

0623

BOX:

545

FOLDER:

4958

DESCRIPTION:

Sackofsky, Ferdinand

DATE:

12/06/93



4958

34

Witnesses:

.....
.....
.....
.....

COURT OF OYER AND TERMINER.

Counsel,

Filed,

6th day of Dec 1893

Pleads,

THE PEOPLE

vs.

B

Ferdinand Sackofsky

General Sessions

Dec 8th 1893

~~VIOLATION OF THE EXCISE LAW.~~

selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 32.]

LANCEY NICOLL,

District Attorney.

SUPREME COURT PART 1,

December 22 1899

A TRUE BILL

INDICTMENT DISMISSED.

R. de Coo

Foreman.

0625

Excise Violation-Selling on Sunday.

POLICE COURT- 4 DISTRICT.

City and County of New York } ss.

I, James Keane
of No. 210 Pratt Street,

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 30 day
of July 1889, in the City of New York, in the County of New York,

at premises No. 308 2nd Street,
Thomas Backus (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 Backus
may be arrested and dealt with according to law.

Sworn to before me, this 31 day of July 1889 William Keane

Amphlett Police Justice.

0626

Sec. 198-200.

24 District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss:

Ford Sackofsky
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 sees fit, to answer the charge and explain the facts alleged against him
that he is at liberty to waive making a statement, and that his waiver cannot be used
against him on the trial.

Question. What is your name?

Answer.

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 and
I demand a trial
by jury*

Ford Sackofsky

Taken before me this

day of
1919

Police Justice.

0627

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

Joseph Hart

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

Dated, July 31 1893 *Thos. H. [Signature]* Police Justice.

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

Dated, July 31 1893 *Thos. H. [Signature]* Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0628

Carroll in custody of
Lorans. Bryham until
July 31. 1890 at 1-30 PM

Police Court--- 34 825 District.

THE PEOPLE, &c. &c.
ON THE COMPLAINT OF

John Kearney
Magistrate
John Kearney
Officer

BAILED,

No. 1, by *J. Witt*
Residence *389 1st av* Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

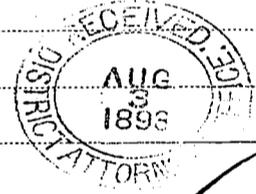
2 _____
3 _____
4 _____

Date *July 31* 1890
John Kearney Magistrate.
John Kearney Officer.
21 Precinct.

Witnesses _____
No. _____ Street.

No. _____ Street.

No. *100 G.B.* Street.
to answer *Bailed*



Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Ferdinand Backofsky

The Grand Jury of the City and County of New York, by this indictment, accuse
Ferdinand Backofsky
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *Ferdinand Backofsky*

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 ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale 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~~

~~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 New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
Ferdinand Backofsky
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *Ferdinand Backofsky*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale 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 offer and expose for sale to one

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.

DE LANCEY NICOLL,
District Attorney.

0630

BOX:

545

FOLDER:

4958

DESCRIPTION:

Salomon, Fernand

DATE:

12/22/93



4958

Witnesses:

Thomas Niebar

284 K. B. Training
29 Broadway
Counsel. F. W. Jan. 12/1943
Filed, 27 day of Dec 189
Pleads, Not guilty etc, with feminine

THE PEOPLE

vs.

Fernand Salomon

Jan 12/1943

F

LARCENY, 2nd degree
(MISAPPROPRIATION)
(Sections 528 and 53 of the Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

B. H. Wood

Foreman.

12-15-43

0632

Police Court _____ District. _____ Affidavit—Larceny.

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

Thomas Wilbor

of No. 81 New Street, aged 33 years,

occupation Architectural Copying being duly sworn,

deposes and says, that on the 30th day of September 1893, at the City of New

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

a firm doing business in the City of New York at above address the sum three hundred and six dollars and sixty eight cents.

the property of said firm of which deponent is a partner

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 Fernand Salomon, who was employed as the Manager for said firm at the office in New York City.

That on said 30th day of September 1893 the books of said firm kept in the hand writing of said Fernand Salomon, showed a balance to the credit of said firm of \$316.59 less balance in bank of both America of .35 and a credit on account of salary of 956 leaving said above named sum of \$306.68 which the said Fernand Salomon feloniously retains, although deponent has made demand therefor repeatedly, said Fernand Salomon having admitted the appropriation of the money of said firm

Sworn to before me, this _____ day

of _____ 1893

Police Justice.

to his own use, but declining to make
it good to said firm, and unlawfully
withheld the same

Thos. Kilbr

Sworn to before me
This 14th day of Dec 1893

Alman W. Foster
Notary Public

0634

Sec. 151.

Police Court / District.

CITY AND COUNTY }
OF NEW YORK, } ss.

In the name of the People of the State of New York; To the Sheriff of the County of New York, or 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 Thomas Welton of No. 81 New Street Street, that on the 30 day of September

1893 at the City of New York, in the County of New York, the following article to wit:

three hundred and six dollars and sixty eight cents

of the value of three hundred and six dollars ⁶⁸/₁₀₀ Dollars, the property of Welton and Company was taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by Bernard Palman

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 11 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 19 day of December, 1893

[Handwritten signature of Bernard Palman]

POLICE JUSTICE.

0635

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated

Dec 19th 1893

1893

McMahon Magistrate

Engler Officer.

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

Patrick Engler Officer.

Dated

Dec 20th 1893

1893

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

31
W
France
Clark
M
Y^{rs}

379-6 Ave

0636

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Ismael Salomon*

Question. How old are you?

Answer. *31 years*

Question. Where were you born?

Answer. *France*

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

Answer. *39 6th Avenue N.Y.*

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
Ismael Salomon

Taken before me this
day of
1887
[Signature]

Police Justice.

0637

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 *200* 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 *Dec 20* 1893 *[Signature]* Police Justice.

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

Dated..... 189..... Police Justice.

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

Dated..... 189..... Police Justice

0638

61 W 1362
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas Wilbur
St Paul
1. Bernard Solomon
2.
3.
4.

Offence
Larceny
Felling

BAILED, Dec. 23

No. 1, by William Kauffel
Residence 127 9th Street

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated Dec 20 1893

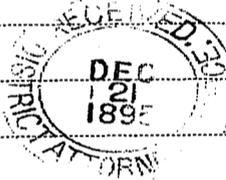
Martin Magistrate.

Officer.

Precinct.

Witnesses

No. Street.



No. Street.

No. Street.

to answer B.S.

Committed

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Fernand Salomon

The Grand Jury of the City and County of New York, by this indictment, accuse
Fernand Salomon
of the CRIME OF *Grand* LARCENY, in the second degree, committed
as follows:

The said *Fernand Salomon*,

late of the City of New York, in the County of New York aforesaid, on the *30th*
day of *September*, in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, being then and there the *clerk*
and servant of *Albert G. Wilbor, the younger*
and *Thomas Wilbor copartners*

and as such *clerk and servant* then and there having in his
possession, custody and control certain goods, chattels and personal property of the said
copartners

the true owner thereof, to wit:

the sum of three
hundred and sixty dollars and
sixty eight cents in money, lawful
money of the United States of
America, and of the value of three hun-
dred and six dollars and sixty eight cents

the said *Fernand Salomon* afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
did feloniously appropriate the said *sum of money*

to his own use, with intent to deprive and defraud the said *copartners*

of the same, and of the use and benefit thereof; and the same goods, chattels and personal
property of the said *copartners*

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

DE LANCEY NICOLL,
District Attorney.

0640

BOX:

545

FOLDER:

4958

DESCRIPTION:

Sanders, Charles

DATE:

12/06/93



4958

0641

27th 1893

COURT OF OYER AND TERMINER.

Counsel,

Filed, 6th day of Dec 1893

Pleads, *Murder*

THE PEOPLE

vs.

B
Charles Sanders

VIOLATION OF THE EXCISE LAW.
selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 32.]

General Sessions
Dec 8th 93.

DR LANCEY NICOLL,

District Attorney.

A TRUE BILL.

R. J. Cross Foreman.
Complaint sent to the Court
of Special Sessions.

Part of, *Dec 20 1893*

Witnesses :

.....
.....
.....
.....

0642

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Charles Sanders

The Grand Jury of the City and County of New York, by this indictment, accuse
Charles Sanders
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *Charles Sanders*

late of the City of New York, in the County of New York aforesaid, on the day of *November* ⁵ in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale 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

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 New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
Charles Sanders
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *Charles Sanders*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale 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 offer and expose for sale to one

Israel Rosenberg
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.

DE LANCEY NICOLL,
District Attorney.

0643

BOX:

545

FOLDER:

4958

DESCRIPTION:

Sanders, Louis

DATE:

12/22/93



4958

0644

BOX:

545

FOLDER:

4958

DESCRIPTION:

Reach, Isidor

DATE:

12/22/93



4958

293

X X

Witnesses:

officer Srompton Hunt
11th Precinct

Counsel,

Filed *W* day of *Dec* 1893

Pleads, *Guilty (both)*

Defendant No. 1. Louis Sanders
gave information of great value
to the Dist. Atty. by means of
which portion of the property
was recovered; and by means
of which the people were able
successfully to prosecute the
two receivers of stolen goods.

THE PEOPLE
32 Eldridge
128 Redden
vs.
Louis Sanders
28 Long St
46 Long St
and
Sidor Beach
Grand Larceny, second Degree.
[Sections 528, 531, Penal Code.]

Part I Mar. 9/94

Thos. J. Bradley
Dep. Asst. Dist. Atty.

DE LANCEY NICOLL,
Part 2 - Dec. 26, 1893 District Attorney.
Both Plead Guilty
Mar 2

A TRUE BILL.

B. Lockwood
Not. 14th 10 Mar 94
22 2. 40. 8
Feb 9/94
F. J.

0646

Police Court 3 District.

1912 Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 74 Worth Ely Pinless Street, aged 32 years.
occupation woolmen being duly sworn,

deposes and says, that on the 8 day of December 1895 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 day time, the following property, viz:

Four pieces of worsted, the whole of the value of Two Hundred and sixty-nine Dollars and eight cents

Worth
100

the property of The Washington Mills Company, in the care of deponent as warehouseman,

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 Louis Sanders Isidor Kaach (both non-residents) and another person, unknown to deponent and not yet arrested, all acting in concert, from the fact that on said date, deponent missed said property from the sidewalk in front of No. 74 Worth Street in this city, and deponent is informed by Officer Ligginstone Hunt of the 11th Precinct Police, that the defendant Sanders confessed to said officer that he and the other persons before mentioned took, stole and carried away said property and placed the same at No. 73 West Street in this city, where deponent identified portions of the aforesaid missing property. Wherefore deponent prays that defendant's rights be dealt with according to law.

Ely Pinless

Sworn to before me, this 8 day of December 1895.
John B. L... Police Justice

0647

1921

CITY AND COUNTY }
OF NEW YORK, } ss.

Livingston Hunt
aged _____ years, occupation *Police Officer* of No. *115*
Peasant Police Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of *Elton*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this *18* day *Livingston Hunt*
of *December* 189*2*

John W. ... Police Justice.

0648

Sec. 198-200.

23

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Louis Sanders 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 *Louis Sanders*

Question. How old are you?

Answer *32 years*

Question. Where were you born?

Answer *U. S.*

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

Answer *128 Eldridge St - 3 months*

Question. What is your business or profession?

Answer *Peddler*

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

Answer *I am guilty*
Louis Sanders

Taken before me this *18*
day of *Dec* 189*3*
John H. Moore

Police Justice.

0649

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

Isidor Reach 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. Isidor Reach

Question. How old are you?

Answer. 28 years

Question. Where were you born?

Answer. Austria

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

Answer. 76 Forsyth St - 1 Week

Question. What is your business or profession?

Answer. Expressman

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

Answer. I am guilty

at
Isidor Reach

Taken before me this

day of

189

{ 3 }

Frank J. Sullivan

Police Justice.

0650

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, 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 Dec 18 1893 John W. Woodis Police Justice.

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

Dated _____ 189 _____ Police Justice.

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

Dated _____ 189 _____ Police Justice.

0651

Police Court--- 63 District. 1359

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Ch. P. [unclear]
1 Louis Sanders
2 Sidor Reach
3
4

Offence Grand Juror

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

Dated Dec 18, 1893

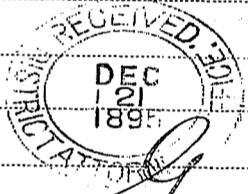
Voorhis Magistrate.
Livingston Street
11" Precinct.

