

0286

BOX:

152

FOLDER:

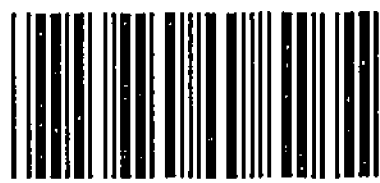
1560

DESCRIPTION:

Bael, Abraham

DATE:

10/31/84



1560

Witnesses:

Wm Scott

Off Geo Macaulay
13 Dec

I have examined the
Complainant in this case,
and learned that the deft had the
clothes brought in; that he had not
obtained his money from the
bank & believing he had been
passed the clothes & took them
from tickets to Complainant & then
the charge was made against
him for larceny, when under
circumstances & the character
of deft appearing good, I do not
think can show to prevent
at this time, and recommend
discharge of deft with no
recommendation
M. Dec 20, 1884
W. H. Adams
S.D.A.

238

Counsel,

Filed 21 day of Dec 1884

Pleas *Not guilty. Chorb*

Grand Larceny 2nd degree
[Sections 528, 58, Penal Code.]

THE PEOPLE

vs.

B

Wraham Rael

PETER B. OLNEY,

District Attorney.

A True Bill.

James B. Kirsam
Dec 23/84

Foreman.

Paul Dischinger

0287

0288

New York General Sessions.

PEOPLE ON MY COMPLAINT.
VERSUS

Abraham Beil

As complainant in the above case, I try to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. That I did not seek advice of counsel in making the complaint in the above case, but I have since been informed by counsel that the matter in dispute in this action should be determined in the Civil Courts, and is not a case for the Criminal Court -

Dated New York December 11th 1884

Wm. C. C. C.

0289

New York General Sessions

The People
vs complaint of
Wm Scott

vs
Abraham Beil.

Recommendation &c

To
Hon Peter B. Winney Esq.
District Attorney

0290

Police Court—

1st District.

Affidavit—Larceny.

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

William Scott

of No. 39 & 43 Greene

Street, aged 38 years,

occupation Superintendent

being duly sworn

deposes and says, that on the 13th day of October 1883 at the City of New

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

of deponent, in the day time, the following property viz:

Sixteen ladies cloaks of the value
of two hundred and fifty dollars

the property of Gabriel Schwab and his copartners
and in care and charge 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 Abraham Bael (now here)

from the fact that deponent gave defendant
the material to manufacture into cloaks and the
defendant did wilfully pawn said property and
deponent further says that defendant
acknowledged to deponent in the presence
of Charles Katzenel that he defendant
did pawn said property and converted
the proceeds to his own use

Wm Scott

Sworn to before me this
13th day of October 1883
of New York
Police Justice.

0291

Sec. 198-200.

1. 13 District Police Court.

CITY AND COUNTY OF NEW YORK, ss

Abraham Bael 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

Abraham Bael

Question. How old are you?

Answer

24 years

Question. Where were you born?

Answer.

Austria

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

Answer.

12 Ridge St. 3 mos

Question. What is your business or profession?

Answer.

Tailor

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 of stealing the property. I had a lien on said property. I sent the goods to Schwab Bros by express and they refused to pay me for the making of the cloaks

Abraham Bael

Taken before me this

day of

188

Police Justice.

0292

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

Abraham Dool
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 26 October 1888 [Signature] Police Justice.

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

Dated 26 October 1888 [Signature] Police Justice.

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

Dated 26 October 1888 [Signature] Police Justice.

0293

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Judge White
will hear the
Examination in
this case & oblige
P. W. Caffrey
Prosecutor

Police Court-- First District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William Scott

vs.

1 Abraham Baer

2 _____

3 _____

4 _____

Dated 26 October 18811

P. W. Caffrey Magistrate.

John M. Canby & Officer.

Pat English 13 Precinct.

Witnesses Charles Katzen

No. 293 - East 3rd Street.

No. _____ Street.

No. _____ Street.

\$ 500 and for St
to answer

Oct. 27. 2 p.m.

0294

TORN PAGE

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

Abraham Baer
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 27 Oct 1884 Charles Smith Police Justice.

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

Dated 27 Oct 1884 Charles Smith Police Justice.

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

Dated 27 Oct 1884 Charles Smith Police Justice.

0295

TORN PAGE

BAILED,
No. 1, by Nathan Bernstein
Residence 33 Ridge Street.
No. 2, by _____
Residence _____ Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

Police Court-- First District 17074

THE PEOPLE, & c,

ON THE COMPLAINT OF

William Scott

vs. Green

Abraham Bael

2 _____

3 _____

4 _____

Dated 24 October 1888

J. J. White Magistrate.

John W. Conley & Pat English Clerks.

13 Precinct.

Witnesses Charles Katszenis

No. 293 East 3rd Street.

No. _____ Street.

No. _____ Street.

\$ 500 to answer Gen. Secs

Bailed

0296

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Abraham Bad

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

Abraham Bad

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

The said *Abraham Bad*

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

stole and carried away
three barrels of
and one hundred pieces of
cloth of the value of two
hundred dollars each,

of the goods, chattels and personal property of one *Carl*
Schmidt,

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.

Peter B. O'Brien
District Attorney

0297

BOX:

152

FOLDER:

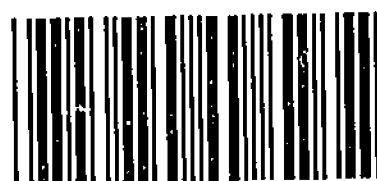
1560

DESCRIPTION:

Baxter, Samuel

DATE:

10/10/84



1560

0298

#54

Witnesses:
Myra A. Lexas

Counsel,
Filed 10 day of Oct 1884
Pleads Pet. & Ind. (13)

THE PEOPLE
vs.
P
Grand Larceny 2nd degree
[Sections 528, 53, Penal Code].
Samuel Baxter

PETER B. OLNEY,
District Attorney.

A True Bill.

James D. Kisser
Oct. 17/84 Foreman.
Pleads Ind. & Pet.
Sentence suspended
J.

0299

N. Y. General Sessions.

The People &c.

vs.

Samuel Baxter

City and County of New York ss:

I, Abraham Stromberg

being duly sworn depose and say:

I am the defendant above named,
and gave my name as Samuel Baxter
in order to save the name of my
family from disgrace.

That I was in the employ of
S. Frier & Sons of 190 William
Street this City, for five years,
in the capacity of Clerk and,
during that whole period I discharg-
ed my duties honestly and faithfully.

That I have worked for H.
Wallach's Sons, corner of Church &
Duane Streets, in this City, for
about three years and served
them faithfully and honestly,
and the recommendation hereto
annexed has reference to me.

I have also worked for A. &
G. Taylor, Photographers, Artists and

0300

Portrait Painters at N^o 779 Broad-
way, and have served them also
faithfully and honestly.

I have also worked for Nathan
Langschur, under his supervision,
for two years, and discharged my
duties honestly and faithfully,
and the certificate of character
from him, and hereto annexed,
relates to me.

I was never before convicted
of any crime.

Sworn to before me of Abraham Stenberg
this day of October 1884

N.Y. General Sessions
 The People }
 -v-
 Samuel Baxter }

City and County of New-York ss }
 I, Seligman Trier
 of No 525 East 84th Street
 in the City of New-York being
 first duly sworn do depose
 and say:

I am a manufacturer
 of Card-boards at No 190 William
 Street this City and senior mem-
 ber of the firm of S. Trier & Sons
 having carried on business there
 for the past twenty years.

I am well acquainted with
 the defendant Abraham Shomberg
 who gave his name as Samuel
 Baxter, having known him since
 he was a child and I am in-
 timately acquainted with his
 parents.

Said Abraham Shomberg
 was employed by me for five
 years and during that time

0302

he fulfilled a very responsible position. at various times being entrusted with large sums of money belonging to my firm.

Said Abraham Shoubey faithfully and honestly carried out his duties and worked for us in an upright manner. and I never discovered or heard anything wrong against his character before this affair.

I have heard a good many people speak well of the character of the said Abraham Shoubey. and his general reputation. for honesty and good character is the best.

Sworn to before me this

18th day of October 1884

Arthur Kinnier

Commissioner of Deeds.

New York City

Leigman Price

0303

N. Y. General Sessions

The People }
- h -
Samuel Baxter }

City and County of New York ss }
I, Albus Schuckenstein
of No 187 East 7th Street New York
City being first duly sworn do
depose and say:

I am a butcher and
transact my business at the
above address.

I have known the de-
fendant in this case Abraham
Stromberg, indicted as Samuel
Baxter for the past seven
years. said Abraham Stromberg
having resided in my neighbor-
hood during all that time.
with his parents.

I know other people
in the neighborhood who are
well acquainted with the said
Abraham Stromberg, and his
general reputation for honesty
and good character is good

0304

I positively aver that I
never heard any thing said
against the character of
the said Abraham Shombry
but always heard people &
the neighbors of mine speak
well of his character.

