

0229

BOX:

523

FOLDER:

4762

DESCRIPTION:

Smith, George J.

DATE:

05/18/93



4762

0230

POOR QUALITY ORIGINAL

Witnesses:

David M. Synnolds

Off. Gilhooley

Deputy of the

San Francisco

Handwritten signature

Handwritten notes: 7 matches, 4 rings, 1 bracelet, 1 watch

Handwritten notes: only part of property taken, 1000 lbs. says he cannot see about the evidence

Counsel,

Filed

Plends,

THE PEOPLE

vs.

George R. Smith

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Char. J. Smith Foreman.

May 18/93

Heads of 1 day R

4 up. 5/1/93

19

Grand Larceny, [Sections 529, 530, 532] Penal Code.

269

Handwritten signature and date 1890

0231

POOR QUALITY
ORIGINAL

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT.....DISTRICT.

CITY AND COUNTY } ss.
OF NEW YORK, }of the 4th Precinct Police, being duly sworn, deposesand says that Jennie Gorman

(now here) is a material witness for the people against

George T. Smith chargedwith Grand Larceny. As deponent hascause to fear that the said Jennie Gorman

will not appear in court to testify when wanted, deponent prays

that the said Jennie Gorman be

committed to the House of Detention in default of bail for his

appearance.

Thomas F. Gilbooly.

Sworn to before me, this
day of March 1897

Police Justice.

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT.....DISTRICT.

CITY AND COUNTY } ss.
OF NEW YORK, }of the 4th Precinct Police, being duly sworn, deposesand says that Jennie Sullivan

(now here) is a material witness for the people against

George T. Smith chargedwith Grand Larceny. As deponent hascause to fear that the said Jennie Sullivan

will not appear in court to testify when wanted, deponent prays

that the said Jennie Sullivan be

committed to the House of Detention in default of bail for his

appearance.

Thomas F. Gilbooly.

Sworn to before me, this
day of March 1897

Police Justice.

0232

POOR QUALITY
ORIGINAL

1912

Police Court—

District.

Affidavit—Larceny.

City and County {
of New York, } ss.

of No. 120 East 12th Street, aged 35 years,
 occupation Journalist being duly sworn,
 deposes and says, that on the 10th day of May 1893 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 bag containing about
 17 yards of silver watches
 15 pairs of diamond earrings
 One diamond ring
 One gold necklace and chain
 One diamond stud and diamond brooch
 Two scarf pins. One knife
 Being together of the value of
 One thousand (\$1000.00) 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 George J. Smith (nowhere)

for the reasons following to wit
 On the aforesaid day deponent had
 said property in a hand bag which
 he left standing on the floor in the
 pawn office of Henry Mass 107 Penn
 Row. while deponent inspected same
 goods in said store and said defendant
 was in said pawn office at said time
 and when deponent stopped down to pick
 up said bag he found said bag containing
 said property missing and said defen-
 dant gone. Deponent is informed
 by Thomas J. Gilhooly a police
 officer of the 4th precinct police that

of
 189
 Police Court

0233

POOR QUALITY
ORIGINAL

he arrested said defendant and found the
 following property which is a portion of the
 within described property, and the person
 of said defendant, which are as follows
 fully identified as being his 9 Gold and
 silver watches One gold chain, one
 pair of diamond earrings, One diamond
 stud One brooch 2 Pearl pins,
 20 Guinier pins and 1 knife. Dependent
 further says that said Gil Rooley informs
 him that he said Gil Rooley is informed
 by Dennis Gorman of 18 Cherry Street
 that on said day said defendant
 came to her premises of said with a
 bag and said to her that he had found the
 bag and lost the key and that he then took
 a knife and cut open said bag and took
 2 watches therefrom and gave them to her and
 told her to give one of said watches to her
 lady friend Mammie Sullivan living
 in said premises which she did, and
 said defendant gave her said earrings
 and left said premises that said Dennis
 then gave said watch and earrings to Thomas
 Sullivan the husband of said Mammie
 Sullivan and dependent further says
 that said Mammie Sullivan informed
 said Gil Rooley that she also gave the
 said watch to said Thomas Sullivan
 and told him to pawn the same.
 Dependent further says that he is informed
 by said Gil Rooley that he found the said
 bag in an ash barrel in the yard of
 18 Cherry which was cut and dependent
 fully identifies said bag as being his

0234

POOR QUALITY
ORIGINAL

and fully identifies said property
found on the person of said defen-
dant as being his "like charges"
said defendant with the
lacking of the same

Sworn to before me
this 15th day of May 1893
D. W. Reynolds
J. W. Reynolds
Police Justice

0235

POOR QUALITY
ORIGINAL

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 36 years, occupation Police Officer of No.

4th Precinct Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of David W. Reynolds

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

Sworn to before me, this

of 22nd day 189

Thomas A. Gichard
Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 26 years, occupation Housekeeper of No.

18th Precinct Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of David W. Reynolds

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

Sworn to before me, this

of 22nd day 189

James Gorman
Police Justice.

0236

POOR QUALITY
ORIGINAL

1921

CITY AND COUNTY } ss.
OF NEW YORK, }

aged 36 years, occupation Housekeeper of No.

18 Cherry Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Laura M. Reynolds

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

Sworn to before me, this 2 day of May, 1921, Mary Sullivan

[Signature] Police Justice.

0237

POOR QUALITY
ORIGINAL

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer.

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 guilty

George T. Smith

Taken before me this

day of *January* 188*2*
James H. Smith
Police Justice.

0238

POOR QUALITY
ORIGINAL

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

Police Court... District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Offense

Dated

189

Magistrate

Precinct

Witnesses

No. 1, by _____

No. 2, by _____

HOUSE OF DETENTION CASE.

No. 3, by _____

to inspect

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

Defendants
guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Twenty 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, May 12 189

I have admitted the above-named
to bail to answer by the undertaking hereto annexed.
Dated, _____ 189 _____ Police Justice.

There being no sufficient cause to believe the within named
guilty of the offense within mentioned, I order h to be discharged.
Dated, _____ 189 _____ Police Justice.

0239

POOR QUALITY
ORIGINAL

505

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 I. Smith

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

George I. Smith

of the CRIME OF GRAND LARCENY IN THE
as follows:

DEGREE, committed

The said

George I. Smith

late of the City of New York, in the County of New York aforesaid, on the *tenth*
day of *May* in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, with force and arms,
one bag of the value of two dollars,
seventeen watches of the value of
thirty-five dollars each, four earrings
of the value of seventy-five dollars
each, one finger-ring of the value of
fifty dollars, one stud of the value of
fifty dollars, one diamond brooch of
the value of one hundred dollars, two
scarf-pins of the value of ten dollars each,
one necklace of the value of fifty
dollars, one chain of the value of ten dollars
and one knife of the value of one dollar,
of the goods, chattels and personal property of one *David M. Reynolds*

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.

0240

POOR QUALITY
ORIGINAL

SECOND COUNT—

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

George I. Smith
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

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

*the same goods, chattels and
personal property described in
the first count of this indictment*

David M. Reynolds
of the goods, chattels and personal property of one

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

David M. Reynolds
unlawfully and unjustly did feloniously receive and have; the said

George I. 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.

DE LANCEY NICOLL,

District Attorney.

0241

BOX:

523

FOLDER:

4762

DESCRIPTION:

Smith, Henry

DATE:

05/09/93



4762

0242

POOR QUALITY
ORIGINAL

Witnesses:

Officer Graham

I appearing in this case
that defendant is a man
of previous good character
also that value of property
was small & that restitu-
tion was made, I feel
that the ends of justice
will be served by accept-
ing the plea of petit larceny,
which the defendant offers.

Respectfully

Thos. Mauley

Deputy Ass. Dist. Atty.

Part I May 10/93.

Counsel,

Filed

Pleads,

100 X
day of May 1893

THE PEOPLE

vs.

Henry Smith

Grand Larceny, [Sections 828, 829, Penal Code.]
Degree.

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Chas. J. Smith

Foreman.

May 10/93

Handwritten signature

Pen 6 months

0243

POOR QUALITY
ORIGINAL

(1365)

Police Court—H District.

Affidavit—Larceny.

City and County } ss.
of New York,

of No.

Henry Ferguson
302 W 55 St Street, aged 35 years,

occupation

Triller digger

being duly sworn,

deposes and says, that on the

4

day of

May

189

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 Vest and one pair of
Pantaloons, value about \$30.00

the property of

Deprment

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

Henry Smith; from thefact; that said property was hanging
in a closet; in a room in the said
premises; deponent missed said
property; and the said defendant
subsequently gave deponent a pawn
ticket representing the same.Said defendant after
being informed of his rights; confesses
in open Court; with shame taken
and stolen said property.Robert FergusonSubscribed to before me, this
day of May 189

Notary Public

0244

**POOR QUALITY
ORIGINAL**

Sec. 198—200.

 1882
 District Police Court.

City and County of New York, ss.:

Henry 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.

Henry Smith

Question. How old are you?

Answer.

34 years

Question. Where were you born?

Answer.

New York

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

Answer.

352 N 5th St. 3 weeks

Question. What is your business or profession?

Answer.

Driver.

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**Henry Smith*

Taken before me this
 day of *March* 189*9*
W. H. C. C.
 Police Justice.

0245

POOR QUALITY
ORIGINAL

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

Police Court... District.

503

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry C. Jackson
632 W. 45th St.
New York City

Offense

arson

Dated, May 10 1893

Magistrate

Officer

22- Precinct

Witnesses

No. Street

No. Street

No. Street

No. Street

No. Street

No. Street

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

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, May 10 1893, Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

0246

POOR QUALITY
ORIGINAL

505

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Henry Smith

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

Henry Smith

of the CRIME OF GRAND LARCENY IN THE
as follows:

second

DEGREE, committed

The said

Henry Smith

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

*one vest of the value of
fifteen dollars, and one pair of
trousers of the value of
fifteen dollars*

of the goods, chattels and personal property of one

Robert Ferguson

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

*De Lancey Nicoll
District Attorney.*

0247

BOX:

523

FOLDER:

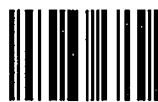
4762

DESCRIPTION:

Smith, Henry E.

DATE:

05/25/93



4762

0248

POOR QUALITY
ORIGINAL

353 *J. Gaynell*

Counsel, *W. H. Gaynell*
Filed, *21st* day of *May* 1893
Pleads, *Not Guilty*

INJURY TO PROPERTY.
[Section 654, Penal Code.]

THE PEOPLE

vs.

73

Henry E. Smith

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Chas. F. Smith

Foreman.

Pat 2. May 31 1893

*Bail discharged
on accom. of *Pat. 2. May 31 1893*
indict. dis. *P.B. May 22 1894**

Witnesses:

Lois Chipot

*I come in the report of
line of that stone and accom-
ments the discharges of debt and
his own recognizing and
May 29 93. *Lois Chipot*
*ada.**

Jan 22 1894
*I accompany the *Lois Chipot*
of this indictment. I am
informed by *Lois* who family
had charge of the case *Lois*
my attention to *Lois* that
there is no possibility of
conviction. This being so, I
do not think the indictment
should longer be held over
the accused.*

Lois Chipot
Pat. 2. May 31 1893

0249

POOR QUALITY
ORIGINAL

353 *Chapman*

Counsel, *W. H. May*
Filed, *21st* day of *May* 1893
Pleads, *Not guilty*

THE PEOPLE

vs.

INJURY TO PROPERTY.
[Section 654, Penal Code.]

13

Henry E. Smith

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Chas. F. Johnson

Foreman.

