

0546

BOX:

343

FOLDER:

3239

DESCRIPTION:

Schewitzhi, John

DATE:

02/13/89



3239

0547

WITNESSES:

Lewis McCord,

Counsel,

Filed

day of

1889

Pleads

Not guilty

THE PEOPLE,

VIOLATION OF EXCISE LAW

(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1983, Sec. 21 and
page 1989, Sec. 5.]

John Schmitzke

JOHN R. FELLOWS,

District Attorney.

Part 2 Oct 16th ad 27th

A True Bill.

Foreman.

Officer in vacation

Sept 16/89.

Sept 23/89.

7. Forfeited October 3/89.

Part III

0548

Sec. 198—200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty
and if held I demand a
trial by jury*

J. Schenitzki

Taken before me this

day of

1889

Police Justice.

0549

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

Dated.....*Jan 7*.....188*9*.....

M. A. Burke

Police Justice.

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

Defendant

Dated.....*Jan 7*.....188*9*.....

M. A. Burke

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.

0550

Police Court---

4 63 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Louis A. End

vs.

Joe Schutzy

2

3

4

Offered Violation
Case Law

BAILED,

No. 1 by

Residence

P. Reichenstein
401 E 55th St.

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Dated

1889

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

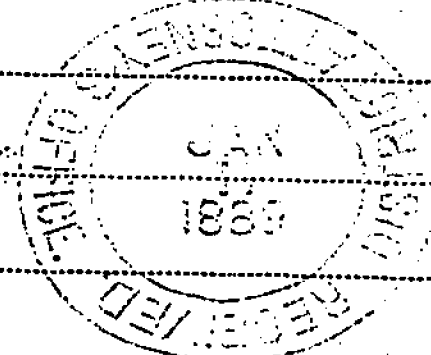
No.

Street.

\$

100 to answer

Paul



0551

Excise Violation-Selling on Sunday.

POLICE COURT-

DISTRICT.

City and County } ss.
of New York,

of No. the Court Office Street,
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 8 day
of January 188 9 in the City of New York, in the County of New York, at
premises No. 204 Third Avenue Street,
John Schenitzki (now here)
did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his
direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors,
to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

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

Sworn to before me, this 7 day
of January 188 9
Marshall Police Justice.

Louis St. Lord

0552

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 Scheutzki

The Grand Jury of the City and County of New York, by this indictment, accuse
John Scheutzki
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

John Scheutzki

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

Louis McLeod

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

SECOND COUNT—

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

John Scheutzki
of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG
AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

John Scheutzki

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, the same being the first day of the week, commonly called and known as
Sunday, being then and there in charge of and having the control of a certain place
there situate, which was then duly licensed as a place for the sale of strong and
spirituous liquors, wines, ale and beer, with force and arms, at the City and County
aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep
closed, and on the said day the said place so licensed as aforesaid unlawfully did then
and there open, and cause and procure, and suffer and permit, to be open, and to remain
open, 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.

0553

BOX:

343

FOLDER:

3239

DESCRIPTION:

Schillinger, Charles

DATE:

02/28/89



3239

0554

BOX:

343

FOLDER:

3239

DESCRIPTION:

Lazar, Anthony

DATE:

02/28/89



3239

Witnesses:

Adolphus Trube
off. J. J. J. J. J.

786 W-6-2

Counsel,

Filed 20 day of Feb 1889

Pleads 2. C. J. J. J. J.

THE PEOPLE

P

Charles Schilling

P

Anthony Sagar

Grand Larceny Second degree.
[Sections 528, 58/529, Penal Code].

JOHN R. FELLOWS,

District Attorney.

Rec. Feb 6/89
No 2 pleads 51 24/7.

Elmeria R. J.
A TRUE BILL

Forfeited

March 1/89.

W. L. J. J. J. J.
C. J. J. J. J.

0556

State of New York
County of New York ss.

Cheneza Davis of
the City of New York being duly
sworn deposes and says that
he has been acquainted with
Charles Schullinger for the
past three years, and that
during that time he has
never known him to commit
a wrong act, and has always
heard his neighbors speak well
of him.

Deponent further says
that the said Schullinger
has always bore a good char-
acter and always proved him-
self to be a good hard working
Boy.

Sworn to before me this
4th day of March 1884.

Cheneza Davis.