Sworn to before me this 2^d
18th day of October 1884 } Albert Shalton
Steele

Arthur Kimmes,
Commissioner of Alms,
New York City

0305

Office of

H. Wallach's Sons,

Thomas, Church & Duane Sts.

New York, July 26th 1883.

To whom it may concern!

The bearer of this
A. Stromberg has been
in our employ for about
9 years and has filled
his position ably.

We cheerfully
recommend him as a
honest and reliable

W. Wallach, Sr.

0306



A. & G. TAYLOR,



Photographers, Artists & Portrait Painters,

779 BROADWAY, NEW YORK.

A. & G. TAYLOR.
ROBT GALLOWAY.

(OPPOSITE STEWART'S).

New York, Cor 15 1884
To whom it may concern
This is to certify that
A Stromberg was an
our employee as an
russing agent for about
one year during
which time his con-
duct was straight
forward and sales
factory

Very truly
A & G Taylor
J. Wilson
Manager

0307

New York, Oct. 18th 1884

This is to certify that Albe Strimberg
has worked for two years under
my supervision, and proved
himself an honest and industrious
young man, and during that
period he enjoyed my fullest
confidence and appreciation as
to honesty and diligence in
the performance of his duties

Yours Respectfully

Nathan Langsbur

208. 7th St
City

POOR QUALITY
ORIGINAL

0308

and I am sure you will
be able to find out the
at least and therefore not able to
do any hard work.

Yours truly
15th 1881

Wm. H. H. H.
2nd 1881

0309

N. D. General Sessions.

The People

Plaintiff,

against

Samuel Baxter

Defendant.

Affidavits.

HOWE & HUMMEL,
Attorneys for *Deft.*
87 & 89 CENTRE ST., New York City.

Due and timely service of cop of the within
this day of hereby admitted
18

Attorney.

To

.....

0310

Police Court—182 District.

Affidavit—Larceny.

City and County } ss.:
of New York,

of No. 42 Walker Meyer L Seixas
occupation Cashier Street, aged 48 years,

deposes and says, that on the 8 day of October 1888 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 day time, the following property viz :

Two pieces of plaid cloth (41.7/8 yards)
Of the value of about thirty seven
dollars

the property of Jacob L Seixas and in care
and charge 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 Samuel Baxter (now here)
from the fact that deponent saw
said defendant take and carry
away the aforesaid property from
premises N^o 42 Walker Street in
said city

Meyer L Seixas

Sworn to before me, this
of October 1888 day
Police Justice.

0311

Sec. 198-200

CITY AND COUNTY } ss.
OF NEW YORK, }

District Police Court.

Samuel Baxter 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 Baxter

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.

44 East 4 St about 1 mo

Question. What is your business or profession?

Answer.

Canvasser

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

Sam. Baxter

Taken before me this
day of *March* 188*8*
[Signature]
Police Justice.

03 12

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

James Butler
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 8 Oct 188 *R. A. Duff* Police Justice.

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

Dated _____ 188 . _____ Police Justice.

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

Dated _____ 188 . _____ Police Justice.

0313

Police Court

18663 District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Meyer L. Sinas
vs.
Samuel Baxter

Offence Grand Larceny

1
2
3
4

Dated 8 Oct 1884
P H Buffon Magistrate.
Handy & Sumner Officer.
5 Precinct.

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Witnesses
No. Street.

No. Street.

No. Street.
\$ to answer

Gu

03 14

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 Baxter

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

— Samuel Baxter —

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

The said Samuel Baxter

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

four hundred and eighty seven yards of cloth

of the value of ninety

cents each yard.

of the goods, chattels and personal property of one Jacob

Baxter,

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.

Peter B. Olney

District Attorney

03 15

BOX:

152

FOLDER:

1560

DESCRIPTION:

Becker, William

DATE:

10/26/84



1560

paid super. at
Hood. 7/1

Mr. Comstock
asked for leave
on Wednesday
that night, leave
his present place
of employment

7/1

Let an answer be
sent for the
despatch of
the property papers
at. from of super. at
7/1

265 B. Oct. 29/83

Counsel,

Filed 26 day of Oct 1883

Pleads Not Guilty (16)

THE PEOPLE

vs.

William
32
J. B.
Beck
appears
for
Mr. J. B. Beck

JOHN MCKEON,
District Attorney

Plads guilty.
A True Bill.

J. B. Beck

Foreman.

True 410. 2/1

0316

0317

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

George E. Cram being duly sworn, deposes
and says, that William Becker
here present, is the one known as John Doe
in annexed complaint.

Subscribed and sworn to before me, this

27th day of June, 1883

Robert R. Hunt
Police Justice.

George E. Cram

0318

City, County and }
State of New York } ss

George E. Oram of 150
Nassau Street New York City being
duly sworn deposes and says, that
on the 23rd day of April 1883
at number 193 South Street in
the City of New York aforesaid,
John Doe whose right name is
unknown, but who can be
identified, did ^{unlawfully} contrive, propose,
and draw a lottery, and did assist
in contriving, proposing and drawing
a lottery, which said lottery
was then and there set on foot
for the purpose of disposing of
property, committed in the manner
and form as follows, to wit:

Deponent went into the said 193
South Street, and there saw the
said John Doe behind a counter,
on which was a show case con-
taining watches, jewellery and other
property with printed numbers on
the same. The said John Doe
said in substance as follows to
Deponent and Walter A. Beardsley,
who was with deponent, Gentlemen

0319

don't you want to take a chance?
He said John Doe at the same
time taking from under the counter
a box filled with yellow envelopes,
and putting the same on the top
of the case. Deponent said, "how
much a chance," the said John
Doe replied "50¢ a chance, you
draw an envelope, and whatever
number is on the card in the
envelope, you get the article that
corresponds with that number;
for instance, he said, drawing an
envelope which contained a card
number 51, this would win that
silver watch in the case which
has that number on it.

Deponent thereupon said, "I
will take a chance, and handed
a dollar bill to the said John
Doe, whereupon the said John
Doe replied, I will give you three
chances for a dollar. Deponent
said, no, one is enough now, and
drew an envelope from the box,
and handed it to the said John
Doe, who opened the same, and
took out a yellow card, which

0320

card had a number 54 on it.
The said John Doe there upon
looked over the show case for
the article with that number
selecting a small gilt stud, which
he handed to deponent as the
property drawn by deponent in the
said lottery.

Deponent further says, that
he is informed and has just cause
to believe, that at, in, and upon
the said premises, the said John
Doe has in his possession certain
envelopes, papers, cards and writings
with intent to use the same as a
means to commit a public offence,
and to promote and carry on an
unlawful and public nuisance.

Subscribed and sworn to before

me this 26th day of April 1883

Police Justice

George E. Crane

0321

the People

101

~~John Doe~~

William Becker

0322

Sec. 151.

Police Court, 7th District.

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

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by George E. (Oran) of No. 150 Nassau Street, charging that on the 23rd day of April 1883 at the City of New York, in the County of New York that the crime of conceiving, proposing and drawing a lottery

has been committed, and accusing John Doe, whose right name is unknown but who can be identified thereof.

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, Deputy Sheriffs, Peace Officers, Marshals, Constables and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 7th 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 26th day of April, 1883

John Doe
POLICE JUSTICE.

0323

POLICE COURT, DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George E. Crum
John D. Smith
vs. right name
William Becker.

Warrant-General.

193 Smith.

Dated April 26 1883

Solon B. Smith Magistrate.

A. Cornslock Officer.

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

A. Cornslock Officer.

Dated 188

This Warrant may be executed on Sunday or at
night.

Police Justice.

REMARKS.

Time of Arrest, 10:40 a.m. Apr. 27/83

Native of Germany

Age, 30

Sex, male

Complexion, light

Color, white

Profession, Coppersmith

Married, yes

Single

Read, yes

Write, yes

0324

City and County of New York, ss:

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

To any Peace Officer In the City and County of New York:

Proof by affidavit having been this day made before me, by George S. Oram
of 150 Nassau Street, New York

City, that there is probable cause for believing that John Dor whose right name is
unknown but who can be identified,

has in his possession, at, in and upon certain premises occupied by him and situated and known number
193 South street in said City of New York certain and divers
device, establishment, apparatus and articles suitable for gambling purposes, lottery policies, lottery tickets, circulars, writings,
papers and documents in the nature of a bet, wager or insurance upon the drawing or drawn numbers of a lottery, books and
other documents for the purpose of enabling others to sell lottery policies and other writings, papers and documents, black-
boards and gaming tables, with intent to use the same as a means to commit a public offense.

