

10 16

**BOX:**

2

**FOLDER:**

33

**DESCRIPTION:**

Smith, George

**DATE:**

12/19/79



33

1017

Day of Trial,

Counsel,

Filed

day of

187

Pleads,

*19 Dec 9*  
*Not Guilty*

THE PEOPLE

vs.

*29*  
*46* *Batter*

*P*  
*George Smith*

Homicide of the degree of Murder,  
First Degree.

BENJ. K. PHELPS,

District Attorney.

*John A. ...*  
*Smith, D.C. of D.*

A True Bill.

*W. W. Cooper*

Foreman.

*Part two March 30. 1870*  
*pleads manslaughter*

Tried and

the

day of

*S. P. H. Year*

*Friday*

1018

**STATE OF NEW YORK.**

CITY AND COUNTY OF NEW YORK, SS.

**AN INQUISITION,**

Taken at the ~~house~~ *Coroner's Office*  
No. 40 E. Houston Street in the 15<sup>th</sup> Ward of the City of  
New York, in the County of New York, this 9<sup>th</sup> day of December  
in the year of our Lord one thousand eight hundred and 79. before

*Henry Holtzman* Coroner,  
of the City and County aforesaid, on view of the Body of

*Harriet Savilla* lying dead at  
*Chambers St. Hospital* Upon the Oaths and Affirmations of

*eight* good and lawful men of the State of New York, duly chosen and  
sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said

*Harriet Savilla* came to her death, do,  
upon their Oaths and Affirmations, say: That the said *Harriet Savilla*

came to her death by

*Pistol. shot wound of left side at  
the hands of George Smith, at 128 Leonard  
St., on the evening of November 7, 1879.*

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisition  
set our hands and seals, on the day and place aforesaid.

**JURORS.**

*Nathan Greenbaum  
John Florer  
Gus's Davis  
Chas. Bell, wat.  
Geo Loney  
John E. Landon*

*J. J. Sullivan  
Matthew McStally*

*Henry Holtzman*

**CORONER, S. S.**

1019

The People of the State of New York, on the  
Complaint of

vs.

List of Witnesses.

George Smith

NAMES.

RESIDENCE.

Capt. Brogan ✓  
 Bridger Waters ✓  
 Ann Sweeney ✓  
 C. H. Wilkin M. D.  
 John Murphy  
 D. B. Miller  
 Miss M. Conway ✓  
 John Henry Hears ✓  
 Carrie Levi Green ✓

15th Precinct  
 128 Leonard St  
 Chambers St Hospital  
 " " "  
 " " "  
 Coroners Office 140 E. 17  
 132 ~~St~~ Seneca St  
 St of D  
 128 Seneca St

1020

Coroner's Office.

TESTIMONY.

John Murphy, being sworn says I reside at ~~Room~~ 160 Chambers St, now part of the Hospital. I remember Hammett Leavell as a patient. I noticed a colored man visiting the deceased twice, about two days before ~~the~~ death of Leavell. I do not recognize the man here present as the one who visited the deceased.

John Murphy

Taken before me  
this 9 day of Dec 1879

Henry W. W. W.

CORONER.

1021

Coroner's Office.

TESTIMONY.

2.

John J. Bryson being sworn says I am Captain 14<sup>th</sup> Precinct. I heard on the morning of Nov 8 that a woman had been shot at 128 Leonard St & had been taken by Mrs Waters to Chambers St. Hospital. The deceased told me the office, whom I sent to the hospital, the name of the man who shot her. I found George Smith, the prisoner, on ~~Nov 5~~ <sup>Dec 5</sup> on the tug with Chapman lying at pier 4 of E. R. On searching the prisoner I found the pistol here shown. He said he had been working on the tug for 4 weeks. He said the shooting was purely accidental. He said he had visited the ~~de-~~ceased at hospital twice, the last time the Sunday previous to her death. I was looking <sup>for</sup> him constantly from the time of the shooting till I found him. I gave him permission <sup>on ~~some~~ last</sup> and inquiring about his character, to carry her a pistol as he was at that time, watchman on tug-boat station.

John Bryson

Taken before me  
this 9 day of Dec 1849

Henry Wetmore

CORONER.

1022

Coroner's Office.

TESTIMONY.

3.

Bridget Waters, being sworn  
 says I reside at 128 Leonard St  
 I knew the deceased a George Smith  
 the colored man present, about 9  
 years. ~~He~~ ~~he~~ the deceased ~~is~~ lived  
 with Smith as his wife. On Monday  
~~about~~ between 11 & 12 P.M., deceased  
 & Smith came to my room for  
 some washing left with me, there  
 were no words between them. I was  
 lying on the lounge, half asleep.  
 When suddenly I heard a pistol  
 shot. Smith had a pistol in his  
 hand, similar to the one shown.  
 Smith left the room, a girl called  
 Jenn Carriv came in with the party  
 & was present at the shooting. I in-  
 duced Harriet & said she was  
 shot under the breast. I walked  
 with her to the hospital <sup>no</sup> Chambers  
 St. I left the house after 12 o'clock. When  
 Smith fired the pistol I ran to him  
 & caught hold of him, saying "you  
 ought to be ashamed of yourself." I  
 live on 2<sup>d</sup> floor rear room. I have not  
 seen Smith since that time till to-day.  
 I saw the deceased at the hospital

Taken before me

this

day of

18

CORONER.

1023

Coroner's Office.

TESTIMONY.

4.

She said that she thought it would amount to nothing. She had been sick for some time previous to the injury. She never told me Smith had called on her at the Hospital. ~~My~~ There was a light in my room. I heard that they had some words in the street. Both deceased & Smith were under the influence of liquor, when they entered my room on that night.

