

0449

**BOX:**

32

**FOLDER:**

385

**DESCRIPTION:**

Sample, William H.

**DATE:**

02/08/81



385

0450

Counsel,  
Filed 8 day of Feb. 1881  
Pleads

Larceny, and Receiving Stolen Goods.

THE PEOPLE

vs.

*William D. Sampson*  
P.

*David S. Holmes*  
JAMES M. HUGHES

District Attorney.

A True Bill.

*Henry C. Carey*

*John W. 9/17*  
Foreman.

*Glenn D. D.*

*Jan. 3 1881*

*7/1*

0451

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

Form 112.

Police Court, First District.

*William W. McFarland*  
of No. *33* *William* Street, being duly sworn, deposes  
and says, that on the *24<sup>th</sup>* day of *January* 18*87*  
at the City of New York, in the County of New York, was feloniously taken, stolen, and carried  
away from the possession of deponent, *And from an office*  
*in said premises*  
the following property, viz: *two pairs of pantaloons*

of the value of

Dollars,

the property of

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

*now present from the fact that*  
*he now acknowledges having taken*  
*said property and pawned one*  
*in De Long's Pawn Office East Broadway*  
*& Scamell Street and the other*  
*in the Pawn Office of Mr. Nelson*  
*in Grand Street near Willett Street*  
*which deponent believes to be true*

*A. A. MacFarland*

Sworn to, before me, this

18

day

Police Justice.

0452

Police Court—First District.

CITY AND COUNTY }  
OF NEW YORK. } ss.

William H Sample being duly examined before the under-  
signed, according to law, on the annexed charge; and being informed that he was at  
liberty to refuse to answer any question that may be put to him, states as follows,  
viz:

Question. What is your name?

Answer.

William H Sample

Question. How old are you?

Answer.

20 Years

Question. Where were you born?

Answer.

New York City

Question. Where do you live?

Answer.

1099 Chilton Arch

Question. What is your occupation?

Answer.

Waiter

Question. Have you anything to say, and if so, what—relative to the charge  
here preferred against you?

Answer.

I am guilty of the  
charge  
William H Sample

Taken before me, this

day of February 1899

Police Justice.



0453

COUNSEL FOR COMPLAINANT.

Name, .....

Address, .....

COUNSEL FOR DEFENDANT.

Name, .....

Address, .....

Police Court—First District

THE PEOPLE, &c.

ON THE COMPLAINT OF

*William D. Garland*  
*25 William St*

*William D. Sample*



1. ....  
2. ....  
3. ....  
4. ....  
5. ....  
6. ....

Dated *February 1st* 18*81*

*James O. Bates* Magistrate

*James O. Bates* Officer

Clerk

Witnesses:

*Collector of Taxes*

\$ *100.00* to answer

at *Com* Sessions

Received at Dist. Atty's office

BAILED:

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

0454

CITY AND COUNTY }  
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York, upon  
their Oath, present:

That

*William H. Sample*

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

*Two pairs of pantaloons of the value of  
twenty dollars each pair*

of the goods, chattels, and personal property of one *William W. MacFarland*  
then and  
there being found, 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.

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And the Jurors aforesaid, upon their oath aforesaid, do further present  
That the said

*William H. Sample*

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

*Two pairs of pantaloons of the value of  
twenty dollars each pair*

of the goods, chattels, and personal property of the said

*William H. MacFarland*

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously  
stolen of the said

*William H. MacFarland*

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

*William H. Sample*

then and there well knowing the said goods, chattels, and personal property, to have been feloniously  
stolen,) 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 T. Rollins*

**DANIEL T. ROLLINS, District Attorney.**

0456

**BOX:**

32

**FOLDER:**

385

**DESCRIPTION:**

Sands, Moses

**DATE:**

02/01/81



385

Bail

Adolph & Kuppel  
161<sup>st</sup> st and 3<sup>rd</sup> ave

\$2000

Real

Feb-8/81

Wm. H. Fordham  
Indemnity Shares  
to be called. See  
examination of witnesses  
and complaint.

Wm. H. Fordham

307. But

Day of Trial,

Counsel,

Filed

1 day of

1881

Pleas

THE PEOPLE

Examine

B

B.

Moses Sands.

Daniel G. Collins  
BENJAM. PHILLIPS

Bail fixed at District Attorney.

\$2000.

Appl. for Bail for  
A True Bill.

Feb. 16/81

(Mollinsqui entered)

Franklin

1881

Foreman.

How Mr. hearing

examination, I

am satisfied that

a noble should be

subscribed in this case.

and I therefore enter the

same.

D. G. Collins

Feb. 16/81

0457

0458



New York July 21<sup>st</sup> 1883

Hon. John McKeon.  
Dist. Atty.

My dear Sir.

Mr. Rollins has been applied to for a note to you in reference to one Moses Lande who was indicted while Mr. Rollins was District Attorney. The indictment was afterwards nolleed by him. He directs me to say that his action was based upon a written report submitted by me to him and which is filed with the indictment. That he has since been informed that a judgment has been recovered in a civil action against the defendant for the same cause of complaint. In view of the

0459

disclosures claimed to have been made on the trial of such action, Mr. Rollins does not think that the disposition which he made of the indictment should cause you to hesitate in taking such action in regard to the offence charged against the defendant as you should think justice requires.

Yours respectfully.

William F. Tracy

City and County  
of New York.

The Jurors of the People of the State of New York, in and for the body of the City and County of New York, upon their oath, present, That Moses Sands, late of the First Ward of the City of New York, in the County of New York aforesaid, on the eighth day of March, in the year of our Lord one thousand eight hundred and eighty, at the Ward, City and County aforesaid, with force and arms, unlawfully and feloniously under a promise of marriage did seduce and have illicit connection with a certain female to wit, one Nettie Ettinger, she the said Nettie Ettinger then and there being an unmarried female of previous chaste character -

Second Count - And the Jurors aforesaid upon their oath aforesaid, do further present - That the said Moses Sands 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 did undertake and promise to marry the said Nettie Ettinger, the said Nettie Ettinger being then and there an unmarried female of previous chaste character, and that the



said Moses Sands did, then and there  
unlawfully and feloniously, under said  
promises of marriage, seduce and have  
illicit connection with the said Nettie  
Ettinger, she the said Nettie Ettinger  
then and there being an unmarried  
female of previous chaste character

Daniel G. Rollins  
District Attorney

Endorsement - I think this indictment should be nolle,  
see examination of witnesses and complainant  
Wm. Seary -

From Mr. Seary's examination, I am  
satisfied that a nolle should be entered  
in this case, and I therefore enter the same,  
D. G. Rollins  
Feb. 10. 1881 - Dist. Atty

0462

Filed 1<sup>st</sup> day of Feb'y 1881

Reads-

Testimony under  
jurors of marriage

The People

vs

Moses Sands

Daniel E. Rollins

District Attorney

A. Truebill

Francis Carr

Foreman

0463

The People  
 or  
 Moses Sands } Seduction

Margaret Sands 178 Canal Street.  
 I am living with my husband the  
 defendant. I know Nettie Ettinger, we  
 met in Pythagoras Hall in Canal. I saw  
 her last January a year ago at a ball  
 given by the Association named after my  
 husband at Pythagoras Hall. I did not  
 know her name at that time. I saw her  
 again February 11. 1880 in Pythagoras Hall  
 went to that ball, it was given by W.  
 Davidson's Association, sent my sisters  
 and a lady friend, at first I told my  
 husband I should not go on account of  
 its being a Wednesday, but I afterwards  
 changed my mind and went with my  
 sister Ellen Rooney, we went about 10  
 o'clock, at the intermission between one and  
 two I went home - then I returned between  
 two and three, after supper my dwelling  
 is two blocks below the hall. Nettie and  
 my husband were sitting together up stairs  
 in the ladies department in conversation, at  
 the time I saw her a year ago last January  
 I said to her. look out, who you are talking  
 with Miss. that is my husband" she walked

0464

away, and said, no more, nor did I. That  
was said, in the same ball room down stairs  
that was at the ball given by my husband's  
association, my suspicion had been aroused  
the next time I saw her was at this ball  
in February, when they were sitting together  
as I have stated, in the ladies department  
talking, I says to her, "you good for nothing  
common street walker, you know he is my  
husband and the father of my two children,  
and you not to talk with a married man  
I went into the room with the intention  
of beating her, but the Sheriff of the place  
promptly came up stairs and said - now  
Mr. Gauds if you get quarreling with her  
I will only have to arrest you both of you,  
so they put her out of the ball room, and  
that is the last I saw of her until the 14<sup>th</sup>  
of May when I went on a picnic, my  
husband brought me with him, and had  
nothing to do with her at all, I am sure  
the person whom I refer to is the person who  
made this complaint, she lives in a tenement  
house in Grand street, about two blocks  
from Essex.