YOU ARE THEREFORE COMMANDED, at any time of the day _____
time to make immediate search on the person of the said John Dor

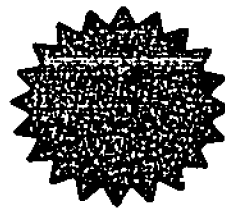
and in the building situate and known as number 193 South street aforesaid,
for the following property, to wit: Faro layouts, Roulette Wheels and layouts,
Rouge et Noir, or Red and Black layouts, gaming tables, chips, packs
of cards, dice, deal boxes, lottery policies, 5000
lottery tickets, 5000 circulars, 5000 writings, 5000 papers, 5000
documents in the nature of bets and wagers, or insurance upon the drawings, or drawn numbers of a lottery. books
5000 documents for the purpose of enabling others to gamble or sell lottery tickets black-
boards, slips or drawn numbers of a lottery, money to gamble with, and all device,
establishment, apparatus and articles suitable for gambling purposes.

And if you find the same, or any part thereof, to bring it forthwith before me at the First District
Police Court at the Tomb in Centre street in the City of New York.

Dated at the City of New York, the
26th day of April 1883

Colon B. Smith

POLICE JUSTICE.



0325

Inventory of property taken by A. Comstock the Peace Officer by whom this warrant was executed :

~~Faro layouts, Roulette Wheels, Roulette layouts, Rouge et Noir lay-~~
~~outs, gaming tables, chips, packs of cards, dice, deal~~
~~boxes, deal trays for holding chips, cue boxes, markers, or tally cards,~~
~~ivory balls, lottery policies, lottery tickets, circulars, writings,~~
~~papers, black boards, slips, or drawn numbers in policy, money,~~
~~manifold books, slates,~~

Three boxes Envelopes & cards for drawing lottery,
1 Memoranda book pertaining to above lottery,
1 Rack with Cards, numbered, used to conduct
lottery.

City of Memph and County of Memph ss:

1. Anthony Comstock the Officer by whom this warrant was executed,

do swear that the above Inventory contains a true and detailed account of all the property taken by me in this warrant.

Sworn to before me, this 27th
day of April 1883

Anthony Comstock

Solomon B. Smith Police Justice.

District.

Police Court---

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George E. Owen

vs.
William Becker

193 Court St.

Search Warrant.

Dated April 26th 1883

Justice.

Officer.

0326

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

William Becker 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.

William Becker

Question. How old are you?

Answer.

31 Years

Question. Where were you born?

Answer.

Germany

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

Answer.

1 Orleans St. - Six months

Question. What is your business or profession?

Answer.

Coppersmith

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 received fifty cents from
the complainant for a chance
to draw a Silver coach
Wm Becker*

Taken before me this

27th

day of

April

188*3*

John D. Smith

Police Justice.

0327

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 _____

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

Dated April 27 1883 Solomon Belmont Police Justice.

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

Dated 28 April 1883 Solomon Belmont Police Justice.

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

Dated _____ 188 _____ Police Justice.

0328

BAILED,
No. 1, by William A Forbes
Residence 30 East 4th Street.
No. 2, by _____
Residence _____ Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

Police Court 15th District. 362

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George E. Graham
15th Nassau St

William Beck

2 _____
3 _____
4 _____

Offence Violation
Sec 225 Pure Code

Dated April 27 1883

Smith Magistrate.

Officer.

Precinct.

Witnesses _____

No. _____ Street.

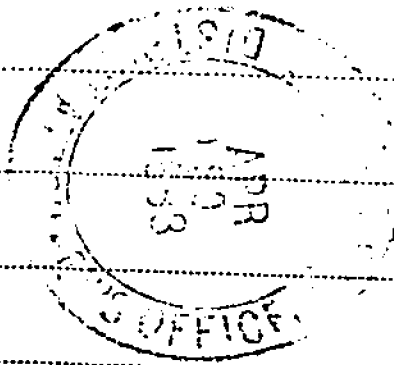
No. _____ Street.

No. _____ Street.

§ 1065 to answer Sum

Ouled

Sum



0329

N.Y. General Sessions

The People vs }
Against }
William Becker }

City & County of New York S.S.

William Becker
the defendant herein being duly
sworn says, that at the time of
his arrest on the charge for which
he now stands indicted - he was
not the owner or proprietor of the
place or business in which the offense
was committed, that he was only
a clerk working for a small salary
in and about said place - that ever
since said arrest he has not been
employed or been connected with any
lottery schemes of any kind whatsoever.

That at the time of his arrest upon the
bench warrant in this case he was employed
and has been so employed for the past
4 months as doorkeeper and ticket
taker in the Museum Number 105 Bowery
this city at a salary of eight dollars per
week, Dependant further says that this is
the first time ~~he~~ has ever been con

0330

Convicted of any criminal offense.
Sworn to before me
this 4th day of December 1884 } Wm. Becker
Rudolph L. Scharf }
Comr. of Deeds }
N.Y. City & Co. }

W. General Sessions

The People vs

- vs -

William Becker

Affidavit of Defendant

0331

0332

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William Becker

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

William Becker
of the CRIME OF Controlling a Lottery

committed as follows:

The said William Becker

late of the City and County of New York, on the twenty third day of April in the year of our Lord one thousand eight hundred and eighty-three with force and arms, at the City and County aforesaid, feloniously did continue and draw, and assist in continuing and drawing a scheme for the distribution by chance of his property, to wit: watches, studs and divers other articles of jewelry, a more particular description whereof is to the Grand Jury aforesaid unknown and cannot now be given, among divers persons who had paid, each, a valuable consideration for the chance, against the form of the Statute in such case made and provided and against the peace of the People of the State of New York, and their dignity.

John McKeon

District Attorney

0333

BOX:

152

FOLDER:

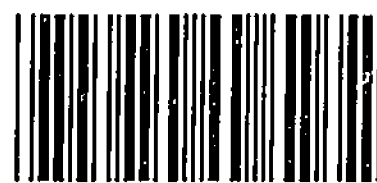
1560

DESCRIPTION:

Belfield, John

DATE:

10/09/84



1560

Witness:
Harry Stanley

#30

Counsel,
Filed day of *Oct* 188*4*
Pleads *Not guilty (11)*

THE PEOPLE
vs.
John Berfield
Robbery in the 1st Degree
(Sections 224 and 228.)
PETER B. OLNEY,
JOHN MCKINNON,

District Attorney

A TRUE BILL.

John Berfield
John McKinnon
Foreman
Charles G. ...
St. Louis
Sept 12, 1884

0334

0335

The People
vs.
John Belfield.

Court of General Sessions, Part II
Before Judge Cowing.

October 21, 1884.

Indictment for robbery in the first degree.

Henry Stanley sworn. On the 2nd day of October between eleven and twelve o'clock, I was standing at the corner of Rosevelt and Chatham Streets speaking to a friend, in a moment or two my friend and I went into a saloon that stands at the corner to get a glass of beer. When we did so Reilly, one of the prisoners came up to me and said, I beg your pardon I think you are an Englishman? I said, yes, I am one, he said, I am one too: well, I said, we are going to have a glass of beer, will you have one? He said yes. Just then he said, here is another Englishman, pointing to the prisoner Belfield. I said, let him have a glass of beer too, so Belfield had a glass of beer. Finally I was introduced to a third man called Brown, he has pleaded guilty. Reilly and I had some conversation about the old country; we left and walked up towards my home, I live at 181 Chatham Street, that is toward Chatham Square, I stood outside my door for a short time speaking to Reilly; and Belfield, the prisoner, and Brown stood at a little distance. Reilly said, in a short time, well, you have been very kind and I am much obliged to you but I am very hard up. I said, Oh, I am not a very rich man but I can afford to give you a dollar. He said, thank you. I remembered that I had no change and said, we had better get change, we will go up to the corner of Chatham Square; we did so and the prisoner and Brown followed; we went into that large saloon at the corner of the square and I was about to get change. Reilly said, look here, you have been

0336

very kind and I am very thankful but you can do me a greater kindness. I said, what is that? He said, I know a man in Pell Street called Powers who keeps a saloon, he is a friend of mine and if you come there when he sees you give me a dollar he will give me a dollar too. I said, yes, I will go of course and you will have two dollars. Belfield and Brown were standing about half a yard apart at this time. We went across to Pell Street and when we got there we found that Mr Powers was not in, that is the proprietor. Reilly invited me to go inside and wait till he came, I did so and the prisoner and Brown followed; the four of us went in and sat in a small room made of wood and lit up by a lamp or gas. When we entered it was dark and Belfield lit the light. We sat down and had some beer, I had a glass of ginger ale. Belfield got up and went out and the light went out, I thought to myself, there is something not right here, I had better go and I made a move. Reilly the other prisoner, said, oh it is all right, it is the door that has put the gas out. I says, the door was not open and the door could not put the light out; then the prisoner Belfield opened the door and lit the gas and went out and left Reilly, Brown and I together. This was between eleven and twelve o'clock, noon time. As I promised to give Reilly a dollar I intended to stick to my promise and I put my hand into my coat pocket and pulled out my purse and opened it with the intention of getting change of one of these bills; as I did so Reilly grasped it with his left hand, I had hold of it with my left hand and so we had the purse between us. He said, let go and I said, let go. Why should I let go, are you going to rob me, I said, after offering you a dollar? Let go, you swine, he said?

