

0009

BOX:

371

FOLDER:

3473

DESCRIPTION:

Sladkus, Joseph

DATE:

10/31/89



3473

POOR QUALITY ORIGINAL

0010

304 *Wetting 19*

Counsel,
Filed *31* day of *Oct* 188*9*
Prints *of* *Justice. County*

THE PEOPLE
14-22 of
20 *1889* *ss.*
R.
Joseph Shadens
RAPE
(Sections 278 and 218, Penal Code.)

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

W. L. Cook Foreman.

Part III November 15/89.

Trial and convicted
attempt ab. Rape.

S. P. 10 yrs.

Witnesses;

Adolf Von Dohlen

POOR QUALITY ORIGINAL

0011

Police Court
District

Police Court, 6th District.

City and County } ss.
of New York,

Adolph Von Dohlen

of No. 2475-3^d Avenue Street, aged 32 years,

occupation Restaurant Keeper being duly sworn, deposes and says,

that on the 27th day of October 1889, at the City of New York, in the County of New York, Joseph Sladkus, now here,

did feloniously, by force and violence and without her consent, attempt to carnally know and have carnal and sexual intercourse with Ida Von Dohlen, daughter of this deponent, a child of the age of four years. Said child by reason of tender years being incompetent to make complaint, deponent as her natural guardian appears on her behalf. At about six o'clock on the afternoon of said day deponent sent ^{said} Joseph Sladkus, then employed by him, to the cellar of his said place of residence for coal. Deponent, missing his said daughter Ida, and noticing that said Joseph was a long time down stairs, went to the cellar, and there found said Joseph Sladkus, crouching down, holding said child Ida in his arms, moving his person forward and back, and having his pantaloons open and his private parts under the clothing of said child. Deponent knocked said Joseph Sladkus down, took the child up stairs to her mother, and called from the street officer O'Rourke, who coming in to arrest said Joseph Sladkus, found him with his pantaloons still open and his underclothing near his private parts in a soiled condition, as said officer informs deponent.

Sworn to before me this }
28 day of October 1889 }
Charles K. Linton }
Police Justice }

Adolph Von Dohlen

POOR QUALITY ORIGINAL

0012

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas O'Rourke

aged _____ years, occupation _____ of No. _____

the 33^d Precinct Police

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Adolph Von Dohlen

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

Sworn to before me, this 28th

day of October

1889

Thomas O'Rourke

Charles N. Lantieri
Police Justice.

POOR QUALITY ORIGINAL

0013

Sec. 198-200.

6 District Police Court.

CITY AND COUNTY }
OF NEW YORK. } ss.

Joseph Sladkus 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. Joseph Sladkus

Question. How old are you?

Answer. 21 years

Question. Where were you born?

Answer. Austria

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

Answer. No 122 East 75th street, 1 week

Question. What is your business or profession?

Answer. Waiter's helper

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

Josep Sladkus

Taken before me this

28

day of October

1889

Charles W. Shanker Police Justice.

POOR QUALITY ORIGINAL

0014

BAILED,

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

Police Court... 6 District.

1620

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph Von Dahlen
2475 1st Avenue
Joseph Sladkins

Offence Attempted Rape

Dated October 28 1889

Painter Magistrate.

O'Rourke Officer.

33rd Precinct.

Witness: Elizabeth Von Dahlen

No. 2475 - 3rd Avenue Street.

Special Officer

St. Kennedy - No. 10.

No. 214 - 1st Avenue Street.

Officer Luoma S.P.D.

No. 1st Avenue Street.

No. 1st Avenue Street.

Committed

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

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

Dated October 28 1889 Charles K. Taintor Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

**POOR QUALITY
ORIGINAL**

00 15

2
saw him take the little girl along with him. He stayed down there about fifteen minutes and my wife hollered out to me to go down and see what was keeping him down there in the cellar, and the little girl with him. I took matches and went down into the cellar; he had the door closed. I opened the door and he turned around that way with his pants open and his whole business out.

Q His private parts exposed? A. Yes sir; everything was open from top to bottom. I said "What are you doing?" and he said "I didn't do anything. I says "What have you got that out for?" and I struck him. I struck him in the cellar. This little girl ran upstairs then thats all I saw. I didn't catch him in the act. If I caught him in the act I would have killed him. Dr. Curry of 214 Lexington Avenue came and visited my little girl.

Q What was the little girl doing; laying down or standing up. A. She was right in front of him standing up when I saw him. I didn't see her right away; it was too dark.

Cross-examination.

When you saw him how far was the little girl from him?

A She was standing right along side of him.

Q Was he touching her at all, any where? A. No sir. I didn't see him actually do anything to the little girl. After I struck him he commenced to holler and said he hadn't done anything wrong and I had no business to hit him in that way. The little girl ran up stairs. She

**POOR QUALITY
ORIGINAL**

0017

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said nothing about the matter to me. I am her father. I didn't do anything after that. I went and got an officer and had this man arrested.

Q. Did he say anything to the officer? A. He said "I will go with you.."

ELIZABETH MONDOHLEN, a witness for the people sworn testified:-

I am the mother of this little girl 4 years old who is with me. On the 27th of August I was in the kitchen. My husband send this defendant down to get a scuttle of coal. At the time he started to go down my little child was with me in the kitchen. When he went down to get the coal the little girl followed him. I saw her go down with him and of course I didn't think anything of it at the time, and so she went down with him. She stayed there a good while, and after some time I hollered out to my husband, that he had better go down and see what these two were doing. He went down and after he had gone down the child came up to me. I asked her where she was; was she down in the cellar and she hung her head; she was ashamed to tell me. I asked her to tell me what went on in the cellar and all she said was "bad George". We always call this man George for short.

Q. Did she make a complaint to you that the complainant had done anything to her? A. Yes sir as I have told you.

Q. You must not tell me what words the child used, but tell me whether she made any complaint of his having done something improper to her? A. He took up her dress

**POOR QUALITY
ORIGINAL**

0018

4

After that Dr. Curry came and examined her. He examined the girl at about 11 o'clock at night. The bottom of the girl's skirt was turned up like that (Indicating) when she came up.

Cross-examination.

Q. Tell me what the child said to you? A. She said she went into the cellar, and she followed this man down when he went for coal, and when they got down in the cellar George put her dress up and put his hand on her privates; then he opened his pants and took something out, and that he threw her down on the coal, and then he did this to me. She told me that she bunched her head against a box that was near the coal bin; that he laid her down on the box, and she showed me in what manner he laid her down and how he treated her after that. She told me she said "Shame on you George" and she was crying when she came up.

Certificate of the Doctor was put in evidence, as follows: "On August 27th 1889 I was called to Ida Vandohlen, and found her sleeping, and I was told there was an attempt at rape, but I found no evidence of it with the exception of a bruising of the external parts around the entrance. J. T. Curry M. D. 244 Lexington Avenue."

**POOR QUALITY
ORIGINAL**

0019

5

D E F E N S E .

JOSEPH SLADKUS? the defendant, sworn testified:

I have been in this country since the beginning of April this year. I came from Austria. I am alone in this country. On this Sunday evening at 6 o'clock I went to get some coal in the cellar and that child ran after me and wanted to go with me but I didn't want to take her down with me. I have some trouble with my testicles. When I was in the clinic I showed it to the doctors. While I was down in the cellar I had to urinate and as I have this trouble with my privates I cannot do it quickly. So I was trying to make water in the cellar and the child stepped right along side of me. The boss came down while I was doing this and as I didn't want the boss to see me I turned myself around. As I had not time to close my pants, the boss thought I had done something to the child.

Q. Did you or did you not do anything to this child of this nature? A. No sir, I know of nothing that I should have done for the child.

Q. Have you been in any asylum or institution of any kind? A. Three years ago I was in a lunatic asylum. I was there for 6 months and came out in 1886.

Q. Did you or did you not at any time attempt any carnal intercourse with this girl in the cellar on that day? A. No sir, the child had never been in the cellar before. This was the first time the child was in the cellar with me.

THE JURY returned a verdict
of Guilty of an Attempt at Rape.

**POOR QUALITY
ORIGINAL**

0020

Indictment filed Aug. 31st 1889

COURT OF GENERAL SESSIONS

Part III.

The PEOPLE &c.

against

J O S E P H S L A D K U S

Abs tract of testi mony of,

trial New York November

15th 1889.

Oct 10/89

POOR QUALITY
ORIGINAL

0021

Police Department of the City of New York.

Precinct No. 3.05.071L

New York, Oct 28th 1889.

This is to certify that I have ex-
amined Ida Van Cohlens, a child
of three years, said to have been the
subject upon whom sexual con-
gress had been committed, or an
attempt at such. I can find no evidence
of such attempt, either of penetration
of the vagina, or of any congestion
of the genital tract inconsistent
with perfect freedom from any
thing like criminal assault.

Mark Williams, M.D.
Police Surgeon. 39th Precinct.

POOR QUALITY ORIGINAL

0022

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

No 14th 1889

On Oct 27th 1889. I was called to
see Ida Bondwell found her sleeping
was told that there was an attempt at
rope on Examination I found no evidence
of the crime with the exception of the
bruising of the External parts around
the External.

Shown before me this J. A. Murray M. D.,
14th day of Nov 1889. 214 Alex. Ave Cor 13th St
J. H. Wengrichlin
Notary Public
N. Y. Co.

POOR QUALITY
ORIGINAL

0023



6th District Police Court.

New York, Nov 5th 1889

James McCabe Esq
Chief Clerk
Dist Atty's Office

Dear Sir

In reply to yours of
yesterday's date Joseph Sladters
committed in default of \$2000[#]
bail was duly delivered to the
Prison Keeper here and
by him to the 126th St
Prison. I am informed
that he fell in a fit on
the way to the Tombs and
was taken to Bellevue hospital,
but of the latter circumstance I
have no official or positive
knowledge.

Respy Gms
John Tracey
Police Clerk

POOR QUALITY ORIGINAL

0024

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Joseph Stadaux

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

Indictment accuse *Joseph Stadaux*

of the crime of *Rape,*

committed as follows:

The said *Joseph Stadaux,*

late of the City of New York, in the County of New York, aforesaid, on the
fourteenth day of *October,* in the year of our Lord one thousand
eight hundred and eighty-*nine*, at the City and County aforesaid,

with force and arms, in and upon a certain
female not his wife, to wit: one Ida
Van Dahlen, then and there being, unlawfully
and feloniously did make an assault,
and the said Ida Van Dahlen being then
and there a female under the age of
sixteen years, to wit: of the age of four
years, and the said Joseph Stadaux then
and there unlawfully and feloniously did
perpetrate an act of sexual intercourse
with her the said Ida Van Dahlen;
against the form of the Statute in

POOR QUALITY ORIGINAL

0025

such care made and provided, and
against the peace of the People of
the State of New York, and their
dignity.