Budget + <sup>his</sup> Haters  
mark

Budget Haters being recalled said that Lavilla was not in the my room, when Smith called on me in the morning. Smith ~~remained~~ left my room immediately after the shooting. I did not see the pistol on the table. Smith called at 11 A.M. on Apr 7 & went right out. ~~Lavilla~~ & did not return till 11 P.M., he was then in company with Lavilla & Carrie. He never left the room after he entered the room at 11 P.M. till the shooting. Smith

Taken before me  
this 9<sup>th</sup> day of April 1879

Henry Peterson

CORONER.

1024

Coroner's Office.

TESTIMONY.

57

never said anything about Chestnuts.  
I did not hear the pistol fall or  
see it on the floor. The pistol was  
in Smith's hand when I jumped up  
off the lounge. He had not been  
in my room during the day, with  
the exception of 1 P.M. when Smith  
called

had  
Budget + Hatus  
mark

Taken before me  
this 9 day of Dec 1879  
Henry Nettleton

CORONER.

1025

Coroner's Office.

TESTIMONY.

6.

George Smith being sworn says, I reside was a boarder on board of tug Seth Chapman, living with a friend, for 4 weeks previous to my arrest. On April 7 I called on the deceased, Savilla, at 128 Leonard St, in the <sup>morning about 9 AM.</sup> ~~morning~~. He went out for a walk, I left the deceased on the sidewalk, about 10 1/2 P.M. She went up stairs, & I went for some chestnuts. I got back little after 11 o'clock. She the deceased was sitting in Mrs Waters room when I entered sitting by the stove. She looked mad. I asked her "what was the matter". She then went over to the lounge, on pulling out the chestnuts from my pistol pocket, the pistol came out with it, fell on the floor & exploded. Mrs Waters said deceased was shot. I then laid the pistol on the table. I remained there for half an hour, went down stairs, met a friend I told him of the occurrence. I then went back to the house, & found him to the boat. I saw the next day by the papers that Savilla was shot.

Taken before me

this

day of

18

CORONER.

1026

Coroner's Office.

TESTIMONY.

4.

I said hee on the following Sunday at Chambers St. Hospital. On the next Sunday I said hee again in Ward 3, remained with hee for 4 hours. This pistol shown is mine. Before leaving the room the night of the shooting I placed the pistol in my pockets. I remained at Mrs. Hates 128 Lenox St. all day, till 10 1/2 P. M. when I went out for ~~the~~ some chestnuts, was gone from 10 to 15 minutes. I went to Mrs. Hates for my washing. I met Carilla at Mrs. Hates that morning. Carilla lived at 46 Baxter St. The pistol did not explode in my hand. I was some feet from Mrs. Hates, when the pistol went off. She was lying on the lounge. She deceased & I had no words. I did not meet Carilla anywhere else that day & had not been to 46 Baxter St.

George Smith

Taken before me  
this 9 day of Decr 1879

Henry M. ...

CORONER.

1027

Coroner's Office.

TASTIMONY.

8

Ann Sweeney being sworn says I am now at Chambers St. Hospital. The deceased, Lanilla was under my charge at the Hospital suffering from pistol-shot wound. The prisoner, George Smith was the man who called on her at the hospital, on Nov 29. -  
Ann Sweeney

Taken before me  
this 9 day of Dec 1879

Henry Wetman

CORONER.

1028

Coroner's Office.

TESTIMONY. 9

I Charles H. Wickie being duly sworn do depose, & say that I am House Surgeon at the Chambers St. Hospital.

That Harriet Savilla was admitted to my charge Nov 25<sup>th</sup> 1879 suffering from a pistol shot wd. of the ~~right~~ side situated 3<sup>1</sup>/<sub>2</sub> in below - exterior fold of the arilla. The ball found in a direction upwards & forward & took ~~an~~ <sup>an</sup> ~~un~~ <sup>un</sup> ~~der~~ <sup>der</sup> ~~the~~ <sup>the</sup> ~~course~~ <sup>course</sup> & was not extracted. She developed <sup>Plunging</sup> Bright's disease & died Nov 27<sup>th</sup> 6:45 P.M. I am of the opinion that death was caused by the pistol shot wound.

Charles H. Wickie M.D.

Taken before me  
this 9 day of Decr 1879.

CORONER.

1029

Coroner's Office.

TESTIMONY.

D. B. Miller M. D. being sworn, says I made an autopsy of the body of the deceased, Harriet Savilla, lying at Chambers St. Hospital, on November 30, 1849. The body was well nourished, with marked oedema of both legs. There was a pistol shot of left side of chest, about  $3\frac{1}{2}$  inches below the axilla, the course of the wound was upwards & inwards penetrating the pleural cavity between the 7<sup>th</sup> & 6<sup>th</sup> ribs. On opening the thorax, found adhesions every of left pleura everywhere, the cavity contains about 32 ounces of reddish thick pus, the left lung is strongly compressed against the Spinal Column. Right pleura normal. Lower lobe of left lung, covered everywhere by thickened pleura & contains no air. Upper lobe is slightly oedematous & contains less than the normal amount of air. Recent pleurisy over lower lobe of right lung, the lower lobe is consolidated, no air; upper lobe oedematous. Left kidney is very large, capsule not adherent, surface smooth, cortex thin everywhere a large amt of fat. Right kidney same. Liver contains much fat

Taken before me

this

day of

18

CORONER.

1030

Coroner's Office.

TESTIMONY.

About one ounce of blood in pelvic cavity.. Brain normal.

Death was, in my opinion caused by Pneumonia, from Pistol shot wound of chest.

J. B. Miller, M.D

Taken before me  
this 9 day of Dec 1879

CORONER.

1031

Coroner's Office, •

CITY AND COUNTY } ss.  
OF NEW YORK.

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

Question.—What is your name?

Answer.—

*George Smith*

Question.—How old are you?

Answer.—

*29 years*

Question.—Where were you born?

Answer.—

*West Indies*

Question.—Where do you live?