Daniel J. Warren
Commissioner of Deeds
of the County

0557

The Temple
- apt -
Charles Schelling
~~~~~

0558

State of New York  
County of New York ss.

Louis Engel Cigar Manufacturer  
of the City and County of New  
York being duly sworn deposes  
and says, that Charles Schilling  
has been in his employ for the  
past six months and during  
that time deponent has always  
known him to be a boy of good  
Character and trustworthy.

Sworn to before me this  
4<sup>th</sup> day of March 1884

Samuel J. Warren

Commissioner of the Court of Louis Engel

NY County

0559

The People  
-a get-  
Charles Schilling



0560

State of New York  
County of New York ss.

Jacob Trout of the  
City of New York, being duly  
sworn, deposes and says that  
Charles Schelling has been  
in his employ as an apprentice  
for the past two years and  
that while in said deponent's  
employ he has never suspected  
his honesty, and always found  
him to be of good character  
and a hard working boy.

Sworn to before me  
this 4th day of March 1889.

Emmel F. Wagner

Commissioner of the Court

N.Y. County

0561

The People

- agent -

Charles Schilling

County of New York  
State of New York ss.

Mrs Elizabeth Davis  
of 1797-3rd ave. of the City  
of New York, being duly sworn  
deposes and says, that she  
is acquainted with Charles  
Schullenger for the past three  
years, and that during said  
time deponent has never heard  
of the said Schullenger to commit  
a wrong act in his life.

And deponent further  
says that - she has always  
heard his neighbors speak well  
of him both as to his honesty  
and integrity, and deponent  
has always known the  
said Charles Schullenger to  
be a hard working boy.

Sworn to before me + Elizabeth Davis  
the 4th day of March 1889.

Daniel J Warren

Commissioner of Deeds.

My Comm.

0563

The People

- apt -

Charles Schilling  
man

POOR QUALITY  
ORIGINAL

0564

I am doing business  
with the following people. The  
list of names is given as follows.  
This is the list of names of the best in-  
formation I have been able to obtain.  
I am in the following business and have  
arrested for the same. I am in the  
business of the following people.

Philip Muller  
1426 first Ave.

Mary Vester  
428 E. 73 St  
Man Lewetis

421 E 23 St.  
Frank. Podora 4  
400 E. 23. St.

Frank. Podora 4

1325 1st Ave.

16 Fuchs-

1341 Ave A.

H. Kraft 1339

V. Hocky 1405 Ave A

Swanwick 1409 A

Chris. Beresing 1442  
Ave. A.



0565

Police Court—

District

Affidavit—Larceny.

City and County } ss.:  
of New York,

of No. 1885-3 Avenue Street, age 23 years,  
occupation Agent—

deposes and says, that on the 15 day of February 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 day time, the following property, viz:

About two hundred pounds of  
lead pipe of the value of  
about forty dollars

the property of Leopold Sinciner And in deponent's  
Car and charge as agent

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 Charles Schillinger and  
Anthony Vagor acting in collusion  
and both now present That on  
the day in question the lead was  
cut and carried away and was  
afterwards found in the possession  
of the defendants

That they now  
confess and admit in Court that  
they did so cut and steal the  
aforementioned property

Wm. J.

Sworn to before me, this

day

1889

Police Justice.

0566

Sec. 193-200.

CITY AND COUNTY }  
OF NEW YORK } ss.

5 District Police Court.

*Charles Schillinger* 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.

*Charles Schillinger*

Question. How old are you?

Answer.

*17 Years*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*1797. 3<sup>d</sup> Avenue*

Question. What is your business or profession?

Answer.

*Cigar Maker*

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 of the charge  
Charles Schillinger*

Taken before me this

188

Police Justice.

0567

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK } ss.

District Police Court.

*Anthony Lizar* 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 h *an*; that the statement is designed to  
enable h *an* if he see fit to answer the charge and explain the facts alleged against h *an*  
that he is at liberty to waive making a statement, and that h *is* waiver cannot be used  
against h *an* on the trial.

Question. What is your name?

Answer. *Anthony Lizar*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *This City*

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

Answer. *1442 Avenue A*

Question. What is your business or profession?

Answer. *Cigar Maker*

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 of the charge*

*Anthony Lizar*

Taken before me this

day of *January*

188

Police Justice.

0568

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