Witnesses: All the [unclear]
No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 1000 to answer



G. S. [unclear]
Com

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

THE PEOPLE OF THE STATE OF NEW YORK

against
Louis Sanders
and
Isidor Reach

The Grand Jury of the City and County of New York, by this indictment, accuse
Louis Sanders and Isidor Reach
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed
as follows:

The said *Louis Sanders and Isidor Reach, both*
late of the City of New York, in the County of New York aforesaid, on the
day of *December*, in the year of our Lord, one thousand eight hundred and
ninety-three, at the City and County aforesaid, with force and arms,

four pieces of coarsted cloth
(a more particular description
whereof is to the Grand Jury
aforesaid unknown,) of the
value of seventy dollars
Each piece

of the goods, chattels and personal property of *one a certain corporation*
known as the Washington Mills 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.

De Launcey Nicoll,
District Attorney.

0653

BOX:

545

FOLDER:

4958

DESCRIPTION:

Savage, Oliver

DATE:

12/22/93



4958

0654

BOX:

545

FOLDER:

4958

DESCRIPTION:

Hay, Charles

DATE:

12/22/93



4958

0655

BOX:

545

FOLDER:

4958

DESCRIPTION:

McGuinness, John

DATE:

12/22/93



4958

Witnesses: 6

Edward Halahan
29th Precinct

Subpoena affixed
for 29th

307 ^{all} ~~vs. 3~~ Herman ~~for~~
~~335~~

Counsel,

Filed 27 day of Dec 1893

Pleads, All not guilty 26

19 ^{has} ~~33+25~~ roofed THE PEOPLE vs.

Oliver Savage
Charles Hay
and
John McGuinness

Burglary in the Third Degree.
[Section 498, Penal Code.]

Jan 2 - Jan. 25, 1894
All full. vs. 1 convicted 29
City Prison 30 days

DR LANCEY NICOLL

District Attorney.

vs. 2 + 3 not guilty.

A TRUE BILL.

B. Crookwood

Foreman.

Police Court _____ District.

City and County } ss.:
of New York,

of No. 1997 ^{5th} Lexington Avenue Street, aged 67 years,
occupation Grocer being duly sworn

Alexander G Johnson

deposes and says, that the premises No. 1997 Lexington Ave Street, 12 Ward
in the City and County aforesaid the said being a four story brick

house in part Grocery Store
and which was occupied by deponent as a

~~and in which there was at the time a human being, by name~~
attempted to be

were BURGLARIOUSLY entered by means of forcibly breaking the
lock from off the door leading into
said premises.

on the 17th day of December 1883 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

a quantity of groceries; valued
at about two thousand dollars,

the property of W E Piment

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away by

Oliver Savage; Charles Day; John W Guinness

for the reasons following, to wit: that at the hour of 6⁵⁰ P.M.
on said date, officer Hallahan of the 29th
Precinct Police, saw these defendants at the
door of said premises; and the defendant
Savage had the lock of that was in the
door, concealed in his stockings. Wherefor
deponent charges these defendants with
acting in concert; and attempting to break
into said premises; and prays that

This may be held to answer

Sworn to before me } A. G. Johnson
This 18th day of December 1893 }

W. H. Volke
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 1889 Police Justice.

I have admitted the above named to bail to answer by the undertaking hereto annexed.
Dated 1889 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 1889 Police Justice.

Police Court, District,

THE PEOPLE, etc.,
on the complaint of

Offence—BURGLARY.

vs.

- 1
- 2
- 3
- 4

Dated 1889

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.

0659

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

Edward Hallahan
aged 29 years, occupation Police officer of No. 29
Greenwich Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Alexander G. Johnson
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 18
day of Dec 1893 Edward Hallahan

[Signature]
Police Justice.

0660

Sec. 198-200.

5

1882 District Police Court.

City and County of New York, ss:

Oliver Savage 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 a 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. *Oliver Savage*

Question. How old are you?

Answer. *19 years old*

Question. Where were you born?

Answer. *New York City*

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

Answer. *2523 Eighth Ave Four Months*

Question. What is your business or profession?

Answer. *Rooper*

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*

Oliver Savage

Taken before me this
day of

189

M. J. [Signature]
Police Justice.

0661

Sec. 1987-200.

5 District Police Court. 1882

City and County of New York, ss:

Charles Hay 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 a 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. Charles Hay

Question. How old are you?

Answer. 16 years old

Question. Where were you born?

Answer. New York

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

Answer. 2651 Eighth Ave Two years

Question. What is your business or profession?

Answer. Plumber

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

Charles Hay

Taken before me this

day of May 1893

[Signature] Police Justice.

0662

Sec. 199-200.

5

District Police Court.

1862

City and County of New York, ss:

John McGuinness

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 a charge against him; that the statement is designed to enable him, if he see fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

John McGuinness

Question. How old are you?

Answer.

16 years old

Question. Where were you born?

Answer.

New York City

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

Answer.

153 & West 133 St 8 months

Question. What is your business or profession?

Answer.

Plumber

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

Answer.

I Am Not Guilty

John McGuinness

Taken before me this _____ day of _____
[Signature]
Police Justice.

0663

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

Oliver Savage, Charles Hay, John M. Gunnors

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, *Dec 18* 189 *3* *W. E. Wood* Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0664

1353

Police Court, 5 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Alfred G. Johnson
1997 1/2 St. Ave
Oliver Savage
Charles Hall
John McGuinness

Offense: *Attempted Burglary*

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated, *Dec 18* 189 *3*

Welde Magistrate.

Hallahan Officer.

29 Precinct.

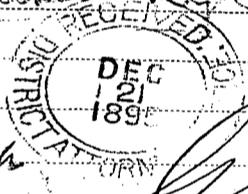
Witnesses *Call the officer*

No. *Charles Phillips* Street.

29th Precinct Street.

No. *each* Street.

\$ *1000* to answer



G.S.
Lenn

0665

MINQUA CLUB,
126TH ST. & COLUMBUS AVE.

July 27 1894

Dear Judge

Oliver Savage was convicted of burglary in your Court on Thursday last and is to be sentenced on Monday morning - Savage has been a resident of this neighborhood for at least five years during the whole of which time his conduct has been all that could be desired I believe that the hard times, prevailing at this time, are the real cause of his transgression Will

0666

you not in view of this
fact be as lenient as
possible in imposing
penalty & greatly oblige

Yours etc

Wm Stilling

Hon Rufus B Cowing
Judge etc.

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

The People,

vs.

OLIVER SAVAGE,

CHARLES HAY, and

JOHN MCGULNESS.

"
"
"
"
"
"
"
"
"

Before,

HON. RUFUS B. COWING,

and a Jury.

Tried, JANUARY 25TH, 1894.

Indicted for ATTEMPT AT BURGLARY in the THIRD DEGREE.

Indictment filed DECEMBER 22ND, 1893.

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY JAMES W. OSBORNE,

For THE PEOPLE.

HERMAN FOX, ESQUIRE,

For THE DEFENCE.

ALEXANDER G. JOHNSON, THE COMPLAINANT, being duly sworn, testified that he had a grocery store at 1,997 Lexington avenue, in the city of New York. He lived at the same address. On the 17th of December, 1893, he locked up his store about 11 o'clock in the evening. That was Saturday evening. He returned to his store on Sunday night, about a quarter to 9 o'clock. When he locked his store up on the night in question, he had about \$2,000 worth of property in it. When he returned to the store on Sunday night, the lock was off the door. The lock shown to him by the District Attorney was a lock like the one which he had had on his door.

CHARLES H. PHILLIPS, being duly sworn, testified that he was an officer of the Municipal Police force, connected with the 29th precinct. He remembered the evening of the 17th of October. On that night he was standing on the corner of 124th street and Lexington avenue. A young man went up to him and had a conversation with him. In consequence of what the

young man said to him, he turned his coat so that the buttons on it could not be seen, and he turned his hat around and "put it on wrong side foremost." He then walked down the street. He saw the defendants and two other men in the doorway of the complainant's shop. He said to the defendants, "What are you doing here?" They said, "Nothing." He said, "Come over here in the door, and I will see." He then had McGinness and Savage in his custody. The other three men started to run. He blew his whistle for assistance, and another officer caught Hays and took him back to where he, the witness, was. The officer on post then went up, and he, the witness, said to the officer, "Examine the door." The officer examined the door, and said, "My God, the padlock is gone." He searched the defendants, and the padlock was found in the possession of Savage. The lock shown him by the District Attorney was the lock which he had taken from the possession of Savage on the night in question.

EDWARD HALLAHAN, being duly sworn, testified that he was a Police Officer, connected with the 29th precinct. He remembered the night in question. About 6:40 on that night, he heard an officer whistling, and he ran up to where the officer and the defendants were, in the doorway. He examined the door of the complainant's store, and found that the lock had been removed. He had passed that store at 6:00 o'clock and the lock was on the door at that time. He searched the defendants, and found a lock in the possession of Savage. The lock had been in his possession from the time that he found it until the time of the trial.

FOR THE DEFENCE, JOHN MCGUINNESS, ONE OF THE DEFENDANTS, being duly sworn, testified that he was sixteen years of age and lived at 153 West 133rd street, with his mother and father. On the Sunday night in question he met Savage at the corner of 125th street and Seventh avenue. He walked, with Savage, through 125th street to Third avenue, and down Third avenue

to 115th street, where they met Hay. They stood on the corner for a few minutes, and then they walked up as far as 122nd street and Lexington avenue. There was a man standing in the doorway, and the man asked Savage for a match. Savage gave the man a match. The man asked Savage if he wanted a lock, and he threw the lock to Savage. They were looking at the lock when the policeman went up and drove them into the door-way. He did not try to take the lock off the door. The man ran away when the policeman approached. He did not know the man, and had never seen him before, to the best of his knowledge. He did not see Savage or Hay take the lock off the door. They lived in the same neighborhood that he did, but he did not know much about them. He did not go to that store for the purpose of taking the lock off or of entering the store.

In cross-examination the defendant testified that he worked, but he was not working at the time of his arrest. Savage did not ask the man where he got the lock.

OLIVER SAVAGE, being duly sworn, testified that he lived at 2,523 Eighth avenue. He had known McGuinness about a year. On the night in question he met McGuinness at the corner of Seventh avenue and 125th street, and asked him to take a walk. He corroborated the previous witness in regard to where they went, and the man giving him the lock.

In cross-examination the defendant testified that he had been in the House of Refuge. He had been sent there for attempted burglary. He was nineteen years of age. Subsequent to his release from the House of Refuge, he had worked for Ellis Knapp & Co., and for a man named Smith.

CHARLES HAY, ONE OF THE DEFENDANTS, being duly sworn, testified that he lived at 2,651 Eighth avenue, with his parents. He met McGuinness and Savage on the afternoon in question, on Third avenue, and walked up the avenue with them. When they got to the corner of 122nd street, a man asked them for a match. Savage gave the man a match, and the man threw a lock to

0673

7

Savage, saying, "Here, do you want that?" They were looking at the lock when the officer arrived on the scene. He had never seen the man before, to the best of his knowledge. He, the defendant, did not run away when the officer approached; he walked away.

MARY MCGUINNESS, being duly sworn, testified that she was the mother of the defendant McGuinness. She had never had any trouble with her son. Her son had been working since he was seventeen years of age.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Oliver Savage, Charles
Hay and John McGinness*

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

*Oliver Savage, Charles
Hay and John McGinness*
of the CRIME OF ^{attempting to commit the crime of} BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

*Oliver Savage, Charles
Hay and John McGinness, all*
late of the *12th* Ward of the City of New York, in the County of New York aforesaid, on the
seventeenth day of *December*, in the year of our Lord one
thousand eight hundred and ninety-*three* in the *eight* time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of
one *Alexander G. Johnson*

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

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

De Lancey Nicoll
District Attorney

0675

BOX:

545

FOLDER:

4958

DESCRIPTION:

Scanlon, Edward J.

DATE:

12/22/93



4958

272 1405

COURT OF OYER AND TERMINER.

Counsel,

Filed 27 day of Dec 1893

Pleads, Not Guilty (2)

THE PEOPLE
vs.

Edward J. Scanlon

PERJURY.
[Section 96, Penal Code, and Chapter 680, Laws of 1892, section 104.]

