

0578

BOX:

97

FOLDER:

1051

DESCRIPTION:

Simons, William

DATE:

03/28/83



1051

0579

B 281

Counsel,
Filed *28* day of *March* 188*3*
Pleads *Not guilty (2y)*

THE PEOPLE
vs.
P
William Simons
(2 cases)

John McKeon
JOHN McKEON,
District Attorney

A True Bill.

Geo. C. Fisher
April 2/83 Foreman.
John D. D.
John D. D.

0580

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 Simons

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

William Simons

of the CRIME OF Petit LARCENY committed as follows:

The said William Simons

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the
twenty third day of March in the year of our Lord one thousand eight hundred and
eighty- three , at the Ward, City and County aforesaid, with force and arms
three pounds of thread of the
value of five dollars each
pound

of the goods, chattels and personal property of one Max Blum

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

John McKeon
District Attorney

0581

BAILED.

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

Police Court- District. 237

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Depina
vs. *William Simmons*

William Simmons
Offence *Petty Larceny*

Dated *March 24* 1883

John G. Adams Magistrate.
William Simmons Officer.

Witnesses:
No. *William Adams*
Edmund P. P. P.
Robert S. P. P.
No. *William Adams*
Street, _____

No. _____
Street, _____

No. _____
Street, _____

No. _____
Street, _____

OFFICE OF THE CLERK OF THE COURT
MAR 26 1883
CLERK OF THE COURT
NEW YORK

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 *100*
Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he
give such bail.

Dated *March 24* 1883 *Thos. J. P. P.* 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.

0582

Sec. 198—200

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK }

William Simons 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.

William Simons

Question. How old are you?

Answer.

Twenty-two Years.

Question. Where were you born?

Answer.

New York City

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

Answer.

Bayard & Brewery One Year.

Question. What is your business or profession?

Answer.

Printer

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

Answer.

I am Not Guilty and demand a trial by Jury at the Court of General Sessions

William Simons

Taken before me this

day of

1883

Police Justice.

0583

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 27 years, occupation William Gibson
Police Recruit of No.

5th Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of James Gilmore
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 24th
day of March 1883

William Gibson

Hugh Gunner
Police Justice.

0584

J. Messers
call on
me this evening.

A. Young

0585

Exhibit "a"
J. J. J.

0586

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 33 years, occupation Carpenter of No.

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

Sworn to before me, this 24th
day of March 1883

John H. Nash

Hugh Gardner
Police Justice.

0587

12th District Police Court.

Affidavit—Larceny.

CITY AND COUNTY }
OF NEW YORK, } ss

of No. 51 Greene
Grand Jury

Street,

James Gilmartin
with Max Blum aged 15

being duly sworn, deposes and says, that on the 23rd day of March 1883.

at the Warehouse in premises No 83 Mercer Street 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 and with intent to deprive the true
owner thereof,

the following property, viz:

Five pounds of Silver and
Cotton Thread of the value of fifteen
dollars.

the property of

Max Blum and in deponent's
care and charge.

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

William Simons (nowhere)
from the fact that the said Simons accosted
deponent in the hallway of premises No 83

Mercer Street and asked deponent to
deliver a note up stairs to Mr Ball and

gave deponent the note marked Exhibit
"A" and the silver coin marked Exhibit

"B" deponent refused to accept the silver
coin thinking it was bad and returned
it to the said Simons who gave deponent.

Subscribed before me this

day of

1883

Police Justice

0588

another in place of it. Deponent at the request of said Simons placed said property in the hallway and started to go up stairs and on going up a few steps Deponent looked around and saw the said Simons take stool and carry away said property and run away with said property towards Spring Street. Deponent is informed by John H. Nash that he saw the said Simons running away with the property here shown in his possession and which the said Simons threw away at the corner of Spring and Greene Streets and that he the said Nash gave chase to the said Simons and caught him in Greene Street near Brown Street and gave him in charge of Officer Gibson. Deponent is further informed by Officer Gibson that he arrested the Simons and on searching him in the station house he found in the possession of said Simons the silver coin here shown ^{marked Exhibit B} and Deponent identifies it as the coin refused by Deponent. Deponent identifies the property thrown away by the said Simons as the property which had been taken stolen and carried away as aforesaid from to be given me
This 24th day of March 1883 }
Gilmartin

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT—Larceny.

Dated

188

Magistrate

WITNESSES:

DISPOSITION

John H. Nash
Police Justice

0589

Please give to
package of books
24 yds
Liber A

0590



Exhibit "B"

B 280

Counsel,

Filed day of

March 1883

Pleads

Not guilty (29)

THE PEOPLE

vs.

F.
William Simons
[2 cases]

Grand Larceny, [Breach of Trust],
Receiving Stolen Goods,
Seditious Language, and

JOHN McKEON,

District Attorney

A True Bill.

Geo. C. Fisher
Foreman.

0591

0592

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 Simons

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

William Simons

of the CRIME OF ~~Petit~~ LARCENY ~~in the~~ ~~County~~, committed as follows:

The said William Simons

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the
twenty third day of March in the year of our Lord one thousand eight hundred and
eighty- three, at the Ward, City and County aforesaid, with force and arms
three cambric robes of the value of
four dollars and fifty cents
each

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

John McKean
District Attorney

0594

Sec. 198—200

CITY AND COUNTY }
OF NEW YORK, } ss.

2 District Police Court.

William Simons 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 Simons

Question. How old are you?

Answer.

Twenty Two Years.

Question. Where were you born?

Answer.

New York City

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

Answer.

Corner Bayard & Bowery One Year

Question. What is your business or profession?

Answer.

Printer

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

Answer.

I am not guilty and demand
a trial by jury at the Court of
General Sessions.

William Simons

Taken before me this

day of

March

1883

Wm. H. L. Hunter

Police Justice.

0595

2^d

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY }
OF NEW YORK, } ss

of No. *309. Sixth Avenue* - Street, *William Colbert* *aged 14. Errand Boy.*

being duly sworn, deposes and says, that on the *23^d* day of *March* 188*3*
at the *Warehouse on the North East Corner of Broome Street & South 5th Avenue.* 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 with intent to deprive the true*
owner thereof the following property, viz:

Three Cambric P.D. best together
of the value thirteen 6/100 dollars

the property of *Thomas Simpson William Crawford*
and James Simpson and in deponent's
care and charge.

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 *William Simons (nowhere)*

from the fact that deponent was accosted
by the said Simons on the Corner of
South 5th Avenue and Broome Street
and requested deponent to deliver
to Mr. A. Meyers in the Building on
the North East Corner of Broome Street
and South 5th Avenue and said he would
pay deponent a dime for taking the note
up stairs which note is hereto attached

188

Police Justice

0596

and marked Exhibit "A" Deponent
at the request of the said Simons left
said property in the hallway of said
premises and started to go up stairs
with the note. Deponent on going up
several steps looked around and
saw the said Simons take and
carry away said property
and run away with said property
in his possession through Broome
Street towards Broadway

Subscribed before William Colbert
on this 24th day of March 1883

Alfred Gardner Police Justice

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT—Larceny.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0597

BOX:

97

FOLDER:

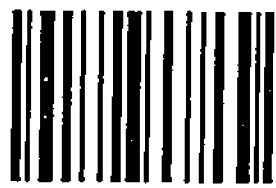
1051

DESCRIPTION:

Sinclair, John

DATE:

03/07/83



1051

27

✓


Pleads Not guilty

THIRDPARTY

vs.