0337

he shoved his hand into his pocket and pulled out his revolver and shoved it up to my lips, I could feel the muzzle of it touch my lips, I watched his eye for a moment and when he got his eye off the revolver I knocked it up and said, blow away, but you don't get my purse if I can avoid it. He and I had a struggle and then Brown came to his assistance and the three of us were struggling, the prisoner, Belfield, then rushed in and said, why don't you knock him out, hit him in the ribs, give me the revolver. He took the revolver from Reilly and he, Belfield, struck me across the arm and then he hit me in the ribs. I had to let go of my purse: the three of them set to, and they knocked me out and knocked me senseless, I remember no more until I found myself in bed. I lost twenty-six dollars. When I came to myself I felt very ill and I have not been well since. The next day I went to Captain McCullough of the Sixth Precinct and reported the circumstance, and described the men. I went in search of the prisoners and the first place I went to on Saturday morning was towards the house where I first met them and I saw the prisoner Belfield, standing outside the door. He saw that I saw him and he was making a move to get away. I made a move towards him and then he made a move towards me. He came up and said, look here, I am very sorry for what occurred, it was not I that robbed you, it was the others who took your money, I can assure you I did not get a penny of it. I said I know that you did and that you knocked me too. He said, you are not goign to give me in custody, are you? I said, I am goign to give you in custody, I shall let the Judge and jury settle the matter, I took hold of him and when I saw a policeman coming I gave him in

0338

custody. Cross Examined. This robbery occurred on the second of October, Thursday, I think. Belfield took the revolver out of Reilly's hand, I had not been robbed when Belfield appeared, he did not attempt to shoot me, the three of them knocked me down, I could not swear which one of them felled me to the ground, the three of them hit me. This was close upon twelve o'clock, noon-day. When I came to my senses, I was in bed at six o'clock at home, 181 Chatham Street, I have not the slightest recollection how I got home. I have been in the House of Detention since last Saturday week, I was put in the House of Detention to protect my life, which was threatened.

The Case for the Defence.

John Belfield sworn. I remember the time of this occurrence, I was standing on the corner of Chatham and Roosevelt Streets, on the 2nd of October, Thursday I believe there was a young man came up to me by the name of Brown, he was standing in the door-way, it was raining and he spoke to me, he said, good morning, I have seen the gentleman before and after I stood there talking to him a while a young man came along, Harry Collins, whom I had not seen in a year or so, he came up and spoke to me and as we were standing in the door-way, Mr Stanley and another gentleman came up and stood in the front door. I turned round to light a cigar and when I came back Mr Stanley was talking to this Collins and they shook hands and walked in the saloon and was getting a drink when somebody tapped me on the shoulder and I looked around and he asked me if I would have a drink with Mr Collins, I went in and had a glass of beer, Brown came with me; after we had drank Stanley and Collins walked up the street, Collins says to me, come up to the next corner and have a drink. I says,

0339

1

it is raining too hard I don't care about going; he said, you need not be afraid of getting wet, I went up Chatham Square, I went in with him and we had another drink, Mr Stanley paid for it. After we came out of there we came back to the corner and Stanley says, we will go in and have another drink, we went in there and had another glass of beer, then we went over to Pell Street and we went into a little room, Collins walked into the door first, he said there was a lamp in the corner, I got up and lit the lamp, we sat down to the table and had more beer, Collins and Stanley were talking about England, then I treated to beer and it made me kind of sick, I did not feel very well anyhow and I went out into the back yard, as I was going out I shut the door and so put out the light. I staid out about ten or fifteen minutes and then I came in and looked in the room. I saw Stanley and Brown running around the pool table. I did not see Collins at all, I walked out as far as the door and did not see anybody, I went back and asked the bar-tender what was the matter; he says, I don't know they all run out. Saturday morning I was standing on the corner of Rosevelt and Chatham and saw Stanley who charged me with being concerned in the robbery of his twenty-six dollars. He says, I will fix you. I said, you can do what you please, I am an innocent man. An officer came along and he had me arrested. It was through the advice of Mr Delaware, who is connected with the District Attorney's Office of Hudson County, New Jersey, that I plead guilty this morning. Cross Examined. It was the draught from the door that put the light out. I went out two different times because the beer made me sick. Stanley and Brown were running around the pool table out of the

0340

front door. Mr Stanley says, on the contrary, you came in and when you came in the other man that you call Collins, had a pistol at his face? I did not see any. He says that you came in and said, knock him out, that is not true? No, I did not say that. He said, you came in and took the pistol away from the other man and helped to beat him, that is not true? No sir, it is not. You had nothing to do with that? No sir, I had nothing at all to do with it whatever. I never was arrested charged with crime before, I am an oyster man, I came over to see an aunt of mine and was waiting here two or three days for a brother of mine to come up from Rockaway, I expected to go to work for a man I was working for in the fall of the year, taking up oysters, Brown was with me, Collins used to go to school with me, he had been away to England, I met him the day before this occurrence happened, Stanley swears falsely when he says he was lying in a senseless condition. I never saw Reilly before I met him in the Tombs. I had not been in Pell Street before this time for a year, I had not been hanging around this place for sometime before the robbery.

James Reilly sworn. Mr Stanley, the witness has testified that you were there on the occasion of his being robbed and assisted in the robbery and had a revolver, I want you to state to the jury whether or not you were there? I was not there.

David Jerrow sworn and examined by Mr Adams. I am a Detective Officer of the Sixth Precinct, I have often seen Belfield around Pell Street where this affair happened, I saw him pretty nearly every night I passed through there. I am sure I have seen him a dozen times within three months previous to the 2nd of October.

The jury rendered a verdict of guilty.

0341

Testimony in the
case of
John Relfield

filed Oct. 1982

0342

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

Police Court--First District.

of No.

and says, that on the
at 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:

Cash Notes of various denominations
of the amount and value of
Twenty Six Dollars, lawful
Money

of the value of

the property of

Twenty Six
Dollars,
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

John Delgado, (now here) who
in company with two other men who
are not arrested, and whose names
are unknown to Deponent seized
hold of Deponent and violently
took from his hand a purse
containing the above Money above mentioned
while in a room at No. 7 Pell Street
Henry Stanley

Suborn to, before me, this

Police Justice.

0343

Sec. 198-200

District Police Court.

CITY AND COUNTY
OF NEW YORK

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty
John Delfield
Mark

Taken before me this 1st day of
October 1887
James J. [Signature]
Police Justice.

0344

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

Dated

188

Police Justice.

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

Dated

188

Police Justice.

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

Dated

188

Police Justice.

0345

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court--*1st* District.

THE PEOPLE, &c.,
BY THE COMPLAINT OF

Henry Stanley
John Delfield
Golden

Dated *October 1st* 188*8*

White Magistrate.
Courtlander Officer.

H.M. Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street,

No. _____ Street,

to answer

Com

0346

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

John Battista

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

John Battista
of the crime of Robbery IN THE 2nd DEGREE, committed as follows:

The said *John Battista*

late of the First Ward of the City of New York, in the County of New York, aforesaid,
on the Second day of October, in the year of our Lord one thousand eight
hundred and eighty four at the Ward, City and County aforesaid, with force and arms,
and did take from the person of one Henry Stanley, a sum of money, to-wit: one United States Treasury Note of the denomination of twenty dollars, and of the value of twenty dollars
and one promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars
; two promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each;
three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each;
ten promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each;
ten promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each;
one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars
; ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each;
five promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each;
one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars, and one
promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar

of the goods, chattels, and personal property of *the said Henry Stanley* from the
person of the said Henry Stanley, against the will
and by violence to the person of the said Henry
Stanley, then and there violently and feloniously
did take, steal, take and carry away, against the form of the Statute in such case made and provided, and against
the peace of the People of the State of New York, and their dignity.

PETER B. OLNEY,

JOHN MCKEON District Attorney.

0347

BOX:

152

FOLDER:

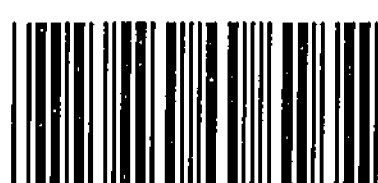
1560

DESCRIPTION:

Benz, John

DATE:

10/07/84



1560

0349

Police Court—

District.

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

of No. 391-7th Avenue Henry Shann
 occupation Butcher Street, aged 23 years,
 deposes and says, that on the 4th day of October 1884 at the City of New
 York, in the County of New York,

Attempted to be
 he was violently and feloniously ASSAULTED and BEATEN by
John Benz, Minchere, who
 wilfully fired off and discharged
 the contents of the barrel of a
 pistol, loaded with live cartridges,
 at deponent; while he, Benz,
 held said pistol in his hands
 aimed and pointed at deponent
 that deponent was so assaulted

with the felonious intent to take the life of deponent, and 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 be dealt with according to law.

Sworn to before me, this 5th day
 of October 1884

J. M. Patterson Police Justice.

0350

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

2 District Police Court.

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

Question. What is your name?

Answer. John Benz

Question. How old are you?