DE LANCEY NICOLL,
District Attorney

A True Bill.

R. J. Cuss Foreman.
Feb 14 1894
Indictments dismissed
RJC

Witnesses:

Henry Hildentrond
Michael F Blake
Patrick J Scully
Henry Washington
William S Young
William H. Kubie

Bailed by Thos. J. Wallace
36 - 6 - ave.
Dec. 24/93

Feb 14 1894
Recommended for dismissal
for reasons given in case of
People v John & Hall
R. J. Cuss
Dist Atty

J. M. J. F.

I, the undersigned do attest, and certify that Edward Scanlon Son
John Scanlon and Mary A. Sheridan lawfully married was born on
The 27th day of June 1872, and baptized on the 13th day of July
1872 by the Reverend Fr. Edward O. S. F. in the Catholic Church of
St. Anthony of Padua in the City of New York in the United States of
America.

The sponsors were James Scanlon, and Rebecca Nolan.
The above is a true copy taken from the Baptismal Records of the
said above Church on this 25th Day of December 1893.

In faith *ed*

Fr. Julius Ab Arpino O. S. F.
Rector

151 Thompson St. New York City

POOR QUALITY ORIGINAL

Mr. William of London in the City of New York in the United States of America
1878 up to the present time in the United States of America
and deposited on the 13th day of July
1878 and William carefully examined was done on

The above named being done and before William
this done in a true copy from the original and
is true and correct as of the 13th day of July 1878.

In witness whereof I have hereunto set my hand and seal
at London
1878 William of London



Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Edward J. Scandon

The Grand Jury of the City and County of New York, by this Indictment
accuse *Edward J. Scandon*

of the crime of Perjury, committed as follows:

Heretofore, to wit: on Tuesday, the seventh day of November, in the year of our Lord one thousand eight hundred and ninety-three (the same being the Tuesday next succeeding the first Monday of the said month of November), there was held a general election throughout the State of New York and in and throughout the said City and County of New York;

And on the day and in the year aforesaid, and at the said election, the said *Edward J. Scandon*, late of the City and County, being a resident of the *Twenty-ninth* Election District of the *Fourth* Assembly District of the said City and County, and a voter entitled to vote at the said election in the said election district, for the purpose of voting at the said election, did personally present himself at the duly designated polling place of the said election in and for the said election district, the polls of the said election in and for the said election district being then open, and to and before

Thomas W. Malvan, John A. Murphy and Charles F. Raquet,
then and there being the Inspectors of Election of the said election district, at the said election, at a meeting of the said Inspectors of Election then being duly held in the said polling place for the purposes of the said election.

And the said *Edward J. Scandon* did then and there desire and require of the said Inspectors of Election that he might select a person for the purpose of assisting him to receive and prepare his ballots, and who should be allowed to pass within the guard rail of the said polling place and receive his official ballots, and enter one of the voting booths of the said polling place, with him, and there assist him in preparing his ballot.

And thereupon he, the said *Edward J. Scandon* was then and there in due form of law sworn, and did take his corporal oath, by and before the said Inspectors of Election, touching his right to select such person to assist him in receiving and preparing his ballots as aforesaid, they, the said Inspectors of Election, then and there having full and competent power and authority to administer the said oath to the said *Edward J. Scandon* in that behalf.

And the said *Edward J. Scandon* being so sworn as aforesaid, upon his oath aforesaid, before the said Inspectors of Election, then and there feloniously, wilfully, knowingly and corruptly, did falsely swear, declare and say, that by reason of

defective signature —
he, the said *Edward J. Scandon* was then and there unable to receive or prepare his ballots without assistance.

Whereas, in truth and in fact he, the said *Edward J. Scandon* was not by reason of *defective signature* —

then and there unable to receive or prepare his ballots without assistance, as he then and there well knew.

And so the Grand Jury aforesaid do say that the said *Edward J. Scandon* in manner and form aforesaid, feloniously, wilfully, knowingly, corruptly and falsely, did commit wilful 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.

DE LANCEY NICOLL,
District Attorney.

0681

BOX:

545

FOLDER:

4958

DESCRIPTION:

Schachinger, Joseph

DATE:

12/08/93



4958

0682

154

Witnesses:

COURT OF OYER AND TERMINER.

Counsel,

Filed,

8 day of Dec 1893

Reads,

Hyman 70

THE PEOPLE

vs.

B

Joseph Schackinger

General Assessor

Dec 8th 93

VIOLATION OF THE EXCISE LAW.
(Illegal Sales Without License.)
[Chap. 401, Laws of 1892, § 31.]

DE LANCEY NICOLL,

District Attorney.

SUPREME COURT PART 1,

A TRUE BILL December 22 1899
INDICTMENT DISMISSED.

R. J. Cross Foreman.

Dec 18 1893

FILED DEC. 15
1896

0683

613*

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against *Joseph Schachinger*

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

Joseph Schachinger

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINE, ALE AND BEER, IN QUANTITIES LESS THAN FIVE GALLONS AT A TIME, WITHOUT HAVING A LICENSE THEREFOR, committed as follows:

The said

Joseph Schachinger

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 ninety-*three*, at the City and County aforesaid, certain strong and spirituous liquors, and certain wine, ale 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, in quantities less than five gallons at a time, to

certain *other* *one Henry Marks and to* persons whose names are to the Grand Jury aforesaid unknown, without having a license granted to him in pursuance of any law of this State permitting him to sell either strong or spirituous liquors, wines, ale or beer, 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.

DE LANCEY NICOLL,

District Attorney.

0684

BOX:

545

FOLDER:

4958

DESCRIPTION:

Scheffer, Henry

DATE:

12/15/93



4958

0685

Witnesses:

Joseph Reiger

Rem for
Mr Klunzer
434
443 6/11

137 Rudy

Counsel,

Filed, 15 day of Dec, 1893

Pleads, Guilty

THE PEOPLE

vs.

Henry Scheffer

under days

DE LANCEY NICOLL,

District Attorney.

CONCEALED WEAPON.

(Section 410, Penal Code.)

A TRUE BILL.

W. J. Woodward
Dec 27/94 Foreman.
Tried & convicted
Sent to prison for 3 months
3 months per J. J.

Police Court, 1 District.

(1853)

City and County of New York, } ss,
of No. 67th Precinct Joseph H. Rieger
occupation Policeman Street, aged 28 years,

being duly sworn, deposes and says,
that on the 5 day of December 1893, at the City of New

York, in the County of New York Henry Schaffer (now
here) did carry concealed upon his
person with intent to use the same
against another - (in Bayard Street)
a weapon commonly known as a
set of brass knuckles - in violation
of sections 410 and 411 of the Penal
Code.

Joseph H. Rieger
Sworn to before me this }
5th day of December 1893 }
S. J. [Signature]
Police Justice

0687

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Henry Schaffer 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. Henry Schaffer

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. Germany

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

Answer. Home

Question. What is your business or profession?

Answer. Bartender

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

Answer. I did not know I was
committing any offense —

H. Schaffer

Taken before me this 20
day of July
1893
Wm. Schaeffer
Police Justice

0588

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, Dec 5 1893

Curran Police Justice.

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

Dated,.....189

..... Police Justice.

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

Dated,.....189

..... Police Justice.

0689

21
Police Court--- / 1307 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Joseph H. Reizer
vs.
Henry Schaffer

Offense
Criminal
Disorderly
Conduct

2
3
4

Dated, Dec 5 1893

Meade Reizer
Magistrate.
Officer.

6 Precinct.

Witnesses

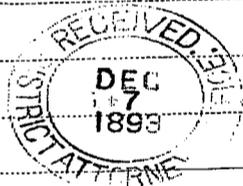
No. Street.

No. Street.

No. Street.

\$ 1000 to answer

Committed



BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

42/43

The People
vs
Henry Scheffer

Court of General Sessions. Part I
Before Judge Fitzgerald. January 2, 1891.
Indictment for carrying concealed weapons.

Joseph H. Reizer, sworn and examined,
I am an officer attached to the Sixth
precinct. Were you on duty on the morn-
ing of the 5th of December? My post was
Mott street, but I had been to the
station house with a prisoner previously.
My post was Mott street from Bayard
street to Chatham Square. I was on Mott
street about three o'clock in the morning
of December 5th. Did you see this defend-
ant on your post that morning? I saw
him in Bayard street after being to the
station house, which is in Elizabeth St.
between Bayard and Canal streets. It was
half past three o'clock when I saw him
on Bayard St. between Elizabeth street
and the Bowery; he was in front of the
New Bowery house; he was not alone
but in company with another man.
Was there anybody else on that block?
Not that I could see. What attracted
your attention to him and his com-
panion? The breaking of some glass.
I ran down to the corner probably
seventy five feet; the name of

other man is John Matthews. I went his up to the two men and I asked them where was the glass broken? They acted so suspiciously. They said they thought it was across the street, both of them said that. I said, "you had better come over and see where it is broken." I took them over to where it was broken. We found it was near a lamp post the glass was broken. On my way over this defendant was kind of uneasy. I had hold of him by his right hand, by the right arm, and he was trying to get his hand in his back right hip pocket. Did he make a struggle? No. He wanted to get his hand back and I felt that brass knuckle in his pocket. Did he get it out? No. I took it away. What did he say if anything? He said he did not know it was a violation of law. What did you say to him after you took it out of his pocket? I asked him what did he have this in his possession for? He said he did not know it was a violation of law to have them. He said he always carried them. Was there any conversation about what they were

for? No. What became of Matthews? He was fined five dollars for disorderly conduct being out that time in the morning.

Cross Examined. Can you recall the conversation as near as you can, how did he come to say that he did not know it was against the law, did you tell him it was against the law? I says, "What did you have this in your possession for? He said he did not know it was against the law. Did you tell him it was against the law? No I arrested him and charged him in the station house with carrying brass knuckles. What was it called out from him the expression that he did not know it was against the law? My getting him and asking him why did he have this in his possession. Did you not inform him in any way that it was against the law to have that and that is the reason why you arrested him? No, not there. What was it that called out the observation that it was against the law to have that? My finding them in his pocket and by my taking them out. He said he did not know it was against the law.

Henry Scheffer, sworn and examined in his own behalf testified. Where do you live? No. 146 East Fourth street. How long have you been in this country? Six or seven months. What have you been doing since you have been here? Bartender. Where did you work for as bartender? No. 220 Third avenue; Mr. Koch is the proprietor. How long did you work for him? Five months. Who else did you work for? Mr. Schmitt, No. 66 Avenue K. How long did you work there? One month. I worked one month in a theatre. I got work in a couple of places in Fourth street; the name of one is Muller. Have you ever been charged with any crime before? No. Where did you get these brass knuckles? From a friend on a German ship. I think it must be the German ship Alber. It was not a friend, a person who was on the ship as a waiter. It was one of the passengers. What did you do with it after he gave it to you? I put it in my trunk. When did you take it out of your trunk? Eight or twelve days before I got arrested. What did you take it out for? I wanted to show it to my friend if I can sell it. Did you know what

this thing was used for? Yes, I heard it.
You knew that it was used for fighting?
Yes. You never had a fight had you? No.
Did you ever strike anybody or attempt
to strike anybody with it? No. What
were you doing out at half past three
o'clock in the morning on this occasion?
I was off that day, I was over in Hoboken
to a German ship, the Trave. I started
over on the two o'clock ferry boat from
Barclay street. Before I came to Amer-
ica I worked on the ship Trave. I
was over that night to see my friend
I came over on the two o'clock ferry
boat. Who was with you? That other
fellow. I met him on the street by
the German Staats Zeitung office. Did
you ever know him before? No. He
saw that I was not an American
and he spoke to me in German. He
said he was out of work, and he
was going up the street. He asked me
if I could not help him. What about
that camp post, who broke that camp
post? He was on the street. I never
saw that. You did not strike
the camp post with the knuckles? No.
I heard the camp post break and

I was looking to see what it was and the
 officer arrested me.

