

0746

BOX:

326

FOLDER:

3095

DESCRIPTION:

Smith, John

DATE:

10/11/88



3095

POOR QUALITY
ORIGINAL

0747

178

John R. Fellows

Counsel,

Filed

11 day of

Oct 1888

Pleads

Magistrate

THE PEOPLE

vs.

P

John Smith

Grand Larceny, 5th Degree.
(From the Person.)
[Sections 528, 530 — Penal Code.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Witnesses: *Mr. Sahulka*
Off. [Signature]

Maggie Clinch

Small [Signature] Foreman.

Pleasant [Signature]

S.P. 14 yrs.

POOR QUALITY
ORIGINAL

0748

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 29 years, occupation Professional Sketcher of No. 226 Avenue C Street, being duly sworn deposes and

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

Sworn to before me, this

day of

188

Oct 5 Frank A. Schuelka

Samuel Smith
Police Justice.

POOR QUALITY
ORIGINAL

0749

Police Court—14 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 601 East 13th Maggie Clinch Street, aged 22 years,
occupation Furniture Trimming being duly sworn

deposes and says, that on the 14 day of October 1888 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
person of deponent, in the night time, the following property viz:

One Pocketbook Containing
Good and lawful money of the
United States. Consisting of bills
and Coins of divers denominations
of the amount and value of
Four dollars (\$4.00)

the property of

Deponent

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

John Smith (now here)
from the fact that at about
7 O'clock P.M. of the above date
while deponent was walking along
the south side of fourteenth Street
between First Avenue and Avenue
A. Carrying the above described
property in her hand, said Smith
grabbed said property from deponent's
left hand and ran away. Deponent
is informed by Frank W. Sabulka of 226
Avenue C that he saw defendant
running through 14th Street toward
first Avenue and saw him while
turning that corner of 14th Street and

Sworn to before me, this

188

day

Police Justice.

POOR QUALITY
ORIGINAL

0750

Just Arum threw something away
said Sabulko pursued him and
caused his arrest.

Deponent fully
and positively identifies said
defendant Smith as the person
who feloniously took and
carried away the abovescribed
property from the possession
and person of deponent.

Shown to before me
the 5th day Oct 1888 } Maggie Clinch
J. C. Riddle
Police Justice

POOR QUALITY
ORIGINAL

0751

Sec. 193-200.

4 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty

✓ *J. S. Smith*

Taken before me this

day of

188

James H. Smith
Police Justice.

0752

District

Offence Vandalism
(felony)

188

Oct 5 1881

Shaw
Officer

..... Precinct

Stear & Schmitt

Street.

Street.

.....to answer

COMMITTED

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.....

Legendau

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

Dated Oct 3 1888 Sam'l C. Riley 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.*

POOR QUALITY
ORIGINAL

0753

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Smith

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

The said *John Smith*

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

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

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

of a number, kind and denomination to the
Grand Jury aforesaid unknown, of the value
of two dollars

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

John R. Fellows,
District Attorney

0754

BOX:

326

FOLDER:

3095

DESCRIPTION:

Smith, Thomas

DATE:

10/18/88



3095

POOR QUALITY
ORIGINAL

0755

Witnesses

[Signature]

Counsel,

Filed

day of

1888

Pleads,

[Signature]

THE PEOPLE

vs.

Thomas Smith

[Section Pennl Code.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

[Signature] Foreman.

Filed 3. October 24. 1888.

Complaint sent to Special Services

POOR QUALITY
ORIGINAL

0756

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Thomas Smith

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

Indictment accuse Thomas Smith of a misdemeanor,

~~of the crime of~~

committed as follows:

The said Thomas Smith,

late of the City of New York, in the County of New York, aforesaid, on the

eleventh day of August in the year of our Lord one thousand
eight hundred and eighty-eight, at the City and County aforesaid,

did unlawfully keep and use, for the
purpose of thereby conducting a certain
game of chance called "under, one and
even" upon which money is usually
wagered, two dice, within a certain
vessel and steamboat called the "Cave
Chadler," then navigating the waters of
this State here, called New York Bay,
and then being in that portion of the
waters aforesaid within the City and County
of New York, and within the jurisdiction
of this Court, against the form of the

POOR QUALITY
ORIGINAL

0757

Statute in such case made and provided,
and against the peace of the People of the
State of New York, and their dignity.

John R. Helms,

~~Attorney~~

0758

BOX:

326

FOLDER:

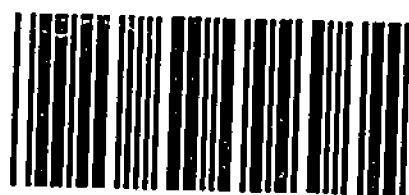
3095

DESCRIPTION:

Smith, William

DATE:

10/29/88



3095

0759

BOX:

326

FOLDER:

3095

DESCRIPTION:

Davis, Henry

DATE:

10/29/88



3095

POOR QUALITY
ORIGINAL

0760

Counsel,
Filed 29 day of Oct 1888
Pleads *Charged to*

THE PEOPLE
vs.
William Smith
Henry G. Davis
[Sections 348, 344 and 385, Penal Code]
GAMING HOUSE, &c.

JOHN R. FELLOWS,
Nov 21 1888
District Attorney.

W. D. Deane et al
A True Bill
\$50. fine each.
Foreman.

Part 3. November 21st
Both Plead *Guilty*
1st Court of District

Witnesses:
James P. Jones
Just. Levenick
see Capt. of Police

PR

Court of General Sessions
N.Y. Co

The People

Henry G. Davis and
William Smith

City and County of New York

Henry G. Davis
and William Smith being duly severally
sworn do depose and say

That they are informed and
verily believe that their Counsel herein
Mr. Denis Spellissy has been detained from
his office and prevented from attending to
his professional engagements through
the illness of his daughter and that such
illness yet continues and in consequence
of such absence and for the other reason
hereinafter set forth the deponents have not
been able to prepare for trial

Deponents further say that
John H. Atkinson 22110 West 60th St.
and Charles Gier who is to be found at
64th Street and 10th Avenue are necessary
and material witnesses on their
behalf as they are informed by their

said counsel that they expect to prove
by them that the alleged gaming
house was merely the meeting of a few
friends who formed a club and that
they played only as such club members

That said Atkinson is now
confined to his residence and with
suppense a broken leg and will not be
able to leave and attend court for
several days

Given before me
this 20th day of Nov
1888

W. Smith
Henry G. Davis

Deus ab illis

cur spread

Court of the People

The People

Davis & Smith

affirmed

POOR QUALITY
ORIGINAL

0763

Sec. 193-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

William Smith 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.

William Smith

Question. How old are you?

Answer.

41 years

Question. Where were you born?

Answer.

NL S

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

Answer.

353 W 59th St 1 month

Question. What is your business or profession?

Answer.

Nothing

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

Answer.

*I am not guilty and demand
a trial by jury I waive
further Examination*

Wm Smith

Taken before me this

day of

Oct 1888

James C. McNeill Police Justice.

POOR QUALITY
ORIGINAL

0764

Sec. 199-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Henry G Davis 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.

Henry G Davis

Question. How old are you?

Answer.

39 years

Question. Where were you born?

Answer.

New York

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

Answer.

760 8th Ave

12 years

Question. What is your business or profession?

Answer.

Clerk

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

Answer.

*I am not guilty and
demand a trial by
jury I waive further
examination*

Henry G Davis

Taken before me this

day of

Oct
188*8*

Ed J. Sullivan
Police Justice.

POOR QUALITY
ORIGINAL

0765

Police Department of the City of New York,
No. 300 Mulberry Street,

New York, Oct. 3rd 1888

CITY AND COUNTY }
OF NEW YORK. } ss.

To Captain Thomas Gillin
of the Police Department of the City of New York.

Whereas, report having been made in writing, and upon oath to me, WILLIAM MURRAY, Superintendent of the Police Force of the City of New York, by James A. member of the Police force That there are good grounds for believing that a room or rooms situated within the premises known as Three hundred and fifty three (353) West 59th in the City of New York are used as and for common gaming rooms for therein playing for wagers of money at games of chance, in violation of the statute.

These are therefore, in the name of the people of the State of New York, to authorize and command you the said _____ to enter the said premises, and rooms above mentioned, and forthwith arrest all persons there found offending against law, but none others, and seize all implements of gaming, and convey any person so arrested before a Magistrate to be dealt with according to law, and bring the articles so seized to the office of the Property Clerk.

Witness my hand this 3 day of October 1888

W. Murray

Superintendent of Police.

POOR QUALITY
ORIGINAL

0766

BAILED,
No. 1, by William 73 Fendley
Residence 500 9th Ave Street
No. 2, by Edith Benetius
Residence 303 W 50th Street
No. 3, by
Residence
No. 4, by
Residence
No. 5, by
Residence

Police Court 4

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James 73 Jones

William Smith

Henry G. Davis

Offence

Gambling House

Dated

Oct 4

188

8

Daniel O'Reilly Magistrate

Edith Benetius Officer

Witnesses Eugene D. Collins

Neutral Officer

No.

Street

No.

Street

309

RECEIVED
CLERK'S OFFICE
1888

Street

No. 1, 73rd St. (Smith)
No. 2, Commercial (Davis)

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

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

Dated Oct 4 188 8 Daniel O'Reilly Police Justice.

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

Dated Oct 4 188 8 Daniel O'Reilly Police Justice.

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

Dated Oct 4 188 8 Daniel O'Reilly Police Justice.

City^{and} County of
New York Sss

James B. Jones aged 25 years
Occupation Police Officer being
duly sworn deposes and says that
on the second day of October 1888
at the City of New York in the
County of New York Henry G. Davis^{and}
William Smith (now here)
unlawfully keeps and maintains a
Gambling House and place of resort
for gambling ^{at no 353 West 59th Street} and there did on
said day and on divers other
days within last week permit
divers idle disorderly and evil
disposed persons to resort there
to gamble and play at cards
and games of chance for money
in violation of the law and to
the common nuisance of the People
of the State of New York

That at the aforesaid time and place
~~and~~ said Davis and Smith were
sitting down at a table with
three others whose names are

unknown engaged in the game
commonly known and called
Swan Potter. That said Smith
invited deponent to join the
game and he played said
game with said Smith, Davis
and three others and won in
checks representing money the
sum of one dollar and forty
cents which he said Davis
redeemed and paid the above
sum of money in good and lawful
money for the same all of which
is contrary to and in violation
of law. Wherefore deponent
prays that said defendants
may be dealt with as the
law directs

Sworn to before me James B. Jones.
This 4 day of Oct 1888
Sam'l A. Bailey Police Justice

POOR QUALITY
ORIGINAL

0769

Q. That card game is called
"brary Poker" and was played
by defendant and said

POOR QUALITY
ORIGINAL

0770

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

*William Smith and
Henry G. Davis*

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

Henry G. Davis —

(Sec. 343, Penal Code.) of the CRIME OF KEEPING A ROOM TO BE USED FOR GAMBLING, committed as follows:

The said *William Smith, and Henry G. Davis, both* —

late of the *22nd* Ward of the City of New York, in the County of New York aforesaid, on the *second* day of *October* in the year of our Lord one thousand eight hundred and eighty*eight*, and on divers other days and times as well before as after, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep a certain room in a certain building there situate, to be used for gambling, 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. (Sec. 344, Penal Code.)

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

*William Smith and
Henry G. Davis* — of the CRIME OF ALLOWING A ROOM, ESTABLISHMENT, TABLE AND APPARATUS TO BE USED FOR GAMBLING PURPOSES, committed as follows:

The said *William Smith, and
Henry G. Davis, both* —

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, and on said other days and times, at the Ward, City and County aforesaid, having the care, custody and supervision of, and authority over the use of a certain room in a certain building there situate, and a certain gambling-table, and establishment, and divers cards, chips, dice, implements and paraphernalia and sundry devices and apparatus,

a more particular description whereof is to the Grand Jury aforesaid unknown, and cannot now be given, the same being suitable for gambling purposes, with force and arms, feloniously did allow the same to be used for gambling purposes, against the form of the Statute, in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT. (Sec. 344, Penal Code.)

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

William Smith and Henry E. Davis
of the CRIME OF ENGAGING AS DEALERS IN A *gambling* GAME,
where money and property were dependent upon the result, committed as follows:

The said *William Smith and Henry E. Davis*, both —
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, and on divers other days, ~~was~~ ^{were} and yet ~~is~~ ^{are} common gamblers, and on the day and in the year aforesaid, the said *William Smith* —
and Henry E. Davis —

at the Ward, City and County aforesaid, in a certain room in a certain building there situate, feloniously did engage as dealers in a certain *gambling* game commonly known as *draw poker*, — where money and property were dependent upon the result, a more particular description of which said *gambling* game 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. (Sec. 344, Penal Code.)

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

William Smith and Henry E. Davis
of the CRIME OF ENGAGING AS GAME-KEEPERS IN A *gambling* GAME,
where money and property were dependent upon the result, committed as follows:

The said *William Smith and Henry E. Davis*, both —
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, and on divers other days, ~~was~~ ^{were} and yet ~~is~~ ^{are} common gamblers, and on the day and in the year aforesaid, the said *William Smith* —
and Henry E. Davis —

at the Ward, City and County aforesaid, in a certain room in a certain building there situate, feloniously did engage as game-keepers in a certain *gambling* game commonly known as *draw poker*, — where money and property were dependent upon the result, a more particular description of which said *gambling* game 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.

POOR QUALITY
ORIGINAL

0772

FIFTH COUNT. (Sec. 344, Penal Code.)

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

William Smith and Henry G. Davis
of the CRIME OF ENGAGING AS PLAYER IN A *gambling* GAME,
where money and property were dependent upon the result, committed as follows:

The said *William Smith and Henry G. Davis*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, and on divers other days, ~~was~~ ^{were} and yet is ^{are} a common gambler, and on the day and in the year aforesaid, the said *William Smith*

and Henry G. Davis
at the Ward, City and County aforesaid, in a certain room in a certain building there situate, feloniously did engage as player in a certain *gambling* game commonly known as *draw poker* where money and property were dependent upon the result, a more particular description of which said banking game 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.

SIXTH COUNT. (Sec. 385, Penal Code.)

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

William Smith and Henry G. Davis
of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said *William Smith and Henry G. Davis*
late of the Ward, City and County aforesaid, afterwards, to wit: 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, a certain common gaming-house there situate, for ~~their~~ ^{their} lucre and gain, unlawfully and injuriously did keep and maintain; and in ~~their~~ ^{their} said common gaming-house, then and on said other days and times, there unlawfully and injuriously did cause and procure divers idle and ill-disposed persons to be and remain, and the said idle and ill-disposed persons, on the day and in the year aforesaid, and on said other days and times, to game together and play at a certain unlawful game of cards called *draw poker* in the said common gaming-house aforesaid, there did unlawfully and injuriously procure, permit and suffer, and the said idle and ill-disposed persons, then, and on said other days and times, in the said common gaming-house aforesaid, by such procurement, permission and sufferance of the said *William Smith and Henry G. Davis*

there did game together and play at said unlawful game of cards, for divers large and excessive sums of money, to the great annoyance, injury and damage of the comfort and repose of a great number of persons, good citizens of our said State, there inhabiting and residing, and passing and repassing, to the common nuisance of the said citizens, against the form of the Statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

JOHN R. FELLOWS,

District Attorney.

0773

BOX:

326

FOLDER:

3095

DESCRIPTION:

Snyth, Joseph

DATE:

10/30/88



3095

POOR QUALITY
ORIGINAL

0774

Witnesses:

W. Collins

Counsel,

Filed, 20 day of Oct 1888

Pleads, *Chazuelly - 31*

THE PEOPLE,

vs.

Joseph E. Dwyer

Feb 27/89

VIOLATION OF EXCISE LAW
(Keeping Open on Sunday.)
[III Rev. Stat. (7th Edition), Page 1389, Sec. 6.]

JOHN R. FELLOWS.

District Attorney.

A True Bill.

Samuel J. Foreman.

POOR QUALITY
ORIGINAL

0775

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Joseph E. Smyth

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

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

JOHN R. FELLOWS,

District Attorney.

0776

BOX:

326

FOLDER:

3095

DESCRIPTION:

Snedden, John

DATE:

10/05/88



3095

0777

James G. Foreman.

POOR QUALITY
ORIGINAL

0778

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 Snedden

The Grand Jury of the City and County of New York, by this indictment, accuse
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS AND WINES
WITHOUT A LICENSE, committed as follows:

III. Revised
Statutes, 17th
edition p. 1081
Section 13.

The said

John Snedden

late of the City of New York, in the County of New York aforesaid, on the *second*
day of *May* in the year of our Lord one thousand eight hundred and
eighty-*eight*, at the City and County aforesaid, certain strong and spirituous
liquors, and certain wines, to wit: one gill of wine, one gill of brandy, one gill of rum, one
gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong
and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in
quantity less than five gallons at a time, to

one James G. Cooper and to
certain *other* persons whose names are to the Grand Jury aforesaid unknown, without
having a license therefor, as required by law, contrary to the form of the Statute in such case
made and provided, and against the peace and dignity of the People of the State of New York.

(Laws of 1883,
chapter 340 sec-
tion 5) SECOND COUNT—

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

John Snedden
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, ALES, WINE AND
BEER WITHOUT A LICENSE, to be drank upon the premises, committed as follows:

The said

John Snedden

late of the City and County aforesaid, afterwards. to wit: on the day and in the year
aforesaid, at the City and County aforesaid, and at the premises there situate, known as
number *three hundred and fifty-six Bowers*

certain strong and spirituous liquors, and certain ales, wines and beer, to wit: one gill of
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of
cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of
lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury
aforesaid unknown, unlawfully did sell to

one James G. Cooper and to
certain *other* persons whose names are to the Grand Jury aforesaid unknown, to be
drank upon the premises aforesaid, without having a license therefor, as required by law,
against the form of the Statute in such case made and provided, and against the peace of
the People of the State of New York and their dignity.

POOR QUALITY
ORIGINAL

0779

(Laws of 1883,
chapter 840 sec-
tion 5.)

THIRD COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said
John Snedden
of the CRIME OF GIVING AWAY STRONG AND SPIRITUOUS LIQUORS, ALES,
WINE AND BEER WITHOUT A LICENSE, to be drank upon the premises, committed
as follows:

The said

John Snedden

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, and at the premises there situate, known as
number

three hundred and fifty-six Bowery

certain strong and spirituous liquors, and certain ales, wine and beer, to wit: one gill of
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of
cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of
lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury
aforesaid unknown, unlawfully did give away to

certain persons whose names are to the Grand Jury aforesaid unknown, to be
drank upon the premises aforesaid, without having a license therefor, as required by law,
against the form of the Statute in such case made and provided, and against the peace of
the People of the State of New York and their dignity.

JOHN R. FELLOYS,

District Attorney.