Part 3, May 31 93

*Bail discharged
in accm. of dist. atty.
indict. dis. P.S. M. J.
May 22/94*

Witnesses:

Louis Chapot

*I am in the respondent
line of that done and accom-
panied the discharge of defendant
his own recognition and
May 29.93. *Robert B. M. J.*
*ada.**

May 22. 1894

*I accompanied the respondent
of this district. I am
informed by those who formerly
had charge of the case, that
my position is correct, that
there is no possibility of
conviction. This being so, I
do not think the district
should have been held over
the second.*

*Robert B. M. J.
Dist. Atty.*

0250

POOR QUALITY
ORIGINAL

Court of General Sessions
City & County of New York.

The People
vs.
Henry E. Smith
Defendant

Having examined into this case with great care I find that a civil action was brought on or about May 18th 1893 by the Complainant against the Defendant and one Edward Jaccard Jr. Grand to dissolve the Partnership evidenced by the instrument destroyed by Defendant.

Also for a sale and distributions of the assets of the firm that after a hearing, the complaint was dismissed on the merits the Judge finding as matter of fact that on or about April 16th 1893 the said copartnership was dissolved by mutual consent of all the parties, that Defendant fully accounted for and settled with the plaintiff for all his interest in the business.

0251

POOR QUALITY
ORIGINAL

or its effects" And as matter
of Law "That the dissolution
of the Co-partnership was valid
and that the complaint should
be dismissed." This being true
the instrument destroyed was
of no value to the plaintiff.

I recommend the discharge
of defendant on his own
recognizance

May 29. 91

James W. Osborne
Deputy Asst Dist Atty

0252

POOR QUALITY
ORIGINAL

The Court of General Sessions

The People

vs.

Henry C. Smith

REPORT.

For the District Attorney.

Dated May 27 1893

James W. Moore Assistant
Deputy

0253

POOR QUALITY
ORIGINAL

The Court of General Sessions

The People

vs.

Henry C. Smith

REPORT.

For the District Attorney.

Dated *May 27* 18*93*

James W. Moore Assistant
Deputy

0254

POOR QUALITY
ORIGINAL

Police Court, District.

City and County } ss.
of New York,

Louis Chipot

of No. 131 Park Street, aged 21 years,

occupation salesman being duly sworn, deposes and says,

that on the 16th day of April 1893, at the City of New

York, in the County of New York, one Henry E. Smith at No.

23 East 14th Street New York City unlawfully and willfully destroyed property of deponent viz. a certain copartnership agreement in writing then belonging to this deponent; that said Smith got possession thereof on a false pretence that was made by one Isaacard, who was an associate of said Smith, that said Smith wanted merely to see said copartnership agreement to make some little correction therein and when deponent handed the same to said Isaacard for that purpose he immediately handed the same over to said Smith who then immediately tore the same in small pieces and utterly destroyed the same and also the other two copies thereof held by said Isaacard and Smith.

That said copartnership agreement so destroyed by said Smith consisted of a written instrument being an evidence of debt or obligation and creating a demand right or obligation remaining unsatisfied and was of great value deponent having contributed on the strength thereof a large amount of money and property of the value of at least \$200.

That on May 17th 1893 I said Smith stated in the presence and hearing of this deponent at No. 231 West 18th Street this City that he said Smith was going on a steamer for Europe this week and deponent

0255

POOR QUALITY
ORIGINAL

richly believed that said Smith intends to do so.

Sworn before me this 19th day of May 1893

James M. Mathis
Police Justice

I have admitted the above named _____
to bail to answer by the undertaking hereto annexed.
Dated _____ 1888
Police Justice.

I have admitted the above named _____
to bail to answer the sum of _____
Hundred Dollars, _____
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of _____
Prison of the City of New York, until he give such bail.
Dated _____ 1888
Police Justice.

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

Police Court-- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

1.
2.
3.
4.

Offence,

Dated _____ 1888

Magistrate.

Officer.

Clerk.

Witnesses,

No. _____ Street,

No. _____ Street,

No. _____ Street.

\$ _____ to answer _____ Sessions

0256

POOR QUALITY
ORIGINAL

Sec. 151.

Police Court _____ 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 any Marshal or Policeman of the City of New York:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by *John A. Baker* of No. *31 Bank* Street, that on the *16* day of *May* 188*8* at the City of New York, in the County of New York, the following article to wit:

An article of Copartnership
 of the value of *Two Hundred* Dollars,
 the property of *Our Plaintiff & partners*
 w*as* taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by *Henry C. Smith*

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

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

Dated at the City of New York, this *19* day of *May* 188*8*

Michael Norton POLICE JUSTICE.

0257

POOR QUALITY
ORIGINAL

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated 188

Magistrate

McCarthy & Cuff Officer. &c.

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.

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

0258

POOR QUALITY
ORIGINAL

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty and
I held demand a trial by Jury*

Henry C. Smith

Taken before me this

day of

1882

Police Justice.

**POOR QUALITY
ORIGINAL**

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 Alfreda

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Two 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, May 10 1893 J. M. [Signature] Police Justice.

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

Dated, Nov 24 1893 H. Williams Police Justice.

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

Dated,.....189.....*Police Justice.*

0260

POOR QUALITY
ORIGINAL

At an Equity Term of the Superior Court,
of the City of New York, held in the
Court House, New York City, on May
25th, 1893.

PRESENT:

Hon. David McAdam,
Justice.

Louis Chipos,

-vs-

Henry E. Smith & Edward Jaccard Du
Grand.

This action having been duly tried before Mr. Justice David McAdam, and the Court having made findings and conclusions of law, and directed a verdict to be entered in favor of the defendants, it is on motion of ROESCH & FENNEL, attorneys for the defendants,

O R D E R E D, that the complaint in this action be and the same is hereby dismissed on the merits with costs.

Edward Jaccard

0261

POOR QUALITY
ORIGINAL

At an Equity Term of the Superior Court,
of the City of New York, held in the
Court House, New York City, on May
25th, 1893.

PRESENT:

Hon. David McAdam,

J u s t i c e.

Louis Chipot,

-vs-

Henry E. Smith & Edward Jaccard Du
Grand.

This action having been duly tried before Mr. Jus-
tice David McAdam, and the Court having made findings and
conclusions of law, and directed a verdict to be entered
in favor of the defendants, it is on motion of ROESCH &
FENNEL, attorneys for the defendants,

O R D E R E D, that the complaint in this
action be and the same is hereby dismissed on the merits
with costs.

Edw. J. J.

0262

POOR QUALITY
ORIGINAL

Superior Court

Louis C. Haupt

against

Henry E. Smith
et al.

Devere
Gardner

Roesch - Daniel
Depts atty
280 Broadway
N.Y.

0263

POOR QUALITY
ORIGINAL

SUPERIOR COURT,
of the City of New York.

Louis Chipot,

-against-

Henry E. Smith and Edward Jaccard
Du Grand.

FINDINGS OF FACT & CONCLUSIONS OF LAW.

The issues in this action having been brought to trial before Hon. David McAdam, a Justice of this Court, and the proofs having been duly submitted; the said Justice makes the following findings of fact:

I. On or about March 8th, 1893, the plaintiff and defendants became co-partners in business in the City of New York, and the various parties made the contributions and formed the conditions of the co-partnership agreement.

II. On or about April 16th., 1893, the said co-partnership was dissolved by mutual consent of all the parties, the *plaintiff* *voluntarily* *fully* *acquiesced* *for* *was* *settled* *with* *the* *plaintiff* *for* *all* *his* *interest* *in* *the* *business* *or* *its* *effect*

CONCLUSIONS OF LAW.

I. That the dissolution of the co-partnership was valid and that the complaint of the plaintiff should be dismissed on the merits, and I direct judgment to be

0264

POOR QUALITY
ORIGINAL

SUPERIOR COURT,
of the City of New York.

Louis Chipot,

-against-

Henry E. Smith and Edward Jaccard
Du Grand.

FINDINGS OF FACT & CONCLUSIONS OF LAW.

The issues in this action having been brought to trial before Hon. David McAdam, a Justice of this Court, and the proofs having been duly submitted; the said Justice makes the following findings of fact:

I. On or about March 8th, 1893, the plaintiff and defendants became co-partners in business in the City of New York, and the various parties made the contributions and formed the conditions of the co-partnership agreement.

II. On or about April 16th., 1893, the said co-partnership was dissolved by mutual consent of all the parties. *The co-partnership was fully accounted for and settled with the plaintiff for all his interest in the business or its effects.*

CONCLUSIONS OF LAW.

I. That the dissolution of the co-partnership was valid and that the complaint of the plaintiff should be dismissed on the merits, and I direct judgment to be

0265

POOR QUALITY
ORIGINAL

entered accordingly.

W. S. W.

24/93

James Keenan

J. C.

0266

POOR QUALITY
ORIGINAL

entered accordingly.

Mon, 24.93

David Keaton

AC

0267

POOR QUALITY
ORIGINAL

Subscribed

Louis, Chipot

against

George E. Smith
et. al.

Fidelity of fact & con-
clusions of law.

Presch & Fennel
Depts at top
280 Broadway,
N.Y.

0268

POOR QUALITY
ORIGINAL

Fol.1 SUPERIOR COURT
of the City of New York.

-----x
:
LOUIS CHIPOT,
:
against
:
HENRY E. SMITH and EDWARD JAC-
CARD DU GRAND.
:
-----x

2 It appearing to my satisfaction by the complaint
herein verified the 13th day of May, 1903, and by the af-
fidavit of Louis Chipot, the plaintiff herein, verified
May 13th, 1903, that the plaintiff demands and is entitled
to a judgment against the defendants dissolving pursuant to
law, the copartnership existing between plaintiff and said
defendants, and for a sale and distribution of the assets
of said copartnership business, and restraining the com-
mission of the acts hereinafter enjoined, namely the med-
dling or interfering with the assets of said firm by said
defendant, and that the commission or continuance of the
said acts during the pendency of the action would produce
injury to the plaintiff, and it appearing by said affidavit
that the defendants are doing and during the pendency of
the action are likely to do, procure or suffer to be done,
3 or are about to do acts in violation of plaintiff's rights
respecting the subject of the action, and tending to ren-
der the judgment ineffectual by disposing of and putting
beyond the reach of this Court, the assets of said copart-
nership business

And the plaintiff having duly given an undertaking

0269

POOR QUALITY
ORIGINAL

it is

ORDERED, that the defendants Henry E. Smith and Edward Jaccard on Grand and each of them, and their agents, attorneys and servants each of them are hereby enjoined and restrained until the further order of the Court from in any manner disposing of or meddling or interfering with the property, goods and chattels, effects, books and book accounts, or other assets of the copartnership business referred to in the said complaint and affidavit carried on at No. 133 East 14th Street, New York.

And let the said defendants show cause before me or one of the justices of this Court, at a Special Term thereof, to be held at Chambers at the County Court House in the City of New York, on the 20th day of May, 1893, at 10 o'clock in the forenoon, or as soon thereafter as counsel can be heard, why this injunction should not be continued during the pendency of this action, and until the final determination thereof, and also why a receiver should not be appointed herein of all the property, goods chattels, effects, books and book accounts, and other assets of said Firm of Smith, Jaccard & Co., composed of the plaintiff and said defendants, to take charge of the same, and keep or dispose of the same pursuant to any judgment which may be rendered herein, with the usual power and directions in such cases.

Let service of this order and the accompanying papers be made on said defendant on or before May 18, 1893.
Dated, New York, May 18, 1893.

David C. W. Adams
J. S. C.

0270

POOR QUALITY
ORIGINAL

No. 1 SUPERIOR COURT
of the City of New York.