Answer.—

*46 Baxter St*

Question.—What is your occupation?

Answer.—

*Steward*

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

*I am not guilty.*

*George Smith*

Taken before me, this *9* day of *Dec* 18*79*

*Henry Wetman*

CORONER.

1032

MEMORANDUM.

AGE.			PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
Years.	Months.	Days.			
27			Canada	Chambers at Hotel	Nov 29.

Vol 510  
HOMICIDE.  
1879.

AN INQUISITION

On the VIEW of the BODY of

Harold Davilla

whenever it is found that it is caused to  
be found by the hands of

George Smith, from  
a fatal. was removed  
of left side, at 128  
downed by, and the  
number 7, 1879

Find done at Hotel  
Inquest taken on the 9<sup>th</sup> by  
J. Stewart 1879

Henry Matthews Coroner.



Date of death  
November 29, 1879

1033

44 510 1879

HOMICIDE.

AN INQUISITION

On the VIEW of the BODY of

Harriet Charlotte

whereby it is found that she came to  
her Death by the hands of

George Smith, found  
a pistol. shot wound  
of left side, at 128  
Seward St, on No.  
number 72 1879

Report taken on the 9 day  
of December 1879

Henry Matthews Coroner.

Committed Dec: 29 1879

Bailed

Discharged

Date of death

November 29, 1879



MEMORANDUM.

AGE	Year	Month	Day	PLACE OF BIRTH.	WHERE FOUND.	DATE
27				London	From the Blind St	Nov 29.

1034

CITY AND COUNTY OF NEW YORK

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

That George Smith

late of the Sixth Ward of the City of New York, in the County of New York, aforesaid, on the Seventh day of November in the year of our Lord one thousand eight hundred and seventy-nine at the City and County aforesaid, with force and arms, in and upon one Harriet Savilla in the peace of the People of the State, then and there being, wilfully, feloniously, and with a deliberate and premeditated design to effect the death of her the said Harriet Savilla did make an assault, and that the said George Smith, a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which said pistol, the said George Smith in his right hand then and there had and held to, at, against, and upon the said Harriet Savilla then and there feloniously, wilfully, and with a deliberate and premeditated design to effect the death of the said Harriet Savilla did shoot off and discharge, and that the said George Smith with the leaden bullet aforesaid, out of the pistol aforesaid, then and there, by force of the gunpowder aforesaid, shot off, sent forth, and discharged, as aforesaid, the said Harriet Savilla in and upon the body, of the said Harriet Savilla then and there feloniously, wilfully, and with a deliberate and premeditated design to effect the death of her, the said Harriet Savilla did strike, penetrate, and wound, giving to her the said Harriet Savilla then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth, and shot out of the pistol aforesaid, by the said George Smith in and upon the body of her the said Harriet Savilla one mortal wound of the breadth of one inches, and of the depth of five inches, of which said mortal wound she the said Harriet Savilla at the Ward, City and County aforesaid, from the day first aforesaid and in the year aforesaid, until the Twenty-ninth day of November in the same year aforesaid, did languish, and languishing did live, and on which Twenty-ninth day of November in the year aforesaid, the said Harriet Savilla at the Ward, City and County aforesaid, of the said mortal wound did die.

And so the Jurors aforesaid, upon their oath aforesaid, do say that the said George Smith the said Harriet Savilla in the manner and form, and by the means aforesaid, at the Ward, City, and County aforesaid, on the day aforesaid, and in the year aforesaid, wilfully, feloniously, and with a deliberate and premeditated design to effect the death of her the said Harriet Savilla the said did kill, and murder, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

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

That the said George Smith  
late of the Sixth Ward of the City of New York in the County  
of New York, aforesaid, afterwards, to wit: on the seventh day of November  
in the year of our Lord one thousand eight hundred and seventy-nine-  
at the City and County aforesaid, with force and arms, in and upon one  
Harriet Savilla  
in the peace of the People of the State then and there being, wilfully, feloniously and of  
his malice aforethought, ~~did~~ make an assault, and that the said  
George Smith a brass pistol  
then and there charged and loaded with gunpowder and one leaden bullet, which said  
pistol the said George Smith  
in his right hand then and there had and held to, at, against, and upon the  
said Harriet Savilla then and there feloniously, wilfully, and of  
his malice aforethought, did shoot off and discharge, and that the said  
George Smith with the leaden bullet aforesaid, out of the pistol  
aforesaid, then and there, by force of the gunpowder aforesaid, shot off, sent forth, and  
discharged, as aforesaid, the said Harriet Savilla in and upon the  
body of her the said Harriet Savilla  
then and there feloniously, wilfully, and of his malice  
aforethought, did strike, penetrate, and wound, giving to her the said Harriet  
Savilla then and there, with the leaden bullet aforesaid, so as aforesaid  
discharged, sent forth, and shot out of the pistol aforesaid, by the said  
George Smith in and upon the body of her the said  
Harriet Savilla one mortal wound of the breadth of one inches,  
and of the depth of five inches, of which said mortal wound she the  
said Harriet Savilla at the Ward, City, and County  
aforesaid, from the day first aforesaid

and in the year aforesaid, until the twenty ninth day of November

in the same year aforesaid, did languish, and languishing did live, and on which  
twenty ninth day of November  
in the year aforesaid, the said Harriet Savilla at the Ward,  
City and County aforesaid, of the said mortal wound did die.

And so the Jurors aforesaid, upon their oath aforesaid, do say that he the said  
George Smith her  
the said Harriet Savilla in the manner and form, and by  
the means aforesaid, at the Ward, City, and County aforesaid, on the day aforesaid, and  
in the year aforesaid, wilfully, feloniously and of his malice aforethought,  
did kill, and murder 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.

BENJ. K. PHELPS, District Attorney.