Frederick Augustus 15 Orchard St.  
 February the 11<sup>th</sup>. I was attending the hat  
 room in Pythagoras Hall in this city. I  
 recollect seeing Mr. Sands on this occasion,  
 I was called up stairs by Mr. Peck now present  
 to keep Mr. Sands back and not allow  
 any fight go on up stairs with a girl, when  
 I went up there Mr. Sands was trying to get  
 at the girl, and Mr. Peck kept her back.  
 I do not know who the girl was, I ordered  
 the girl out of the room, there were two  
 girls together, and I cannot state which  
 one it was, I ordered both of them out,  
 I do not know the name of either of them,  
 I recollect one of them was a thin girl  
 dark complexioned, and the other a little  
 stouted light complexioned, Mr. Sands  
 said "what business have you to follow  
 up my husband, go around my husband,  
 I am attending bar in 8<sup>th</sup> avenue at Pythagoras  
 Hall.

Meta Peck. 132 Canal street - Pythagoras Hall  
 I saw the wife of John Peck. Mr. Gottman  
 kept Pythagoras Hall, I was there on the night  
 of February 11. 1880. I was attending the ladies  
 hat room, after the intermission between  
 two and three o'clock, Mr. Sands was sitting  
 there by a young girl, I had seen the young  
 girl before, but I do not know her name, nor  
 do I know where she lives, she is light

0466

complexioned and 14-15 or 16 years old, Mr  
Sando ~~now~~ present came and said to the  
young girl "you ought to be ashamed of  
yourself to go around with a married man,  
I was not over five or six feet from them,  
she said, this is my husband, he is a  
married man with two children, called  
Augusten up to have the ladies put out  
for fear of any more fuss. at the time that  
Gub took her clothes I told her "you ought  
to be ashamed of yourself to go around with  
a married man who has two children  
and she said I didn't know it.

0467

N. Y. Court of General Sessions

The People of the  
State of New York

against

Moses Sand.

Certified Copy of  
indictment and  
testimony &c

0468

I, JOHN SPARKS, Clerk of the Court of General Sessions of the Peace, and of the Court of Oyer and Terminer held in and for the City and County of New York, each being a Court of Record and having a Common Seal, do hereby certify that the annexed is a copy of *Indictment and Verdict in the case of Mr. People against Moses Davis*, now on file in the Clerk's Office, and that the same has been compared by me with the original, and is a correct transcript therefrom and of the whole of such original

GIVEN UNDER my hand and attested by the seal of the said Court this *twenty fifth* day of *June* in the year of our Lord one thousand eight hundred and eighty *three*.

*[Signature]*


3d Vol. R. S., 5th Ed., § 74, p. 687.



0469

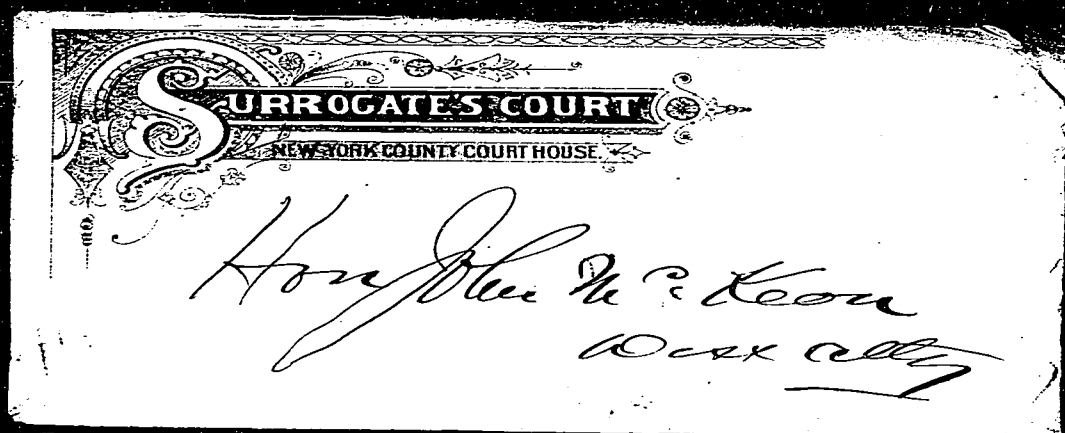
I, JOHN SPARKS, Clerk of the Court of General Sessions of the Peace, and of the Court of Oyer and Terminer held in and for the City and County of New York, each being a Court of Record and having a Common Seal, do hereby certify that the annexed is a copy of *Indictment and Verdict in the Case of the People against Charles Davis*, now on file in the Clerk's Office, and that the same has been compared by me with the original, and is a correct transcript therefrom and of the whole of such original

GIVEN UNDER my hand and attested by the seal of the said Court this *twenty fifth* day of *June* in the year of our Lord one thousand eight hundred and eighty *three*,



3d Vol. R. S., 5th Ed., § 74, p. 687.

0470



0471

Supreme Court, State of New York  
City & County of New York

Hettie Ellinger

vs

Moses Sands

Action for Dam-  
ages for Breach of  
Promise to marry

City and County of New York ss

That J. P. Sheppard being  
in sworn states that as Coun-  
sel he tried this case and exam-  
ined the witnesses. That  
Ellinger, the sister of plaintiff, testi-  
fied that one Silberman or  
Silverstein (a witness called for De-  
fendant.) called at their house,  
(plaintiff's house) and stated that  
Moses Sands had promised to  
give him a new suit of clothes  
for swearing to what he did,  
against their sister, and that  
Sands had not given him the  
clothes and that he was willing  
now to go upon the stand and  
state the truth, that he knew  
nothing against the plaintiff  
and had never known or heard

0472

of her doing anything wrong—

Sand's wife; and one Mrs. Beck were also witnesses for the defence—

Defendant also says he has sent an exemplified copy of the statements made by Mrs. Sand's (wife of Defendant) before Assistant District Attorney J. J. Lee, some two years ago, and that her testimony in this recent trial differed materially from said statement, and was as palpably false, that the jury wholly disregarded her testimony, and gave a verdict for the plaintiff for five thousand dollars.

Sworn to before me } William, Governor  
this 18<sup>th</sup> day of July }  
1882 }

Edw. C. Donaghy

Notary Public  
N.Y.C.

of the Court  
of the County of New York

0473

N Y Supreme Court-

Nettie Ettinger by her  
Guardian ad-litem  
Margaret Ettinger  
against  
Moses Sands

Affidavit-

City and County of New York ss

Charles Fraser being duly  
sworn says that he is the attorney of the  
plaintiff in the above entitled action  
That while the action was pending  
one Silverstein came into deponent  
office at 124. Bowery New York and informed  
deponent that he was a witness for  
the defendant Moses Sands on the  
trial of an action in the Court Market  
Police Court in which Nettie Ettinger was  
plaintiff and Moses Sands was defendant  
and stated to deponent that Sands  
(the defendant) had promised and  
agreed with him to give him a new  
suit of clothes if he would swear that  
he had had intercourse with Nettie  
Ettinger (the plaintiff) that after the  
trial Sands had refused to give him  
the clothes and had gone back on  
him and that he was willing to

0474

go on the stand and swear that he never had anything to do with the girl Nettie Ettinger

Defendant says that inasmuch as it appeared by said Silverstein's own confessions that he had sworn falsely defendant would not have anything to do with him and so gave him to understand.

Sworn to before me this }  
18<sup>th</sup> day of July 1883 } Charles Fraser  
John C. Fraser  
Notary Public (L.S.)  
N. Y. City & Co

Affidavit of

Charles Fraser

0475

-----  
THE PEOPLE &C.

VS.

MOSES SANDS.  
-----

SEDUCTION.

M A G A R E T S A N D S 178 CANAL STREET.