2

2000



JOHN MCKEON,

March 12/98
JOHN McKEON,
District Attorney.

Dr. Wm. L. Garrison
Collection, August.
Bacon,

Fried Conrstedt.

A True Bill

Format.

To Mr. C. J. Smith

0598

0599

Court of General Sessions of the City and County of New York.

THE PEOPLE OF THE STATE OF
NEW YORK,

against

John Sinclair

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

John Sinclair
of the crime of Robbery in the second
degree
committed as follows:

The said John Sinclair

late of the First Ward of the City of New York, in the County of New York, aforesaid,
on the fourth day of March in the year of our Lord
one thousand eight hundred and eightythree at the Ward, City and County aforesaid,
with force and arms, in and upon one Barlo Madden
in the peace of the said People then and there being, feloniously did make an assault and

one dollar and the value of
ninety dollars

of the goods, chattels and personal property of the said

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

JOHN McKEON, District Attorney.

0600

BAILED.

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

Police Court- District. 2

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Mackden
Honor of Association
John Mackden
Robbery

1
2
3
4

Dated March 5 1883

Magistrate.
John W. King
Officer.
J. W. King
Precinct.

Witnesses.
John W. King
No. 20 East 10th St.
Complainant in Honor of
Association in New York
City & County.

No. _____
Street _____
to answer _____
Contract _____

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 Mackden

guilty thereof, I order that he be held to answer the same ~~and 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~~ be legally discharged

Dated March 5 1883 J. M. Patterson Police Justice.

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

Dated _____ 1883 _____ 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 _____ 1883 _____ Police Justice.

0601

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK,

District Police Court.

John Sinclair

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.

John Sinclair

Question. How old are you?

Answer.

20 Years

Question. Where were you born?

Answer.

This City

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

Answer.

895 First Ave & about one year

Question. What is your business or profession?

Answer.

Molder

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 the
charge. A man came up to
me while I was speaking to
the complainant and struck
me he then ran away & I ran
after him when I was arrested*

John Sinclair
mark

Taken before me this

day of *March* 188*8*

William J. ...

Police Justice.

0602

Police Court

District.

CITY AND COUNTY } ss.
OF NEW YORK.

Bella Madden
of No *147 Waverly Place* *Manhattan Home of Detention* Street,
being duly sworn, deposes and saith, that on the *14th* day of *March*
188 *3*, at the *14th* Ward of the City of New York, in the County

of New York, was feloniously *her* taken, stolen, and carried away, from the person of deponent
by force and violence, without *her* consent and against *her* will, the FOLLOWING PROPERTY, VIZ:

A. Silk fur trimmed dolman
of the value of ninety dollars

of the value of *deponent* DOLLARS,
the property of *deponent*

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

John Sinclair now present - that
deponent was passing along
Seventh Avenue about the hour
of Midnight when the defendant
accosted her on the street and
invited her to drink and when
deponent refused he deliberately
struck her upon her face and tore
from her person by force & violence
the property in question - that
deponent thereupon raised an outcry
when the defendant ran away
and threw the dolman into the street
to expedite his flight

Bella Madden

day of *March* 188 *3*

Sworn before me, this

Police Justice.

0603

Testimony in the
case of
John Timmer
filed March

1983

0604

8-1

The People
vs
John Sinclair

Count of General Sessions, Part I.
Before Recorder Smyth. March 12. 1883.

Indictment for robbery in the second degree.
Belle Madden, sworn and examined, testified: On the 4th of this month I was passing along Seventh Avenue about 12 o'clock at night I had a silk fur dolman on which belonged to me; it was valued at \$90. I saw the prisoner on the corner of Seventh Avenue and Twenty Seventh St. when he took it from me I came from Sixth Avenue and Twenty Seventh St. I met him in the middle of the block; he and another fellow were together; the other fellow kept about two steps back from him, but this fellow came up and spoke to me and asked me to have a drink and I refused to go. With that he came and struck me here (on the left side of the face) and then that knocked me down and he grabbed my coat off me and ran. I halloed and when I got up to this officer I looked down the street I recognized ~~the~~ ^{my} fur coat, and the roundsman had my coat. Then the roundsman says: "wait here, the officer has got the man" he knocked me down, took off my coat and ran away with it. I halloed and the officer came; the prisoner struck me once I picked myself up as soon as I could and

0605

I looked around and I saw the roundsman coming with my coat; the roundsman took me to the station house. The prisoner is the man who knocked me down and grabbed my coat. Cross Examined. I did not see the prisoner before that night. I was not drinking any place that night. I had been with friends of mine. I was perfectly sober. I did not go to the saloon on the corner of Seventh ave. and Twenty seventh St. I am sure the prisoner is the one who did the striking; the other fellow had a dark mustache. It is not true that the other fellow tried to pull me in the alleyway; the ^{other} fellow did not interfere with me at all, it was this prisoner; they spoke to me first. I was going home. My business is, anything I can get to do, sewing or anything else. You are an unfortunate girl, is not that it? Well, possibly. John W. King, sworn and examined, testified. I am an officer and on the 4th of this month I saw the prisoner. I was standing on the northwest corner of Twenty Seventh St. and Seventh avenue a little after one o'clock; we heard the cry of a woman twice on the north east corner. I saw the prisoner and another man coming down

0606

The prisoner had a silk cloak under his arm. He says to the other man, "you go down Twenty Seventh St. and I will go down Twenty Eighth St." The roundsman says to me, "Get the man with the cloak." When he seen the roundsman he threw away the cloak and ran towards Twenty Sixth St. I followed him and caught him on the corner; the roundsman picked the cloak up. I had to hit him with the club before I could fetch him to. I saw the complainant after that; she identified the cloak as hers and identified the man; she had no cloak on when I saw her, only her dress. I saw her face; she had a black eye on the left side. I observed the woman; there was no indication of her being otherwise than sober. She came to the station house and identified the cloak and the man; then we let her go home; she has been in the House of Detention ever since. Stephen Carmick sworn and examined. I am a police officer; on the night of the 4th of March I saw the prisoner with the other officer on the corner of Twenty Seventh St. and Seventh Ave. I heard the cry of a woman twice in Twenty Seventh St. and Sixth Ave. I saw two men running down

0607

the one on the inside had a circular, I could see the fur in the middle of the street. The one said to the other he should go down Twenty Eighth St. I ran to head him off, and he threw the circular away; he ran out of my sight and the other officer was in pursuit. I seized the circular. I found the woman with the hat in her hand crying. There was a "bunch" on her cheek. I did not notice it till I got to the station house. John Sinclair, sworn and examined testified in his own behalf. I live in 895 First Ave. I am 20 years old. I have heard the evidence against me. It is not true that I knocked her down and took the doorman from her. This night I was seeing a friend of mine in West St. I left at 11 o'clock and came up Seventh Ave. to Twenty seventh St; she asked me if I would treat her; she was intoxicated. I asked her if she did not have enough? She said, no, and insisted upon having a drink. I took her to the corner and gave her two drinks of whiskey. A young man said to me, "Do you know this young woman?" I said I just met her. He took hold of her by the arm; she said, "this is my friend" meaning me. I wanted to intercede for her and he struck me in the

0608

jaw and put me on my back on the street; he took hold of her and commenced to pull her toward the house. I run for him and she fell on her face and hands. The officer jumped out of the alleyway and hit me and I fell; he took me to the station house. I worked two years off and on for J. Schriver 46 56th St. My real name is John Kelly. I was convicted of petty larceny and stayed in the penitentiary for three months.