John P. Kellogg,

[Signature]

0026

BOX:

371

FOLDER:

3473

DESCRIPTION:

Smith, George

DATE:

10/22/89



3473

POOR QUALITY ORIGINAL

0027

Witnesses:

Saml. Munchieon
Off. Char. V. Lyon
1st Prec.

Counsel,

Filed

1889

day of

Pleads,

THE PEOPLE

vs.

George Smith

Grand Larceny
Third Degree.
(From the Person.)
[Sections 528, 580 Penal Code.]

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Mr. L. S. Cole, Foreman.
Oct 25 1889
P. P. Lyons - R.B.M.

POOR QUALITY ORIGINAL

0028

Police Court— 14th District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. Samuel Murchison Street, aged 24 years,
occupation Seaman being duly sworn

deposes and says, that on the 30th day of October 1894 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession

Person of deponent, in the night time, the following property, viz:

One hunting case silver watch
and silver chain and fob
Being together of the value of
Eighteen 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 Smith (now free)

for the reasons following to wit: That about the hour of 4:30 o'clock on the morning of said day deponent had said watch in the upper right hand pocket of the vest he then had, and said chain to which was attached said watch in the button hole of the said vest. And while deponent was lying asleep in Jones Lane at said time. He is informed by Charles Thomas a police officer attached to the 1st precinct police that he saw said deponent lying on the ground and unloosening the said chain to

Sworn to before me, this 18 day of October 1894
Potter Justice

POOR QUALITY
ORIGINAL

0029

which was attached said watch
from the button hole of said vest and
was in the act of taking said watch
out of the said vest pocket when said
deponent arrested him, - Dependant
therefore charges said defendant
with the larceny aforesaid

Done before me (1889) Samuel Marsden
this 20th day of October 1889

Doyle R. [Signature]
Police Justice

POOR QUALITY ORIGINAL

0030

CITY AND COUNTY } ss.
OF NEW YORK, }

aged 23 years, occupation Police Officer of No.

104 Avenue C Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Samuel Murchison and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 20 day of October 1888 } Charles J Lyons

Samuel Murchison
Police Justice.

POOR QUALITY ORIGINAL

0031

Sec. 108-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

George 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. *George Smith*

Question. How old are you?

Answer. *40 years*

Question. Where were you born?

Answer. *England*

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

Answer. *1977 3d Avenue Inwood*

Question. What is your business or profession?

Answer. *Janitor*

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 Smith*

Taken before me this

day of *March* 188*9*

P. J. [Signature]

Police Justice.

POOR QUALITY ORIGINAL

0033

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 Smith

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

George Smith of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said George Smith

late of the City of New York, in the County of New York aforesaid, on the twentieth day of October in the year of our Lord one thousand eight hundred and eighty-nine, in the night time of the said day, at the City and County aforesaid, with force and arms,

one watch of the value of twelve dollars, one chain of the value of two dollars and one locket of the value of ~~two~~ four dollars.

of the goods, chattels and personal property of one Samuel Murchison on the person of the said Samuel Murchison then and there being found, from the person of the said Samuel Murchison 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.

Samuel Murchison
John L. Fellows,
District Attorney.

0034

BOX:

371

FOLDER:

3473

DESCRIPTION:

Smith, Harry

DATE:

10/17/89



3473

POOR QUALITY ORIGINAL

0035

137

Counsel,

Filed 17 day of Oct 1889.

Pleas, *Wholly*

THE PEOPLE

Grand Larceny

[Sections 528, 537, Pennil Code]

25

H. S. ...

Harry Smith
H. D.

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

M. L. Cole
Foreman.

Part III October 21, 189-

Pleas Guilty.

S. P. 2 1/2 yrs.

Witnesses:

Edwin Richter

Off. G. H. Miller

4th Prec

POOR QUALITY ORIGINAL

0036

Police Court District. Affidavit-Larceny.

City and County of New York ss.:

of No. ... Street, aged ... years, occupation ... being duly sworn

deposes and says, that on the ... day of ... 188... 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:

A pocket book containing gold and lawful money of the United States of the denomination and value of Forty seven \$100 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

Harry Smith (now Lee)

for the reasons following to wit: That about the hour of 3:30 o'clock P.M. said day deponent was in Penn Row, when said defendant who was with him asked deponent to lend him twenty five cents as soon as deponent took said pocket book out of his pocket which contained said money for the purpose of assisting defendant said defendant grabbed said property and ran away but the said deponent pursued him and caused him to be arrested and found said property in his possession and charge him with the larceny of said

Edmund Richter

Sworn to before me, this

3

day

of September 188... Police Justice

POOR QUALITY ORIGINAL

0037

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Harry 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.

Harry Smith

Question. How old are you?

Answer.

30 years.

Question. Where were you born?

Answer.

United States

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

Answer.

Star house 143 Park Road. 1 year

Question. What is your business or profession?

Answer.

Bookkeeper

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

Answer.

I am not guilty I was intoxicated at the time

Harry Smith

Taken before me this
day of *Dec* 188*8*

Police Justice.

[Signature]

POOR QUALITY ORIGINAL

0038

Edmund Richlin
held in default
of \$100. bail to keep
and commitments

BAILED,

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

No. 5, by _____
Residence _____
Street _____

No. 6, by _____
Residence _____
Street _____

No. 7, by _____
Residence _____
Street _____

No. 8, by _____
Residence _____
Street _____

Police Court
District 1576

THE PEOPLE, &c.,
vs. THE COMPLAINANT OF

Humana
Hugers, sole. def.
Kung, def.
Office

1 _____
2 _____
3 _____
4 _____

Dated October 3, 1889

Hagan Magistrate

Heenan Officer

at Precinct

Witnesses
No. 1 _____
No. 2 _____
Street _____

No. 3 _____
Street _____

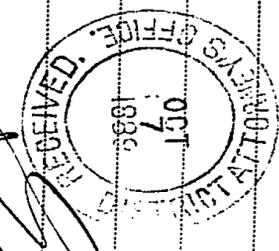
No. 4 _____
Street _____

No. 5 _____
Street _____

No. 6 _____
Street _____

No. 7 _____
Street _____

No. 8 _____
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 _____ 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 Oct 3, 1889 _____ Police Justice.

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

Dated _____ 1889 _____ Police Justice.

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

Dated _____ 1889 _____ Police Justice.

POOR QUALITY ORIGINAL

0039

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 1 DISTRICT.

Fabrice Mullen
of No. *4th Avenue* Street, aged *54* years,
occupation *Police Officer* being duly sworn deposes and says,
that on the *2d* day of *October* 188*9*
at the City of New York, in the County of New York, *Arrested*

Harry Bennett (now here on the
complaint of *Edmund Reilly* charging
him with *harassment* from the person
my deponent has good and sufficient
cause to believe that said complain-
ant will not appear at the next
Court of General Sessions to answer to
said complaint and that he
be committed and returned to the House
of Detention in default of bail
Fabrice Mullen

Sworn to before me, this _____ day of _____ 188*9*

[Signature]
Police Justice

POOR QUALITY
ORIGINAL

0040

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Harry Smith

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by

this indictment, accuse

Harry Smith

of the CRIME OF GRAND LARCENY IN THE *second* DEGREE,

committed as follows :

The said

Harry Smith

late of the City of New York, in the County of New York aforesaid, on the *second*
day of *October* in the year of our Lord one thousand eight hundred and
eighty-*nine*, at the City and County aforesaid, with force and arms, in the
day-time of the same day, divers promissory notes for the payment of money, being
then and there due and unsatisfied (and of the kind known as United States Treasury
Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the
payment of and of the value of

Twenty - five -

dollars ; divers other promissory notes for the payment of money, being then and there due
and unsatisfied (and of the kind known as Bank Notes), of a number and denomination
to the Grand Jury aforesaid unknown, for the payment of and of the value of

Twenty - five -

dollars ; divers United States Silver Certificates of a number and denomination to the Grand
Jury aforesaid unknown, of the value of

Twenty - five -

dollars ; divers United States Gold Certificates of a number and denomination to the
Grand Jury aforesaid unknown, of the value of

Twenty - five -

dollars ; divers coins of a number, kind and denomination to the Grand Jury aforesaid
unknown, of the value of

Seven dollars and

seventy - six cents.

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

JOHN R. FELLOWS, *District Attorney.*

0041

BOX:

371

FOLDER:

3473

DESCRIPTION:

Smith, John

DATE:

10/09/89



3473

0042

BOX:

371

FOLDER:

3473

DESCRIPTION:

Palmer, Edward

DATE:

10/09/89



3473

POOR QUALITY ORIGINAL

0043

Witnesses:

Geo Decho
Wm H. Hahn

16 ~~*Filed*~~
Counsel,
Filed *1889*
Pleads, *L. M. Kelly*

THE PEOPLE
John Smith
Edward Palmer
JOHN R. FELLOWS,
District Attorney.

Robbery, [Sections 224 and 225, Penal Code].
First degree.

A True Bill.

Wm. Cole, Foreman.

Part II
Oct. 14 1899.
Part III October 15 1899.
Both tried and convicted
attempt at Robbery 1st day.
Each 5 years P.P.

**POOR QUALITY
ORIGINAL**

0045

2

I was not so drunk but that I could walk straight and talk straight . I live on 3rd Ave ue between 22nd and 23rd street . I cannot tell why I came down town on that night . I think it was about one O'clock when I came down town . I could not tell where I got off of the elevated train; I think it was at Baxter St. I lost five dollars that night. The five dollars which I lost or which was taken from me I had in a separate pocket from my other money which I was spending . I last saw the five dollars before I left the saloon with these men . I cannot tell how long it was before I was robbed .