Answer. 17 years of age

Question. Where were you born?

Answer. New York City

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

Answer. 472 - 7th Avenue; since May last

Question. What is your business or profession?

Answer. Bar tender

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 decline to answer any
questions because I was
intimidated

John Benz

Taken before me this 17

day of July

188 8

J. M. Butcher Police Justice.

POOR QUALITY
ORIGINALS

0351

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

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

Dated October 1 188 E. J. M. Patterson Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0352

Police Court-- 2 1653 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry Shaw
391 vs. 7th Av.
John Perez

John Perez
Offence Assault

BAILED,

No. 1, by Alexander Halliday
Residence 17 Harrison Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated October 5 1884
Patterson Magistrate.
Lozelle Young Officer.
29 Precinct.

Witness Sebastian Hennrich
No. 391-7th Avenue Street.
Adams Hill
No. 163 West 3rd St Street.

No. 1 Street,
\$ 100 to answer _____

0353

New York General Sessions.

PEOPLE ON MY COMPLAINT.

VERSUS

John Benz.

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

New York Dec 31 1884 Henry Sham

0354

Letter to Paul
Desmond
The People's
cer
John Benz.

0355

District Attorney's Office
City & County of
New York

People
vs

John Benz

City and County of New York ss
I, Alexander Stalling, reading

at: 1015 10th Avenue & doing business as
no 17 Harrison St New York City. Grocer
& Liquor business at wholesale only, and
being surety for the above named defendant
make leave to make the following statement

In mitigation of the offense charged upon the
above named defendant. I claim that
on account of his tender years & having suffered
from Typhoid fever for two months at the
time of the assault committed by defendant
he was suffering from brain trouble the effects
of such sickness & was really not respon-
sible for his acts at the time.

No harm was done the boy & this being
the first time he has ever arrested or charged
with any offense whatsoever to my own
personal knowledge. I have been
acquainted with defendant & his parents
a great many years & know them
to be very respectable indeed.

0356

District Attorneys Office.
City & County of
New York.

and that the cause of my joining
on-the bond I have done business
with his father for many years now
require the services of the deft
to look after my interests as the
Eveett House Jacksonville
I do & am very anxious to
send them there if the Hon Dist
Atty will consent to discharge or
suspend sentence. & by so
doing will be an act of justice
to the community & a duty due to his
aged parents which stands well
with everyone acquainted with them

The kindness of the Hon Dist
Atty in giving the foregoing his
early consideration will much

Thank to before
me this 19th day

Dec. 1884
Harry Grigbach
Notary Public
N. Y. Co.

0357

District Attorneys Office.
City & County of
New York.

People
vs.
John Wang

City and County of New York ss. Jo.
John Haylan being

duly sworn deposes and says that he resides
at number 52 W. 16th Street and is con-
nected with the Police Department
in the City of New York.

That he is well acquainted and
has been for a great number of years
with John Wang defendant above named
and his parents, and knows of his own
knowledge that they are of excellent
character. That the offense committed
must have been done at the time
defendant was sick & irresponsible
for his acts as he thinks defendant
was unable to commit an offense
when ~~present~~ in possession of his

0358

proper faculties, which Dependent
is informed he lost through sickness
at the time of the acts charged.
Dependent further says he now said
John Edging within the last four days
and thinks that the same has sufficiently
recovered from his sickness, and it would
be an act of justice for the District
Attorney to consent to the suspension of
sentence.

Sworn to before me this
29th day of December
1884.

Henry Herzbach

John T. Lellan

Notary Public
N. Y. Co.

0359

Indication

People {
John Benz { 1st Degree

Under your instructions I have examined this case with a view of discovering what circumstances there were of a mitigating character.

I have examined the complainant and his witness Offenheimer, and their statements appear in the affidavits annexed.

A statement of defendant accompanied by affidavits of his physician, his father, and of others as to character, lead to the belief that defendant at the time of the shooting was under the influence of liquor, and that he was not drunk in the usual sense, but that he was affected in a peculiar manner by the habit for two months of keeping

0360

full of whiskey under the
advice of his physician.

This state of mind is some-
what confirmed by the affidavits
of Shaw, Comptons, and
Oppenheims.

Considering another circum-
stance, I should recommend
that the deft be required to
plead guilty to the indictment;
and that thereupon the
Court should make an application
to the Court for a suspending
sentence.

Yours Truly
Wm. H. Huddell
H. H. H.

W Dec. 9, 1884

To
John B. Olney Esq
Circuit Judge

0361

You Assassins

People

John King

Left City of New York

Sebastian Offenberg

by duress says:

On Oct 4, 1884 I was standing
on the sidewalk near 387 7th
Avenue, New City about 8.30
P.M.; I had checked my
arms. I was walking up &
down the street.

Defendant came along and said
who are you looking at & he went
in a couple steps & said nobody
is looking at you - go about your
business; he repeated the remark
& said who are you looking at & he
is not looking at me - then
he turned around and said
you can get all your baggage
for - defendant then ^{put his hand in his pocket as if to} draw a
pistol and Mr. Shaw came
between us & pushed King away
& King fell down - I saw Mr.
Shaw did not hit King. Mr. Shaw

0362

Then went into the store and
Brynjolfsson him. I then
followed into the store and
heard the report of a pistol
and saw the flash of the
shot. I saw Brynjolfsson excited, and acted
silly and sort of crazy.
From before me
this I discovered { Sebastian ^{his} Speckheimer
mark.

Raymond
Mary Public
Self-Confidence

0363

N.Y. General Sessions

People }
John Burg. }
Lef & Geo. W. W. W. W.

appears Henry Shaw
being the sworn say.

I was p. John H. Deibel at
389 7 Avenue this day. On
October 4th 1884, I had gone out
of the store 389 7 Avenue to get
change, and on my way back I
saw defendant come along &
then words with Mr. Oppenheimer
& saw that Burg was about to
strike Oppenheimer & to save
the child that Oppenheimer was
carrying in his arms I went
in between defendant & Oppen-
heimer & pushed Burg. I got hold
of Burg & pushed him off the
sidewalk & Burg fell down.
When he fell he got up & came
me shouting that Burg had a
pistol & I ran into the store.
Burg ran after me. I ran
thru the store & Burg kept

0364

after me, & I heard the report
of a pistol behind me. I
turned around to see if Bung
was coming & he stepped
& fell on the floor. Bung was
so excited that he dropped
the pistol and the Deitch, my
boss & a young man got the
pistol and I held Bung for
a while & finally left let him
go: Bung ran away & my wife
ran after him, found him in
a hallway & had him
arrested.

I never knew Bung, and had
no acquaintance with Mr.
Oppenheimer, except by sight.
When I came up & pushed
Bung away from Oppenheimer
Bung was ~~very~~ much excited
like a crazy man; he seemed
very wild and enraged.

Nothing insulting was said
by me or by Mr. Oppenheimer
that I know of.

Sincerely yours
this 9 day of December Henry Shaw
1884
Wm. J. K. Adams
Wm. J. K. Adams
Wm. J. K. Adams

0365

Court of General Sessions
City & County of New York

The People &c }
agst. }
John Benz }

City & County }
of New York }
Seligman Heller being duly sworn
says I am a physician and
live at No 306 West 33rd St
New York I have been the
family physician of the family
of Mr John Benz the father
of the defendant for twelve
years last past in the
month of month of July
last the defendant was
called to attend the
defendant who was
taken with Typhoid fever
defendant treated the
defendant for this disease
from said July up to the
5th day of Oct the date
of the alleged offense of
defendant in treating

0366

defendant Dependant
of and ^{in Dependant's} ~~in~~ ^{time} ~~three~~
quarters of a pint
of whiskey daily
Defendant became
Councillor in the latter
part of September and
was well enough to be
up but not restored to
health and under
Dependant's order the
taking of whiskey was
continued but in
reduced quantities on
the said 5th day of
Oct the Defendant
was very nervous and
irritable from the effects
of the disease and
Dependant had instructed
the parents of the
Defendant to watch
him as Dependant knew
that the mind of the
Defendant was more
or less affected and
had not been restored

0367

to health.

Defendant has known
the defendant from
childhood and has
always known him to
be an honest sober
and industrious person.

And from defendant's
knowledge of the peaceable
character ~~and~~ the condition
of the defendant's mind
from the effects of the
said disease and the
long continued taking
of large quantities of
whiskey rendered necessary by
said disease, defendant
has no hesitation in saying
that in defendant's opinion
the defendant's mental
condition was such that
he was not responsible
for the commission of the
offense with which he
has been charged.

Sworn to before me
this 7th day of Nov 1884

Wm. J. Teller
County Clerk
N.Y. City

Wm. J. Teller M.D.

386 West 33rd St

0368

to health.

Defendant has known
the defendant from
childhood and has
always known him to
be an honest sober
and industrious person.