LOUIS CHIPOT,

against

HENRY E. SMITH and EDWARD JAC-
CARD DU GRAND.

City and County of New York ss:

Louis Chipot, being duly sworn says;
he is the plaintiff in this action, and resides at No. 131
Park Street in the City of New York.

2 That heretofore and on the 8th day of March, 1893, this
deponent and said defendants above named entered into a
copartnership and became copartners together at the City of
New York, in the business of vending, selling and repairing
musical instruments and other merchandise, including watch-
makers tools and other implements, with their place of bus-
iness at No. 123 East 14th Street in the City of New York;
that an agreement in writing, setting forth the terms and
conditions of such copartnership was on or about March 11,
1893, duly signed, executed and delivered by and between
3 this deponent and said defendants, wherein and whereby it
was mutually agreed between them that such copartnership
was to continue between them for the space of one year from
said 8th day of March, 1893; that said defendants were
to contribute to said copartnership the stock of merchan-
dise they then had on hand in said place, where they had
previously been and were then carrying on business, which

0271

POOR QUALITY
ORIGINAL

stock was of the estimated value of about \$800. and also in addition thereto each of them the sum of \$200., and this deponent was to contribute to said copartnership stock and merchandise of the estimated value of \$540.00 which this deponent then had on hand and which was also in said place, subject to the disposal of this deponent, and the said parties did contribute respectively to said copartnership the aforesaid merchandise and moneys and did from and after said 8th day of March 1903, and up to and until the time hereinafter mentioned carry on such copartnership business at said place.

That it was further agreed by and between deponent and said defendants and expressed in said written agreement of copartnership that each of said copartners should devote his whole time and services to the said copartnership business and that each of said copartners should, during said year draw for his own personal use from said business the sum of \$6. per week; and that all profits and losses in said business should be shared and borne between them, share and share alike.

That before the execution and delivery of said copartnership agreement an inventory of the stock and merchandise on hand in said place was taken and entered in the books of said copartnership and regular books of account for the use of said copartnership were purchased and opened and a large number of business cards of said firm were procured to be printed by said defendants, one of which is hereto annexed, marked "A".

That not quite six weeks after the said copartner-

0272

POOR QUALITY
ORIGINAL

ship was so entered into and on the morning of April 26th, 1895, this deponent and said defendants then being at said place of business of said copartnership at No. 23 East 14th Street, this City, said defendant Jaccard Du Grand asked this deponent to bring him deponent's copartnership paper, (three copies of the same having been made executed and delivered by all of the parties hereto and one copy thereof delivered to each at the time heretofore mentioned), that Mr Smith had forgotten something which he ought to have put in it and this deponent not suspecting anything wrong in such request, thereupon produced his copy of said copartnership agreement and handed the same to said defendant Jaccard Du Grand, who immediately handed the same to said defendant Smith, and said Smith thereupon immediately in deponent's presence tore deponent's said copy of said copartnership agreement, together with the two other copies thereof belonging to said Smith and Jaccard Du Grand into small pieces and threw the same away; that neither said defendant Jaccard Du Grand nor said Smith had given deponent any intimation whatever that they desired to terminate said copartnership, but that they desired to destroy said copartnership agreements and said Smith after getting deponent's said agreement tore the same in pieces so suddenly and quickly that deponent was taken completely by surprise and had no time nor opportunity to prevent said Smith from so destroying said agreement, and that the same was so destroyed by said defendant without the consent and against the will of this deponent and in fraud of his rights as such copartner, and this deponent avers and verily believes

7

3 copies
made one

8

BJJ do not
understand

9

We will use
the same

Agreed
with
consent

0273

POOR QUALITY
ORIGINAL

that the same was so destroyed pursuant to a wrongful and corrupt agreement and understanding between said defendants that they would get possession of the same from this deponent by trick and device and then destroy the written evidence of such copartnership agreement.

That after so destroying said copartnership agreement said defendants excluded this deponent from said copartnership business and demanded and insisted that deponent should immediately leave said premises where said business was carried on and threatened deponent with bodily harm if he did not at once leave said place of business, and by reason of menaces and threats compelled deponent to leave in said place and give up to said defendants merchandise which deponent had brought there of the value of \$35.00, said defendants falsely pretending that the business had lost \$770.00 during the time deponent had been a partner therein, although they would not allow deponent to see the books of said business, and said defendant Smith had only a short time before told deponent that they had made \$200.00 in repairing work in the six preceding weeks.

That deponent put into said business merchandise consisting of tools and implements of the value of \$520.00 of which sales were made during the time from March 8th, 1893 to April 16th, 1893, and turned in to said business and received by said defendants amounting to \$100 00/100 and merchandise of the value of \$55 00/100 besides devoting all his time to said business during that period and that all deponent received from said business during said time was the said sum of \$6 00/ per week, amounting to

Deponent
declined to
sign
10

He did not
Hain
11

5

11
W. H. H.
\$770
Prop 900

12

0274

POOR QUALITY
ORIGINAL

W. J. Smith
10/1/12
10/1/12

\$36⁰⁰/100 and the sum of \$20¹²/ for paying customs duties on merchandise imported by deponent, and the balance of his merchandise left after defendants had obtained what they required and appropriated thereof as aforesaid.

13

That said defendants after so wrongfully excluding deponent from said copartnership business continued to carry on and ever since have been and are now carrying on said business in utter disregard of deponent's rights therein.

That said defendant Smith is about to go to England and deponent fears that said defendants may dispose of all the assets of said business thus leaving deponent without any remedy for the wrongs so perpetrated upon him by said defendants.

14

That deponent is about to commence an action in this Court upon the annexed summons and complaint for the winding up of said copartnership business and for an accounting and to recover damages against said defendants for the loss and damages sustained by deponent by reason of their breach of said contract and their wrongful and illegal acts in the premises.

15

And deponent prays that said defendants and each of them may be enjoined and restrained from disposing of the assets of said business or in any wise interfering with the same during the pendency of this action, or until the further order of the Court in the premises and that a receiver of such assets and of said business be appointed to take charge of the same during the pendency of this action.

That unless said defendants are enjoined and restrained from disposing of said business and the assets thereof during the pendency of this action this deponent

A

0275

POOR QUALITY
ORIGINAL

as he avers and verily believes will suffer great and irreparable loss and injury, said defendants being as he is informed and believes peculiarly irresponsible.

10 That the said acts of defendants herein complained of and their continued possession and control of said business to the exclusion of this deponent are in violation of deponent's rights respecting the subject of this action and tend to render a judgment herein ineffectual.

This deponent therefore applies for an order to show cause why such an injunction order as herein prayed for should not be made herein and why a receiver should not be appointed of said business and the assets thereof, and enjoining said defendants and each of them from disposing of or interfering with the assets of said business until the hearing and decision of such application.

That no previous application has been made for such an order to any Court or Judge.

Sworn to before me this }
18th day of May, 1906. }

Wm Winkler

Henry D. ...

New York County

H. E. SMITH.

ED. JACCARD DU GRAND.

L. CHIPOT.

SMITH, JACCARD & CO.,

IMPORTERS OF

Musical Boxes & Watchmakers' Tools,

23 EAST 14TH STREET,

NEW YORK.

*Repairing for the Trade; Clocks, Metronomes & Mechanical Figures adjusted.
Manufacturing and Repairing of all kinds of Fans a Specialty.*

0276

POOR QUALITY
ORIGINAL

as he avers and verily believes will suffer great and irreparable loss and injury, said defendants being as he is informed and believes pecuniarily irresponsible.

10

That the said acts of defendants herein complained of and their continued possession and control of said business to the exclusion of this deponent are in violation of deponent's rights respecting the subject of this action and tend to render a judgment herein ineffectual.

This deponent therefore applies for an order to show cause why such an injunction order as herein prayed for should not be made herein and why a receiver should not be appointed of said business and the assets thereof, and enjoining said defendants and each of them from disposing of or interfering with the assets of said business until the hearing and decision of such application.

That no previous application has been made for such an order to any Court or Judge.

Sworn to before me this)
18th day of May, 1898.)

John Chipot

Wm. M. Van Kersen

Notary Public

New York County

H. E. SMITH.

ED. JACCARD DU GRAND.

L. CHIPOT.

SMITH, JACCARD & CO.,
IMPORTERS OF

Musical Boxes & Watchmakers' Tools,

23 EAST 14TH STREET,

NEW YORK.

*Repairing for the Trade; Clocks, Metronomes & Mechanical Figures adjusted.
Manufacturing and Repairing of all kinds of Fans a Specialty.*

0277

POOR QUALITY
ORIGINAL

Please take notice, that the within is a copy
of _____ this day duly entered
and filed in the office of the clerk of the
_____ in the within

entitled action.

Dated N. Y. City, _____ 189

Yours, &c.,

A. J. SKINNER,

Attorney for

111 BROADWAY, N. Y. CITY

To

City
Administrative Complaint
affidavits and subpoenas
not containing order
to show cause
by respondent
A. J. SKINNER

ATTORNEY FOR

Plaintiff

111 Broadway,

NEW YORK CITY.

Rooms 2476-77

To

Nery C. Smith
of New York.

29 Each 1/4 D. 1/4

0278

POOR QUALITY
ORIGINAL

Please to take notice, that the within is a copy
of _____ this day duly entered
and filed in the office of the clerk of the
_____ in the within
entitled action.

Dated N. Y. City, _____ 189

Yours, &c.,

A. J. SKINNER,
Attorney for

111 BROADWAY, N. Y. CITY.

To

Superior Court.

Louis Chiffoleau

Plaintiff

against

Henry C. Smith
David

Defendant

*Copy furnished to Comptroller
of Accounts and Supervisor
of the Controlling Office
for the New York City
Department of Public Works
by A. J. SKINNER,*

ATTORNEY FOR

Plaintiff

111 Broadway,
NEW YORK CITY.

ROOMS 444-446-448

To

Henry C. Smith
of the Court.

23 Each 4.50

Just entered

May 23. 4 P.M.

Sup

0279

POOR QUALITY
ORIGINAL

Please to take notice, that the within is a copy
of _____ this day duly entered
and filed in the office of the clerk of the
_____ in the within
entitled action.

Dated N. Y. City, _____ 189

Yours, &c.,

A. J. SKINNER,
Attorney for

111 BROADWAY, N. Y. CITY.

To

Superior Court.

Louis Chisolm

Plaintiff

against

Henry C. Smith & Co

Defendant

*By _____
Affidavit and undersigned
via returning note
to show cause
why execution should not be
granted. A. J. SKINNER,*

ATTORNEY FOR
Plaintiff
111 Broadway,
NEW YORK CITY.

ROOMS 2ND FLOOR
#45-46-47

To
Henry C. Smith & Co
of Edward Court

23 East 14th St.

*Just entered
May 22. 1890*

Copy

0280

POOR QUALITY ORIGINAL

Court of General Sessions of the Peace

517

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Henry R. Smith

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

Henry R. Smith

of the CRIME OF UNLAWFULLY AND WILFULLY *destruction of* PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said *Henry R. Smith*,

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

written instrument and evidence of contract,
to wit: a certain copartnership agreement

between the said Henry R. Smith, Denis Christ and one Gerard (whose Christian name is to the Grand Jury unknown) a more particular description of which said copartnership agreement is to the Grand Jury unknown of the value of *ten dollars*.

of the goods, chattels and personal property of ~~one~~ *the said Denis Christ*, then and there being, then and there ~~feloniously~~ did unlawfully and wilfully *steal*, *mutilate and destroy*:

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

De la Courville,
District Attorney

0281

BOX:

523

FOLDER:

4762

DESCRIPTION:

Smith, Jacob

DATE:

05/16/93



4762

0282

BOX:

523

FOLDER:

4762

DESCRIPTION:

George, John

DATE:

05/16/93



4762

0283

A. J. Kaplan
 Thomas Donoherty
 Morris Rodsky
 Fritz Burke

Dear Sir
 I am George
 202 Madison St
 George Speiser
 106 Madison
 St.