HENRY HAHN, a witness for the People, sworn, testified:

I am an officer of the Municipal Police . I arrested these defendants on the 29th of September in this city . I was standing on the north west corner of Centre and Canal Streets at about four o'clock in the morning and I saw those two prisoners and four or five more, . I watched them, and after a while I went up Canal and through Baxter St. and another officer ran over to me and told me something . I followed these men up CBaxter St. I did not keep over twenty five feet away from them . I heard somebody shout "Police" and I ran into No. 144 Baxter St. Palmer was standing outside of the door. I went inside and I found the defendant Smith on top of the complainant and I had to pull him off of him. When I got them up Smith was all covered with blood and the other man had a cut under his eye --I mean that the complainant was covered with blood and Smith had a cut under his eye. I asked Smith is f he took the man's money and he said no that he was sleeping in the hallway . Palmer told

**POOR QUALITY
ORIGINAL**

0046

3

told me that he was stalling outside for Smith--that is on the watch for him . I saw Palmer sign his name to the statement which he made in the Police Court. I heard Palmer make this statement "I was in company with Smith, and others, and was looking out for the Police when they took the complainant in the hallway to rob him". I searched the defendants . The other men disappeared through the rear door or the basement of the house; they could not be found .

CROSS EXAMINATION:

The complainant was covered with blood and Smith, the defendant was bleeding . They looked like recent wounds on the face of the men . Smith was not drunk . Smith was on top of the complainant when I found them in the hall and it looked as though the complainant was trying to get him off . . The prisoner Smith was more drunk than the complainant . As soon as I brought them outside the complainant said that somebody had robbed him . As soon as I brought Smith out he identified him; he said some one struck him in the neck and knocked him down . I searched both the prisoners but did not find anything on them .

D E F E N S E

JOHN SMITH, one of the defendants, sworn, testified:

I live at No. 138 Park Row in this city . I am a waiter by occupation . . On the night spoken of I met the complainant in 138 Park Row , he was drinking in the saloon with some colored fellow . After a while he asked me to play cards with him and I did . We had several

**POOR QUALITY
ORIGINAL**

0047

4

drinks and he asked me to go home with him . He said "I am drunk and I want to go home, will you come with me". Between times this colored fellow who had been with him drinking had gone out and did not return. I walked out with this man and in walking along Baxter St. we met this colored fellow and the colored fellow took him one side and into a hall way; four or five other fellows ran in and came out right away . I went in and this man scrapped with me and I got arrested . That is all I know about the case . I did not take this man's money; I did not know the man had any money. YThe first I saw Of Palmer was when I came out I saw the policeman had him at the door .

CROSS EXAMINATION:

I have never been arrested before in my life .

I have been living in New York four years . I have been a waiter all that time . None of the persons I worked for are in Court .

Q What did you go into this hall way for that night ?

A I went in when I saw these men who had gone in come out; I knew this complainant was drunk and he had asked me to go home with him : I went in to get him and take him home .

Q This was after the colored fellow had come up and took the complainant away from you ? A. Yes sir .

Q Did you know that this man had a five dollars bill in his pocket ? A. No sir, I never watched where he put his money: I know he paid for a dollars worth of drinks . I do not know this boy Palmer. I never saw him until he was arrested . I did not tell him to watch outside at the door .

**POOR QUALITY
ORIGINAL**

0048

EDWARD PALMER, a witness, defendants, sworn, testified :

I live at No. 62 Market Street in this city . I am a newsboy . I was going for my papers that morning . I met Smith and a couple of more fellows . I was going on my business to buy papers, and I met a couple of fellows and I went with them . They followed that man up and I was outside of the hallway waiting until they went in .

Q What did they say to you ? A. They said Watch out, and I did .

Q You watched out ? A. Yes sir . I thought I would get some money .

Q What did you think they were going to do with the man in the hallway ? A. I thought they were going to rob him .

Q Did you understand what you are saying ? A. Yes sir .

Q You thought they were going to rob somebody ? A . Yes sir .

CROSS EXAMINATION:

There were five men altogether and this man Smith was one of them . I dont know the name of the man who asked me to watch out for them . I was to let them know if the police came . The officer did come along and he ran in; and he also arrested me . . . I have never been arrested for any crime; but was taken up once for sleeping ut in the streets . . . I am just fifteen years of age .

OFFICER HAHN, recalled testified that he saw four or five men go into this hallway with the complainant .

the Jury returned a verdict finding the defendants both Guilty of an Attempt at Robbery in the 1st degree .

**POOR QUALITY
ORIGINAL**

0049

Indictment filed Oct. 9. 1889

COURT OF GENERAL SESSIONS

Part III.

The PEOPLE &c

against

JOHN SMITH and EDWARD PAL

MER.

))))

Abstract of testimony on

trial New York, October

15th 1889.

POOR QUALITY ORIGINAL

0050

CITY AND COUNTY }
OF NEW YORK, } ss.

POLICE COURT, 1 DISTRICT.

Henry Hahn
of the 6th Precinct Police Street, aged years,
occupation

being duly sworn deposes and says,
that on the day of 188

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

written named Complainant is a necessary
and material witness against said
John Smith charged with Robbery
Deponent says that he believes
that said Complainant has no
permanent place of abode and asks
that he give surety for his appearance
to testify

Henry Hahn

Sworn to before me, this 17th day of 1889

Police Justice.

POOR QUALITY ORIGINAL

0051

Police Court - / District.

CITY AND COUNTY }
OF NEW YORK, } ss

George Deho

of No. 2^d Avenue bet. 29 & 30th Street, Aged 28 Years

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

29 day of September 1889, at the 14 Ward of the City of New York,

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

Good and lawful money of the United States of the amount and

of the value of Five DOLLARS, the property of deponent

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

John Smith and Edward Palmer (now here) and four others whose names are unknown that about the hour of 4 1/2 a. M. on said date deponent was walking along Baxter Street when one of said unknown men came up to him and invited him to go where there was music. That said unknown man took him in the hallway of No. 144 Baxter Street in said City and said Smith, Palmer and said unknown men followed him and struck him on the head and face with their fists striking him down and while down said deponent's feet

Sworn to before me this 29 day of September 1889.

Police Justice.

POOR QUALITY ORIGINAL

0052

said money from the pocket of the pants and
then and there was by department when
officer Heaton (number) came in
said hallway and ~~and~~ took said
Smith in custody and at the entrance of
said hallway caught said Palmer
Department further says he positively
identifies said defendants

Sworn to before me George D. King
this 29 day of Sept 1887
De W. H. Sullivan 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 1887
Police Justice.

I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1887
Police Justice.

There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1887
Police Justice.

Police Court, District, _____

THE PEOPLE, &c.,
on the complaint of

vs.

1. _____
2. _____
3. _____
4. _____

Offence—ROBBERY.

Dated 1887 _____
Magistrate _____
Officer _____
Clerk _____

Witness, _____
No. _____ Street, _____
No. _____ Street, _____
No. _____ Street, _____
§ _____ to answer General Sessions.

POOR QUALITY ORIGINAL

0053

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Edward Palmer 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.

Edward Palmer

Question. How old are you?

Answer.

15 years

Question. Where were you born?

Answer.

N. S.

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

Answer.

62 Market St 2 years

Question. What is your business or profession?

Answer.

Laborer

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 was in company with Smith and the others and was looking out for the police when they took Komplamant in the hallway to Rob him

Edward Palmer

Taken before me this

Day of

Sept

29

188

P. J. Kelly Police Justice.

POOR QUALITY ORIGINAL

0054

Sec. 198-200.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I was intoxicated I am not guilty

*I was intoxicated not guilty
John Smith*

Taken before me this

day of

188

Police Justice.

POOR QUALITY ORIGINAL

0055

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

Police Court--- 15 District.
 1494

THE PEOPLE, etc.,
 ON THE COMPLAINT OF
 George DeLo
 or H. S.
 1 John Smith
 2 Edward Palmer
 3 _____
 4 _____
 Offence Robbery

Dated Sept 29 1889

Magistrate
 David O'Reilly

Officer
 Henry Hoehn

6 Precinct.

Witnesses Henry Hoehn

St. Precinct Peter

Embarrassment committed to the

Source of Return

of \$100 to

No. _____ Street
 1889

Committee

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

Dated Sept 29 1889 D. J. O'Reilly 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.

POOR QUALITY ORIGINAL

0056

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 and Edward Palmer

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

John Smith and Edward Palmer

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

The said John Smith and Edward Palmer, both

late of the City of New York, in the County of New York aforesaid, on the twenty-ninth day of September, in the year of our Lord one thousand eight hundred and eighty-nine, in the right time of the said day, at the City and County aforesaid, with force and arms, in and upon one George Devo, in the peace of the said People, then and there being, feloniously did make an assault, and

the sum of five dollars in money, lawful money of the United States of America, and of the value of five dollars, (a more particular description whereof is to the Grand Jury aforesaid unknown)

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

John Smith and Edward Palmer, and each of them, viewing them and there aided by an accomplice actually present, to wit: each by the other, and also by divers other persons to the Grand Jury unknown: against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John R. Kellogg, District Attorney

0057

BOX:

371

FOLDER:

3473

DESCRIPTION:

Smith, Minnie

DATE:

10/11/89



3473

POOR QUALITY ORIGINAL

0058

69 R. J. Har

Counsel,
Filed 11 day of Oct 1889
Pleads, Guilty 14

Grand Larceny [Sections 528, 531 —, Penal Code].
degree.

THE PEOPLE

19⁰⁵ Clanton - R
106

Minnie Smith

JOHN R. FELLOWS,

District Attorney.

Prison 6 months.
Rem Six months.

A True Bill.

W. L. Cook Foreman.

Witnesses:

3. Otter
off Brad

POOR QUALITY ORIGINAL

0059

Police Court

6th

District.

Affidavit—Larceny.

City and County of New York, ss.

Ernestine Ittner of No. Webster Avenue and 174th Street, aged 62 years, occupation Hotel Keeper or about the 15th day of August 1889 being duly sworn deposes and says, that on the 15th day of August 1889 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:

- 33 Gentlemen's Damask towels
 - 3 Bathing - 26 Gentlemen's Damask napkins -
 - 3 Double sheets - 1 Large table cloth - 1 Small table cloth - 1 Pillow slip -
- all of which is of the value of Fifty six dollars and forty four cents

the property of Ernestine Ittner who was in possession of the property which belongs to her

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 ~~one Winnie Smith~~ ^{one Winnie Smith} ~~as alleged~~ ^{Reason of the fact that} the deponent has identified the property as that taken from her possession and that the said Winnie has confessed that she had taken the said property from this deponent and also from ~~the fact that~~ ^{the fact that} she had been informed by one Michael Brady that ~~she found~~ ^{he found} the ~~offense~~ ^{property} in the possession of the said Winnie and that she confessed to him that she had stolen and taken away the property above mentioned. This deponent therefore ~~believes~~ ^{believes} that a larceny has been committed by the said Winnie and she therefore prays that the said Winnie Smith be held to answer ~~and be~~ ^{on the charge of} ~~with~~ ^{with} according to law. Ernestine Ittner

Sworn to before me, this 18th day of August 1889

Police Justice.