0509

The People : Court of General Sessions, Part I.
vs. : Before Recorder Smyth.
John Sinclair. : Monday, March, 12, 1883.

Indictment for Robbery in the second degree.

Asst. Dist. Attorney Requier for the People.
Mr. Price, Counsel for Defendant.

A Jury was impanelled and sworn.

BELLE MADDEN sworn and examined, testified.

By the Court:

Q What is your name?

A Belle Madden.

By Mr. Requier:

Q On the fourth day of this month, were you at any time of
the day passing along 7th avenue?

A Yes, sir.

Q What time was it, day or night?

A It was night time about 12 o'clock.

Q About 12 o'clock at night?

A Yes, sir.

Q Did you have a silk fur trimmed dolman on?

A Yes, sir.

Q Did it belong to you?

A Yes, sir.

Q What is about the value of it?

A Ninety Dollars.

Q Did you see the prisoner at the bar?

A Yes, sir.

Q Did you know him?

06 10

- A No, sir.
- Q Where did you see him?
- A I saw him on the corner of 7th avenue, when he took it from me, it was on the corner of 7th avenue and 27th street.
- Q Well now, did you meet him at that corner?
- A No, I come from 6th avenue and 27th street.
- Q Where did you meet him?
- A It was in the middle of the block about.
- Q Was he walking along with you?
- A Him and another fellow was together and the other fellow kept about two steps back from him but this fellow came up and spoke to me. And asked me to go and have a drink and I refused to go. With that he come and struck me here, (pointing to the left side of the face) and then that knocked me down and he grabbed my coat off me and ran and I halloed.
- Q What do you mean? Is it that he pulled it off?
- A He pulled it off me and then I halloed and then when I got up to this officer I looked down the street, I recognized the fur on my coat and I ran, it was the roundsman myhad my coat.
- Q The roundsman had your coat?
- A Yes, then the roundsman says, "wait here, the officer has got the man.
- Q Well now did he knock you down?
- A Yes, sir.
- Q When he knocked you down and took off your coat what did he do did he run away with it?
- A He ran away with it.
- Q And then you called for an officer?

06 11

A I halloood.

Q You halloood and the officer came

A Yes, sir.

Q How many times did he strike you?

A Once.

Q And that knocked you down?

A Yes, sir.

Q Did you see him run away or do anything with the dolman?

A I could not say.

Q The next that you saw was the dolman? No answer.

By the Court:

Q When you were knocked down what was the effect of it?

A Well I picked myself ^{up} as soon as I could and halloood and I looked around and I seen the roundsman coming with my coat.

Q (By Mr. Requier) That was Officer King was it not?

A It was a roundsman.

Q Is that the officer? (Pointing to an officer).

A That is the officer that had the man, the roundsman had the coat. The roundsman took me to the station house.

By the Court:

Q Well then you went to the station house with the officer

A Yes, sir, the roundsman took me to the station and this man was ahead of me.

Q Was that the man that knocked you down?

A Yes, sir.

Q Is that the man that grabbed your coat?

A Yes, sir.

06 12

Cross-Examined.

Q You say that you knew him, did you?

A I never seen him till I was passing by, never knew anything more than to see him that night, that was the first time I seen him.

Q Were you drinking in any place that night?

A No, sir, I had been with friends of mine.

Q You had not drank anything that night?

A No, sir.

Q You were perfectly sober?

A Perfectly sober.

Q Did you go to that corner saloon 7th avenue and 37th street?

A No, sir.

Q You are sure this is the one who did the striking?

A Yes, sir, I am sure that he is the one that done the striking and this other fellow had a black or dark moustache.

Q What did the other fellow do?

A The other fellow stood about two feet behind.

Q Aint it true that the other fellow tried to pull you in an alleyway?

A No, sir.

Q And this one interfered and the other fellow knocked you down?

A No, sir, this is the fellow that came up-- there was two of them together.

Q Did you speak to them first or they to you?

A They spoke to me.

Q What were you doing on the street at that hour?

A I was going home.

06 13

Q What is your business?

A Any thing I can get to do, sewing or anything else.

Q An unfortunate girl, is that not it?

A Well, possibly.

JOHN W. KING sworn and examined, testified:

Q (By Mr. Requier) Officer King, on the 4th of this month did you see the prisoner at the bar?

A Yes, sir.

Q Tell the jury where you saw him?

A I was standing on the Northwest corner of 27th street and 7th avenue me and the roundsman.

Q What time?

A A little after one o'clock; we heard the cry of a woman twice on the Northeast corner, I saw the prisoner and another man coming down; the prisoner had a silk cloak under his arm. He says, to the other man, you go down 27th street and I will go this way towards 28th street. The roundsman says to me, get the man with the cloak. When he seen the roundsman he threw the cloak down and he ran towards 28th street, I followed him and got him on the corner.

Q And took the cloak from him?

A No he throw the cloak down and the roundsman picked the cloak up, I followed the prisoner.

Q You saw that?

A Yes, sir, he ran towards 28th street, I had to hit him with the club before I fetched him to.

Q And then did you see the complainant after that?

06 14

A Yes, sir.

Q She identified the cloak?

A She identified the cloak as hers and identified the man.

Q (By the Court) Did she have any cloak on?

A No, nothing but just her dress.

Q Did you see her face, did she have a mark on?

A Yes, sir, she had a black eye on the left side.

Q She had a black eye?

A Yes, sir.

Q What is the name of the other officer?

A Roundsman Carmick.

Cross-Examined:

Q Do you know whether she had been drinking?

A No, sir.

Q You did not know?

A No, sir.

By Mr. Requier:

Q You observed her?

A Yes, sir.

Q Was there any indication of her being otherwise than sober?

A No, sir.

Q None at all?

A No, sir.

Q You looked her up that night didn't you?

A No, sir.

Q You sent her home?

A Yes, sir.

Q Aint it true she was in the station house that night?

06 15

A She was in the station house, came there and identified the clock.

By the Court:

Q And the man?

A Yes, sir, and the man.

Q Then you let her go home?

A Yes, sir.

By Counsel:

Q She has been in the House of Detention ever since?

A Yes, sir.

STEPHEN CARMICK sworn and examined, testified:

Q Officer Carmick, on the night of the 4th of March, did you see the prisoner at the bar?

A Yes, sir, I seen him.

Q Tell the jury where you saw him?

A I was with the other officer.

By the Court:

Q On the corner of 7th avenue and 27th street?

A Yes, sir.

Q Did you hear the cry of the woman on that occasion?

A Yes, sir, I heard cries twice on 27th street and sixth avenue.

Q What did you do?

A When I saw two men running down the one in the inside he had a circular with fur on, I could see the fur in the middle of the street. The one said to the other he should go down 28th street, I ran to head him off and he throw the

06 16

circular away; he ran out of my sight, the other officer was in pursuit, I seized the circular, I found the woman with her hat in her hand crying.

Q What was the condition of her face?

A There was a bump on the cheek, I did not notice it till I got to the station house.

Q She identified that dolman or cloak as her property?

A Yes, sir.

The Case for the Defense.

JOHN SINCLAIR sworn and examined, testified:

Q (By Counsel) Now where do you live?

