will and without his  
Consent

Sworn to before me  
this 29<sup>th</sup> March 1884 J. Kelly  
J. Dowry  
Police Justice



0394

Testimony in the case  
of Peter Smith

filed  
April 1884.

0395

The People  
vs.  
Peter Smith

Court of General Sessions. Part I.  
Before Judge Gildersleeve.

Tuesday, June 3, 1884.

Indictment for Robbery in the First Degree.

James J. Hart, sworn and Examined, testified: I am an officer of the 14th precinct, I arrested the defendant; the affair happened on the 17th of March and I arrested him about two weeks after in the Bowery in consequence of the complaint of Mr Kelty, I took him to the 14th precinct station house. I saw the paper now shown me in the police Court, I saw the defendant sign it. On taking him from the station house to the Tombs he told me that he and the young man had been drinking, that they were out <sup>late</sup> ~~prexyt~~ late and he did not know anything wrong had transpired, I told him that he was accused of taking Kelty's watch and the other two had went away and we were looking for them. He said that he did not associate with them only on one or two occasions; he said, "If I knew there was a watch stole I would have come and told you whether I had anything to do with it, or, where it was." I says, "I will get the watch now if you tell me where it is." He told me that he had been in an oyster house in Bleeker Street and one of the three left the watch there. He says, "If you go there you will ask for a man named Geraty; he is the proprietor of the place and he will give you the watch and chain. I went there and asked for Geraty and I got the watch and chain which I afterwards showed to the complainant, and he identified it as his property..

John J. Carroll, sworn and examined, testified: I am a supeona server in the District Attorney's Office and made an effort to serve a supoena in the case of the People against Peter Smith upon John J. Kelty. I went to ~~the~~

0396

the Gilbert House, 152 Chatam Street, the last time I went there was this morning, I have been there <sup>v</sup>for or five different occasions. One of the clerks that was there told me that he heard that this man had gone to Patterson some four or five weeks ago. They could not tell his whereabouts or whether he would ever be back again; it is a lodging house, I did not go to Patterson to look for him; of my own knowledge I do not know whether this man is in the City of New York or not, I did my best to find him.

James J. Hart, recalled: When the prisoner was brought before the Judge in the morning he made the same statement to him that he made to me. It was to the effect that he was with those people and he did not know that they had stolen a watch; he also told the Judge where the watch could be got; he said that he was with them and that he went in and ate oysters and they had given this watch to this man Geraty for safe keeping telling him that he would come back the next day for the watch. He said to the clerk in the Police Court something to the effect that he admitted taking the watch; I understood him to say that he was drunk or would he not have anything to do with the watch.

Maurice J. Power, sworn and examined, testified: I am one of the Police Justices of the City. The paper now shown me is the complaint of one J. Kelty, which was taken before me on the 29th of March in the presence of the ~~pr~~ prisoner. Cross Examined. I have no particular recollection of this case except what this record contains.



0397

James J. Hart recalled: The prisoner told me he had nothing to do with the assault, but he said he had possession of the watch.

The Case for the Defence.

Peter Smith, sworn and Examined, testified: I am thirty-six years old, I have been locked up going on three months I have never been arrested before for any crime, I was born in New York and always lived here. I am a painter, I did not rob this complainant of his watch nor beat or assault him, I live at 41 East Houston Street with my sister who is in Court; this lodging house where this trouble occurred is opposite her place. I slept there for two nights in consequence of a little quarrel I had with her. I found this watch as I was going out through the hall, between eleven and twelve o'clock at night, I was going to a restaurant to get something to eat. I picked the watch up and gave it to Geraty for safe keeping, I did not try to dispose of it or to pawn it. I told the officer about two weeks after when I was arrested where the watch was and that he could receive it there if he called for it; I did not know who it belonged to, I had no trouble, with the complainant. Cross Examined: I was a little off, about half gone I guess but was not drunk on the night this happened.

Philopena Burnaman, sworn and Examined. I keep a Baker shop at 41 East Houston Street, the prisoner is my brother, he worked for me and has never been arrested.

Gotfried Schmidt and James H. Finch, testified to the good character of the defendant.

The jury rendered a verdict of guilty of petty larceny, with a recommendation to mercy. He was sent to the Penitenary for Six months.

POOR QUALITY  
ORIGINAL

0398

BAILED.

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

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

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

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

82001  
In Ex: Monday  
March 31, 1884  
2:00 P.M.  
Admitted to ~~the~~ Prison 12/18/84  
J.M.

Police Court - West District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John A. Kelly  
Robert House  
1572 Broadway

Peter Smith

Offence Robbery

Dated March 29 1884

James J. Wood Magistrate.

James J. Wood Officer.

14 Precinct.

Witnesses James J. Wood

No. 1572 Broadway Street.

William Kelly

No. 250 Elizabeth Street Street.

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

Committed to answer Street.

James J. Wood

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 Peter Smith

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.~~

He is legally discharged therefrom.

Dated March 29 1884 W.J. May 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.

0399

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 35 years, occupation James J. Hart  
Officer of the 14<sup>th</sup> Police Precinct of No.

Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of John J. Kelly  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 29  
day of March 1888 } James J. Hart

W. J. Crowley  
Police Justice.



0400

Sec. 198-200

CITY AND COUNTY  
OF NEW YORK, ss.

*Ind.*

District Police Court.

*Peter Smith* being duly examined before the under-  
signed, according to law, on the annexed charge: and being informed that it is h<sup>is</sup> right to  
make a statement in relation to the charge against h<sup>im</sup>; that the statement is designed to  
enable h<sup>im</sup> if he see fit to answer the charge and explain the facts alleged against h<sup>im</sup>  
that he is at liberty to waive making a statement, and that h<sup>is</sup> waiver cannot be used  
against h<sup>im</sup> on the trial.

Question. What is your name?

Answer.

*Peter Smith*

Question. How old are you?

Answer.

*36 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*41 East Houston street, about 4 months*

Question. What is your business or profession?

Answer.

*Painter*

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

Answer.

*I did not break into the room but  
I admit taking the watch and chain  
P. Smith*

Taken before me this

*29*

day of

*March 1885*

*W. J. Carter*

Police Justice.

0401

BOX:

137

FOLDER:

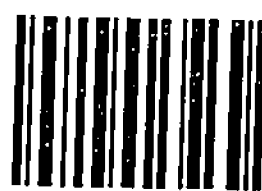
1417

DESCRIPTION:

Stadalnick, Antony

DATE:

04/08/84



1417

Witnesses:

Margaret Loeb.  
591 Lafayette Ave Brooklyn  
Off Jos. Weinberg  
26. Precinct

#7. - J. Berlinger  
Counsel,  
Filed 8 day of April 1884  
Pleads *Not guilty* (9)

17<sup>th</sup> 14<sup>th</sup> THE PEOPLE  
14<sup>th</sup> 14<sup>th</sup> vs.  
Grand Larceny 2<sup>nd</sup> degree  
(From the person.)  
[Sections 528, 531, Penal Code].  
Anthony  
Stadachnick

PETER B. OLNEY,  
District Attorney.  
26 Apr 18/84  
Pleads guilty &  
A True Bill.  
S. I. Two years.  
John S. Olney  
Clerk.