1036

**BOX:**

2

**FOLDER:**

33

**DESCRIPTION:**

Smith, Nellie

**DATE:**

12/17/79



33

1037

110  
*[Handwritten signature]*

Counsel,

Filed 17 day of Dec 1879

Pleas *[Handwritten signature]*

THE PEOPLE

vs.

*[Handwritten signature]* Nellie Smith

INDICTMENT.  
Larceny from the Person.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*[Handwritten signature]* M. W. Cooper

Foreman.

*[Handwritten signature]* Joseph - 1880.

*[Handwritten signature]* Fred J. Ayer

1038

Form 112.

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

Police Court—First District.

of No. 12 Greenwich Street, being duly sworn, deposes  
and says, that on the 10 day of December 1879  
at the City of New York, in the County of New York, was feloniously taken, stolen, and carried  
away from the possession of deponent, and person

the following property, viz: A Silver Watch

of the value of Three 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 Nelly Smith  
now present. For the reason that depon-  
ment saw her take said Watch from  
a pocket in a vest which was at the  
time and found a portion of the  
braily clothing of deponent

Carl Wibe

Sworn to, before me, this

11

day

of December 1879

Police Justice

M. W. [Signature]

1039

Police Court—First District.

CITY AND COUNTY } ss.  
OF NEW YORK.

*Nelly Smith*

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

Question. What is your name?

Answer. *Nelly Smith*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *Mane Island*

Question. Where do you live?

Answer. *175 Chatham Street*

Question. What is your occupation?

Answer. *I am out*

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

Answer. *I am guilty  
Nelly her Smith  
&  
Mark.*

Taken before me, this

*11<sup>th</sup>*

day of

*Aug.*

18

*79*

*Maxim D. [unclear]*  
Police Justice.

*[Signature]*

1040

110

Police Court—First District

THE PEOPLE, &c.  
ON THE COMPLAINT OF

*Charles Wick*  
*House of Detention*

*Abel Smith*

BAILED:

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

to answer

at *General Sessions*

Received at Dist. Ath's office



Dated *Dec 11 1879*

*Colleston* Magistrate.

*Rabbit* Officer.

Clerk.

Witness:

*Employment contract*  
*to the House of Detention*  
*to defendant of \$700.*

COUNSEL FOR COMPLAINANT.

Name,

Address,

COUNSEL FOR DEFENDANT.

Name,

Address,

*James A. Hildavitt-Larzeny. Jm. H. K.*

1041

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

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

That *Nelle Smith*

late of the First Ward of the City of New York, in the County of New York aforesaid,

on the *Tenth* day of *December* in the year of our Lord  
one thousand eight hundred and seventy-*nine* at the Ward, City and County  
aforesaid, with force and arms

*one watch of the value of Three dollars*

of the goods, chattels and personal property of one *Carl Wibe*  
on the person of the said *Carl Wibe* — then and there being found,  
from the person of the said *Carl Wibe* — 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.

**BENJ. K. PHELPS, District Attorney.**

1042

**BOX:**

2

**FOLDER:**

33

**DESCRIPTION:**

Smith, Mary

**DATE:**

12/02/79



33

1043

No. 8.

Counsel, *Macom*  
Filed *2* day of *Dec* 1879.  
Pleads *not Guilty* 13.

THE PEOPLE

vs.

*Mary Smith*

INDICTMENT.  
Larceny of Money, &c., from the person  
in the night time.

BENJ. K. PHELPS,  
*District Attorney.*

A True Bill.



Foreman

*Part True Dec 5. 1879  
Tried & acquitted.*

1044

Form 112.

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

Police Court—First District.

*Herman Hermanson*

of No. *54 Oliver* Street, being duly sworn, deposes

and says, that on the *22* day of *November* 18*79*

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

the following property, viz: *A pocket book containing good and lawful money of the United States consisting of One Bill of the value of One hundred dollars, Three Bills of the denomination and value of Twenty Dollars respectively and other money in all*

of the value of *One hundred and sixty three* 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 *Mary Smith* now present for the reason that deponent met said *Mary* in *New Bowery Street* and accompanied her into an alley way, when deponent came out of said alley said pocket book and money was gone previous to going into said alley way deponent went into a liquor store with said *Mary* and in paying for the drinks consumed by said *Mary* and deponent, she saw said pocket book

*Herman X Hermanson*  
mark

Sworn to, before me, this *23* day

of *November* 18*79*  
*W. W. Thompson*  
Police Justice

1045

Police Court—First District.

CITY AND COUNTY } ss.  
OF NEW YORK. }

Mary Smith — being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

*Mary Smith.*

Question. How old are you?

Answer.

*26 years.*

Question. Where were you born?

Answer.

*New York.*

Question. Where do you live?

Answer.

*198 Mousroe St.*

Question. What is your occupation?

Answer.

*Sewing-machine Operator.*

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

Answer.

*I am not guilty.*

*Mary Smith*

Taken before me, this

*R. J. [Signature]*  
1899  
Police Justice.

1046

COUNSEL FOR COMPLAINANT.

Name

Address

COUNSEL FOR DEFENDANT.

Name

Address

**Police Court—First District**

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Herman Skerman  
54 Oliver St*

Affidavit—Larceny.

*Mary Smith*

BAILED:

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

Dated *Apr 28* 18 *79*

*Morgan* Magistrate.

*A Kelly* 14

Clerk.

Witnesses:



*1500* to answer  
at *General* Sessions  
Received at Dist. Atty's office

1047

CITY AND COUNTY OF NEW YORK, ss.