A I live in 95 first avenue.

Q How old are you?

A I am 20 years old.

Q Now you have heard the accusation against you, have you?

A Yes, sir, I have.

Q You have heard that lady witness upon the stand who swore that without any provocation on her part you knocked her down and then took her dolman from her and went away?

A Yes, sir.

Q Is that true?

A No, sir, it is false.

Q Will you tell what really did occur?

A Yes, sir, I can give a full account of myself. Well gentlemen on this night I was down to see a friend of mine Mr. McGinness in West street below Tenth Avenue, I left there after 11 o'clock, I came up West street and went through 14th street until I came to 7th avenue. I went up 7th avenue to 27th street and I went through 27th street and

06 17

just as I got about 5 or 6 houses I met this young woman on the street; she stopped me and asked me if I would treat her; I looked at the woman seeing she was intoxicated and asked her if she did not have enough? She said no, and insisted upon her having a drink. I took her to the corner; she said she would like another drink and I gave her another drink of whiskey. We went out, and there a young man stepped up to me on the sidewalk, and says to me do you know this woman. I said I saw this woman, I do not know much about her only to make her acquaintance just a few moments ago. We were walking on and he took hold of her by the arm intending to take her away. No, she said this is my friend; I went to intercede for the young woman and he struck me on the jaw and put me on my back in the street and took hold of her and commenced to pull her away towards the house; I got up and made a run in the direction where the young man was pulling and as soon as I did she fell on her face and hands. The officer jumped out of the hallway and hit me and cut me in the head and I fell; He took me up to the station house; the officer made the charge of stealing this woman's cloak; it is all false.

Q Where were you working?

A I worked for T. Schriver & Co. 56th street between First and Second Avenues; on and off I am working two years, I worked for him up to the day I was arrested; Saturday.

Cross-Examined:

Q So that you did not strike the woman at all?

A No, sir, I did not, I never laid hands on the woman.

06 18

Q You did not say to the other man you go that way, as the officer has testified?

A No, because he was an enemy, I pursued him after he got through hitting me.

Q You did not have the dolsman on your arm?

A No, sir, I never touched the woman at all.

Q Now, how long is it that your name has been John Sinclair?

A Because I did not want to disgrace my family, my real name on that account I didn't give the name.

Q What is your real name?

A My real name is Kelly.

Q John Kelly?

A Yes, sir.

Q You have been arrested before?

A Yes, sir, I have.

Counsel: I object:

Mr. Requier: I hold the record of his conviction in my hand.

The Court: Go on, I will give you an exception.

By Mr. Requier:

Q What have you ever been convicted of?

A Petit larceny, once, sir.

Q Were you not indicted for burglary in the third degree and petty larceny and did you not go with one James King who was indicted with you and pleaded guilty on January 20, 1932, is that true, did you plead guilty to such an indictment, yes or no?

A This gentleman Miller--

By the Court:

Q Is that true?

06 19

A Yes, sir, that is true.

By Mr. Requier:

Q And where did you go to?

A I went to the Penitentiary.

Q How long did you stay there?

A Three months.

0620

BOX:

97

FOLDER:

1051

DESCRIPTION:

Smith, George

DATE:

03/27/83



1051

0622

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

George G. Smith

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

George G. Smith

of the crime of BURGLARY IN THE THIRD DEGREE, committed as follows :

The said *George G. Smith*

late of the *Sixteenth* Ward of the City of New York, in the County of New York aforesaid, on the *seventh* day of *march* in the year of our Lord one thousand eight hundred and eighty*three* with force and arms, at the Ward, City and County aforesaid, the *Church* of *St. Peter, Churchwards and Vestrymen of Saint Ann's Church for Deaf-mutes in the City of New York* there situate, feloniously and burglariously did break into and enter, the said *Church* being then and there a building in which divers goods, merchandise, and valuable things were then and there kept for use, ~~and~~ and deposit; the same being the goods, chattels, and personal property of *the said St. Peter, Churchwards and Vestrymen of Saint Ann's Church for Deaf-mutes in the City of New York* with intent the said goods, merchandise and valuable things in the said *Church* then and there being then and there feloniously and burglariously to steal, take, and carry away, and one *pians cover* of the value of *ten dollars*, *three table covers* of the value of *two dollars and fifty cents each*, and one *bed spread* of the value of *five dollars*, of the goods, chattels and personal property of *the said St. Peter, Churchwards and Vestrymen of Saint Ann's Church for Deaf-mutes in the City of New York*, so kept as aforesaid in the said *Church*, then and there feloniously and bur-
gariously did take, steal, carry away against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

JOHN McKEON, District Attorney.

0623

9 W. 18th St.

N.Y. March 16. 1883.

The Corporate title of
our Church is

"The Rector, Churchwardens
and Vestrymen of St.
Ann's Church for deaf-
mutes in the City of
New York" -

Thomas Gallaudet,
Rector. -

0625

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss.

2 District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer. 112 West 17th St. About 20 years

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty and
do not desire to say any-
thing more or further

George J. Smith

Taken before me this

day of March 1888

Joseph J. ...
Police Justice.

0626

CITY AND COUNTY }
OF NEW YORK, } ss.

John Roberts
aged 32 years, occupation a Policeman of N
the 29 Police Precinct Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of George Reynolds
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 12
day of March 1883 John Roberts

Hugh Sumner
Police Justice.

0627

Police Court— 2 District.

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

of No. 233 West 19th Street, aged 22 years,
occupation a church sexton being duly sworn

deposes and says, that the premises No 3 and 5 and 7 West 18th Street,
in the City and County aforesaid, the said being a stone building

and which was occupied ~~at the time~~ as a church
and in which there was at the time no human being, ~~by name~~

were **BURGLARIOUSLY** entered by means of forcibly opening a
window on the side of said building
by means of inserting a chisel or
jimmie and removing an iron bar
securing the same
on the 11 day of March 1883 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

one Pais cover of the value ten
dollars, two white linen table covers
of the value of one dollar each, one
colored table cover of the value of
five dollars, and one white bed
spread of the value of five dollars,
to all of the value of twenty two
dollars, the property of the Congregation
of Saint Louis Church, under the care
and charge of deponent as sexton of the Church,
the property of

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

George Isaac Smith do
for the reasons following, to wit: On the night of the 10th
day of March 1883 deponent
secretly looked and fastened
said premises at about the
hour of 9.30 o'clock P.M. That
deponent has been informed by
Officer John Roberts of the 21st
Police Precinct that he arrested

0628

the said Smith while in the act
of getting open a fence adjoining
said premises with the aforesaid
implements in his possession
at or about the hour of 3 o'clock
A.M. on said date.

Sworn to before me George Reynolds
this 12 day of March 1883

Hugh Gardner

Police Justice

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Burglary

Dated 1883

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

0629

BOX:

97

FOLDER:

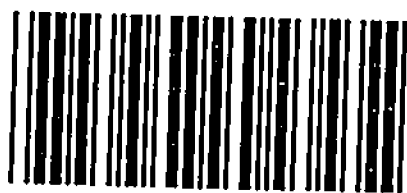
1051

DESCRIPTION:

Smith, James

DATE:

03/19/83



1051

Whappena
FL

B 181

Day of Trial

Counsel,

Filed 19 day of March 1883

Pleads *Not guilty*

THE PEOPLE

vs.