And from defendant's
knowledge of the placable
character, ~~and~~ the condition
of the defendant's mind
from the effects of the
said disease and the
long continued taking
of large quantities of
whiskey rendered necessary by
said disease, defendant
has no hesitation in saying
that in defendant's opinion
the defendant's mental
condition was such that
he was not responsible
for the commission of the
offense with which he
has been charged.

Sworn to before me

Chas. J. G. ^{Judge} Nov 11/84

Conrad Speed
N.E. 4th St

William J. Keller M.D.

306 West 33rd St

0369

defendant. Dependant
of age ^{in years} ~~thirteen~~ ^{thirteen}
quantity of a pint
of whiskey daily
dependant became
Councillor in the latter
part of September and
was well enough to be
up but not restored to
health and under
Dependant's care the
taking of whiskey was
continued but in
reduced quantities on
the said 5th day of
Oct the defendant
was very nervous and
irritable from the effects
of the disease and
Dependant had instructed
the parents of the
defendant to watch
him as Dependant knew
that the mind of the
defendant was more
or less affected and
had not been restored

0370

to health.

Defendant has known
the defendant from
childhood and has
always known him to
be an honest sober
and industrious person.

And from defendant's
knowledge of the placable
character, ~~and~~ the condition
of the defendant's mind
from the effects of the
said disease and the
long continued taking
of large quantities of
whiskey rendered necessary by
said disease, defendant
has no hesitation in saying
that in defendant's opinion
the defendant's mental
condition was such that
he was not responsible
for the commission of the
offense with which he
has been charged.

Signed & before me
this 7th day of Nov 1894

Wm. J. Eddy
Notary Public
N.Y. City

Weligman Teller M.D.

386 West 33rd St

Count of Lord Suvorov

The People &

and

John Brown.

Appendix to

Seizure of

1

0372

Court of General Session
City and County of New York

The People vs }
 ages }
John Benz }

City and County of New York &
Peter Benz being duly sworn
says & swears at Number 472
7th Ave New York City
I am the father of the Defendant
The defendant is only seventeen
years old and before this alleged
offense he was never arrested
or charged with any offense
but on the other hand
had always borne an
excellent character, was
quiet and peaceable a
good obedient and affectionate
son, and when not at
school he helped me in
my business
About the middle of August
the typhoid fever broke
out in my family and my
daughter Carrie aged 19 my

0373

San Charles, April 29 and
by San the Defendant
have all been suffering
from this disease.

After my San the Defendant
was taken North the
place he was attended
by Dr. Teller. the Defendant
was very dangerously sick
from the middle of August
until the latter part
of September. the Doctor prescribed
Alcoholic Stimulants which,
and brandy and all during
said sickness the Defendant
was constantly given large
quantities of Quia. Liqueur
about the effect of overtake
the Defendant was
sufficiently comfortable
to the up but by no
means well. and under the
Doctor's direction he was
still continuing to take
Quia Stimulants and was
more or less under the
influence of them all

0374

the time. The doctor had instructed defendant and his family to watch the defendant as his illness was still seriously affected by the flu.

On the 5th day of October defendant gave a note to the defendant in defendant's place of business telling the defendant to take the same up stairs (defendant has his living apartment near his place of business) and put it away. Defendant did not see the defendant go out in the street or he would have prevented him from so doing as the defendant well knew that the defendant was in no condition to go out alone as he had not recovered from his sickness and is, the doctor still taking stimulants under the doctor's direction. The postal in question belongs to me of defendant, Customer defendant, the President

0375

4th

Hotel Cooks Pastry-Cooks
and Baker Association
whose head quarters
are at different place
of America. The members
of this association are in
the habit of leaving articles
of value. With defendant
for safe keeping watches,
money, &c. but the evidence
was left in that way by
Charles Heath
Before the trial sickness of
my son in the afternoon
and was a very sick and
unfortunate boy and never
droup. I have no order
from what I know of his
condition on said 5th day of
October that owing to this
previous sickness and the
effect of the liquor he
had taken before and on
that day that his mind
was affected and that he
had no conception of the
crime imputed to him.
Defendant respectfully refers to
the ~~above~~ affidavits of
Henry Kape and Rudolph

0376

5

Lagain as to the Character of
the Affidavit in State, that
if necessary he can produce
many other witnesses, to
testify to the excellent character
of said Affidavit for
Sobriety, punctuality and
industry

Given to help me

Apr. 26' 1884

Peter Benz.

~~at 4 P.M.~~

H. H. G. G.

Voluntary Director

at 4 P.M.

0377

Count of Govt. Station

The People of

and

John B. B. B.

App. 7

Letter B. B.

But for the

Referring to

The Company & the

the other

See also

managing at 11

1/10/55

0378

Court of Civil Sessions
The People &c
vs.
John Benz.

City & County of Kent (York p.
John Benz being duly sworn
says that he is the defendant
in the above action. That in
the month of July 1884
defendant was taken with
typhoid fever and remained
sick up to and including
the 5th of Oct the date
of the offense charged
against defendant. That
under Doctor Sells direction
defendant during the months
of July August September
and up to the 5th of Oct
1883 defendant was in the
habit of taking large
quantities of whiskey
daily. on the day of the
alleged offense defendant
had taken whiskey
and has a very confused
recollection of what

0379

occurred. But the following
is an accurate
account of the defendant's
life. Defendant recollects
that his father gave him
a pistol to take up
things. how or why
defendant went out on
the streets or what was
his object in so doing he
cannot say. Defendant
remembers that he had
some sort of an argument
with a man he ~~never~~
knew to the one

offensive. and that
during said discussion
another man a stranger
to defendant ran out of
a butcher shop and
without any provocation
struck defendant in the
face and knocked
defendant down.

Defendant has a confused
memory of firing the
pistol. but how or

0380

at whom Alpinant
Cann & Co.

Prior to Alpinant's said
sickness, he never drank
whisky or any strong
liquors and was always
sober and industrious.

Sworn to before me.

Nov 26. 1854

O. J. McLaughlin

Notary Public

N. J. Co

John. Benz

Comes 7 April
Clarini

The People &
Agas

John Buz

April 7

John Buz.

0381

0382

Copy of Affidavit
City Clerk's Office, New York.

The People of the
County of New York
John Belong

City & County of New York
John Belong

Rudolph Lagai, being
called upon by the State at
No 288, 7th Ave New York
where I carry on the business
of a bakery I have known
the defendant John Belong
since he was a child &
have been well associated
with him and his family
constantly and I know that
the said defendant was and
is a very quiet, sober and
innocent person and in my
judgment the most likely to
be free of violence.

Given at the City of New York

Jan 26 1884

J. H. Houlzle

Notary Public
New York

R. Lagai Jr

0383

Cons of Great
Britain

The People of
Ages

John B. King

aff. of,

R. Legai &

0384

Court of General Sessions
City & County of New York.

The People vs. }
Johann Peter }
vs. }
John Peter }
vs. }

City & County of New York ss
Henry Rabe being duly sworn
deposes & says that he is a New
York and keep a livery stable
stable at 112 33rd St. N.Y.C.
I have known this defendant
John Peter since childhood
and during all these years
I have known him to be
a quiet sober and industrious
child and youth. My
appreciation for seeing him
I have been very good on
his father Prof Peter Peter
and defendant have been friends
for many many years and
I have been very intimate with
said Peter and his family,
I am to depose Henry Rabe

Sworn to before me
Apr. 26, 1884
J. H. H. H.

0385

Court of Chancery

The People of

and

John Valenz

"

affs of Henry L

Affidavits and

Memo of the Court

0386

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

John B. Olney

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

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

The said

John B. Olney
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 eighty *seven*, with force and arms, at the City and County aforesaid, in and upon the body of *Henry Shaw*, in the peace of the said People then and there being, feloniously did make an assault, and to, at and against *him* the said *Henry Shaw* a certain *revolver* then and there loaded and charged with gunpowder and one leaden bullet, which the said *John B. Olney* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously, did then and there shoot off and discharge, with intent *him* the said *Henry Shaw* 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

of the Crime of assault in the second degree, committed as follows:

The said

John B. Olney
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 *Henry Shaw* then and there being, feloniously did, wilfully and wrongfully, make an assault, and to, at and against *him* the said *Henry Shaw* a certain *revolver* then and there loaded and charged with gunpowder and one leaden bullet, which *he* the said *John B. Olney* in *his* right hand, then and there had and held, the same being an instrument likely to produce grievous bodily harm, feloniously did, wilfully and wrongfully then and there shoot off and discharge

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

PETER B. OLNEY,

JOHN McKEON, District Attorney.

0387

BOX:

152

FOLDER:

1560

DESCRIPTION:

Bernstein, Louis

DATE:

10/03/84



1560

Witnesses:

Seth Lerner
Officer Mulvaney

492 ✓
Counsel, Oliver
Filed 3 day of Oct 1884
Pleads Not guilty

THE PEOPLE
vs.
Louis Bernstein
P
12 cases
15 1/2 1/2
14 1/2 1/2
Grand Jury degree
[Sections 528, 531, Penal Code]
from the person

PETER B. OLNEY,
District Attorney,
Filed 11/14
Ind. & connected.