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

That Mary Smith

late of the First Ward of the City of New York, in the County of New York, aforesaid

on the *twentieth second* day of *November* in the year of our Lord one thousand eight hundred and seventy-*nine* at the Ward, City and County aforesaid, with force and arms, in the night time of said day, three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one thousand dollars, and of the value of one thousand dollars each : three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five hundred dollars, and of the value of five hundred dollars each : twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one hundred dollars, and of the value of one hundred dollars each : thirty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of fifty dollars, and of the value of fifty dollars each : fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each : sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each : eighty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each : ninety promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of three dollars, and of the value of three dollars each : one hundred promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each : one hundred and twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each : one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one hundred dollars : one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of fifty dollars : two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars each : three promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each : ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each : ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of three dollars each : fifteen promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars each : thirty promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar each : bank bills of banks to the jurors aforesaid unknown, and of a number and denomination to the jurors aforesaid unknown, of the value of one thousand dollars. Two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each : three gold coins (of the kind usually known as eagles), of the value of ten dollars each : six gold coins (of the kind usually known as half eagles), of the value of five dollars each : fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each : ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each : thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each : gold coin of the denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of one thousand dollars. Sixty silver coins (of the kind usually known as dollars), of the value of one dollar each : sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each : one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each : three hundred silver coins (of the kind usually called dimes), of the value of ten cents each : six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each : one thousand silver coins (of the kind known as three cent pieces), of the value of three cents each : silver coin of a denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of fifty dollars. Three thousand coins (of the kind known as cents), of the value of one cent each : five hundred coins (of the kind known as two cents), of the value of two cents each. One hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of fifty cents each, and of the marketable value of fifty cents each : two hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of twenty-five cents each, and of the marketable value of twenty-five cents each : five hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of ten cents each, and of the marketable value of ten cents each,

163 1/2

one pocket book of the value of one dollar -

of the goods, chattels, and personal property of one *Herman Hermann* on \_\_\_\_\_ on the person of the said *Herman Hermann* then and there being found, from the person of the said *Herman Hermann* 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.

BENJ. K. PHELPS, District Attorney.

1048

**BOX:**

2

**FOLDER:**

33

**DESCRIPTION:**

Solomon, Joseph

**DATE:**

12/18/79



33

1049

13<sup>th</sup> Summer

Counsel,

Filed 10 day of Dec 1879

Pleads Not Guilty

THE PEOPLE

15  
Hemstrop Layton

vs.

Joseph Solomon

INDICTMENT.  
Larceny from the Person.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

M. W. Cooper

Foreman.

Part two dec 23. 1879

Fined & convicted

Pen One year -

1050

Form 112.

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

Police Court—First District.

*Sacot Guterman*

of No. *60 Bayter*

Street, being duly sworn, deposes

and says, that on the

*9*

day of

*December*

18*79*

at the City of New York, in the County of New York, was feloniously taken, stolen, and carried away from the possession of deponent, *and person*

the following property, viz:

*A purse containing good and lawful money of the United States consisting of a Bill of the denomination and*

of the value of

*Two*

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

*Joseph Solomon*

*not present for the reason that said Joseph seized said purse containing said money from deponent's hand and took said money from said purse. He threw said purse at deponent and ran away.*

*with note*

Sworn to before me, this

*10*

day

*December*  
1879

*Merrill A. King*  
Police Justice

1051

**Police Court—First District.**

CITY AND COUNTY }  
OF NEW YORK. } ss.

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

*Question.* What is your name?

*Answer.*

*Question.* How old are you?

*Answer.*

*Question.* Where were you born?

*Answer.*

*Question.* Where do you live?

*Answer.*

*Question.* What is your occupation?

*Answer.*

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

*Answer.*

*Taken before me, this*

*day of*

*18*

*Police Justice.*

1052

132

Police Court—First District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Jacob Guterman*  
60 Baxter St.

vs.  
*Joseph Johnson*

*Person*  
A Bidavit—Larceny—*Smith*

BAILED:

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

COUNSEL FOR COMPLAINANT.

Name,

Address,

COUNSEL FOR DEFENDANT.

Name,

Address,

Dated *December 10 1879*

*Alfred King* Magistrate.

*Lundgren* Officer.

*27* Clerk.

Witnesses:

*500* to answer  
at *Small* Sessions

Received at Dist. Atty's office

1053

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

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

That *Joseph Solomon*

late of the First Ward of the City of New York, in the County of New York aforesaid,

on the *ninth* day of *December*, in the year of our Lord  
one thousand eight hundred and seventy-*nine* at the Ward, City and County  
aforesaid, with force and arms

*One piece of the value of two dollars,*  
*one promissory note for the payment of money*  
*the same being then and there due and un-*  
*satisfied and of the kind commonly called*  
*a United States Treasury Note of the denomi-*  
*nation of two dollars and of the value of two dol-*  
*lars.*

*one promissory note for the payment of money the*  
*same being then and there due and unsatisfied*  
*and of the kind called a Bank note, of the de-*  
*nomination of two dollars and of the value of*  
*two dollars,*

of the goods, chattels and personal property of one *Jacob Guterman*  
on the person of the said *Jacob Guterman* then and there being found,  
from the person of the said *Jacob Guterman* 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.

**BENJ. K. PHELPS, District Attorney.**

1054

**BOX:**

2

**FOLDER:**

33

**DESCRIPTION:**

Smith, Charles

**DATE:**

12/19/79



33

1055

139

Counsel,

Filed 19 day of Dec 1879

Pleads

THE PEOPLE

vs.

P

Charles Smith

Burglary 12/18/79

INDICTMENT.

Grand Larceny of Money, &c.

& being stolen goods

BENJ. K. PHELPS,

District Attorney.

A True Bill.

M. W. Cooper

Dec 22/79

Foreman.

And Grand Jurors

S. P. Two years.

[Signature]

S. P. 2 years.

1056

Police Office, Fourth District.

City and County }  
of New York, } ss.