B
24
James Smith
17 Lewis St

Violation of Excise Law.
~~Subsection~~ Sunday.

JOHN McKEON,
District Attorney.

22 April 12. 1883

A TRUE BILL. *Plead guilty*

Geo. C. Fisher
Foreman.

Geo. C. Fisher
11.4

0630

0631

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

James Smith

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

of the CRIME OF *Exposing for Sale and Selling Spirituous Liquors on Sunday*, committed as follows :

The said *James Smith*

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

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

~~JOHN M. GIBSON, District Attorney.~~

0632

~~Court of General Sessions of the Peace~~

~~OF THE CITY AND COUNTY OF NEW YORK~~

~~THE PEOPLE OF THE STATE OF NEW YORK~~

~~AGAINST~~

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

James Smith

of the CRIME OF Giving away spirituous
liquors on Sunday
committed as follows:

The said James Smith

~~The said~~

late of the First Ward of the City of New York, in the County of New York aforesaid, on the seventh day of March in the year of our Lord one thousand eight hundred and eighty three, at the Ward, City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain strong and spirituous liquors and certain wines, to-wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did ~~expose for sale and sell as a beverage to~~ give away as a beverage

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

JOHN McKEON, District Attorney.

0633

Police Court

District.

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

ss

William Newell 31 years
a Policeman attached to the 1st Precinct
of the City of New York, being duly sworn, deposes and says, that on Sunday the 11th day
of March 1883 in the City of New York, in the County of New York,
at premises 67 South Street
a place where intoxicating liquors and wines were kept for sale, and sold as a beverage,
James Smith [now here]
did then and there expose for sale and did sell, caused, suffered and permitted to be sold, and given away under his
direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors, to be drunk in
the house or premises aforesaid, contrary to and in violation of law; and did not keep said place closed on said
Sunday the 11th day of March 1883 as required by law.

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

(Subscribed before me, this 11th day
of March 1883

William J. Newell

W. J. Newell

POLICE JUSTICE.

0634

BAILED.
 No. 1, by George H. Mendenham
 Residence 175 Bowersy Street
 No. 2, by _____
 Residence _____
 No. 3, by _____
 Residence _____
 No. 4, by _____
 Residence _____

Police Court City District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

William Russell

James Smith

Offence Violation of the Excise Law

Dated March 11 1883

W. D. Power Magistrate.

Wm Russell Officer.

1st Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 100 to answer W. D. Power

Charles H. Mendenham

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 Smith

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

Dated March 11 1883 Wm. Power Police Justice.

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

Dated 11 March 1883 Wm. Power 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.

0635

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss.

1st District Police Court.

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

Question. What is your name?

Answer.

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 gave some drinks to some friends who were in the house but did not sell anything.

James Smith

Taken before me this

day of

March 1888

City Court Police Justice.

0636

BOX:

97

FOLDER:

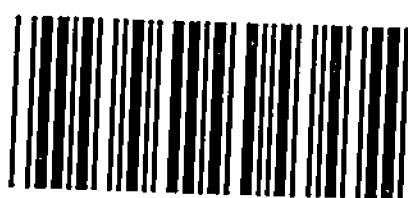
1051

DESCRIPTION:

Smith, John

DATE:

03/07/83



1051

Left an old
man. Property
Returned 1-1.

v B 26

Counsel,
Filed 7 day of March 1883
Pleads

THE PEOPLE
vs.
R
John A. Smith
12.9.13

Grand Larceny, Receiving Stolen Goods,
and degree, and

JOHN McKEON,
District Attorney

A True Bill.
J. M. McKeon
Foreman.
March 13.
Wm. C. Gil
Dean D. Dwyer

0637

0638

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 A. Smith

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

John A. Smith

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

The said John A. Smith

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the third day of March in the year of our Lord one thousand eight hundred and eighty-three, at the Ward, City and County aforesaid, with force and arms one overcoat of the value of fourteen dollars and two coats of the value of eight dollars each, of the goods, chattels and personal property of one Charles Burbridge, and one coat of the value of eight dollars, and one pair of trousers of the value of twelve dollars

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

John McKeon

District Attorney

0639

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

Police Court-3 District. 167
THE PEOPLE, &c.,
ON THE COMPLAINT OF
Charles Anderson
119 11th Ave.
John A. Smith
Offence, _____
Dated March 3 1883
Magistrate,
Haley 19
Clerk,
Witnesses, Lucy A. Gardner
No. 119 11th Ave. Street,
No. _____ Street,
No. _____ Street,
\$ 1000 to answer,
March 3 1883

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 A. Smith

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 100 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated March 3 1883 Stephen J. ... 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.

0640

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

3rd

District Police Court.

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

Question. What is your name?

Answer. *John A. Smith*

Question. How old are you?

Answer. *56 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *443 East 13 Street 4 1/2 years*

Question. What is your business or profession?

Answer. *Moulder*

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 - I was drunk
I did not know what I was
doing*

John A. Smith
Mark

Taken before me this

day of *March*

1883

Joseph G. Green
Police Justice.

0641

CITY AND COUNTY }
OF NEW YORK, } ss.

Peter J. Daly
aged 30 years, occupation Police officer of No.

17 Precinct Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Charles Burkhart

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

Sworn to before me, this 3 }
day of March 1883 } Peter J. Daly

Hugh G. Gorman
Police Justice.

0642

3rd

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY }
OF NEW YORK } ss

of No. 119 4th Avenue Street.

Charles Burbidge 35 years

being duly sworn, deposes and says, that on the 3rd day of March 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:

One Over coat of the Value of fourteen dollars, and two dress Coats of the value of sixteen dollars, said property being the Property of deponent, and one coat and pair of Pants of the Value of twenty dollars, the property of Patrick Longyers and in Care and Charge of deponent said property being in all of the value of fifty dollars

the property of

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by John A. Smith (nowhere)

from the fact that deponent is informed by Officer Peter J. Daly of the 14th Precinct Police that he arrested said Smith with the aforesaid property in his possession and said described Over Coat upon his person Charles Burbidge

Sworn before me this

3rd day of

March 1883

Police Justice.

0643

BOX:

97

FOLDER:

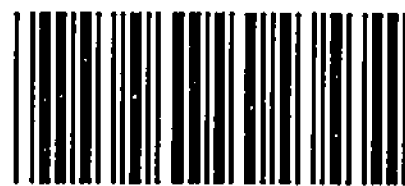
1051

DESCRIPTION:

Smith, John

DATE:

03/12/83



1051

The O'Flannigan
me that the amount
is about \$1000
and paid to the
brother

[Signature]

May 8.83

79.
(II) 17
Day of Trial
Counsel
Filed 12 day of March 1883
Pleads *[Signature]*

THE PEOPLE
vs.
[Signature]
B
John Smith
May 9/83
[Signature]
Sentence suspended
JOHN McKEON,
District Attorney.

A True Bill
[Signature]
Foreman.

[Signature] - Inquest of Papers
if this man has been
H.A.