I AM LIVING WITH MY HUSBAND, THE DEFENDANT. I KNOW NETTIE  
ETTINGER --WE MET IN PYTHAGORAS HALL IN CANAL. I SAW HER LAST  
JANUARY A YEAR AGO, AT A BALL GIVEN BY THE ASSOCIATION NAMED AFTER  
MY HUSBAND AT PYTHAGORAS HALL. I DID NOT KNOW HER NAME AT THAT  
TIME. I SAW HER AGAIN FEBRUARY 11TH, 1880, IN PYTHAGORAS HALL. I  
WENT TO THAT BALL. IT WAS GIVEN BY MR. DAVIDSON'S ASSOCIATION. I  
WENT WITH MY SISTER AND A LADY FRIEND. AT FIRST I TOLD MY HUSBAND  
I WOULD NOT GO, ON ACCOUNT OF ITS BEING ASH WEDNESDAY, BUT I AFTER-  
WARDS CHANGED MY MIND AND WENT WITH MY SISTER ELLEN ROONY. WE  
WENT ABOUT 10 O'CLOCK. AT THE INTERMISSION BETWEEN ONE AND TWO I  
WENT HOME. THEN I RETURNED BETWEEN TWO AND THREE, AFTER SUPPER.  
MY DWELLING IS TWO BLOCKS BELOW THE HALL. NETTIE AND MY HUSBAND  
WERE SITTING TOGETHER UP-STAIRS IN THE LADIES' DEPARTMENT IN CON-  
VERSATION. AT THE TIME I SAW HER A YEAR AGO LAST JANUARY, I SAID  
TO HER "LOOK OUT WHO YOU ARE TALKING WITH MISS, THAT IS MY HUSBAND."  
SHE WALKED AWAY AND SAID NO MORE, NOR DID I. THAT WAS SAID IN THE  
SAME BALL ROOM DOWN STAIRS. THAT WAS AT THE BALL GIVEN BY MY  
HUSBANDS ASSOCIATION. MY SUSPICION HAD BEEN AROUSED. THE NEXT  
TIME I SAW HER WAS AT THIS BALL IN FEBRUARY. THEN THEY WERE SIT-  
TING TOGETHER AS I HAVE STATED, IN THE LADIES' DEPARTMENT TALKING.

0476

I SAYS TO HER "YOU GOOD FOR NOTHING COMMON STREET WALKER, YOU KNOW HE IS MY HUSBAND AND THE FATHER OF MY TWO CHILDREN, AND YOU OUGHT NOT TO TALK WITH A MARRIED MAN." I WENT INTO THE ROOM WITH THE INTENTION OF BEATING HER, BUT THE SHERIFF OF THE PLACE (NOW PRESENT) CAME UP STAIRS AND SAID "NOW, MRS. SANDS, IF YOU GET GUARRELING WITH HER I WILL ONLY HAVE TO ARREST BOTH OF YOU." SO THEY PUT HER OUT OF THE BALL ROOM, AND THAT IS THE LAST I SAW OF HER UNTIL THE 14TH OF MAY, WHEN I WENT ON A PIC-NIC. MY HUSBAND BROUGHT ME WITH HIM AND HAD NOTHING TO DO WITH HER AT ALL. I AM SURE THE PERSON WHOM I REFER TO IS THE PERSON WHO MADE THIS COMPLAINT. SHE LIVES IN A TENEMENT HOUSE IN GRAND STREET, ABOUT TWO BLOCKS FROM ESSEX.

FREDERICK AUGARTEN 15 ORCHARD ST.

FEBRUARY THE 11TH I WAS ATTENDING THE HAT ROOM IN PYTHAGORAS HALL, IN THIS CITY. I RECOLLECT SEEING MRS. SANDS ON THIS OCCASION I WAS CALLED UP STAIRS BY MRS. BECK (NOW PRESENT) TO KEEP MRS. SANDS BACK AND NOT ALLOW ANY FIGHT GO ON UP STAIRS WITH A GIRL. WHEN I WENT UP THERE MRS. SANDS WAS TRYING TO GET AT THE GIRL, AND MRS. BECK KEPT HER BACK. I DON'T KNOW WHO THE GIRL WAS. I ORDERED THE GIRL OUT OF THE ROOM. THERE WERE TWO GIRLS TOGETHER, AND I CANNOT STATE WHICH ONE IT WAS -- I ORDERED BOTH OF THEM OUT. I DO NOT KNOW THE NAME OF EITHER OF THEM. I RECOLLECT ONE OF THEM WAS A THIN GIRL, DARK COMPLEXIONED; AND THE OTHER A LITTLE STOUTER, LIGHT COMPLEXIONED. MRS. SANDS SAID "WHAT BUSINESS HAVE YOU TO FOLLOW UP MY HUSBAND -- GO AROUND MY HUSBAND." I AM ATTENDING BAR IN 8TH AVENUE AT PYTHAGORAS HALL.



0477

M E T A   B E C K   132 CANAL ST.   PYTHAGORAS HALL.

I AM THE WIFE OF JOHN BECK. MR. GOTTMEIER KEEPS PYTHAGORAS HALL. I WAS THERE ON THE NIGHT OF FEBRUARY 11, 1880. I WAS ATTENDING THE LADIES' HAT ROOM. AFTER THE INTERMISSION, BETWEEN TWO AND THREE O'CLOCK, MR. SANDS WAS SITTING THERE BY A YOUNG GIRL. I HAD SEEN THE YOUNG GIRL BEFORE, BUT I DO NOT KNOW HER NAME, NOR DO I KNOW WHERE SHE LIVES. SHE IS LIGHT COMPLEXIONED, AND 14, 15 OR 16 YEARS OLD. MRS. SANDS [NOW PRESENT] CAME AND SAID TO THE YOUNG GIRL, "YOU OUGHT TO BE ASHAMED OF YOURSELF TO GO AROUND WITH A MARRIED MAN." I WAS NOT OVER FIVE OR SIX FEET FROM THEM. SHE SAID "THIS IS MY HUSBAND, HE IS A MARRIED MAN WITH TWO CHILDREN." I CALLED OUTGARTEN UP TO HAVE THE LADIES PUT OUT FOR FEAR OF ANY MORE FUSS. AT THE TIME THAT GIRL TOOK HER CLOTHES I TOLD HER "YOU OUGHT TO BE ASHAMED OF YOURSELF TO GO AROUND WITH A MARRIED MAN, WHO HAS TWO CHILDREN" AND SHE SAID "I DIDN'T KNOW IT."

0478

The People vs

vs.

Moses Sand.

Witnesses

Margaret Sands 1.

Frederick Angarlen 2.

Meta Beck 3.

(10/1/11)

0479

Wm. B. Popham & Co. Indictment  
For larceny  
Madeo. Sands 2d 1st 1881.  
Halled in indictment

0480

N.Y. Supreme Court.

Margaret Ettiger as  
Guardian ad litem for  
Nettie Ettiger an infant.

- VS -

Moses Sands.

Copy Affidavit of  
Margaret Ettiger.

City and County of New York - ss: Margaret  
Ettiger being duly sworn does depose and  
say; that she resides at No 368 East Grand  
Street, in the City of New York, and that she  
is a widow, her husband being dead for  
nigh twelve years. That she has three chil-  
dren now living, to wit; two girls and one boy.  
That she is the mother of Nettie Ettiger the  
Plaintiff herein. That she supports her family  
by hard labor. That she is well acquainted  
with the defendant Moses Sands, and has  
known him for some months last past.

That in the month of February, 1880, the said  
Sands called upon deponent and stated that  
he loved her daughter Nettie ardently, and  
that he desired to make her his wife; that  
he had met her a number of times, and  
that, if agreeable to deponent, he would at  
once see Nettie and get her to name a day  
when they could be married. That deponent

protested that her daughter Nettie was too young, but suggested that they could engage themselves and after marriage for some few months. That the defendant promised to act upon the suggestion and shortly thereafter, as deponent is informed and believes, the defendant engaged himself to the Plaintiff. That thereafter he visited the house frequently and was regarded by all as engaged to Nettie. That under said promise of marriage, as deponent is informed and believes, the defendant accomplished the ruin of the Plaintiff. That the defendant has confessed the seduction of Plaintiff by him to deponent.