POOR QUALITY  
ORIGINAL

0402



0403

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Antony Stadalnick

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

Antony Stadalnick

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

The said Antony Stadalnick

late of the First Ward of the City of New York, in the County of New York aforesaid, on the  
Erist day of April in the year of our Lord one thousand  
eight hundred and eighty-four, in the day time of the said day, at the Ward, City and  
County aforesaid, with force and arms,

one pocket book of  
the value of one dollar and  
promissory notes for the pay-  
ment of money of the kind  
known as United States Treasury  
notes, of a number and denomi-  
nation to the Grand Jury  
aforesaid unknown, of the  
value of five dollars, and  
also some of the kind  
and denomination to the Grand  
Jury aforesaid unknown, of the  
value of four dollars.

of the goods, chattels and personal property of one Philip Loebl  
on the person of one Margaret Loebl  
then and there being found, from the person of the said Margaret Loebl  
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.

Peter B. O. Huey  
District Attorney

0404

Police Court-1234 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Macauld & Co.  
370 Lafayette Ave. N.Y.C.  
Anthony Stedabnick

No. 1, by  
Residence  
Street.

No. 2, by  
Residence  
Street.

No. 3, by  
Residence  
Street.

No. 4, by  
Residence  
Street.

No. 5, by  
Residence  
Street.

Dated April 2<sup>nd</sup> 1884

Magistrate.

Officer.

Precinct.

Witnesses

No. 1, by  
Street.

No. 2, by  
Street.

No. 3, by  
Street.

No. 4, by  
Street.

No. 5, by  
Street.

No. 6, by  
Street.

APR 3 1884  
to answer  
Sessions.  
No. 1, by  
Street.

Offence Larceny from the person

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

Anthony Stedabnick

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 April 2<sup>nd</sup> 1884 J.M. Patterson Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

0405

Sec. 198-200

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer. *Anthony Stadalnick*

Question. How old are you?

Answer. *22 years of age*

Question. Where were you born?

Answer. *Russia Poland*

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

Answer. *21 or 23 Hester St. 3 weeks*

Question. What is your business or profession?

Answer. *Peedlar*

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*

*Anthony Stadalnick*

Taken before me this *21*  
day of *April* 188*8*  
*John J. Sullivan*  
Police Justice.



0406

24

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY  
OF NEW YORK } ss.Margaret Loebe, aged 50 years,  
of No. 591 Lafayette Avenue, Brooklynbeing duly sworn, deposes and says, that on the first day of April 1884  
at the day time in the City of New York,in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent and from deponent's person  
the following property, viz:One pocket-book, containing gold  
and silver money of the  
United States to the amount  
and of the value of five dollars  
and ninety-one cents, and  
a number of written papers

Sworn before me this

day of

the property of deponent and her husband,  
Philip Loebe

and that this deponent

-Dante Justice,

1884

has a probable cause to suspect, and does suspect, that the said property was feloniously taken,  
stolen, and carried away byAnthony Stadalnick,  
now here, from the fact that about  
the hour of 4 o'clock P. M. of said  
day deponent was walking in 1st  
Street near 6th Avenue, and said  
pocket-book and property was then  
and there held and contained in  
deponent's right hand. That said  
defendant then and there  
approached deponent in front  
and suddenly seized hold of  
said pocket-book and snatched

0407

the same from deponent's grasp  
and went off with the same  
in his possession.

Sworn to before me this }  
2<sup>d</sup> day of April 1884 } Margaret H. Loeb  
J. M. Pearson }  
Police Justice

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT—Larceny.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0408

BOX:

137

FOLDER:

1417

DESCRIPTION:

Starke, Mary

DATE:

04/24/84



1417



POOR QUALITY  
ORIGINAL

0409

1457-11-11-11-11-11

*Ch. C.*  
*D. C. P.*

Counsel,

Filed *24* day of *April* 188*4*  
Pleads *Indigently* (28)

Sections 191 Penal Code

THE PEOPLE  
vs.

*Mary Stank*

PETER B. OLNEY,

District Attorney.

A TRUE BILL.

*John M. Olney*  
*May 11/84*  
Foreman.

Witnesses:

*Mary Stank*  
*93 Montgomery Street*  
*Jersey City*

*Benny Murphy*

*Chief of Police*

*John Ireland*

*Detective Sergeant*

*Witnesses*

*Testified by*

*George H. Seeks*

*93 Montgomery Street*

*Jersey City*

*Refers to the T. Calver*

*115 Broadway*

0410

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Mary Skender

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

Mary Skender  
of the CRIME OF manslaughter in the  
first degree,

committed as follows:

The said Mary Skender

late of the First Ward of the City of New York, in the County of  
New York aforesaid, on the Eleventh day of March in  
the year of our Lord one thousand eight hundred and eighty-four, at the Ward, City  
and County aforesaid, with force and arms, in  
and upon the body of one Hannah  
Collins, then and there being  
a woman pregnant with child,  
feloniously and wilfully did make  
an assault, and a certain instru-  
ment of a kind to the Grand Jury  
aforesaid unknown, and whereby  
a more particular description can  
not now be given, up, into and  
upon the womb and body of  
her the said Hannah Collins  
then and there feloniously did  
use and employ, with intent  
thereby to procure the miscar-  
riage of her the said Hannah  
Collins; the said use and

employment of the instrument aforesaid not being then and there necessary to preserve the life of her the said Hannah Collins.

And the said Hannah Collins, by reason of the said use and employment of the instrument aforesaid, in and upon the wound and laceration of her the said Hannah Collins, by the said Henry Starker, became mortally wounded and <sup>in her body</sup> disordered, and of the said mortal wounding and disordering so as aforesaid caused, as well at the Ward, City and County aforesaid as at Jersey City in the County of Hudson in the State of New Jersey, from the day aforesaid in the year aforesaid, until the twenty eighth day of March in the same year aforesaid, did languish, and languishing, did die, and on which said twenty eighth day of March in the year aforesaid, the said Hannah Collins, at Jersey City aforesaid, in the County and State last aforesaid, of the said mortal wounding and disordering did die.

And as the Grand Jury



04 12

aforsaid, do say: That she the  
said Mary Skerke, her the said  
Hannah Collins, on the day and  
in the year aforsaid, at the Ward  
City and County aforsaid, in the  
manner and form, and by the  
means aforsaid, wilfully and  
feloniously did kill and slay:  
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:

Peter B. Chuey,

District Attorney.

04 13

To whom it may concern this is  
to certify

that, whatever kind of  
medicines Mrs M. Starke  
occasionally bought from the  
undersigned, was never intended  
for any immoral or illegal use  
- that she never get anything  
but what is used in the  
regular practice of a respectable  
midwife

John Riegel  
Druggist  
144 West Broadway  
New York April 13 1884

0414

THOMAS V. CATOR,  
COUNSELLOR AT LAW,  
7 WARREN STREET,  
115 BROADWAY  
Room 75

115 BROADWAY

Room 75

New York, May 4<sup>th</sup> 1884

Dear Sir,

A colored woman who is a relative of the bearer has been committed to the House of Detention as a witness - I have ample proof of her good character, and the bearer has long been held in regard by our family - the witness will be in attendance when needed. But cannot give bail. I trust you will direct that she be released upon her own recognizance.