Lina Schottenfels

of No. 157 East 56<sup>th</sup> Street, being duly sworn,  
deposes and says, that the premises No. 157 East 56<sup>th</sup> Street,  
Street, 19 Ward, in the City and County aforesaid, the said <sup>premises</sup> building  
and which was occupied by deponent as a dwelling house

were **BURGLARIOUSLY**  
entered by means of forcibly breaking open the  
basement door of said premises about  
the hour of 2 o'clock

on the morning of the 15<sup>th</sup> day of December 1879  
and the following property feloniously taken, stolen and carried away, viz.:

One gold necklace and Locket of the value  
of fifty dollars, one gold handkerchief catch,  
one pearl Card Case, one gold tooth pick,  
one gold ornament, one pocket knife and  
four pocket books containing gold and  
silver money of the United States to the  
amount and value of thirty five dollars,  
said property being in all of the value of  
One hundred dollars

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

Charles Smith, now here,

for the reasons following, to wit: That at said time all  
the doors and windows of said premises  
were securely closed and fastened, and  
said property was then contained within  
said premises, that about the hour of  
2 1/2 o'clock on the morning of said day  
deponent was awakened by her servant  
who informed deponent that some person

was in the house, and dependent thereon  
 heard some one run down the stairs  
 into the basement and out of the  
 basement door into the street, and  
 dependent thereon found said property had  
 been stolen and carried away, and that  
 the basement door of said premises had  
 been opened.

That said description of the money, the  
 property above described is all now here  
 shown, and was thereafter, to wit: on  
 the evening of the 12<sup>th</sup> day of December  
 instant, found upon the person and  
 in the possession of said Charles Smith  
 by officer Morrell, here present, as dependent  
 is enjoined and believed; and dependent  
 now here identifies the above described  
 property, so found in the possession of  
 said Smith, as being the property so  
 stolen from dependent's possession as  
 aforesaid.

Given to Supra on this } L Schottfeld.  
 13<sup>th</sup> day of December 1879

Wm. H. ...

1058

City and County of New York, N.Y.

Jefferson Morrell, an officer of the  
2<sup>d</sup> Precinct Police, being duly sworn  
deposes and says - that about the hour  
of 6 o'clock on the evening of the  
12<sup>th</sup> day of December 1875, Defendant  
John Charles Smith, now here,  
secreted in a closet under the  
stair of Munnis No. 717 Lexington  
Avenue which is an unoccupied  
house. That defendant then and  
there searched the said Smith  
and found concealed upon his  
person in the pockets of his clothing  
the property described in the annexed  
affidavit of Lavinia Scottamper - with  
the exception of the money therein  
mentioned - which property is now  
here identified by the said Lavinia as  
property stolen and carried away from  
her possession on the morning of the  
6<sup>th</sup> inst.

Sworn to before me this  
18<sup>th</sup> day of December 1875

~~John C. Smith~~  
Jefferson Morrell  
Police Justice

1059

Police Court, Fourth District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Charles Smith

Question. How old are you?

Answer. Nineteen years of age

Question. Where were you born?

Answer. Blacksburg, Virginia

Question. Where do you live?

Answer. I have no home

Question. What is your occupation?

Answer. Waiter

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

Answer. I am guilty of the charge.

Charles Smith

*Handwritten notes in the left margin:*  
Taken before me this 10th day of 1900  
J. J. [Signature]

1060

139.

Police Court—Fourth District.

THE PEOPLE &c.  
ON THE COMPLAINT OF

*Lena Schottens*  
157 & 56 St  
*Robert Smith*



857

*Offence of Unlawful Sale*

BAILED:

No. 1, by .....  
Residence, .....  
No. 2, by .....  
Residence, .....  
No. 3, by .....  
Residence, .....  
No. 4, by .....  
Residence, .....  
No. 5, by .....  
Residence, .....  
No. 6, by .....  
Residence, .....

Dated *December 13* 187*9*  
*Murray* Magistrate.  
*Murice 2d* Officer.  
*MW* Clerk.

Witnesses, *Jefferson Murice*  
*2d. Dist. Police*

*1000 \$ B to law*

Received in District Atty's Office, *Comd*

1061

CITY AND COUNTY }  
OF NEW YORK. } =

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

That *Charles Smith*

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

on the *Sixth* day of *December* in the year  
of our Lord one thousand eight hundred and seventy-*nine*  
with force and arms, about the hour of *Two* o'clock in the *night* time  
of the same day, at the Ward, City and County aforesaid, the dwelling house of

*Lena Schottenfels*

there situate, feloniously and burglariously did break into and enter by means of *forcibly*  
*breaking open an outer door of said dwelling house*

whilst there was then and there some human being to wit, one *Lena Schot-*

*-tenfels*

*Charles Smith*

then and there intending to commit some crime therein, to wit: the goods, chattels, and  
personal property of *Lena Schottenfels*

in the said dwelling house then and there being, then and  
there feloniously and burglariously to steal, take and carry away, against the form of  
the Statute in such case made and provided, and against the peace of the people of the  
State of New York and their dignity.

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

late of the Ward, City, and County aforesaid,

did break into and enter the dwelling house of *Lena Schottenfels* in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the people of the State of New York and their dignity.

1062

and arms, three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one thousand dollars, and of the value of one thousand dollars each: three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five hundred dollars, and of the value of five hundred dollars each: twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one hundred dollars, and of the value of one hundred dollars each: thirty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of fifty dollars, and of the value of fifty dollars each: fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each: sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each: eighty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each: ninety promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of three dollars, and of the value of three dollars each: one hundred promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each: one hundred and twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one hundred dollars: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of fifty dollars: two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars each: three promissory notes for the payment of money (and of the kind known as bank notes,) being then and there due and unsatisfied, of the value of ten dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of three dollars each: fifteen promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars each: thirty promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar each: bank bills of banks to the jurors aforesaid unknown, and of a number and denomination to the jurors aforesaid unknown, of the value of one thousand dollars. Two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each: three gold coins (of the kind usually known as eagles), of the value of ten dollars each: six gold coins (of the kind usually known as half eagles), of the value of five dollars each: fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each: ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each: thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each: gold coin of the denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of one thousand dollars. Sixty silver coins (of the kind usually known as dollars), of the value of one dollar each: sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each: one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each: three hundred silver coins (of the kind usually called dimes), of the value of ten cents each: six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each: one thousand silver coins (of the kind known as three cent pieces), of the value of three cents each: silver coin of a denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of fifty dollars. Three thousand coins (of the kind known as cents), of the value of one cent each: five hundred coins (of the kind known as two cents), of the value of two cents each. One hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of fifty cents each, and of the marketable value of fifty cents each: two hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of twenty-five cents each, and of the marketable value of twenty-five cents each: five hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of ten cents each, and of the marketable value of ten cents each.