*Charles Schilling & Anthony Cazar*

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, *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 *Feb 16* 188*9* *Tom Harrison* 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.



0569

Police Court---

25-8 District.

THE PEOPLE &c.,

vs. THE COMPLAINT OF

*William Trube*

1888 vs. 13 Ave

*Charles Schilling*

*Anthony Cazar*

Offence

*Delony*

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Dated *February 16* 1889

*Murray* Magistrate.

*Fitzsimons* Officer.

*27* Precinct.

Witnesses \_\_\_\_\_

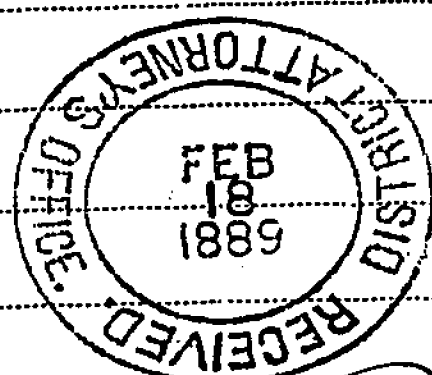
No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

\$ *5.00* to answer

*(Cm)*





0570

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*  
*Charles Schillinger*  
*and*  
*Anthony Lazar*

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

*Charles Schillinger and Anthony Lazar*  
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed  
as follows:

The said

*Charles Schillinger and*  
*Anthony Lazar, both*  
late of the City of New York, in the County of New York aforesaid, on the *fifteenth*  
day of *February* 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 pounds of lead*  
*pipe of the value of twenty cents*  
*each pound,*

of the goods, chattels and personal property of one

*Leopold Sincimer*

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.

0571

SECOND COUNT—

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

*Charles Schillinger and Anthony Lazar*  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said

*Charles Schillinger and Anthony Lazar, both —*

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

*two hundred pounds of lead pipe of the value of twenty cents each pound*

of the goods, chattels and personal property of one

*Leopold Sincimer*

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

*Leopold Sincimer*

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

*Charles Schillinger and Anthony Lazar*

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.

0572

**BOX:**

343

**FOLDER:**

3239

**DESCRIPTION:**

Schoemer, Nicholas

**DATE:**

02/18/89



3239

0573

Selling on Sunday.

Counsel,

Filed

day of *July* 188*9*

Pleads

*McQuirk*

THE PEOPLE,

vs.

VIOLETION OF EXCISE LAW  
(Selling on Sunday, Etc.)  
(III Rev. Stat. (7th Edition), page 1083, Sec. 21 and  
page 1080, Sec. 5.)

*B*  
*Nicholas Schoemer*

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*RR Rolando*  
*Dec 3. Dec 11/93 Foreman.*  
*It appearing that deft*  
*is dead. indict. dis*  
*RBH*

WITNESSES:

*Wm. H. Hump*



0574

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK }

*Nicholas Schwenner* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is h<sup>is</sup> right to  
make a statement in relation to the charge against h<sup>im</sup>; that the statement is designed to  
enable h<sup>im</sup> if he see fit to answer the charge and explain the facts alleged against h<sup>im</sup>  
that he is at liberty to waive making a statement, and that h<sup>is</sup> waiver cannot be used  
against h<sup>im</sup> on the trial.

Question. What is your name?

Answer. *Nicholas Schwenner*

Question. How old are you?

Answer. *68 Years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *116 Miller St*

Question. What is your business or profession?

Answer. *Beer Saloon*

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 sold a pint of Beer*  
*I demand ~~that~~ a trial at*  
*the Court of General Session*  
*N. Schwenner*

Taken before me this

day of *January* 188*9**Samuel J. McCarthy*  
Police Justice

0575

Excise Violation-Selling on Sunday.

POLICE COURT- 3 DISTRICT.

City and County } ss.  
of New York, }

of No. 3 Precinct Police Street,  
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 6 day  
of January 1889 in the City of New York, in the County of New York, at  
premises No. 116 West Street,  
Nicholas Schermer (now here)  
did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his  
direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors,  
to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

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

Sworn to before me, this 7 day  
of January 1889 }  
Samuel H. Kelly Police Justice.

Emanuel Meyer

0576

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.....

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

Dated.....*Jan 7*.....188*9*.....*Sam J. Kelly*.....Police Justice.

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

Dated.....*7 Jan*.....188*9*.....*Sam J. Kelly*.....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.

0577

BAILED,

No. 1, by Nicholas Balzer  
Residence 113 Wullett Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Police Court--66 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Emanuel Meyer  