Yours truly

Thomas V. Cator

To Peter B. Olney Esq.



04 15

New York April 14<sup>th</sup> 1884

This is to certify, that I have personally known Mrs. M. Stanku for the past eight to ten years, and has been a constant customer during that time at my establishment, and only purchased such medicines as are generally used by by medical men in their professional duties. I do hereby declare that Mrs. Stanku has never bought any medicines during the above stated period, to injure or do harm to any person.

Signed

H. Dehnhoff

HERMAN DEHNHOFF,  
APOTHECARY,  
Varick, cor. Broome Sts.,  
NEW YORK.

POOR QUALITY  
ORIGINAL

04 16

Paul freed  
at \$5000  
Geo. Harney  
Ok  
Apr 1 1884

In Re  
Mrs. Mary Q. Stark

I allowed the within Vtd.  
N.Y. April 5, 1884

L. D. Van Dusen

POOR QUALITY  
ORIGINAL

0417

W. Reil Gould, Law Blank Publisher and Stationer, 163 Nassau St., N. Y.

The People of the State of New York, TO

John J. Garman Esq.  
Police Justice

CERTIORARI  
TO CERTIFY CAUSE OF  
DETENTION.

GREETING:  
We Command you, That you certify fully and at large to *a Special*  
*Term of our Supreme Court held at Cham-*  
*bers in the New Court House, in the City of*  
*New York in the City Hall on the 7th day*  
*of April - 1884 at 11 o'clock AM*  
the day and cause of the imprisonment of

*Mrs. Mary A. Starke*  
by you detained; as is said, by whatsoever name the said *she*

shall be called or charged; and have you then this writ.

Witness *the Hon. John R. Brady Supreme Court Justice*  
the *7th* day of *April* 18*84*  
*James C. Sullivan* *Patrick Keenan*  
Attorney. Clerk.



POOR QUALITY  
ORIGINAL

0418

BAILED,  
No. 1, by Leah & Barbara Quirk  
Residence 34 Third Street.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

145  
Police Court at District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Benjamin Murphy

1 Mary & Sarah

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

Offence abortion

Dated March 27 1884

Gorman Magistrate.

Stacy Officer.

Stacy Precinct.

Stacy Street.

Stacy Street.

Stacy Street.

Stacy Street.

Stacy Street.

Stacy Street.

Stacy Street.

Stacy Street.

Stacy Street.

Stacy 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 Mary & Sarah

guilty thereof, I order that she be held to answer the same and she be admitted to bail in the sum of fifty 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 April 17th 1884 John J. Gorman Police Justice.

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

Dated \_\_\_\_\_ 1884 \_\_\_\_\_ 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 \_\_\_\_\_ 1884 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0419

Sec. 198-200

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer. *Mary S. Shanks*

Question. How old are you?

Answer. *59 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *27 Clark Street 5 years*

Question. What is your business or profession?

Answer. *Widow*

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

Answer. *I am not guilty*

*Mary S. Shanks*

Taken before me this

day of

*April*

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Police Justice

0420

April 14 / 84 - 2<sup>d</sup> Dist Police Court  
3<sup>30</sup> P. M. 2039

The People vs  
Benjamin Murphy  
vs  
Mary S. Starke  
Held on

Hannah Holding, <sup>heretofore</sup> sworn for the prosecution,  
recalled and examined by Mr McCalland  
for defence

Q. How long have you been in the employ  
of Mrs Starke?  
A. Three months.

Q. Did you ever see Hannah Collins in  
that place before?

A. No sir, only that once.

Q. Did you know whether she was in  
the habit of visiting Mrs Starke's house?

A. I do not.

Q. On what day of the week was it  
that you say you saw Hannah Collins in  
that house,

A. It was the day after St Patrick's  
day. That was the day

Q. Could it not have been Wednesday  
as well as Tuesday?



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(2)  
2040

A. I suppose so.

Q. Are you sure then that it was a Tuesday and not a Wednesday that Hannah Collins came to the house?

A. It was the day after St. Patrick's day.

Q. Are you positive of it?

A. Yes.

Q. Did you see Mrs. Slattie and Hannah Collins <sup>together</sup> <sup>in that house</sup> in any room ~~together~~ on that day?

A. No, sir.

Q. Will you swear that they were together in any room in that house on that day?

A. No, sir.

Sworn to before me this } Hannah <sup>her</sup> holding  
14<sup>th</sup> day of April 1884 } <sup>mark</sup>  
John J. Moran  
Police Justice

Charles B. Converse, heretofore sworn for the prosecution cross examined by Mr. McClelland counsel for the defense.

Q. Take a case where a female has had an effort made to with an instrument of

0422

2041

penetrate  
sufficient length to perforate a womb through its natural orifice, in which there is a foetus of not more than two months growth, and the penetration is accomplished, as nausea and vomiting a constant symptom?

A. A very usual one.

Q. Is it not also a usual symptom of pregnancy?

A. The earlier stages of pregnancy are frequently accompanied by nausea and vomiting for two months and longer - sometimes until within a month or two of delivery.

Q. As to the frequency of vomiting?

A. It usually occurs early in the morning, frequently after meals, and sometimes without any apparent provocation.

Q. Are you able to express any judgment as to the lapse of time that would elapse between the contraction of the disease from which this deceased person died and the time it proved fatal?

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(4)

A. Not very precisely from examination of the body; but I should think about 6 weeks.

Q. Can you say from what you saw, as the result of your examination, that this woman was pregnant within two months prior to the first menses?

A. I say that I believe she had been recently pregnant from certain appearances I saw in the womb.

Q. Is there anything in this case, as examined by you professionally, that is inconsistent with the theory presented in the case of a woman whose menses have been stopped by causes other than pregnancy?

A. There is - I think so. There were a few drops of thick bloody discharge escaping from the cavity of the womb, on slight pressure and on turning it with the mouth downwards. The principal portion of that cavity appeared in a normal condition. But at the upper and posterior portion of the cavity there was a spot of about



POOR QUALITY  
ORIGINAL

0424

2043

the size of a ten cent piece that looked  
rough, very dark red, raw, and bleeding.

I believe this spot to have been the seat of  
attachment of an ovum.

20. You speak of that white discharge that exuded  
from the orifice. Was that inconsistent with  
an ~~inflammatory~~ inflammation from natural causes?

A. It was in that a discharge from natural  
causes <sup>would be likely to be</sup> ~~is~~ not bloody, but purulent or mucus-  
purulent. There were no signs of inflammation on  
dissecting the womb. All other organs as far  
as examined were healthy excepting the right  
lung.

Shown to before me this

11th day of April 1884

John J. [Signature]

Police Justice

L. B. Lawrence.

POOR QUALITY  
ORIGINAL

0425

(6)  
2044

Hannah Holding recalled for the prosecution,  
and examined by Mr. Scherff, representing District  
Attorney

Q. On that day, you say that Hannah Collins  
came into the kitchen where you were. How long  
did ~~you~~ she remain there?