*one necklace of the value of twenty-five dollars, one bracelet of the value of twenty-five dollars, one handkerchief of the value of five dollars, one cut of the value of five dollars, one brooch of the value of five dollars, one ornament of the value of five dollars, one ring of the value of two dollars. These presents both of the value of one dollar each -*

of the goods, chattels, and personal property of Lena Schottenfels in the said dwelling house of one Lena Schottenfels, then and there being found in the dwelling-house aforesaid, then and there feloniously did steal, take, and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.



1064

**BOX:**

2

**FOLDER:**

33

**DESCRIPTION:**

Smith, Charles

**DATE:**

12/18/79



33

1065

134

Day of Trial

Counsel,

Filed *10* day of *Dec* 187 *9*

Pleads,

THE PEOPLE

vs.

*P.*  
Charles Smith

Burglary—Third Degree, and Receiving  
Stolen Goods.

*29*  
*Ch. Smith*

BENJ. K. PHELPS,

*District Attorney.*

A True Bill.

*M. W. Cooper*

*Foreman.*

*Dec 19 1879*

*Pleas (Jury) Edes*  
*S.P. J.W.P. 4 Jan.*

1066

Police Office, First District.

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

Samuel A. Suydam

of No. 537 Hudson Street, being duly sworn.

deposes and says, that the premises No. 537 Hudson

Street, 9 Ward, in the City and County aforesaid, the said being a Store

and which was occupied by deponent as a Store

were BURGLARIOUSLY

entered by means of forcing open a basement door of said store opening into the street

on the night of the 7 day of December 1879 and the following property, feloniously taken, stolen and carried away, viz.:

about Five Doz Table Spoons

Five " Tea "

Two hundred and ninety six Knives

Seventy Forks

Fifty pairs of Scissors

Four Razors and 10 " Mirrors

in all of the value of about One hundred and fifty dollars the property of William L. Haddock Deponent

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

Charles Smith now

present.

for the reasons following, to wit: deponent was informed by James McLeure that he found a portion of said property in the possession of said Smith and that he acknowledged to him that he committed said burglary. deponent identified a quantity of Cutlery and Spoons now at 141 Precinct Station House as a portion of the property above described

Samuel A. Suydam

Given under my hand and seal of Office this 8 day of December 1879  
John A. Knicker  
Police Justice

1067

City and County  
of New York ss

James Mc Quire  
of 14 Police Precinct being duly  
sworn says that on the night of the  
7<sup>th</sup> day of December 1879 deponent  
arrested Charles Smith now present  
and found a quantity of Cutlery in  
his possession which was identified  
by Samuel A. Suydam as his  
property stolen from his possession  
said Smith acknowledged to deponent  
that he burglariously entered the store  
of said Suydam and stole said  
Cutlery

James Mc Quire

Sworn to before me this  
8<sup>th</sup> day of December 1879  
Morton C. DeBary  
Police Justice

1068

Police Court—First District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Charles Smith* being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer. *Charles Smith*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *Sweden*

Question. Where do you live?

Answer. *Wherever I pay my lodging*

Question. What is your occupation?

Answer. *Redder*

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

Answer. *I am guilty. I was asked by another man to go within and take the goods. He told me that he had been there before and that the door of the place was open. I got the property which was found in my possession and received while standing outside the premises*

*Charles Smith*

Taken before me, this  
*Proven*  
day of

1069

Police Court—First District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Charles Smith* being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer. *Charles Smith*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *Sweden*

Question. Where do you live?

Answer. *Wherever I pay my lodging*

Question. What is your occupation?

Answer. *Redder*

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

Answer. *I am guilty. I was asked by another man to go within and take the goods. He told me that he had been there before and that the door of the place was open. ~~He got the~~ the property which was found in my possession and received while standing outside the premises*

*Charles Smith*

Taken before me, this *8th* day of *July* 1879  
*Moses W. [Signature]*  
POLICE JUSTICE.

1070

COUNSEL FOR COMPLAINANT.

Name,

Address,

COUNSEL FOR DEFENDANT.

Name,

Address,

Form 66, 125x

Police Court—First District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Samuel A. Suedam  
550 Hudson St.

1. Charles Smith



BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

Dated December 8 1879

Attest my Magistrate.

Mc Guire 14 Officer.

Clerk.

Witnesses

G. J. Mc Guire 14<sup>th</sup>

\$ 25.00 to answer

Served Sessions

Received in Dist. Atty's Office,

CITY AND COUNTY }  
OF NEW YORK. }

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

That *Charles Smith*

late of the *North* Ward of the City of New York, in the County of  
New York aforesaid, on the *seventh* day of *December* in the  
year of our Lord one thousand eight hundred and seventy-*nine* with force and  
arms, at the Ward, City and County aforesaid, the *Store* of

*Samuel A. Suydam*  
there situate, feloniously and burglariously, did break into and enter, the same being a  
building in which divers goods, merchandise, and valuable things were then and there kept for  
use, sale and deposit, to wit: the goods, chattels and personal property hereinafter described,  
with intent the said goods, chattels and personal property of the said *Samuel*

*A. Suydam*  
then and there being, then and there feloniously and burglariously to steal, take and carry  
away, and

*one hundred and twenty spoons of the value of  
Fifty cents each*

*Two hundred and ninety six knives of the value of  
twenty five cents each*

*Sixty Forks of the value of fifty cents each*

*Fifty pairs of scissors of the value of twenty  
five cents each pair*

*Five razors of the value of one dollar each*

*Ten pounds of "illica" of the value of one dollar  
each pound*

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

*Samuel A. Suydam*

so kept as aforesaid in the said *Store* then and there being, then and  
there feloniously did steal, take and carry away, against the form of the Statute in such case  
made and provided, and against the peace of the People of the State of New York and their  
dignity.