vs.

Nicholas Schoemer  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Dated January 7 1889  
James O. Reilly Magistrate.  
Meyer Officer.  
Precinct.

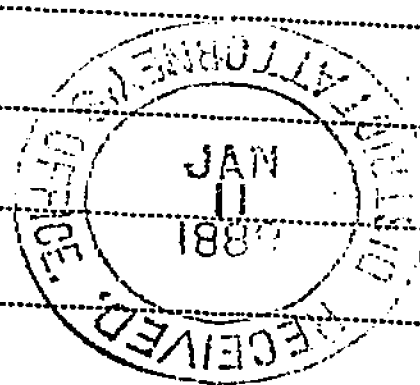
Witnesses \_\_\_\_\_  
No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.  
\$ 100 to answer G S

COMMITTED

Bailed





0578

19 Form H.

NEW YORK, March 22, 1893

1500

## A Transcript from the Records of the Deaths Reported to the Health Department of the City of New York.

COUNTY OF NEW YORK.

STATE OF NEW YORK.

CITY OF NEW YORK

## CERTIFICATE AND RECORD OF DEATH

No. of Certificate,

10872Nicholas Schoemer

I hereby certify that I attended deceased from Feb. 15, 1892, to March 21, 1892, that I last saw him alive on the 21<sup>st</sup> day of March, 1892, that he died on the 25<sup>th</sup> day of March, 1892, about 9 o'clock A. M. or P. M., and that to best of my knowledge and belief, the cause of his death was as hereunder written:

Chief Cause,

Phthisis

Duration of Disease.

Since Nov. 3, 1891.

Contributing Cause,

Heart failure

Sanitary Observations.

Witness my hand this 25 day of March, 1892

Place of Burial,

Catharan

(SIGNATURE),

J. H. Fuchsins

M. D.

Date of Burial,

March 27, 1892.

Undertaker,

Jos. Muck

RESIDENCE,

73 Rivington St.

Residence,

243 2<sup>nd</sup> St.

Burial permits issued at 301 Mott Street, Room 38, Week days, 7 A. M.-6 P. M. Sundays and Holidays, 8 A. M.-5 P. M.

| Date of Death.  | Full Name.        | Age, in years, mos. and days. | Color. | Single, Married or Widowed. | Occupation.  | Birthplace. | How long in U. S. if foreign born. | How long resident in New York City. | Father's Name. | Father's Birthplace. | Mother's Name. | Mother's Birthplace. | Place of Death. | Last place of Residence. | Class of Dwelling (A tenement being a house occupied by more than two families.) | Direct cause of Death. | Indirect cause of Death. | Date of Record. |
|-----------------|-------------------|-------------------------------|--------|-----------------------------|--------------|-------------|------------------------------------|-------------------------------------|----------------|----------------------|----------------|----------------------|-----------------|--------------------------|----------------------------------------------------------------------------------|------------------------|--------------------------|-----------------|
| March 25, 1892. | Nicholas Schoemer | 62 yrs, 3 mos                 | White  |                             | Masket Maker | German      | 38 years                           | " "                                 | Nicholas       | German               | Gertrude       | German               | 115 Willett St  | " "                      | " "                                                                              | Phthisis               | Heart failure.           | March 26 1892   |

A True Copy.

C. G. Heiman

Chief Clerk.

NOTICE.—In issuing this transcript of record, the Health Department of the City of New York does not certify to the truth of the record transcribed, and no inquiry as to the facts reported has been provided for by law.



NEW YORK, March 22, 1893  
A Transcript from the Records of the Deaths Reported to the Health  
Department of the City of New York.

COUNTY OF NEW YORK.  
STATE OF NEW YORK.

**CERTIFICATE AND RECORD OF DEATH**

No. of Certificate,  
10872

I hereby certify that I attended deceased from Feb. 15, 1892 to March 21, 1892,  
that I last saw deceased on the 21st day of March, 1892, that he died on the  
23rd day of March, 1892, about 9 o'clock A. M. or P. M., and that to best of my  
knowledge and belief, the cause of his death was as hereunder written:

Chief Cause, Phthisis

Contributing Cause, Heart failure

Sanitary Observations, None

Witness my hand this 25 day of March, 1892

Place of Burial, St. Nicholas

Date of Burial, March 27, 1892

Undertaker, J. J. Fickling, Jr.

Residence, 73 Livingston St.

Burial permits issued at 201 Mott Street, Room 28, Week days, 7 A. M. to 6 P. M. Sundays and Holidays, 8 A. M. to 5 P. M.

|                                                                                             |                          |
|---------------------------------------------------------------------------------------------|--------------------------|
| Date of Death.                                                                              | <u>March 25, 1892</u>    |
| Full Name.                                                                                  | <u>Nicholas Schaefer</u> |
| Age, in years, mos. and days.                                                               | <u>62 yrs, 3 mos</u>     |