Cross Examined: There do you say you live No. 146
 East South street. Did you leave your
 house to go over to Jersey? Yes to Hoboken
 you never got back again, you were
 arrested? Yes. Will you tell me why you
 did not tell the Judge in the Police
 Court where you lived? I was afraid
 of it. That is your signature is it
 not (showing paper) Yes. You signed
 that paper? Yes. When the Court asked
 you where you lived and how long
 you resided there you said, you did
 not live anywhere, is that right? Yes.
 Did you make any attempt to conceal
 that? (The Knuckles) No. What did you
 put it in your pocket for? To show
 it to one of my friends. You carried
 it for eight days? Yes, eight or nine
 days. Did you see your friend and
 did you show it to him? Yes. Why
 didn't you put it back in the box?
 I forgot it. You go to sleep every
 night, don't you take off your trousers?
 Yes. Didn't you know you had that
 in your trousers back pocket? No.
 I did not know it. You want this

jury to understand that you kept these eight days in your trousers and you did not know you had that three quarters of a pound of lead in your pocket, you forgot it altogether? Yes. Is not this true that you went out that night and that you put it in your pocket for the purpose of defending yourself? No. You knew you were going to be out till three or four o'clock in the morning didn't you? I did not know that I would stay so long out. Is not this true that in some bar rooms where you were employed it was necessary for you to have a thing like that to get drunken men out of the bar room? No; we push them out. You never had that while you were working in the bar room? No. You never put it in your pocket? No. It was only just eight days before you were arrested you put it in your pocket? Yes. After showing it to your friend you carried it in your pocket without knowing it was there? Yes. Where you employed the day you went over to Hoboken? No. How long were you out of employment? I am not always out of employment. I work

a couple of days in a week sometimes.
How many days before that had you worked?
Saturday. That day was this? This was
Monday night. I worked at the ball in the
German assembly rooms. I worked one
night there. I was going to show the Knuckles
to my friend Hejmbach, he is a waiter.
I talked to him eight days before about the
Knuckles, and I showed them to him;
he guessed he said it was a bad thing.
I had sixty cents on that night before
going over to Hoboken - I had one dollar
and fifty cents before going over there;
when I was arrested I had sixty cents.
I came up Barclay street when I came
over from Hoboken, passed the post office,
and came up Park Row and the Brewery.
I was employed six years on the German
steamers Aller and Trave; they went
from Bremen to New York. The chief steward
Mr. Habern was my boss. I left that work
because I did not like it. While I have
been in the Trub nobody has been to
see me and I have had no communication
with anybody. I sent for my friend
to come and see me but he had no
time to come. The jury rendered a
verdict of guilty with a recommendation
to mercy.

0698

Testimony in the
case of
Henry Scheffer

filed Dec.

1893

20th

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Henry Scheffer

The Grand Jury of the City and County of New York, by this indictment accuse
Henry Scheffer
of a FELONY, committed as follows:

The said *Henry Scheffer*
late of the City of New York, in the County of New York aforesaid, on the
day of *December*, in the year of our Lord one thousand *fifth* hundred and
ninety-*three*, at the City and County aforesaid, with force and arms, feloniously did furtively
carry, concealed on his person, a certain instrument and weapon of the kind commonly known as
metal knuckles with intent then and there
feloniously to use the same against some person or persons 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
Henry Scheffer
of a FELONY, committed as follows

The said *Henry Scheffer*
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, feloniously did possess a certain instrument and
weapon of the kind commonly known as *metal knuckles*
by him then and there concealed, and furtively carried on his person, with intent then and there
feloniously to use the same against some person or persons 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.

DE LANCEY NICOLL,
District Attorney.

0700

BOX:

545

FOLDER:

4958

DESCRIPTION:

Schierenbeck, George

DATE:

12/08/93



4958

219

Witnesses:

.....
.....
.....
.....
.....

COURT OF OYER AND TERMINER.

Counsel,

Filed,

17 day of Dec 1893

Pleas,

Warrant

THE PEOPLE

vs.

B

George Schierenbeck

General District
Dec 11 93

VIOLETION OF THE EXCISE LAW.
Selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 32.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

R. J. C. Foreman.

Dec 22 93

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

George Schierenbeck

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

George Schierenbeck

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

George Schierenbeck

late of the City of New York, in the County of New York aforesaid, on the day of *October* in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale 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

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 New York and their dignity.

SECOND COUNT—

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

George Schierenbeck

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

George Schierenbeck

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale 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 offer and expose for sale to one

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.

Henry Healy

DE LANCEY NICOLL,

District Attorney.

0703

BOX:

545

FOLDER:

4958

DESCRIPTION:

Schiller, Ambrose

DATE:

12/11/93



4958

0704

Witnesses:

.....
.....
.....
.....
.....

174 Ast Dec 11/93
2104

COURT OF OYER AND TERMINER.

Counsel, I

Filed,

11th day of Dec 1893

Pleads,

Not guilty

THE PEOPLE

vs.

Ambrose Schiller

~~VIOLATION OF THE EXCISE LAW
selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 32.]~~

DE LANCEY NICOLL,

District Attorney.

SUPREME COURT PART 1;

December 22 1899

A TRUE BILL

INDICTMENT DISMISSED.

R. J. Cox Foreman.

Bailed Dec 12
by Alexander Stein
327 W. 57th St

General Sessions

Dec 11th 93

0705

NUMBER 13.

Premises: Columbus Avenue, west side, between 82nd and 83rd streets, next to St. Matthew's Church; number, probably, 472 Columbus Avenue.

Licensee: Ambrose Schiller.

McCully and Briggs entered premises Sunday October 22, 1893, at 8.50 P. M. McCully and Briggs bought whiskey; paid thirty cents for same; have sample of whiskey.

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
Andrew Schiller

The Grand Jury of the City and County of New York, by this indictment, accuse
Andrew Schiller
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *Andrew Schiller*,
late of the City of New York, in the County of New York aforesaid, on the *twenty second*
day of *October* in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong
and spirituous liquors, wines, ale 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 spiritu-
ous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to *one R. B. Mc Cully, J. W. Briggs*
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
New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
Andrew Schiller
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,
WINES, ALE AND BEER, committed as follows:

The said *Andrew Schiller*,
late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the
same being Sunday, certain strong and spirituous liquors, wines, ale 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 offer and
expose for sale to *one R. B. Mc Cully, J. W. Briggs*
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.

DE LANCEY NICOLL,
District Attorney.

0707

BOX:

545

FOLDER:

4958

DESCRIPTION:

Schnabel, Theodore

DATE:

12/22/93



4958

0708

Witnesses

John Zansen

Counsel,

Filed

day of

189

Plead

W. J. DeLoach
Guilty
19

THE PEOPLE

vs.

Theodore Schnabel

Grand Larceny, second Degree.
[Sections 528, 537, Penal Code.]

Jan 2/94

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

B. J. J. J. J.
Jan 5/94
Foreman.
2 mos...

0709

Police Court Third District.

1912
Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 109 First Ave Street, aged 64 years.
occupation Tailor

deposes and says, that on the 13 day of December 1909 being duly sworn,
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 presence, the following property, viz:

Three European Bonds
of the value of Fifty (50)
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

Medon Schmale
(now here) for the reason that Deponent gave said Bonds to said Defendant to ascertain the value of the same, and said Defendant sold said Bonds for eight (8) dollars and kept the same for his own use.

Therefore Deponent now charges said Defendant with carrying, stealing and carrying away said Bonds and prays that he be dealt with as the law directs Johann Gauges

Subscribed and sworn to before me, this 14 day of December 1909

Johann Gauges
Police Justice

0710

Sec. 198-200

3 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Theodor Schnabel 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.

Theodor Schnabel

Question. How old are you?

Answer.

26 Years of Age

Question. Where were you born?

Answer.

Germany

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

Answer.

159 First Av

Question. What is your business or profession?

Answer.

Butcher

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

Answer.

*I am not guilty
I am willing to
return the Bond*

Theodor Schnabel

Taken before me this

day of Nov 1899

J. H. ...

Police Justice

0711

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

Robert Stewart

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 Dec 17 3 1893 *John H. Woodley* Police Justice.

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

Dated..... 189..... Police Justice.

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

Dated..... 189..... Police Justice.

0712

225 B. 3rd 1346
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Miss J. J. [unclear]
Mrs. Schmalz
157 1st St
1893
Agency
1st St

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

2 _____
3 _____
4 _____

Dated *Dec 17* 1893
Cooper's Magistrate.

Taylor Officer.
1st Precinct.

Witnesses
Miss J. J. [unclear]
No. *157-1st St* Street.

No. _____ Street.
Dec 18 1893

No. _____ Street.
500

\$ *500* to answer

[Signature]
9/2

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Theodore Schnabel

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

Theodore Schnabel

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

The said Theodore Schnabel

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

three bonds and written obligations, (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of twenty five dollars each,

of the goods, chattels and personal property of one

John Garges

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

De Launcey Nicoll, District Attorney

0714

BOX:

545

FOLDER:

4958

DESCRIPTION:

Scholoff, Simon

DATE:

12/06/93



4958

0715

Witnesses:

109

COURT OF OYER AND TERMINER.

Counsel,

Filed, 6th day of Dec 1893

Pleads,

Transferred to the Court of Special Sessions THE PEOPLE vs. [illegible]

Part 2 Dec 15 93

B
Simon Scholoff

General Sessions

Dec 8th 93.

VIOLATION OF THE EXCISE LAW
selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 32.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

R. J. Cross Foreman.

0716

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Simon Scholoff

The Grand Jury of the City and County of New York, by this indictment, accuse
Simon Scholoff
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *Simon Scholoff*

late of the City of New York, in the County of New York aforesaid, on the
day of *October* in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong
and spirituous liquors, wines, ale 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 spiritu-
ous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one

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
New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
Simon Scholoff
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,
WINES, ALE AND BEER, committed as follows:

The said *Simon Scholoff*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the
same being Sunday, certain strong and spirituous liquors, wines, ale 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 offer and
expose for sale to one

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.

DE LANCEY NICOLL,
District Attorney.

0717

BOX:

545

FOLDER:

4958

DESCRIPTION:

Schuster, Arnold

DATE:

12/22/93



4958

0718

287 ~~Arnold Schuster~~

Witnesses

Geo C Altung

Counsel,

Filed, 27 day of Dec 1893

Pleads, Not guilty 26

THE PEOPLE

vs.

Arnold Schuster

(2 cases)

Peter LARCEY,
(False Pretenses)
[Section 528, and 532, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

Feb 5 1894

A TRUE BILL.

B. J. Woodward

Paul G. Dischinger

Paul G. Dischinger

Feb 5 1894

1894

287 ~~Handwritten scribble~~

Witnesses

Geo C. Atting

Counsel,

Filed,

day of

189

Pleads.

27 Dec 8
Not guilty 26

THE PEOPLE

vs.

Arnold Schuster

(2 cases)

*Ret's LARCENY, S
(False Pretenses)
[Section 538, and 532, Penal Code.]*

DE LANCEY NICOLL,

Feb 5 1892
District Attorney.

A TRUE BILL.

Bo Greenwood
Pr. 4/9 Veraman.
Sail Discharge

Feb 5 1892

1890

Police Court

4th

District

Affidavit—Larceny.

City and County }
of New York, } ss.

George C. Alting

of No. 2285, 1st Avenue Street, aged 21 years.

occupation Assistant Bookkeeper & Cashier being duly sworn,

deposes and says, that on the 6th day of October 1893 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession of Hudson River Beef Company (Printed) of deponent, in day time, the following property, viz:

Dressed meat consisting of one half of a calf
Two dressed sheep and six dressed lambs of
the value of thirty one ³⁶/₁₀₀ (\$31.³⁶) Dollars

Sworn to before me, this 9th day of November 1893

the property of Hudson River Beef Company (Printed)

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 Arnold Schuster.

Under the following state of facts: the said Arnold Schuster selected and had set aside for him the above named property, and the deponent refused to part with the same until being first paid in Cash therefor, and thereupon the said Schuster drew and delivered to deponent the annexed check dated on that day and directed to the Mutual Bank in New York City. and thereupon the said property was delivered to him for on the faith of said check. That he is informed by Walter Westervelt the Cashier of the said mutual Bank, whose affidavit is hereto annexed, that said check was worthless and still is worthless and that at the time it was drawn, the drawer thereof

Police Justice

had not sufficient funds in said bank to meet said check.

Deponent further says that said Schuster is in the habit of obtaining property on such worthless checks and deponent annexes hereto two other worthless checks on which he is informed that the said Schuster has obtained property with the intent to defraud

Sworn before me this ^{Walling}
27th day of November 1893

W. H. Brady
Police Justice

0722

Sec. 193-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Arnold Schuster 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. *Arnold Schuster*

Question. How old are you?