1072

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

*Charles Smith*

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

*One hundred and twenty spoons of the value  
of fifty cents each -  
Two hundred and ninety six Knives of the value  
of twenty five cents each -  
Sixty forks of the value of fifty cents each -  
Fifty pairs of scissors of the value of the value  
of twenty five cents each pair -  
Four razors of the value of one dollar each -  
Ten pounds of "Mica" of the value of one  
dollar each pound*

of the goods, chattels, and personal property of *Samuel A. Syden*

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

*Samuel A. Syden*

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

*Charles Smith*

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

**BENJAMIN K. PHELPS, District Attorney.**

1073

**BOX:**

2

**FOLDER:**

33

**DESCRIPTION:**

Shea, Thomas

**DATE:**

12/02/79



33

1074

20c

Counsel,

Filed 2 day of Dec 1879.

Pleads, Not Guilty (3)

THE PEOPLE

vs.

Thomas Shea

Another Complaint vs  
Pat Flaherty, John Leonard  
in the same case -  
Dec. 6 '79 C

BURGLARY - Third Degree,  
and Grand Larceny.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

M. W. Cooper  
Foreman.

Part. Pro: Dec 23. 1879.  
Discharged on ~~his~~ verbal  
recognition -

1075

Police Office, First District.

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

*Silas W. Taylor*

of No. *146 Nassau*

Street, being duly sworn,

deposes and says, that the premises No. *146 Nassau*

Street, *2* Ward, in the City and County aforesaid, the said being a *Store*

and which was occupied by deponent as a *Gents Furnishing Goods*  
*Store* were **BURGLARIOUSLY**

entered by means of breaking a glass in a door of  
said store opening from the street

on the night of the *24* day of *November* 1879  
and the following property, feloniously taken, stolen and carried away, viz.:

*about Three dozen Silk Neckties*  
*and about six pairs of gloves in*  
*all of the value of about Sixty Dollars*

the property of deponent

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

*Thomas Shea now present*

for the reasons following, to wit: deponent was informed  
by *Louis Pinkus* that he saw  
said *Shea* and two others break  
said glass and enter said said  
store.

*Sworn to by*  
*26 day of*  
*March*

1076

City and County  
of New York ss

Thomas Pinkus of  
No 20 Clinton Street being duly  
sworn says that on the morning  
of the 25 day of November 1879 at  
about 4 o'clock deponent saw Thomas  
Shea now present and two other men  
not arrested in front of the store of Silas  
W. Taylor No 146 Nassau Street. one  
of the men not arrested broke a pane  
of glass in the door of said store  
said Thomas Shea stood by the door  
of said store while said man en-  
tered said store through said glass  
and remained therein about ten  
minutes when said man came out  
of said store said three men went  
away together, and deponent notified  
in Office Aton who pursued them and  
arrested said Shea

Louis Pinkus

Sworn to before me this  
26 day of Nov 1879

Mercer Atkinson  
Police Justice

1077

Police Court—First District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Thomas Shea* being duly examined before the undersigned, according to law, on the annexed charge, and being informed that — he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer. *Thomas Shea*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *Ireland*

Question. Where do you live?

Answer. *73 Chatham Street*

Question. What is your occupation?

Answer. *I work at long phone*

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

Answer. *I know nothing about it  
I did not do it. I am not  
guilty*

*Thomas Shea*  
*Mark*

*Mrs. von Borsch*

Taken before me, this

*26* day of *11*

1078

JOURNAL FOR COMPANY.

THE PEOPLE, &c.,

OF THE COMPLAINT OF

*Silas W. Taylor*  
146 Howard St.

*Thomas Shea*

Office

Dated *November 26 1879*

*Attorney* Magistrate

*Abel* Officer

COUNSEL FOR DEFENDANT.

Name

Address

Clerk

Witness

*Thomas Perkins*  
*22 Clinton Street*  
*Office of Notary*  
*40 Packer St*

DEC 1 1879  
1500 to answer  
Received in Dist. Atty's Office

1079

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

That

*Thomas Shea*

late of the *Second* Ward of the City of New York, in the County  
of New York, aforesaid, on the *twenty first* day of *November*  
in the year of our Lord one thousand eight hundred and seventy *nine* with force  
and arms, at the Ward, City and County aforesaid, the *store* of

*Silas W Taylor* there situate, feloniously and  
burglariously, did break into and enter, the same being a building in which divers  
goods, merchandise, and valuable things were then and there kept for use, sale and  
deposit, to wit: the goods, chattels, and personal property hereinafter described, with  
intent the said goods, chattels, and personal property of the said *Silas W*  
*Taylor* then and there therein being, then and there  
feloniously and burglariously to steal, take and carry away, and

*Thirty six handkerchiefs of the value of  
one dollar each  
Six pairs of gloves of the value of four  
dollars each pair*

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

*Silas W Taylor*

so kept as aforesaid in the said *store* then and there being, then  
and there feloniously did steal, take and carry away, against the form of the Statute in  
such case made and provided, and against the peace of the People of the State of New  
York, and their dignity.

**BENJ. K. PHELPS, District Attorney.**