0644

0645

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

John Smith

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

_____ *John Smith* _____
of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL FAME,
committed as follows:

The said *John Smith* _____

late of the *Fourth* Ward of the City of New York, in the County of New York aforesaid, on
the *twenty eighth* day of *February* in the year of our Lord one thousand eight
hundred and eighty-*three* and on divers other days and times as well before as afterwards,
to the day of the taking this inquisition, at the Ward, City and County aforesaid, a certain common
house of ill fame, unlawfully and wickedly did keep and maintain; and in the said house divers
evil-disposed persons, as well men as women, and common prostitutes, on the days and times afore-
said, as well in the night as in the day, there unlawfully and wickedly did receive and entertain;
and in which said house the said evil-disposed persons and common prostitutes, by the consent and
procurement of the said *John Smith* _____

_____ on the days and times
aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, dis-
turbances and lewd offences as well in the night as in the day, were there committed and perpe-
trated; to the great damage and common nuisance of all the good people of the said State there
inhabiting and residing, in manifest destruction and subversion of, and against good morals and good
manners, against the form of the Statute in such case made and provided, and against the peace of
the People of the State of New York and their dignity.

SECOND COUNT.—And the Grand Jury aforesaid, by this indictment, further accuse
the said *John Smith* _____

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said *John Smith* _____

late of the *Fourth* Ward of the City of New York, in the County of New York aforesaid,
afterwards, to wit: on the *twenty eighth* day of *February* in the year of our Lord one
thousand eight hundred and eighty-*three* and on divers other days and times between the said

0646

day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did maintain a certain common, ill-governed house, and in ~~Said~~ said house, for ~~Said~~ own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and willfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and willfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common annoyance of the said citizens, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT.—And the Grand Jury aforesaid, by this indictment, further accuse the said John Smith

of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said John Smith

late of the Fourth Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: on the twenty-fifth day of February in the year of our Lord one thousand eight hundred and eighty ~~two~~ and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in ~~Said~~ said house and place of public resort, for ~~Said~~ own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women, in ~~Said~~ said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully, did permit, and yet continues to permit, by which the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, 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.

0647

Warrant
Police Court— District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Owen Hauley
vs.

John Smith

AFFIDAVIT—Keeping Disorderly House, &c.

Dated *2 March* 188*3*

S. D. Smith Justice.

Hauley Officer.

4 Precinct.

WITNESSES :

0648

Sec. 322, Penal Code.

First District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Oswald Stanley aged 36 years a policeman
~~and~~ attached to the 4th Precinct Police ~~Station~~, in said City, being duly sworn says,
that at the premises known as Number 279 Water Street,
in the City and County of New York, on the 28 day of February 1883, and on divers
other days and times, between that day and the day of making this complaint

John Smith
did unlawfully keep and maintain and yet continue to keep and maintain a House of Ill
Fame and did then, and on the said other days and times, there unlawfully procure
and permit as well men as women of evil name and fame and of dishonest conversation to visit, frequent and come
together for unlawful sexual intercourse, and for the purpose of prostitution and lewdness, and then and on the said
other days and times, unlawfully and wilfully did permit and yet continues to permit said men and women of evil
name and fame there to be and remain drinking, ~~dancing, fighting~~, disturbing the peace, whoring and misbehaving
themselves, whereby the peace, comfort and decency of persons inhabiting and residing in the neighborhood, and
there passing is habitually disturbed, in violation of the statute in such case made and provided.

Deponent therefore prays, that the said John Smith
and all vile, disorderly and improper persons found upon the premises, occupied by said

John Smith
may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me, this 2 day
of March 1883.

John Smith

Oswald Stanley

0649

Police Court— District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

WARRANT—Keeping Disorderly House, &c.

Dated 188

Magistrate

Officer.

Precinct.

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

Officer.

Dated 188

This Warrant may be executed on Sunday or at
night.

Solomon B. Smith
Police Justice.

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

Dated

188

Police Justice.

The within named

0650

Sec. 151.

Police Court—1st District.

CITY AND COUNTY } ss *In the name of the People of the State of New York; To the Sheriff of the County*
OF NEW YORK, } *of New York, or to any Marshal or Policeman of the City of New York, GREETING:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by Oliver Stanley
of the 4th Precinct Police Street, that on the 28 day of February
1883, at the City of New York, in the County of New York, John Smith
did keep and maintain at the premises known as Number 279 Water
Street, in said City, a House of Ill Fame
and there unlawfully procure and permit as well men as women of evil name and fame, and of dishonest conversation
to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution, and there
unlawfully and wilfully did permit said men and women of evil name and fame there to be and remain drinking,
~~dancing, fighting,~~ disturbing the peace, whoring and misbehaving themselves whereby the peace, comfort, and decency
of persons inhabiting and residing in the neighborhood and there passing is habitually disturbed in violation of the
statute in such case made and provided.

THESE ARE, THEREFORE, in the name of the People of the State of New York, to Command you, the said
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the body of the said

John Smith
and all vile, disorderly and improper persons found upon the premises occupied by said John Smith
and forthwith bring them before me, at the First 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 2 day of March 1883

John Smith
POLICE JUSTICE.

0651

BAILED,
No. 1 by Deviner Lewis
Residence 158 Leonard Street,
No. 2, by _____
Residence _____ Street,
No. 3, by _____
Residence _____ Street,
No. 4, by _____
Residence _____ Street,
Witnesses, _____ Street,

Police Court 1st District. 173

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Smith
1 John Smith
2 John Smith
3 John Smith
4 John Smith
Offence, Disorderly Conduct

Dated

H. Maier
A. White
Magistrate.

Witnesses,

No. _____

Street,

No. _____

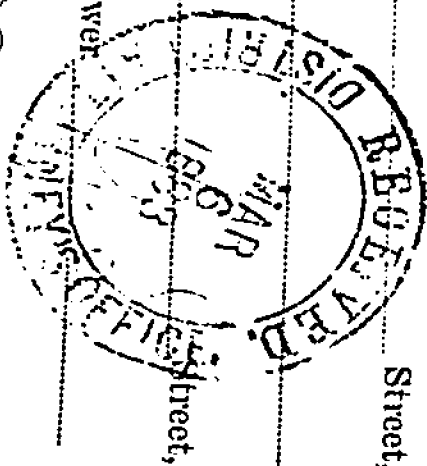
Street,

No. _____

Street,

\$ 5.00

to answer



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 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

March 4 1883 John Smith Police Justice.

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

Dated

March 5 1883 Salomon B. Smith 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

_____ 1883 _____ Police Justice.

0652

Sec. 198-200,

CITY AND COUNTY
OF NEW YORK, } ss.

156 District Police Court.

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

Question What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty

Josephine Dymally

Taken before me this

day of

188

Police Justice.

0653

BOX:

97

FOLDER:

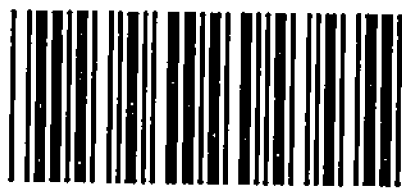
1051

DESCRIPTION:

Smith, John

DATE:

03/27/83



1051

0654

B 265

Day of Trial,

Counsel,

Filed

day of

1883

Pleads

THE PEOPLE

vs.

John Smith

JOHN McKEON,

District Attorney.

A True Bill.

Geo. O. Fisher

Foreman.