| Color.                                                                                      | <u>White</u>             |
| Single, Married or Widowed.                                                                 | <u>Married</u>           |
| Occupation.                                                                                 | <u>Bookbinder</u>        |
| Birthplace.                                                                                 | <u>Germany</u>           |
| How long in U.S. if foreign born.                                                           | <u>38 years</u>          |
| How long resident in New York City.                                                         | <u>"</u>                 |
| Father's Name.                                                                              | <u>Nicholas</u>          |
| Father's Birthplace.                                                                        | <u>Germany</u>           |
| Mother's Name.                                                                              | <u>Elizabeth</u>         |
| Mother's Birthplace.                                                                        | <u>Germany</u>           |
| Place of Death.                                                                             | <u>115 Wilett St.</u>    |
| Last place of Residence.                                                                    | <u>"</u>                 |
| Class of Dwelling (a house not being a tenement being considered by more than two families) | <u>Tenement</u>          |
| Direct cause of Death.                                                                      | <u>Phthisis</u>          |
| Indirect cause of Death.                                                                    | <u>Heart failure</u>     |
| Date of Record.                                                                             | <u>March 26, 1892.</u>   |

A True Copy.

Chief Clerk.

NOTICE.-In issuing this transcript of record, the Health Department of the City of New York does not certify to the truth of the record transcribed. The seal of the Board of Health attests only the correctness of the transcript, and no inquiry as to the facts reported has been provided for by law.

0580

City and County of New York ss:- Charles  
Krauch, of No 115 Willst Street. NYC  
being duly sworn says I was acquainted  
with Nicholas Schoemer, deceased, that the  
said Nicholas Schoemer, died at the City of  
New York, on the 25<sup>th</sup> day of March 1892,  
at 9.0'clock in the morning that he died  
at his residence No 115 Willst Street this City  
that I have known the said Nicholas Schoemer  
for twenty years and upwards that he was  
in the basket business prior to his death,  
that the deceased was the person arrested  
for the violation of the Excise Law, which case  
came up for trial this day, that annexed hereto  
is a copy of the certificate of the death of  
said Nicholas Schoemer, obtained for the  
Health Board,

Sworn to before me  
this 27<sup>th</sup> day of March 1893.

Chas. J. Newman  
Comm. of Deeds  
N. Y. Co.

Charles. Krauch

0581

**Court of General Session of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Nicholas Schoemer*

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

*Nicholas Schoemer*  
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

*Nicholas Schoemer*

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

*Emmanuel Meyer*

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

SECOND COUNT—

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

*Nicholas Schoemer*

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*Nicholas Schoemer*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, 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.

0582

**BOX:**

343

**FOLDER:**

3239

**DESCRIPTION:**

Serjin, Pasquale

**DATE:**

02/27/89



3239



Witnesses:

*Amos Williams*

I have carefully examined  
the within case. I am  
satisfied that the  
defendant is innocent.  
I recommended that this  
~~indictment~~ be  
dismissed.

March 4<sup>th</sup> 1889

*Wm. L. Moore*  
Deputy A. S. C.

Counsel,

Filed

Pleads,

188

day of

*27 Feb*

*Chicago*

THE PEOPLE

vs.

*B*  
*Pasquale Serjin*

*H. L.*

JOHN R. FELLOWS,

District Attorney.

*Pr. rec 4/89.*

*Indictment dismissed 11/11*  
**A True BILL.** *doct. and*

*J. P. McPherson*  
Foreman.

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

0503



0584

Police Court— District

CITY AND COUNTY  
OF NEW YORK, } ss.

of No. 204 Mott Street,

being duly sworn, deposes and says, that

On Sunday the 17 day of February

in the year 1888 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Gaspare Dorigio  
(now here) who cut and  