0780

BOX:

326

FOLDER:

3095

DESCRIPTION:

Snook, David

DATE:

10/19/88



3095

POOR QUALITY ORIGINAL

0781

Witness:

J. J. Connolly 19

Upon the facts in this case a conviction cannot be obtained, and the willful recommendation of the indictment of *John W. [illegible]* 1904
asst. dist. atty

Counsel,

Filed, 19th day of Dec 1888
Pleads, *Guilty*

THE PEOPLE,

vs.

David Snook

40 E 32nd

VIOLATION OF EXCISE LAW
(Keeping Open on Sunday.)
[III Rev. Stat. (7th Edition), Page 1089, Sec. 5.]

JOHN R. FELLOWS.

Pr Nov 28/88 District Attorney.

Bar forfeited & entered.

A True Bill.

March 22-1889

Small [illegible] Foreman.

*On recom of Dist. Atty
indict [illegible] R. M.*

POOR QUALITY
ORIGINAL

0782

Excise Violation—Keeping Open on Sunday.

POLICE COURT—2 DISTRICT.

City and County }
of New York, } ss.

Matthew M. Connell
of No. 19th Street Street,
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 7 day
of October 1888, in the City of New York, in the County of New York,
David Snook (now here)

being then and there in lawful charge of the premises No. 40 East 32nd St
Street, a place duly licensed for the sale of strong and spirituous liquors, wines, ale and beer, to be
drunk upon the premises DID NOT KEEP SAID PLACE CLOSED contrary to and in violation of
the statute in such case made and provided.

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

Sworn to before me, this 8 day
of October 1888,
Wm. J. Duffy Police Justice.

Matthew M. Connell

POOR QUALITY
ORIGINAL

0783

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer.

David Snook

Question. How old are you?

Answer.

44 years

Question. Where were you born?

Answer.

England

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

Answer.

40 East 52nd St

2 1/2 yrs

Question. What is your business or profession?

Answer.

None

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

Answer.

I am not guilty. I demand a trial by jury.

D Snook

Taken before me this
day of

[Signature]
Police Justice.

POOR QUALITY
ORIGINAL

0784

Police Court

District

267
1600

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William H. Smith

David Smith

Offence No 6
Eun Sam

Dated Oct 8 1888

Magistrate

McConnell

Officer

Witnesses

No. 1, by

No. 2, by

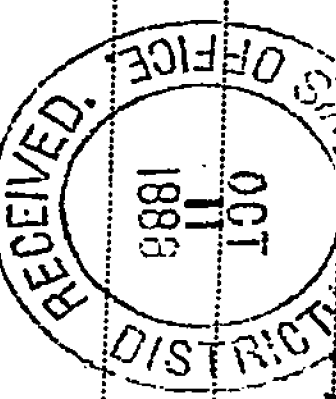
No. 3, by

No. 4, by

No. 5, by

No. 6, by

No. 7, by



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

Alfred Sam

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

Dated Oct 8 1888 P. J. Duffy Police Justice.

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

Dated Oct 8 1888 P. J. 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 1888 Police Justice.

POOR QUALITY
ORIGINAL

0785

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

David Snook

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

The said

David Snook

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

JOHN R. FELLOWS,

District Attorney.

0786

BOX:

326

FOLDER:

3095

DESCRIPTION:

Spondi, Cammilla

DATE:

10/30/88



3095

POOR QUALITY
ORIGINAL

0787

Witnesses:

Amelia Marble

Counsel,

Filed

188

Pleads,

30 day of Oct

31

THE PEOPLE

vs.

[Sections 528, 53, Penal Code].
and Larceny, degree.

Camilla Spender

JOHN R. FELLOWS,

District Attorney.

Nov 8 / 88. VMD

A True Bill.

Foreman.

Small & Spender

Nov. 8/88

Spender & Spender

POOR QUALITY
ORIGINAL

0788

Police Court— District.

Affidavit—Larceny.

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

Melba M. Marby

of No. 210 Elm Street, aged 20 years,
occupation Married woman being duly sworn

deposes and says, that on the 20 day of October 1888 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

Good and lawful money of the United States consisting of divers bills of divers denominations of the amount my value of Twelve hundred dollars which was contained in a pocket book

\$1200⁰⁰/₁₀₀

the property of Deponent's husband Philip Marby

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 Camilla Spendi (now here) from the fact that deponent placed said pocket book containing said money in her room at the hour of 9 a M on said date at her place of abode at No 210 Elm Street in said City

Deponent says that said defendant who was in said premises informed her that she was going out to purchase fish and would return home at 2 P. M. Deponent says that said defendant did not return at the aforesaid hour. That deponent unlocked her closet thereafter and then and there missed said pocket book containing

Sworn to before me, this

188

Police Justice.

POOR QUALITY
ORIGINAL

0789

said money. Depoant says that said defen-
dant did not return to her home
and notified the police ~~who~~ of the
fact and ~~that~~ Officer McCarthy arrested
her in the rear of said premises on
October 21, 1888 at 12. M

Depoant further says that said
defendant was the only person in said
room except her in ~~last~~ Eight months
old from the time she placed said
property in her room until she
missed the same

Wherefore depoant charges said
defendant with feloniously taking stealing
and carrying away the same

Sworn to before me
this 22 day of Oct 1888
Amelia X. Marbury
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1888
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1888
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1888
Police Justice

Police Court, District.

THE PEOPLE, &c.,
on the complaint of

28.

1 2 3 4

Offence—LARCENY

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

No. to answer Sessions.

POOR QUALITY
ORIGINAL

0790

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss

District Police Court.

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

Question. What is your name?

Answer

Question. How old are you?

Answer

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer

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

Answer.

I am not guilty

her
Cammella Spande
mark

Taken before me this

22

day of

Oct

188

Hand V. C. Smith
Police Justice.

POOR QUALITY
ORIGINAL

0791

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

P. O. 494
Police Court---
District. 1676

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Andria Montly
210 Elm
Commella Spade

2 _____
3 _____
4 _____

Offence Larceny
Felony

Dated Oct 22 1888

Daniel C. Kelly Magistrate
Officer.
10 C
Precinct.

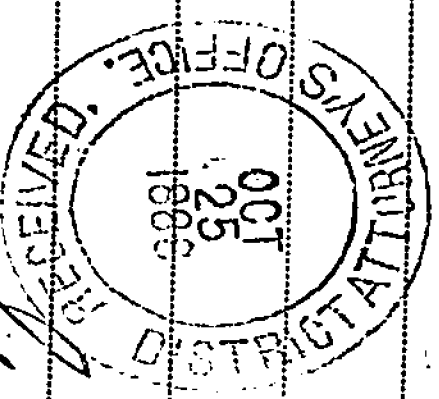
Witnesses

No. _____
Street _____

No. _____
Street _____

No. _____
Street _____

to answer _____



COMMITTED.

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 Lyndurk

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

Dated Oct 22 1888 Daniel C. Kelly Police Justice.

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

Dated _____ 1888 _____ Police Justice.

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

Dated _____ 1888 _____ Police Justice.

POOR QUALITY
ORIGINAL

0792

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Ramilla Spand

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

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

The said *Ramilla Spand*,

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

*the sum of twelve hundred
dollars in money, lawful
money of the United States,
(a more particular description
whereof is to the Grand Jury
aforesaid unknown, and can
not now be given) of the value
of twelve hundred dollars, -*

of the goods, chattels and personal property of one *William Maddy*

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

*John B. Edwards,
District Attorney*

0793

BOX:

326

FOLDER:

3095

DESCRIPTION:

Sprague, Edward

DATE:

10/29/88



3095

0794

Witnesses:

Mary Anne Stone
Lawrence H. Howard

Counsel,
Filed 29 day of Oct 1888
Pleads, C. W. Zwick 30

Grand Larceny *Second degree* [Sections 528, 531, 532 Penal Code].

Charles A. Sprague

District Attorney.

A True Bill.

Foreman.

L. M. Smith Foreman.
Sept 1887
Wm. C. G. Lacy
Sentence suspended
R.B.H.

POOR QUALITY
ORIGINAL

0795

CITY AND COUNTY }
OF NEW YORK, } ss.

Lawrence S. Stewart

aged *42* years, occupation *Milk dealer* of No. *305 West 21st*

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

Sworn to before me, this *16th*
day of *Oct* 188*8* *J. Lawrence A. Thomas*

John J. Thomas
Police Justice.

POOR QUALITY
ORIGINAL

0796

Police Court—

2—
District.

Affidavit—Larceny.

City and County } ss.:
of New York,

of No.

occupation

deposes and says, that on the

York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the

time, the following property viz :

One live English Pug bitch
of the value of seventy five dollars
(\$75.00)

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

from the fact that on the above mentioned
date deponent missed said bitch from
his premises. and on the same day the
said Sprague went to a dog strudel
6th Avenue near 47th St. with a English
Pug bitch in his possession, and left this
Sprague. and in said dog strudel
notified the owner of said strudel that he
had picked up said bitch on the street
and was willing to return it to the owner
as soon as he found out who the owner
was, deponent then went to see Sprague
on the same day and told him that he was
the owner of the bitch which Sprague

Sworn to before me, this

188

Police Justice.

POOR QUALITY
ORIGINAL

0797

had picked up, and requested Sprague
to give her to him. Sprague then told
deponent that he had lost the bitch on
4th Street, on his way home.
Deponent is informed by Lawrence D.
Stewart, that on or about the 1st day of
October 1888, the said Sprague brought
to his place No 305 or 2 1/2 St Street an
English pug bitch and requested him
Stewart to keep said bitch for him.
Deponent further says that he has since
seen the bitch which Sprague brought
to Stewart and fully and positively
identifies her as his property.
Wherefore deponent charges the said
Edward A. Sprague with felonious
with holding and secreting the aforesaid
English pug bitch with the intent thereby
to deprive deponent, who is the true owner of
said bitch of his property and prays he may
be apprehended and dealt with according
to law.

J. Morgan Howe

Dated 1888

Sworn to before me

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

There being no sufficient cause to believe the within named

Dated 1888

I have admitted the above named

Dated 1888

of the City of New York, until he give such bail.

Hundred Dollars and be committed to the Warden and Keeper of the City Prison

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

committed, and that there is sufficient cause to believe the within named

It appearing to me by the within depositions and statements that the crime therein mentioned has been

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

Offence—LARCENY.

No.

Dated

1888

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

Sessions.

to answer

POOR QUALITY
ORIGINAL

0798

Sec. 151.

Police Court 2 District.

CITY AND COUNTY }
OF NEW YORK. } ss.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by J. Morgan Hove

of No. 247 Street, that on the 15 day of September
1887 at the City of New York, in the County of New York, the following article to wit:

one live English pug bitch

of the value of Seventy five Dollars,

the property of Complainant

w as taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and
believe, by Edward A. Sprague

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

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

Dated at the City of New York, this 16 day of Oct 1887

John J. Morris POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0799

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated 188

Magistrate

Det. Sgt. John Officer.

The Defendant John P. Ireland
taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.

John P. Ireland Officer.

Dated 188

This Warrant may be executed on Sunday or at
night.

Police Justice.

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

Dated

188

Police Justice.

The within named

POOR QUALITY
ORIGINAL

00000

Sec. 103-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Edward A. Sprague 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.

Edward A. Sprague

Question. How old are you?

Answer.

24 years

Question. Where were you born?

Answer.

N.S.

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

Answer.

102 Chenetta St. 2 years

Question. What is your business or profession?

Answer.

Stone and range setter.

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 found the dog and I
left him in 21st St. I
sent my brother to get the
dog on Monday and the
doctor had received his dog the
day before.*

Edward A. Sprague

Taken before me this

day of *April* 188*8*

John J. Sprague
Police Justice.

POOR QUALITY
ORIGINAL

0001

\$300 bond for
a bill over 100
188

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

Police Court... District...

W 479 1653

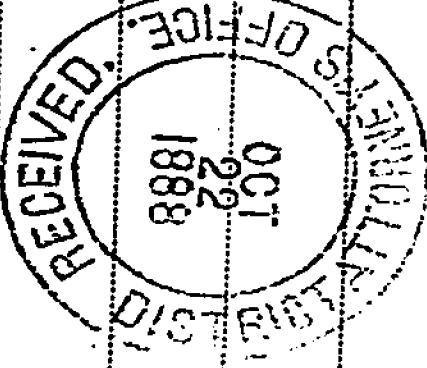
THE PEOPLE, &c.,
ON THE COMPLAINT OF

J. William Stone
D. S. Smith 47
C. Small & Co. Agents
Larceny (felony)

Dated Oct 16 1888

Clara M. ...
William H. ...
Officer.

Witness
H. M. ...
Street.



No. 700
to answer
Caul y

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

Alfred ...

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

Dated *Oct 18* 1888 *John ...* Police Justice.

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

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

**POOR QUALITY
ORIGINAL**

0002

58 WEST 47TH STREET,
NEW YORK.

W. M. F. Round Ey

POOR QUALITY
ORIGINAL

0003

J. MORGAN HOWE, M. D.,
58 WEST 47TH STREET.

New York, Nov 1st 1888

W. M. F. Round Esq

Dear Sir

On representations made to me in the case of Edward A. Sprague, (now in prison under indictment,) that he is likely to reform, and become a respectable and useful citizen, I hereby express my willingness to refrain from appearing against him, if the District Attorney will have judgement suspended, in the case, and forbear to press the indictment

Yours respectfully
J. Morgan Howe.

POOR QUALITY
ORIGINAL

0804

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Edward A. Sprague

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

Edward A. Sprague

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

The said *Edward A. Sprague*

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

*one dog of the value of
seventy five dollars*

of the goods, chattels and personal property of one

J. Morgan Howe

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

POOR QUALITY
ORIGINAL

0005

SECOND COUNT—

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

Edward W. Sprague—

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

The said

Edward W. Sprague

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

one dog of the value of seventy-five dollars

of the goods, chattels and personal property of one

J. Morgan Howe

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

J. Morgan Howe

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

Edward W. Sprague—

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

JOHN R. FELLOWS,

District Attorney.

0806

BOX:

326

FOLDER:

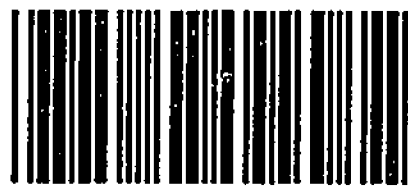
3095

DESCRIPTION:

Starr, James

DATE:

10/29/88



3095

POOR QUALITY
ORIGINAL

0007

470
Counsel,
Filed 29 day of Oct 188
Pleads,

THE PEOPLE
vs.
James M. Star
[Section
Penal Code.]

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Small Juror, Foreman.
Oct 29/88.
Plead Guilty.
S.P. 2 1/2 yrs.

Witnesses,
Off Crystal

POOR QUALITY
ORIGINAL

0000

VI

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

Aug. 1, 1889.

Sir:

Application for Executive clemency having been made on behalf of James M. Starr..... who was convicted of fraudulent registration in the county of New York..... and sentenced Oct. 29, 1888, to imprisonment in the SING SING PRISON..... for the term of two years, six months..... I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, as amended in 1884, you will forward to him a concise statement of the facts and circumstances developed upon the trial, or upon the preliminary examination, or before the coroner's jury if no trial was had, together with your opinion of the merits of the application. Will you also inform the Governor of any other matters having a bearing upon this case which have come to your knowledge since conviction?

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

Hon. John R. Fellows,
District Attorney,

New York City.

I am,

very respectfully yours,

Irving T. Craigie
Acting Private Secretary.

**POOR QUALITY
ORIGINAL**

0009

Grand of Justice

Received
August 10/88
J. R. S.

POOR QUALITY
ORIGINAL

0810

District Police Court.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Information for Fraudulent Registration.

James M. Starr

City and County of New York, ss.:

Thomas Crystal

occupation

6th Precinct of Police Office

35

, age

That he has good cause to believe and doth verily believe and charge that heretofore, to

wit: on the

26th

day of

October

in the year of our Lord one

thousand eight hundred and eighty-~~two~~, the same being a day duly appointed by law as a day for the general registration of the qualified voters of the said City and County, the said

James M. Starr

at the City and County aforesaid, did per-

sonally appear before the Inspectors of Elections of the

Second

Assembly District of the said City and County, at a meeting of the said

Inspectors of Election then being duly held for the purpose of the general registration of the qualified voters of the said City and County, resident in the said Election District, at the duly designated polling place of the said Election District, and did then and there, at the said general registration of voters, feloniously register in the said Election District, not having a lawful right to register therein.

Wherefore your informant prays that a warrant may issue for the arrest of the above named *James M. Starr*, and that he be dealt with according to law.

Sworn to before me this
26th day of *October*, 188*8*

Police Justice

Deponent further says that at the registering place at Number 8 Bowry the said Starr registered as living at 9 Pell Street. Deponent says that he does not live in said place nor has he ever lived in said premises.

Sworn to before me *Thomas Crystal*
this *26th* day of *October*, 188*8*

Sam'l C. Kelly
Police Justice

POOR QUALITY
ORIGINAL

0811

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name.

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this
day of *October* 188*7*

Sam'l C. Peck
Police Justice.

0012

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

POOR QUALITY
ORIGINAL

0813

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James M. Starr

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

of a FELONY, committed as follows :

Heretofore, to wit: on the 26th day of October, in the year of our Lord one thousand eight hundred and eighty-eight, the same being a day duly appointed by law as a day for the general registration of the qualified voters of the said City and County, the said *James M. Starr* late of the City and County aforesaid, at the City and County aforesaid, did personally appear before the Inspectors of Election of the Nineteenth Election District of the Second Assembly District of the said City and County, at a meeting of the said Inspectors of Election then being duly held for the purpose of the general registration of the qualified voters of the said City and County, resident in the said Election District, at the duly designated polling place of the said Election District, and did then and there, at the said general registration of voters, feloniously and fraudulently register in the said Election District, not having a lawful right to register therein, in this, to wit: that he the said *James M. Starr* was not then, nor would he, on the day of Election next following the said day of registration be entitled to vote therein, for the reason that for the ^{last} thirty days he had not then been, nor would he on the said day of Election have been, a resident of the said election district for the last thirty days next preceding the said election;

against the form of the statute in such case made and provided, and against the peace and dignity of the said People.

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

District Attorney.

08 14

BOX:

326

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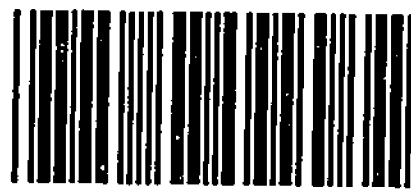
3095

DESCRIPTION:

Staunton, Edward

DATE:

10/05/88



3095

08 15

BOX:

326

FOLDER:

3095

DESCRIPTION:

Payne, Frederick

DATE:

10/05/88



3095

08 16

BOX:

326

FOLDER:

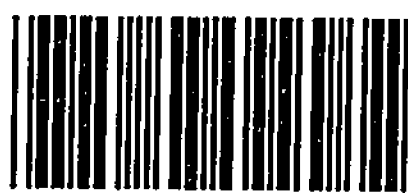
3095

DESCRIPTION:

Payne, Frederick

DATE:

10/05/88



3095

0817

Counsel,
Filed 5th day of Oct 188 8
Pleads,

Grand Larceny ~~degree~~ [Sections 628, 681, 559 Penal Code].