A TRUE BILL.

Chas. J. Smith!
Foreman.
North May 17/92
Send Chas. J. Smith
Box 1. 24 Apr. 1892
Box 2. 24 Apr. 1892
May 19/93

0284

POOR QUALITY
ORIGINALPolice Court Fourth District.1912
Affidavit—Larceny.City and County } ss.
of New York,of No. 206 York 56 Stable Street, aged 32 years.occupation being duly sworn,deposes and says, that on the 12 day of May 1893 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in day time, the following property, viz:

One Horse, One Wagon and
 One set of Harness all of
 the value of about one
 hundred and fifty Dollars
 (\$150.00)

the property of

deponent

and that this deponent

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

Jacob Smith and John George
 (both now here) while acting in concert,
 upon the following facts, to wit: That
 deponent is informed by Morris Rysker
 who is employed by deponent as a foreman,
 that on the aforesaid day both of said defendants
 came to him Rysker and hired the said
 horse and wagon to use for one day
 promising to return the same that evening.

Deponent further says that he is
 informed by John Burke, that said
 defendants offered to sell the said
 property to him, Burke, for the sum of
 sixty Dollars and while said defendants
 were discussing with him, Burke, as

Sworn to before me, this
 189 }
 at
 Justice.

0285

POOR QUALITY
ORIGINAL

to the price that should be paid
 them, the defendants, by Wm. Burke,
 for the aforesaid property said
 defendants were apprehended.
 Separate therefore charges both
 of said defendants, while acting in concert,
 with having attempted to commit
 said larceny and asks that they
 may be dealt with as the law
 directs.

Sworn to before me
 this 13th day of May 1893

Abner J. Kaplan

Wm. Mead
 Police Justice

0287.

POOR QUALITY
ORIGINAL

1377

CITY AND COUNTY }
OF NEW YORK, } ss.aged 30 years, occupation Morris Rezskey of No.44 Allen Street being duly sworn, deposes andsays, that he has heard read the foregoing affidavit of Abby J. Kaplan

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

Sworn to before me, this

day of

13

May 1893

Morris Rezskey
Mark[Signature]

Police Justice.

1377

CITY AND COUNTY }
OF NEW YORK, } ss.aged 30 years, occupation John Burke of No.431 East 76 Street, being duly sworn, deposes andsays, that he has heard read the foregoing affidavit of Abby J. Kaplan

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

Sworn to before me, this

day of

13

May 1893

John Burke[Signature]

Police Justice.

0288

POOR QUALITY
ORIGINAL

Sec. 198-200.

4
District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

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

Question. What is your name?

Answer.

Jacob Smith

Question. How old are you?

Answer.

33 years

Question. Where were you born?

Answer

W.D.

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

Answer.

N^o 136 Ridge Street + Brownhollow Ave

Question. What is your business or profession?

Answer.

Peddler

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

Answer.

I am not guilty.

Jacob Smith

Taken before me this

day of

189

Charles J. [Signature]
Police Justice

0289

POOR QUALITY
ORIGINAL

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *John George*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *W.D.*

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

Answer. *No. 202 Madison Street and about 3 years*

Question. What is your business or profession?

Answer. *Embroiderer*

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

Answer. *I am not guilty.*

John George

Taken before me this
day of *March*
189*7*

Police Justice.

0290

POOR QUALITY
ORIGINAL

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

Police Court--- District.

531

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Arthur J. McPherson
246 E. 56 St.
Grand
Larceny

Offence

Dated

May 13 1893
Mack
Magistrate.

James T. Miller
Officer.

Call the Police 95
Precinct.

Witnesses

No.

44 Allen
Street.

No.

John Parker
Street.

No.

431 West 76
Street.

No.

Theresa Murphy
Street.

No.

500 West 74
Street.

\$

1000 to answer 500
to answer 500

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

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

Dated May 13 1893 Arthur J. McPherson 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.

0291

POOR QUALITY
ORIGINAL

PART I.

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK.
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.
[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

Josee Rorndas Puyk
SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York.

To *Saml E. George*
of No. *202 Madison* Street,

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park in the City of New York, on the
MAY 1897 at 10.30 o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Jack Smith et al
Dated at the City of New York, the first Monday of MAY
in the year of our Lord, 1897

DE LANCEY NICOLL, District Attorney.

0292

POOR QUALITY
ORIGINAL

7-7 Madison

Moved
East Monday

15 May

Should the case not be called on for trial, and no reason assigned in Court, please inquire in the District Attorney's Office about it, and you may save time.
If inconvenient to remain, and you prefer another day, state this early to the District Attorney, in the Court.
If ill when served, please send timely word to the District Attorney's Office.
If you know of more testimony than was produced before the Magistrate, or if a fact which you think material was not there brought out, please state the same to the District Attorney or one of his Assistants.

0293

POOR QUALITY
ORIGINAL

505

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

THE PEOPLE OF THE STATE OF NEW YORK

against
Jacob Smith
and
John George

The Grand Jury of the City and County of New York, by this indictment, accuse
Jacob Smith and John George
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed
as follows:

The said *Jacob Smith and John George*, both
late of the City of New York, in the County of New York aforesaid, on the *twelfth*
day of *May* in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, with force and arms,

*one horse of the value of eighty
dollars, one wagon of the value
of fifty dollars, and one set
of harness of the value of
twenty dollars*

of the goods, chattels and personal property of one

Abbey J. Kaplan

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

De Lancey McCall
District Attorney

0294

BOX:

523

FOLDER:

4762

DESCRIPTION:

Smith, John

DATE:

05/08/93



4762

0295

**POOR QUALITY
ORIGINAL**

Counsel,
Filed
Pleads,

THE PEOPLE

vs.

John Smith

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Chas. J. Ambrose
Foreman.

Foreman.

Part 3. May 11/93.
Defk discharged on his
verbal recog.

Witnesses:
Thos. S. Rivett

After consultation with counsel
in within case I recommended
the discharge of left on his

5.12. recognizance.
 May 11. 93
 Factor
 18518
 200.

0296

POOR QUALITY
ORIGINALPolice Court— 5 District.City and County } ss.:
of New York,of No. 101 E. 86th Street, aged 27 years,
occupation Druggist. being duly sworndeposes and says, that the premises No. 101 E. 86th Street, 1st Ward
in the City and County aforesaid the said being a four story brickin part owned by F. H. Faltunick Drug Store
and which was occupied by deponent as a
and in which there was at the time a human being by name

were BURGLARIOUSLY entered by means of forcibly

prying the
lock off of the cellar door.on the 1 day of May 1898 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:Three boxes of Nestles food
together of the value of One 2000
Dollars.the property of F. H. Faltunick and in deponent
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 byJohn Smith (now here)

for the reasons following, to wit:

that- at about the hour of
3 o'clock P.M. said date. deponent found
said cellar door. broke as aforesaid. and
found this Defendant in said cellar. and
when he was searched in deponent's presence
said property, which deponent identifies as the
property of F. H. Faltunick was found in the
Defendant's possession.Wherefore deponent charges this Defendant.

0297

POOR QUALITY
ORIGINAL

with Burglary, entering said cell as aforesaid and stealing said property therefrom.

Sworn to before me } Thos. J. Rivette
this 1 day of May 1893 }

C. E. Sumner
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated _____ 188____ 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 mentioned, I order he to be discharged.
Dated _____ 188____ Police Justice.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

vs.

Offence—BURGLARY.

1.
2.
3.
4.

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses.

No.

Street,

No.

Street,

No.

Street,

\$ _____ to answer General Sessions.

0298

POOR QUALITY
ORIGINAL

Sec. 198—200.

5 District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I Am Not Guilty
John Smith

Taken before me this

day of 11/04/1891

Police Justice.

**POOR QUALITY
ORIGINAL**

Resilience:

Dated,.....*189*.....*Police Justice.*

0300

POOR QUALITY
ORIGINAL

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 *12th* Ward of the City of New York, in the County of New York, aforesaid, on the
first day of *May* in the year of our Lord one
thousand eight hundred and ninety-*three*, in the *day*-time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of
one *Frank N. Falckenreich*

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

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

0301

POOR QUALITY
ORIGINAL

SECOND COUNT—

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

John Smith

of the CRIME OF *Petit* LARCENY

committed as follows:

The said

John 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, in the *day* - time of said day, with force and arms,

*three boxes of Nestle's food
of the value of forty cents
Each box*

of the goods, chattels and personal property of one *Frank N. Falkenreich*

in the

store

of the said

Frank N. Falkenreich

there situate, then and there being found, in the *store* 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.

*De Lancey Nicoll
District Attorney*

0302

BOX:

523

FOLDER:

4762

DESCRIPTION:

Soper, George

DATE:

05/08/93



4762

0303

POOR QUALITY ORIGINAL

Counsel,
Filed
Pleads,
day of May 1893

Grand Larceny, second Degree.
[Sections 238, 239, Penal Code.]

THE PEOPLE

vs.
George Soper

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

John D. Smith
May 9/93
Foreman.
H. L. L.

Pen one year

Witnesses:
James Murray

Part 1 May 9 1893
As there is a question
as to the value of the
goods mentioned in
the indictment, I
recommend the
acceptance of a
jury of P.D.

H. D. Macdonald
Asst

0304

POOR QUALITY
ORIGINAL

1912

Police Court— District.

Affidavit—Larceny.

City and County {
of New York, } ss.

of No. 78 Charlton Street, aged 25 years,

occupation Draper being duly sworn,

deposes and says, that on the 29th day of April 1893 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:

40 Brass Steps
Being together of the value of

Twenty five Dollars

the property of

Deponent

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

George Papen (now here) for the reasons following to wit: On said day said property was on the stairs of the premises 57 Beach Street and deponent is informed by Ellen 911 Grath of 57 Beach Street that on said day defendant came to her and told her deponent told him to take up the said stairs and that he defendant took them away with him. Deponent further says that he never told said defendant to take said property and he charged him with the larceny thereof.

James Morrey

Sworn to before me this 1st day of May 1893

Police Justice.

0305

POOR QUALITY
ORIGINAL

CITY AND COUNTY } ss.
OF NEW YORK, }

1021

aged 58 years, occupation Housekeeper of No. 57 Beach Street, being duly sworn, deposes and

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

Sworn to before me, this 3d day of May 189 3

James M. M. M. M. Police Justice.

0306

POOR QUALITY
ORIGINAL

Sec. 198—200.

1883
District Police Court.

City and County of New York, ss:

George Soper 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} *h*; that the statement is designed to enable ^{him} *h*, if he see fit, to answer the charge and explain the facts alleged against ^{him} *h*; that he is at liberty to waive making a statement, and that ^{his} *h* waiver cannot be used against ^{him} *h* 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

George Soper.

Taken before me this

day of

189

at

Police Justice.

0308

POOR QUALITY
ORIGINAL

505

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 Soper

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

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

The said

George Soper

late of the City of New York, in the County of New York aforesaid, on the *29th*
day of *April* in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, with force and arms,

*forty brass steps of the value
of one dollar each*

of the goods, chattels and personal property of one

James Mooney

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

*De Lancy McCall
District Attorney*

0309

BOX:

523

FOLDER:

4762

DESCRIPTION:

Spenner, August

DATE:

05/25/93



4762

0310

POOR QUALITY
ORIGINAL

Witnesses:

Robert Gallagher

Counsel,

Filed, *25th* day of *May* 189*3*

Pleads,

THE PEOPLE

vs.