A True Bill.
Charles W. Mulvaney
Foreman.

Car. J. Mulvaney
12 cases
James of Refuge

0388

0389

Police Court—First District.

Affidavit—Larceny.

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

of No. 103 Hester Street, aged 23 years,
occupation Peddler being duly sworn

deposes and says, that on the 27th day of September 1888 At the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property viz:

one push cart of the
value of ten 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

Louis Bernstein
(now here) for the reason that
deponent found said
Louis with said cart in his
possession, in Elizabeth Street

his
Simon Silverman
mak

Sworn to before me, this
27th day of
September 1888
at New York
City.
J. J. McNamee
Notary Public.

0390

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer. *Louis Bernstein*

Question. How old are you?

Answer. *16 years*

Question. Where were you born?

Answer. *Poland*

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

Answer. *14 Madison St 3 months*

Question. What is your business or profession?

Answer. *Stripper*

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*

his
Louis Bernstein
mark

Taken before me this *22*
Aug 67
1967
Justice

0391

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

Louis Bernstein

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 *Sept 27* 188*4* *Solomon B. Smith* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0392

473 ✓ 1640

Police Court-- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Simon Silverman
103 West St.
Louis Bernstein

Petit Larceny

BAILED.

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated Sept 27 - 1884
Smith Magistrate.
Mulchay Officer.
7 Precinct.

Witnesses _____
No. _____ Street.
No. _____ Street.
No. _____ Street,
\$ 500 to answer G.S.
600

0393

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Danir Bernstein

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

Danir Bernstein

of the CRIME OF PETIT LARCENY, committed as follows:

The said *Danir Bernstein*,

late of the First Ward of the City of New York, in the County of New York aforesaid,
on the *27th* day of *September* in the year of our Lord one
thousand eight hundred and eighty*four*, at the Ward, City and County aforesaid,
with force and arms,

one hand sack of the value

of ten dollars;

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

0394

SECOND COUNT.

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

- Louis Bernstein -

of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Louis Bernstein*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *27th* day of *September*, in the year of our Lord one thousand eight hundred and eighty-*four*, at the Ward, City and County aforesaid, with force and arms

one hand cart of the

value of ten dollars,

of the goods, chattels and personal property of *one Simon*
Silverman

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

Silverman unlawfully and unjustly did feloniously receive and have; he the said *Louis*
Bernstein

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

PETER B. OLNEY,
~~WHEELER H. PECKHAM~~, District Attorney.

Witnesses

473
Counsel,
Filed 3 day of Oct 1884
Pleads *W. Gouldy*

THE PEOPLE
vs. *P*
Louis Bernstein
[2 cases]

PETER B. OLNEY,
~~WHEELER & PECKHAM~~

For Oct 17/84
District Attorney.
Induced R. and S. to do.
A True Bill.

Edward W. M. [Signature]
Clerk
W. E. [Signature]

0395

0396

72270 17

PART 2.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To *Simon Silverman*

of No. *103 Hester* Street,

GREETING :

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to holden in and for the City and County of New York, at the Sessions Building, in the Parish of the said City, on the *9th* day of *Oct* instant, at the hour of eleven in the forenoon of the same day, to testify the truth, and give evidence in our behalf, against

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

Witness, Hon. FREDERICK SMYTH, Recorder, of our said City, at the City Hall, in our said City, the first Monday of *Oct* in the year of our Lord 188 *8*

PETER B. OLNEY, District Attorney.

0397

Police Court— District.

Affidavit—Larceny.

City and County } ss.:
of New York,

of No. 840 Cherry Street, aged 17 years,
occupation cloaks maker being duly sworn

deposes and says, that on the 27 day of October 1884 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession &
Person of deponent, in the day time, the following property viz:

silver and gold coins of the value of forty cents
all good and lawful money of the United States

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 Harry Bernstein (now here) from the
fact that about the hour of two o'clock on the above
date deponent was lying on a bed in a room
of the apartment occupied by deponent at the above
address when the defendant Harry Bernstein
entered the room and putting the packet in the
dress which deponent then had there were on her
person, took therefrom the above mentioned property.
Deponent thereupon seized the defendant by the wrist
and detained him until assistance arrived.

11th Nov 1884

Sworn to before me, this 27 day
of October 1884
John D. Smith
Police Justice.

0398

Sec. 198-200

CITY AND COUNTY
OF NEW YORK } ss.

District Police Court.

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

Question. What is your name?

Answer.

Louis Bernstein

Question. How old are you?

Answer.

16 years

Question. Where were you born?

Answer.

Poland

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

Answer.

14 Ludlow Street three months

Question. What is your business or profession?

Answer.

Seam Stripper

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

Answer.

I am not guilty
Louis Bernstein
mark

Taken before me this
day of *April* 19*38*
John J. Mulvey
Justice.

0399

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 Louis Bernstein

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

Dated September 27 188 Samuel B. Smith Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0400

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

1 *Esther Levine*
2 *300 Cherry St*
3 *Louis Bernstein*
4 _____

Dated *September 27* 188*4*

Smith Magistrate.

Richard Mulcahy Officer.

7 Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *500* to answer *4.5*

6000

0401

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 Bernstein

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

Samuel Bernstein

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

The said

Samuel Bernstein

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *Twenty-ninth* day of *September*, in the year of our Lord one thousand eight hundred and eighty-*zero*, in the *day* time of the said day, at the Ward, City and County aforesaid, with force and arms,

did enter into the United States, as a member, and did communicate to the Grand Jury aforesaid, and did receive, of the value of twenty cents,

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

Peter B. Olney,

District Attorney.

0402

BOX:

152

FOLDER:

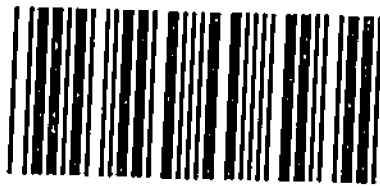
1560

DESCRIPTION:

Berry, Daniel B.

DATE:

10/17/84



1560

0403

108

Witnesses:

Wm. J. Moran

8th Prec

Emma Williams

10 years old

Kate Musgrave

J. Hoyer
Counsel,
Filed *17* day of *Oct* 188*4*
Pleads *Not Guilty*

[Sections] — Penal Code]

THE PEOPLE.

vs.

P
Daniel B. Barry

PETER B. OLNEY,
District Attorney.

A True Bill.

Jonas B. Kisan
Foreman.

Oct 22/84

John J. Kelly

S.P. 20 years.
Very Indecent.

0404

STATE OF NEW YORK.
CITY AND COUNTY OF NEW YORK.POLICE COURT—2 DISTRICT.of No. Kate Musgrave
200 South 5th Avenue, being duly sworn, deposes andsays that on the 7th day of October 1884

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

Daniel B. Berry, now here,
 did feloniously cause depose
 child, Lilly Florence Musgrave,
 now present, aged 7 years,
 and did have sexual con-
 nection with said child and
 carnal knowledge of her
 person against the form of
 the Statute in such case
 made and provided. That said
 child informs deponent that
 he entered deponent's room
 in said premises, at said time,
 during deponent's absence there-
 from, and placed said child
 on the bed and took out
 his penis and lay on top
 of said child and forcibly
 entered the person of said
 child, all of which deponent
 believes to be true.
 Sworn to before me this
 18th day of October 1884

 for
 Kate Musgrave
 (mark)

J. M. Patterson

Deputy

over

0405

City and County of New York, S.D.
Emma R. Williams, aged 10 years,
of 200 South 5th Avenue, being duly
sworn say - That about noon on
Tuesday last, the first and
defendant, Daniel B. Berry, (her
husband), was in the rooms of
Mrs Musgrave on said premises.
That defendant and Lillie J.
Musgrave and James Musgrave
were in said rooms playing
together and Mrs Musgrave was
out. That said defendant sent said
James out to the yard for a
kettle of water and when he
returned the defendant refused
to let him in the rooms. That
he, said defendant, took said
Lillie and put her on the
bed and unbuttoned his pants
and taking out his penis he
placed same on top of said
Lillie on the bed. That she
cried out "Oh Mamma" and he
put his hand over her mouth
and told her to shut up, and
soon thereafter he got up and
went out.

Emma R. Williams

Police Court, District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

28.

Dated

Magistrate

Officer

Witness

Disposition

Almon & Lufkin are attorneys
for the People
J. M. Patterson
District Justice

0406

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

POLICE COURT, 2 DISTRICT.

of No. 247 West 23rd Street, being duly sworn, deposes and
says that on the 13th day of October 1884

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

deponent - who
is a practicing physician - ex-
amined the child, Lillie Horner
Musgrave, then present, and
found the private parts of said
child swollen, the entrance
tender, and a discharge of
matter and mucus from the
genitals. That from the examination
deponent made of said child deponent
believes that the injuries aforesaid
resulted from violence to the

Sworn to before me this
day of _____ 1884

Police Justice.