Answer. *39 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *18 East 111 Street. 3 months*

Question. What is your business or profession?

Answer. *Butcher*

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

Answer. *I am not guilty
Arnold Schuster*

Taken before me this *30* day of *Nov* 189*5*
Wm. J. Brady
Police Justice.

0723

1921

CITY AND COUNTY }
OF NEW YORK, } ss.

Walter Westervelt

aged _____ years, occupation *Cashier of Mutual Bank* of No.

841 8th Avenue New York Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *George C. Alting*

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

Sworn to before me, this *27th* day } *Walter Westervelt*
of *November* 189*3* }

M. H. Brady Police Justice.

0724

Sec. 151.

Police Court 4 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 George B. Acting of No. 2285 - 1st Avenue Street, that on the 6th day of October 1883 at the City of New York, in the County of New York, the following article to wit:

A quantity of Meats

of the value of thirty one \$600 Dollars, the property of Hudson River Beef Company was taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by Arnold Schuster

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 4 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 27th day of November 1883
Wm. H. [Signature] POLICE JUSTICE.

0725

112
Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated 188

Magistrate

S. Witt Officer.
Small Schuster

The Defendant taken, and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

Officer.

Dated *November 30* 18*93*

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

age 39. Spem. Dec 15, 1893. R

0726

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 Aljman

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 Apr 30 1893 W. F. Brady Police Justice.

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

Dated _____ 189 _____ Police Justice.

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

Dated _____ 189 _____ Police Justice

072

7r
Police Court--- 4 District. 1356

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George J. Atkinson
2285 1st Ave
Arnold Schuster

Offence
Exp

BAILED,

No. 1, by Albert Hildbrandt
Residence 2070 Third St Street

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated Nov 30 189

Gandy Magistrate.

Smith Officer.

Carr Precinct.

Witnesses

No. Street.

No. Street.

No. Street.



570 answer
Dec 19. 3 PM
Dec 6. 7 PM
Dec 4. 2 PM
Dec 16. 9 AM

0729

CITY AND COUNTY }
OF NEW YORK. } ss.

Sigmond Schuster

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

Blair ware situated in 185 Grove
Street worth Ten hundred
Dollars for and all

Sigmond Schuster

Sworn to before me, this *30*
th day of *November* 189*3*
Wm. J. [unclear] Police Justice.

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Undertaking to appear
during the Examination.

vs.

Taken the day of 189

Justice.

0730

EDWARD SWANN,
ATTORNEY AND COUNSELLOR AT LAW,
71 BROADWAY.

TELEPHONE

NEW YORK, Jan. 30th 1894.

James Osborne, Esq.,

Dear Sir:-

I enclose a recommendation signed by the complainant in the People &c. vs. Schuster which contains a statement of the exact facts in the case regarding his payment of the bill.

I think that if sentence were suspended or the prisoner discharged on his own recognizance that it would be about the correct thing in this case and better than dismissing the complaint. The complainant will abide by your decision in the matter.

In case the matter is not disposed of Wednesday would you be good enough to have it adjourned until the following day in case you decide to try it, for the complainant is so busy that he won't be down Wednesday but will hold himself subject to

073

EDWARD SWANN,
ATTORNEY AND COUNSELLOR AT LAW,
71 BROADWAY.

TELEPHONE

NEW YORK, Jan. 30th 1894.

being notified by me to come right down to Court in case you need
him Wednesday.

Very truly yours,

Edward Swann

NEW YORK GENERAL SESSIONS.

-----x
 People on my Complaint. :
 Versus :
 Arnold Schuster, :
 -----x

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by an advantage to myself.

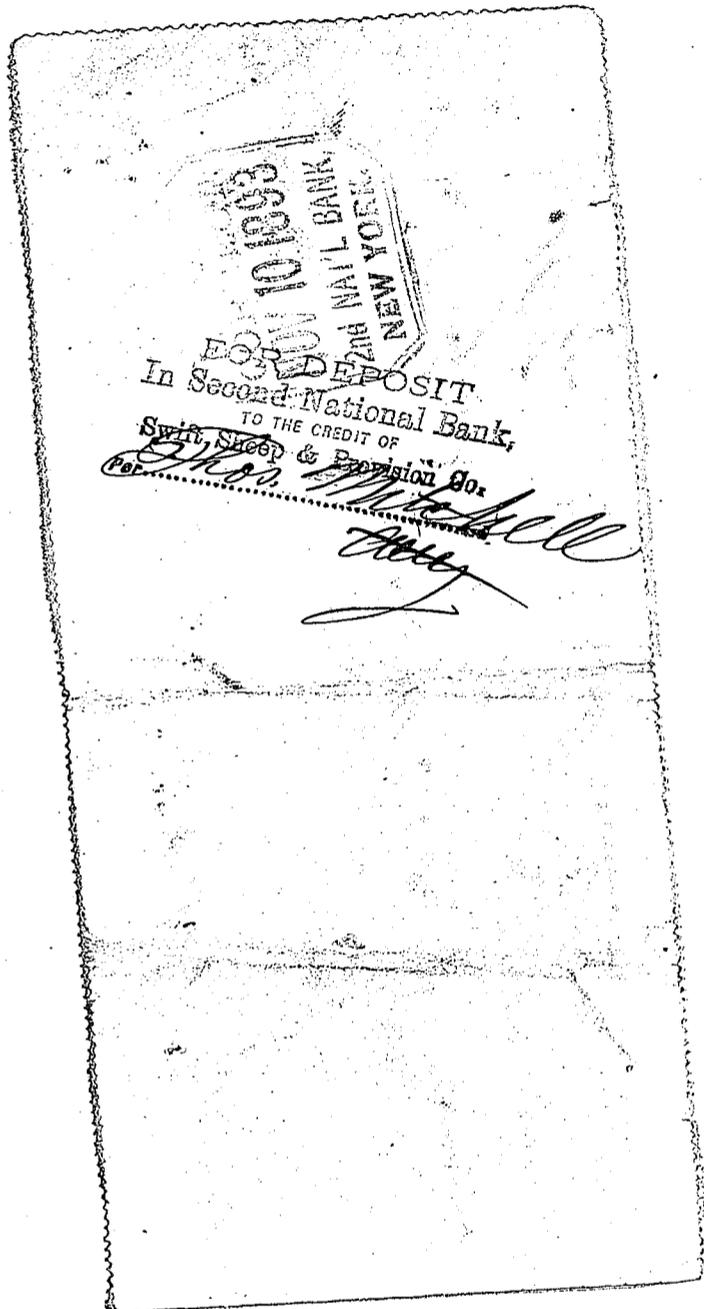
That on Jan. 28th 1894, one Alfred Hildebrandt refunded the full amount of the bad checks which had been uttered by the defendant Arnold Schuster.

E. Edting

0735

No. 688
 New York, ~~Sept 11~~ 1898
 The Mutual Bank
 N. W. CORNER 34TH ST. & 8TH AVENUE.
 Pay to the order of *Louis Schep*
 Thirty six ¹³/₁₀₀ Dollars.
 \$36 ¹³/₁₀₀ 36 ¹³/₁₀₀ *L. Schep*
W. D. Harlow 60% Pine St. N. Y.

0736



POOR QUALITY ORIGINAL

0738

Police Court 4th District.

Affidavit—Larceny.

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

of No. 2285 1st Avenue George C. Alting Street, aged 21 years,

occupation Assistant Cashier & Bookkeeper being duly sworn,

deposes and says, that on the 2nd day of October 1893

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

Four foresaddles of mutton weighing fifty pounds
Four dressed lambs weighing 119 lbs.
of the value of Eleven & 10/100 (11 10/100) Dollars & c.

Sworn to before me, this

of

189

Police Justice.

the property of Hudson River Beef Company (Limited) a corporation under the laws of the State of New York

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 Arnold Schuster

The said Schuster entered the store of the Hudson River Beef Company (Limited) and under the pretense of purchasing the said property for cash there and there drew the annexed check on Mutual Bank for 11.10 and delivered the same to said Company, and obtained the said property on the faith hereof.

That he is informed by Walter Winton Cashier of said Mutual Bank that said drawer of the check was not entitled to draw on said bank for the amount named therein or for any amount whatever and that the said drawer of the check had no balance in bank on the date of said check.

Sworn to before me
this 2nd day of October 1893

George C. Alting
Police Justice

0739

Sec. 192.

4th District Police Court

(1961)

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Thomas J. Gray a Police Justice of the City of New York, charging Arnold Schuster Defendant, with the offense of

Larceny Fel.

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

We, Arnold Schuster Defendant, of No. 111

Street, by occupation a Butcher

and Albert Hildebrandt of No. 202 Third Ave

Street, by occupation a Sign Dealer surety, hereby jointly and severally undertake that

the above named Arnold Schuster Defendant,

shall personally appear before the said Justice, at the 4th District Police Court in the City of New York

during the said examination, or that we will pay to the People of the State of New York the sum of Five

Hundred Dollars.

Taken and acknowledged before me, this 17 Arnold Schuster

day of December 1893, Albert Hildebrandt

Thos. J. Gray POLICE JUSTICE.

0740

CITY AND COUNTY } ss.
OF NEW YORK.

Sworn to before me, this 17
day of December 1893
W. J. [Signature]
Police Justice.

Albert Hildebrandt
the within named Bail and Surety, being duly sworn, says, that he is a resident and free
holder within the said County and State, and is worth Seven Six Hundred Dollars,
exclusive of property exempt from execution, and over and above the amount of all his debts and
liabilities, and that his property consists of House and lot of land
situated at No. 1781 First Avenue and
valued at \$10000.00 over all debts
Albert Hildebrandt

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
vs.
Undertaking to appear
during the Examination.

Taken the day of 189

Justice.

0743

1921

CITY AND COUNTY }
OF NEW YORK, } ss.

aged _____ years, occupation Walter Westervelt
Cashier of Mutual Bank of No. _____

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

Sworn to before me, this 16 day } Walter Westervelt
of December 1893 }

Wm. H. Gandy Police Justice.

0744

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Arnold Schuster

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

Question. What is your name?

Answer. *Arnold Schuster*

Question. How old are you?

Answer. *39 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *118 East 111st - 6 months*

Question. What is your business or profession?

Answer. *Butcher*

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

Answer. *I am not guilty
Arnold Schuster*

Taken before me this *16* day of *Dec* 189*9*
Wm. J. Brady
Police Justice.

0745

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 Three 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, Dec. 20 1893

Thos. F. Brady Police Justice.

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

Dated, _____ 189 _____

Police Justice.

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

Dated, _____ 189 _____

Police Justice.

0746

1356-1354

Police Court - 1st District.

THE PEOPLE, &
ON THE COMPLAINT OF

Levy C. Altus
Arnold Schutte

Offense *Carceum*

1 _____
2 _____
3 _____
4 _____

Dated, *Dec 16* 189*3*

G. M. Smith Magistrate.
Calcut Officer.
Precinct.

Witnesses _____

No. _____ Street.

_____ Street.

No. _____ Street.

_____ Street.

No. _____ Street.

\$ *300* answer *G.S.*

Calcut

\$ 300 4 Dec. 20. 3 PM.



BAILED,

No. 1, by *Abraham*
Residence *2020 3rd St* Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Arnold Schuster

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

Arnold Schuster

of the CRIME OF

Grand LARCENY in the second degree committed as follows:

The said

Arnold Schuster

late of the City of New York, in the County of New York aforesaid, on the sixth day of October in the year of our Lord one thousand eight hundred and ninety-three, at the City and County aforesaid, with force and arms, with intent to deprive and defraud

a certain corporation commonly known as the Hudson River Beef Company (Limited)

of the proper moneys, goods, chattels and personal property hereinafter mentioned, and of the use and benefit thereof, and to appropriate the same to his own use, did then and there feloniously, fraudulently and falsely pretend and represent to

the said corporation,

That a certain paper writing in the words and figures following, to wit:

New York Octbr 6 1893
The Mutual Bank
N. W. corner 34th St. & 5th Avenue
Pay to the order of Hudson River Comp
Thirty one 36/100 Dollars
\$ 31 36/100 B. Schuster

which he, the said Arnold then

and there produced and delivered to the said corporation, was then and there a good and valid order for the payment of money, and of the value of thirty-one dollars and thirty-six cents.