John DeKenne Police Justice

Sworn to before me this 18th day of August 1889

POOR QUALITY ORIGINAL

0060

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 6th DISTRICT.

of ss. 34th Precinct

Michael Brady

Street, aged _____ years.

being duly sworn deposes and says that on the 26th day of September 1889

at the City of New York, in the County of New York he arrested Minnie Smith (now keep) for the following reasons: That to wit: That he was informed on or about the 15th day of August 1889 by ~~James~~ Mr. John Stuard of Tremont Avenue that a lot of table linen and other articles had been stolen from her premises and that she had reason to suspect said Minnie from the fact that she had found a portion of goods ^{concealed} under said Minnie's bed she ^{being} a servant in the house and from the fact that said Minnie has admitted to this deponee

Sworn to before me, this _____ day of _____ 1889

Police Justice.

POOR QUALITY ORIGINAL

0062

Sec. 198-200.

6th

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Minnie Smith

being duly examined before the undersigned 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 see 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. *Minnie Smith*

Question. How old are you?
Answer. *Nineteen*

Question. Where were you born?
Answer. *Germany*

Question. Where do you live, and how long have you resided there?
Answer. *No 106 Clinton Place - Three weeks*

Question. What is your business or profession?
Answer. *Servant*

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

Answer. *I am guilty of taking the things that have been shown me in a basket.*

Minnie Smith.

Taken before me this 1st day of Oct. 1889
Charles H. ...
Police Justice.

POOR QUALITY ORIGINAL

0063

Sum into the custody of Officer Ruddy with the following morning 10/1/89 to his place arrested

BAILED,

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

Police Court... 1520 District.

THE PEOPLE, Ec., ON THE COMPLAINT OF

1 *William Smith*
2 *John Meyer*
3
4

Office *Lucy Felony*

Dated *September 29* 1889

Ruddy Officer.

Witnesses *Michael Ruddy* Precinct.

John Remyer Street.

John Remyer Street.

William Smith Street.

John Remyer 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 *defendant*

guilty thereof, I order that *She* be held to answer the same and *She* 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 *She* give such bail.

Dated *September 29* 1889 *Charles N. Luntz* Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY
ORIGINAL

0054

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Minnie Smith

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

Minnie Smith

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

The said *Minnie Smith*

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

thirty-three towels of the value of seventy five cents each, three other towels of the value of one dollar each, twenty six napkins of the value of twenty five cents each, three sheets of the value of two dollars, one table cloth of the value of two dollars, one other table cloth of the value of one dollar, one pillow slip of the value of one dollar.

of the goods, chattels and personal property of one

Ernestine Itner

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

John R. Follows
District Attorney

0065

BOX:

371

FOLDER:

3473

DESCRIPTION:

Smith, Thomas

DATE:

10/16/89



3473

POOR QUALITY ORIGINAL

0055

133
Candy

Counsel,
Filed *16 Oct. 1889*
Pleads, *Henry W.*

337
THE PEOPLE
vs.
Thomas Smith
Grand Juror
[Sections 528, 531, Pennil Code].

JOHN R. FELLOWS,
District Attorney.

A TRUE BILL.

W. L. Cole Foreman.
27 Oct 24. 1889
Pleas P. C.
Cent. Law m. a.

28

Witnesses:
E. S. Swan

POOR QUALITY ORIGINAL

0057

Police Court—

21

District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 66 Henry Street, aged 22 years,
occupation Receiving Letter being duly sworn

deposes and says, that on the 1st day of January 1888 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz :

Gold and lawful money of the United States to the amount and of the value of one hundred dollars (\$100.00)

Sworn to before me, this 1st day of January 1888

the property of The Second National Bank and in deponent's care and custody

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 Thomas Smith

From the fact that the said deponent was employed as a messenger by the American District Telegraph Company and on the above date deponent gave the said deponent a check for one hundred dollars with instructions to take said check to the German Exchange Bank and get it cashed and return said sum of money to him.

Deponent is informed by Charles A. Wettrian who is the paying teller of the German Exchange Bank that on the above date he paid said check.

Deponent further says that the said deponent.

Police Justice.

POOR QUALITY
ORIGINAL

0068

never returned said sum of money, or any
portion of it to him, or any person authorized
to receive it for said bank, or accounted for
it in any way but did feloniously appropriate
it to his own use and benefit with the intent
to cheat and defraud
Wherefore deponent prays the said Thomas
Smith may be apprehended, and dealt with
according to law.

G. Green.

Sworn to before me)
this 26th day of July 1888

James C. Hill)
Police Justice

POOR QUALITY ORIGINAL

0069

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 28 years, occupation Charles A. Veteran
328. E 57th Street, being duly sworn deposes and
Paying Seller of No. George J. J. J.

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

Sworn to before me, this 26 day of January 1881
Charles A. Veteran

Sam'l C. Keilly
Police Justice.

POOR QUALITY ORIGINAL

0070

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

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

Question. What is your name?

Answer.

Thomas Smith

Question. How old are you?

Answer.

19 years

Question. Where were you born?

Answer.

New York City

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

Answer.

West Street near Perry 3 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.

I am guilty

Thomas Smith

Taken before me this

day of *October* 188*7*

John J. Brennan
Police Justice.

POOR QUALITY ORIGINAL

0071

Sec. 151.

2 District Police Court.

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

Whereas, Complaint on oath, has been made before the undersigned, one of the Police Justices in and for the said City, by George Greer

of No. 26 Henry Street, that on the 16th day of January 1888 at the City of New York, in the County of New York, the following article to wit:

Good and lawful money of the United States of the value of one hundred Dollars, the property of Second National Bank in complainant's possession taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by Thomas 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 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 26 day of January 1888
Sam'l Smith POLICE JUSTICE.

312
POLICE COURT, 2 DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George Greer

vs.
Thomas Smith

Warrant-Larceny.

Dated January 26 1888

Samuel Greer Magistrate

Michael Greer Officer

The Defendant Thomas Smith

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

James J. M. Smith Officer

Dated Feb 9 1888

This Warrant may be executed on Sunday or at night.

Sam'l Smith Police Justice.

REMARKS.

Time of Arrest

Native of

Age

Sex

Complexion

Color

Profession

Married

Single

Read

Write

POOR QUALITY ORIGINAL

0072

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

W 1528
 Police Court District

THE PEOPLE, &c.,
 ON THE COMPLAINT OF
 George Beer
 116 St. Ann St.
 James Smith

Offence
 Larceny felony

Dated Oct 9th 1889
 1889

Magistrate
 Charles W. Murphy
 Precinct

Witnesses
 Charles W. Williams
 No. 323 65th St.
 James F. Watson
 No. 100 1st St.

No. 8 Day
 Officer J. J. [unclear]
 No. 5770
 \$ 5770 to answer



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

George Beer
 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 Oct 9th 1889 James J. [unclear] Police Justice.

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

Dated _____ 1889 _____ Police Justice.

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

Dated _____ 1889 _____ Police Justice.

POOR QUALITY ORIGINAL

0073

PART II.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

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

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

To *Sandford J. Watson*
of No. *82* 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 *24* day of *October* 1889, at the hour of 11 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

Thomas Smith

Dated at the City of New York, the first Monday of *October* in the year of our Lord, 1889.

JOHN R. FELLOWS, *District Attorney.*

POOR QUALITY
ORIGINAL

0074

C. W. SANDERS, M. D.,
53 East 34th Street,
NEW YORK.

Feb. 25, 89

To whom it may concern
I hereby
certify, that Mr. H. S. Sanford,
is a patient of mine, and
has been confined to his
bed & room, for the past
thirteen (13) days, suffering from
a very acute & painful attack
of Rheumatism, commonly known
as "Stingitis". He is not yet
able to attend court, and
in my opinion will not
be, until about Wednesday
the 30th inst.

C. W. Sanders M.D.

POOR QUALITY
ORIGINAL

0075

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Thomas Smith

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by
this indictment, accuse *Thomas Smith*

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

The said

Thomas Smith,

late of the City of New York, in the County of New York aforesaid, on the *seventeenth*
day of *January* in the year of our Lord one thousand eight hundred and
eighty-*eight*, at the City and County aforesaid, with force and arms, in the
day time of the same day, divers promissory notes for the payment of money, being
then and there due and unsatisfied (and of the kind known as United States Treasury
Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the
payment of and of the value of *fifty*

\$100.00
dollars; divers other promissory notes for the payment of money, being then and there due
and unsatisfied (and of the kind known as Bank Notes), of a number and denomination
to the Grand Jury aforesaid unknown, for the payment of and of the value of
fifty

dollars; divers United States Silver Certificates of a number and denomination to the Grand
Jury aforesaid unknown, of the value of *fifty*

dollars; divers United States Gold Certificates of a number and denomination to the
Grand Jury aforesaid unknown, of the value of *fifty*

dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid
unknown, of the value of *ten dollars*

of the goods, chattels and personal property of ~~one~~ a corporation called the
Second National Bank then and there being found,

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

JOHN R. FELLOWS, *District Attorney.*

0076

BOX:

371

FOLDER:

3473

DESCRIPTION:

Snow, Thomas

DATE:

10/01/89



3473

0077

BOX:

371

FOLDER:

3473

DESCRIPTION:

Muller, Joseph

DATE:

10/01/89



3473

0078

BOX:

371

FOLDER:

3473

DESCRIPTION:

Cornelius, Henry

DATE:

10/01/89



3473

POOR QUALITY ORIGINAL

0079

With the time that has elapsed since the teaching of this incident and the charges and conclusions, the retirement of officers, the release of 200 lbs or, if would be idle to keep this in circulation, we wish a crew to its essential trial. To clear the record, I recommend that all the debts be discharged on their individual receipts. See Nov 15/97

I Counsel,
D. Frank Lloyd,
A.A.C.A.

1917. 2 Lay
Counsel,
Filed,
Pleads,
188

RECEIVING STOLEN GOODS
(Section 550, Penal Code)

THE PEOPLE,

vs.
Thomas Snow
Joseph Miller
Harry J. Cornelius

JOHN R. FELLOWS,
District Attorney.