B

Augustus reiner

of the County of ... State of ...
Nov. 28, 1893

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Chas. J. ...
Foreman.

0311

**POOR QUALITY
ORIGINAL**

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

4380

THE PEOPLE OF THE STATE OF NEW YORK
against

August S. Penner

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

The said

August S. Penner

late of the City of New York, in the County of New York aforesaid, on the *fourteenth*
day of *May* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong
and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill
of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spiritu-
ous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one

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

SECOND COUNT—

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

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

The said

August S. Penner

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the
same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one
gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of
a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and
expose for sale to one

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

DE LANCEY NICOLL,
District Attorney.

03 12

BOX:

523

FOLDER:

4762

DESCRIPTION:

Spinetti, Francisco

DATE:

05/02/93



4762

**POOR QUALITY
ORIGINAL**

Counsel,

Counsel,

Filed

137

189

Pleads:

177

THE PEOPLE

20 July 2015

25

3.

Francis Shurtliff

—
—
—
—

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

DE L'ANCEY NICOLL.

District Attorney.

May 12, '93 Part 3.

A TRUE BILL.

Chas. F. Andrew

Figure 10.10

Part 3. May 12-93

Pleads ~~us~~ day

○

10/11/1911

0314

POOR QUALITY
ORIGINAL

Police Court— 2 District.

City and County { ss.:
of New York,

of No. 65 Mulberry Street, aged 34 years,
occupation laborer being duly sworn

deposes and says, that on the 5th day of March 1893 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Francisco
Antonio Pasce who fired a
shot from a loaded revolving
pistol, wounding deponent in the
left shoulder causing injuries
from which deponent has been
confined ⁱⁿ hospital treatment since
the said shooting, and the
said assault was

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

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

Sworn to before me, this 24 day }
of April 1893 } Domine

Li
+ Mayatth
Neue

John H. Woodis Police Justice.

0315

POOR QUALITY
ORIGINAL

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

Domina Magalotti

of No. *65 Mulberry* Street, being duly sworn, deposes and says,
that *Frances Spruelli* (now present) is the person of the name of

Frances Antonia Pierce mentioned in deponent's affidavit of the *28*

day of *April*, 189*7* hereunto annexed.

Sworn to before me, this *10*
day of *April* 189*7* }

Domina *Magalotti*
Heck

John P. Dooley POLICE JUSTICE.

0316

POOR QUALITY
ORIGINAL

Sec. 198—200.

1882
District Police Court.

City and County of New York, ss:

Maurice Spivack 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.

Maurice Spivack

Question. How old are you?

Answer.

30 years

Question. Where were you born?

Answer.

Italy

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

Answer.

Brooklyn N.Y.

Question. What is your business or profession?

Answer.

Lawyer

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.

From I do not know

the complainant and never

saw him before.

Maurice

+ Spivack

Taken before me this
day of *June* 189*3*

20

John W. Anderson
Police Justice.

0317

POOR QUALITY
ORIGINAL

Sec. 151.

Police Court..... District.

CITY AND COUNTY }
OF NEW YORK, } ss.

In the name of the People of the State of New York ; To the Sheriff of the County
of New York, or 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 *Domènec Magatella*

of No. *65 Mulberry* Street, that on the *3* day of *March*

188*7* at the City of New York, in the County of New York,

*he was feloniously
assaulted and shot by
Antonio Pesce*

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

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

Dated at the City of New York, this *24* day of *April* 188*7*

John R. Pouchis POLICE JUSTICE.

0318

POOR QUALITY
ORIGINAL

POLICE COURT.....DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-General.

Dated.....188

Magistrate.

James S. Briggs Officer. *cc*

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.

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

0319

POOR QUALITY
ORIGINAL

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

Police Court... 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Maytall
H. D.

James McLaughlin
Ala. J.

Francis Spinnelli

Offense

Assault

Dated,

April 30 1893

George

Magistrate.

James S. George
Officer.

Precinct.

Witnesses

Luigielli

House of Detention
Street

HOUSE OF DETENTION CASE.

No.

Street

No.

Street

\$ 1500

to answer

George

George

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

Francis Spinnelli

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, April 30 1893

John R. Spinnelli Police Justice.

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

Dated, _____ 189

Police Justice.

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

Dated, _____ 189

Police Justice.

0320

POOR QUALITY
ORIGINAL

300 MULBERRY ST.

New York, May 11th 1893

Vernon M. Davis Esq.

My Dear Sir.

I succeeded in serving two of the witnesses in the Spinetto case, after considerable trouble, and expense. Please have the case tried to-morrow Friday - 12th inst - without fail. These men come from King's Park L. I. 4 5 miles from here. They have to walk 5 miles from their work there to take the R. R. for here, over the sand, so you can see what trouble they have coming here. The principal witness, the other man who was shot at by the prisoner, will certainly be here. The case has

0321

POOR QUALITY
ORIGINAL

I understand from Mr Fray, been
put down for the 12th inst, and I
so subpoenaed the witnesses. I am
going down again to-day, to insure
their attendance here for to-morrow.

Respectfully.

A. Perazzo.

Det. Serg't.

**POOR QUALITY
ORIGINAL**

- - - - - x x
:
The People of the State of New York, :
:
 against : Before
 : James Fitzgerald,
 : and a jury.
Francesco Spinetti. :
:
- - - - - x

I am at present in the House of Detention. I have lived in Mulberry Street, but I don't know the number of the house. I know the defendant and have known him for 7 or 8 years. I am his brother in law. On the 5th. of March of this year I saw him at 114 Mulberry Street. I was in my room undressing myself to go to bed. I was taking off my coat and vest and while I was taking off my shoes he fired a shot at me. There were 15 or 16 other persons in the room at that time. Some of them are witnesses here today. When the defendant entered the room he told me to take off my shoes and while I was doing so he fired the shot at me. We had no words whatever, as I was going to bed to

0323

**POOR QUALITY
ORIGINAL**

2.

sleep. The defendant ran away but was caught by the police officers. I was taken down to the Chambers Street Hospital and I remained there for three days, but did not get well for a whole month. The same evening I reported the matter to the police.

Cross-examination:

I married the defendant's sister. I saw him run away after the shooting. I was sitting down on the side of the bed taking off my shoes at the time he pointed the revolver at me and fired. We had been drinking in the room that evening but I was not drunk. The defendant was not drunk either. I had been in a saloon downstairs during the earlier part of the evening, played several games of cards and drank two glasses of beer. During that time I had no quarrel whatever with the defendant. Neither of us was at all under the influence of liquor at the time of this shooting. The defendant slept in the same room with me.

BENJAMIN TESSARO, a witness for the People, sworn, testified:

I am a Detective Sergeant connected with the Central Office. I first heard of this assault about the 29th. of April. I went to Irvington, New York, and arrested the defendant who was at work along with about two hundred other Italians. At first the defendant didn't want to go with me. I asked him his name. He would not tell me. I told him what I wanted him for, and he said he was not the man. Then he would not come with me and I told

0324

**POOR QUALITY
ORIGINAL**

3.

him he would have to come anyhow. I put the handcuffs on him and brought him to New York. He told me he did not know why he was arrested; that he had done nothing whatever.

Cross-examination:

I spoke in Italian with the defendant. He speaks it the same as all of his class speak it. I have no interest in this case, except as an officer of the law.

FILLIPO TARELLO, a witness for the People, sworn, testified:

I know the complainant and I know the defendant. I was in the room at 114 Mulberry Street on the 25th. of March of this year when this shooting occurred. In company with the complainant and several of his friends I was in a saloon downstairs drinking. We were all friendly. Afterwards we went upstairs to sleep. When the complainant was undressing and taking off his shoes the defendant approached and spoke to him. The complainant answered: "Don't you see that I am undressing?" Then he said: "Take off your shoes and take off your stockings", and the complainant answered: "I have paid my board for this room, and you see that I am undressing". He then took up a revolver and fired a shot at him. Then he remained a few seconds in the middle of the room and ran away. I hid myself in the room when I heard the first shot. The complainant was struck by the first shot. Most of the other men ran out of the room.

0325

**POOR QUALITY
ORIGINAL**

4.

Cross-examination:

He went away after he fired the second shot. I do not know whether previous to the time of the shooting the complainant said anything to the defendant. We all went into the saloon between half past six and seven o'clock. The shooting occurred between nine and ten o'clock. We drank three or four glasses of beer together while we were in the saloon. I am not related in any way to the complainant or the defendant.

ANTONIO NAPOLI, a witness for the defendant, sworn, testified:

I know the defendant. In March of this year I was living at 114 Mulberry Street in the same rooms with him. I saw the defendant enter the rooms of the complainant on that night. I saw him fire one shot and afterwards fire a second shot. I think it was between 10 and 11 o'clock. I have not seen the defendant since the night of the shooting. He ran away.

Cross-examination:

I did not drink anything in the saloon. I could see the other men drinking, but I took no part in it myself.

The prisoner pleaded guilty to assault in the second degree.

0326

POOR QUALITY
ORIGINAL

Indictment filed May 2 - 1893

Grand Jury Session
Part III

The People

vs.

Francesco Spinetto

Abstract of testimony
in trial, New York,

May 12th 1893

0327

POOR QUALITY
ORIGINAL

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT.....DISTRICT.

CITY AND COUNTY }
OF NEW YORK, } ss.

Benjamin Lessor
of the *Central* Precinct Police, being duly sworn, deposes
and says that *Dominic Magette*

(now here) is a material witness for the people against
Thomas Spivey charged

with *Murder*. As deponent has
cause to fear that the said *Dominic Magette*

will not appear in court to testify when wanted, deponent prays
that the said *Dominic Magette* be

committed to the House of Detention in default of bail for his
appearance.

Benjamin Lessor

Sworn to before me, this *9th*
day of *June* 189*3*

John W. Anderson Police Justice.

0328

POOR QUALITY
ORIGINAL

473

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Francisco S. Sinelli

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

Francisco S. Sinelli

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

The said

Francisco S. Sinelli

late of the City of New York, in the County of New York aforesaid, on the *fifth* day of *March* in the year of our Lord one thousand eight hundred and ninety-*three*, with force and arms, at the City and County aforesaid, in and upon the body of one *Dominico Magazzello* in the peace of the said People then and there being, feloniously did make an assault and to, at and against *him* the said *Dominico Magazzello* a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said *Francisco S. Sinelli* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there shoot off and discharge with intent *him* the said *Dominico Magazzello* thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

Francisco S. Sinelli

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

The said

Francisco S. Sinelli

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *Dominico Magazzello* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against *him* the said *Dominico Magazzello* a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said

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

DE LANCEY NICOLL,

District Attorney.

0329

BOX:

523

FOLDER:

4762

DESCRIPTION:

Stang, Essie

DATE:

05/12/93



4762

0330

POOR QUALITY
ORIGINAL

Witnesses:

Reverend
Grace Callaghan
411 6th St.

Counsel,

Filed

189

Pleas,

THE PEOPLE

vs.

Essie Stang

Grand Larceny, (Sections 528, 529,
Penal Code.)

De LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Chas. J. Smith

May 16/93 Foreman.

Spred V. Foreman

*Mrs Foster will see that
she is received by the Court
May 24/93
Mary's Son suspended*

0331

POOR QUALITY
ORIGINAL

1912

Police Court—4 District.

Affidavit—Larceny.