By color and by aid of which said false and fraudulent pretenses and representations, the said

Arnold

did then and there feloniously and fraudulently obtain from the possession of the said

corporation, a quantity of meat, (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of thirty-one dollars and thirty-six cents,

of the proper moneys, goods, chattels and personal property of the said corporation

with intent to deprive and defraud the said corporation

of the same, and of the use and benefit thereof, and to appropriate the same to his own use

Whereas, in truth and in fact, the said paper writing was not then and there a good and valid order for the payment of money, and was not of the value of thirty

one dollars and thirty-six cents, but was then and there wholly worthless;

[Large decorative flourish]

And Whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said *Arnold* to the said *corporation* was and were then and there in all respects utterly false and untrue, as *he* the said *Arnold*

at the time of making the same then and there well knew;

And so the Grand Jury Aforesaid, do say that the said

Arnold in the manner and form aforesaid and by the means aforesaid, the said proper moneys, goods, chattels and personal property of the said *corporation*

then and there feloniously did STEAL, against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

DE LANCEY NICOLL,
District Attorney.

0750

Witness

John A. Atkinson

In this case, petitioner has been made. Compt's officers recommended that defc be discharged on bond in dictments on his own recognizance. There may be ground to believe that the deft. did not intend a crime when the checks were uttered. I accordingly recommend that on both indictments
Apr 1797 Stephen J. O'Hara
Dep. Secy. Dist. Ct.

W. H. [Signature]

Counsel,

Dec 3
Filed, *22* day of *189*

Pleas, *not guilty 26*

THE PEOPLE

vs.

Arnold Schuster
(2 cases)

Grand Jurors, indignant
(False Pretenses)
[Section 528, and 58 / Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

B. Hayward
April 4/94 Foreman.
Paul Hayward

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Arnold Schuster

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

Arnold Schuster

of the CRIME OF Petit LARCENY committed as follows:

The said

Arnold Schuster

late of the City of New York, in the County of New York aforesaid, on the second day of October in the year of our Lord one thousand eight hundred and ninety-three, at the City and County aforesaid, with force and arms, with intent to deprive and defraud a certain corporation commonly known as the Hudson River Beef Company (Limited)

of the proper moneys, goods, chattels and personal property, hereinafter mentioned, and of the use and benefit thereof, and to appropriate the same to his own use, did then and there feloniously, fraudulently and falsely pretend and represent to the said corporation,

That a certain paper writing in the words and figures following, to wit:

" New York October 11 1893
The Mutual Bank
n. w. corner of 4th St. & 8th Avenue
Pay to the order of Hudson River Beef Co
Eleven - 68 Dollars
\$11.68 B. Schuster "
which he the said Arnold then and

there produced and delivered
to the said corporation, was then
and there a good and valid order
for the payment of money
and of the value of eleven
dollars and sixty-eight cents

By color and by aid of which said false and fraudulent pretenses and representations, the said

Arnold

did then and there feloniously and fraudulently obtain from the possession of the said

corporation, a quantity of meat,
(a more particular description
whereof is to the Grand Jury
aforesaid unknown) of the
value of eleven dollars and
eighteen cents

of the proper moneys, goods, chattels and personal property of the said corporation

with intent to deprive and defraud the said corporation

of the same, and of the use and benefit thereof, and to appropriate the same to his own use

Whereas, in truth and in fact, the said paper writing
was not then and there a good
and valid order for the payment
of money, and was not of the
value of eleven dollars and sixty

eight cents, but was then
and there wholly worthless;

[Large handwritten flourish]

And Whereas, in truth and in fact, the pretenses and representations so made as afore-
said by the said *Arnold* _____
to the said *Corporation* _____ was and were
then and there in all respects utterly false and untrue, as *he* the said
Arnold _____
at the time of making the same then and there well knew;

And so the Grand Jury Aforesaid, do say that the said
Arnold _____
in the manner and form aforesaid and by the means aforesaid, the said proper moneys, goods,
chattels and personal property of the said *corporation*
then and there feloniously did STEAL, against the form of the statute in such case made and pro-
vided, and against the peace and dignity of the said people.

DE LANCEY NICOLL,
District Attorney.

0754

BOX:

545

FOLDER:

4958

DESCRIPTION:

Schwartz, Aaron

DATE:

12/22/93



4958

304

B 94 Jan 8/94 1917

Witnesses:

B M Shane

Dkt Council
on a written list
of G. P. 5 Degree

[Handwritten signature]

Counsel,

Filed *27* day of *Dec* 189*7*

Pleas *26* *guilty* *Jan 16/94*

THE PEOPLE

vs.

P

Aaron Schwartz

Feb 14/94

Tried & convicted
of Petit Larceny

DR LANCEY NICOLL,

District Attorney.

Pen 6 mths -
to commence at termination
of other sentence - P.B.M.

A TRUE BILL.

B to record

Foreman.

Grand Larceny, second Degree.
[Sections 595, 597 Penal Code.]

4/1/93

The People
 vs.
 Aaron Schwartz
 Indictment for grand larceny in Second degree
 Boris M. Thane, sworn and examined, testified:
 What is your business? Umbrella business
 at No. 57 Walker street in this city. Are you
 in business alone there? Yes. Do you
 know this defendant? Yes. How long have
 you known him? He was employed for a
 year in my business. Was he employed by
 you? Yes. What did this man do for you?
 He was employed by me to pack goods and
 send them away, also to collect some
 money and do some other little jobs of
 that kind. On the 1st of December last did
 you have a watch? Yes, a gold watch. How
 much did you pay for it? I paid 115
 rubles, which in American money
 amounts to about sixty dollars. This is
 the watch (producing it). The value of it does
 not consist so much in the gold as in
 the machinery and movement of the
 watch. What occurred between you and
 the defendant on the 1st of December in
 relation to the watch? About noon on
 the first of December I delivered the watch
 to the defendant in order to carry it to the
 watchmaker to fix something on it. I told

him to go to Mr. Gottsdunker, and he said he knew the address, he knew where to find him. Did he take the watch? Yes. I gave him the watch in order that he might go to the watchmaker in the evening. Did he come back to work the next morning? Yes. I asked him if he delivered the watch, and he told me he had no time but he intended to do it on Saturday evening. On Monday did he come back to work? No. When did you next see him after that Saturday night? He did not come back. I next saw him in Philadelphia two weeks after that. I saw him in the street.

Where did you next see your watch? On the following Tuesday evening. Where did you see it? At the watchmaker's.

What did the defendant say when you met him in Philadelphia? He said he did not know me at all. Did you have any talk with him after you had got your watch? No. Did you learn from him where your watch was? No; he told me he did not know anything.

Cross Examined. How did you learn where the watch was anyhow? The following day.

went to the place where the defendant lived and the landlord told me that a man had been in his lodgings who had bought the watch, and this man was a certain Moser - the watch came from the factory of a certain Moser in Russia who is a very distinguished watchmaker. How long had the defendant worked for you? Nearly one year. Had he (the defendant) been taking out watches before to have them mended to? I never had sent him out before with watches. Did you discharge him or did he leave you? No I did not discharge him. Was he always honest when he was with you? Always honest. Did this watch in question belong to you? Yes. Where did you buy it? In Russia. How many years ago? Fifteen or nineteen years. How much did you pay for it nineteen years ago? 115 rubles. How much would that be in Yankee money? Sixty dollars. Was it in active use all the time? I caused it to be fixed once since I have been in this country; it cost me two dollars and fifty cents to have it repaired; it was cleaned. How long have you been in the country? Two years. I do not speak English very well, but I understand it.

You have been engaged in the jewelry business since you have been in this country? No, the umbrella business. Are you married and have you got a family? Yes. This man has been in your employ? Yes, one year. I sent him to get the watch fixed up. He told me he had no time to bring it that day, but Saturday night he would bring it to the watchmaker; he did not come back Monday, I did not see him. You went to Philadelphia and then you found your watch over there? Yes. I will tell you why he went there. He collected some money from another man and he took watches too; he went away after that, two weeks ago. You did not sell him the watch? No. Did you owe him any wages? No. How much did you pay him for working for you during this year? Five dollars a week. Did you pay him every Saturday? Certainly every Saturday evening. Why did you go to Philadelphia? I was looking for that man and a friend of mine who was in Philadelphia told me that he had seen him there. Where did you find him in Philadelphia? I found him in the street. Just by accident, just met him as you

were walking along? Yes. I had been first at his home and did not find him there. Where did you go? I went round with the detective, I took me round, I did not know where. Did you go up to him when you saw him on the street? Yes. Who spoke first, you or the detective? The detective. What did the detective say to him? He told him that he had a warrant upon my request to have him arrested because he had a watch of mine and he had been collecting some money. What did he say when he told him that? He answered that he did not know me at all. What did you say to that? I said then to the defendant, how can you say something like that to me, why dont you say the truth? What did he say to that? He said, he does not know anything, he does not know me.

Abraam Gottsdanker, sworn and examined, testified: What is your business? Watchmaker. Where is your place of business? No 111 Henry street. Do you know the defendant, Aaron Schwartz? Yes sir. Did he ever bring a watch to you to be repaired? No. I show you this watch and ask you if on the first of December or at

any other time subsequent thereto he ever brought that watch to you? No. I have been engaged in the watch making business for twenty years. I cannot speak English. I have been in this country two years and a few months. I have seen the watch now shown me before. I fixed it in Russia for Mr. Shane. Nineteen years ago it was worth about 120 rubles; two rubles are worth a dollar. The watch was made by Moser, which is as if it came from Tiffany of New York. At present it is worth forty dollars. You were called here by the complainant, the gentleman who owns the watch? I have received a subpoena from the Court. Mr. Shane is a friend of mine. When did you receive the subpoena to come here to testify to the value of that watch? On the 13th

Phillip Reilly, sworn and examined, testified. I am connected with the detective bureau of this city. I did not arrest the defendant, but he was arrested under my instructions in Philadelphia. I went from this city to Philadelphia with a warrant of extradition. I found him in prison locked up in headquarters. Did you have any conversation with him? No, not with reference to this

case; he would not talk about it. He said he did not know anything about it.

Cross Examined. You have been many years connected with the police force of the city of New York? Yes. You went on to Philadelphia to take into custody this man, did you not? Yes, I did. You heard that somebody had arrested him? Yes. He came willingly, did he? There is a law in Pennsylvania that he could not come without a requisition, and with that I went on; he made no resistance. Did you talk with him at all? Yes, I did. What could you get out of him, anything? I could not get anything; he knew nothing about the case. Did he make any confession or admission? No, he did not. Did he say that he was willing to come back? He did not speak about that subject at all? Did he speak about buying the watch? No. The complainant went on under his directions to see if he could find him, and if so, to have him arrested; that we had a warrant for him here; he was indicted at the time. I questioned him. I found a lot of pawn tickets with him. I asked him whose property those pawn tickets represented, and he

said that they were his own property, that he was buying and selling watches. Did he not give you his card, that he was doing business there? Yes, he did.

Abraham Schwartz, sworn and examined in his own behalf testified. I formerly lived in Philadelphia, 745 South Sixth Street. I am a jeweler and watchmaker. I was engaged in business there fourteen days and I came to New York. I did not prosper in business here ~~Philadelphia~~ with that man (the complainant); he paid me five dollars a week and I resolved to go to Philadelphia. Did you ask him for more wages? I told him to give me a dollar more; he did not give me any answer. How much money was due to you at the time you left his employ? He owed me, ~~200 money~~ ^{twenty five} dollars ~~at all~~ for five weeks; he gave me ten dollars and reckoned fifteen dollars for the watch. I got out business cards in Philadelphia. I bought goods in Philadelphia - here is one from Louis A. Scherr & Co.

Cross Examined. When I went away I had given Mr. Stone all the money I collected for him. I opened a store in Philadelphia and have bills for \$250 worth of goods I bought.

The jury rendered a verdict of guilty of petty larceny.

0764

Testimony in the case
of
Aaron Schwartz
filed Dec.

1893.
25

x

0765

*District Attorney's Office,
City & County of
New York*

February 23rd, 1894.

Hon. Frederick Smyth,
Recorder.