B. B. ...
fixed by ...
net ... at \$1000
R. ...
A. ...
General Officer

March 10, 1897
On this statement made by Detective Sergeant Harley P. ... which appears to be attached ...
The defendant ...
... be discharged ...
... recognized ...
(See my letter to the ...
... his performance ...
... attached)

Discharged in
Custody of Council
M. ...
Nov 11/97

[Extensive handwritten notes and signatures covering the bottom half of the document, including names like 'John R. Fellows' and 'D. Frank Lloyd']

POOR QUALITY ORIGINAL

0000

With the time that has elapsed since the finding of this indictment and the changed conditions, the retirement of officers, the release of 2 clefts etc, it would be idle to keep this indictment alive with a view to its eventual trial. It is clear that in view of the facts on record, I recommend that all the clefts be discharged on their individual recognizances

Nov 15/97
J. Carver.
D. Frank Lloyd
A.S.C.

187. 2 San Francisco (1) 1871

Counsel,
Filed, day of
Plends, 1889
C. Mitchell
J. B. Mitchell

RECEIVING STOLEN GOODS (Section 650, Penal Code)
vs.
THE PEOPLE,
vs.
Thomas Snow
Joseph Miller
Henry J. Cornelius

JOHN R. FELLOWS, District Attorney.
The Bill
Dr. B. B. Seabrook
W. J. Messersmith
on no of duty
did not accept
March 14/97

Butler, Messersmith
for duty at \$1000
March 12, 1897
Central Office

March 12, 1897
This statement is in
of Detective Higgins
of Mr. Morgan's which
sheet attached. I see
that defendant Henry
Cornelius be discharged
on his own recognizance
(Every one told to Mr
Cornelius his papers
sheet attached)
J. R. Fellows
Discharged on
Court of Council
March 14/97

POOR QUALITY
ORIGINAL

00001

City Prison N.Y. Feb 26. 1890

Hon. John R. Fellows, Esq. District Attorney

Dear Sir,

I was ar-
rested on the 14th of September last on a
charge of receiving stolen goods. One Snow
and Muller was arrested on the same charge,
and set out on bail. After remaining here
about five months without a trial, I man-
aged to get bail and was discharged. While
out five days I was brought to court upon
an old charge of violation of the excise law,
and fined thirty dollars. I was unable to pay
the fine, and my employee (for whom I was
Bar tender when the alleged violation of the
excise law occurred) refused to pay my fine
and I was committed in default of payment.
The fine was remitted on the 17^{inst}. But

POOR QUALITY
ORIGINAL

0082

(2)

I find that my bail on the charge of receiving surrendered me as soon as I was committed in the excise case and so I am still held here.

I am informed that it is the intention of your office to use me as a witness in the case of Snow, and I am willing to testify at any time. But I am also informed that the case of Snow is not likely brought to trial for some months or more on account of sickness, so that I may be here indefinitely, without any prospect of release, unless you will kindly come to my relief.

I have a wife in delicate health and four small children dependent on me for support. They were dispossessed and put in to the street in December

**POOR QUALITY
ORIGINAL**

0083

last, and are now daily threatened
with a repetition of the same misfortune.

I was working when arrested, and can
get employment again if I am discharged.
I will appear and testify whenever I am
wanted.

I respectfully beg that you will
consent to my discharge upon my
own recognizance.

Yours respectfully,

Henry J. Cornelius

POOR QUALITY
ORIGINAL

0084

TO THE CHIEF CLERK.

Please send me the Papers in the Case of
PEOPLE

vs.

Thomas Snow
Joseph Cullen
Henry Cornelius
D. S. G.

I have sent for
Sgt. Hanley in
this case. He says
he can procure no
additional testimony,
thinks Cornelius ought
to be discharged by
his own ^{District Attorney} recognizance
& says he can find
him any time he is
needed.

Thos. Sawyer
C. C.

POOR QUALITY
ORIGINAL

0085

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

March 12 1890.

This Defendant (Henry J. Cornelius) should not be kept longer in prison unless the People are able to go on at once to trial. Send for the Detective Sergeant - Hurly & find out if we are ready to proceed immediately. If not, I shall advise the discharge of Cornelius.

J. H. Williams
Dist. Atty.

The Detective's name appears in
list in the Court.

POOR QUALITY ORIGINAL

0085

1889
Sept 18th 1889
2 P. M.

BAILED

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Anna Stern
114 East 81st Street

Leon E. Mueller
10 Charleston Street

Frederick Entenmann
73 Oakwood Street

Street

NY D 2 14 11
Police Court--- District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph E. Hackett
89 South 5th Ave

Thomas Sumner

Joseph Muller

Henry Connelin

Offense Receiving Stolen Property

Dated

Sept 16 1889

Residence

John J. Herman
Magistrate

Witnesses

Charles A. Hawley
Ben A. H. H. H.

No.

305 Mulberry Street

No.

Street

No.

Street

\$

5000 TO BINDER

No.

Mr. J. B. B. B.

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

Thomas Sumner Joseph Muller and Henry Connelin

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

Dated Sept 18 1889 John J. Herman Police Justice.

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

Dated 1889 Police Justice.

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

Dated 1889 Police Justice.

POOR QUALITY ORIGINAL

0087

CITY AND COUNTY }
OF NEW YORK, } ss.

Charles A Hanley
Detective Sergeant of No.

aged _____ years, occupation

300 Mulberry

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

Joseph C. Hacker

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

Sworn to before me, this _____ day of _____ 188

16

Charles A Hanley

John J. Sherman
Police Justice.

POOR QUALITY
ORIGINAL

0000

Police Court, 2^d District.

City and County } ss.
of New York,

of No. 59 South 5th Avenue Street, aged 50 years,

occupation Manufacturer being duly sworn, deposes and says,

that on the 9th day of September 1889, at the City of New

York, in the County of New York, deponent premises at

No 59 South 5th Avenue. were burglariously entered and property consisting of leather pocket books leather card cases and leather travelling bags of the value of seven hundred dollars were feloniously taken stolen and carried away by Charles Garner, Jerry Struss and William F. Cole. and Thomas Snow Joseph Muller and Henry J. Cornelius (all now here) did feloniously receive and dispose of the above mentioned stolen property. they well knowing that said property had been stolen. as deponent truly believes. from the fact that deponent is informed by Detective Sergeant Charles A. Hanley that the man William F. Cole who was charged with others with committing the burglary and larceny at deponent's factory at no 59 South 5th Avenue admitted and confessed to him Hanley that the defendant Muller had taken a portion of the aforesaid stolen property to the defendant Cornelius and that they Muller and Cornelius had disposed of some of said property to the defendant Snow. the said Hanley further informs deponent that the defendant Muller admitted to him Hanley that he Muller had taken a number of the aforesaid stolen property to Cornelius and asked him to dispose of it. and that he Muller and Cornelius met the defendant Snow at 77 Carmine St. and there made a bargain to sell the property to Snow for fifty dollars if delivered

POOR QUALITY ORIGINAL

0089

At Snows house no 323 East 79th St first floor, then asked Muller where the property came from, and was informed by Muller and Cornelius that it came from the 15th ward, Snow then demanded to Muller that he would receive hands a ship load of stuff from the river than articles that came from the city. Snow then gave Muller and Cornelius five dollars, and in the afternoon of September the 13th Muller and Cornelius took said property to Snow at his Snows house and Snow paid them the balance of the fifty dollars which was thirty five dollars, and that Snow then took the property from the box it had been brought in, and placed it in another box, and took it in to his bed room, the said Hauley further says that the defendant Cornelius corroborated the statement made by Muller, and that the defendant Snow told him Hauley that if he Snow had time he would get the property back. Wherefore deponent charges the said defendant with feloniously and knowingly receiving said property, and prays, that they may be held and dealt with according to law.

Police Justice _____ Dated 1889 _____

guilty of the offence within mentioned, I order he to be discharged.

There being no sufficient cause to believe the within named _____
 Dated 1889 _____
 Police Justice _____

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

Dated 1889 _____
 Police Justice _____

genuinely 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.

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 _____

1 _____
 2 _____
 3 _____
 4 _____

Offence, _____

Dated 1889 _____

Magistrate _____
 Officer _____
 Clerk _____

Witnesses, _____
 No. _____ Street, _____
 No. _____ Street, _____
 No. _____ Street, _____

\$ _____ to answer _____ Sessions _____

POOR QUALITY ORIGINAL

0090

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Joseph Muller 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.

Joseph Muller

Question. How old are you?

Answer.

40 years

Question. Where were you born?

Answer.

New York

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

Answer.

18 Jones Street 4 months

Question. What is your business or profession?

Answer.

Painter

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

Answer.

I am not guilty
Joseph Muller

Taken before me this

day of

188

John Sherman

Police Justice.

POOR QUALITY ORIGINAL

0091

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Thomas Snow

Question. How old are you?

Answer.

69 years

Question. Where were you born?

Answer.

Austria

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

Answer.

329 East 78th Street. 14 years

Question. What is your business or profession?

Answer.

Merchant

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.
Thomas Snow*

Taken before me this

day of

11

188

Alfred J. Cannon
Police Justice.

POOR QUALITY ORIGINAL

0092

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK.

Henry J. Cornelius

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 J. Cornelius

Question. How old are you?

Answer.

41 years.

Question. Where were you born?

Answer.

Germany.

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

Answer.

73 Carmine Street

6 years.

Question. What is your business or profession?

Answer.

Collector

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.

Henry J. Cornelius

Taken before me this

day of

Sept 16
1889

John J. ...
Police Justice.

**POOR QUALITY
ORIGINAL**

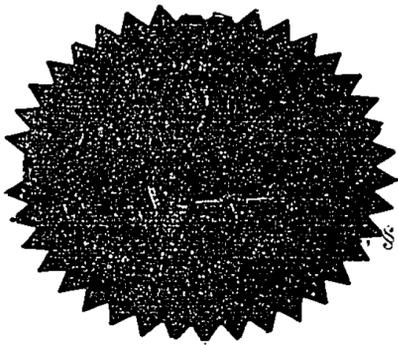
0093

I, JOHN F. CARROLL, Clerk of the Court of General Sessions of the Peace, held in and for the City and County of New York, do hereby certify that the annexed is a copy of a

Recognizance to Answer

now on file in the Clerk's Office, and that the same has been compared by me with the original, and is a correct transcript therefrom and of the whole of such original.

GIVEN UNDER my hand and attested by the seal of the said Court this *15th* day of *November* in the year of our Lord one thousand eight hundred and ninety-*seven*



§ 74, p. 687.