42
Petersburg
S.S.

Frederick Payne

JOHN R. FELLOWS.

District Attorney.

Spinal Discontent.
A True Bill

Small Square Foreman.

Part III October 1888.

No. 17 Inj. & Convicted. S. L. & Co.
Adopted by
Judge / Suspended.
W. H. J.

22.

POOR QUALITY
ORIGINAL

0818

COURT of General Sessions.

Part III.

The People of the State of New York: : Before
agst. : H.A.Gildersleeve,
Edward Stanton impleaded with :
Frederick Payne. : and a Jury.

Indictment filed October 5th, 1888.

Indicted for Grand Larceny in the Second Degree.

New York, October 17th, 1888.

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

For The People, Asst. Dist. Atty. Henry Mc Dona.
For the Defendant, E.E.Price, Esq.

JOHN SMITH, a witness for the People, sworn, testified:

I am a truck driver and I am employed at No. 24 James Street. On the 24th of September last, and also on the 22nd and 23rd of September I saw this defendant. On Sunday the 23rd of September, I was eating my dinner and this defendant came to my house and said "when you get through I want to see you." After my dinner I went to his plumber shop and after we spoke awhile he took a card out of his pocket and wrote on it " Please deliver to bearer lead pipe;" he signed his name to it. After he had done this he told me that on the following Monday morning I should take that card to the place of business of the Colwell Lead Company in Centre Street at five or ten minutes before seven in the morning; that

**POOR QUALITY
ORIGINAL**

0819

2

I should deliver it to Fred and that Fred would deliver to me a load of lead pipe. He also told me that if I could not go to the Colwell Lead Company exactly at seven o'clock or ten minutes before it, not to go at all. I told him I would be sure and be there at seven o'clock in the morning. I went to the office of the Colwell Lead Company the next morning at ten minutes before seven o'clock. Very soon after I got there Fred Payne came along; I gave him this order which I had received from the defendant; he went upstairs and lowered down a load of lead pipe on the elevator and then rolled it out to me. I put it on my wagon and drove to Stanton's place of business in New Bowery. I unloaded the lead there and put it in Mr. Stanton's plumber shop. Mr. Stanton opened the door of the shop for me with a key.

NO CROSS EXAMINATION.

THOMAS DOUGHERTY, a witness for The People, sworn, testified

I am a watchman at the place of business of the Colwell Lead Company, No. 524 Pearl Street in this City. On the morning of the 24th of September, I saw the witness Smith at the Colwell Lead Company's place of business about five minutes after seven o'clock in the morning. He was standing in Pearl St. opposite the entrance of the Colwell Lead Company. I saw him roll out some lead pipe and put it into his wagon. There were several coils of lead pipe put into the wagon by

**POOR QUALITY
ORIGINAL**

0020

3

him. I could not tell you the exact number. I did not see who was with him; I did not see anybody standing in the door of the store; somebody rolled the lead pipe out to him. When he got his wagon loaded he drove off and I followed him. He went to No. 42 New Bowery, went into a saloon and came back and then put the stuff into a plumber shop which was next door to this saloon. I then went away.

CROSS EXAMINATION.

I did not see anybody else at the Colwell Lead Company on this morning, except the defendant. I did not see anybody roll the lead pipe out; I only supposed that someone rolled it out.

FREDERICK GEROW, a witness for The People, sworn, testified:

I am employed as a shipping clerk for the Colwell Lead Company. I produced the books of that Company for the month of September.

Q Did you on the 24th of September receive an order signed by Edward Stanton for lead pipe? A No, sir.

CHRISTOPHER C. TRACY, a witness for the People, sworn, testified.

I think I lost some lead pipe from the place of business of the Colwell Lead Company on the 24th of September. I would not be sure how many coils of lead pipe

**POOR QUALITY
ORIGINAL**

0821

4

I did lose. I know there was a large pile of lead pipe near the front door and when I came to the store that morning I noticed the pile was smaller than usual.
NO CROSS EXAMINATION.

PATRICK LAWLER, a witness for The People, sworn, testified

I am an officer attached to the Detective Bureau. I arrested the defendant Stanton on the 27th of September. I went into his place on that date, and I asked the bar keeper if any express man had come there with a load of lead pipe and the bar keeper said no. I then saw Mr. Stanton and I asked him if he was the boss and he said yes; he told me that he owned both the plumber shop and the saloon. I said to him "You know what I am looking for"; and he said "Yes, some one belonging to the Lead Company was around here looking for some lead. I don't know any thing about it. I have been sick and I have not been around here for some time." That is all the conversation I had with him.
NO CROSS EXAMINATION.

The Articles of Incorporation of the Colwell Lead Company were offered and received in evidence.

THOMAS DOUGHERTY, recalled.

Q Who carried the key of the premises of the Colwell Lead Company? A I do, sir.

POOR QUALITY
ORIGINAL

0822

5

Q Who was the first one that came on the morning of the 24th of September? A I first admitted the porter and next the fireman and then Mr^o Tracy, the superintendent; after he comes in the door is left open for the different employes to come in. I was not in the store when Fred Payne came in on that morning.

No evidence was offered on behalf of the defendant.

The Jury returned a verdict of Guilty of Grand Larceny in the Second Degree.

~~NEW YORK, October 17th, 1892.~~
JUDGE GILDERSLEEVE: I understand that the Jury who tried your co-defendant Frederick Payne in Part II of this Court have acquitted him. This is a very close case upon the law. I am thoroughly satisfied in my own mind that this Lead Company was robbed and there are several people guilty of this crime. I think Stanton, that you are guilty but it is a pretty serious question as to whether you were legally convicted, whether the evidence was sufficiently strong to meet the legal requirements. But since Payne who was your co-defendant has been acquitted and you have been a reputable man all your life, I think I will suspend sentence upon you. I would not like to sentence you to States Prison. Before I should do so, I should

POOR QUALITY
ORIGINAL

0023

6

examine the questions of law very carefully, be-
cause I have some doubt myself, as to the suffi-
ciency of the evidence. I think substantial jus-
tice will be done if I discharge you. It is a cer-
tainty that these people have been robbed, but I
don't see how I can punish you when your code-
fendant will not be punished. Sentence will be
suspended upon you.

2881-2, 190 6017 11/11/11

2881-2, 190 6017 11/11/11

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POOR QUALITY
ORIGINAL

0024

Indictment filed Oct. 5-1888

COURT OF GENERAL SESSIONS

Part III.

The People &c.

against

Edward Stanton, impleaded

with Frederick Payne .

Abstract of testimony on

trial October 17th 1888.

... If it is a cer-
... I think ...
... as to the ...
... of the ...

POOR QUALITY
ORIGINAL

0025

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 27 years, occupation Carpenterman of No. 11 Roosevelt St

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

Sworn to before me, this

day of September 1888

John Smith
H. J. White

Police Justice.

POOR QUALITY
ORIGINAL

0826

Police Court—

1st District.

Affidavit—Larceny.

City and County } ss.
of New York,

of No.

John Hooper
354 Pearl Street, aged 72 years,

occupation

Merchant

being duly sworn

deposes and says, that on the

24

day of

September

1888

at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession

of deponent, in the

day

time, the following property viz:

Seven coils of lead and
two lined pipes of the value
of Fifty Dollars

the property of

The Admell Lead Company
of which company deponent is
President and the representative

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 Edward Stanton and

Frederick Payne who was here
from the fact that deponent
was informed by John Smith
of 24 James Street an expressman
that on said date he received
an order for a quantity of lead
pipe from said Stanton with
instructions to take the same to
said Payne who is a porter
in deponent's employ and get
said property from him and
deliver the same to said Stanton
that he done as requested
deponent now says that said

Subscribed to before me this

1888

Police Justice.

POOR QUALITY
ORIGINAL

0827

Stanton had no right to order
paper or said Payne the right
to deliver the goods or said order
and that they were in collusion
to steal carry away and dispose
of same & said for felony -

John Harper

Sworn before me
this 29th day of September 1888

A. J. White

John Harper

POOR QUALITY
ORIGINAL

0828

Sec. 193-200.

District Police Court.

CITY AND COUNTY { ss.
OF NEW YORK,

Frederick K. Payne 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 *Frederick Payne*

Question How old are you?

Answer *36 years*

Question Where were you born?

Answer *England*

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

Answer *207 Cold St. Brooklyn*

Question What is your business or profession?

Answer *Porter*

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

Answer *I delivered the pipe*

Frederick Payne

Taken before me this

day of *September* 188*8*

Police Justice

POOR QUALITY
ORIGINAL

0829

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, { ss

Edward Stanton 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

Edward Stanton

Question. How old are you?

Answer

44 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

Rosevelt St. 4 years

Question What is your business or profession?

Answer

Saloon Keeper

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

Answer.

I am not guilty

Edward Stanton

Taken before me this

day of

September 1888

Police Justice.

POOR QUALITY
ORIGINAL

0030

BAILED,
No. 1 Richard J. Brown
Residence 153 East 46th St.
No. 8 by
Residence 153 East 46th St.
No. 4 by
Residence 153 East 46th St.
No. 1 Richard J. Brown
Residence 153 East 46th St.

Police Court---

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Office

Dated

188

Magistrate

Officer

Present

Witnesses

No.

Street

No.

Street

No.

Street

\$

to pay

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 Richard J. Brown

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

Dated September 8 188 A. J. White Police Justice.

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

Dated September 3 188 A. J. White Police Justice.

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

Dated September 3 188 A. J. White Police Justice.

POOR QUALITY
ORIGINAL

0031

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Edward Stanton
and *Frederick Payne*

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

Edward Stanton and Frederick Payne

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

The said *Edward Stanton and Frederick Payne, both*

late of the City of New York, in the County of New York aforesaid, on the *24th* day of *September*, in the year of our Lord one thousand eight hundred and eighty-*eight*, at the City and County aforesaid, with force and arms,

seven coils of pipe of the value of seven dollars each coil, and seven coils of lead and tin lined pipe of the value of seven dollars each coil,

of the goods, chattels and personal property of ~~one~~ *a certain corporation* called *The Edwell Seed Company*

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

POOR QUALITY
ORIGINAL

0032

SECOND COUNT—

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

Edward Stanton and Frederick Payne

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

The said *Edward Stanton and Frederick Payne, both*

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

of pipe of the value of seven dollars each coil, and seven coils of lead and tin lined pipe of the value of seven dollars each coil,

of the goods, chattels and personal property of one a certain corporation called the Admell Lead Company,

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

unlawfully and unjustly, did feloniously receive and have; the said *Edward Stanton and Frederick Payne*

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

JOHN R. FELLOWS,

District Attorney.

0033

BOX:

326

FOLDER:

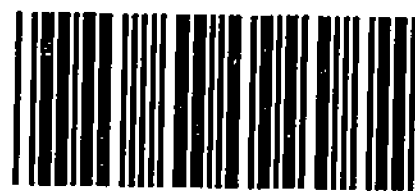
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DESCRIPTION:

Stein, Julius

DATE:

10/03/88



3095

POOR QUALITY
ORIGINAL

0034

319

Court of Oyer and Terminer

Selling on Sunday.

Counsel,

Filed, *Oct* day of *188*

Pleads,

THE PEOPLE
of Special Sessions,
VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1089, Sec. 21 and
page 1090, Sec. 2.]

Julius Stern

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

JOHN R. FELLOWS.

District Attorney.

True Bill.

Dated *Nov 188*

Wm. H. Manning

Foreman.

Witnesses:

POOR QUALITY
ORIGINAL

0835

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Julius Stein

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

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

The said

Julius Stein

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

Owen Gallagher

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

SECOND COUNT—

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

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

The said

Julius Stein

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

JOHN R. FELLOWS,

District Attorney.

0836

BOX:

326

FOLDER:

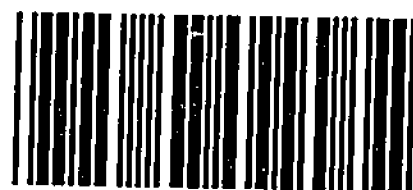
3095

DESCRIPTION:

Steinhoff, Albert

DATE:

10/30/88



3095

POOR QUALITY
ORIGINAL

0037

571
Counsel,
Filed 30 day of Oct. 1888
Pleads *Mizulby chro*

THE PEOPLE,
vs.
head B
Albert Steinhoff
29 & 30 Nov
VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[Ill. Rev. Stat. (7th Edition), page 1983, Sec. 21 and
page 1989, Sec. 5.]

JOHN R. FELLOWS,
May 8, '93 - W.D. District Attorney.

A True Bill.

Small Foreman.

Complaint sent to the Court
of Special Sessions,
Part III, Dec 11, 1888

WITNESSES:
J. G. Gaffin

POOR QUALITY
ORIGINAL

0838

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Albert Steinhoff

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

The said

Albert Steinhoff

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

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

SECOND COUNT—

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

Albert Steinhoff

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

The said

Albert Steinhoff

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

JOHN R. FELLOWS,

District Attorney.

0039

BOX:

326

FOLDER:

3095

DESCRIPTION:

Storms, Emma

DATE:

10/25/88



3095

0840

BOX:

326

FOLDER:

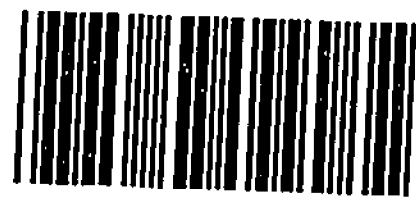
3095

DESCRIPTION:

Todesco, Stephen

DATE:

10/25/88



3095

POOR QUALITY
ORIGINAL

0041

Witnesses:

Louis Berlingkey
off Murphy

Counsel,

Filed *25* day of *Oct* 188*8*

Pleads, *Jeffery*

THE PEOPLE

vs.

vs.
Emma Storris
vs.
Stephen Sodasco

Grand Larceny, 5th Degree
(From the Person.)
[Sections 528, 530, 532 Penal Code.]

JOHN R. FELLOWS,

District Attorney.

10-1 October 31/88

Per: L. J. J. J.
A True Bill.

April 1888 Foreman.

10-1 Part 3 October 29/88
Pleads 3, 2, 2, 2 deg
10-2 Part 3, October 31/88
indicated

30.

POOR QUALITY
ORIGINAL

0842

Police Court—1st District.

Affidavit—Larceny.

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

of No 256 Madison Street, aged 31 years,
occupation Sailor being duly sworn

deposes and says, that on the 20 day of October 1888 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the night time, the following property viz :

One silver watch with
plated chain attached
both being valued at
Fifteen Dollars.

the property of

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

Stephen Todeseo (both now
here), who were acting in concert
for the reasons following, to wit:
at the hour of Eleven O'clock
as deponent was walking
on Mulberry Street having the
said watch to which was
attached the chain and which
watch was in the left pocket
of the coat then worn by deponent
as a portion of his private clothing
when the defendant Emma Storms who
was with defendant Todeseo stopped
deponent and asked him to give

Sworn to before me this
1888 day

Police Justice

POOR QUALITY
ORIGINAL

0043

her ~~for~~ five cents, deponent
refused to do so. The defendant
Emma Storm then seized the
said watch and chain, tore
it from his vest and ran
with defendant ~~to~~ ~~into~~
into the hallway of premises
of Mulberry St. Deponent followed
them into said premises. The
defendants both entered a room
in said premises the door of
which they locked, thus preventing
deponent's entrance.

Sworn to before me
this 21st day of October
1881

Sam'l C. Kelly Police Justice

Dated 1881 Police Justice.

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

There being no sufficient cause to believe the within named

Dated 1881 Police Justice.

I have admitted the above named

Dated 1881 Police Justice.

of the City of New York, until he give such bail.

Hundred Dollars and be committed to the Warden and Keeper of the City Prison

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

committed, and that there is sufficient cause to believe the within named

It appearing to me by the within depositions and statements that the crime therein mentioned has been

Police Court, District.

THE PEOPLE, &c.,
on the complaint of

Offence—LARCENY
Dated 1881
Magistrate.
Officer.
Clerk.
Witnesses,
No. Street,
No. Street,
No. Street,
to answer Sessions.

POOR QUALITY
ORIGINAL

0844

Sec. 188-200

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

Emma Storms 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.

Emma Storms

Question. How old are you?

Answer.

25 years

Question. Where were you born?

Answer.

New York

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

Answer.

21 Broadway St. New York

Question. What is your business or profession?

Answer.

Leather maker

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.
Emma Storms
ans.

Taken before me this

day of

188

Police Justice.

POOR QUALITY
ORIGINAL

0845

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

Stephen Todesco being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is h's 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's waiver cannot be used
against h on the trial.

Question. What is your name?

Answer.

Stephen Todesco

Question. How old are you?

Answer.

30 years

Question. Where were you born?

Answer.

Italy

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

Answer.

41 Mulberry Street 5 years

Question. What is your business or profession?

Answer.

Labour

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.
Stephen Todesco*

Taken before me this

day of

October
188*7*

John J. Kelly
Police Justice.

POOR QUALITY
ORIGINAL

0046

BAILLED,
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 _____
No. 6, by _____
Residence _____
Street _____
No. 7, by _____
Residence _____
Street _____
No. 8, by _____
Residence _____
Street _____
No. 9, by _____
Residence _____
Street _____
No. 10, by _____
Residence _____
Street _____

403
Police Court---

1639
District

THE PEOPLE, &c.
ON THE COMEDANT OF

No. 1, by _____

Dated _____ 188

188

Offence

Armed Robbery

Witnesses

No. _____

Street

No. _____

Street

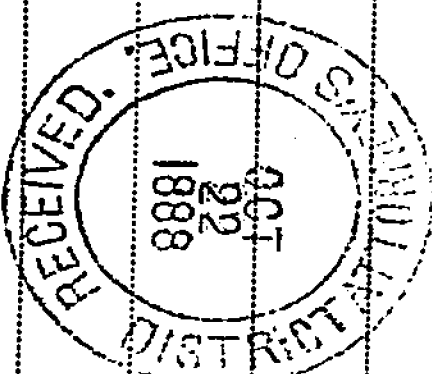
No. _____

Street

No. _____

to answer

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 _____

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

POOR QUALITY
ORIGINAL

0047

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against
*Emma Storms and
Stephen Todesco*

The Grand Jury of the City and County of New York, by this indictment, accuse
Emma Storms and Stephen Todesco
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said *Emma Storms and Stephen
Todesco, both* —

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

*one watch of the value of twelve
dollars, and
one chain of the value of three
dollars*

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

POOR QUALITY
ORIGINAL

0848

SECOND COUNT—

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

Emma Storms and Stephen Todesco
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Emma Storms and Stephen Todesco, both*

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

*one watch of the value of twelve
dollars, and*

*one chain of the value of three
dollars*

of the goods, chattels and personal property of one *Louis Berlinsky*

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

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

Emma Storms and Stephen Todesco—

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

JOHN R. FELLOWS,

District Attorney.