Dear Sir:--

In compliance with your request, I hereby submit the following report in the case of Aaron Schwartz, who was convicted before you on Wednesday last. He came to this country from Russian Poland about two years since. He is a watchmaker by trade. He entered the employ of Boris M. Shaine, 57 Walker Street, shortly after his arrival here. Some time in November 1893, Shaine gave him a watch to be repaired; also a bill of fifty (\$50) dollars to collect. Schwartz disappeared with the watch after collecting the money. He was next heard of in Philadelphia, Pennsylvania, where Mr. Shaine went and identified him, and had him arrested and extradited. He was tried and convicted before Judge Martine for that offense, petit larceny. After extradition, Joseph Welper, an employee of Shaine, informed me that he had given Schwartz eighteen watches to sell for him, and after receiving said watches, Schwartz disappeared. I did everything to find out from Schwartz what he did with the watches, but he refused to tell.

Shaine recovered his watch in Philadelphia, where Schwartz had sold it for \$19.

Very respectfully yours,

Philip Reilly

0766

DISTRICT ATTORNEY'S OFFICE,
CITY AND COUNTY OF NEW YORK.

548

City and County } ss.
of New York, }
of No. 57 Walker Street, aged 42 years,
occupation Umbrella maker being duly sworn, deposes and says,
as follows:

On the 1st day of December, 1893,
the following described property was
stolen from deponent, to wit:

one watch, of the value of twenty dollars.
That said property was stolen, taken and
carried away by one Abraham ^{Aaron} Schwartz
under the following circumstances.

On the said date, deponent gave the said
watch to the said Abraham ^{Aaron} Schwartz with
instructions to bring the same to the jewelry
store of one, ~~Rosafield~~ Gottsdanker on East
Broadway. Deponent is informed by the
said Gottsdanker that the said Schwartz
never brought the said watch there.

Deponent thereafter went to Philadelphia
and found ^{said} the said watch in a jewelry
store there, where it had been the proprietor
of which had purchased the same from
the said Gottsdanker Schwartz as he
informed deponent.

Sworn to before me } Boris M. Shaine
this 2nd day of Dec. 1893 }
J. J. McManus
Comm. of Deeds
City of New York.

0767

197

DISTRICT ATTORNEY'S OFFICE.
CITY AND COUNTY OF NEW YORK.

THE PEOPLE, ETC.

ON THE COMPLAINT OF

Boris M. Shum

vs.

Aaron Schwartz

Grand Jurors
and Juries

Dated, *Dec 2nd* 189*3*

Witnesses, *Complt*

Adm. Holls danks Street.

~~*James E. Moran*~~
officer *111 Henry St*
No. Street.

No. Street.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Aaron Schwartz

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

Aaron Schwartz

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

The said

Aaron Schwartz

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

one watch of the value of sixty dollars

of the goods, chattels and personal property of one

Boris M. Shaine

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

De Lancey Nicoll
District Attorney

0769

BOX:

545

FOLDER:

4958

DESCRIPTION:

Schwartz, Samuel

DATE:

12/21/93



4958

234

Witnesses:

Thos G. Williams

Officer Wm Brown

8th Prec

Counsel,

Filed

day of

1893

Pleads,

Not Guilty

THE PEOPLE

vs.

Samuel Schwartz

Robbery, Second Degree.
(Sections 224 and 229, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL

Thos Harris

Foreman.

Part 3 - January 4/94

Tried & Acquitted

Part 4th - Jan 4/94 3/10

07771

1900

CITY AND COUNTY OF NEW YORK, ss:

POLICE COURT, 2 DISTRICT.

William Brown

of No. 8th Precinct Street, aged years, occupation Policeman being duly sworn, deposes and says, that on the 5th day of December 1893 at the City of New York, in the County of New York,

Deponent arrested Samuel Schwarty, now here charged with robbery on oath of G. J. Williams, that the said Williams identified the defendant in deponents presence, as the man who robbed him of \$57 in money. Said Williams promised to appear in court to prosecute defendant, but is not present now. Deponent asks that defendant be held for examination on said charge

William Brown

Sworn to before me, this 5th day of December 1893

[Signature] Police Justice

0772

Police Court, 237 District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

J. G. Williams

vs.

Samuel Schwartz

AFFIDAVIT.

Dated, Dec 5 1893

Hogan Magistrate.

Brown Officer.

Witness, _____

Disposition, _____

Ex Dec 5th 1893 9³⁰ P.M.

[Signature]

Ex Dec 6th 1893

9³⁰ P.M.

[Signature]

0773

Police Court 2 District.

CITY AND COUNTY }
OF NEW YORK, } ss

Thomas G Williams

of No 56th Street - South Brooklyn to Bay Ridge ^{King's County N. Y.} Aged 30 Years

Occupation Accountant being duly sworn, deposes and says, that on the

4 day of December 1883, at the 5th Ward of the City of New York,

in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the following property, viz:

good and lawful money of the United States

of the value of about fifty (50) DOLLARS,
the property of deponent

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

Samuel Schwartz (now here) from the following facts to wit; that about the hour of 10.30 o'clock P.M. of said date while deponent was standing on the sidewalk in Thompson Street near Grand Street, said Defendant came up and forcibly put his arm around deponent neck, and did then insert his hand into deponents vest pocket, and feloniously took, stole, and carried away the aforesaid property - Deponent therefore charges said Defendant with having committed a Robbery and asks that he may be held and dealt with as the Law may direct - J. Williams.

Sworn to before me, this 5th day of December 1883

Police Justice

0774

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

Samuel Schwartz 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. *Samuel Schwartz*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *187 Street 5th Avenue - 5 years*

Question. What is your business or profession?

Answer. *Brook Lumberman*

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 - Samuel Schwartz

Taken before me this

188

Police Justice.

[Signature]

0775

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 100 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 December 8 1893 [Signature] Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0776

Ex Dec 7th 1893
2:30 P.M.

[Signature]
Ex Dec 8th 1893
2:30 P.M.

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

1322

Police Court-257 District.

THE PEOPLE, &c.
ON THE COMPLAINT OF
Thomas G. Williams
156 W Street
Samuel Schwartz
Offence

Dated Dec 6 1893
Hoga Magistrate.
Borne & Clarke Officer.
Precinct.

Witnesses John H Roberts
No. 426 W 40th Street.
Wm Barnes
No. 32 Thompson Street.

No. _____ Street.
\$ 1000 to answer
District Attorney
DEC 11 1893

0777

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Samuel Schwartz

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

Samuel Schwartz

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

The said

Samuel Schwartz

late of the City of New York, in the County of New York aforesaid, on the fourth day of December, in the year of our Lord one thousand eight hundred and ninety-three, in the right-time of the said day, at the City and County aforesaid, with force and arms, in and upon one Thomas G. Williams, in the peace of the said People then and there being, feloniously did make an assault; and

the sum of fifty dollars in money, lawful money of the United States of America, and of the value of fifty dollars,

of the goods, chattels and personal property of the said Thomas G. Williams from the person of the said Thomas G. Williams against the will and by violence to the person of the said Thomas G. Williams then and there violently and feloniously did rob, steal, take and carry away,

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

De Lancey Nicoll
District Attorney.

0778

BOX:

545

FOLDER:

4958

DESCRIPTION:

Scott, James

DATE:

12/20/93



4958

Witnesses:

Titus Poole

Samuel

22³ H. H. [unclear] v. Kane

Counsel,

Filed

day of

189 3

Pleads,

Guilty

THE PEOPLE

vs.

P

James Scott

Assault in the First Degree, etc.
(Sections 217 and 218, Penal Code.)

*30
145777*

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*By J. H. [unclear]
Jan 5/94 Foreman.*

*Tried & convicted
of Assault 2deg*

*270 S.P. [unclear]
Jan 9/94*

0780

Police Court 2nd District.

City and County of New York, ss.:

Titus Poole

of No. 243 West 34th Street, aged 41 years,

occupation Cook being duly sworn

deposes and says, that on 11 day of December 1883 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

James Scott (now here) who did willfully,

and maliciously, cut, and stab,
deponent on the head, and lip,
with a Razor, that he then and
there held in his hand, and that
said Assault was committed

347 7+8
10:30

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

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

Sworn to before me, this 12 day of December 1883 Titus Poole

[Signature] Police Justice.

0781

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

James Scott 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. *James Scott*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *W.S.*

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

Answer. *145 West 27 Street, (6 months)*

Question. What is your business or profession?

Answer. *Painter*

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

Answer. *I am not guilty*

James Scott

Taken before me this
day of *December*

188*8*

Police Justice.

253
[Signature]

0782

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

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

Dated December 2 1893 [Signature] Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0783

\$1500 - bond
Ex. adj. to 15 Dec at 9 am
Hereto request

1340

Police Court --- District.

THE PEOPLE & ON THE COMPLAINT OF

Titus Poole
James Scott

327
243 W 37th
Office
Dec 12 1893

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

Dated Dec 12 1893

Rock
Hay & Curry
Magistrate. Officer.

Witnesses Call the officers
Precinct. 20

No. Elizabeth Poole
240 W 37th Street.

No. \$ 1000

RECEIVED
DEC 18 1893
STREET ATTORNEY
C. [Signature]

41

THE PEOPLE,

COURT OF GENERAL SESSIONS, PART 1.

vs.,

BEFORE JUDGE FITZGERALD, and a Jury.

JAMES SCOTT.

Thursday, January 4th, 1894.

Indictment for ASSAULT in the FIRST DEGREE.

TITUS POOLE, sworn and examined, testified:

Where do you live? 327 West 39th street, at present. Where did you live, on the 11th of December last? 243 West 37th street, in this city. Do you know this defendant? I know him now, since he cut me. Did you know him before he cut you? I never had any knowledge of him until that night; I saw him the night he cut me for the first time. Where did you see him? Right at my bed-room door; I had the first floor, and there is a door leading into the hall. What time did you retire that night? This was twenty minutes after 11 o'clock; I heard some one in the hall; my wife went and opened the door; she went out first into the hall and came back, and I asked her what the noise was about, and she said there was some men and women in the hall; and, in consequence of what she said, I went into the hall. Scott was not in the hall at the time; but there was another party there. I closed the hall-door, and I went back in my room. I was in, I guess, about five minutes, and the defendant and this other man came and knocked and opened my bed-room door. I saw the defendant, he cut me with the razor; the other man did the talking, and the other man hit me in the eye and kicked me, while the defendant cut me. There was no light in the hall, but there was a lamp lighted in my room, and the door opened inside of my room. Was the door open when Scott cut you? Yes; the light was shining on his face, and I saw him

and the razor. He said he was going to cut my damned throat, he said if I followed him to the corner, he would kill me; he dared me to come out. They walked up 37th street; I had to go out through the window; he walked to 37th street; he said, "You son of a bitch, you come out, and I will cut your God damned throat." I was afraid he had a razor; there was a little fellow came up, and I warned him, "Don't catch him or he will cut you." I chased him up Seventh avenue and down 37th street; he turned, and the other lad, who didn't cut me, ran. When you opened the door did the defendant have a razor in his hand, or did he take it out of his pocket? He had the razor in his hand. Where did he cut you? He cut this lip, and made a big gash in my forehead. Did he cut a piece out of your forehead? No; it is one of those slanting cuts; it got done with the blade of a razor. The defendant turned down 38th street, towards Eighth avenue, and there I chased him. On the way down Seventh avenue to Eighth avenue, he turned into the corner of the liquor store and he ran down 37th street again, and I and the officer succeeded in catching him. I was bleeding all this time; I said to the officer that the defendant was the man who cut me; I didn't hear what the defendant said to the officer. I didn't know Scott's name until he gave it; I was covered with blood, but I kept my eyes on him while I was running. I gave him no provocation to cut me.