That about six weeks ago, Sands told deponent to engage a room for her daughter, where she could stay during her confinement, saying, that he would pay all expenses. That the defendant is making hollow promises of marriage from day to day with no intent, however, as deponent truly believes of keeping them. That in a few weeks Nettie will be confined with child. That deponent is destitute, and the ruin of the said Nettie has greatly damaged her in health and reputation, causing her great mental agony. That the

0482

said Nettie has ever been a good and  
virtuous girl and was much beloved by her  
friends and relatives. That since her fall  
she has been shunned by her friends and  
males, and has been compelled to keep out  
of all society.

That your deponent prays that the Plaintiff  
may be awarded the justice meet in the  
premises.

Sworn to before me,  
this 26<sup>th</sup> day of Nov-1888

A. J. J. J. J.

~~Notary Public~~

~~Attest~~

Margaret Stanger  
Margaret Stanger

0483

N.Y. Supreme Court.

Nettie Ettinger as infant  
by Margaret Ettinger  
her Guardian ad Litem.

Against  
Moses Sande.

(Copies)  
Affidavits of  
Nettie Ettinger &  
Margaret Ettinger

0484

City and County of New York ss: Nettie  
Ettinger being duly sworn says: that she  
resides at No. 308 Grand Street New  
York City and is fifteen years of age.  
that she was first introduced to the  
Defendant Moses Sands on or about  
the early part of January 1880. that he  
kept company with her for some months,  
and frequently visited her, and paid  
her attention in the role of a suitor for  
her hand. that in the month of Febru-  
ary 1880, on or about, at the City of New  
York, in consideration that this de-  
fendant would marry him on request, the  
Defendant promised to marry the  
Plaintiff your defendant at once, or at  
any time that she might desire. that he  
continued in his promises from day to  
day and on or about the early part  
of March 1880, at the City of New York, under  
deceptive promises of marriage, the Defen-  
dant accomplished the ruin of your  
defendant by outraging her person. that  
defendant verily believes that said prom-  
ises of marriage were made with an  
intent to deceive this defendant, and  
for the sole purpose of working her ruin,  
and for the satisfaction of the carnal



0485

appetite glands. That said connection was unlawfully and wrongfully had by means of force and violence. That Sands has frequently promised defendant marriage since said seduction. That by reason of the premises defendant has lost her position in society, and has greatly been damaged in her health and reputation, and is now a mother. That in the month of <sup>and</sup> July 1880, Sands gave defendant bearing the address of a certain doctor, resident at Germania Hall Brooklyn, and told her, that if she would repair thither, that he would relieve her from the effects of the carnal connection had between them. That defendant verily believes that the address given was that of an abortionist. That defendant prays that justice may be awarded to her in the premises - That she has commenced civil suit against him, and that by order of the Supreme Court he is now under bail, under an order of arrest granted by the said Court, in an action wherein defendant appearing by guardian is plaintiff.

Sworn before me this

29 day of Dec. 1880

Wm. H. H. H. H.

Notary Public  
J. J. J. J.


Kettie Ettinger

0486

State of New York

City and County of New York

} ss: Josie Craft  
and say:  
and resides

that she is seventeen years of age,  
at No. 386 East Grand Street, New York City,  
with her parents - that she is well ac-  
quainted with both Nettie Stinger and Moses  
Sands - that she was introduced to  
Sands by one Silverman, at an affair  
held at Irving Hall, New York City, on  
or about January 2<sup>d</sup> 1880. That thereafter  
defendant met the said Sands, a number  
of times at diverse places, and that he  
always held himself out as a single  
man. That he frequently visited Nettie at  
her house in East Grand Street, and paid  
her attention in the role of a suitor for  
her hand - that many times he would  
speak of himself as being engaged to Net-  
tie, and would tell defendant how fortu-  
nate it was for Nettie that she was  
going to have such a good home in  
the future - that defendant always believed  
the parties to be engaged to each other -  
that in the month of March 1880, or on  
about, defendant together with one Myra  
Loan, Nettie Stinger and Moses Sands  
repaired to a ball at  Hall,

0487

and remained there until midnight, and started for home at that hour, but after going a block or two, Nettie and her escort disappeared, and one hour after Nettie returned home in company with Sands. That upon reaching her room she cried bitterly, and complained that Mossbards had seduced her - that her clothing was torn, and her person outraged. That her body was bruised - That in all she presented a torn and dishevelled appearance. That subsequently she said Mossbards confessed to deposement that he had had connection with Nettie Kling, but that she would not be injured in any way, as he intended to make her his wife in a very short time, and that it would be best for her, as she would have a good home with him. That on diverse occasions, Sands gave various sums of money to deponent, to give to Nettie, and requested her to induce the said Nettie to hire a room somewhere on Sixth Avenue, where she might reside until after her confinement, further saying that he would care so that she would not get into any trouble. He insisted particularly on

0488

her reticence, saying that the mother must know nothing about the matter, as else he would discontinue to provide for her. That he continually rehearsed, that he intended to make Nettie his wife, and to repair the wrong he had done for her. That subsequently, in the early part of December 1880, Sands accosted deponent and told her, that if she would enter Court, and swear that Nettie Ettinger had eloped with one Silverman, that he would pay her twenty five dollars (\$25) for her trouble. That deponent answered that she would not perjure herself, and that if she so swore, that she would be swearing to an untruth - That she said Nettie to deponent's best belief, has always been chaste and virtuous. That she many times told deponent that she was engaged to Sands, and that he was going to make her his wife at an early day - That as deponent is informed by Nettie and her mother, one Silverman, an intimate friend of Moses Sands, called upon the Ettingers, and attempted a settlement of the matter on behalf of

0489

the said Sands, and upon their refusal, he left angry, threatening that he would fix the matter without them - That in the month of July 1880, and Sands, in the presence of Defendant Nettie handed the latter a card, bearing the address of an abolitionist, resident at Germania Hall, Brooklyn. That as nearly as defendant remembers, he said that she had best go to the address indicated on the card, and that the doctor would perform an operation on her, and relieve her of ~~from~~ the fruits of their criminal intercourse - That it was best for her to do at once, as else it might lead to unpleasant complications both for her and him. He said further, that there would be no danger, as he knew all about such matters. That the said Nettie protested against taking any such steps, saying that it was wrong &c, and after remonstrating with her, he said that it would be right, but that whatever she did, he would protect her.

Sworn before me this 3<sup>rd</sup> day of Dec. 1880  
 Jos. C. Graph  
 Notary Public  
 (37) N.Y. City & Co

0490

1881

307.

Orkney

Ob

de re

retrieving

W

Moses David

La. Quakers under

branch of province

of marriage

cut up

along with the

Walter. Eltinge

368 East Grand St

Brooklyn

368 E. Grand St

0491

U. S. Supreme Court.

Margaret Ettinger as  
Guardian ad litem for  
Hettie Ettinger, an infant of Margaret  
vs. —————  
Moses Sands. } Copy Official.

City and County of New York ss:

Margaret Ettinger being  
duly sworn, does depose and say, that  
she resides at No. 368 East Grand Street  
in the City of New York, and that she  
is a widow, her husband being dead  
for nigh twelve years, that she has  
three children now living, to wit: two  
girls and one boy.

That she is the  
mother of Hettie Ettinger, the plaintiff  
herein, that she supports her family by  
hard labor, that she is well acquainted  
with the defendant, Moses Sands,  
and has known him for some months  
last past.

That in the month  
of February 1880, the said Sands called  
upon her, and stated that he  
loved her daughter Hettie, ardently,  
and that he desired to make her

0492

his wife; that he had met her a number of times, and that, if agreeable to defendant, he would at once see Nettie, and get her to name a day when they could be married; that defendant protested that her daughter Nettie was too young, but suggested that they could engage themselves, and defer marriage for some few months; that the defendant promised to act upon the suggestion and shortly thereafter as defendant is informed, and believes, the defendant engaged himself to the plaintiff; that thereafter he visited the house frequently and was regarded by all as engaged to Nettie; that under said promise of marriage, as defendant is informed, and believes, the defendant accomplished the ruin of the plaintiff; that the defendant has confessed the seduction of plaintiff by him to defendant. That about six weeks ago, Sands, told defendant to engage a room for her daughter where she could stay during her confinement, saying that he would pay all expenses. That the defendant is making hollow



0493

promises of marriage from day to day with  
no intent, however, as defendant verily  
believes of keeping them, that in a few  
weeks Nettie will be confined with  
child; that defendant is destitute, and  
the ruin of the said Nettie has greatly  
damaged her in health and reputation  
causing her great mental agony, that  
the said Nettie has ever been a good  
and virtuous girl, and was much  
beloved by her friends and relations,  
that since her fall she has been shunned  
by her friends and mates and has been  
compelled to keep out of all society.  
that your defendant prays that the  
plaintiff may be awarded the justice  
meet in the premises.