John F. Carroll

POOR QUALITY ORIGINAL

0094

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

An indictment having been found on the 1st day of October 1889, in the Court of General Sessions of the Peace of the City and County of New York, charging Joseph Muller with the crime of Receiving Stolen Goods, and he having been duly admitted to bail in the sum of Five hundred dollars:

We, Joseph Muller defendant, residing at No. 18 Jones Street, and Leon C. Muller residing at No. 10 Charlton Street,

Leon C. Muller surety, hereby jointly and severally undertake that the above-named Joseph Muller shall appear and answer the indictment above mentioned, in whatever Court it may be prosecuted, and shall at all times render himself amenable to the orders and process of the Court; and if convicted, shall appear for judgment and render himself in execution thereof; or if he fail to perform either of these conditions, that we will pay to the People of the State of New York the sum of Five hundred dollars.

Taken and acknowledged before me, } Joseph Muller Principal. [L.S.]
this 10th day of October 1889. } Leon C. Muller Surety. [L.S.]

Randolph B. Martin
Judge General Sessions

POOR QUALITY ORIGINAL

0095

And we, the undersigned, principal and surety in the annexed undertaking, do hereby Stipulate, Agree and Consent, that in case said undertaking shall be forfeited, that a copy of the order of the Court forfeiting the same, together with this undertaking, be filed in the office of the Clerk of the City and County of New York, and that judgment may be entered for the several sums set forth in said undertaking, and that execution issue forthwith thereon according to law.

Witness David Anderson

Joseph Muller Principal. [L.S.]

Leon E. Muller Surety. [L.S.]

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

.....
the above-named surety, being duly sworn, deposes and says, that he is a resident and a holder within the said City, County and State; that he is worth the sum of hundred dollars, exclusive of property exempt by law from execution.

Sworn to before me this day }
of 189 , }

POOR QUALITY ORIGINAL

0096

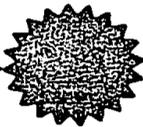
STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } SS.:

1708

I, Leon E. Muller the surety mentioned in the annexed undertaking to answer, do hereby authorize and empower any Policeman of the City of New York, or _____ or either of them, in my name, place and stead, to take, seize and surrender the said Joseph Muller (in the said undertaking held as defendant) to the Court wherein he is bound to appear for trial, or deliver him to the custody of the authorities of said city and county, in my exoneration as surety therein.

Dated November 10th 1889

Leon E. Muller Surety



NEW YORK
Court of General Sessions of the Peace,
THE PEOPLE, ETC.,
ON THE COMPLAINT OF
vs.
Joseph Muller
Undertaking to Answer.

Taken the 10 day of Oct 1889

Approved as to Form and Sufficiency.

Dated October 10 1889

James H. Smith
District Attorney.

Identified by Wm. W. Lichten

Filed 10 day of Oct 1889



POOR QUALITY ORIGINAL

0097

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

*Thomas Snow,
George Miller,
Henry J. Landins.*

The Grand Jury of the City and County of New York, by this indictment, accuse *Thomas Snow, George Miller and Henry J. Landins*

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

The said *Thomas Snow, George Miller and Henry J. Landins*, late of the City of New York, in the County of New York aforesaid, on the *ninth* day of *September*, in the year of our Lord one thousand eight hundred and eighty *nine*, at the City and County aforesaid, with force and arms,

two hundred and fifteen card cases of the value of two dollars each, one hundred and seventy four medals of the value of two dollars each, one hundred and sixty pocket watches of the value of one dollar each, and six travelling bags of the value of twenty dollars each,

of the goods, chattels and personal property of one *Joseph R. Madan, Myrthles Gardner, George Storms, William B. Cole, and*

by— certain *other* persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said

Joseph R. Madan,

unlawfully and unjustly, did feloniously receive and have; the said *Thomas Snow, George Miller and Henry J. Landins*

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

JOHN R. FELLOWS,
District Attorney.

0098

BOX:

371

FOLDER:

3473

DESCRIPTION:

Soher, Albert

DATE:

10/31/89



3473

0099

BOX:

371

FOLDER:

3473

DESCRIPTION:

Weiner, Morris

DATE:

10/31/89



3473

POOR QUALITY ORIGINAL

0100

155 *St. Andrew's*

Counsel,

Filed *31* day of *Oct.* 188*9*
Pleads, *Chicago, Ill.*

THE PEOPLE

vs.

Albert Soher
and
Morie Weiner
April 15/89

SENT TO THE COURT OF SPECIAL SESSIONS FOR THE DISTRICT OF COLUMBIA

PETIT LARCENY.
[Sections 528, 532 Penal Code]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

M. L. Cole,
Foreman.

Witnesses:

Serg. Weidberg
Central Office

**POOR QUALITY
ORIGINAL**

0 10 1

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Albert Soher and
Morris Weiner*

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

Albert Soher and Morris Weiner

of the CRIME OF PETIT LARCENY, committed as follows:

The said

Albert Soher and Morris Weiner, both

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

*one jacket of the value
of six dollars*

of the goods, chattels and personal property of one

Gabriel Schwalb

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.

*John R. Feltows,
District Attorney*

0102

BOX:

371

FOLDER:

3473

DESCRIPTION:

Somers, Richard

DATE:

10/02/89



3473

0103

BOX:

371

FOLDER:

3473

DESCRIPTION:

White, Charles

DATE:

10/02/89



3473

POOR QUALITY ORIGINAL

0104

209

Munichman

Counsel,

Filed

Pleads

John O'Leary
188

THE PEOPLE

vs.

*Richard Somers
and
Charles White*

Grand Larceny, ~~1st degree.~~
[Sections 528, 529, 530, Pennl Code].

JOHN R. FELLOWS,

District Attorney.

H. J. [unclear]

A TRUE BILL.

Charles B. [unclear]

Foreman.

John [unclear] Deputy
Chas. J. [unclear]
W. E. [unclear] Ref. B.M.

Witnesses:

Patrick O'Leary

POOR QUALITY
ORIGINAL

0 105

The People
vs.
Richard Somers
and
Charles White. { Court of General Sessions, Part I.
Before Judge Martine.

October 29, 1889.

Indictment for attempt at grand larceny in the second degree.

Michael Gorman sworn and examined.

I am the officer in the case and connected with the 7th precinct, the complainant is a name-sake of mine, I arrested the prisoners, on the 17th of September I arrested Charles White about two blocks from where this thing occurred in a book store.

Patrick O'Gorman sworn and examined.

I am an oyster man and at the time this thing happened I did business at 188 Park Row; on the 17th of September I saw the Defendants at the corner of East Broadway and Catherine Streets, I was coming from the market at the time, between two and three o'clock in the afternoon, White had one hand on the face of an old man and the other man Somers, put his hand in the old man's pocket and pulled a purse out; what the contents of the purse was I do not know because I was across the street, I could see distinctly everything that happened, the man they had was under the influence of liquor, there was a crowd of citizens around there and I could not do anything, I was alone, I had nobody to assist me, I made an outcry and a crowd of citizens came along, the smaller man ran through East Broadway and the other man ran after him, an officer came up probably a minute or half a minute afterwards and

**POOR QUALITY
ORIGINAL**

0106

caught the bigger man of the two; I had never seen either of the men before to my knowledge. I identified the big man at the Police Court, the smaller man was caught on the corner of Bayard and Bowery, he was brought back and it was five minutes to four when he was in the Station House, he had on his person five or six dollars in bills and some change. I identified him but he got shaved in the meantime, he was apparently very drunk, he had probably four or five days growth of beard and he got his face cleaned, I am positive these two are the men, I had been to Fulton Market to order some stock. The purse I saw in one of the prisoner's hands was one of these small five or ten cent pouches or pocket-books, it was the smaller man had it and he appeared to be drunk, he did not appear to be drunk when he was running, he got sobered up very quick but when he was taken to the Madison Street Station House he appeared to be very drunk.

Cross Examined. I did not see Somers drink any intoxicating liquor before this occurrence or after but I saw him stagger apparently being drunk, he was caught on the corner of Bayard and Bowery at five minutes of four, he commenced staggering again and appeared to be drunk. These men were perfect strangers to me; at the corner of East Broadway and Catherine Street I saw these two men and another man, I saw White put one hand upon the face of the third man and with the other hand he got hold of the hand or wrist of the third man and while in that position Somers put his hand into the pocket of the third man. I did tell the Police Judge that I saw a purse in Somers hand, I made

**POOR QUALITY
ORIGINAL**

0 107

an affidavit and swore to it but I did not read it, the facts sworn to were true; that is my signature on this paper shown me. I swore that my name was Patrick O'Gorman, that I lived at 6 Chatham Square, that I was forty-three years of age, that I kept an oyster stand, that on the 17th of September, 1889 in the city of New York, I caused the arrest of Richard Somers and Charles White at the southeast corner of East Broadway and Catherine Street; that deponent then and there saw said White catch hold of a man's hand whose name is unknown to deponent and said Somers thrust his hand into the left pocket of said unknown man's pantaloons with intent to steal as a pick-pocket. I did not have a talk with anybody about the case since the 17th of September; I have been to Court on this case four times, I have met the police officer in this Court and I have appeared before the Grand Jury, I did not swear before the Grand Jury that these two men intended to steal a pocketbook containing sixty dollars, I did not testify that there was money taken from the person of this third man in divers numbers and denominations to the Grand Jury unknown making a total of sixty dollars, I do not know how that comes in the indictment, I was the only witness before the Grand Jury; if they indict him for stealing sixty dollars I don't know why it is so, I said six or seven dollars, I saw the smaller man of the two take money out of that man's pocket, this prisoner Somers, I did not count the bills but I saw there were six or seven bills; the man made a complaint afterwards, I saw him count the bills and put them in his pocket, the man that was robbed was a sea-faring man; he was on the corner

**POOR QUALITY
ORIGINAL**

0108

of East Broadway and Catherine Street, they were both in conversation, they tried to get him inside and he would not go in with them, he was very little under the influence of liquor. I saw the man count the bills, they were six or seven but I could not tell whether they were ones, twos or fives. I do not know the name of the third man and don't know where he lives, I never saw him before in my life and this was between two and three o'clock in the afternoon, I would not swear that this third man was not a relative of either of these men, I don't know whose money that was; it was after Somers put his hand in the pocket of the third man that I saw Somers hold that purse in his hand; my attention was especially attracted to these two men, I saw Somers put his hand into the pocket of this other man and saw him take it out and then I saw the black purse, Somers ran up through East Broadway and at four o'clock I caused his arrest at the corner of Bowery and Bayard Street, I was present when he was searched and saw what he had on his person, there was taken from him five dollars in bills and about a dollar in change, I don't know where he was between two and four o'clock, I saw him in 15 Bowery talking with the bartender and there was another young man saw him, I wish he was here and he would corroborate me, I told him to go back and tell the officer. I am not anxious to send anybody to the State Prison, I have never been convicted of any crime, I have lived at No. 6 Chatham Square four or five months and previous to that at 207 East 22nd Street, I am a widower; this place in Chatham Square is a lodging house. This No. 15 Bowery is a den of thieves, it is a bar-room and

**POOR QUALITY
ORIGINAL**

0 109

there is a disreputable house upstairs, I never was up in that house in my life, I get my information about it from other people, I happened to pass by and saw Somers standing there. I know that the officer who arrested Somers took him back to the saloon 15 Bowery to be identified by the bar-keeper and he said he could not identify him --- I mean that he was taken back to the saloon right opposite where the robbery was committed, I did not go in, I stood outside and the Officer told me what occurred. I looked into the saloon 15 Bowery and I saw Somers standing at the end of the bar, it was a swinging door and I looked in, I could see him perfectly plain; the other young man who was with me saw the whole transaction. I am an oyster man and did keep a stand at 133 Park Row, I did live at 41 Mott Street but at the time of this larceny I lived at 207 East 22nd Street.