CROSS EXAMINATION:

What became of the hatchet you had in your hand? The hatchet was there, but I didn't have it in my hand; the hatchet that is in that house I had for a bolt on the door, to fasten the door, but I didn't have it in my hand when he cut me. Up to the time of the cutting, you had no hard feeling or no al-

tercation with this man, did you, or no fault to find with him? I couldn't find fault with a man I did not know; I do not know who the other man was that was at the door; I had no quarrel with him. Can you tell this Jury why the other man, or why this man assaulted you in the manner in which you have described, and cut you in the head and lip? The only thing I can tell the jury is this --when I went to close the door, they were insulted by my closing the door, the first time; there came two girls with them; they said they were going to cut my God damned neck; it is a mystery to me what they had against me. Before you were cut, and you had went into the hallway for some reason or other, you had met two or three people, and afterwards you went back to your own apartments and remained there for about five minutes, and at the expiration of five minutes, a knock came on your door, you opened the door, and you found this defendant and another man in the hallway, and, without saying a word, they made an assault upon you and cut you in the manner which you have described; is that so? Yes, that is so. How long have you lived there, in that house? I am living there about three months; my business is a cook; I am not working anywhere at present; I go to different hotels, and different places. The last place I worked before I had the defendant arrested was at a wedding reception dinner of Madam Demorest, 57th street, for a daughter; the butler hired me; his name is William H. Bond; he is Mrs. Demorest's butler. Previous to that I worked for Frederick B. Tappen, 36 Wall street; I worked there for ten years, and I left there about two or three years ago, when he lost his daughter. Before that, I was up on Seneca Lake one season; I also worked in the Knickerbocker, 55th street and Fifth avenue,

0787

and I have worked for Judge Miles Beach, as butler, for two months. Why were you discharged by Judge Beach? I was sick; I had pneumonia. I had a business for myself, at 241 West 41st street, the New Amsterdam Cafe. I remained in business about twelve months. My landlord was a butcher in 20th street; I think his name is Coleman. After you had opened the door, and taken the axe from where you had it fastening the door, you took the axe in your hand; didn't you? No; after the man hit me I ran for the axe; when I opened the door this other man that was with Scott hit me. When he hit me, of course I went to hit at him, and then Scott cut me with the razor. Didn't you try to carve his head off, first, with the axe? No, I did not.

ELIZABETH POOLE, sworn and examined, testified:

I am the wife of the complainant in this case, and live with him at 243 West 37th street. On the 11th of December we lived at that address, and I was there on the night of the 11th of December, at 20 minutes to 11 o'clock. I saw the defendant, Scott, with a razor in his hand, cutting my husband. I went first to the door, and locked it; I heard some wrestling in the hall; I didn't know what it was; I opened the door and said to my husband, "There is somebody in the hall." He went to shut the door; it seemed that the defendant didn't want the door shut; my husband said, "I want to shut the door." They had some few words; they came in and these two gentlemen went away, and in about five minutes they came back again and knocked at the door. My husband went and opened the door; the gentleman who was with Mr. Scott struck at my husband and kicked him in the leg with his foot. Scott drew the razor and cut him; I saw the razor

myself. He didn't run away at once, but stayed in the hall a little while, swearing such language that he would cut his damned guts out. My husband opened the window and jumped out of the window and called a policeman -- "Murder!" He was cut.

CROSS EXAMINATION:

I have been married to this colored man eleven years; I have got one child, eight years old. We had only one lock on the door, and it was a very poor one; we put the hatchet under the door, to fasten it, when we went to bed. When my husband went to the door, he had his shoes and trousers on, but no coat; my husband removed the hatchet with his foot; he did not pick it up. It is not a fact that I handed him the hatchet. I didn't see my husband have the hatchet in his hand. I have got the hatchet yet. I never saw the defendant in my life, before that night. The hallway was dark, and I had two lamps burning in my room. I will swear that it was not the other man who cut my husband; I was looking over the man's shoulder when I saw him cut my husband; I said, "Oh, my God! He has cut you." The defendant stood there, to see if my husband would come out; he tried to kill him. My husband jumped out of the window, onto the side-walk, and called, "Murder!" I went out on the side-walk, on the top of the stoop. I afterwards went to the station house, and went to Bellevue Hospital with my husband when he got his cut sewed.

PATRICK CURRY, being duly sworn, testified as follows:

I am attached to the 20th precinct, and was on duty on the night in question in the neighborhood of Eighth avenue and 37th street, in citizen's clothes. I saw the complainant

there. He was covered with blood on the head. I was attracted to where the complainant was by the cries of murder. That was between Seventh and Eighth avenue, in 37th street. I ran in that direction, and met the complainant. I says, "I am an officer; what happened you?" He says, "That colored man, with the light coat, running away, is after cutting me with a razor." I started in pursuit of the defendant; he was running at the time, and he ran as far as Seventh avenue and then went up as far as 38th street, and through 38th street to Eighth avenue, and down Eighth avenue to 37th street, where I caught him. At that time, the complainant had not got there; he got there about a moment or two later. I says to the complainant, "Is this the man that cut you?" He said, "Yes." On the way to the station house, I searched the defendant, and in his left hand coat pocket found this case (producing it). I says, "Where is the razor that you had in that case?" He says, "It wasn't a razor; it was a corn-knife." I says, "Where is it now?" He says, "I have got it." I said, "What did you cut this man for?" He said, "I wasn't going to let him cut me with the axe." That is all I know.

(The People rest.)

THE CASE FOR THE DEFENSE:

EDITH WILLIAMS, being duly sworn, testified as follows: I live at 475 Seventh avenue. I remember the night of the 11th of December. I was at 212 West 29th street; I was at Mrs. Bates's house; I was with my friend, Bertha Collamore. I left 212 West 29th street at half-past 10. The defendant escorted me home. I lived, at that time, at 243 West 37th street, the place where this assault is alleged to have oc-

curred. It was 20 minutes to 11 when I reached the house
 in 37th street, the four of us were going home, two gentle-
 men and two ladies, Bertha Cullamore and myself, Mr. Scott,
 and Mr. Simmons. We stood on the stoop, talking, for a few
 minutes. While we were standing there, the complainant came
 and opened the door -- his wife opened the door first, and
 then he opened it, and we stood a few moments more, and he
 opened the door the second time. He didn't open it wife;
 he told us two to go up stairs -- his wife first said, "You
 niggers go up stairs." We didn't go up stairs; we stood
 on the top of the steps; while we stood there, the complain-
 ant came to the door and told Mr. Scott and Mr. Simmons to
 go about their business. Mr. Simmons had his hand on the
 door, and the complainant tried to push Mr. Simmons off the
 stoop. He called his wife to bring the hatchet, and his
 wife brought the hatchet to him and he struck at the defend-
 ant. I didn't see if he hit him. I didn't see any razor; I
 was in a position to see the complainant strike at Scott
 with the hatchet. Nobody knocked at the door that night.
 The complainant states, when he opened the door in answer
 to a knock, that this defendant drew a razor and cut him
 in the forehead with the razor, and also in the lip; is that
 so? No. If he had cut him in the forehead with the razor
 with anything, or in the lip with anything, you would have
 seen it? Yes. Was there any quarrel among the three men?
 No. Did you see this complainant strike at any time? I
 saw the complainant strike at Scott with the hatchet; I did
 not see him hit him. I have lived in that house two months
 and have never had any quarrel with the complainant or his
 wife; my relations have been friendly with them. Did the
 complainant have any right to come out and order you up

stairs? No.

CROSS EXAMINATION:

We went up stairs then; we looked out of the window, and we saw Mr. Scott going up Seventh avenue. You did not hear any one hulloa "Murder!" Not until Mr. Scott got up 37th street; then we heard a noise; we heard the complainant hulloa, "Murder!" He jumped out of the window, and his wife stood on the stoop and she hulloaed, "Burglars! Police!"

BERTHA COLLAMORE, sworn and examined, testified:

I live in 37th street, the same house where the preceding witness lives. I remember, on the night of the 11th of December, being at 212 West 29th street. I remember going home with Mr. Scott, Mr. Simmons, and the last witness. We got to the steps and stood talking in a whisper. Mr. Poole came to the door, and he looked out first, and then, after looking out, his wife came to the door and went back; she said to us, "You niggers, go on up stairs." The complainant came out and said, "You all go up stairs." I thought he was the janitor at first. I started to go up stairs, and got up one flight; I stood and looked what was going to occur at this time; he went to the door and slammed the door. Mr. Simmons was standing at the front door, and he slammed the door and caught his thumb in the door. Then the complainant told his wife to bring him the hatchet, and she brought it; I saw him strike at Scott; I didn't see him hit him. I never saw any razor. I went up stairs, and asked the gentleman I wanted from if the complainant was the janitor, and he said no. I went to my window, and, in that time, those two fellows, Scott and Simmons, ran out. Then the complainant raised the window and jumped out and hulloaed "Murder!"

"Police!" His wife stood on the steps and hollloed, "Burglars!"

CROSS EXAMINATION.

I had been that night out at 212 West 29th street, to see Fannie Bates. I do general house-work; I haven't done anything since I came to the city; the last place I was employed was in Canada, in a hotel. I came here in September; since I came here I worked in 266 39th street. I only got acquainted with Scott that night; I never met him before; I met him at Fannie Bates's, and I met the other man at the same place. Can you tell this jury how it was that Poole got that cut on his head or on his lip? No, I couldn't positively tell that, for I didn't see any cutting or any razor. I saw him strike with the hatchet. The last I saw of Scott and the complainant, both were together on the steps. Was there anything to prevent Poole going out in the hall and using the axe if he wanted to? No, there was nothing to hinder him going out, if he wanted to.

LOUIS SIMMONS, sworn and examined, testified:

I work in the Studio, at Fifth aveme. I have been in New York nearly two years. I have never been convicted of any crime. I remember the night of the 11th of December. I was around at 212 West 29th street. I met the ladies before. The ladies and Mr. Scott was there. I gave him an introduction to the ladies. I was going home -- he came withone, and I went with the other. We got to the house, to the door, the stoop of 243 West 37th street; we walked up the stoop and we got to the door. Everything was peaceable. All at once some one, came out of the door, the side-room on the hallway, a white woman came out, and she wanted to know what

the niggers were doing in the hall. I laughed at that and said to Scott, "What do you think of that?" The complainant jumped out into the hall, and he drove the girls up stairs. I asked him what did he do that for. He turned around, and he pushed me rear out of the door; the door slammed and caught my finger in the jamb of the door; he wanted to know what burglars wanted in his house. I walked down the stoop and saw Scott; afterwards, I walked down near 37th street. I turned around and saw some one was hulloaing, "Muder! Police! Stop those two men," and some one holloaed, "Burglars!" I got to the corner of 37th street and Seventh avenue. I stood on the corner, at a telegraph post. I thought the man was crazy. I didn't know anything about any cutting. I saw the hatchet in the complainant's hand. His wife came out first and called us two niggers. I remarked to Scott, "What do you think of that, when she called us niggers?" The white woman went inside, and the colored man came out. He attempted to hit Scott; I didn't see him strike him. I didn't see Scott have anything with him. I was standing at the door. There was no light in the hall, and I didn't see Scott have a razor. Do you know whwther he cut himself in the head, with the hatchet? I don't know what he did; I walked down to the corner and stood on the corner; I didn't know where Scott went to. When I heard the cry, "Murder!" Scott was walking alongside of me. I didn't see any police officer running. I didn't see Officer Curry.

PATRICK CURRY, being recalled, testified:

Under the direction of the Court, I examined the premises 243 West 37th street. It is a three story, brick tenement.

When you got up in the hallway, what distance was there from the hallway back to the stairway? It is about four yards; twelve feet, and the ceiling is about eight feet high. Can any one stand at the door of the first flight, inside from the first floor up, see what is going on in the hall? No. You went up the first flight of stairs, did you, and looked down into the hall? Yes. Could you see any portion of the front hall? Yes. You could see just the foot of the stairs, but you couldn't see as far as Poole's door, without stooping down almost on your knees.

The Jury rendered a verdict of GUILTY
of ASSAULT in the SECOND DEGREE.

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 Scott

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

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

The said *James Scott*

late of the City of New York, in the County of New York aforesaid, on the *eleventh*
day of *December* in the year of our Lord one thousand eight hundred and
ninety-*three* — with force and arms, at the City and County aforesaid, in and upon
the body of one *Litus Poole* — in the peace of the said People
then and there being, feloniously did make an assault, and *him* the said
Litus Poole with a certain *razor*

which the said *James Scott* —
in *his* — right hand then and there had and held, the same being a deadly and
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and
wound,

with intent *him* the said *Litus Poole*
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York and
their dignity.

SECOND COUNT—

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

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

The said *James Scott*

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

with a certain *razor*
which the said *James Scott* —

in *his* right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully
and wrongfully strike, beat, cut, stab and wound, against the form of the statute in such case
made and provided, and against the peace of the People of the State of New York and their
dignity.

THIRD COUNT—

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

James Scott

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

The said

James Scott

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the said *Litus*
Pooler in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *him* the said

with a certain *razor Litus Pooler*

which *he* the said *James Scott*

in *his* right hand then and there had and held, in and upon the *head*
and face of *him* the said *Litus Pooler*

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, ~~bruise~~ and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said

Litus Pooler

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

DE LANCEY NICOLL,

District Attorney.

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**END OF
BOX**