0849

BOX:

326

FOLDER:

3095

DESCRIPTION:

Strobel, Frank

DATE:

10/29/88



3095

POOR QUALITY
ORIGINAL

0850

Witness,

James L. Moore
August 2 King
Wilton Moore

Counsel,

Filed

29 day of Oct. 1888

Pleads,

Magistrate (30)

THE PEOPLE

vs.

Frank Strobel

[Section 96 - Penal Code.]

JOHN R. FELLOWS,

7 1/2 Apr 24/89 District Attorney.
Brid. projected & entered.

A True Bill.

Smalla Foreman.

Dec. 18 - 1888
Part 7 Feb 27 at
1/5 request

POOR QUALITY
ORIGINAL

0851

District Attorney's Office.

Part 3 Feby 13th for trial.
Notify Council of once.

PEOPLE

Council met Feb 13th 89

Frank Strobel.

John F. Quinn
Stenographer at Excise
Board dues taken
with minutes in the
case of Frank Strobel
before the Excise Board on
March 27th, 1888.

James L. Moore,
158 Concord Street,
Brooklyn.

Commissioner Woodman
of Excise Board.

James H. Gorman,
206 East 73^d St.
Policeman at Equitable Building

District Attorney's Office.

PEOPLE

vs.

Frank Strobel

Officer Robt Walsh
Court

Augustus F. King }
Wilton M. Moore }
66 Exchange Place.

See R. W. G. Welling Esq. at
2 Wall St. and see if
these are all the witnesses
and if the addresses are
correct; subpoena any
additional witnesses
Mr. Welling may direct.

h-2-j.

POOR QUALITY
ORIGINAL

0852

Commissioners:

Charles H. Woodman,
President.

John von Glahn,
Treasurer.

William S. Andrews.

~~Geo. H. Gale, Secretary.~~

Office of
Board of Excise.

54 Bond Street, Bowery.

New York, Dec 5 1888

Hon. John R. Fellows,

District Attorney

Dear Sir:

In the case of Frank Stroebel, who was indicted on Oct. 29th 1888, for perjury, I should like to call your attention to some features of special importance.

Stroebel was given a hearing by our Board on charges made by the City Reform Club that his saloon was open on election day, 1887; and upon that hearing his license was revoked. There was no doubt that the saloon was in fact open, in violation of law, and yet, in self-defence, Stroebel showed not the slightest compunction in availing that it was closed, evidently having no

POOR QUALITY
ORIGINAL

0853

Commissioners:
Charles H. Woodman,
President,
John von Glahn,
Treasurer,
William F. Andrews.

~~Samuel P. White,~~
Sec. H. Gale, Secretary.

Office of
Board of Excise,
54 Bond Street, Bowery,
New York, _____

2

188__

fear that he could ever be indicted for perjury. I think his case is typical, and that men of his kind generally believe that they can swear to whatever they please before this Board, without any fear of prosecution.

I will respectfully point out to you that if their testimony is false, whatever value it may have, when thus fearlessly and falsely sworn to, tends to paralyze our efforts to enforce the law.

I feel strongly in this matter, because a large number of election-day cases are now awaiting hearing before this Board; and the mere fact that a man has been indicted and tried for perjury

POOR QUALITY
ORIGINAL

0854

Commissioners:
Charles H. Woodman,
President.
John von Glahn,
Treasurer.
William S. Andrews.

~~Samuel P. White~~
Geo. H. Gale, Secretary.

Office of
Board of Excise,
54 Bond St. cor. Bowery,
New York, _____

3

188

under these circumstances will
I am convinced, have a marked
effect for good.

Very respectfully, Yours
Charles H. Woodman
Commissioner of Excise

POOR QUALITY
ORIGINAL

0855

Henry

Proper
us

Frank Strabel

POOR QUALITY
ORIGINAL

0856

Sec. 151.

Police Court 1st District.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by James L. Moore
of No. 158 Concord St Brooklyn Street, that on the 27th day of March
1888 at the City of New York, in the County of New York, Frank Strobel

did commit wilful and
corrupt perjury in a certain
action or proceeding then pending
before the Board of Commissioners
of Excise of the City and County
of New York.

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him
forthwith before me, at the 1st DISTRICT POLICE COURT, in the said City, or in case of my absence
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to
be dealt with according to law.

Dated at the City of New York, this

31 day of May 1888
John B. Smith

POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0057

POLICE COURT DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James A. Moor

vs.

Frank Strobel

Warrant-General.

Dated May 31-1888

Suitto Magistrate.

Walsh Officer.

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

Robt Walsh Officer.

Dated June 1-1888

This Warrant may be executed on Sunday or at
night.

Police Justice.

Dated

188

49 yrs
w
Gr

Real Estate

m
yes

90 Chrystie St

Police Justice.

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

The within named

POOR QUALITY
ORIGINAL

0858

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, DISTRICT.

of No. the Court Squad Street, aged years,
occupation Police Officer being duly sworn deposes and says,

that on the First day of June 1888

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

Frank Strobel now present who
stands charged by One James L. Moore
with the crime of Perjury - That
deponent notified the Complainant
to be in Court to prosecute at Two O'clock
P.M., at which time deponent would have
the defendant arraigned before the Presiding
Justice. That notwithstanding such
notification the Complainant has not
appeared & deponent believes he is not
likely to appear in Court this day - Robert Walsh

Sworn to before me, this

188

day

Police Justice,

POOR QUALITY
ORIGINAL

0859

Sec. 198-200.

10th District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Frank Strobel 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.

Frank Strobel

Question. How old are you?

Answer.

49 years.

Question. Where were you born?

Answer.

Germany.

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

Answer.

90 Chrystie St. Since May 1st

Question. What is your business or profession?

Answer.

Real Estate Agent.

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

Answer.

I am not guilty, and
I demand an examination
Frank Strobel

Taken before me this

day of

June

1934

Police Justice

POOR QUALITY
ORIGINAL

0060

BAILED,
No. 1, by William Kelly
Residence 122 Broadway
Street.
No. 2, by _____
Residence _____
Street.
No. 3, by _____
Residence _____
Street.
No. 4, by _____
Residence _____
Street.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
James Moore
158 Chambers St.
vs.
Frank Street
Perjury
Dated June 1st 188
Magistrate.
Offence.
Witnesses
James H. Kelly
158 Chambers St.
Street.
No. 1000
to answer
Subject
Chaired
RECEIVED
DISTRICT ATTORNEY'S OFFICE
JUN 13 1888

100 / 486.15-897
Police Court - District.

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

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

Dated June 4th 188 Solomon Blumenthal Police Justice.

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

Dated June 4th 188 Solomon Blumenthal 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.

POOR QUALITY
ORIGINAL

0051

-----x
In the matter of the complaint:
against Frank Strobol, Licensee
at 120 Hester Street.
-----x

March 27th, 1888.

Mr Delafield and Mr Shaw appeared for the
Complainants.

Mr Michaelbacher appeared for the Licensee.

Mr Delafield:- On behalf of the City Reform Club
and of the Complainant in this case I propose to show that
on Election Day, November 8th 1887, that being the day on
which there was a general election held in the City of New
York, this licensee sold strong and spirituous wines and
liquors at No. 120 Hester Street, the place where he was
licensed to sell, that being a place within a quarter of a
mile of a place where an election was then being held. I
further propose to show that this place, 120 Hester Street,
was not closed nor kept closed on Election Day, as required
by the excise law.

GEORGE LOUIS PRENTISS, being duly sworn, testified:

By Mr Delafield

**POOR QUALITY
ORIGINAL**

0062

2

Q Are you the complainant in this matter? A. I am.

Q Are you a resident of the City and County of New York?

A I am.

Cross-examined by Mr Michaelbacher

Q Will you look at this paper I now show you. That is not your signature? A. No, sir; it is type-written.

Q That was done at your dictation?

A Done by my authority.

Q You dictated substantially what is in that?

Objected to.

Q Have you read this? A. I have.

Q When and where did you make this statement? A. I made that complaint today at my office.

Q Were you present on the 8th day of November 1887?

A I was not.

Q Then why after having examined this do you now state that on that day he did sell--

Objected to.

Q I understand you to say that you were not present at 120 Hester Street on the 8th day of November 1887? A. Yes, sir

Q Then of your own knowledge you don't know whether or not the contents of this statement, which you say was written or authorized to be written by you, is true?

A No.

Mr Michaelbacher offered the complaint in evidence. Admitted and marked Exhibit A.

**POOR QUALITY
ORIGINAL**

0063

5

3

JAMES L. MOORE, being duly sworn, testified.

By Mr Delafield

Q Do you know where the licensee, Frank Strobel's saloon is?

A I do.

Q Where is it? A 120 Hester Street.

Q Were you there on election day? A. I was.

Q In 1887? A. Yes, sir.

Q What day was election day? A. November 8th.

Q Was the place open on that day? A. Yes, sir.

Q How do you know it was open? A. I went in there.

Q What door did you go in through? A. The front door.

Q Did that door lead to any place besides the saloon?

A It did not; it led directly to the bar.

Q How many times did you go there on that day? A Three times.

Q Did you see other people in there? A. I did.

Q Did you see other people go in through the front door while you were in there? A. I cant say that I did.

Q Did you hear other persons ordering liquors while you were there? A. I did.

Q Did you see liquors handed across the counter in reply to their orders? A. I did.

Q Did you see them pay for liquors? A. I saw money passed but I could not say what parties were paying for.

Q Did you see liquor upon the bar? A. I did.

**POOR QUALITY
ORIGINAL**

0064

4

Q Did you drink? A. I did.

Q What did you order? A. I ordered beer and I also ordered whiskey.

Q Were beer and whiskey served to you in reply to those orders? A. They were.

Q Did you drink them? A. I did.

Q Did you pay for them? A. I did.

Q Do you know where the nearest polling place was?

A It was at 118 Hester Street.

Q How far is that from 120 Hester Street? A. I should judge about 150 or 200 feet. It was not as much as that. I could not give the exact distance.

Q It was next door? A. Yes, sir.

Q Do you know the licensee, Frank Strobol, by sight?

A I do.

Q Can you point him out? A. I can.

Q Is he in this room? A. Yes, sir (Pointing to licensee)

Q Did you see him in the barroom of that day? A. I did.

Q Was he in such a position that he must have seen that selling was going on there? A. He was.

Q Was he there when you bought the whiskey and beer to which you testified? A. I cant say he was there when I bought it but he came up to the bar while I was drinking it.

Q Did they sell the whiskey and beer to you in quantities less than five gallons? A. I bought a small glass-full.

POOR QUALITY
ORIGINAL

0065

3

5

Q So that the whiskey was sold to you in a quantity less than five gallons? A. Yes, sir.

Q What time of day was this? It was between the hours of six in the morning and ten in the morning.

By Com von Glahn

Q How many places did you visit in the vicinity on that day? A. I visited three places on those corners of Hester and Chrystie Street. I visited some down in the first election district and ~~xxxx~~ also in the 26th election district.

Cross-examined by Mr Michaelhaecher

Q How long have you known Mr Strobel? A. I just saw him that morning; he was pointed out to me.

Q By whom was he pointed out to you? A. I could not tell you that. I asked who the big man was with the bunch of tickets and I was told it was Mr Strobel.

Q Who did you ask? A. I could not tell you the party. I was supposed to be a tramp there and I asked another tramp. I don't know who he was.

Q The first time, what hour? A. I was there just a little after the polls opened, about six o'clock.

Q You are positive you entered by the front door? A. I am positive of it.

Q And on each subsequent occasion? A. I did on every occasion.

**POOR QUALITY
ORIGINAL**

0855

6

Q Did you see any people in the place when you first went in?

A There were two men in there.

Q What were they doing? A. One of them was drinking and the other was standing there.

Q Was the bar or counter standing in the place when you went in on the first occasion? A. The bar standing?

Q Yes. A. Yes, sir.

Q Was that counter standing? A. Yes.

Q Was anybody behind it working? A. There was.

Q Was any painter in the place? A. I don't remember of seeing any painter there.

Q Was anybody doing anything in there? A. I saw no painting being done.

Q On any occasion you went in? A. Not between six and ten o'clock.

Q What time did you get up that morning? A. About 5.30

Q Where do you live? A. At that time I was residing at the Phoenix Lodging house.

Q Where is that? A. 53 Bowery.

Q Did you go into any saloon prior to going into 120 Hester Street that morning? A. I did.

Q Where? A. I went into Farrell's place; I think that is 114 if I am not mistaken.

Q What time of day was it when you went there? A. It was the first call I made.

**POOR QUALITY
ORIGINAL**

0057

7

Q And from there where did you go?

A From there I remained around the corner where Mr Strobels saloon is situated .

Q How many drinks had you had before you entered Strobels?

A One.

Q Will you tell us why you went into Strobels place that day
Objected to. Question withdrawn.

Q Were you employed by any society in this City to go to Strobels place on this morning or prior thereto?

A No, sir; not Mr Strobels place in particular. I was employed by the Pinkerton Detective Agency to remain in the neighborhood. I was not told any particular place I was to call in.

Q You dont know the name of the person who pointed out Mr Strobel to you? A. No, sir; I do not.

Q And on each occasion you went in you went in the front door?

A I did.

Q It was open? A. It was open; yes, sir.

Q Did you report on the other places you visited that day?

A I did; yes, sir.

Q Did you not go into the hallway of these premises?

A I did not.

By Mr Delafield

Q Are you perfectly confident that the man whom you pointed out as Frank Strobel is the man whom you saw in the bar-

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room on election day at 120 Hester Street? A. I am

MILTON M. MOORE, being duly sworn testified:

By Mr. Delafield.

Q Do you know whether Strobels place at 120 Hester Street was open on November 8th 1887? A. It was.

Q How do you know it was open? A. I was in the saloon.

Q How many times were you in the saloon? A. A dozen times during the day.

Q By what door did you go in? A. Both the front door and the rear door.

Q Does the front door lead to any place besides the saloon?

A No, sir.

Q Were there other people in the saloon while you were there?

A There were.

Q How many about? A. Well, I don't know; making a rough guess probably five or six people in there at various times.

Q Did you see persons go in through the main door while you were in the bar-room? A. Yes, sir.

Q Did you hear persons order liquor and beer while you were in there? A. Yes, sir.

Q Did you see drinks served to them in reply to their orders?

A I seen drinks served to them.

Q Did you see them pay for them?

A I saw money passed over the counter but I could not say

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whether it was for the drinks or not.

Q Did you drink yourself while there? A. Yes, sir.

Q What did you drink? A. Beer and whiskey.

Q Were they served to you in answer to an order which you gave? A. They were.

Q Did you pay for them? A. I did.

Q Were they served to you in quantities less than five gallons? A. Yes, sir.

Q What is the nearest polling place? A. XX 118 Hester St.

Q Is that within a quarter of a mile? A. Yes, sir.

Q Were there any other polling places within a quarter of a mile? A. Yes, sir.

Q What were they? A. 76 Eldridge Street.

Q At what hours were you there? A. I was there at all hours during the day.

Q Can you give the earliest and latest hours you went there?

A About the earliest I suppose about half past six in the morning; the latest probably was about four in the afternoon; half past three or four, somewhere along there.

Q You testified that the beer was served to you. Was it drawn in your sight? A. Yes, sir.

Q What was it drawn from? A. Drawn from a spigot leading, I suppose to a keg in the ice cooler.

Q When you state the place was open you mean the front door was literally standing open? A. It was open part of the

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time when somebody would come in and leave it open and forget to close it; but it was never fastened.

Q How did you know at the time that the place was Frank Strobels? A. His name was over the door.

Q You know the place was 130 Hester Street. A. Yes, sir.

Q That is the only liquor saloon in the house? A. That is all I saw.

By Com Woodman

Q Was it on the ground floor you went in? A. Yes, sir.

By Mr Delafield

Q Did you see anyone whom you knew in there? A. Yes, sir.

Q Who was it? A. Mr Gorman.

Q What is his full name? A. James Gorman.

Q Did you see the last witness, James L. Moore in there?

A I dont remember seeing James L. Moore in the saloon but I seen him go in.

Q You were standing outside and saw him go in? A. Yes, sir.

Q You went there with Gorman on one of the occasions you have testified to? A. Yes, sir.

Q Did Gorman drink? A. Yes, sir.

Q Did you hear him order anything? A. Gorman ordered drinks once and I did.

Q Do you remember what Gorman ordered? A. I dont remember exactly, but it was either beer or ale.

Q Was ir served to both of you in answer to his call?

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A Yes, sir.

Q Did he pay for the two drinks? A. No, sir; I paid for one and he paid for the other.

Cross-examined by Mr Michaelbacher

Q On each occasion you went to this saloon you went in the front door? A. Not on each occasion.

Q How many times did you go in on the front door? A. I dont know; I didnt count them.

Q But it was a dozen times you were in the saloon?

A Yes, sor more.

Q Did you notice whether the shades on the front of the store were down? A. I didnt notice that.

Q Did you take any notice? A. I didnt take no notice of that.

Q Do you know Mr Strobel? A. I saw a man that day behind the bar part of the time. I dont know whether it was Mr Strobel or not, but I took it from his actions around there that he was the proprietor.

Q Was he p inted out to you by anybody as Mr Strobel?

A No, sir.

Q Did you notice any persons inside the saloon working about the place? A. No, sir.

Q You stood at the bar and got your drinks? A. I did.

Q You drank over that bar? A. I did.

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By Mr Delafield

Q Was the man whom you thought at that time to be Strobel
the man who is in this room now? A. Yes, sir.

By Mr Woodman.

Q Do you recognize in this room the man who was behind the
bar on that day, when you were there, the 8th of November?

A Yes, sir, this man sitting behind me (Pointing to Mr
Strobel.)

The person referred to be the witness was asked
to stand up. He was recognized by the witness and
stated that he was Frank Strobel.

Counsel for complainant asked that his remain-
ing witnesses be allowed to remain over until the
testimony of the licenses is put in, and he will
then put them on in rebuttal.

This request was not granted.

By Mr Michaelbacher

Q Are you employed by the Pinkerton Detective Agency?

A I am.

Q And were at that time? A. And was at that time.

Q Your business was to ferret out saloons on that day that
might be open? A. No, sir.

Q What were you employed to do?

Objected to; objection sustained.

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AUGUSTA F. KING being duly sworn, testified:
By Mr. Delafield:- place

Q Do you know whether Frank Strobels, at 120 Hester Street
was open on November 8th, 1887? A I do.