Sworn to before me  
this 26<sup>th</sup> day of Nov. 1880. } Margaret Ellinger  
L. Golden }  
Notary Public, City & County of N.Y.

0494

City and County of New York, ss.

Mattie Singer, being duly sworn, says, that she resides at No. 568 Grand Street, New York City, and is fifteen years of age, that she was first introduced to the defendant Moses Sands, on or about the early part of January, 1889, that she kept company with her for some months, and frequently visited her, and paid her attention in the role of a suitor for her hand; that in the month of February, 1889, on or about, at the City of New York, in consideration that this defendant would marry him on request, the defendant promised to marry the plaintiff; young defendant, at once, or at any time, that she might desire; that he continued in this promise from day to day, and on or about the early part of March 1889, at the City of New York, under deceptive promises of marriage, the defendant accomplished the ruin of young defendant by entraining her person, that defendant now believes that said promises of marriage were made with an intent to deceive, this

0495

deponent, and for the sole purpose  
of working her ruin, and for the satis-  
faction of the carnal appetite of Lands  
that said connection was unlawfully  
and wrongfully had by means of force  
and violence, that Lands has frequently  
permanently deponent marriage since said  
seduction, that by reason of the premises  
deponent has lost her position in soci-  
ety and has greatly been damaged in her  
health and reputation, and is now a  
mother. that in the month of July, 1889,  
Lands gave deponent a card bearing  
the address of a certain doctor, resident  
at Germania Hall Brooklyn, and told  
her that if she would repair thither  
that he would relieve her from the  
effects of the carnal connection had  
between them, that deponent <sup>believes</sup> that  
the address given was that of an  
abortionist. that deponent fears  
that justice may be prevented to her  
in the premises. that she has em-  
ployed civil suit against him and  
that by order of the Supreme Court  
he is now under bail under an  
Order of arrest granted by the said

Court in an action wherein defendant ap-  
 pearing by guardian is plaintiff.  
 Docket to the foreman  
 this 29th day of Dec. 1880. } Mattie Edinger  
 Robert H. Bellack  
 (33) Matty Public,  
 W. J. Coy & Co

State of New York }  
 City and County of New York } ss:  
 I, Jennie Bright, being  
 duly sworn, does depose and say that  
 she is seventeen years of age, and resides  
 at No. 386 East Grand Street, New  
 York City, with her parents, that she  
 is well acquainted with both Mattie  
 Edinger, and Moses Sands, that she  
 was introduced to Sands by one  
 Sigerman, at an affair held at  
 Irving Hall, New York City, on or about  
 January 2d 1880, that thereafter, she  
 next met the said Sands a number  
 of times, at divers places, and that he  
 always held himself out as a single  
 man, that he frequently visited Mattie  
 at her home in East Grand Street  
 and paid her attention in the role

0497

of a sister for her hand, that many times he would speak of himself as being engaged to Nettie, and would tell dependent how fortunate it was for Nettie, that she was going to have such a good home in the future. That dependent always believed the parties to be engaged to each other. That in the month of March, 1880, or or about, dependent together with one Meyer Cohen, Nettie's El. singer, and Moses Sands, repaired to a ball at Hoffman's Hall, and remained there until midnight and started for home at that hour, but after going a block or two, Nettie and her escort disappeared, and one hour after, Nettie returned home in company with Sands, that upon reaching her room she cried bitterly and complained that Moses Sands had seduced her, that her clothing was torn, and her person outraged, that her body was bruised, that in all she presented a torn and dishevelled appearance that subsequently the

0498

said Moses Sands confessed to de-  
fendant that he had had connec-  
tion with Hattie C. Stinger, but that  
she would not be injured in any  
way, as he intended to make her  
his wife in a very short time, and  
that it would all be for her, as  
she would have a good home with  
him. That on several occasions,  
Sands gave various sums of money  
to defendant to give to Hattie, and  
requested her to induce the said  
Hattie to hire a room somewhere  
on Sixth Avenue, where she might  
reside until after her confinement,  
further saying that he would care  
so that she would not get into any  
trouble, he invited defendant to  
in her reticence saying that the  
mother must know nothing about  
the matter or else he would  
discontinue to provide for her,  
that he continually repeated that  
he intended to make Hattie his  
wife, and to repair the wrong  
he had done her, that subsequent-  
ly in the early part of November  
1880, Sands executed defendant

0499

and told her, that if she would enter Court and swear that Nettie Edinger had stopped with one Silverman, that he would pay her twenty-five dollars (\$25.) for her trouble, that defendant answered that she would not perjure herself, and that if she so swore, that she would be swearing to an untruth, that the said Nettie's defendant's best belief has always been, chaste and virtuous that she many times told defendant that she was engaged to Sands, and that he was going to make her his wife at an early day, that as defendant is informed by Nettie, and her mother, one Silverman, an intimate friend of Moses Sands called upon the Edingers, and attempted a settlement of the matter, on behalf of the said Sands, and upon their refusal, he left angry, threatening that he would fix the matter without them, that in the month of July 1880 Sands in the presence of defendant, and Nettie handed the latter a card bearing



0500

the address of an abortionist, resident  
at Germania Hall Brooklyn, that as  
nearly as defendant remembers, he said  
that she had best go to the address  
indicated on the card, and that the  
doctor would perform an operation  
on her, and relieve her of the fruits  
of their criminal intercourse, that  
it was best for her to do at once,  
as else it might lead to unpleasant  
complications both for her and him,  
he said further that there would  
be no danger as he knew all  
about such matters; that she said  
Hattie protested against taking any  
such steps saying that it was  
wrong &c. and after remonstrating  
with her, he said that it would  
be right, but that whatever she  
did he would protect her.

Shown to before me this

29<sup>th</sup> day of Dec. 1880.

Robert H. Carrack

Notary Public,

111 N. 4<sup>th</sup> St. N.Y.C.

(33)

Jane Bright



307

Entered

March 1880

In re

Nettie Estinger

- vs. - I

Moses Sands

Seduction, under  
breach of promise  
of Marriage

Witnesses

Margaret Estinger

Nettie Estinger

368 East Grand St

Frank Leahy

368 E Grand St

City and County } ss.  
of New York.

The jurors of the People of the State of New York in and for the body of the City and County of New York upon their oath, present:

That Moses Sands, late of the First Ward of the City of New York in the County of New York aforesaid, on the eighth day of March in the year of our Lord one thousand eight hundred and eighty, at the Ward, City and County aforesaid with force and arms, unlawfully and feloniously under a promise of marriage did seduce and have illicit connection with a certain female, to wit: one Nettie Ettenger, she the said Nettie Ettenger then and there being an unmarried female of previous chaste character.

— Second Count —

And the jurors aforesaid, upon their oath aforesaid, do further present:

That the said Moses Sands 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, did undertake and promise to marry the said

0503

Bettie Ettinger, she the said Bettie  
Ettinger being then and there an un-  
married female of previous chaste  
character, and that the said Moses  
Sands did then and there unlawfully  
and feloniously under said promise  
of marriage seduce and have illicit  
connection with the said Bettie  
Ettinger, she the said Bettie Ettinger  
then and there being an unmarried  
female of previous chaste character.

Daniel F. Rollins.

District Attorney.

0504

**BOX:**

32

**FOLDER:**

385

**DESCRIPTION:**

Schlaile, Gotleib

**DATE:**

02/17/81



385

0505

Stacy - Safe at last -  
January, 1897

Filed 17 day of July 1897  
Platts

THE PEOPLE  
vs.  
L. Schlarke.  
I.

David G. Pollard  
District Attorney.

A True Bill.

*Wm. H. H. H.*  
Part m. Dec 21, 1897 Foreman  
...  
As this man is insane  
...  
of St. Mary. I cannot  
...  
his did change from  
the ... when his son  
...  
...  
Feb 24, 1897.  
ADW

0506

DEPARTMENT OF  
Public Charities and Correction.