Micheal Gorman recalled.

I was on post at Catherine and Henry Street about half past two in the afternoon when a citizen came and told me something, I went up to the corner of East Broadway and when I got there I saw a man who appeared to be a sailor staggering around on the corner and several citizens there said there was two fellows after robbing him; they said they went up the street, I started up and told a couple of them to go over on the other side and run ahead for if they saw me they would only run away. I ran up the street and saw two men turn the corner of Market Street going towards Division, I could not get a look at them and could not identify them. In the meantime the crowd

**POOR QUALITY
ORIGINAL**

0110

followed them up and I found this tall fellow White standing in a doorway, he backed into the doorway of a book store and several pointed out this fellow, I got hold of him and brought him back to East Broadway and Catherine Street to see if I could get the sailor but he had went away in the meantime. When I arrested White he said the sailor asked him to show him Catherine Ferry, that he showed him the way to the ferry and he left him on the corner, that is all he said at the time. I told him what I arrested him for, he gave me no explanation of what he was doing in the doorway of the book store and I didn't ask him; several of the crowd said, "that is the man", and when I brought him back to the corner the last witness and the complainant identified him as the man that held this sailor, I could not find the complainant, the party that was supposed to have been robbed at that time and I sent another officer to search for him while I brought him to the Station House, he gave his name and address there, I am now speaking of Charles White; when I came back from the Station House the last witness and another young man were there, I asked them where the other fellow ran, they said he ran through Bayard Street toward the Bowery, I says, "you had better take a walk up and probably you will see that fellow on the Bowery and if you do, come down and let me know." So they walked up the Bowery and in about five minutes afterwards one of them came down and told me he was in No. 15; I went up and found Somers standing on the corner of Bayard Street I arrested him and he said he just got off the car and

**POOR QUALITY
ORIGINAL**

0111

did not know anything about it. I took him first to this saloon in front of where the robbery was committed to see if the bar-tender could identify him; he said he could not because there was so many coming in but the witness Gorman identified him and the other man who was with him on the corner, they said he was the man, the Defendant said he did not know anything about it, that he just got off the car in the Bowery, that he stopped in and had a drink and I arrested him.

Cross Examined. When I was told in Catherine Street on this afternoon that somebody was getting robbed the trouble was all over but I saw the man staggering around there; I arrested this man afterward in the Bowery upon the identification of Gorman as being implicated in this larceny, I did not see anything of it myself. When I took him into the saloon I asked the bar-keeper if Somers was in there and he said he did not remember. I did not testify before the Grand Jury and I do not know how it comes that these men are indicted for stealing sixty dollars. I searched Somers at the Station House and there was found on him \$4.80, about three dollars in bills and the rest in silver, I also found a watch, a pawn ticket and a locket, there was no charge that the money was stolen that I know of, I took the things that were on his person and sent them to the Property Clerk.

The People rested their case and Counsel for the Defence asked his Honor to direct the Jury to acquit on the ground that there was no evidence before the Court as to the ownership of the property if any was taken.

**POOR QUALITY
ORIGINAL**

0112

Charles White sworn and examined in his own behalf, testified:

I am nine weeks in the city of New York and arrived here from London, I do not exactly recollect the date but I left London on the 11th of August and got here about a week after. I did not know Somers on the 17th of September and never saw him until I saw him in the Police Court, he was not a companion of mine, I remember the day of my arrest, I heard what O'Gorman testified to, I did not slap a drunken sailor or any man on the face with one hand and catch him with the other at the corner of East Broadway and Catherine Street or any other place, I did not see Somers and was not with any other person who put his hand into the pocket of this third man, I did not see anything of the kind, I was at the corner of East Broadway and Catherine Street, I met a man in 15 Bowery who asked me to take him to the Catherine Street ferry and while I was going with him he met a friend of his, somebody he knew and when we got as far as East Broadway and Catherine- I don't know the name -- I think the man whom we met worked on the Canal, this man and the third party started fighting, I tried to stop him from fighting, I found I could not do it and walked away and when I got as far as the corner of Market Street I saw the crowd running after me, I stopped and the officer came up and arrested me, I told him I did not know anything about the charge, he took me back to the corner of East Broadway and I met the witness Gorman who identified me as the man that held the party that got off; I told him I did not know anything

**POOR QUALITY
ORIGINAL**

0113

about the robbery; the sailor was not there at that time, he had gone. I was arrested on the corner of Market Street and East Broadway, I was searched at the Station House and about forty-five cents in money was found on me. I was never convicted of any crime either in London or here, I have no relatives or friends here.

Cross Examined. Since I have been in New York I have lived at 41 Bowery, I left London as near as I can get at it on the 11th of August upon a Thursday on the Red Star Line ship Westmorland, I landed in Jersey City and afterward came to Castle Garden New York and from there I took lodging at 41 Bowery, I have been doing nothing since, I met this sailor at 15 Bowery, I went into the liquor saloon to take a drink with a man and saw the sailor standing at the bar, he talked to me and I had a few drinks with him and he asked me to take him to the Catherine Street Ferry; I cannot tell you exactly what streets I passed for I am not acquainted and at the corner of East Broadway and Catherine Street the fight began. I was born in London, my name is Charles White and I never went by any other name. This is my signature on the paper shown me, I never said that I was born in Germany, I never have been out of London, I did not say I resided at 41 Barrow Street, I answered 41 Bowery. I did not run and the reason why I left the sailor was because I did not want to get into the fight, I was on my way home but I did not know the shortest way to get there. When the officer brought me back I do not remember anyone saying that I was the man except the witness Gorman. I saw the crowd running after me and heard the shouts and the

**POOR QUALITY
ORIGINAL**

0114

officer was ahead of the crowd. The officer brought me back to the corner of East Broadway and Catherine Street and there the witness Gorman and another young man said I was the man. I never saw Somers until I saw him at the Essex Market Police Court. I went to Oxford in this State since I have arrived; I was fetched from Castle Garden by a man who keeps a milk shop or creamery, a Mr. Young of Orange County, I stayed there about a week, I left the place because it was a temperance place, I told the man that I took a drink occasionally and ^{it} did not suit me, I came to New York. I went to this creamery by the Erie Railroad, but I do not remember the day of the week when I left New York. I saw Mr. Young at the employment office in Castle Garden, I got half a dollar a day and board. I was in New York about three weeks before I was arrested, as near as I can get at it. The reason why I am familiar with the names of the streets in New York is that I was here before in 1884, I worked at 274 West St. for Mr. Brown, a hotel keeper for about two years, I left him because I did not like the place, I was not discharged, I went then to St. Louis and from there to Kansas City and from Kansas City to Leavenworth, I worked there in a grocery store, Leavenworth is not a town, it is a military post, the man's name was Jones whom I worked for, he was a post-trader, he might have been discharged from the army.

I am positive I never went by any other name than my right name. . There was no hotel or public house of any kind in Oxford, Orange County, I left there because there was no place where liquor was sold, Oxford Depot they call it, I am quite positive there is no hotel there.

I lived in the Seven Dials in London, I remained in London from 1884 to 1889, I know where Scotland Yard is but I have never been there.

Richard Somers sworn and examined.

I was born in Germany, I don't know the Defendant White and had not seen him previous to the day that I met him at the Police Court, he is no companion of mine, I remember the 17th of September, the day I was arrested and was never arrested accused of any crime before that.

I did not put my hand in the pocket of any man at the corner of East Broadway and Catherine Street and was not in the company of White or any other man I did not see any man slap a sailor in the face and hold the wrist of a man. I amna painter by trade but since I have been here I have worked in a grocery store, I came here in 1882 and worked for my brother-in-law at 24th Street and First Avenue for four years and worked again afterwards for six months for Fred Prackinhurts and after I left that I followed painting, which I learned in Germany; this last summer I worked in Williamsburgh and Brooklyn in Harrison Avenue and got \$2.50 a day, the painting got slack in September and I went to Canal Street; on this morning I went to my sister in 24th Street to see whether I should work in a grocery store or at painting for the winter, she told me to do what would suit me best and from there I went over to my brother in 415 Sixth Avenue, Fred Somers, who is a cashier there, it is a dining saloon, he has been there for the last seven years, I came down Canal Street to see the painter to see whether I would get work;

**POOR QUALITY
ORIGINAL**

0 1 16

it was about half past three in the afternoon, I saw the painter and he told me work was slack, his name is Steiner if I am not mistaken; I went in a place in the middle of the block and had a drink. I met a party at the corner whom I had known before and the Officer came up and arrested me on the corner of Bayard Street and Bowery, I asked him what he was arresting me for, there was two officers and a big crowd there. He said to me, on a charge of robbing a man. I said, "I don't know anything about it, I will go with you to the Station House"; he took me down to the corner of East Broadway and Catherine Street and took me into the place and asked the bar-tender whether I was the man was in there and hte bar-tender said he did not see me, I was taken to the Station House and searched, he took \$4.80 off me and a watch and ticket for a spy glass pawned for two dollars. I drank with a friend of mine who used to work at 24th Street and First Avenue, he is Irish and worked for Dolan and his name is Frank Reynolds if I am not mistaken. I did not know that White was arrested and did not know that anybody else was charged with committing a robbery. I have lived in this city going on seven years and will be twenty-four years old next July.