Q Do you know whether that was Election Day? A yes, sir;
I do.

Q How do you know the place was open? A Because I went
in there.

Q How many times did you go in there in the course of the
day? A Once.

Q At what time of day was it? A I think it was somewhere
around the middle of the day, about noon time.

Q Were there other people in there? A Yes, sir.

Q About how many? A I did not go in there with any spe-
cific object in view at all; I went in there to get a
drink.

Q Did you hear people asking for drinks? A I saw people
drinking in there; I did not hear them asking for it.

Q Did you see them drinking at the counter? A Yes, sir.

Q Did you see them served with drinks while you were in there
A That I can swear to.

Q Was there a barkeeper behind the bar? A There was.

Q How was he dressed? A To the best of my recollection he
had on a white jacket:

Q What did he look like? Is he in the room now?

A I don't think I should know him. I did not stay in
there long enough to recognize him or take any particular
notice of what was going on.

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- Q Did you order a drink yourself ? A Yes, sir.
- Q Was there a drink served you ? A Yes, sir.
- Q What was it ? A Mixed ale.
- Q Was that what you had ordered ? A Yes, sir.
- Q Did you drink it ? A I did.
- Q Did you pay for it ? A I did.
- Q How far from 120 Hester street was the nearest polling place ? A I should judge it was not much over 100 feet ; it was at 118 Hester street.
- Q That was the polling place ? A Yes, sir.
- Q Was there another polling place within a quarter of a mile ? A There was one just around on Chrystie street ; I don't know the number..
- Q Are you sure it was within a quarter of a mile ?
A Yes, sir.
- Q How do you know that the place 118 Hester street was a polling place ? A Well, I was up to the door and saw the ballot boxes in there.
- Q Did you see people voting ? A I saw people voting.
- Q Do you remember what sort of a shop it was ? A I think it was a paint shop.
- Q Did they sell this beer to you in quantities less than five gallons ? A I had a glass of it ; that is all I had ; that is less than five gallons.

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Q Did you see any one in the saloon on Election Day that you knew ? A No, sir.

Q Did you see any one you knew go in ? A No, sir; I did not.

C R O S S E X A M I N E D by Mr. Michelbacher.

Q How did you enter the saloon ? A I went in the front door.

Q Only on one occasion on that day ? A That is all.

Q Were you employed by any agency here in the city ?

A Yes, sir.

Q Do you know Mr. Strobel ? A I only know him by being pointed out to me.

Q When was he pointed out to you ? A I only see him now; I saw this man in the bar room where I was (pointing to Mr. Strobel) I didn't see him again until now.

By Com. Woodman:

Q Do you positively identify Mr. Strobel as the one you saw in the place at the time you were there and got a drink ?

A Yes, sir.

By Mr. Michelbacher:

Q He didn't sell you anything, did he ? A No, sir; he was standing at the end of the bar.

Q The bar or counter was standing, and you drank over that bar ? A Yes, sir.

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By Com. Woodman:

Q How long were you in there on that day? A I don't suppose I was in there more than two or three minutes.

Q At the time you were in there did you see any carpenters or painters or brass workers at work repairing the saloon or painting it? A I never took notice of it

Q Was there any gang of men at work on the premises? A I could not say there was or was not.

By Com. Von Glahn:

Q How long were you in this place at that time? A I just went in there long enough to get this ale and come out, about two or three minutes. I did not have any idea of ever being called up as a witness or anything of this kind.

J A M E S H. G O R M A N, being duly sworn testified :

By Mr. Delafield:

Q Was Frank Strobel's place, 130 Wester street, open on election day, November 8th 1887? A Yes, sir.

Q How do you know it was opened? A I went in there and had a glass of ale.

Q Through what door did you go in? A I went in the front door.

Q Did you see any other persons come in while you were inside? A I don't remember.

Q Did you see any other persons go in through the front door

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while you were there? A I kind of think I did.

Objected to and answer stricken out.

Q Did you go in there alone or with some one else ? A I went in with some one else ?

Q I believe you stated to me that you were there twice during the day? A Yes, sir.

Q Who did you go in with? A Milton Moore..

Q The previous witness here? A Yes, sir.

Q Were there other persons in the bar-room each time you went in there? A Yes, sir.

Q Did you hear any persons order drinks? A Not to my knowledge.

Q Did you see them drinking? A I don't remember that I did

Q Did you see glasses standing up on the bar? A I don't know as I remember.

Q Did you yourself drink? A Yes, sir.

Q Did Moore who went in with you drink? A Yes, sir.

Q What did you drink? A I drank ale or lager, I don't know which.

Q Was that served to you in reply to an order for ale or lager
A Yes, sir.

Q Did you pay for it? A Yes, sir.

Q Do you remember what Mr. Moore drank when you were with him
A No, sir, I do not.

Q Was there a bar-keeper behind the bar? A Yes, sir.

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A Yes, sir.

Q How was he dressed? A That I don't remember.

Q Did they sell this ale or beer in quantities of less than five gallons? A Yes, sir.

Q Did you see other people in there on each occasion when you were in there? A Yes, sir.

Q Did there appear to be different people each time?

A Well, I never took any particular notice.

Q Do you know where the nearest polling place was?

A Right next door.

Q Within a quarter of a mile? A Yes, sir.

Q Was there another polling place within a quarter of a mile?

A There was one in Chrystie street.

C R O S S E X A M I N E D by Mr. Michelbacher:

Q Did you on each occasion go in this front door? A Yes sir

Q Did you make any attempts to go in through the side door?

A No, sir.

Q Do you know whether the side entrance -- A I know there was.

Q How do you know? A Well, I have seen people going in that way, and I seen people going out.

Q You drank over the bar or the counter there? A Yes, sir.

Complainant rests.

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FRANK STROBEL, being duly sworn, testified :

By Mr. Michelbacher:

Q You are the licensee at 120 Hester Street? A I am.

Q You have heard the witnesses here testify that you kept your place open on the 8th of November, which was election day. Will you kindly state whether you had your place open or not on that day? A I did not have it open.

Q What do you mean by saying you did not have it open?

A I did not have it open to do business in.

Q Was your front door closed on that day? A It was, and never was opened until five o'clock that afternoon.

Q When you say closed what do you mean by that? A I had a big wooden bar up.

Q Were the shades down? A Yes, sir.

Q Did you open the door at any time until five o'clock in the afternoon for the purpose of allowing any one in there? A I did not.

Q Did you personally serve any of these previous witnesses with any drinks or receive any money of them for drinks?

A I have not been behind my bar, except to take money out, for the last ten months.

Q Were you present in your saloon on the 8th day of November?

A I was there all the time.

Q What were you doing there? A I had a carpenter and a tin smith and a painter working there.

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Q Have you got the tin-smith present who was working for you on that day? A. I have and also the painter.

Q Did you have a bar standing in your place on the 8th day of November? A The counter was standing there, but the lower part of the bar was up; the tinsmith was fixing the boxes, putting new boxes in the bar.

Q How do you know it was the 8th day of November? A Well it was election day or else I would not have shut up.

Q You done no business on that day? A I did not until halfpast four.

Q Do you remember seeing any of these gentlemen in there? A No, sir, this is the first time I have seen them in my life, to my knowledge, they might have passed me in the street, but I don't know.

Q How many men had you employed in the place at the time doing work for you? A There were three.

Q And they had occasion to go in and out for materials and so on? A Yes, sir.

By Com: Von. Glahn:

Q Did you vote on that day? A I did.

Q Did you take any interest in the election that day or encourage any of your friends to vote for certain of your friends? A No, sir.

By Mr. Michelbacher:

Q Where is that polling place? A At No. 118.

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Q And the proprietor of that place is a painter? A Yes, sir

Q Is he also here? A Yes, sir.

Q Is that the man you refer to as doing work in your place?

A He has been the painter doing work for me.

By Com. Von Glahn:

Q How long have you been in business there? A In that house 4 years; I have been in that neighborhood 22 years.

Q Have you ever been arrested for a violation of the excise law? A Never.

Q Or for any other cause? A I never was arrested nor any man out of my house was arrested.

Q Was any complaint ever made against the character of your house? A Never.

Q Are you a man of family? A I am.

Q Does your family live in the building? A Yes, sir; nobody else lives in the house but three furnished rooms that I have men in.

By Mr. Michelbacher:

Q How did these men whom you employed to do work in your premises enter your saloon? A On the Hester Street side; there is my private entrance where I go upstairs. I left that door open for them to go in and out.

By Com. Woodman:

Q Your front door is on Hester Street? A No, sir; the front door is on the corner of Hester and Chrystie streets.

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C R O S S E X A M I N E D by Mr. Delafield:

Q Will you tell me how you spent your day on November 8th?

A I was watching those people.

Q What people? A The people who were working for me.

Q You testified that you voted? A Yes, sir.

Q Where do you vote? A I voted at No. 118.

Q How long were you in the polling place ? A I was several times in the polling place that day.

Q Did you leave the premises 120 Hester street for any other purpose? A No, sir.

Q How long were you out of those premises during the whole day? A Not over an hour altogether.

Q All the rest of the time you were in the saloon? A No, I was not in the saloon; in the afternoon I went upstairs and had my dinner.

Q You stated that you did no business until halfpast four o'clock? A Halfpast four, or it might have been a quarter past four.

Q Did you then open your bar? A I did not open it; my bar-keeper did.
And

Q As you sold liquor there that afternoon? A I did not sell none; I was not behind the bar.

Q Liquor was sold in your place later in the afternoon?

A Yes, sir, so long as the polling place was closed.

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By Com. Von Glahn:

Q How many bartenders have you? A One.

Q Where was he on that day? A He was out. He lives in Brooklyn, and he came back at four o'clock.

By Com. Woodman:

Q Do you know as a man holding a license that it is against the law to sell liquors to be drank on the premises on election day within a quarter mile of the polls? A Up to four o'clock.

Q I asked if you knew it was against the law to sell it on election day? A Yes, sir.

Q Do you think that it is in accordance with the law to sell after the polls close? A Well, I only thought so.

By Com. Von Glahn:

Q Did the police ever notify you that you were not to sell after four o'clock? A No, sir.

By Com. Woodman:

Q Did they ever notify you that you were not to sell before four o'clock? A I never ^{had} occasion --

By Com. Von Glahn:

Q Were you ever notified by the police that you were to keep your place closed during polling hours? A No.

Q On election day you say you had some mechanics at work? A Yes, sir.

Q You were not there the greater part of the day. You say you went upstairs in the afternoon? A Yes, sir, for my dinner.

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Q Who was in charge of your place on that day? A The workmen, nobody else.

Q Then you mean to say you left your place in charge of the workmen? A Certainly; it was shut.

Q And left no one else to look after the workmen? A It was only a little while, and I know those men; I know them a good many years.

Q How long were the men at work there on election day?
A They were pretty nearly all day.

Q Isn't it possible that some one might have gone in there while these men were at work and they served them with beer or liquor? A I don't think they would allow that.

Q I say, isn't it possible? A It may be; I don't think they would allow it.

Q That you don't know? A No.

Q Because you were not there? A No.

By Mr. Michelbacher:

Q Did you have a white apron on on that day? A I ain't had a white apron on in my life.

Q Or any kind of an apron? A No.

Q Did you serve anybody there? A No.

By Mr. Delaféld:

Q You have a bar-keeper there? A Yes, sir.

By Com. Woodman:

Q Have you a back room to your place? A I have a little office.

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Q Partitioned off? A. Partitioned off.

Q Does the partition go up to the ceiling or only part of the way? A. No, sir.

Q It is an ordinary little back room of a saloon? A. I am a Notary myself, and I do business in there.

Q During election day, November 8th 1887, were men going in and out of that little private room? A. They had no business to go in there.

Q Were they going in and out there? A. No, I allowed men to go in what wanted to go in the yard. I allowed them to go in the yard, in and out, if they found it necessary.

Q What men were those that you allowed to go in and out?

A Several what I know around the neighborhood.

By Mr Michelbacher

Q Did any of those several men go in your saloon? A. They had to go through the saloon to get in the yard. They had to go through the private entrance to go in the yard.

Q Does the private entrance open from the street into your saloon? A. No.

By Com von Glahn

Q What was the object of these men going into your yard?

A Well, they wouldn't go in the street.

Q For urinary purposes? A. Yes, sir.

Q Where did they get their beer? A. That is a question I could not answer you.

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H E N R Y H E N S C H E L, being duly sworn, testifies:

By Mr. Michelbacher.

Q What is your business ? A Painters' Supply Store.

Q On the 8th day of November you had a pollingplace in your establishment ? A Yes, sir.

Q What street is that? A 118 Hester street.

Q Do you know Mr. Strobel? A I do.

Q Did you do any work in his place on election day?

A Yes, sir.

Q Be kind enough to state what kind of work you done and how long you were doing it ? A A couple of days previous he had been speaking to me-- I done some painting and varnishing in there.

Q What did you paint and what did you varnish? A I painted part of the woodwork in the store and varnished the office and the bar, the front of the bar and also some subbase going around the saloon.

Q You had others helping you? A I had one man.

Q How did you get in the saloon on that day? A On the side door.

Q What do you mean by the side door? A Leading to the private entrance upstairs.

Q On what side of the street ? A On Hester street.

Q While you were inside did you notice whether the door commonly known as the front or public door was opened? A I didn't see it opened.

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Q Did you see anybody enter the place on that day? A Only myself and the mechanics.

By Com. Woodman:

Q Your work was what, painting? A Painting and varnishing

By Mr. Michelbacher:

Q Did you see any of these witnesses present on that day

A Not on that day. I don't know any of them, only I have seen a gentleman since.

Q Were the shades of this store down in front? A Yes, sir.

Q The only way you could get in was by the side door?

A That is the only way I entered the place.

Q Did you see Mr. Strobel selling any beer or wine or other drinks on that day? A No, sir, I did not.

Q Did you see anybody drinking at the bar? A No, sir.

By Com. Woodman:

Q How long were you there that day, between what hours?

A I was there through the day, about four or five times. I was in and out.

Q I mean on election day? A Yes, sir.

Q You were in and out all day? A Yes, sir; I was in four or five times.

Q And the only men you saw in there during the times you were there were yourself and two workmen? A And Mr. Strobel.

Q Yourself and two workmen who were doing work with you?

A Yes, sir.

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By Com. Von Glahn:

Q How long were you in the premises on that day at any one time? A As much as fifteen minutes, sometimes as much as half an hour.

Q While you were in there did you help yourself to a drink? A I could if I wanted to.

Q Did you? A I did not.

Q Did you see any one else help themselves? A No, sir.

C R O S S E X A M I N E D by Mr. Delafield:

Q Where do you live? A 118 Hester street.

Q How long have you known Strobel? A 11 years.

Q In 118 Hester street the place where the polling was on election day? A Yes, sir.

Q Are the two men who are working for you here? A No, sir.

Q Are they still in your employ? A He is not working for me at present because we don't do but very little work at this time of the year.

G O T L I E B R E I N C K E, being duly sworn, testified:

By Mr. Michelbacher.

Q What is your business? A Tinsel.

Q Were you employed by Frank Strobel to do any work at 120 Hester Street? A Yes, sir.

Q When did ~~xxx~~ he employ you? A About a week before

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election day.

Q Did you do any work there on election day ? A Yes, sir.

Q State what work you did ? A I put in a couple of new boxes behind the bar, zinc boxes.

Q Had you to take part of the bar down to do that ?

A No, but I had to tear off the old tin behind the bar and put in the new ones.

Q Had you anybody else there with you to assist you ?

A No, I was there alone.

Q Was the front door of that place open on that day ?

A The front door was locked to my knowledge.

Q Were the shades down ? A Yes, sir.

Q How did you get in ? A From the Hester Street side, the private entrance.

Q Do you remember seeing any of these witnesses there on that day ? A Not to my knowledge.

Q Do you remember seeing Mr. Henschel ? A Yes, sir.

Q What was he doing there ? A He was painting.

Q Had he anybody else with him ? A Yes, he had a workman with him.

Q How long were you there in the place ? A I was there from half past seven in the morning until a little after three o'clock in the afternoon.

Q Was Mr. Strobel selling anybody any liquor ? A No, sir.

Q Was anybody in the place drinking ? A No, sir.

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CROSS EXAMINED, by Mr. Delafield.

Q Where do you live ? A 68 Forsyth Street.

Q How long have you known Strobel ? A I know him for the last twelve years.

Q Are you accustomed to working on election days ?

A I do not, but I promised him to do it on election day.

Q So that it was something unusual for you to work on that day. Will you tell me where you were working on the 11th of that month ? A If I am not mistaken I was working upon the corner of Hester and Forsyth Streets.

Q What were you doing on the 22nd of November, 1887 ?

A I can't have everything in my head.

Q You state that you were there from about half past seven in the morning until about three in the afternoon ?

A Yes, sir.

Q Were you there continuously ? A No, I was home to get me some tools.

Q How many times did you leave the place ? A About three times, I guess.

Q How long were you away in all ? A Well, about an hour and a half. I went home for my dinner.

By Mr. Michelbacher.

Q When you left the place to go to your dinner or to get your tools was there anybody in there ? A Certainly, or else I would not leave the place. The other man was there

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Q When you came back who was there ? A the same man.

LICENSEE RESTS.

M I L T O N M. M O O R E, recalled.

By Mr. Delafield.

Q You stated as I remember that you had been in this saloon
120 Hester Street a number of times on election day, 1887 ?

A Yes, sir.

Q Did you see any repairs being made ? A None whatever.

Q Did you see Mr. Henschel and Mr. Reincke there ? A I saw
Mr. Henschel there.

Q Did you see Mr. Reincke there on election day ?

A No, sir.

Q You say that this man Henschel was in the saloon ?

A Yes, sir.

Q What was he doing in there ? A He was behind the bar
part of the time.

Q What was he doing ? A Sometimes he was serving customers

Q What do you mean by serving customers ? A If they called
for a cigar or drinks he passed them over the counter.

Q Do you remember whether he served you ? A I don't re-
member.

Q Are you perfectly certain you saw him serving customers ?

A Yes, sir.

**POOR QUALITY
ORIGINAL**

0892

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- Q How was he dressed ? A I don't remember exactly how he was dressed, but I think it was in dark clothes.
- Q He didn't have an apron on ? A No, sir.
- Q Did you see him paid for drinks ? A I seen money passed over the counter, but I didn't notice whether it was taken in for drinks or not.
- Q Do you remember whether he served you on any occasion with drinks ? A I don't remember.
- Q Was there some one else behind the counter besides him ?
A Yes, sir.
- Q You saw no work of any sort being done in the bar room ?
A None whatever in the bar room.
- Q Did you see this man Strobels on election day ? A I did.
- Q Where did you see him ? A I saw him behind the bar and out on the street and in different parts of the house.
- Q Are you sure you saw him behind the bar ? A Yes, sir.
- Q Was he serving liquor ? A Not that I remember.
- Q What did he appear to be doing there ? A I don't know that I could exactly say. He simply came in and as I remember he stood at one end of the bar and appeared to be looking on to see if business was going on all right.
- Q Was he standing there at the time you were drinking ?
A Yes, sir.
- Q Was he in such a position that he must have seen you drinking ? A He sized me up very closely at that time.