CITY PRISON,

New York,

Feb. 12 1881

Hon. Daniel F. Hollins  
Dist. Atty.

Dear Sir Enclosed please  
find Medical Certificate  
for Gollib Schaefer a  
prisoner confined here, charged  
with "False Pretenses" and  
by Justice Higgintham.

Respy  
James Smith  
Warden

0507

DEPARTMENT OF  
Public Charities and Correction.

CITY PRISON,

New York, February 14<sup>th</sup> 1881

District Attorney Rollins

Dear Sir

Gottlieb Schlaile

confined here for 7 also  
pretenses is insane and  
has been so since his  
- confinement. His actions  
are so peculiar that  
he has to be kept in  
a padded cell. In my  
opinion he should  
be sent to an asylum

Respectfully Yours  
William L. Handy M.D.  
Physician to Prison

0508

DEPARTMENT OF  
Public Charities and Correction.

CITY PRISON,

New York, February 21<sup>st</sup> 1881

Benj B Foster  
Chief Clerk  
Dear Sir  
Gottlieb

Schlaile for from in  
five days after his  
commitment was so  
insane that he had to  
be kept in the padded  
cell. From his account  
he has been confined  
in an Asylum in Europe  
he has recovered now  
with the exception that  
he is not as strong-  
minded as he should



0509

be. But still, he can  
be set at liberty  
with safety

Respectfully Yours

Wm L. Harchy M.D.,  
Physician to Prison

0510

## FOURTH DISTRICT POLICE COURT.

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

of No. 944 - First Avenue Frank Bruch  
 street, \_\_\_\_\_ being duly sworn, deposes and says,  
 that on the 29<sup>th</sup> day of January 1881  
 at the City of New York, in the County of New York,

Gottlieb Schlaile now here  
 did by certain false and fraudulent  
 representations and other false pretences  
 feloniously from deponent the sum of  
Three dollars the property of depo-  
 nent with intent to defraud and  
 whereby deponent was defrauded  
 of the said sum aforesaid.  
 That on the said date said deponent  
 and solicited the loan of the said  
 sum of Three dollars and that deponent  
 that he wanted the same to pay the  
 charges due on a package of Goods  
 then in the Custom House of this City  
 and belonging to said deponent and  
 being of the value of Fifteen hundred  
dollars deponent relying upon said  
 statements gave said deponent the  
 said sum of Three dollars  
 That said deponent acknowledged  
 to deponent on the 6<sup>th</sup> instant that  
 the aforesaid representations respecting  
 said property were untrue and that  
 the said property was not in the cus-  
 tom house at the time alleged in this  
 complaint nor is said property now  
 in said Custom House.

Frank Bruch

Sworn to before me this  
1<sup>st</sup> day of February 1881  
J. M. M. M. M.  
Notary Public

05 11

Police Court—Fourth District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Frank Brink

vs.

Edith Schlarke

Dated February 7 1891

Ruboth Magistrate.

Philips Officer.

19

1000 grams.

05 12

Police Court, Fourth District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Gottlieb Schlaile* being duly examined before the under-  
signed, according to law, on the annexed charge; and being informed that he was  
at liberty to answer, or not, all or any questions put to him, states as follows, viz:

Question. What is your name?

Answer.

*Gottlieb Schlaile*

Question. How old are you?

Answer.

*Twenty Eight years*

Question. Where were you born?

Answer.

*Germany*

Question. Where do you live?

Answer.

*848 Third Avenue*

Question. What is your occupation?

Answer.

*Tailer*

Question. Have you anything to say, and if so what,—relative to the  
charge here preferred against you?

Answer.

*I am not guilty of the  
Charge*

*Gottlieb Schlaile*

Taken before me this

day of *Sept* 1881

*J. J. McArthur*  
Police Justice.

0513

72111

Police Court--Fourth District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Frank Brant*

*944 1st Av.*



1  
2  
3  
4  
5  
6

*Gottlieb Schmale*

Offence, *Offense*

Dated *February 7* 1881

*Robert* Magistrate.

Officer *Phillips*  
*19th*  
*City*

Witnesses,

BAILED :

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

*\$1000 to and.*

*Com.*

Received in District Att'y's Office,

05 14

CITY AND COUNTY }  
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
*in and for the body of the City and County of New York, upon  
their Oath, present:*

That

*Gottlieb Schlaile*

late of the First Ward of the City of New York, in the County of New York, aforesaid  
on the *twenty-ninth* day of *January* in the year of our Lord  
one thousand eight hundred and ~~eighty~~ *eighty-one*, at the Ward, City and County  
aforesaid, with force and arms, on the day and year last aforesaid, with intent feloniously to cheat and defraud one

*Frank Brust*

did then and there feloniously, unlawfully, knowingly, and designedly, falsely pretend  
and represent to *Frank Brust*

That *there was then and there in the Custom House  
of the United States and Government of the United  
States of America at and in the City and County  
aforesaid a package of goods belonging to the said  
Gottlieb Schlaile.*

*That there was then and there due and owing to  
the said United States and the Government aforesaid  
as and for duties, dues and charges on said  
package and goods by and from the said  
Gottlieb Schlaile the sum of three dollars in money.*

05 15

And the said *Frank Brust*

then and there believing the said false pretences and representations  
so made as aforesaid by the said

*Gottlieb Schlaile*  
and being deceived thereby, was induced, by reason of the false pretences and representations so made as aforesaid, to deliver, and did then and there deliver to the said *Gottlieb Schlaile*, <sup>a certain sum of money to wit:</sup> the sum of three dollars in money and of the value of three dollars

of the proper moneys, valuable things, goods, chattels, personal property and effects  
of the said *Frank Brust*

and the said *Gottlieb Schlaile*, did then  
and there designedly receive and obtain the said *Frank Brust*.

the said certain sum of money to wit: the sum of three dollars in money and of the value of three dollars

of the said *Frank Brust*

of the proper moneys, valuable things, goods, chattels, personal property and effects  
of the said *Frank Brust*

by means  
of the false pretences and representations aforesaid, and with intent feloniously to cheat  
and defraud the said *Frank Brust*

of the same.

Whereas in truth and in fact there was not then and there in the Custom House aforesaid, any package of goods whatsoever or any goods whatever then and there belonging to him the said *Gottlieb Schlaile* as he the said *Gottlieb Schlaile* then and there well knew.

05 16

And Whereas, in truth and in fact, ~~the said~~ there was not then and there due or owing to the said United States or the Government aforesaid as for any duties, dues or charges whatsoever on any package of goods or goods whatever by or from the said *Gottlieb Schlaile* any sum in money whatsoever as he the said *Gottlieb Schlaile* then and there well knew.

And Whereas, in truth and in fact, the pretences and representations so made as aforesaid, by the said *Gottlieb Schlaile* to the said *Frank Brust* was and were in all respects utterly false and untrue, to wit. on the day and year last aforesaid, at the Ward, City, and County aforesaid.

And Whereas, in fact and in truth the said *Gottlieb Schlaile* well knew the said pretences and representations so by him made as aforesaid to the said *Frank Brust* to be utterly false and untrue at the time of making the same.

And so the Jurors aforesaid, upon their oath aforesaid, do say, that the said *Gottlieb Schlaile* by means of the false pretences and representations aforesaid, on the day and year last aforesaid, at the Ward, City and County aforesaid, feloniously, unlawfully, falsely, knowingly and designedly, did receive and obtain from the said *Frank Brust* the said certain sum of money to wit: the sum of three dollars in money and of the value of three dollars

of the proper moneys, valuable things, goods, chattels, personal property, and effects of the said

*Frank Brust* with intent feloniously to cheat and defraud him of the same, 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 F. Rollins*  
DANIEL F. ROLLINS, District Attorney.



05 17

**BOX:**

32

**FOLDER:**

385

**DESCRIPTION:**

Schulte, Henry

**DATE:**

02/21/81



385

05 18

**BOX:**

32

**FOLDER:**

385

**DESCRIPTION:**

McLaughlin, James

**DATE:**

02/21/81



385

0519

No 139

Day of Trial

Counsel,

Filed 24 day of Feb 1881

Pleads,

THE PEOPLE

vs.

Burglary—Third Degree, and Receiving  
Stolen Goods.