A. About ten or fifteen minutes and then went  
into the dining room to dinner. Stay at dinner.  
She then went to the yard and then upstairs.

Q. Did you not say the other day, that she  
went into the parlor?

A. I did not see her go there. She went up  
stairs.

Q. Was Mrs. Stattie at dinner at the same time?

A. She was there.

Q. After Hannah Collins went out, do you  
know where Mrs. Stattie went?

A. She went out of the kitchen.

Q. Did you see her go up stairs?

A. I did not.

Q. When did you next see Hannah Collins?

A. I met her in the hall on the parlor floor

POOR QUALITY  
ORIGINAL

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about half an hour, I think, after I saw her <sup>2045</sup>  
go into the yard.

Q. During the time interviewing, that half hour, did you  
see Mrs. Strathe?

A. No.

Q. Do you know where she was?

A. No.

Q. How long after Hannah Hollins left the kitchen  
did Mrs. Strathe leave it?

A. Some little while, she came over to the suite  
where I was.

Q. She had left the kitchen, and you don't know where  
to?

A. No Sir.

Q. When and where did you next see Mrs.  
Strathe?

A. I don't remember seeing her. I saw her in the evening.

Q. What time was it about when she left the  
kitchen?

A. Very near two o'clock.

Q. And the next time you saw her was in the  
evening? About what time?

A. About 4 o'clock.



POOR QUALITY  
ORIGINAL

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1 (8)  
2046

Q. Who else was in the house besides Mrs. Startie,  
Hannah Collins and yourself?

A. Mrs. Startie's husband - in the dining room.

Q. Did you not see Mrs. Startie take a pail of  
hot water from the basement up stairs, that  
afternoon?

A. No sir.

Q. When you met Hannah Collins in the hall  
on the parlor floor, what did she say to you  
(Objected to unless the conversation was in the  
presence and hearing of defendant?) Question withdrawn.

Q. Do you know where Hannah Collins went  
after she saw her in the parlor hall?

A. She went to my room and laid on my  
bed.

Q. From the time dinner was over until you saw Mrs.  
Startie again, at about 4 o'clock, do you know  
where she was?

A. No sir.

Shown to before me this  
16 day of April 1884  
John J. Morrison  
Police Justice

Hannah Collins  
Marr Holding

POOR QUALITY  
ORIGINAL

0428

1 (9)  
2047

Mr McLeellan moves for discharge of defendant upon ground that there is no legal evidence to connect the defendant with the commission of his alleged abortion. The ~~testimony~~ <sup>declarations</sup> of Hannah Collins cannot be regarded as of sufficient character to hold the defendant for his alleged abortion, unless the same shall be corroborated by other evidence connecting the defendant with the alleged commission of this alleged crime.

Adjourned until April 15<sup>th</sup> at 3:30 P.M.

0429

Saturday April 5<sup>th</sup> 1884

The People vs on the  
complaint of Benjamin  
Murphy.

vs  
Mary. S. Starke

Before  
Hon. John. J. Gorman  
Police Justice.

Appearance: Mr Jas. Fitzgerald. Asst. Dist. Atty for  
the People

Mr. Jas. G. Mclelland for the defendant.

Mr Mclelland:- It appears from the condition of the  
defendant that the examination cannot be pro-  
ceeded with; that the defendant is in a condition  
where she is apparently unconscious occasioned by  
Dysentery, and that your Honor cannot go on with  
the examination under the circumstances and that  
the examination must be adjourned. I therefore ask  
that bail be fixed for the defendant pending  
the examination upon the ground that the evidence  
in the case shows it is a bailable offence under  
the Code, being a case in which the defendant  
is charged with the commission of an abortion  
for which the minimum punishment is one year  
and the maximum punishment four years.

Mr Fitzgerald:- I think it is impossible to determine  
whether the death of Mrs Hannah Collins resulted



0430

from that abortion, but there is testimony to show that it is reasonable to suppose that if it had not been for the abortion, that the woman would have been alive to-day. I therefore oppose the motion to fix bail.

Defendants motion denied.

Adjourned to Monday April 14<sup>th</sup> 1884  
at 3 O'clock P. M. at Jefferson Market.  
Police Court.

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Wednesday April 2<sup>nd</sup> 1884.

Before Hon John. J. Gorman, Police Justice.

Benjamin Murphy, in answer to questions by  
Mr Jas. G. McCalland testified as follows:

I have no knowledge of the performance of an abortion by the defendant Mrs Clarke - only from information received from the deceased - At the time the information was imparted to me, the defendant was not present; the defendant was present at a portion of it - That was in Jersey City, at the Philadelphia Hotel - on the 24<sup>th</sup> of March last - in the afternoon about 5<sup>th</sup> - the defendant was present in the room about 7 or 8 minutes I guess - This defendant Mrs Clarke was brought into the presence of the deceased Hannah Collins in company with Captain Parrier, Detectives Ruland and Nealy and a sister of the deceased also; we all surrounded the bed and this colored girl was at the foot of the bed facing Hannah Collins and I said addressing the sick girl now deceased "do you know this woman Mrs Clarke" she said "yes that is Mrs Clarke" and I said "is this the Mrs Clarke that you referred to in your statement to me this morning as the person

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who performed this operation upon you" she says "yes that is her" I then says "you are sure this is Mrs. Starke" why yes she says, yes you know me Mrs. Starke" I then asked her "do you know this colored girl" and she says "yes, how do you do Hannah" and I said "is this the Hannah that helped you up to her room in Mrs. Starke's house," and she says, "yes" and turning to Hannah she says "didn't you help me to your bed in Mrs. Starke's house". We then left the room and went back into the parlor, before leaving the room and while Hannah the deceased was addressing Mrs. Starke. Mrs. Starke said "you know you don't know me". That was not substantially all that transpired between the defendant and deceased - we returned to the bedside again in consequence of something the defendant had said; defendant says "why yes, I know that girl, she had a baby in my house" and I says then to the now deceased "Hannah, did you have a baby in Mrs. Starke's house" she says: yes I did, but that is sometime ago; it was the day after Patrick's day she done this to me". After the identification of Mrs. Starke I took the instrument found in Mrs. Starke's house from detective Rutland and undone it, and held it up so Mrs. Collins could see it, and I says "is that the instrument that was



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used upon you," and I held it up so she could see it, and she says "yes it looks like it, is there a syringe on the end of it" and I says yes and showed her the syringe, and she says "yes it is either that or one like it"

In answer to questions by Mr Fitzgerald.

That instrument is here now, yes that is the one (instrument produced by detective Rutland). When this was found in Mrs Martin's home, she was asked what it was used for, and she said "for children who had worms. - The girl Hannah Collins died on the 28<sup>th</sup> about 4 o'clock in the morning - Captain Harrier, detectives Rutland and Kealey and a sister of the deceased were present when the conversation took place - I think I was present at every conversation that occurred between the representatives of the authorities of New York and of the State of New Jersey with the deceased woman. I would probably know if any other conversation had occurred, I think I was present at all. I think there were two interviews on the one day.

Sworn to before me this 2<sup>d</sup>  
day of April 1884

Wm. H. Murphy

John Gleason Police Justice.

0434

Charles B. Converse, in answer to questions by Mr James E. McEllelland testified as follows:

Q Where do you reside.