POOR QUALITY
ORIGINAL

0093

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Q What do you mean by saying that ? A He looked at me very closely, as much as to say, "You are a man that has no business here."

Q You state you saw him on the street ? A Yes, sir.

Q You remember about what time of day you saw him there ?
A I saw him on the street at all hours of the day.

Q Where did you see him on the street ? A On Hester Street and also on Chrystie Street.

Q How many times did you see him on the street during the course of the day ? A Well, I can't answer that, but I saw him within every hour of the day.

Q How early in the morning and how late in the afternoon were the first and last times ? A I was there at six o'clock in the morning and left at four o'clock in the afternoon.

Q Did you see him shortly after six and shortly before four ?
A Yes, sir.

Q What did he appear to be doing on the street ? A He was taking an active part in the election.

Q Did you see him go into his own saloon ? A I did.

Q By the front door ? A By the front and rear doors.

Q You are sure you have seen him go in by both the front and rear doors on election day ? A Yes, sir.

By Mr. Michelbacher.

Q From the 8th day of November up to yesterday did you rehearse this matter with anybody ? A Not exactly.

POOR QUALITY
ORIGINAL

0094

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Q Well, you had some conversation with people regarding this case ? A I just had this much information, that I was to be called upon a certain case.

Q Who gave you that information ? A A man by the name of Wood.

Q Is he present to-day ? A No, sir.

Q What connection has he with this case ? A He just told me. I am employed by Wood partially, and he told me I would be called upon in that case.

Q Didn't he tell you what you should testify to here to-day ? A Not exactly.

Q Or words to that effect ? A Not exactly.

Q Did you enter in any book or make any memorandum of the facts or circumstances which happened on the 8th day of November ? A I made this much memorandum -- in my report that evening as to the business I was engaged in that day.

Q Where is that report ? A That report is not here.

Q Did you examine it since ? A I looked over it, yes, sir.

Q When ? A A couple of days ago.

Q Do you remember seeing this ~~paper~~ painter who keeps the polling place at 118 Chrystie Street lately ? A No, sir, not lately.

Q Didn't you call upon him as late as last night ?

A No, sir.

Q Did you call upon him at any time after the 8th day of

POOR QUALITY
ORIGINAL

0095

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November ? A I did call upon him.

Q When ? A Day before yesterday.

Q What did you do there ? A Well, I asked the price of paints and asked him for a business card.

Q Isn't it a fact that you went in there for the purpose of getting his card so that you could come here to-day and testify as a witness against him ? A No, sir.

Q You had no other object in view than simply to go in there and ask the price of paints ? A No, sir.

Q Did you not ask him whether he was working in this place of Mr. Strobel's on the 8th day of November ? A No, sir.

Q Did you not say to him, "I saw you in Strobel's place on the 8th day of November "? A No, sir.

Q And you were positive that he was behind the bar and served you with drinks ? A I did not say he served me with drinks.

Q Did you not on your re-direct examination say that that man served you with drinks ? A No, sir, I did not.

Q Did you see him serve other people with drinks ? A I did, yes, sir.

Q What impresses it on your mind that that was the man who served drinks on that day ? Had you known him before ?

A No, sir.

Q Can you remember any other bar keeper in any place you went into on the 8th day of November ? Could you recognize him anywhere ? A I was in but one other saloon.

POOR QUALITY
ORIGINAL

0096

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By Commissioner Woodman.

Q If you went into another saloon on election day and got a drink and stood there while others got drinks, could you recollect the person who was behind the bar? Could you identify him? A I don't know as I could exactly remember his looks, for the reason that I just went in and got a drink and passed out.

By Commissioner Von Glahn.

Q How many places did you visit on that day? A Only one other place.

Q Didn't you know that you would be called upon at some future time to testify in reference to the visits you made to those places? A I did not.

Q Were you asked to visit those places or did you go there of your own accord? A I went there of my own accord. To gain information.

By Com. Woodman.

Q Had the information that you were working for that day anything to do with violations of the excise law?

A Not at all, nothing whatever.

By Mr. Michelbacher.

Q In other words you went there of your own accord to work up a case? A ~~Maxxxix~~ Yes, sir.

Q Have you ever been arrested before? A No, sir.

By Com. Von Glahn.

Q Do I understand you to say that you were there for a pur -

POOR QUALITY
ORIGINAL

0097

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pose ? A I did.

Q What was that purpose ? A Investigating election frauds.

~~By Mr. Delafield.~~

Q Did you have any conversation with any one in this place ?

A No, sir, except the young man who went in with me,
Gorman.

Q You went in you say to investigate election frauds and
call for something to drink ? A Yes, sir.

Q And you paid for it and went out ? A Yes, sir.

Q And had no conversation with any one in the premises ?

A Nobody but the young man who went in with me.

Q You had no conversation with any one in the premises or
any one in the immediate neighborhood ? A No, sir.

By Mr. Delafield.

Q Didn't you order drinks ? A Yes, sir: certainly we had
to ask for drinks.

By Com. Von Glahn.

Q You got your drinks and went out ? A Certainly.

Q You didn't overhear any conversations on the premises ?

A Yes, sir, I heard people talking.

Q In reference to election frauds, or that there was any one
soliciting votes ? A No, sir.

Q In this particular place you found nothing to assist you in
investigating the election frauds ? A Nothing to assist
me.

POOR QUALITY
ORIGINAL

0098

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By Mr. Michelbacher.

Q You went in there on a dozen occasion that day ?

A Yes, sir.

By Mr. Delafield.

Q You said something about a Mr. Wood, Who is Mr. Wood ?

A He is the assistant superintendent of the Pinkerton Detective Agency.

Q Did he tell you any more than that you would be called upon to testify with regard to excise cases ? A He told me I would be called upon to testify in the case of Strobel

Q But he did not in any way suggest what testimony you would be called upon to give ? A He did not. I asked him and he said he could not tell me.

By Com. Von Glahn.

Q I take it for granted that when you went there you were somewhat familiar with the election laws . Did you not have some knowledge of the election laws ? A In what respect ?

Q How could you investigate frauds unless you knew something about the laws ? A It was simply to detect fraud, should any occur.

Q Did you or not know on election day that it was against the law to sell any liquor in the immediate vicinity of the polls ? A I knew that.

Q And in spite of that you still went into a place and helped

POOR QUALITY
ORIGINAL

0099

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to ~~exist~~ assist a violation of the law, if there was any ?

A yes, sir; because if you went in there on election day and did not get a drink you would be kicked out.

By Mr. Delafield.

Q You testified that you had recently examined certain notes or memoranda ? A Yes, sir.

Q With regard to these excise cases ? A Yes, sir.

Q When did you make those notes or memoranda ? A My report was written on the 8th of November.

Q That is the same day on which these violations occurred ?

A Yes, sir.

Q Did you at the time you made the report know it to be accurate ?

Objected to.

J A M E S L. M O O R E, recalled.

By Mr. Delafield.

Q I think you testified that you were in there three times on this day ? A I was.

Q Did you see any repairs of any kind being made at that time ? A No, sir.

Q Did you see any one of these witnesses, Henschel or Reincke ? A I think I did.

Q Where did you see them ? A This gentleman here, Mr. Henschel, I saw him behind that bar.

POOR QUALITY
ORIGINAL

0900

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Q Did you see Reincke on that day ? A I have no recollection of seeing him there.

Q Do you remember seeing this man Strobel at any time except the one time when you say you saw him in the bar room ? A Yes, sir.

Q Where did you see him ? A I saw him on the sidewalk. He was connecting himself with Pat Hickey and dealing in tickets.

Q How many times ? A That was almost continuously on the sidewalk between six and ten o'clock. He would take a man into the back room of his saloon, and I went there for the purpose of seeing what was being done in that saloon.

Q Can you testify that you saw him on the street ? for as much as two hours ? A I can't say at one time.

Q Did you see the front door barred ? A No, sir; the front door was not barred between six and ten, for I went in there three times and there was not anything to stop me. You could walk right in.

By Com. Von Glahn.

Q What hour of the day was this ? A Between six and ten in the morning. I went in three times, and then I went off to another District.

By Com. Woodman.

Q Did you pass through that front door yourself ? A Yes, sir.

Q Did you see others go in and out that door ? A Yes, sir.

POOR QUALITY
ORIGINAL

0901

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Q Were the shades down ? A I think the shades were down.
By Com. Von Glahn.

Q How many people were in this bar room ? A I seen as high
as four or five and sometimes there would be but two.
Mrs. Strobel, as my recollection serves me, called down
and said something and this gentleman here Mr. Henschel
spoke about how good it would be.

Q How did you get in that front door ? A I just took the
knob and turned it and opened the door and walked in.

Q You didn't have to knock ? A I had no knocking to do.

Q No letting down of the bar ? A No, sir.

Q You didn't have any difficulty in getting in ? A No, sir.
By Mr. Delafield.

Q You can state positively that the witness Reincke was not
in the bar ? A I could not, because I did not see him.

Q Can you testify positively that he was not doing any work
there ? A I saw no work being done behind the bar.

There was no work being done at the time I was in there.

By Mr. Slew.

Q You would have seen it if there had been any work going on?
A Yes, sir.

By Com. Woodman.

Q If a part of the bar had been torn away would you have
remembered it ? A Yes, sir. There was no one working
behind the bar. The bar tender had about all he could do

POOR QUALITY
ORIGINAL

0902

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to supply the customers.

By Mr. Michelbacher.

Q Do you know how high that counter is ? A It is about the ordinary height.

Q Was there any iron railing in front of it ? A I can't say that there was; I don't think so.

Q Did you make any attempt to get up and look over it ? A I could really see over it.

Q Clear under it ? A I could not see under the bar, I could see where those zinc boxes were.

Q How wide was this bar ? A About eighteen inches; I took no measurement of it.

Q You swear you can see the zinc boxes by standing up and looking over the bar ? A Should a man be working there I could have seen it.

Q Do the zinc boxes project out from the bar ? A I think they do a little, but not much.

Q You could not see anybody that might be working under the zinc boxes ? A Not if they were working under them.

Q You don't know of your own knowledge whether anybody was working under there ? A No, sir; I heard no noise of anybody working there.

Q How long did you stay on each occasion ? A At one time I stayed in there I should judge about ten minutes. I was trying to see what was doing in that little back room.

POOR QUALITY
ORIGINAL

0903

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Q And you did not get into that back room ? A No, sir.

Q Did you make any attempt to get in ? A No, sir; I didn't dare go too far, but I tried to.

Q Did you see Mr. Henschel there ? A Yes, sir.

Q Did he serve you with liquor ? A No.

Q Or anybody else ? A I didn't see him serve any.

Q Weren't you there with Mr. Moore, the last witness ?

A I was not in the saloon with him. My orders were to work alone. Mr. Moore was dressed up and I was a tramp.

Q Were you ever arrested ? A No, sir; never in my life.

Q You were dressed as a tramp at the time ? A I was, yes, sir.

H E N S C H E L, recalled.

By Mr. Michelbacher.

Q Were you waiting on any customers in Mr. Strobel's place?

A No, sir, I was not.

Q Were you behind the bar ? A I may have been behind the bar.

Q What were you doing there ? A Doing some varnishing there and watching my men working at it .

By Com. Woodman.

Q Did you draw any beer or serve any beer ? A No, sir.

POOR QUALITY
ORIGINAL

0904

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G O T L E I B R E I N C K E, recalled.

By Mr. Michelbacher.

Q Will you explain how those zinc boxes are constructed ?

Do they project from under the bar ? A They are all under the bar.

Q How wide is that bar ? A That is below eighteen inches.

Q Could a person standing in front of that bar see in under the boxes ? A Not if I am under the counter. They might if they stand on the foot rail.

Q Was there a foot rail there ? A Yes, sir.

Q How far does that project from the base of the counter ?

A It is about eight inches .

Q How long were you working there at those zinc boxes ?

A I commenced about half past seven and worked there until a little after three o'clock.

Q The first time you went out what time was it ? A It might be about a quarter past nine or half past nine.

F R A N K S T R O B E L, recalled.

Q Were you electioneering on the 8th day of November ?

A I voted.

Com. Woodman: Do you ask for a revocation of this license upon the ground that he was open and selling after the polls were closed ?

Mr. Delafield: I do.

CASE CLOSED.

POOR QUALITY
ORIGINAL

0905

Minutes
in
Matter of Strobel

L. H. Delapfield
49 Spring House

POOR QUALITY
ORIGINAL

0906

District Attorney's Office.

PEOPLE

vs.

Frank Strobel

Perjury.

Put on calendar in

Part 2 on April

12th/89 to fix a

day for trial

W. Z. Jerome.

Part 2 April 24

at dft's request

POOR QUALITY
ORIGINAL

0907

City and County of New York: ss.

James L. Moore, being duly sworn says that he is
at No 158 Concord Street
years of age and resides in the *City* of *Brooklyn*
in the County of *Kings* : that on the 27th
day of March 1888 at the office of the Board of Commissioners
of excise at No. 57 Bond Street in the City and County of New
York there was pending a certain inquiry into a violation of
the excise law and a proceeding for the revocation of the
license of Frank Strobel therefor before the said Board of
Commissioners of excise, of which said Board had jurisdiction,
wherein said Frank Strobel, on said day at said City and County
presented himself and appeared as witness in his own behalf,
and said inquiry and proceeding being then and there proceeded
with, was then and there duly sworn and did take his corporal
oath by and before said Board of Commissioners of Excise, said
Board having full and competent power and authority to adminis-
ter said oath, that the evidence he should give on said inquiry
and proceeding should be the truth the whole truth and nothing
but the truth: and it then and there became and was material
upon said inquiry and proceeding that said Board of Commission-
ers of excise should know whether a certain place at which said
Strobel was licensed to sell intoxicating liquors beer and
wines known as No. 120 Hester Street in the City and County of
New York was closed and kept closed on the 8th day of November

POOR QUALITY
ORIGINAL

0900

1887 being a day on which a general election was held and on which it was unlawful to sell intoxicating liquors in quantities less than five gallons said place being within one quarter of a mile from a place where such general election was held:

That thereupon the said Strobels being so sworn did falsely wilfully and corruptly depose swear and testify among other things that his said saloon was closed and kept closed and the front door barred during said 8th day of November and that a carpenter a tin smith and a painter were working therein and that no other business was done in his said place on said day and that no liquor was sold therein whereas in truth and in fact said saloon was not closed and kept closed but on the contrary was open and said front door was open and not barred on said day and business was done therein and liquors sold to this deponent and various other persons some of whom passed in through said front door: and this deponent and other persons including Milton M. Moore, Augustus F. King and James H. Gorman purchased and drank intoxicating liquors, to wit beer ale and whiskey in quantities less than five gallons on said day in said saloon, as deponent is informed by said Moore, King, and Gorman and verily believes.

WHEREFORE deponent alleges and charges that said Frank Strobels did then and there wilfully and corruptly swear falsely and commit wilful and corrupt perjury and deponent prays that a warrant may issue and that said Strobels may be arrested and dealt with as the law directs.

Sworn to before me this

31 day of May 1888

J. L. Moore
Soldier & Smith
Police Justice

POOR QUALITY
ORIGINAL

0909

City and County of New York, ss:

James H. Gorman being duly sworn says that he
resides at *206 East 73rd Street*
in the City of New York

that he knows the saloon lately kept by Frank Strobel at No.
120 Hester in the City of New York: That the same was on the
8th day of November 1887 open and transacting business, that
he visited and entered the same on that day by the front door
which was not barred or kept closed, that he was accompanied
by Milton M. Moore; that he purchased and drank ale therein
in quantities less than five gallons and ^{saw} said Moore purchase
and drink liquor therein on said day. That he saw various
other persons in said saloon at that time and going in and
out thro said front and side door.

Sworn to before me this)
31 day of *May* 1888.)

James H. Gorman
Solon B. Smith
Police Justice

POOR QUALITY
ORIGINAL

0910

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

188.

Mr Mac Donnell

I do not
wish a perfection
taken in the case of

People v Frank Strobel.

Defendant is absent,
but will be here to
answer.

J. P. M.

**POOR QUALITY
ORIGINAL**

0911

City Report made
35 Liberty

In the Matter

50

FRANK STROBEL

Liquor seller.

MEMORANDUM AS TO WITNESSES.

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POOR QUALITY
ORIGINAL

0912

Case of Frank Strobel.

Memorandum.

James L. Moore went to Strobel's saloon at 120 Hester Street, New York, three times on election day Nov. 8. 1887. Went in through front door in each instance. Front door opens only into saloon. Saw a number of other people in there. Heard some of them order beer, and saw it drawn from a keg and served to them - saw them drink it. He himself ordered whiskey once, and beer another time, and on each occasion he was served with what he ordered in quantities of less than five gallons. He drank what he ordered and paid for it; Witness saw a man whom he thinks was Strobel going in and out of side door a number of times accompanied by other persons. On one occasion Strobel was standing by bar while witness was drinking.

Augustus F. King went to Strobel's saloon at 120 Hester Street at about two o'clock on election day. There was a polling place almost next door on Hester Street much less than a quarter of a mile from the saloon. He went into saloon through front door which was open. There were a number of other persons in the saloon. He saw them drinking. He saw several persons pass in and out of the front door. He ordered mixed ale, which was drawn and handed to him over the counter. He drank it and paid for it.

Milton M. More visited Strobel's saloon No. 120 Hester Street about six times on November 8. 1887 which was election day. He went into the saloon through both front and rear doors at

**POOR QUALITY
ORIGINAL**

0913

at different times. He saw a number of people going in and out at different times. He heard persons ordering drinks, and saw drinks served over the counter. Witness went twice into the saloon with James H. Gorman. They ordered, drank and paid for beer. On another occasion on the same day, witness ordered, and was served with whiskey, - less than five gallons - which he paid for. Witness saw James L. Moore going into the saloon

James P. Gorman went twice into Strobel's saloon 120 Hester Street on Election day in company with Hinton M. Moore. Saw different people at bar drinking on each occasion. Ordered, drank and paid for beer - less than five gallons - on each occasion.