stabbed in the back  
with the blade of a  
knife which he then  
held in his hand

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

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

Sworn to before me, this 18 day

of February 1888.

Francisco his Marciani  
man  
G. Murphy POLICE JUSTICE.

0585

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

*Pasquale Serjio* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is *h* right to  
make a statement in relation to the charge against *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 *h* waiver cannot be used  
against *h* on the trial.

Question. What is your name?

Answer.

*Pasquale Serjio*

Question. How old are you?

Answer.

*14 3 years*

Question. Where were you born?

Answer.

*Italy*

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

Answer.

*215 1/2 West 11th St. 1 year*

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*

Taken before me this

day of February 1889

Police Justice.

0586

Francesca Musciana

Paquale Seggia

Charged with  
Homicide  
Assault.

Before Hon

J Henry Ford

Police Justice

February 19/1889

Complained with having daily sworn  
and examined by the Court deposed and  
says through an Italian Interpreter

On the evening of the 17th about  
half past 6 o'clock I was in Elizabeth  
Street near Prince Edward Street playing  
Mina with a party of Italians together  
with the defendant, when a dispute  
arose there in regard to the distribution  
of some beer, and the defendant  
took a glass of beer away from me  
and then threw me down, and when  
I was down he hit me with a knife  
of which you give in your face as back  
A trace downward and he hit to me  
the with the knife (showing)

Q If he was lying with his face down how could he see this man cut him?

A They pushed him down that way.

Q If he was lying with his face upwards on the floor how could he see who cut him?

A I saw a knife when I got up, they threw it away they said it was a stem of a pipe.

Q If he was lying with his face down to the floor how could he see that he was cut with a knife?

A When I got up I saw it, I saw him here a knife and other people took it away from him and threw it away, I saw something shining and some said it was the stem of a pipe.

Cop Examined

Q You had got another man arrested before you arrested him didn't you?

A I got the father of this man arrested and if he would show me where he lived I would let him go. Yes he was arrested.

Q Should you have a man arrested by

0588

3

the name of Zarellie ?

A. I had been with me when I went to  
the station house, he was not arrested  
at the time

Q. But you did have another man arrested  
before you got the defendant arrested  
answer the question yes or no!

A. Yes.

Q. And that was not the defendant  
was it ?

A. No.



James Curry a police officer  
attached to the 10th Precinct Police  
being duly sworn deposes that says:

By the Court

Q Did you arrest the defendant?  
A Yes Sir

Q Under what circumstances?

A This complainant came to the station  
house with another man who spoke  
the English language and told me  
what happened and officer Connor  
and myself left the station house  
and went to 700 Elizabeth Street and  
meted him to point the man out to  
us and we wanted arrest him and  
when we got there, reported and  
another man

Q Other than the defendant?

A Yes Sir, and he said that is the man  
that cut me.

Q Your interpreter was not with you?

A No Sir, and first this man came  
and said this man did cut him and  
I will show you the man who did

0590

8

and then met her and her father to  
215 Kester Street, and we went up stairs  
to a room, and he saw the defendant  
and he pointed him out as the man  
who cut him.

What time of night was this?  
About ten to ten o'clock.

He pointed out the defendant who is  
now for the same as he did the other  
man?

Answer: We arrested the man  
for the people  
Defendants Counsel

Moved to dismiss and to  
discharge the defendant.  
By the Court Motion denied  
Jennell waives further examination

1650

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 \_\_\_\_\_

*W. J. Leonard*

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of \_\_\_\_\_ Hundred Dollars, \_\_\_\_\_

the City Prison, of the City of New York, until he give such bail.

Dated *July 18* 188 *W. J. Leonard* Police Justice.

I have admitted the above-named \_\_\_\_\_

to bail to answer by the undertaking hereto annexed.

Dated *July 19* 188 *W. J. Leonard* 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.

0592

\$1000. bail for Ex  
Feb 19<sup>th</sup> 2.30 PM

Police Court---

286 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Francisco Harrison*  
H. D.  
*Reguli Sergio*

*Office*  
*Feb 21 1889*