City and County { ss.
of New York, }

of No. 220 East 78th Street, aged 28 years,
 occupation Physician being duly sworn,
 deposes and says, that on the 8 day of May 1898 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 _____ time, the following property, viz:

One diamond stud of the value
 of two hundred and seventy five ~~cents~~
 Dollars \$275=

Sworn to before me, this _____ day
 of _____ 1898

 Justice of the Peace

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 Essie Stang and Kate Dwyer
 (both now here who were acting in concert
 one with the other) for the reason that on
 said date deponent missed the said stud
 from his neck tie then in his premises as
 aforesaid. Both defendants were in deponent's employ
 as servants. Deponent is informed by Officer
 Patrick O'Donnell of the 25th Precinct that
 the defendant Essie Stang admitted to him
 that she did take the said stud and gave it
 to the defendant Dwyer. Wherefore deponent
 charges both defendants with larceny.

Abraham Korn

0332

POOR QUALITY
ORIGINAL

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 32 years, occupation Policeman of No.

25th Precinct

Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Abraham Korn

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

Sworn to before me, this

8

day

Patrick O'Donnell

of

May

189

3

William J. [Signature]
Police Justice.

0333

POOR QUALITY
ORIGINAL

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

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

Question. What is your name?

Answer.

Kate Dwyer

Question. How old are you?

Answer.

29 years

Question. Where were you born?

Answer.

New York

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

Answer.

235 East 73rd Street. 2 Weeks

Question. What is your business or profession?

Answer.

Domestic

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

Kate Dwyer

Taken before me this

day of

Month

189

at

City

State

County

Police

Justice

0334

POOR QUALITY
ORIGINAL

Sec. 198-200.

2/ District Police Court.

CITY AND COUNTY
OF NEW YORK, ss:

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

Question. What is your name?

Answer. *Essie Stang*

Question. How old are you?

Answer. *16 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *411 East 87th Street. 6 Months*

Question. What is your business or profession?

Answer. *Nurse*

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 took the pin and showed it to Kate Dwyer and she said it belonged to her and I gave it to her Essie Stang*

Taken before me this

day of *June* 189*3*

William A. L.
Police Justice.

0335

POOR QUALITY
ORIGINAL

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

166 517
Police Court--- District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

Abraham Kent
220 E 78 St
1 Isaac Strong
2 Matt Murphy
Offence Larceny
Fidelity

Dated May 8 1893
Macle Magistrate.

O'Donnell Officer.

Witnesses
Robert O'Donnell
2826 Avenue Street.

No. 1
1147 1/2 Ave Street.
No. 2
126 E 74 St Street.

No. 3
1147 1/2 Ave Street.
No. 4
126 E 74 St 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.....

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.....188..... Police Justice.

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

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

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

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

0336

POOR QUALITY
ORIGINAL

and utterly indifferent
seemingly to what becomes
of her. For myself, I should
give you my heart for
allowing me to be at
least to save this and
will strive to prove your
trust not a vain one.
I am most respectfully
Yours
L. J. G. L.

441 Park Ave

Dear Judge Coring
I took
Essie. Having
quitted from
your Court to
the Tomb
Police Court
this morning

0337

POOR QUALITY
ORIGINAL

The girl is really very
grateful but daunted &
unable to show her feelings.
I do not think she is
hard but has been so
used to suffering & hard
usage that she expects
nothing else and has
become absolutely stupid.

and had her
committed by
justice to the
Asiatic
of society and
I myself took
her to the
this afternoon
and gave her
in charge of
John & Anne.

0338

POOR QUALITY
ORIGINAL

The People
 Essie Hanz

Court of General Sessions - Part 7
 Before Judge Cowing. May 16th, 1893.
 Indictment for grand larceny, second degree.
 Abraham Korn, sworn and examined,
 testified. I reside at 220 East Seventy eighth
 st. I recollect the night of the 4th of May
 I retired about 12 1/2 o'clock in the evening.
 When for the last time did you see
 the stud which is alleged to have been
 stolen? At 12 1/2 in the evening when
 I retired, after I had my things off
 and the door locked and I was
 about to go to bed. What was the value
 of these stones? As close as I can
 approximate it was about \$275. The stones
 are a gift of my dead father - my
 mother has the bill at home. I can
 produce it; they were worth over \$250.
 Where did you place the stud when
 you went to bed? The stud was in my tie
 which I wore during the day. I took
 it off and doubled the tie up with
 the stud and placed it on my chiff-
 onier in my sleeping apartment. Who
 were in that room that time beside
 yourself? My wife, an infant five months
 old and a little girl about 18 months
 old. The door was locked by me.

0339

POOR QUALITY
ORIGINAL

The door was opened by me at six o'clock in the morning to call the nurse girl down, Essie Stang, the prisoner. She came from her room down one flight of stairs, her room being on the third floor; she came into the room where the stud was. Was she near the place where the stud was lying, did you see her near where the stud was lying? Certainly she could come right near; the entire house was only 12½ feet; the rooms are not large; there is a bed in the room and there is not much space; there is a large chiffonier by the window. I should say the defendant must have been in the room about three quarters of an hour; she left before I did. How long after she left the room did you notice the stud was missing? I think it was not more than forty minutes. She was in the next room with her infant in her arms. My wife spoke to her first about it. I was present at the time. My wife told her that I missed the stud - that she (my wife) saw it the night previous on the chiffonier in my tie; that there was nobody else in

the room but her, and that she (the defendant) must have taken the stud. First she (the defendant) said she did take it, and after a while she said, "Did you see me take the stud?" That was the answer she gave. She accused the other girl, Kate Dwyer, and in the mean time we kept quiet. I notified the Captain of the Precinct at the station house and he sent up detectives. In the evening I asked her again about it. I said there was nobody in the room to take that stud except you. If you tell me where that stud is and I get my property back, I will release you. She acknowledged - she said, "I took the stud." I asked her what she did with it? The first remark she made was, she opened the window and called the other girl Katie and said, "Hallo," to her, and threw the stud down to her in the yard. Afterwards in front of the detectives and myself and mother she acknowledged that she took it; she said to Katie, the other girl, "I took the stud from Dr. Korvus tie. I don't know what to do. The other girl, Katie said to me, 'it is my property'."

0341

POOR QUALITY
ORIGINAL

The other statement she made was, that she took the stud and took two or three pairs of ashes and threw them over the stud in the ash house. I was present when she was examined in the Police Court. She said, "I took the stud." I saw her sign ~~her~~ name to the paper. It was offered in evidence and read to the jury as follows:

"Essie Stang, sixteen years of age, born in New York, resides at 411 East 87th street, six months. Business, nurse.
Q 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? A. I took the pin and showed it to Kate Dwyer; she said it belonged to her, and I gave it to her."

Then you saw your tie after you had noticed that the stud was missing what was the condition of the tie? The tie was unfolded and laid straight on the chiffonier.
Cross Examined: It was a screw stud, diamond. The defendant ^{did not} show me a pin, but Kate Dwyer showed my wife a pin after I missed mine, but

7342

POOR QUALITY
ORIGINAL

It was not the one I lost. I made no charge against Kate Gwyer, although the officers arrested her. Did you make any search in the ashes or anybody belonging to your family for that pin? The detectives made a search through the house - in all the places where she said she put it. I went with the detectives and I watched them. I have not seen it since I lost it.

Patrick K. O'Donnell, sworn and examined testified: I am a police officer attached to the 25th precinct. I placed the defendant under arrest; the charge was first preferred against her on Saturday night, May 6th. I was sent for by Dr. Korn, who lives at 220 East Seventy Eighth street; he told me he missed a diamond stud; that they had the prisoner stripped and were after searching her and they could not find any trace of the stud at all. What did the defendant say when the charge was preferred against her of having stolen the doctor's diamond stud? One time she told me she fired it out of the window at Kate Gwyer, another girl in Dr. Korn's employ, and another time

0343

POOR QUALITY
ORIGINAL

that she had given it to her down stairs in the kitchen - gave it to Kate Dwyer. I asked her what description the ~~pin~~ stud was? She said it was a pin about that long (showing) with a square ivory setting in the centre. I took Kate Dwyer to the Court from the Police station. I asked her about it. Cross Examined. Kate Dwyer showed me the pin. I have not the pin. It had a square ivory setting with the letter "C" in the centre; it had no diamond. I was in uniform when I arrested the defendant. Dr. Korn said that the article he lost was a diamond stud with a screw attached to it.

Abraham Korn recalled by the Counsel for the Defence. I locked the door of my sleeping apartment about half past twelve that evening; there is only one door connects with the hall. I unlocked that door about six o'clock in the morning. In the mean time were you asleep from half past twelve to six o'clock? I was not asleep; my infant was quite cross; that was the cause of my calling the nurse girl at six o'clock. I was up nearly three quarters

0344

POOR QUALITY
ORIGINAL

of the night with the infant. From the time that you wrapped up your scarf and wrapped the band of the scarf around the scarf proper, from that time on did you see your pin again? I saw it when I retired and locked the door, but after that I did not see it any more. I am positive my wife did not leave the room. She was in bed when I got up to put my smoking gown on to call the nurse girl. I slept a little between half past twelve and six o'clock. I am quite sure I would have heard my wife if she got up, for I am a very light sleeper. I have heard the description which the officer gave of a pin and I saw one answering that description. I will state the circumstances under which I saw it. The girl Kate Durpe was sent one evening about five o'clock by my wife to the Baker shop for a loaf of bread. She found that pin in the street, and she showed it to my wife in my presence. It was an oyster shell pearl with the letter C. on it - no stone of any description. How long was that before the morning on which

0345

POOR QUALITY
ORIGINAL

the stud is alleged to have been stolen?
That was two days before that I saw
the pin.

The Case for the Defence.

Essie Stang, sworn and examined, testified
I am sixteen years old I worked for
Dr. Korn as a nurse girl. I went there
Thursday and was arrested Saturday night.
I was brought to the 57th Street Court
Monday and I signed my name to a
paper. Have you ever been convicted
of any crime, of stealing, have you ever
been in prison before? No sir.

Did you steal Dr. Korn's diamond
stud? No. I never seen his diamond
stud. The pin that I gave to Kate Dwyer
was a long pin and it had a Can
it. I got that pin on the bureau in
the bed room where Dr. Korn was.
Is that the pin you had reference to
when you told the Officer and Dr.
and Mrs. Korn that you had given
it to Kate Dwyer and had taken
it from the doctor's room? Yes, that
is the pin. Had you seen that pin
in the possession of Kate Dwyer
before? No, that was the first time
I seen it. I am sure about that.

Did you show it to Kate Dwyer after you took it from Dr. Korn's chifferin?
Yes; she said it belonged to her and I gave it to her.

Cross Examined.

Whereabouts were you born? In New York
Are your parents still living? No sir;
my father is living; he lives some-
place in Dutchess, Astoria. It is quite
a while since I seen him. Where were
you before you went to live with Dr.
Korn? I lived with my aunt No. 411,
East Eighty Seventh Street; her name is
Gallagher; she is not in Court today I
don't know if she knew that I was
arrested. I have not sent word to any-
body about being arrested. I was living
with my aunt going on six months
I wanted to work for my own living.
How did you come to get this place
with Dr. Korn? My uncle takes the paper
and I was looking over it. You answered
the advertisement in the paper? No. I did
not. You went there where you saw a
nurse^{girl} was needed? Yes. Did your
aunt know where you were working?
Yes. She has not been informed of my
arrest. I have not sent word to my
father. I have never been in trouble.