POOR QUALITY
ORIGINAL

0914

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

-----X
The People of the State of New York :
against :
Frank Strobel :
-----X

The Grand Jury of the City and County of New York by this indictment accuse Frank Strobel of the crime of ~~perjury~~ ^{convinced} as follows: Heretofore, to wit, on the 27th day of March, 1888, at the City of New York in the County of New York there was duly depending before the Board of Commissioners of Excise in and for the said City of New York a certain proceeding in due form of law for the revocation, cancellation and annulment of the license of the said Frank Strobel upon a certain complaint theretofore duly made, laid and presented to the said Board of Commissioners of Excise against the said Frank Strobel then being a person duly licensed to sell intoxicating liquors, beer and wines at the premises and place situated in the said city and known as number 120 Hester Street, for that he the said Frank Strobel, on the eighth day of November, 1887, the same being a day on which a general election was held throughout the said State and in the said City of New York did unlawfully sell intoxicating liquors and wines and within a quarter of a mile from the place where such general election was held to certain persons as a beverage and also for that he being so licensed

POOR QUALITY
ORIGINAL

0915

2

and at his said place of business so licensed as aforesaid did not close and keep closed the said place and premises on the said day on which the said general election was so held as aforesaid.

And on the twenty-seventh day of March, 1888, the said Board of Commissioners of Excise duly proceeded to inquire into the said charge and to examine the same in due form of law.

And at and upon the said inquiry and proceeding the said Frank Strobel, late of the City and County aforesaid personally appeared before the Board of Commissioners of Excise and then and there offered himself as a witness in his own behalf upon the said inquiry and proceeding.

And the said Frank Strobel was then and there in due form of law sworn and did take his corporal oath by and before the said Board of Commissioners of Excise that the evidence which he should give upon the said inquiry and proceeding in the matter of the said complaint against himself should be the truth, the whole truth and nothing but the truth, the said Board of Commissioners of Excise having then and there full and competent power and authority to administer the said oath to the said Frank Strobel in that ~~behalf~~ behalf.

And the said Frank Strobel being so sworn as aforesaid it then and there ^{became and} was material upon the said inquiry and proceeding that the said Board of Commissioners of Excise should know whether the place and premises aforesaid of him the said Frank Strobel, sit-

POOR QUALITY
ORIGINAL

0916

3

uate as aforesaid, and so being within one quarter of a mile from the place where such general election was so held and at which he was so licensed to sell intoxicating liquors, beer and wines, was closed and kept closed on the said eighty day of November, 1887, so being a day on which such general election was held as aforesaid and whether on said last mentioned day he the said Frank Strobel had sold or caused or procured or suffered or permitted to be sold any intoxicating liquors or wines to any person whatsoever as a beverage.

And the said Frank Strobel being so sworn as aforesaid then and there at and upon the said inquiry and proceeding before the said Board of Commissioners of Excise of and concerning the material matters aforesaid on his oath aforesaid feloniously, wickedly, corruptly and knowingly did falsely swear, depose and testify amongst other things in substance and to the effect following that is to say, that the said place and premises were closed and kept closed on the said eighth day of November, 1887, and were not open nor kept open, that the front door of his said place and premises was closed and never opened until five o'clock in the afternoon of the said day, that he had a big Wooden bar up to prevent the opening of the said door and that his window shades were down, that he did not open his said front door at any time until five o'clock in the afternoon of the said day for the purpose of allowing any one in his said place and premises, that

POOR QUALITY
ORIGINAL

0917

4

he did not sell or cause or procure or suffer or permit to be sold to any person or persons whatsoever on the said day in his said place and premises any intoxicating liquors or wines as a beverage or for any purpose, that he was present in his said place and premises on the said day all the time and had a carpenter, a tin smith and a painter working there, but that he did no business on said day in his said place and premises until half past four in the afternoon.

Whereas in truth and in fact the said place and premises of him the said Frank Strobel were not closed and kept closed on the said eighth day of November, 1887, but were open and kept open on the said ~~nighth day of November~~ day, and his said front door was not closed and was opened during the whole of said day and before five o'clock in the afternoon thereof, and he did not have a big wooden bar up to prevent the opening of the said door and his window shades were not down, and he the said Frank Strobel did open his said front door divers times during the said day and before five o'clock in the afternoon of the said day for the purpose of allowing persons into his said place and premises, and whereas in truth and in fact he the said Frank Strobel did on the said eighth day of November, so being a day of which the said general election was so held as aforesaid and at his said place and premises so being within one quarter of a mile from the place where such general election was held, sell and cause and procure and suffer and permit

POOR QUALITY
ORIGINAL

0918

5

to be sold divers intoxicating liquors and wines as a beverage to Milton M. Moore, Augustus F. King, James H. Gorman, James L. Moore and divers other persons whose names are to the Grand Jury unknown.

And the said Frank Strobel did not have a carpenter or tin smith or a painter at work in his said place and premises on the said day and did do business therein during the whole of said day and before half past four in the afternoon thereof.

And whereas in truth and in fact all the material matters aforesaid so as aforesaid by him the said Frank Strobel then and there at and upon the said inquiry and proceeding sworn to, deposed and testified to, were then and there, to wit, on the said twenty-seventh day of March, 1888, at the City and County aforesaid, in all things utterly false and untrue as he the said Frank Strobel then and there well knew.

And so the Grand Jury aforesaid do say that the said Frank Strobel in manner and form aforesaid feloniously, wilfully, wickedly, knowingly, corruptly and falsely did commit wilfull and corrupt perjury : against the form of the statute in such case made and provided and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

POOR QUALITY
ORIGINAL

0919

Witness,
James L. Moore
Mary L. King
Wilton Moore

Counsel,
Filed 29 day of Oct. 1888
Reads, *Atty. Gen. (30)*

THE PEOPLE
vs.
Frank Strobel
[Section - 96 - Penal Code.]

JOHN R. FELLOWS,
*P. 2 Apr 26/89, District Attorney.
Bill forfeited & entered.*

A True Bill.

Amelia Smith Foreman.

*Dec. 18 - 1888
Post 7:45 PM at
Hk request*

0920

BOX:

326

FOLDER:

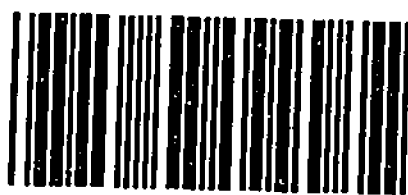
3095

DESCRIPTION:

Struck, John

DATE:

10/10/88



3095

Witnesses:

James J. Hart
1st Foreman

Court of Oyer and Terminer

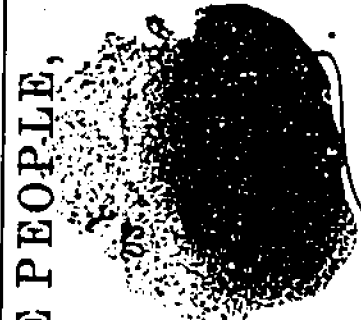
Counsel,

Filed, 10 day of Oct 1888

Pleads,

THE PEOPLE,

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



John Struck

JOHN R. FELLOWS.

District Attorney.

April 26/89.

Placed guilty.

True Bill. Fine \$30.

Dated June 13, 1889.

Attest: J. W. M. R. B. M.

et Foreman.

L. Decal. 1889


0921

James J. Hart
1st Foreman

Witnesses:

Court of Oyer and Terminer

Counsel,
Filed, 10 day of Oct 1888
Pleads,

THE PEOPLE,

John Struck
VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1083, Sec. 21 and page 1089, Sec. 5.]

Transferred to the Court of Special Sessions for trial and final disposition
True Bill. June 1830
Dated: June 1830
John R. Fellows, District Attorney.
et Foreman.
L. Decal. 1888

POOR QUALITY
ORIGINAL

0922

POOR QUALITY
ORIGINAL

0923

Excise Violation-Selling on Sunday.

POLICE COURT- First DISTRICT.

City and County } ss.
of New York,

of No. The 1st Premier Police James J. Hart
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 28th day
of November 1888 in the City of New York, in the County of New York, at
premises No. 18 State Street,

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

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

Sworn to before me, this 29 day
of November 1888

Arthur White Police Justice.

James J. Hart

POOR QUALITY
ORIGINAL

0924

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK. } ss.

102 District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty I demand a trial at the Court of General Sessions by a Jury

John Struck

Taken before me this

day of

188

Police Justice.

POOR QUALITY
ORIGINAL

0925

BAILED,
No. 1, by Charles A. Smith
Residence 783 Premier Street.
No. 2, by _____
Residence _____
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____
No. 5, by _____
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No. 99, by _____
Residence _____
No. 100, by _____
Residence _____

RECEIVED
Police Court, District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James A. Smith
John A. Smith
Office Violation
Police Law

Dated Nov 29 188

Magistrate.

Officer.

Precinct.

Witnesses

No. _____
Street.

No. _____
Street.

No. _____
Street.

No. _____
Street.



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

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

Dated Nov 29 188 Andrew Smith Police Justice.

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

Dated Nov 29 188 Andrew Smith Police Justice.

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

Dated _____ 188 _____ Police Justice.

POOR QUALITY
ORIGINAL

0926

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

John Struck

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

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

The said

John Struck

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

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

SECOND COUNT—

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

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

The said

John Struck

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

JOHN R. FELLOWS,

District Attorney.

0927

BOX:

326

FOLDER:

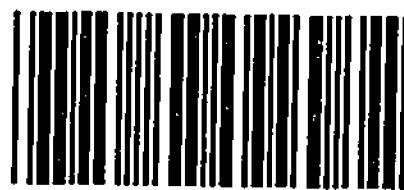
3095

DESCRIPTION:

Switterlin, Jacob

DATE:

10/16/88



3095

POOR QUALITY
ORIGINAL

0928

206

Geo. Hill

Counsel,

Filed

16 day of Oct- 1888

Pleads,

Not Guilty (16)

THE PEOPLE

vs.

Jacob E. Switzerlin
(in error)

Forgery in the Second Degree.
[Section 511 and 521, Penal Code.]
(Indorsement, etc)

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. L. Smith Foreman.

Witnesses:

Handwritten signature

POOR QUALITY
ORIGINAL

0929

Memorandum

District Attorneys Office.

City & County of

New York.

Chas. J. Met. Trust Co

May 13

1887

No 147 July 22/87 \$500.

148 Oct 16/87 62.50

147 Sept 20/87 3.75

Morgan & Worthington

69 Wall St
N.Y.

POOR QUALITY
ORIGINAL

0930

Received by the
District Attorney's Office.

City & County of

New York.

Cons. & Dep. U.S. Trust Co.

May 13 1889

- (1) No. A 47696 Feb. 25/87
- (2) A 48782 May 28/87
- (3) A 36879 May 7/84
- (4) A 49010 June 28/87
- (5) A 48031 March 28/87
- (6) A 46948 Dec 29/86
- (7) A 47336 June 25/87
- (8) A 46596 Nov 22/86

Checks 90.091 Aug 26/87 10632.08

Stewart Sheldon

Attys for United
State Trust Co. & Dep.

POOR QUALITY
ORIGINAL

0931

People

Prob E Littleton

Receipts for
Vouchers

District Attorney's Office
City & County of
New York

POOR QUALITY
ORIGINAL

0932

COURT OF GENERAL SESSIONS

The People
against

JACOB E. SUTTERLIN.

Original
AFFIDAVITS OF A. E. REYNOLDS
and C. W. CULVER.

George Hill, Esq.,
Atty. for Defendant,
206 Broadway,
N. Y. City.

COURT OF GENERAL SESSIONS.

-----x
The People
against
Jacob E. Suitterlin.
-----x

City and County of New York, ss:

A. E. REYNOLDS, being duly sworn says: I had an interview with Morgan & Worthington, attorneys for the Breece Mining Company, of which Mr. Rogers the complainant herein is the President.

Before Mr. Morgan's arrival Mr. Worthington said to me that their duty to their client required them to insist on the punishment of the law being inflicted on Mr. Suitterlin as they had no instructions from their client to the contrary, although Mr. Suitterlin's friends had had ample time to see Mr. Rogers, the complainant, and get his consent to a suspension of sentence, as desired.

As a result of the conversation I thought it best to go to Boston and see Mr. Rogers, and asked Mr. C. V. Culver to accompany me.

We took the next train, on Tuesday, May 7th, 1889, to Boston and went directly to see Mr. Rogers, and told him what efforts were being made to secure a suspension of sentence for Mr. Suitterlin; and after

some conversation, in reply to the remark of Mr. Culver that Mr. Suitterlin had already suffered more than is ordinarily occasioned by an imprisonment of 5 or 10 years Mr. Rogers said "so I think; he can't suffer any more than he has done already".

When Mr. Culver asked him if he would not consent to a suspension of the sentence Mr. Rogers said "I have no desire to see him punished further, my only object is to secure the return of the money to our stockholders and if his release will not prejudice the collection of our claim I am perfectly willing that a suspension of sentence be granted". Mr. Rogers asked when action would have to be taken, Mr. Culver answered "tomorrow morning". Mr. Rogers then said "I will write Mr. Morgan to that effect tonight, so that he will receive my letter by 8 o'clock tomorrow morning, and will ask him to see the other trustees; and to make sure that he will get my letter I will telegraph him".

Mr. Culver then asked Mr. Rogers if Mr. Whitfield who is one of the trustees of the Breece Mining Company was not inclined to be severe in regard to requiring Mr.

Suitterlin's punishment - Mr. Rogers replied "no, I don't think he is. I don't think Mr. Whitfield cares a cent about it one way or the other". We then went to the depot to take the return train to New York, and after a time Mr. Rogers came to the waiting room of the depot and told us that he had written Mr. Morgan and brought the letter to the depot and had just mailed it.

Sworn to before me this:
8th day of May, 1889.

A. E. Reynolds
Chas. MacArthur
Notary Public King Co. Off. N.Y.C.

POOR QUALITY
ORIGINAL

0935

City and County of New York, ss:

C. V. CULVER being duly affirmed says: I
have read the foregoing affidavit of A. E. Reynolds.
All the facts therein stated are true of my own know-
ledge except that I do not know of my own knowledge
what took place at the interview with Mr. Worthington,
as I was not present.

Affirmed to before me this :

E. H. Culver

8th day of May, 1889.

Edw. H. Culver
Notary Public
Kemp C. H. M. G.

POOR QUALITY
ORIGINAL

0936

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

N.Y. Dec 19 1886

John

Chas N. Morgan &
69 Wall Street

Dear Sir:-

I would like to see you
in relation to the above case.
I understand you are one of
the counsel in the matter for the
Complainant. ~~The case~~
~~which is in my hands for~~
~~Examination.~~

Kindly call upon me
at 1030 am, ^{on Monday} including Mr. Rogers
at 1030 am, & oblige

Yours Respy.

B. D. Rogers

Asst Dist Atty

Copy

POOR QUALITY
ORIGINAL

0937

In the matter of the property
on the person of Jacob E. Switterlin
when arrested on January 28th., 1888.

City and County of New York, ss.

Jacob E. Switterlin being duly sworn says: that when arrested January 28, 1888 by Officer Heidelberg he had upon his person about \$1080., in cash, two certificates of stock of the Breece Mining Company, several checks drawn by C. V. Culvar, Trustee, payable to deponents order, and various letters and papers which had accumulated in his pocket during weeks and months previous; that none of said effects were in any way connected with the affairs of the Breece Mining Company or his relations therewith; that the two certificates of stock and the \$1080. in cash belonged to Miss. A. E. Reynolds the certificates having been purchased for her by deponent with her money, and the \$1080. in cash being the proceeds of other stock transactions on her account and in her behalf; that he delivered said effects to said Officer Heidelberg at the time of his arrest making to said Officer a statement in substance like the statement herein.

Sworn to before me this

22nd day of March, 1888.

Jacob E. Switterlin
J. James Hack
Notary Public
N.Y. Co.

0938

Charged with Forgery

Dated Feb'y 13th 1888 William A W Stewart.
Atty and of Counsel
for the Complainant and
the People
Herron H. Shook
Counsel for deft prison

POOR QUALITY
ORIGINAL

0939

Great District Prison

People

Charles A. Rogers

"

James F. Smith

Consent

POOR QUALITY
ORIGINAL

0940

People
Intention

Mr McCabe -
Noting agreed,
prop took the
papers - decision
reserved.

B. J. S. S. S.
C. S. S. S.

July 1894

POOR QUALITY
ORIGINAL

0941

106.

DISTRICT ATTORNEY'S OFFICE,
City and County of New York.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles A. Rogers
vs.
Charles E. Smith
James Lee
James - other case
James Lee
James Lee

Offence

Dated *October 10* 188*8*

Witnesses,

No. _____ Street, _____

No. _____ Street, _____

No. _____ Street, _____

People vs
Jacob E. Suterlin

City & County of New York vs. Charles A. Rogers
being duly sworn says that he resides
in the City of Boston Mass. and
is the President of the Bruce
Mining Co. That one Jacob
E. Suterlin the defendant above
named forged and uttered
certain certificates of deposit belonging
to said Mining Co above named
issued by the U.S. Trust Co. of
New York, by misreading them the
name & signature of one of the
payees in such certificates named
as "Thos. Rogers V.P." and collecting
receiving from said Trust Co. the
sums of \$2000.00 or about Aug 6 - 1887,
\$3000.- or or about Aug 26 - 1887. \$3000.
or or about Aug 26 - 1887 - \$1500. or
or about the same date, \$1000. or or
about July 30 - 1887. \$1000. or or about
July 30 - 1887 - \$2000 or or about July
20 - 1887, and did also forge
said name of said Thos. Rogers V.P.

POOR QUALITY
ORIGINAL

0943

to certain checks and receiving
drawing the money therefore
want:

check for \$62.52 on Metropolitan Trust Co.

dated Oct 16 - 1887

check for \$500. dated July 22 - '87 on same
trust co.

check for \$375 dated Sept 21 - '87 drawn
on said trust co.

signed before me Charles H. Rogers.

at 10th St, 1st Oct 1887

William H. Rogers

Cornell College

at Ithaca NY

B.O. 206

The People of the State of New York }
agst
Jacob E. Snitterlin. }

City & County of New York ss:

Sidney G. Law being duly sworn, says:

As missionary chaplain at the
Jombs I have frequently conversed with
Mr J E Snitterlin, and have formed
a high estimate of his character.

I have had an opportunity in
an experience of nine years, as a con-
stant visitor at the Prison to discrimi-
nate between the mere forlorn ones, and
the true gentlemen. And while I have
been deeply interested in different
prisoners of natural ability, and edu-
cation, and culture, I can hardly
think of half a dozen men accused
of serious crime whose word I could
so fully trust as that of Mr Snitterlin.
I have reason to believe him thoroughly
sincere. His sentiments are those of a
truly conscientious and honest man.

If, in a sudden moment of danger,
he was tempted to use any wrong or
questionable means of saving himself,
I believe that, in his deliberate judgment,
he would have preferred to lose everything

rather than to have saved himself
by wronging others. He is certainly no
intentional criminal.

And, whatever his mistake, he
has already suffered far more than
many a deliberate rogue would have
suffered from a ~~penitence~~ to a long term
of imprisonment.

I believe that justice, as well
as mercy, would be better served
by his discharge, than by his further
imprisonment.