A. Jersey City. I am <sup>County</sup> Physician of Hudson County.

Q When was this matter first brought to your knowledge.

A. On the 27<sup>th</sup> of March last.

Q In what manner.

A. I think a Police officer came to my home, and said there was a girl dying at the Philadelphia Hotel from the effects of malpractice.

Q What in your judgment was her condition when she made this declaration.

A. At the time she made this declaration I believe she was in full possession of her <sup>mental</sup> faculties.

Q Was she aware that she was in immediate danger of death.

A. She said so herself. I made the post-mortem examination the following day, on the 28<sup>th</sup>.

Q State the result of that examination.

A. The result of the examination was this. That Hannah Collins had been recently pregnant; her pregnancy had not

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advanced beyond two months at most I should think, and had been brought to an end by some means either natural or artificial; her death was not caused by any injury or inflammation of the womb; her death was caused by Pleurisy <sup>with</sup> commencing ~~with~~ Pneumonia. What connection there was if any between the Pleurisy & the abortion I don't know.

2 You cannot say whether her pregnancy was brought to an end by natural or unnatural causes.

A. There was no disease of the womb to account for a natural termination of her pregnancy. The woman was in a fairly healthy condition, except that she was suffering from Pleurisy.

2 That disease in itself would not have a tendency to bring her pregnancy to an end, would it.

A. It might bring about a miscarriage, although it is not very likely.

2 Outside of that she was a healthy woman.

A. Yes sir; fairly healthy.

2 I presume of course in your practice as a Physician, your attention has frequently been called to cases involving examinations of the womb.



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2 Q. Yes sir, quite a number of times  
And instances of premature birth.

2 A. I don't know that I ever had to do  
with a case of criminal abortion before.

2 Was there anything inconsistent in this  
case, after the delivery of this foetus  
produced by this mis-carriage or abortion;  
is there anything inconsistent as to its being  
produced by natural causes.

A. I think it is quite improbable that  
this abortion was brought about by natural  
causes, although it is not by any means  
impossible.

2 In a case of criminal relations of a woman  
who has a desire to keep the fact  
secret from her family, from apprehension  
of exposure as is presented in this case of  
Reannan Collins, who presented the evidence  
of <sup>incipient</sup> ~~manifest~~ Pneumonia; is there anything  
inconsistent with her pregnancy being  
brought to an end without interference.

A. I think it is not impossible that the  
woman may have aborted without any  
<sup>interference</sup> ~~exposure~~, but I do not think it likely.

2 There are conditions in which this mis-  
carriage could have occurred and been  
produced by natural causes.

A. Mis-carriages frequently occur by natural

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causes.

2 The indications that were presented on the examination of the womb of the deceased; were they marked distinctly or indistinctly.

2 A. Very marked and distinct. I think so you could limit the time of the development of the foetus.

2 A. With a reasonable certainty.  
And you say you limit it to two months.

A. I should think two months at the outside.

2 Could you say it was nearer a month than two months.

2 A. I should say between 4 and 8 weeks.  
What was her age.

A. 26 years.

2 What did she appear to be, a person of what temperament.

2 A. Of a sanguine temperament.  
Susceptible to shock.

A. Not particularly so; not more so than people in general.

2 You are not perfectly positive that this abortion was produced by criminal means

2 A. Not by any means. <sup>I do not think an inspection of the body would decide that question positively;</sup>

2 And you will not say that it is not consistent

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with natural causes.

A. No sir.

2 What is the progress of Pleurisy as in this case; what time is required from the commencement of the disease until the symptoms begin to be marked and fatal.

A. Cases vary a great deal, I presume some cases might result fatally in 3 or 4 days and in some cases the disease might run on several weeks.

2 Did you form your post-mortem of her; can you form any judgment as to the time this inflammation had existed.

A. There were adhesions on the surface of the lungs that had not existed beyond 3 or 4 days. I never saw her until the morning before she died.

2 How long would it require for the expulsion of the foetus from the womb.

A. That would depend upon circumstances, say from an half hour to 6 weeks.

2 Some women can <sup>be</sup> delivered at any time I presume, or in a shorter time than others.

A. Oh, yes.

2 Whether it is produced by Mechanical, Artificial or natural means.

A. Yes.

2 You could not tell how long the foetus had



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been from the womb in this case.

A. Not exactly.

2 You cannot tell at what time this would have been expelled.

A. No sir; not from the examination of the body alone.

2 Probably 2 or 3 days.

A. Probably 2 or 3 days at least.

My Mr Fitzgerald.

2 Your examination was in your official capacity.

A. Yes sir.

2 Did you make any report.

A. I testified before the coroner, but made no report.

Sworn to before me this 2<sup>d</sup>  
day of April 1884

L. B. Bowser.

John Herman Police Justice

0440

Frederick J. Farnier, in answer to questions by Mr  
Jas. G. Fitzgerald, Asst. Dist. Attorney testified  
as follows:

I am not a medical man - I am an officer,  
Captain of the Police - I did not testify  
before the Magistrate here - I am an officer,  
Captain of the Police in Jersey City. All I know  
of my own knowledge in connection with this  
case is " on the morning of the 24<sup>th</sup> of March  
last about my O'Clock I received a message at  
my home that a lady was sick at the  
Philadelphia Hotel; I went down to the Hotel  
and found Doctor Ray there and Doctor Ray  
informed me it was a case of mal-practice &  
had better be investigated and he informed me  
of a young man named Kelly -  
What I know of my own knowledge is "what-  
occurred in the presence of the defendant and  
is just what the chief testified to - that is  
substantially what I know of the matter -  
the defendant was present at the time the  
chief stated that.

Sworn to before me this 2<sup>d</sup>.  
day of April 1884.

Fred J Farnier

John Herman Police Justice.

0441

Hannah Holding, in answer to questions by Mr  
Jas. G. McCalland testified as follows;

I was not present at the time this  
attempt was made - I did not see her  
(the defendant) when the attempt was made -  
I don't know of my own knowledge that an  
operation was performed on the deceased.

In answer to questions by Mr Jas G. Fitzgerald, att.  
Dist. Attorney.

I was present in Jersey City when this  
deposition of the deceased was taken by the  
Chief of Police referred to. I heard the  
testimony of the chief taken to-day (April  
2<sup>nd</sup> 1884). What he said about it; what he  
stated, was substantially so.

Sworn to before me this 2<sup>d</sup>.  
day of April 1884.

John H. ... Police Justice

Hannah <sup>for</sup> Holding  
mark



0442

John Ruland in answer to questions by Mr  
Jas. J. Fitzgerald, Asst. Dist. Attorney, testified  
as follows:

I am a Police officer attached to the  
Police Central office, New York. I proceeded  
with Chief Murphy, Captain Harrier and  
Oliver Neely to Jersey City. We obtained a  
warrant for the arrest of Mrs. Starks - we went to  
Mrs. Starks' home and arrested her and found  
the instrument in a closet in a back parlor  
which was taken to Jersey City and identified  
by Hannah Collins as one that resembled the  
instrument that was used upon her. Hannah  
Collins didn't state at that time that that  
was the instrument that had been used upon  
her. This is substantially my testimony of  
the case, the rest is merely what I know of  
the case by the identification of the person  
by Hannah Collins. I was present at the  
interviews with the deceased.