John C. Fisher

Recd: Six mts

0655

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

John Smith

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

John Smith

of the crime of BURGLARY IN THE THIRD DEGREE, committed as follows:
The said *John Smith*

late of the *Twenty Third* Ward of the City of New York, in the County of New York aforesaid, on the *22nd* day of *March* in the year of our Lord one thousand eight hundred and eighty *four* with force and arms, at the Ward, City and County aforesaid, the *Chicken House* of *Wilmer Seider*

there situate, feloniously and burglariously did break into and enter, the said *Chicken House* being then and there a building in which divers goods, merchandise, and valuable things were then and there kept for use, sale and deposit; the same being the goods, chattels, and personal property of *Wilmer Seider*

with intent the said goods, merchandise and valuable things in the said *Chicken House* then and there being then and there feloniously and burglariously to steal, take, and carry away, and *thirty three* living chickens of the value of *eighty cents* each, of the goods, chattels and personal property of the said *Wilmer Seider*, so kept as aforesaid in the said *Chicken House*, then and there being, then and feloniously and burglariously did steal, take and carry away

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

~~JOHN McINTOSH, District Attorney~~

0657

230
Police Court. 5th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

David Warner

vs.

John Smith

1
2
3
4

Offence, Burglary

Dated March 23 1883

Thomas Murray Magistrate.
Patrick T. Ryan 33d Officer.

Witnesses, Samuel Dorn
No. 137th St 34th Ave. East St. Cross
Avenue William Dorn
Southern Boulevard 136th Street,
No. 124 1883
to answer
500 Street,
committed

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

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

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 March 23 1883 Henry Murray 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.

0659

CITY AND COUNTY }
OF NEW YORK, } ss.

Patrick F. Byrnis

aged _____ years, occupation Police Officer of No

33d Precinct - Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of David Warner

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

Sworn to before me, this 23
day of March 1883

Patrick F. Byrnis

J. J. Brennan
Police Justice.

0661

BOX:

97

FOLDER:

1051

DESCRIPTION:

Smith, John

DATE:

03/29/83



1051

~~Sept 12~~
George Barker
appears again
it is her first
appearance.
Brotherhood
F. J.

B. 296

Counsel,
Filed 29 day of March 1883
Plead Not guilty (30)

THE PEOPLE
vs.
John Barker
John Barker
John Barker

JOHN McKEON,
22 Apr 5, 1883 District Attorney
Plead guilty
A True Bill.

Geo. D. Barker
Foreman.
George Barker
F. J.

0662

0663

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

THE PEOPLE OF THE STATE OF NEW YORK
against

John Smith

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

John Smith

of the CRIME OF *Burglary* LARCENY ~~in the~~ *degree*, committed as follows:

The said *John Smith*

late of the First Ward of the City of New York, in the County of New York, aforesaid, ~~on the~~ *22nd* ~~on the~~ day of *March* in the year of our Lord one thousand eight hundred and eighty- *three*, at the Ward, City and County aforesaid, with force and arms *one blanket of the value of* *ten dollars*

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

John McKeon
District Attorney

0664

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 _____

No. _____
Street _____

THE PEOPLE, &c.,
ON THE COMPLAINT OF
George Smith
vs. *John Smith*
Offence *Petit Larceny*

Dated *March 22nd* 188*3*
Benjamin A. Hammond Magistrate.
Chas. Holt Officer.
21st Precinct.

MAH
123
1883
DISTRICT CLERK'S OFFICE.

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 Smith*

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *100* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated *March 22nd* 188*3*

[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 h to be discharged.

Dated _____ 188

Police Justice.

0665

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK } ss.

4 District Police Court.

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

Question. What is your name?

Answer.

John Smith

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.

9 Duane Street. 6 months

Question. What is your business or profession?

Answer.

Printer

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 only held the bag for another boy to put the blanket in it -

John Smith

Taken before me this

22

day of *March* 188*8*

John Smith
Police Justice.

0666

City and County of New York, ss.

Police Court—4 District.

THE PEOPLE

vs.

On Complaint of

George Dietz

For

Petit Larceny

John Smith

After being informed of my rights under the law, I hereby Demand a trial by Jury, on this complaint, and demand a trial at the **COURT OF SPECIAL SESSIONS OF THE PEACE**, to be holden in and for the City and County of New York.

Dated March 22 1883

[Signature]

POLICE JUSTICE.

John Smith

0667

Fourth District Police Court.

Affidavit—Larceny.

CITY AND COUNTY }
OF NEW YORK, } ss

of No. 554 3rd Avenue Street George Dietz, aged 25 years
being duly sworn, deposes and says, that on the 22nd day of March 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 daytime
the following property, viz:

One Horse Blanket of the value
of Ten dollars \$10.00

the property of Charles Dietz and in the 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 John Smith now present

with the intent to deprive the owner of said property
from the fact that previous to said larceny the
said Blanket was covering a horse which
was standing in front of premises 242
Lexington Avenue, and this deponent caught
the said Smith pull said Blanket from
said horse and putting the blanket in a
bag.

Geo. L. Dietz

Sworn before me this

22nd day of March 1883

Police Justice.

0668

BOX:

97

FOLDER:

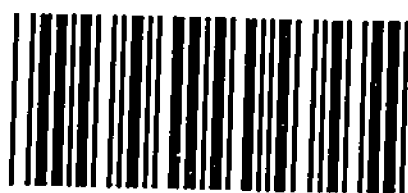
1051

DESCRIPTION:

Smith, Thomas

DATE:

03/05/83



1051

1 to 100
Geo. Deane
Phos. Hunt.
for Burglary
2 years

14

Counsel,
Filed 5 day of March 1883
Plea(s) *Not guilty*
THE PEOPLE
vs.
P
Thomas Smith
BURGLARY - Third Degree, and
Grand Larceny, and
Receiving and Concealing
Stolen Goods
JOHN McKEON
District Attorney.

A True Bill
[Signature]
Foreman.
March 9, 1883.
Verdict of Guilty should specify of which count.
Guilty of Count 1 of
Geo. Deane, S.P.
Phos. Hunt.
Edward 14/83, P.H.

0669

0670

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

THE PEOPLE OF THE STATE OF NEW YORK
against

Thomas Smith

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

Thomas Smith
of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows :

The said Thomas Smith

late of the Twentieth Ward of the City of New York, in the County of New York aforesaid, on the twenty-fourth day of February in the year of our Lord one thousand eight hundred and eighty three with force and arms, about the hour of three o'clock in the day time of the same day, at the Ward, City and County aforesaid, the dwelling house of

Ferdinand Jacob
there situate, feloniously and burglariously did break into and enter, ~~by means of forcibly~~ he the said

Thomas Smith
then and there intending to commit some crime therein, to wit: the goods, chattels and personal property of Ferdinand Jacob
in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

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

Thomas Smith
of the CRIME OF GRAND LARCENY IN ~~the Second Degree~~, committed as follows :

The said Thomas Smith

late of the Ward, City and County aforesaid, afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, two watches of the value of six dollars each, two chains of the value of three dollars each, two rings of the value of six dollars each, and two handkerchiefs of the value of one dollar each of the goods, chattels, and personal property of the said

Ferdinand Jacob
in the said dwelling house then and there being, 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.

~~THOMAS SMITH, District Attorney.~~

0671

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

Thomas Smith

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

The said Thomas Smith

late of the First Ward of the City of New York, in the County of New York
aforesaid, on the 24th day of February in the year of our Lord
one thousand eight hundred and eighty-three, at the Ward, City and County
aforesaid, with force and arms one watch of the
value of six dollars

of the goods, chattels and personal property of _____

Ferdinand Jacob

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

Jacob

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

Thomas Smith

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

JOHN McKEON, District Attorney.