0347

POOR QUALITY
ORIGINAL

like this before. I was never arrested or convicted of stealing before. I was never sent away to any Society. When you were charged with taking these pins do you recollect that conversation which Dr. Korn has told us about when his wife said to you that you had taken the pin and that then you denied it and then afterwards you said, "Did you see me take that pin?" Mrs. Korn said that I was the only one in the room and I must have taken it. I said, "Did you see me take it?" She said, "Nobody else could take it." You denied taking it, didn't you afterwards? I said I did not take it. You did take a pin in that room didn't you? Yes. Whose pin was that? That was Kate Dwyer's. Why did you take that pin which did not belong to you off that bureau of Dr. Korn, do you know why you took that? No. Did you think it belonged to you? No. Whose pin did you think it was when you took it? I picked it up and looked at it. Where did you take it to? I brought it down stairs to the Kitchen. Katie Dwyer asked me whether I took a diamond

0348

POOR QUALITY
ORIGINAL

stud? I said, "no, this is the only pin I took." She said, "Give it to me; it belonged to her, and I gave it to her. Was it before Mrs. Korn had spoken to you? After the pin was taken. You showed that pin to Katie Dwyer, didn't you because Katie said to you, "Did you take the diamond stud?" didn't she, and you said, "No, I took this pin" is that right? Yes. Was that before or after Mrs. Korn spoke to you about taking the diamond stud? After. Why didn't you show Mrs. Korn that pin at that time instead of denying you had taken the pin - do you understand what I mean? Yes sir. You had that pin which you had taken off the bureau at that time didn't you, at the time Mrs. Korn spoke to you and asked you, "did you take the diamond stud out of the doctor's scarf?" you said, "did you see me take that?" when she said, "you were the only one who was in the room, you had this pin which belonged to Katie Dwyer at that time didn't you? She had it that time. When for the first time did you show that pin to anybody as being the pin that you took

0349

POOR QUALITY
ORIGINAL

instead of the diamond stud? I showed it to Kate Dwyer. How long was it after Mrs. Korn spoke to you that you showed this pin to Katie Dwyer, was it a day or two hours? A few minutes I guess. Why didn't you show the pin which you had taken to Mrs. Korn at the time when she charged you with taking the pin? Mrs. Korn said it was a diamond pin was taken. Mrs. Korn did tell you it was a diamond stud, that is the reason why you didn't show her that - it could not be that because yours was not a diamond, is that right?

Yes. You knew that she charged you with taking a diamond stud, didn't you?

Yes. You afterwards admitted taking the thing which she said was stolen and that you gave it to Kate Dwyer?

Yes, that was the pin, but it was that pin what she has got now

Listen, you say the reason why you didn't show her the pin which you did have was because she charged you with taking the diamond stud, that is the reason why you didn't show her the one you had is it not? Yes.

You knew she charged you with taking

a diamond stud, and you admitted taking it, although you only had taken one with some pearl instead of a diamond? Yes, that was the only pin. I want to know why you admitted taking a diamond pin, which she charged you with taking, when the fact is you only took a pin with some pearl in it and with the letter C, can you tell why?

The witness hesitated and made no answer. No matter of fact didn't you take that diamond stud, now tell the truth? No, I did not take that diamond stud. Did you see it at any time? No sir.

Where is the pin now do you know which you gave to Katie Dwyer? She has got it. Why did you give that pin to Katie Dwyer that you took off Dr. Korn's bureau, why did you give it to a woman who merely said it belonged to her - you knew it did not belong to her, didn't you? Yes. And yet you brought it from the second floor down to the basement where Katie Dwyer was? Yes. Were you going to steal it? No. Why did you want to take it? I was looking at it. Where did you put it when you took it down?

I kept it on my waist. You remember being in the Police Court where you were examined and where you signed a paper, that is your signature, isn't it? Yes, my name. Did you read this paper before you signed it? No. Was it read to you? I do not remember. I signed my own name. Do you know what was on the paper that you signed your name to? were you told to read the paper or was the paper read to you? I guess the paper was read to me. Don't you recollect answering your name, Essie Stamp? Yes. You were asked, how old are you, and you answered, "sixteen?" Yes. You were asked where were you born, too, weren't you? Yes. You answered, "New York," didn't you? Yes. You recollect this question being asked you, and you giving the complete answer, "that is your business or profession; and you said, "nurse," is not that right? Yes. Were you not asked to give some explanation, tell what you know about this thing, and do you recollect making this answer: "I took the pin and showed it to Kate Surger, she said it belonged to her, and I

0352

POOR QUALITY
ORIGINAL

gave it to her? do you recollect that? Yes.
Before that you heard what the charge
was made against you - you knew
what Doctor Koon said about you,
didn't you? Yes. You knew that he
charged you with stealing a stud did you
Yes. You knew he made affidavit
charging you with stealing a diamond stud
of the value of \$275? Yes sir. You admitted
that you took a pin with only a small
pearl in it, did you think it was the
same pin that he referred to when he
said it was worth \$275 and it was a
diamond stud? Yes. The doctor says that
you said you opened the window and
halloed and threw it out of the window,
what made you tell the doctor that? I was
only excited. Then afterwards you told the
doctor that you put it in an ash
barrel and covered it over with three
or four pairs of ashes? I told him I threw
it in the ash box. When the doctor was
with the detective - the policeman in
citizens clothes - that the diamond was
screwed in the scarf? I am not sure.
Don't you recollect that? No sir.
That was the case for the defence

0353

POOR QUALITY
ORIGINAL

Mr. Korn, recalled by the District Attorney -
Do you recollect any conversation between detect-
ive Welsh of the 25th precinct and this defendant?
~~which~~ There was a description given of
the stud alleged to have been stolen? I do.
The detective said that the defendant described
to him the stud that was taken out of my
tie. In my presence she said it was
a diamond stud, a screw stud, taken
out of the tie. Was the word "diamond"
used by her? A diamond screw

By Counsel. Didnt she say it was a long pin? No,
she did not. That long pin was there two
days before. It was found by the other girl.

By the Court. Was she ever in your room? No, the
house girl was not up there. That pin
was found on the street. She said, "Mrs.
Korn, I found this. My wife said in a
joke, you must have a fellow by the name
of 'C'. C being on the top of it."

The defendant did not go down stairs;
she had the infant five months old in
her arms, crying all the time that morn-
ing when I called her. She went down stairs
about an hour and a quarter afterwards.

I did not see my wife search her. My
wife allowed her to go to the corner for
two lessons. The jury rendered a
verdict of guilty.

0354

POOR QUALITY
ORIGINAL

Testimony in the
case of

Essie Harg

Filed

May 193

608.

0355

POOR QUALITY
ORIGINAL

505

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Essie Stang

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

Essie Stang

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

The said

Essie Stang

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

*one diamond stud of the
value of two hundred and
seventy-five dollars*

[Signature]

of the goods, chattels and personal property of one

Abraham Korn

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

*De Lancy Nicoll,
District Attorney*

0356

BOX:

523

FOLDER:

4762

DESCRIPTION:

Stone, Hiram H.

DATE:

05/04/93



4762

0357

POOR QUALITY ORIGINAL

No 447
Counsel,
Filed *4/1 May* 1893
Pleads *Not guilty*

RAPE in the 2d Degree and
ABDUCTION.
(Sections 278 and 282, Penal Code.)

THE PEOPLE

vs.

P

Hiram H. Stone

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Chas. J. Smith
Foreman.
Part 3. May 11 93-
Judick dismissed

May 11 93
FILE

Witnesses:
Wm. J. Schuller
W. E. Starking

The appearance of the girl is such that her age might very easily be considered as over sixteen years and the defendant having refrained any further worry of marrying the complainant I recommended the dismissal of the indictment May 11. 1893
James J. Smith
D.A.

0358

POOR QUALITY
ORIGINALPolice Court, *Fourth* District.STATE OF NEW YORK.
CITY AND COUNTY OF NEW YORK, } ss:

of No. *108 East 23^d* a *Hugo Schutte* Street, in said City, being duly sworn,
deposes and says, that a certain female child called *Daisy Schmitt*
[now present], under the age of sixteen years, to wit, of the age of *fifteen* years, is a
necessary and material witness on behalf of the People of the State of New York in a certain
criminal case now pending in the Court of *General* Sessions of, in and for the City and
County of New York, entitled, The People against *Alone*

Alone, wherein the said *Alone* is charged with the crime of *Rape*, under
section *278* of the Penal Code of said State, in that he, the said *Defendant*

did willfully and unlawfully perpetrate
a crime of sexual intercourse with
the said Daisy Schmitt aged
fifteen years, not being his
wife.

and that the said

Daisy Schmitt
will, as deponent verily believes, unless duly held to appear on trial thereof, avoid giving his
testimony at the instance of the people.

Wherefore, deponent prays that the said child *Daisy Schmitt*
may be held as a witness to appear on the trial of the aforesaid criminal case, and be committed
temporarily to an institution authorized by law to receive children on final commitment, and to
have compensation therefor from the City or County authorities, as a witness, to appear on the
trial of the aforesaid criminal case, in pursuance of the statutes in such case made and provided,
and especially of Section 291 of the Penal Code of the State of New York.

Sworn to before me this

day of

14th
April 18*93*

Hugo Schutte
Almueda

Police Justice.

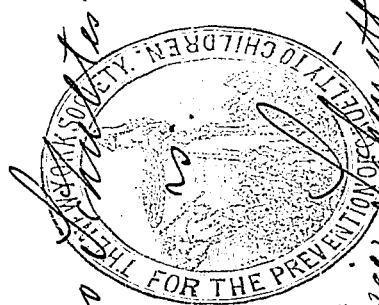
0359

POOR QUALITY
ORIGINAL

POLICE COURT *H* DISTRICT.

THE PEOPLE, &C.,
ON THE COMPLAINT OF

WITNESS.
AFFIDAVIT.



Hugo Schuchter

Source Schuchter

18' W. S. 143 Union Av. Bridgeport. Conn.

Dated *Apr 8 1893*

J. Meacher Magistrate.

Schuchter Officer.

*Disposition: to have your
visit to the Prevention
of Cruelty to Children.*

0360

POOR QUALITY
ORIGINAL

365 Lexington Avenue.

Received
Ex 9 - April 11/93 April 11th 93

Hon Elbridge T. Gerry,
President of the Society for
the Prevention of Cruelty to Children.
Dear Sir: -

I have this day
examined the Person of Daisy
Smith, aged 15 years of Bridgeport,
Conn. and find complete penetration
of the genital organs by some
blunt object.

Respectfully Submitted -

N. Travers Tibb M.D.
Examining Physician

0361

POOR QUALITY
ORIGINAL

4 District Police Court.

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

Hugo Schultes
 of Number *108* *West 23rd Street* being duly sworn,
 deposes and says, that on the *15th* day of *September* 18*93* at the
 City of New York, in the County of New York. *At the premises known*
as Number 141 East 1st Street, in said
city of New York *one Hiram Stone, did*
willfully and unlawfully perpetrate an
act of sexual intercourse with a certain
female now here, called Daisy Smith,
said female being then and there ac-
tually and apparently under the age
of sixteen years, to wit of the age of
fifteen years, not being his wife
in violation of the statute in such
case made and provided and especially of
Section 278 of the Penal Code of the
State of New York.

Wherefore the complainant prays that the said

Hiram Stone
 may be apprehended, arrested and dealt with according to law.

Sworn to before me, this *11th*
 day of *September* 18*93*

Hugo Schultes
Ames
 Police Justice.

0362

POOR QUALITY
ORIGINAL

Warrant
POLICE COURT 4th DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Hugo Staudt
vs.
William Stone
CRUELTY TO CHILDREN.

DATED *April 11* 18*92*
Wm. H. H. Magistrate.