Sworn to before me this 2<sup>d</sup>.  
day of April 1884.

John J. Wynn Police Justice

John Ruland

Adjourned to Saturday April 5<sup>th</sup> 1884  
at 10<sup>30</sup> A.M.

0443

State of New Jersey }  
Hudson County } SS

Hannah Collins  
lawful age appeared before  
me C. W. Robinson, a Notary  
Public of the State of New Jersey,  
who deposed and said that  
she is 26 years old and lives  
at 188 Morgan St. Jersey City  
and is unmarried. On Tuesday  
March 18th 1884, I went over to Mrs  
Starks, 1127 Clark Street near  
City Spring St. New York City.  
I went alone, I thought I was  
pregnant and went for the  
purpose of having an abortion  
procured. The father of my baby  
knew that I was going. His name  
is James Kelly. I have had two  
children and one miscarriage  
before this. All my pregnancies  
were by James Kelly. I told  
him the day I was going over  
as I thought I was pregnant  
and he said alright. I had said  
that a couple of weeks before  
and he said to me that I had better  
go over and see Mrs Starks

0444

Said, You will have to give me  
some money to go on with  
he said how much do you want  
and I said about one dollar  
I guess. he gave me one dollar  
and seventy five cents. and he  
said here is seventy five cents  
for you to spend. Mrs Stark  
when I went to the house and  
I waited there until she came  
she said Hello Hannah  
she recognized me because I had  
had a baby there. Mrs Stark  
said can you wait I will be  
back at 12.00. I did wait and  
had dinner with Mrs Stark  
after dinner I went up stairs  
and Mrs Stark came after me  
into the back parlor. she  
brought up a pitcher of  
warm water. and I said Mrs  
Starkes do you think this is dan-  
gerous. She said why no  
so long as you are not too  
far gone. But women tell  
such lies they deceive me  
some times. They say they are further  
gone than what they are. I don't



0445

at this time, because I am  
 scared. just step in here now  
 up. stand up here by this door  
 I stood up against the door in  
 the back parlor. I said I would  
 not have it done if I thought  
 I was two months gone. that  
 I would not have it done anywhere  
 if I thought it would make  
 me deathly sick. she put  
 her finger in my private  
 parts and examined me, and  
 said I see you are not far  
 gone. she then put up in my  
 private parts a long black  
 thing looking like a leafence  
 This seemed to be made of bone  
 or something like that, it was  
 Mrs Stark that did this to me  
 I said Oh, Oh, goodness me  
 that hurts awfully. Mrs Stark  
 said, "Don't worry it, that is good  
 she used the instrument twice  
 it did not take a minute  
 blood showed itself right away  
 Mrs Stark said that is good I  
 see you are not far gone.  
 I said to Mrs. Stark I have only

0446

got one dollar for you, and  
I gave you something for the  
last time. I was over here  
she said Oh my goodness I  
might as well work for nothing  
I said yes I suppose you get  
good pay for doing this.  
I said this is the best I can  
do for you, I will never come  
here again except I have more  
money for you. she took the  
dollar. I lay down on the  
couch in Mrs Marks back  
parlor for a while. she went  
out. I felt weak and went for  
as the front door. where I called  
to a colored servant who was there  
and I said Hannah may I lie on  
a paper bed for a few minutes  
she allowed me to do that, for  
a little while. as I went up stairs  
Hannah helped me. There is a  
sink on the second floor. in there  
I vomited. I lay down on the  
bed in Hannah's room, and did  
not get there lying when Hannah  
came and said Jimmy is down  
stairs and wants to see you

0447

She recognized Jimmy because  
 he had been there before with  
 me. I got up and went down  
 stairs and said to Jimmy and  
 I look bad I feel awfully sick  
 he said and you get that one.  
 I said yes. and if I keep sick  
 I will stay over tonight. I  
 left Mrs Starks after supper  
 and came to Jersey City alone  
 Jimmy left me at Mrs Starks  
 about 4 o'clock in the afternoon  
 I came directly to the Philadel-  
 phia Hotel where I have been  
 sick ever since I do not  
 expect to get well.

Sworn and subscribed  
 to before me this twenty  
 seventh day of March  
 1884

her  
 Hannah Collins  
 mark.

Witnesses:

W.B. Bonvise.

Notary Public  
 N.Y.

Benj. Murphy  
 Walter Hall



POOR QUALITY  
ORIGINAL

0448

Mary W. Hume  
1871-1872

0449

City & County of  
New York Is.

Benjamin Murphy chief of police of  
the Jersey City police department being duly  
sworn deposes & says. I reside at 257. South  
Street Jersey City, That on the 27th day of March  
1884. Detectives Ruland & Healy together  
with myself went to the Philadelphia Hotel  
numbers 9 11. & 13 Montgomery Street Jersey  
City & there saw Samuel Collins who was  
then confined in bed in a room in said  
Hotel. when I arrived in the room in company  
with Detectives Healy & Ruland & Henry  
J. Storke & Samuel Harding, & Captain  
and on entering the room I found  
Frederick J. Farnish, who stood surrounding  
the bed where Samuel Collins was then  
lying in, & I said Hannah, do you know  
this woman (meaning Mary S. Storke) &  
she said yes that is Mrs Storke how do you  
do Mrs Storke, I said then is this the Mrs  
Storke that you referred to in your state-  
ment to me this morning & she said  
yes. that is her, & I asked her if this was the  
woman that operated on her. & she said  
yes, turning to Mrs Storke said you know  
me Mrs Storke don't you know you done  
that to me over in your house, I wanted

0450

not tell this only I know I am going to die  
 And I had to tell the truth I then pointed  
 to the colored girl Hannah Harding and  
 asked her "do you know this colored girl"  
 And she said yes that is Hannah and turning  
 to Harriet said yes that is Hannah.  
 I told Hannah you know me Hannah.  
<sup>You know that you let me go up in your bed. And lie there, while I</sup>  
<sup>gave you</sup> I then took from Detective Healy the  
 instrument found in Mrs Storkes house  
 And showed it to Mrs Collins And said Hannah  
 is this the instrument that was used  
 upon you by Mrs Storkes. And she said yes  
 it looks like that is there a syringe  
 at the end of it and I said yes. And showed  
 her the syringe And she said yes it is like  
 that or one like it; All the persons  
 here heretofore mentioned heard the  
 foregoing statement, and then left her  
 And went to the parlor; And while in the  
 parlor Mrs Storkes said why yes I know her  
 she had a baby in my house, but I have  
 not seen her ~~at~~ for a long time she  
 passed out of my memory, I then in com-  
 pany with Detective Healy took Mrs Storkes  
 back to the bed side of ~~Hannah~~ <sup>Mrs Collins</sup> and  
 again confronted Mrs Storkes with Hannah  
 Collins I then called who  
 who was still in the room with Hannah