0672

158
Police Court—2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William and Jack

Thomas Smith

Offence, *Burglary & Larceny*

Dated *February 27* 188*3*

William Magistrate.

Henry Officer.

Wm. J. Henry Clerk.

Witnesses, *Wm. J. Henry*

20 West 10th Street,

Manhattan New York

No. *624* Street,

No. *1500* Street,

\$ *1500* to answer *G.D.*

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 *Thomas Smith*

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

Dated *February 27* 188*3* *J. L. Parker* 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.

0673

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

2 DISTRICT POLICE COURT.

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

Question. What is your name?

Answer. Thomas Smith

Question. How old are you?

Answer. Nineteen years of age

Question. Where were you born?

Answer. New York

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

Answer. 560 West 54th St. about 7 years

Question. What is your business or profession?

Answer. Moulder

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. That is all I wish to say.

Taken before me, this

27

day of

February

188

Thomas Smith

L. M. [Signature] Police Justice.

0674

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 49 years, occupation Marius Brown of No. 628-2nd Avenue Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Ferdinand Jacob and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 27th day of February 1888 M. Brown

J. M. Patterson
Police Justice.

0675

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 28 years, occupation William S. Devery
Police Officer of No.

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

Sworn to before me, this 27
day of February 1883 } Wm S. Devery

J. M. Patterson
Police Justice.

0676

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

POLICE COURT, 2

DISTRICT.

Ferdinand Jacob
of No. 415 South Avenue ~~Street~~, being duly sworn, deposes and

says that on the 24th day of February 1883

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

3 o'clock P. M. of said day, deponent said
premises No. 415 South Avenue was
burglariously broken open and entered
and 2 watches, 2 plated chains, 2 gold
rings and 2 silk handkerchiefs, in
all of the value of thirty-two dollars,
property of deponent, belonging taken
stolen and carried away therefrom.
That the premises so broken open
was occupied by deponent as a
dwelling house, and was at the
time un-occupied by any person
being.

That three men, viz: Thomas
Hall, James O'Connor and Charles
Smith are now held and fully
committed to answer for the above
crime and the papers in the case
on file in the District Attorney's Office.

That deponent is now being
informed by Officer Devery that
Thomas Smith, otherwise Carroll
now here, was in company with
the defendants Hall, O'Connor and
Smith above named at the time
of the commission of the crime
aforesaid. That the silver watch
now here shown is the property of
deponent and is one of the watches

0677

so knowingly stolen from deponent as aforesaid. That deponent is further informed by Magnus Brown, (here present, that said watch now here shown and so stolen from deponent was passed into him by the deponent Thomas Smith, now here, on the said 24th day of February instant, all of which deponent believes to be true.

That deponent therefore charges said deponent Thomas Smith with the Burglary and Larceny aforesaid and with knowingly and feloniously receiving said stolen watch well knowing at the time that said watch was stolen property.

Done to before me this 27th day of February 1888

J. M. Patterson
Police Justice

Police Court District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated 1888

Magistrate.

Officer.

Witness.

Disposition.

0678

Testimony in the
Case of
Thomas Smith

pled March

1883

0679

Testimony in the
Case of
Thomas Smith

filed March

1883

0680

421
The People
vs. Thomas Smith } Court of General Sessions. Part I.
Before Recorder Smythe. March 9. 1883.

Indictment for burglary, grand larceny in the second degree and receiving stolen goods.

Ferdinand Jacob sworn and examined, testified.
On the 24th of Feb. I lived at 415 South ave. I keep a boarding house I had property which I afterwards missed, consisting of two watches, two chains, two rings and two silk handkerchiefs; the value of the whole of the property was about \$32. I kept it in my bureau in the front room second floor; the room was closed, locked. I missed the things between three and four o'clock. I had seen them in the bureau drawer the evening before; I found the door open; it was opened from the inside; they got in from the bed room window that empties out in the alleyway I had iron bars fastened there about a year and a half ago. I occupy the whole of that floor; one of the iron bars was torn off and I found the bar in the bed room lying bent up. My son ten years old he came up stairs to go in the room; he told me that the door was open. I went up stairs and found these things missing. The lock of the room door is a spring lock and can be opened from the inside. I have seen some of the

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things since - two of the watches, two chains, one ring and one handkerchief at Jefferson Market Police Court on the Sunday morning following the 25th, that was two days after I missed these things; the one handkerchief that I saw there belonged to my daughter. William S. Devery sworn and examined. I am an officer and I arrested the prisoner at 553 Forty fifth St. on Monday the 26th of February in a house and took him to the station house. I searched him. I did not find anything on him. I took him to Jefferson Market and afterwards exhibited some property to Ferdinand Jacob which I got from Magnus Brown. I saw this prisoner in company with the people who stole this stuff at the time they were stealing it. There is three other men indicted on this same thing. I know the premises 415 Tenth avenue occupied by Mr. Jacobs. I was in a barber's shop on the 24th of February about three o'clock in the afternoon and the prisoner and three others came in front of the shop - Thomas Ball, James O'Connor, Charles Smith and Thomas Smith. When they came directly opposite this barber shop Ball and O'Connor paired off while the two Smiths went to thirty fourth St. corner. Ball and O'Connor went

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over and fooled around the door of 415 and went in the hall a couple of times. O'Connor looked in a lager beer saloon, came out again and went into the hall came out again and went to Thirty Third St. corner and crossed over to the east side and went up to Thirty fourth St. where they connected with the two Smiths again and the whole four went to the west side of the avenue again. Charles Smith, O'Connor and Ball went down to 415 again while this Smith (the prisoner) stood on Thirty fourth St. corner. Ball and O'Connor went up stairs and Charles Smith went into the cigar store and got a paper of tobacco. He came up again and met this Smith and remained there about 20 minutes. The whole four joined together and went towards Eleventh Avenue. I followed them up to see if I could not get another officer so we could get four of them. Just before they went to Eleventh Avenue and turned to Forty first St. they got looking at something. I don't know what it was. I was not close enough. I did not want them to see me. They stood on Forty first St. corner a little while. The Smiths went through Forty first St. and Tenth Avenue. Ball and O'Connor went up to Eleventh Ave and Forty fifth St. through Forty fifth St. to Tenth Ave. and down

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Tenth ave. to thirty eighth st. where I arrested
 them. I took them to the station house and
 in possession of Clever I found a silk
 handkerchief which this man's daughter iden-
 tified as her property, along with a "jimmy".
 Hall had a slug shot. On the 25th Sunday
 afternoon when I was coming from my din-
 ner I got on the front platform of a car
 and on it was Charles Smith and on him
 I found a watch and chain and a ring
 which the complainant identified. I learned where
 James Smith could be found and I got him
 at 553 West Forty fifth st. I learned he pawned
 a watch and chain at Magnus Brown's. I
 found the watch there, which was identified
 by Jacobs as his property. I put the prisoner
 with five or six men and Brown picked
 him out as the man who pawned the
 watch and chain. Magnus Brown, a pawn-
 broker at 628 Second ave., testified that the
 prisoner on the 25th of Feb. about 5 o'clock
 pawned a silver watch with him for \$1.50 (the
 witness identified the watch and chain)
 Thomas Smith, sworn and examined
 in his own behalf testified that the officer's
 testimony was not true; he knew the
 other men, but he had nothing to do with
 the burglary. I did not pawn the watch.
 The jury rendered a verdict of guilty of
 burglary in the third degree.