Wm. H. H. Clerk.
Wm. H. H. Officer.

Witnesses:
G. Fellows Jenkins, Supt.,
100 East 23d Street.

Disposition,

0363

POOR QUALITY
ORIGINAL

Sec. 198-200.

4

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Harmon Stone

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.

Harmon Stone

Question. How old are you?

Answer.

28 years

Question. Where were you born?

Answer.

New York

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

Answer.

424-65 Avenue - 3 months

Question. What is your business or profession?

Answer.

Agent

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.

Harmon Stone

Taken before me this

day of

188

W. H. McLeod
Police Justice.

0364

POOR QUALITY
ORIGINAL

Sec. 151.

Police Court 4th 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 Hugo Schusterof No. 108 East 23^d Street, that on the 15th day of September1898 at the City of New York, in the County of New York,

Out the premises: known as Number 141 East 15th Street in said
City of New York, One Abram Stone, did willfully and un-
lawfully perpetrate an act of sexual intercourse with a
certain female, called Emilie Smith, being then and
there actually and apparently under the age of sixteen
years - the act of the age of fifteen years, not being his wife -
in violation of Section 278 of the Penal Code of the State of New York.

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said
 Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him
 forthwith before me, at the 4th 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 11th day of April 1898

POLICE JUSTICE.

0365

POOR QUALITY
ORIGINAL

Police Court 4th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Schuttis
vs.

Hiram Stone

Warrant-General.

Dated April 11th 1883

Meade Magistrate

Schuttis Officer.

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

..... Officer.
Dated April 11th 1883

This Warrant may be executed on Sunday or at
night.

Cummes 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

Apr 28 Ad. Rec 429 - 6-10-83

0366

POOR QUALITY
ORIGINAL

BAILED,

No. 1, by

Residence

Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

No. 4, by

Residence

Street

Police Court... District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

No. 1, by *John Schulth*
No. 2, by *John Schulth*
No. 3, by *John Schulth*
No. 4, by *John Schulth*

2
3
4

Offense

Rape

Dated,

April 11 1893

W. S. Schulth Magistrate

George W. Schulth Officer

S.P.C.C. Precinct.

Witnesses

Mr. Thomas Galt

No. 1, by

3rd Huntington St

No. 2, by

3rd Huntington St

No. 3, by

3rd Huntington St

No. 4, by

3rd Huntington St

to answer

2.8

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

Defendant

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

Dated, *April 11* 1893. *W. S. Schulth* Police Justice

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

0367

POOR QUALITY
ORIGINAL



To the Lambs of the Flock.

From their loving Pastor,

B. F. DE COST...

*St. Michael & All Angels,
Sept. 29, 1892.*

0368

POOR QUALITY
ORIGINAL

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

2018

THE PEOPLE OF THE STATE OF NEW YORK,

against

William M. Stone

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *William M. Stone* —
of the CRIME OF RAPE IN THE SECOND DEGREE, committed
as follows :

The said *William M. Stone*,
late of the City of New York, in the County of New York aforesaid, on the *fifteenth*
day of *September*, in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, in and upon a certain female not his
wife, to wit: one *Daisy Smith*, feloniously did make an assault,
she the said *Daisy Smith*, being then and there a female under the
age of sixteen years, to wit: of the age of *eighteen* years; and the
said *William M. Stone* then and there (under circumstances
not amounting to rape in the first degree), feloniously did perpetrate an act of sexual intercourse
with her the said *Daisy Smith* : —
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 *William M. Stone*
of the CRIME OF ABDUCTION, committed as follows :

The said *William M. Stone*, —
late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the
City and County aforesaid, did feloniously take, receive, harbor, employ and use her, the said
Daisy Smith so being then and there a female under
the age of sixteen years, to wit: of the age of *eighteen* years, as aforesaid,
for the purpose of sexual intercourse, he, the said *William M. Stone*
not being then and there the husband of the said *Daisy Smith*, —
against the form of the statute in such case made and provided, and against the peace of the People
of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney

0369

BOX:

523

FOLDER:

4762

DESCRIPTION:

Strobel, Martin

DATE:

05/23/93



4762

0370

POOR QUALITY
ORIGINAL

Witnesses:

John H. Class
M. O'Connor

Red [unclear]

Notary

Subpoena

Daniel Sullivan
63 Montgomery

John Reinecke
682 Forsyth

Kenny Heischel
Hester & Forsyth

Counsel,

Filed 23 day of May 1893

Pleaded, Myself & [unclear]

THE PEOPLE

29 Mountain
237 Truck [unclear]

Martin Strobel

Grand Larceny, Second Degree.
[Sections 523, 524, Penal Code.]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Chas. J. [unclear]

Foreman.

Part 3, May 26/93 -
Pleaded Return - [unclear]

John H. Class
June 29/93

0371

POOR QUALITY
ORIGINAL

1912

Police Court—3rd District.

Affidavit—Larceny.

City and County }
of New York, } ss.of No. Pier 50 East River Street, aged 32 years.occupation Superintendent being duly sworn,deposes and says, that on the 16 day of May 1893 at the City of NewYork, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in day time, the following property, viz:

A case or box containing
shoes of the value of about
fifty dollars.

Sworn to before me, this
16th day of May 1893

the property of the 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 Maxwell for the

reasons that the defendant was
a driver for the firm of Charles
Rockwell and Company, common
carriers of which firm deponent
is a superintendent. That on said
day defendant was to deliver a
wagon load of merchandise to
the Morgan line at Pier 25 North
River and before defendant departed
on said delivery deponent discovered
that said case was among the
parcels on defendant's wagon and
was there by mistake and deponent
instructed defendant to retain the

Police Justice.

0372

POOR QUALITY
ORIGINAL

box when delivering the load and
return it to said firm. Defendant
left on said delivery but did
not return but appropriated the
property to his own use

Subscribed before me

this 19th day of July 1892

John H. Clapp

Charles H. Clapp

Police Justice

John

0373

POOR QUALITY ORIGINAL

Sec. 198—200.

1882
District Police Court.

City and County of New York, ss: *Martin Strobel* 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.

Martin Strobel

Question. How old are you?

Answer.

29 years.

Question. Where were you born?

Answer.

Haworth

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

Answer.

237 Munroe St. & Two days.

Question. What is your business or profession?

Answer.

Driver

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.

Saw nothing
Martin Strobel

Taken before me this
day of *July* 1887

Police Justice.

0374

POOR QUALITY
ORIGINAL

Sec. 151.

Police Court 3 District.

1847

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by John H. Clapp of No. Per 50 E. R. Street, that on the 16 day of May 1893 at the City of New York, in the County of New York, the following article, to wit:

A case containing shoes

of the value of Fifty Dollars, the property of John H. Clapp and charge was taken, stolen and carried away, and as the said Complainant has cause to suspect, and does suspect and believe, by Martin Strobel

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 3 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 18 day of May 1893

John H. Clapp POLICE JUSTICE.

0375

POOR QUALITY
ORIGINAL

2375 1st St.
Police Court 2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated May 18th 1893

Koch Magistrate.

Louigley Officer.

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

..... Officer.

Dated..... 189

This Warrant may be executed on Sunday
or at night.

..... Police Justice.

Pier 57 E.R.

0376

POOR QUALITY ORIGINAL

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

Police Court... District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John H. Black
Carroll
Martin Shivers

Offense...

Carroll

Dated, *May 19* 189 *3*

Magistrate.

Ward

Deputy Officer.

Precinct.

Witness

William P. Smith

No. *25-E* Street *W*

No. *25-E* Street *W*

No. *25-E* Street *W*

No. *25-E* Street *W*

No. *25-E* Street *W*

No. *25-E* Street *W*

to answer
Ward

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

defendant

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

Dated, *May 19* 189 *3* *Police Justice.*

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

Dated, 189 *Police Justice.*

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

Dated, 189 *Police Justice.*

0377

POOR QUALITY
ORIGINAL

505

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Martin Strobel

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

Martin Strobel

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

DEGREE, committed

The said

Martin Strobel

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

*forty shoes of the value of one
dollar and fifty cents each, and
one case of the value of two
dollars*

of the goods, chattels and personal property of one

Charles Rockwell

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

*De Lancey McCall
District Attorney*

0378

**POOR QUALITY
ORIGINAL**

BOX:

523

FOLDER:

4762

DESCRIPTION:

Swain, Mary J.

DATE:

05/23/93



4762

0379

POOR QUALITY ORIGINAL

Witnesses:

Jose Mulet
Officer Hahn

The couple are
not in this case
has gone to sea
and the case against
defendant cannot
be true. It is her
certain when the
pleaunt will re-
turn. I recommend
her discharge upon
her own recognizance
May 25/1893
James Williamson
Deputy

582

[Signature]
Counsel,
Filed May 23, 1893
Pleads, *[Signature]*

THE PEOPLE
vs.
Mary J. Swan
PETIT LARCENY,
Sections 528, 533 Penal Code.

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.
[Signature]
Foreman.

Part 3, May 25/93
Def. discharged on his
verbal recog.

0380

POOR QUALITY
ORIGINAL

Police Court—3 District.

1912
Affidavit—Larceny.

City and County } ss.
of New York,

Jose Mullet
of No. the C. Republics, by a fork of No. 23rd Street, aged 33 years.
occupation Sailor being duly sworn,

deposes and says, that on the 27 day of May 1897 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 night time, the following property, viz:

One gold watch, of the value of
Twelve Dollars,

\$ 12.⁰⁰/₁₀₀

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
from the person and possession of deponent Mary J. Swane (now Ken)
and carried away by

from the fact, that on the aforesaid date
deponent was in the company of defendant
and had the aforesaid property in his possession;
that defendant asked deponent to show her
the watch and while she was examining it
defendant left the room taking said
property with her; that when defendant
was arrested, deponent is informed that
defendant had in her possession ~~the~~ several
watches one of which deponent identifies
as the missing property.

Jose Mullet

Subscribed and sworn to before me this
day of May 1897
at New York.
Police Justice.

0381

POOR QUALITY
ORIGINAL

Sec. 198-200.

1883
District Police Court.

City and County of New York ss:

Mary J. Swane 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.

Mary J. Swane

Question. How old are you?

Answer.

29 yrs.

Question. Where were you born?

Answer.

England

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

Answer.

11 East 1st St - 1 wk

Question. What is your business or profession?

Answer.

Laundress

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.
The man gave me the
watch.*

Mary J. Swane

Taken before me this

day of

1883

Police Justice.

0382

POOR QUALITY
ORIGINAL

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. 582

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Chatter
Mary J. Swan

Offense Recovery from
the Person

Dated, May 23 1893

Magistrate.

John W. Gault
11 Precinct.

Witnesses Call the Officer

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

\$ 1000 to answer J. J.

Can't

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

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

Dated, May 1893 Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

0383

POOR QUALITY
ORIGINAL

473

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Mary J. Swain

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

Mary J. Swain

of the CRIME of PETIT LARCENY, committed as follows:

The said

Mary J. Swain

late of the City of New York, in the County of New York aforesaid, on the 2nd day of *May* in the year of our Lord one thousand eight hundred and ninety-*three* at the City and County aforesaid, with force and arms,

*one watch of the value of
twelve dollars*

[Signature]

of the goods, chattels and personal property of one

Jose Muled

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

0384

POOR QUALITY
ORIGINAL

SECOND COUNT—

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

Mary J. Swain
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

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

*one watch of the value of
twelve dollars*

Jose Mule
of the goods, chattels and personal property of one

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

Jose Mule
unlawfully and unjustly did feloniously receive and have; the said

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

DE LANCEY NICOLL,

District Attorney.