Sidney L. Law
Missionary Chaplain
at the Founts

Sworn to before me this {
30th day of October 1888.

John H. Brewster
Notary Public
New York Co
N.Y.

POOR QUALITY
ORIGINAL

0946

People v Sutterlin

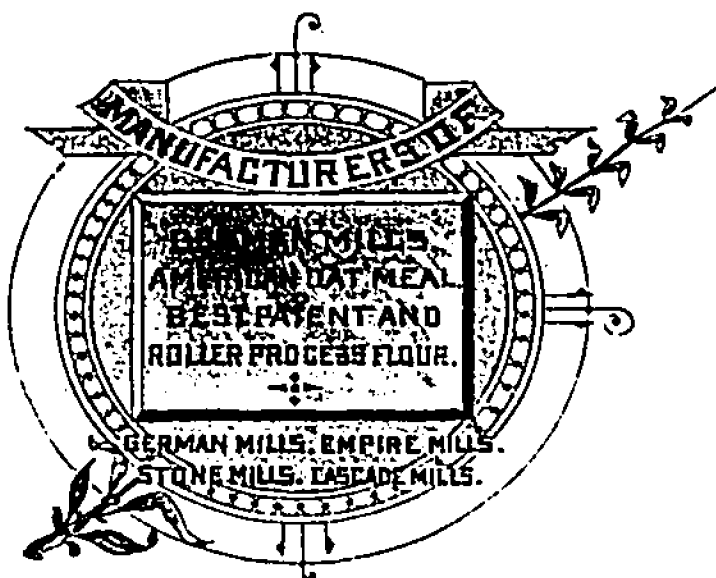
Affid. of

Rev. S. G. Law.

17

POOR QUALITY
ORIGINAL

0947



TELEPHONE CALL NO. 377 PEARL.



New York Sept 29 1888

The People vs Jacob C Sutterlin.
State of New York } ss.
County and City of New York }

Name, R W Muns. Age, 24. Place of business, 41 Water St N.Y.
Residence, 121 M^c Donough St. Brooklyn, being duly sworn
says: - I have known the defendant for several
years and have heard nothing but good of him.
I was at his "School of the Voice" for six
weeks and found him perfectly fair and honest
in all our money transactions. I consider
Mr Sutterlin a man worthy of honor and esteem.
(Signed) R W Muns,

Sworn to before me this 29 day of September 1888.

J. H. Shepard Notary Public
City & County of N.Y. C to 224

**POOR QUALITY
ORIGINAL**

0948

R W. Muns

affidavit

[Faint, mostly illegible text and stamps, possibly including a date and location]

[Faint, mostly illegible text and stamps, possibly including a date and location]

POOR QUALITY
ORIGINAL

0949

CHAS. N. MORGAN,
ROBERT H. WORTHINGTON.

MORGAN & WORTHINGTON,

COUNSELLORS AT LAW,

69 WALL ST.

NEW YORK,

May 4th

1889

People.
vs.
Sutterlin.

My Dear Mr. Dos Passos.

In the above matter the prisoners friends have been making strong and repeated appeals to me to consent to a suspension of sentence and his enlargement on bail. To such a course I cannot consent and cannot conceive that the Court would listen to such a proposition. I cannot see that the circumstances of the case afford any sufficient reason why so wide a departure from the ordinary rules should be made. The complainant whom I represent has no vindictiveness to gratify, and is quite willing that in imposing sentence the Court should take into consideration the length of time the defendant has already been imprisoned, his previous good character and any other extenuating circumstances that may exist, and would not object to the imposition of the lightest sentence in the power of the Court to impose under the law. The crime however of which the defendant has been guilty should certainly receive its appropriate punishment. I will attend at Court on the 6th inst, and will see you. In the meantime I write this note that the complainants

POOR QUALITY
ORIGINAL

0950

position and my own may not be misconceived.
Yours very truly,

Chas. M. Morgan

To Rui F. Dos Passos, Esq.

POOR QUALITY
ORIGINAL

0951

JOHN A. STEWART, President.
JAMES S. CLARK, 2d. Vice Pres.
H. L. THORNELL, Secretary.
L. G. HAMPTON, 1st. Secretary.
P. O. Box 659.

United States Trust Company, New York.
45 & 47 WALL STREET.

May 7. 1889.

People vs. Suittlerlin.

My Dear Sir:

In compliance with the wish which I understand has been expressed by you, I beg to advise you that the transactions between the Breece Mining Company, and the United States Trust Company of New York, in which it is claimed by the Mining Company that the defendant Suittlerlin forged the name of Theodore V. Seymour, the Vice President of the latter Company, to certificates of deposit, issued by the Trust Company, aggregate in amount \$14,805. 17, and include payments made to the defendant of various amounts extending over a period of several months.

The indictment to which we are advised the defendant pleaded guilty a few days ago embraced, however, but one of those payments.

In the presence of the President of this Company the defendant confessed, in January, 1888, that he had himself written Mr. Seymour's name on the several certificates for the purpose of withdrawing the money represented thereby. Under these circumstances, and

POOR QUALITY
ORIGINAL

0952

JOHN A. STEWART, President.
JAMES S. CLARK, 2d Vice Pres.
H. L. THORNELL, Secretary
L. G. HAMPTON, Asst. Secretary.

P.O. Box 659.

United States Trust Company, New York.

45 & 47 WALL STREET.

*in view of the age and business experience of the
defendant, we are strongly of the opinion that when
pleading guilty of the crime charged, no sufficient
reason exists in his case for the extraordinary
exercise of judicial discretion involved in a sus-
pension of sentence.*

With much respect, Sir,

I remain,

Yours very truly,

John A. Stewart
Pres.

The Honorable

Henry A. Gildersleeve.

POOR QUALITY
ORIGINAL

0953

Feb 1/89

People

Intention

Dr Senator:-

In answer to
this motion,
I would say the
bail is 10000,
fixed by the magis-
trate. I have
reported the
indictment should
be tried -

The dept is
unable to obtain
10000 & as he
states -

B. J. S. W. J. S.

to me
Please report what
disposition the
Court makes

POOR QUALITY
ORIGINAL

0954

People vs. Sutterlin.

The Honorable

Henry A. Gildersleeve,

Court of General Sessions.

POOR QUALITY
ORIGINAL

0955

The People

vs.

Jacob C. Snitterlin

State of New York }
City & County of New York } S.S.

Abraham Garrison of the City of New York
being duly sworn, deposes and says that he
has known the above named Snitterlin since
the year 1880 - that he has been intimately
connected with him in a Benevolent Fraternal
organization known as the Royal Arcanum,
in which said Snitterlin was elected to and held
the highest office in the branch of the order to
which we both belonged for two successive terms,
and that he was always held in very high
esteem by his fellow members of the Royal
Arcanum,

Sworn before me

September 28. 1888 -

Samuel J. Kelly
Notary Public
N.Y.C. (205)

A. Garrison

POOR QUALITY
ORIGINAL

0956

People's Butterline

Affid. of

Abraham Harris

12

The People
Jacob E. Suttelin

State of New York }
City & County of New York } ss

John H. Meeker of the City of New York
being duly sworn, deposes and says
that he has known the above named
Suttelin since the year 1879 - That he
has been intimately connected with him
in a Benevolent Fraternal organization known
as The Royal Arcanum, in which said
Suttelin was elected to and held the
highest office in that branch of the order
for two successive terms, and that he
was always held in very high esteem by
his fellow members of the Royal Arcanum.
Sworn to before me
this 28th day of September 1888 John H. Meeker
Abraham B. Smith

Notary Public - Kings Co
Cof filed - V.S. Co

POOR QUALITY
ORIGINAL

0958

People v. Gutterman

Affid. of

John K. Gutterman

John K. Gutterman

13

POOR QUALITY
ORIGINAL

0959

The People

vs.

Jacob E. Switterlin.

State of New York,

City and County of New York : ss.

Hermon H. Shook being duly sworn says that he knows the above named Jacob E. Switterlin, that he has been acquainted with him for ten or twelve years last past, that with the exception of the present alleged charge he has never heard his integrity questioned, that he has personally known him to be a gentleman of high character, intelligence and integrity, that he has also heard numerous persons speak of him and from what he has heard others say deponent knows the general character and reputation of said Switterlin for honor and integrity and that the said character and reputation is the very highest.

Sworn to before me this 1st. :

day of October, 1888.

Hermon H. Shook

A. R. Gable
Notary Public, New York
City, filed in N.Y. C.

POOR QUALITY
ORIGINAL

0960

Esper Switelin

Officer of

W. H. Hook.

8

POOR QUALITY
ORIGINAL

0961

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Jacob E. Sutterlin

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

Jacob E. Sutterlin

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

The said

Jacob E. Sutterlin

late of the City of New York, in the County of New York aforesaid, on the thirtieth day of July - in the year of our Lord one thousand eight hundred and eighty-seven, at the City and County aforesaid, having in his custody a certain instrument and writing,

which said instrument and writing is as follows, that is to say:

No. 448782
May 25 1887
New York
United States Trust Company of New York
has received from
Breece Mining Co. the sum of One Thousand Dollars of current funds upon which the said company will allow interest at the annual rate of two per cent. from this date, and on 5 days notice will repay the like amount in current funds with the interest to J. E. Sutterlin Secy & Treasr. And Theo Seymour V. Prescott on assigns on the return of this certificate which is assignable only on the Books of the company. The right is reserved by the company, upon giving ten days notice, to reduce the rate or discontinuing the payment of interest on this certificate, or pay off the principal. Such notice to be given personally or through the Post Office directed to the address named on the Books of this company.
W. R. Thordell Secretary J. S. Clark 2 V President.

the said

Jacob E. Sutterlin

— afterwards, to wit: on the day and in the year

aforesaid, with force and arms, at the City and County aforesaid, feloniously did forge, and cause and procure to be forged, and willingly act and assist in forging on the

back of the said instrument and writing a certain instrument and writing commonly called a receipt for money which said forged instrument and writing commonly called a receipt for money is as follows, that is to say: Received, the sum of on account of Principal and Interest of the within Certificate No. A. 48782 as expressed against our signatures respectively. When due When paid Interest Principal Signatures
July 30 344 1000 J. E. Sutterlin Secy & Treasr Theo Seymour V. P.

with intent to defraud, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John R. Holloway,
District Attorney.

POOR QUALITY
ORIGINAL

0962

Witnesses;

Lewis N. Farwell

Counsel,

Filed

day of

1888

Pleads,

Not Guilty (16)

THE PEOPLE

vs.

Jacob E. Switzerlin

(in case)

Forgery in the Second Degree.
[Section 511 and 512, Penal Code.]
(Endorsement, etc.)

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Lewis N. Farwell Foreman.

POOR QUALITY
ORIGINAL

0963

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Isaac R. Sutterlin

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

Isaac R. Sutterlin

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

The said

Isaac R. Sutterlin,

late of the City of New York, in the County of New York aforesaid, on the *twenty eighth* day of *July* in the year of our Lord one thousand eight hundred and eighty-~~ninem~~, at the City and County aforesaid, having in *his* custody a certain instrument and writing,

which said *instrument and writing* is as follows, that is to say:

4000
New York These may certify that the *No A 36879*
United States Trust Company of New York *May 7 1884*
has received from *Breece Mining Co* the sum of *Four thousand \$* Dollars
of current funds upon which the said Company will allow interest at
the annual rate of two (2) per cent from this date, and on 5
days notice will repay the like amount in current funds
with the interest to the said Co. by *Theo Seymour, J.P.* and
J. E. Sutterlin, Treas or assigns on the return of this Cert-
ificate which is assignable only on the Books of the Company.
The right is reserved by the Company upon giving ten days notice, to
reduce the rate, or to *recontinue the payment of interest on this*
Certificate, or pay off the principal. Such notice to be served per-
sonally or through the Post Office, directed to the address named on the
Books of this Company.
W. R. Thornell Secretary John A. Stewart President.

the said

Isaac R. Sutterlin

afterwards, to wit: on the day and in the year
aforesaid, with force and arms, at the City and County aforesaid, feloniously did forge,
and cause and procure to be forged, and willingly act and assist in forging on the

Isaac R. Sutterlin of the said *instrument and writing*
a certain instrument and writing commonly called a *receipt for money* which said forged
instrument and writing commonly called a *receipt for money* is as follows, that is to say:

"Received, the sum on account of Principal and Interest of the within
Certificate, No A 36879 as expressed against our signatures respectively.

When due.	When paid.	Interest	Principal	Signatures
	<i>July 22/84</i>	<i>56 23</i>	<i>2000</i>	<i>Theo Seymour J.P.</i> <i>J. E. Sutterlin Treas</i>

with intent, to defraud, against the form of the Statute in such case made and provided, and
against the peace of the People of the State of New York and their dignity.

John R. Bellows,
District Attorney.

0964

BOX:

326

FOLDER:

3095

DESCRIPTION:

Sullivan, James

DATE:

10/25/88



3095

Witnesses;

Joseph Roth
J. Gallagher

after reading the
within with hand
and conversing with
officer men Gallagher
and learning that
the defendant's
character heretofore
has been excellent
and belongs to a
very respectable family
a happy family of all the
I wish that they
and recommend that
this indictment be dis-
missed.

Dec 2/1888 G.S.A.
S.D.R.

H.P.
J.P. at

Counsel,
Filed 25 day of Oct 1888
Pleads, *Not guilty*

Grand Larceny, 528, 580, 550 Penal Code].
(From the Person.)
THE PEOPLE

vs.

P
James Sullivan

JOHN R. FELLOWS,

District Attorney.

Nov 5th 1888

A True Bill.

James O. Sullivan Foreman.

On recom. of Dist. Atty.
indict. dis. P.B.M.

0965

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

James Sullivan

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. I can not nor could I at the time identify the defendant as the person who snatched my bundle and ran away with it and was therefore positively assured since I was under the influence of the officers that he stole said bundle. I was informed by the officers that he had been under his arm when defendant walked past him, the officer, who asked defendant what he had and defendant answered a bundle which I picked up. I have been informed by some of my friends in whom I have the greatest confidence that defendant is respectable and honest and that his parents as well as brothers & sisters are poor but highly respectable and very honest. In view of all this I cannot conscientiously prosecute the case any further and with the indulgence of the court, I respectfully beg to withdraw my charge and recommend the defendant to the clemency of the honorable court.

Adolph Rauh

POOR QUALITY
ORIGINAL

0967

Police Court—

3d
District.

Affidavit—Larceny.

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

of No. *Union Hill New Jersey* Street, aged *33* years,
occupation *Upholsterer* being duly sworn
deposes and says, that on the *20* day of *Oct* 188*8* at the City of New

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

*One blue flannel shirt and one
black scarf together of the value
of two dollars and fifty cents*

the property of *Deponent*

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

*from the fact that at about the hour
of two o'clock and thirty minutes A.M.
while deponent was walking along Chrystie
Street when some man snatched the
parcel containing said property from
deponent's right hand and ran away
pursued by deponent.
Deponent is informed by Officer Owen
Gallagher of the 11th Precinct Police that
he found the said defendant running
through Chrystie Street and said officer
pursued said defendant and arrested
said defendant and found said parcel
containing said property in the defendant's*

Sworn to before me, this
day of *Oct* 188*8*

Police Justice.

POOR QUALITY
ORIGINAL

0968

possession here shown in Court and
identified by deponent as his property
I want to before
Me the 21st day of October
Griffinford

Adolphus Ruth
Police Justice

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

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

Offence—LARCENY.

1	
2	
3	
4	

Dated 188
Magistrate.
Officer.
Clerk.
Witnesses,
No. Street,
No. Street,
No. Street,
§ to answer Sessions.

POOR QUALITY
ORIGINAL

0969

CITY AND COUNTY }
OF NEW YORK, } ss.

aged

30

years, occupation

Owen Gallagher
Police Officer

of No.

The 11th Precinct Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

Adolph Bluth

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

Sworn to before me, this

day of

188

Owen Gallagher

G. Kennedy

Police Justice.

POOR QUALITY
ORIGINAL

0970

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK

3 District Police Court.

James Sullivan 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 to see fit to answer the charge and explain the facts alleged against him,
that he is at liberty to waive making a statement, and that his waiver cannot be used
against him on the trial.

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty
James Sullivan

Taken before me this

day of

188

Police Justice

0971

706-81651

Police Court--- District.

THE PEOPLE &c.,
ON THE COMPLAINT OF
Captain Muth

~~Charged with~~
~~for 1st degree murder~~
~~in the killing of~~
~~William J. Sullivan~~

1
2
3
4

Offence Larceny
from the person

Date Oct 27 1888
 Magistrate. Samuel Walker
 Officer. 11
 Witnesses Call the Officer
 No. _____ Precinct. _____
 Street. _____
 No. _____
 Street. _____
 No. _____
 Street. _____
 RECEIVED. OCT 29 1888 DISTRICT ATTORNEY'S OFFICE.
 No. 500 Street. 28
 to answer John
John

Dated 188 *Police Justice.*

POOR QUALITY
ORIGINAL

0972

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Sullivan

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

James Sullivan
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

James Sullivan

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

*one shirt of the value of two
dollars, and*

*one scarf of the value of fifty
cents*

of the goods, chattels and personal property of one
on the person of the said

then and there being found, from the person of the said

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.

Adolph Ruth

Adolph Ruth

Adolph Ruth

POOR QUALITY
ORIGINAL

0973

SECOND COUNT—

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

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

The said

James Sullivan

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

*one shirt of the value of two
dollars, and*

*one scarf of the value of fifty
cents*

of the goods, chattels and personal property of one

Adolph Ruth

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

Adolph Ruth

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

James Sullivan

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

JOHN R. FELLOWS,

District Attorney.

0974

BOX:

326

FOLDER:

3095

DESCRIPTION:

Sullivan, Philip

DATE:

10/10/88



3095

POOR QUALITY
ORIGINAL

0975

Witnesses:

Wm M O Sullivan

27 - Foreman

408
Court of Oyer and Terminer

Counsel,

Filed, *10* day of *Oct* 188*8*

Pleads, *Chattel - Day*

THE PEOPLE,

vs.

B
Philip Sullivan
VIOLATION OF EXCISE LAW

(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1083, Sec. 21 and
page 1089, Sec. 5.]

JOHN R. FELLOWS.

District Attorney.

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

Due
Dated *Nov 5* 188*8*

Foreman.

Part III December 11, 85.

Complaint sent to Special Session

POOR QUALITY
ORIGINAL

0976

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Philip Sullivan

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

The said

Philip Sullivan

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

William M. O'Sullivan

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

SECOND COUNT—

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

Philip Sullivan

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

The said

Philip Sullivan

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

JOHN R. FELLOWS,

District Attorney.

09 7.8

**END OF
BOX**

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abcde fghij klmnop qrstu vwx yz 1234567890

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A3

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A4

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A5

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Rochester, NY 14609 USA
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Fax: 716/288-5989

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