*Domino Pasquale*  
115 Box 100

BAILLED

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

188

Magistrate.

Officer.

Precinct.

Witnesses

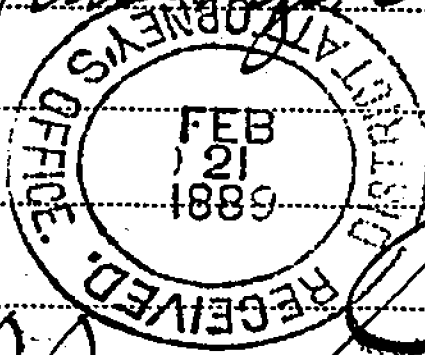
No.

No.

No.

\$

to answer



*Complamant Com*  
*to the house of detention*  
*in default of \$1000 bail*  
*Filed 21 Feb 1889*



0593

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, DISTRICT.

of No. Franklin Street, aged 40 years,  
occupation Police Officer being duly sworn deposes and says,  
that on the 18 day of February 1889

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

Marsicani now here is a  
material witness for the  
people against Pasquale  
Sergin charged with felonies  
Assault and depredations  
springs he to commitment  
to the House of Detention  
for witnesses.

Jannetty

Sworn to before me, this 18 day of February 1889

John W. Smith

Police Justice,



0594

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Pasquale Serjio

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

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

The said

Pasquale Serjio

late of the City of New York, in the County of New York aforesaid, on the  
Seventeenth day of February in the year of our Lord

one thousand eight hundred and eighty-nine with force and arms, at the City and  
County aforesaid, in and upon the body of one Francesco Marsicani  
in the peace of the said People then and there being, feloniously did make an assault,  
and — him — the said Francesco Marsicani  
with a certain knife

which the said

in his right hand then and there had and held, the same being a deadly and  
dangerous weapon then and there wilfully and feloniously did strike, beat, cut, stab and  
wound,

with intent

him the said Francesco Marsicani  
thereby then and there feloniously and wilfully to kill, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York  
and their dignity.

SECOND COUNT—

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

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

The said

Pasquale Serjio

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of  
the said Francesco Marsicani

in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make another assault, and — him — the said

with a certain

Francesco Marsicani  
knife

which the said

in his right hand then and there had and held, the same being a weapon and  
an instrument likely to produce grievous bodily harm, then and there feloniously did  
wilfully and wrongfully strike, beat, cut, stab and wound, 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.

0595

THIRD COUNT—

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

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

The said

Pasquale Serjin

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the said  
Francesco Marsicani in the peace of the said People then  
and there being, feloniously did wilfully and wrongfully make another assault, and  
him the said Francesco Marsicani  
with a certain knife

which

the said

in

he the said Pasquale Serjin  
his right hand then and there had and held, in and upon the back  
of him the said Francesco Marsicani

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, ~~bruise~~ and  
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-  
fully inflict grievous bodily harm upon the said Francesco Marsicani

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.

0596

**BOX:**

343

**FOLDER:**

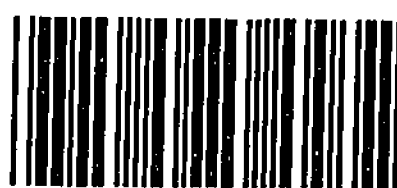
3239

**DESCRIPTION:**

Simali, James

**DATE:**

02/13/89



3239

Witnesses:

A. Shulaker,  
Mr. J. Reap, Off.

Counsel,

Filed

day of

1889

Pleads, Chitiquet

THE PEOPLE

Assault in the Second Degree.  
(Section 218, Penal Code).

16 Pictet  
12 Pictet  
P

James Simala

JOHN R. FELLOWS,

District Attorney.

A True Bill.

For a return  
Part III March 689  
Foreman  
5th Pleadings  
Dues 2/15 2nd Pleadings  
2nd Pleadings

See Report of N. Y. S. P. C. C.  
for information about defendant  
filed with these papers, if lost,  
notify the Society at once.

0597



0598

Police Court- 3 District.

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

Abraham Sholanski

of No. 79 Mulberry Street, aged 28 years,  
occupation Sells newspapers being duly sworn

deposes and says, that on 30th day of January 1889 at the City of New  
York, in the County of New York, in front of 158 Chrystie Street.

he was violently and feloniously ASSAULTED and BEATEN by James

Smali (note her) who wilfully  
and maliciously cut deponent on  
the left shoulder with the blade of  
a pen-knife which he the said  
defendant held in his hand -  
That deponent was  
assaulted as aforesaid by said  
defendant

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

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