Cross Examined. I was living at this time at v306 Mott Street and lived there about a month, it is a furnished room house, I think the gentleman who keeps it is a clerk in Police Headquarters, I lived before that in 309 22nd Street. I did not get shaved on the

17th of September. I came from Germany in 1882. I left Williamsburgh about the middle of August and had about forty dollars saved. I had not seen Frank Reynolds for two years before the time I met him in this saloon.

I told the officer that I did not know anything about the case, I did not tell him that I had been with my friend Reynolds nor who I worked for and did not ask him to send for any of my friends; I was sent to the Tombs, I told them at the examination that I did not know anything about it, that I was not guilty. There is nobody here in Court who knows me, my brother-in-law moved away in 85th Street, I don't know what number, my brother is a cashier and could not get off very well, he knows of the charge against me, that is, my brother-in-law knows; he has got a place up in 85th Street and Avenue A, it is a restaurant.

Patrick O'Gorman recalled.

By Counsel. Have you been a witness in this Court within the last month? NO. Isn't it a fact that you testified against some person down stairs in Part III. within the last three weeks? NO. Have you been a witness in this court-house before? Yes. How long ago? Probably within a period of six months. For whom were you a witness, for the People or for an accused? For the People.

By the Court. Q. The trial was before me? Yes sir. You recollect the circumstance? Yes, well.

By Counsel. And that man was sentenced to the State Prison for twenty years for highway robbery? Yes.

By Mr. Jerome. Where did that occur, in the same vicinity? It occurred in the sixth ward, it occurred on the corner of

POOR QUALITY ORIGINAL

0118

Roosevelt Street and New Bowery but the proceeds was divided on the corner of Park Row and Mulberry Street.

Micheal Gorman recalled.

By Mr. Jerome. Officer, will you tell us about the appearance of this defendant Somers as to his beard, etc. when he was arrested? When I arrested him he appeared to be shaved lately, his face was clean.

Richard Somers recalled.

How often do you shave? Once a week. How long ago had you last been shaved? About two or three days before that, I was shaved yesterday by a barber who comes in the prison.

The Jury rendered a verdict of guilty of an attempt at grand larceny in the second degree against Charles White and a verdict of not guilty in the case of Somers.

POOR QUALITY ORIGINAL

0119

*Testimony in case of
Richard Somers
and
Charles White*

*filed Oct.
1889.*

POOR QUALITY ORIGINAL

0120

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 3 DISTRICT.

Patrick C. Lorman
of No. 44 North 6. Chatham Street, aged 43 years,

occupation Keeps an Oyster Stand being duly sworn deposes and says,

that on the 17 day of September 1889

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

caused the arrest of Richard Semers and Charles White (both now here) at the south-east corner of East Broadway and Catharine Street. That deponent then and there saw said White catch hold of a man's ^{hand} whose name is unknown to deponent, while the said Semers thrust his hand into the left hand pocket of said unknown man's ^{trousers} ~~coat~~ with intent to steal or a pocketbook.

Patrick C. Lorman

Sworn to before me, this 18 day

of September 1889

[Signature]
Police Justice,

POOR QUALITY ORIGINAL

0 1 2 1

POLICE COURT 7 DISTRICT.

City and County of New York, ss.:

THE PEOPLE,

vs.

Charles White

On Complaint of

Patrick J. Herman

For

Assault with

intent to maim

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

Dated Sept 18, 1889

Charles White

J. J. Duffy Police Justice.

POOR QUALITY ORIGINAL

0122

POLICE COURT 3 DISTRICT.

City and County of New York, ss.:

THE PEOPLE,
vs.
Richard Somers

On Complaint of Patrick O'Hernigan
For Assault with
intent to shoot

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

Dated Sept 18 1889

[Signature]
Police Justice.

Richard Somers.

POOR QUALITY ORIGINAL

0 1 2 3

Sec. 193-200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Charles White

Question. How old are you?

Answer. 24 years

Question. Where were you born?

Answer. Germany

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

Answer. 41 Parrow street, New York last Saturday

Question. What is your business or profession?

Answer. Laborer.

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

Answer. I am not guilty.

Charles White

Taken before me this

day of

1888

Police Justice.

POOR QUALITY ORIGINAL

0124

Sec. 193-200

3

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Richard Somers*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *20 Bellott street and one month*

Question. What is your business or profession?

Answer. *Printer*

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

Answer. *I am not guilty.*

Richard Somers

Taken before me this *18* day of *September* 19*19*
[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0125

BAILED,

No. 1, by _____
 Residence _____ Street _____

No. 2, by _____
 Residence _____ Street _____

No. 3, by _____
 Residence _____ Street _____

No. 4, by _____
 Residence _____ Street _____

493 #4
 District.

THE PEOPLE, &c.
 ON THE COMPLAINT OF

Victor D. Bennett
 44 East 5th Street
 New York City
 Charles White
 3 _____
 4 _____
 Offence *Disorderly conduct*
 with intent to *steal*

Dated *Sept 18* 188 *9*

Magistrate
Walter W. ...

Witnesses
 Precinct *1*

No. _____
 Street _____
James Fenwick
Severus the Engineer

No. _____
 Street _____
 to answer

James Fenwick
Severus the Engineer

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

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

Dated *Sept 18* 188 *9* *Walter W. ...* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

POOR QUALITY ORIGINAL

0125

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Richard Somers and Charles White

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by

this indictment, accuse

Richard Somers and Charles White, of the Crime of Attempting to Commit the CRIME OF GRAND LARCENY IN THE second DEGREE,

committed as follows:

The said Richard Somers and Charles White, both

late of the City of New York, in the County of New York aforesaid, on the seventeenth day of September in the year of our Lord one thousand eight hundred and eighty-nine, at the City and County aforesaid, with force and arms, in the day-time of the same day, divers promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of sixty

dollars; divers other promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of sixty

dollars; divers United States Silver Certificates of a number and denomination to the Grand Jury aforesaid unknown, of the value of sixty

dollars; divers United States Gold Certificates of a number and denomination to the Grand Jury aforesaid unknown, of the value of sixty

dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of ten dollars, and divers other goods, chattels and personal property, a more particular description whereof is to the Grand Jury aforesaid unknown, of the value of thirty dollars

of the goods, chattels and personal property of one a certain man, whose name is to the Grand Jury aforesaid unknown, in the person of the said man then and there being found, from the person of the said man then and there feloniously did attempt 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.

JOHN R. FELLOWS, District Attorney.

0127

BOX:

371

FOLDER:

3473

DESCRIPTION:

Stanton, John

DATE:

10/10/89



3473

POOR QUALITY ORIGINAL

0128

50 J B

Counsel,

Filed

Pleads,

10 day Oct 1889
St. Anthony

Account, second degree.
Section 218, Penal Code

THE PEOPLE

vs.

John Stanton

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

Mr. L. Cole, Foreman.

Oct 11/89

Reads at length & says
Pen 174 & 175 § 250, P.S.M.

Bad case - June under
no circumstances to be
remitted. P.B.M.

Witnesses:

Louis Schmell

POOR QUALITY ORIGINAL

0129

Police Court, 6th District.

City and County of New York, ss.

residing at Third Avenue, one door north of 17th Street, aged 37 years,
occupation Driver of a Bus Wagon being duly sworn deposes and says,
that on the 23rd day of September 1889, at the City of New York, in the County of New York, John Stanton, now here, was

Louis Schmell

seen by deponent in the yard of a blacksmith shop at the corner of Third Avenue and One Hundred and seventeenth Street with person exposed to two little girls of the ages six and seven years, viz Lulu Schmitt the six years old the daughter of this deponent, and Kate Kefu seven years old and was attempting to commit an indecent assault upon said Kate - That, as this deponent was returning from his work about six o'clock on the evening of the 23rd of September he met in his own door yard, ^{near} three of the playmates or companions of his daughter, and missing her, he asked for her, and was directed to the blacksmith shop yard and there and saw the said Stanton sitting and reclining upon a board with his trousers unbuttoned and open and his penis or organ of generation exposed and trying or inducing the girls to handle or manipulate his penis - that he had the children on his lap and had the garments of the said Kate pulled up exposing her private parts - And this deponent charges the said Stanton (for the reasons aforesaid) with a criminal and indecent act, ^{and intention to commit a felony} with indecent assault in violation of law and demands that the said Stanton shall be dealt with according to law.

L. Schmell.

Deponent of Deponent before me on the day of 23rd September 1889 by John Schmell

POOR QUALITY ORIGINAL

0130

Sec. 198-200.

16th

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John Stanton

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

Question. What is your name?

Answer.

John (alias Garrett) Stanton

Question. How old are you?

Answer.

Fifty two

Question. Where were you born?

Answer.

Ireland

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

Answer.

Fordham Heights - with Johnson - 2 months

Question. What is your business or profession?

Answer.

Blacksmith

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

Answer.

*I am not guilty of
John (alias Garrett) Stanton*

Mark

v

Taken before me this

16th

day of *April*

1889

John Stanton
Police Justice.

POOR QUALITY ORIGINAL

0131

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

Police Court... 6 1466 District

THE PEOPLE &c.,
 ON THE COMPLAINT OF

1 Louis DeSchmitt
 2 John Lawrence Stanton

Offence... Indecent Assault
 on a Minor or Infant

Dated September 24 1889

Magistrate
 Officer
 Precinct

Witnesses
 No. _____ Street _____
 No. _____ Street _____



No. _____ Street _____
 to answer

Committed

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

John or Garrett Stanton

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

Dated September 24 1889 John Crokin Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

POOR QUALITY
ORIGINAL

0132

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 Stanton

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

Indictment accuse *John Stanton*

of the crime of *Assault in the second degree,*

committed as follows:

The said *John Stanton*,

late of the City of New York, in the County of New York, aforesaid, on the
Twenty Third day of *September*, in the year of our Lord one thousand
eight hundred and eighty- *nine* -, at the City and County aforesaid,

in and upon a certain female not his
wife, to wit: one *Katie Halper*, who was
then and there under the age of fifteen
years, to wit: of the age of seven years,
willfully and feloniously did make an
assault, with intent to commit adultery,
to wit: with intent then and there willfully
and feloniously to commit and perpetrate
an act of sexual intercourse with her
the said *Katie Halper*; against the
form of the Statute in such case
made and provided, and against

**POOR QUALITY
ORIGINAL**

0133

The peace of the People of the State
of New York, and their signatures.
James F. Cannon,
District Attorney.