P.

Henry Schulte  
James M. Laughlin

Samuel C. Hattus  
BENJ. W. PHELPS,

District Attorney.

Part No. 100 of 1881.  
Born year at Perry Co.

A True Bill,

Wm. C. Cady

Foreman.

Can: One year & 6 mo<sup>2</sup> Each.

0520

Police Office, Fourth District.

City and County  
of New York, ss.

at New York, ss. *Owen Monahan*

of No. 720 11 Avenue Street, being duly sworn,  
deposes and says, that the premises No. 159 87 New York Central Railroad  
between 148 and 149 1/2 Street, 15 Avenue 15 Ward, in the City and County aforesaid, the said being a freight car  
and which was occupied by deponent as a New York Central Freight Car  
Company for carrying freight, were **BURGLARIOUSLY**  
entered by means of forcing open the end  
door of the car with a jimmy

on the morning of the 13<sup>th</sup> day of February 1881-  
and the following property feloniously taken, stolen and carried away, viz.:

three pounds of almond nuts

of the value of Sixty cents  
in the care of

the property of the Corporation of New York  
Central Railroad and deponent further says, that he has great cause to believe, and does believe, that  
and charged as a conductor the aforesaid **BURGLARY** was committed, and the aforesaid property taken, stolen  
and carried away by Henry Schutte and James de

Lang Hein (now present) for the reasons following, to wit: from the fact that

deponent caught said Schutte  
jumping out of the car and  
found de Lang Hein seated  
in the car and in the  
possession of each were found  
a jimmy, and each had a  
portion of the above described property  
- Owen Monahan

*Sworn to and signed by me  
Henry Schutte  
James de Lang Hein  
Police Officer*  
This 14<sup>th</sup> day of February 1881

0521

**Police Court, Fourth District.**

CITY AND COUNTY OF NEW YORK ss.

*Henry Schutte* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz:

Question. What is your name?

Answer.

*Henry Schutte*

Question. How old are you?

Answer.

*Sixteen Years*

Question. Where were you born?

Answer.

*New York*

Question. Where do you live?

Answer.

*428 West 36 Street*

Question. What is your occupation?

Answer.

*Takes care of horses*

Question. Have you anything to say, and if so what,—relative to the charge here preferred against you?

Answer.

*I am not guilty*

*Henry Schutte*

Taken before me this

14th day of January 1877

Police Justice.

0522

**Police Court, Fourth District.**

CITY AND COUNTY }  
OF NEW YORK, } ss.

*James M. Laughlin* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz:

Question. What is your name?

Answer.

*James M. Laughlin*

Question. How old are you?

Answer.

*Sixteen years*

Question. Where were you born?

Answer.

*New York*

Question. Where do you live?

Answer.

*330 West 38th*

Question. What is your occupation?

Answer.

*Drive a Car*

Question. Have you anything to say, and if so what,—relative to the charge here preferred against you?

Answer.

*I am not guilty*  
*James M. Laughlin*

Taken before me this

day of February 1891

Police Justice.

0523

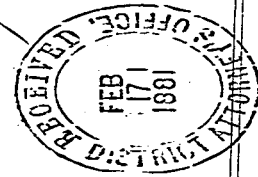
Police Court--Fourth District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Owen Monahan*  
*720 11<sup>th</sup> ave*

1 *Henry Schulte*

2 *James McLaughlin*



Office,

1881

February 14

Dated

*Murray* Magistrate.

*Maker* *Law* Darcy Officer.

*22 present* Clerk.

Witnesses,

*James J. Wickens*

*care James Gagan 720 11 avenue*

*James Maker*

*22 present police*

*George J. Darcy*

*22 present police*

*1000 P. Bail back to Darcy*

Received in District Att'y's Office,

*Chen*

0524

CITY AND COUNTY } ss.  
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present :

That

*Henry Schulte and James  
McLaughlin each*

late of the *twenty second* Ward of the City of New York, in the County of  
New York aforesaid, on the *thirteenth* day of *February* in the  
year of our Lord one thousand eight hundred and ~~eighty one~~ *eighty one* with force and  
arms, at the Ward, City and County aforesaid, the *Rail Road* of  
*The New York Central and Hudson River Rail Road Company*  
*a company duly incorporated under the laws of the State of New York*  
there situate, feloniously and burglariously, did break into and enter, the same being a  
building in which divers goods, merchandise, and valuable things were then and there kept for  
use, sale and deposit, to wit: the goods, chattels and personal property hereinafter described,  
with intent the said goods, chattels and personal property of the said *The New York  
Central and Hudson River Rail Road Company*  
then and there being, then and there feloniously and burglariously to steal, take and carry  
away and

*Three pounds of nuts (of the kind commonly  
called Almond nuts) of the value of twenty  
cents each pound*

of the goods, chattels, and personal property of the said *The New York Central  
and Hudson River Rail Road Company*

so kept as aforesaid in the said *Rail Road Car* 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.



0525

And the Jurors aforesaid, upon their oath aforesaid, do further present

That the said

Henry Schulse and James M. Laughlin each

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

Three pounds of nuts (of the kind commonly called Almond nuts) of the value of twenty cents each pound

of the goods, chattels, and personal property of The New York Central and Hudson River Rail Road Company by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen ~~of the said~~ taken and carried away from the said The New York Central and Hudson River Rail Road Company

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

Henry Schulse and James M. Laughlin

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.

Daniel S. Rollins  
BENTAMIN B. PHELPS, District Attorney.

0526

**BOX:**

32

**FOLDER:**

385

**DESCRIPTION:**

Shmitt, Charles

**DATE:**

02/10/81



385

0527

Day of Trial

Counsel,

Filed *10* day of *July* 1881.

Pleads,

THE PEOPLE

vs.

*10. 1st 2d 3d 4th 5th 6th 7th 8th 9th 10th 11th 12th 13th 14th 15th 16th 17th 18th 19th 20th 21st 22nd 23rd 24th 25th 26th 27th 28th 29th 30th 31st 32nd 33rd 34th 35th 36th 37th 38th 39th 40th 41st 42nd 43rd 44th 45th 46th 47th 48th 49th 50th 51st 52nd 53rd 54th 55th 56th 57th 58th 59th 60th 61st 62nd 63rd 64th 65th 66th 67th 68th 69th 70th 71st 72nd 73rd 74th 75th 76th 77th 78th 79th 80th 81st 82nd 83rd 84th 85th 86th 87th 88th 89th 90th 91st 92nd 93rd 94th 95th 96th 97th 98th 99th 100th 101st 102nd 103rd 104th 105th 106th 107th 108th 109th 110th 111th 112th 113th 114th 115th 116th 117th 118th 119th 120th 121st 122nd 123rd 124th 125th 126th 127th 128th 129th 130th 131st 132nd 133rd 134th 135th 136th 137th 138th 139th 140th 141st 142nd 143rd 144th 145th 146th 147th 148th 149th 150th 151st 152nd 153rd 154th 155th 156th 157th 158th 159th 160th 161st 162nd 163rd 164th 165th 166th 167th 168th 169th 170th 171st 172nd 173rd 174th 175th 176th 177th 178th 179th 180th 181st 182nd 183rd 184th 185th 186th 187th 188th 189th 190th 191st 192nd 193rd 194th 195th 196th 197th 198th 199th 200th 201st 202nd 203rd 204th 205th 206th 207th 208th 209th 210th 211th 212th 213th 214th 215th 216th 217th 218th 219th 220th 221st 222nd 223rd 224th 225th 226th 227th 228th 229th 230th 231st 232nd 233rd 234th 235th 236th 237th 238th 239th 240th 241st 242nd 243rd 244th 245th 246th 247th 248th 249th 250th 251st 252nd 253rd 254th 255th 256th 257th 258th 259th 260th 261st 262nd 263rd 264th 265th 266th 267th 268th 269th 270th 271st 272nd 273rd 274th 275th 276th 277th 278th 279th 280th 281st 282nd 283rd 284th 285th 286th 287th 288th 289th 290th 291st 292nd 293rd 294th 295th 296th 297th 298th 299th 300th 301st 302nd 303rd 304th 305th 306th 307th 308th 309th 310th 311st 312nd 313th 314th 315th 316th 317th 318th 319th 320th 321st 322nd 323rd 324th 325th 326th 327th 328th 329th 330th 331st 332nd 333rd 334th 335th 336th 337th 338th 339th 340th 341st 342nd 343rd 344th 345th 346th 347th 348th 349th 350th 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2014th 2015th 2016th 2017th 2018th 2019th 2020th 2021st 2022nd 2023rd 2024th 2025th 2026th 2027th 2028th 2029th 2030th 2031st 2032nd 2033rd 2034th 2035th 2036th 2037th 2038th 2039th 2040th 2041st 2042nd 2043rd 2044th 2045th 2046th 2047th 2048th 2049th 2050th 2051st 2052nd 2053rd 2054th 2055th 2056th 2057th 2058th 2059th 2060th 2061st 2062nd 2063rd 2064th 2065th 2066th 2067th 2068th 2069th 2070th 2071st 2072nd 2073rd 2074th 2075th 2076th 2077th 2078th 2079th 2080th 2081st 2082nd 2083rd 2084th 2085th 2086th 2087th 2088th 2089th 2090th 2091st 2092nd 2093rd 2094th 2095th 2096th 2097th 2098th 2099th 2100th 2101st 2102nd 2103rd 2104th 2105th 2106th 2107th 2108th 2109th 2110th 2111st 2112nd 2113th 2114th 2115th 2116th 2117th 2118th 2119th 2120th 2121st 2122nd 2123rd 2124th 2125th 2126th 2127th 2128th 2129th 2130th 2131st 2132nd 2133rd 2134th 2135th 2136th 2137th 2138th 2139th 2140th 2141st 2142nd 2143rd 2144th 2145th 2146th 2147th 2148th 2149th 2150th 2151st 2152nd 2153rd 2154th 2155th 2156th 2157th 2158th 2159th 2160th 2161st 2162nd 2163rd 2164th 2165th 2166th 2167th 2168th 2169th 2170th 2171st 2172nd 2173rd 2174th 2175th 2176th 2177th 2178th 2179th 2180th 2181st 2182nd 2183rd 2184th 2185th 2186th 2187th 2188th 2189th 2190th 2191st 2192nd 2193rd 2194th 2195th 2196th 2197th 2198th 2199*