0407

gravels of said child. That deponent
is a Police Surgeon of the City of
New York and in such capacity
was called to make such ex-
amination.

Sworn to before me this }
18th day of October 1884 } J. W. McLeod

Wm. Patterson

Police Justice

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated

188

Magistrate.

Officer.

Witness.

Disposition.

0408

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

Samuel B. Berry

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 B. Berry*

Question. How old are you?

Answer *20 years of age*

Question. Where were you born?

Answer *New York City*

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

Answer *81 Thompson St. one year*

Question. What is your business or profession?

Answer *Port-Black*

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 didn't do the rape*

Samuel B. Berry

Taken before me this *1st* day of *October* 188*8*
John J. Becken
Police Justice.

0409

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 _____

Amiel B. Berry
guilty thereof, I order that he be held to answer the same ~~and be admitted to bail in the amount~~
~~Hundred Dollars~~, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he
~~pay such bail.~~ he legally discharged

Dated October 13 188 J. W. Patterson Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

04 10

Police Court

1676
2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Kate Musgrave
200 South 5th Av.
Wannie B. Berry

Rape
Offence

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated October 18 1884

Matterson Magistrate.

Moran and Officers

Savercwe 8th Precinct.

Witnesses Wannie B. W. McLeod

No. 247 West 23rd Street.

Winnie R. Williams

No. 200 South 5th Avenue

James Musgrave

No. 200 South 5th Avenue

Henry C. Stucking

100 West 23rd St.

Comd to answer

G. S. without bail

0411

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Daniel B. Barry

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

- Daniel B. Barry -
of the CRIME OF Rape, -

committed as follows:

The said Daniel B. Barry,

late of the ~~First~~ - Ward of the City of New York, in the County of New York aforesaid, on the ~~Saturday~~ day of ~~October~~, in the year of our Lord one thousand eight hundred and eighty ~~four~~, at the Ward, City and County aforesaid, ~~with force and arms~~, in and upon the body of and ~~Sally E. Murphy~~, the said Sally E. Murphy being then and there a female under the age of ten years, to wit: ~~the age of seven years~~, then and there feloniously did make an assault, and with the said Sally E. Murphy feloniously did then and there perpetrate an act of sexual intercourse: 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.

Daniel B. Barry
Indictment Attorney

04 12

BOX:

152

FOLDER:

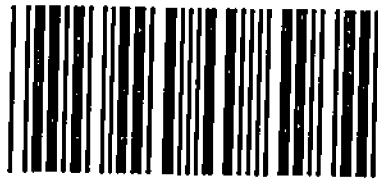
1560

DESCRIPTION:

Best, Daniel

DATE:

10/07/84



1560

0413

BOX:

152

FOLDER:

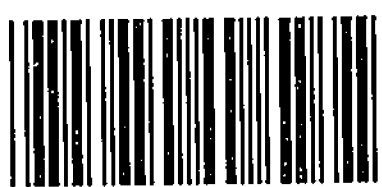
1560

DESCRIPTION:

Hosey, Lawrence

DATE:

10/07/84



1560

Witnesses:

Thos. Creery

#174 Bill found
Counsel, *[Signature]*
Filed 7 day of *[Signature]* 1884
Pleads

in and out of
THE PEOPLE
vs. *P*
Daniel Best
is made and *P*
Lawrence Hovey
Attorney
Petit Larceny, and Receiving Stolen Goods
(Sections 528, 529.)

PETER B. OLNEY,
~~WHEELER H. PECKHAM,~~
District Attorney.

A True Bill.

James B. Kissam
Foreman.

P.2. Oct 8. 1884.
Both plead guilty
Pen. Six mo each

0414

04 15

Police Court— / District.

Affidavit—Larceny.

City and County } ss.:
of New York,

Thomas Creevey

of No. 522 Grand Street, aged 42 years,
occupation Merchant being duly sworn

deposes and says, that on the 4 day of October 1884 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the night time, the following property viz :

One store of the value of five
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 Daniel Rest, and Laurence Rosey
(both now here) from the fact that deponent
saw said defendants take steal and
carry away said property from in
front of premises at 522 Grand Street

Thomas Creevey

Sworn to before me, this 5 day
of October 1884
J. H. [Signature]
Police Justice.

04 16

Sec. 198-200

CITY AND COUNTY
OF NEW YORK, } ss.

1 District Police Court.

Daniel Rest 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.

Daniel Rest

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

New York

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

Answer.

No home

Question. What is your business or profession?

Answer.

Boiler Maker

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

Answer.

I am guilty

Daniel ^{his} Rest
Mark

Taken before me this
day of October
1888
J. W. M. J. J.
Police Justice.

0417

Sec. 198-200

1 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

Lawrence Hosey 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.

Lawrence Hosey

Question. How old are you?

Answer.

18 years

Question. Where were you born?

Answer.

New York

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

Answer.

358 Madison St 7 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

Lawrence Hosey

Taken before me this

day of

October

188

E. J. [Signature]
Police Justice.

04 18

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

Samuel Best & Lawrence Koser
guilty thereof, I order that they be held to answer the same and they 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 they give such bail.

Dated 5 October 1884 J. Henry [Signature] Police Justice.

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

Dated _____ 188 . _____ Police Justice.

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

Dated _____ 188 . _____ Police Justice.

0419

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court—*First* District. *1656*

THE PEOPLE, &c,
ON THE COMPLAINT OF

Thomas Greener

522 Grand

1 Daniel Best

2 Lawrence Moser

3

4

Dated *5 October* 188*2*

J Henry Ford Magistrate.

John Sims Officer.

13 Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *300* to answer *Gen Less*

6000

0420

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Daniel Berk
and *Lawrence Moray*

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

Daniel Berk and Lawrence Moray

of the CRIME OF PETIT LARCENY, committed as follows:

The said *Daniel Berk and Lawrence Moray*
each —

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

one stone of the value of

five dollars,

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

Peter B. O'Meara
District Attorney

0421

BOX:

152

FOLDER:

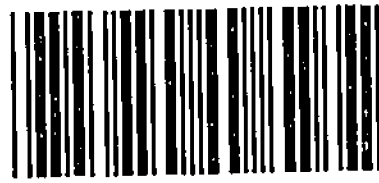
1560

DESCRIPTION:

Blamey, Richard J.

DATE:

10/31/84



1560

0422

Witnesses:
Paul Hamilton

Counsel, _____
Filed 31 day of Oct 1888
Plends _____

THE PEOPLE
vs.
Richard J. Adams
Grand Larceny 2nd degree
[Sections 528, 531, Penal Code.]

PETER B. OLNEY,
Dist. Atty. District Attorney.
Per adversely
A True Bill.
James B. Kissam

Foreman.

Elmer Rep.

0423

Police Court—

18th District.

Affidavit—Larceny.

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

Daniel Hamilton

of No. 2 Front

Street, aged 44 years,

occupation Hotel Keeper

being duly sworn

deposes and says, that on the 12 day of October 1884

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

One clothes brush. one cigar case

One Razor. one cigarette holder and case. and one overcoat in all of

the value of thirty dollars

the property of in care and charge 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 Richard J. Blamey (now here)

from the fact that deponent found said property in defendants possession

Daniel Hamilton

Sworn to before me this 12th day of October 1884
Police Justice.

0424

Sec. 108-200.

CITY AND COUNTY OF NEW YORK

185 District Police Court.

Richard J. Blamey 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

Richard J. Blamey

Question. How old are you?

Answer

22 years

Question. Where were you born?

Answer.

England

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

Answer.

2 Front St. 3mas

Question What is your business or profession?

Answer.

Miner

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 R. J. Blamey

Taken before me this

day of

188

Police Justice.

0425

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

Richard J. Blaney

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 *27th Oct* 188*4* *Andrew White* Police Justice.

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

Dated 188 . Police Justice.

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

Dated 188 . Police Justice.

0426

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court

1st District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Daniel Hamilton
2 Front St.

1 Richard J. Blaney

2

3

4

Dated 27 October 188

A. B. White Magistrate.

Florence J. Sullivan Officer.

First Precinct.

Witnesses Edwin Lambert

No. 2 Front Street.

Edward A. Hamilton

No. 2 Front Street.

Officers

No. 500 Street.

\$ to answer

One

0427

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Richard J. Blaney

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

Richard J. Blaney
of the CRIME OF GRAND LARCENY in the Second degree, committed
as follows:

The said Richard J. Blaney

late of the First Ward of the City of New York, in the County of New York aforesaid,
on the ~~Twenty~~ day of ~~October~~, in the year of our Lord
one thousand eight hundred and eighty ~~seven~~, at the Ward, City and County
aforesaid, with force and arms,

one sum of the value of two
dollars, -
one negro calf of the value of
three dollars, -
one negro of the value of two
dollars, - one registered horse
of the value of one dollar, -
one registered calf of the value
of one dollar, -
and one overcoat of the
value of twenty five dollars, -

of the goods, chattels and personal property of one Daniel
Hamilton, -

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.

Peter B. Olney,
District Attorney