0451

and asked her to pay attention to the question  
we were going to ask and be sure and remember  
what we said, I then asked Hannah if  
she had a baby in Mrs Stances house  
she said yes I had a baby there; then  
Hannah turned to Mrs Stance who was  
standing at the foot of the bed and said  
you know it was the day after St Patrick  
day I was at John's house and you operated  
on me; and were then about cleaning the  
room when Mrs <sup>Collins</sup> Stance said I want to see  
that tall nice man (meaning detective Healy)  
then detective Healy and myself went to  
Hannah's bedside again when detective  
Healy asked Hannah if she had a child  
there and she said yes, <sup>and turning to Mrs Stance</sup> but the day you per-  
formed the operation on me was the day  
after St Patrick's day;

I sworn to before me  
This 29 day of April 1884

Beryl Murphy

John Horner Public Justice

0452

Hannah Harding of 27 Clark Street being  
 duly sworn deposes and says. That  
 on the 18th day of March 1884 deponent  
 was employed by Mary Stork (now here)  
 as a servant at the premises number  
 27 Clark Street in this city for the four  
 months last past, That on the 18th day  
 of March aforesaid while deponent was  
 so employed by said Mary Stork  
 one Hannah Collins who is now confining  
 at the Philadelphia house numbers 9  
 and 11 Mountg anery Street Jersey City  
 came to said premises on said day  
 and came into the kitchen where deponent  
 was and remained in said kitchen for  
 about one hour, when said Hannah left  
 said kitchen and went up stairs to the parlor  
 and remained in said parlor for about  
 two hours. when said Hannah came out  
 of said parlor in said premises into the  
 hall said Hannah said to deponent  
 "Hannah I am a little sick I want  
 to go up and lay on your bed, said Hannah  
 then went up stairs to deponent room  
 and deponent followed her up, but before  
 entering said room said Hannah  
 went to a sink in the hallway of said  
 room, and vomited, and immediately there  
 after

0453

and remained there  
 went into said room, about half an hour  
 when deponent left her there and came  
 down stairs. That at or about the hour  
 of three o'clock on said day, James Kelly  
 who is now under arrest in Jersey City, came  
 to said premises and asked deponent if  
 said Hannah Pollins was in said house  
 when deponent replied that she was and  
 admitted said Kelly into the parlor of  
 said premises and went up stairs to the  
 room in which said Hannah was  
 and told her that Jimmy was down stairs  
 (meaning James Kelly) and told her to  
 come down stairs; when said Hannah  
 came down stairs and went in the parlor  
 where said Kelly was. and remained there  
 for some time and then left the said  
 premises. That on the 24th day of March  
 1894. Deponent was arrested by Detectives  
 Healy and Pulanda. and taken to the Philadelphia  
 house at 9, 11 & 13. Montgomery Street  
 Jersey City and confronted deponent with  
 said Hannah Pollins who was confined  
 in said premises ~~appearing from an~~  
~~abortion~~ in a bed in said room, when  
 deponent entered the room where said  
 Hannah was lying said Hannah said  
 to deponent there is Hannah, and I asked



0454

Hannah (meaning deponent) to let me  
 lay in her bed when I was in the house  
 in my Clark Street, Deponent fully iden-  
 tifies the said Hannah Collins who is  
 now confined in the Philadelphia General  
 Jersey City as the person who came to  
 said premises in Clark Street this city  
 on said day and who remained in the kitchen  
 with deponent and afterwards went to  
 the parlor and then asked permission of  
 deponent to lie on her bed in her room  
 and that said James Kelly is the same  
 person who called at the said premises  
 in quest of said Hannah. and whom  
 she admitted to said premises, that  
 deponent saw said Mary Storke once  
 in the morning at noon and at  
 night in said premises I do not know  
 of my own knowledge that Mrs Storke  
 left the said premises on said day.  
 That at or about 11 or 12 o'clock on said day  
 when said Hannah came to the kitchen  
 she said she would wait down stairs  
 until Mrs Storke came in, when between  
 the hours of 12 and 15 minutes past 12 Mrs  
 Storke came in with a baby on her arm  
 to the kitchen and seeing said Hannah  
 said "Hello", and pit down and take some dinner

0455

and she done so, shortly thereafter Hannah  
went out to <sup>the</sup> water closet in the yard.  
and Mrs. Stokes went up stairs, when said  
Hannah went up stairs into the parlour  
and remained there up to the time after  
going into my room.

Sworn to before me  
this 28th day of March 1884 } <sup>Wm</sup> Hannah + Holding  
Mark  
John J. Gorman Peace Justice

0456

Given & truly sworn deposes  
 and says. I am a sergeant detective attached  
 to the police central office in New York  
 I reside at 84 Perry Street, On the 27th  
 day of March 1884 on a warrant obtained  
 from John J. Sweeney Esq. a police Justice  
 for the city and county of New York I arrested  
 Mary B. Stork (at 27 Clark Street, and in  
 company with Detective Ruland took  
 said Mary B. Stork to the Philadelphia  
 house 9 11 and 13 Montgomery Street Jersey  
 City and confronted her with Hannah Collins  
 who was confined to a bed in a room  
 in said hotel and on whom Mary B. Stork  
 committed an abortion we went to the  
 room where said Hannah <sup>was confined</sup>, we were  
 accompanied by Benjamin Murphy Detec-  
 tive Ruland, Frederick Tanner Hannah  
 Shelding and Mrs Stork, ~~Hannah Shelding~~ <sup>Hannah Collins</sup>  
 called me over to her bed side and asked  
 her if she ever had a child in Mrs Stork's  
 house and she said yes. and she then turned  
 to Mrs Stork and said you know you  
 operated <sup>on</sup> me the day after St Patrick's  
 day. I have read the statement and  
 affidavit of Benjamin Murphy  
 and know the contents thereof and know the



0457

same to be true of my own knowledge  
and that I was present during the whole  
of the conversation alleged in the affidavit  
by him. And know the same to be true of  
my own knowledge

Sworn to before me  
this 29th day of March 1884 } Owen Haley

John Thorman Peace Justice

TORN PAGE

POOR QUALITY  
ORIGINAL

0458

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

POLICE COURT 3 DISTRICT.

Owen Heasley  
of the Central office Police Street, being duly sworn, deposes and  
says that on the 28 day of March 1884  
at the City of New York, in the County of New York,

Hannah Holding (now known),  
is a material witness against  
Mary S. Stokes who is charged  
with having on the 18<sup>th</sup> day of  
March 1884 committed an  
abortion upon one Hannah  
Collins who is now lying  
in a critical condition and  
likely to die.

Deponent fears that  
said Hannah Holding will  
not appear to testify when  
required therefore deponent  
prays that said Hannah  
may be committed to the House  
of Detention.

Sworn to before me } Owen Heasley  
this 28<sup>th</sup> day of March 1884 }

John Horman Police Justice

TORN PAGE

POOR QUALITY  
ORIGINAL

0459

Police Court, 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

AFRIDA VIT.

*Bergan Murphy*  
vs.  
*Mary E. Clarke*

Dated *March 27* 188*8*

*Gorman* Magistrate.

Officer.

Witness, *Harold Holley*  
*Geo. B. L. Burr* Sworn of  
*Detention*

Disposition, *Ex March 29, 1888*

*Ex March 29, 1888*  
*at 2 P. M.*  
*April 5, 1888*

" 14 3 P. M.