0528

## Police Office. Third District.

City and County } ss.:  
of New York, }No. of 257 East 13 Henry N. Schmitz Street, being duly sworn,deposes and says, that the premises No. 257 East 13<sup>th</sup>Street, 14 Ward, in the City and County aforesaid, the said being a Dwelling House  
The first floor  
and which was occupied by deponent as a place for the sale of Beer and Cigarswere **BURGLARIOUSLY**entered by means forcible breaking the fastening on the Window  
Commonly call pane light above the door, leading to the  
Store above describedon the Mourning of the 8<sup>th</sup> day of February 1889,  
and the following property, feloniously taken, stolen and carried away, viz..one over coat of the value of fifteen dollars  
and one Hat of the value of one <sup>50</sup>/<sub>100</sub> Dollars  
the property of deponent and  
one over coat of the value of ten dollars  
the property of one Rudolph H. Platt  
who is in the employ of deponent, said coat  
being in care and charge of deponent  
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 byCharles Smith (now here)for the reasons following, to-wit: That deponent is informed  
by officer Martin Boylston of the 17<sup>th</sup>  
District Police that at the hour of 1 o'clock  
this a.m. he arrested said Smith with  
the aforesaid property in his possession  
Henry N. Schmitz

*Subscribed and sworn to before me this*  
*8<sup>th</sup> day of February, 1889*  
*At New York*  
*John W. McHenry*

0529

City & County -  
of New York

Martin Baylston of the 17<sup>th</sup> Pol.  
Police being duly sworn deposes and says  
that on the morning of the 8<sup>th</sup> day of February  
1881 at the hour of one o'clock he  
arrested Charles Smith (nowhere) in  
East 13<sup>th</sup> Street with the property described  
in the written affidavit of Henry A. Schunitz  
in his possession.

Sworn to before me this 8<sup>th</sup> day of February 1881  
Solomon Smith Police Justice  
Martin Baylston

0530

Police Court—Third District.

CITY AND COUNTY } ss.  
OF NEW YORK, }

Charles Smith being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question.—What is your name?

Answer.—Charles Smith

Question.—How old are you?

Answer.—27 years

Question.—Where were you born?

Answer.—Germany

Question.—Where do you live?

Answer.—28<sup>th</sup> Street near 3<sup>rd</sup> Avenue

Question.—What is your occupation?

Answer.—Baker

Question.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.—I am guilty of the Charge  
Charles Smith

Taken before me, this

day of February 1891

Police Justice

0531

Form 115.

POLICE COURT -- THIRD DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Offence, BURGLARY.

*Henry W. Dehner, Jr.*  
*1251 E 13th St.*

*Charles Smith*

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Dated *February 9th* 188*1*

*Sam Smith* Magistrate.

*Ray Carter* Officer.

*17* Clerk.

*Walter Bagley* Witness.

*17th Prec Police* Street.

No. Street.

No. Street.

No. Street.



Received in District of Columbia

*Carroll Hill*

0532

CITY AND COUNTY } ss.  
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present:

That

*Charles Schmitt*

late of the *seventeenth* Ward of the City of New York, in the County of New York, aforesaid,

on the *eighth* day of *February* in the year of our Lord one thousand eight hundred and eighty-*one* with force and arms, about the hour of *three* o'clock in the *night* time of the same day, at the Ward, City and County aforesaid, the dwelling house of

*Henry N. Schmitz*  
there situate, feloniously and burglariously did break into and enter, by means of *forcibly breaking open an outer window of said dwelling house* whilst there was then and there some human being to wit, one *Henry N. Schmitz* within the said dwelling house he, the said

*Charles Schmitt*  
then and there intending to commit some crime therein, to wit: the goods, chattels and personal property of *Henry N. Schmitz*

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 jurors aforesaid, upon their oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County aforesaid, about the hour of *three* o'clock in the *night* time of said day the said

*Charles Schmitt*  
late of the Ward, City and County aforesaid,

*One over coat of the value of fifteen dollars*  
*One hat of the value of one dollar and fifty cents*  
*One other over coat of the value of ten dollars*

of the goods, chattels, and personal property of *Henry N. Schmitz*  
*Henry N. Schmitz* in the said dwelling house of one  
, then and there being found in the dwelling house aforesaid, 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.



0533

CITY AND COUNTY  
OF NEW YORK

And <sup>aforesaid</sup> THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
~~and for the body of the City and County of New York,~~  
upon their Oath, ~~present~~ <sup>aforesaid</sup> do further present

That the said  
Charles Schmitt

late of the <sup>seventeenth</sup> Ward of the City of New York, in the County of  
New York aforesaid, on the <sup>eighth</sup> day of <sup>February</sup> in the  
year of our Lord one thousand eight hundred and ~~seventy~~ <sup>eighty-one</sup> with force and  
arms, at the Ward, City and County aforesaid, the <sup>store</sup> of

<sup>Henry N. Schmitz</sup>  
there situate, feloniously and burglariously, did break into and enter, the same being a  
building in which divers goods, merchandise, and valuable things were then and there kept for  
use, sale and deposit, to wit: the goods, chattels and personal property hereinafter described,  
with intent the said goods, chattels and personal property of the said

<sup>Henry N. Schmitz</sup>  
then and there being, then and there feloniously and burglariously to steal, take and carry  
away, and

One over coat of the value of fifteen dollars  
One hat of the value of one dollar and fifty cents  
One other over coat of the value of ten dollars

of the goods, chattels, and personal property of the said <sup>Henry N. Schmitz</sup>

so kept as aforesaid in the said <sup>store</sup> 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.

0534

And the Jurors aforesaid, upon their oath aforesaid, do further present  
That the said

*Charles Schmitt*

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

*One over coat of the value of fifteen dollars  
One hat of the value of one dollar and fifty cents  
One other over coat of the value of ten dollars*

of the goods, chattels, and personal property of

*Henry M. Schmitz*

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously  
stolen ~~of the said~~ *taken and carried away from the said*

*Henry N. Schmitz*

unlawfully, unjustly, ~~and for the sake of wicked gain,~~ did feloniously receive and have (the said

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

*Daniel F. Rollins*  
BENJAMIN H. PHILLIPS, District Attorney.