TORN PAGE

POOR QUALITY  
ORIGINAL

0460

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

POLICE COURT—2<sup>nd</sup> DISTRICT.

Benjamin Murphy aged 39  
years Chief of Police of Jersey City—  
of No. \_\_\_\_\_ Street, being duly sworn, deposes and

says that on the 27 day of March 1884

~~at the City of New York in the County of New York,~~ deponent was in

the Philadelphia Hotel No 13 Montgomery  
Street in Jersey City— and then & there saw  
Hannah Collins lying in bed, and deponent  
heard say a Hannah testify before C B  
Converse the County Physician, and swear  
to the following fact, that on the 18<sup>th</sup>  
day of March 1884, at the premises  
No 84 Clark Street <sup>in the City of New York</sup>, one Mary S Stark  
did feloniously insert in to her private  
part an instrument, with the intent  
to procure a miscarriage, ~~after~~ she  
Hannah being at time pregnant,  
for about two months.

Said Hannah is now in a  
condition likely to die.

Deponent believing said information  
to be true, prays that said Mary S Stark  
may be apprehended and dealt with as  
the law directs—

Benjamin Murphy

Sworn to before me this }  
27<sup>th</sup> day of March 1884 }

John Homan Police Justice

0461

BOX:

137

FOLDER:

1417

DESCRIPTION:

Steinthal, Herman

DATE:

04/10/84



1417

Witnesses

Louis Guelcher  
96 Standon

Edward O'Connor  
Officer 11<sup>th</sup> Precinct

30

Counsel,

Filed 10 day of April 1884

Pleads

THE PEOPLE

vs.

P

Herman Steinthal

*Petit Larceny, and Robbery, Goods, (Sections 528, 532.)*

PETER B. OLNEY,

~~WILLIAM H. BECKHAM,~~

District Attorney.

A True Bill.

John H. O'Leary Foreman.

April 10/84

Edw. O'Connor  
City Prison 30 days.

0462



0463

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Samuel Steinthal*

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

*Samuel Steinthal*

of the CRIME OF PETIT LARCENY, committed as follows:

The said *Samuel Steinthal*

late of the First Ward of the City of New York, in the County of New York aforesaid,  
on the *31st* day of *March* in the year of our Lord one  
thousand eight hundred and eighty *four*, at the Ward, City and County aforesaid,  
with force and arms, *did*

*steal and carry away* of the kind known as  
United States Treasury notes, the same being  
then and there due and unsatisfied, for the  
payment of *one* and of the value of two dollars,  
two other promissory notes for the pay-  
ment of *one* and of the kind known as  
United States Treasury notes, the same being  
then and there due and unsatisfied for the  
payment of and of the value of one dollar  
each, and divers coins of the United States  
of a number kind and denomination to  
the Grand Jury aforesaid unknown, of the  
value of two dollars and fifty cents

of the goods, chattels and personal property of one *Louis Guetser*  
then and there being found, then and there  
unlawfully did steal, take and carry away, against the form of the Statute in such case  
made and provided, and against the peace of the People of the State of New York, and  
their dignity.

*John B. Carey*  
District Attorney

0464

New Orleans March 31 1884

Friend Louis

I got into a  
little trouble last night and  
I come to you and let me  
have \$2.50 till to night. I  
get paid I am arrested  
and dont want my mother  
to know it I am fined \$5.00  
and only got \$2.50 dont  
refuse me Louis yours

Phas Davis

POOR QUALITY  
ORIGINAL

0465

Local History

17th Century



0466

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

30  
Police Court 34 District.  
1241

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
James H. Buckley  
26 1/2 Broadway  
New York

APR 7 1884  
DISTRICT ATTORNEY'S OFFICE  
Offence *Grand*

Dated April 34 1884

James H. Buckley  
Magistrate

Charles H. Buckley  
Precinct Officer

Witness Samuel David

No. 229 Chr. 6 Street.

James H. Buckley  
No. 91 1/2 Smith Street.

No. \_\_\_\_\_  
Street \_\_\_\_\_  
to answer \$ 200

Charles H. Buckley

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 *Herman Steinthal*

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 *April 34* 1884 *John Homan* Police Justice.

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

Dated \_\_\_\_\_ 1884 \_\_\_\_\_ 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 \_\_\_\_\_ 1884 \_\_\_\_\_ Police Justice.

0467

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

34 District Police Court.

*Hermaan Steinthal* 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. *Hermaan Steinthal*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *279 East 7<sup>th</sup> Street, New York*

Question. What is your business or profession?

Answer. *Salesman*

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

Answer. *I refuse to answer any more  
questions*

*Hermaan Steinthal*

Taken before me this *34*  
day of *March* 188*9*  
*John J. McManis*  
Police Justice.

0468

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 16 years, occupation James Berry  
Massachusetts of No.

91 Sheriff Street being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Louis Guichet

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

Sworn to before me, this 3  
day of April 1887 } James Berry

John Herman  
Police Justice.



0469

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 24 years, occupation Cigar Maker of No.

129 Avenue C Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Lucien Guichard

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

Sworn to before me, this 13

day of April 188 8

Sam David

John Herman

Police Justice.

0470

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

39 District Police Court.

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

Question. What is your name?

Answer. *Harman Steinthal*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *279 East 7<sup>th</sup> Street. About 10 months*

Question. What is your business or profession?

Answer. *Salesman*

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

Answer. *I refuse to answer any more  
questions*

*Harman Steinthal*

Taken before me this

*34*

day of

*March*

188*8*

*John J. McManis*

Police Justice.

0471

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

POLICE COURT— 3 —DISTRICT.

years *Barkeeper Louis Guelcher* aged *25*  
 of No. *96 Stanton* Street, being duly sworn, deposes and  
 says that on the *31.* day of *March* 188*4*  
 at the City of New York, in the County of New York,

*Herrman Steinthal* (nowhere)  
 did falsely and feloniously make,  
 counterfeit and utter as true the hereto  
 annexed paper in writing with the intent  
 to cheat and defraud deponent and  
 whereby deponent was so cheated and  
 defrauded,

That on said 31.<sup>st</sup> day of March  
 1884 James Seery of No. 91 Sherriff Street  
 who is a messenger of the Bankers and  
 Merchants Telegraph Company brought  
 said annexed order to deponent  
 purporting to be signed by Charles Davis  
 who requested a loan of two dollars  
 and fifty cents.

Deponent believing said signature  
 to be genuine and the order true gave  
 said two dollars and fifty cents to  
 said James Seery to be delivered to  
 the maker of the order —

Deponent is informed by  
 said Seery that he received said  
 order from the defendant *Steinthal*  
 and that he delivered the money he  
 received on said order to the said  
 defendant

Deponent is informed  
 by Samuel Davis, and who is generally  
 known as Charles Davis, that he did



0472

did not make the order for said money, nor did he authorize any person to make the same for him, and that the signature to said order is false and untrue,

Wherefore deponent charges that said defendant may be dealt with as the law directs.

Sworn to before me this 3<sup>rd</sup> day of April 1881

John Homan Police Justice

Police Court, District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated

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Magistrate.

Officer.

Witness,

Disposition,