Sworn to before me, this 1st day  
of February 1889.

Wm. Duff  
Police Justice.

Abraham Sholanski  
James Smali

0599

Sec. 193-200.

3

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer. *James Simali*

Question. How old are you?

Answer. *14 1/2 years.*

Question. Where were you born?

Answer. *New York City.*

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

Answer. *112 Prigo Street New York City.*

Question. What is your business or profession?

Answer. *I work at a fruit stand.*

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. *There were several boys among  
whom was the Complainant, who  
attempted to kill me.*

*James Simali*  
*mark*

Taken before me this

day of *December* 1889

Police Justice.

0600

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 Feb 1 188 [Signature] Police Justice.

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

Dated Feb 1 188 [Signature] Police Justice.

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

Dated Feb 1 188 [Signature] Police Justice.

0601

Police Court---

3

180 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Graham Sulanski*  
*29 Mulberry St*  
*Ames Simali*

2

3

4

Officer *Felton*

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

188

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

to answer

See Report of N. Y. S. P. C.  
for information about defendant  
filed with these papers. If lost,  
notify the Society at once.



0602

Court of  
General Sessions

The People  
vs.  
James Jmaely

REPORT OF THE NEW YORK SOCIETY FOR  
THE PREVENTION OF CRUELTY  
TO CHILDREN.

100 EAST 23D STREET,

New York, Feb 1<sup>st</sup> 1889

CASE NO. 40144 OFFICER Reap 11<sup>th</sup> Prec  
DATE OF ARREST January 31<sup>st</sup> 1889  
CHARGE Felonious Assault -

AGE OF CHILD 14 years  
RELIGION Catholic  
FATHER Michael  
MOTHER Sarah  
RESIDENCE 112 Ridge Street

AN INVESTIGATION BY THE SOCIETY SHOWS THAT nothing  
is known against boy, previous to  
this arrest. His home is poor  
and dirty.

All which is respectfully submitted,

To  
The Dist Atty

Wm J. Thompson  
Preside

0603

Court of  
General Sessions

The People  
vs.  
James Smiley

PENAL CODE, §

Report of the New York Society  
for the Prevention of Cruelty  
to Children.

ELBRIDGE T. GERRY,  
President, &c.,  
100 East 23d Street,  
New York City.

0604

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*James Simali*

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

*James Simali*

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

The said

*James Simali*

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

*Abraham Sholanski* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault; and the said *James Simali*

with a certain

*knife*

which

*he*

the said

*James Simali*

in *his* right hand - then and there had and held, the same being then and there a weapon and an instrument and weapon likely to produce grievous bodily harm,

*him*, the said *Abraham Sholanski* then and there feloniously did wilfully and wrongfully strike, beat, *cut, stab* ~~bruise~~ and wound, 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.

0605

SECOND COUNT—

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

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

The said

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

said

*Abraham Sholauski*  
in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make another assault; and the said

the said

with a certain

which

in

*knife*  
*he* the said *James Simali*  
*his* right hand then and there had held, in and upon the  
*shoulder* of *him* the said *Abraham Sholauski*

then and there feloniously did wilfully and wrongfully strike, beat, *cut, stab*  
~~bruise~~ and wound, and did then and there and by the means aforesaid, feloniously,

wilfully and wrongfully inflict grievous bodily harm upon the said *Abraham*  
*Sholauski* to the great damage of the said *Abraham Sholauski*

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.*



0606

**BOX:**

343

**FOLDER:**

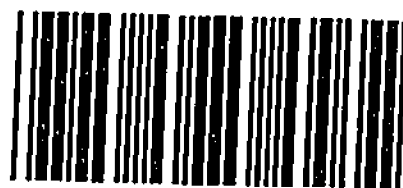
3239

**DESCRIPTION:**

Simon, Gustane

**DATE:**

02/12/89



3239

0607

**BOX:**

343

**FOLDER:**

3239

**DESCRIPTION:**

Simon, Sette

**DATE:**

02/12/89



3239

0608

[illegible]

0609

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

The People, etc.,  
on the complaint of Michael Goode,  
-against-

GUSTAV SIMON  
-and-  
SETTE SIMON

-x  
: *Indicted*  
: *for*  
: Assault  
: in the  
: First  
: Degree.  
:  
-x

City and County of New York, ss:

I, GUSTAV SIMON being duly sworn, do  
depose and say:

That I live at No. 114 East 56th Street in  
the City of New York, and that I am the above named  
defendant.

That on the *23<sup>rd</sup>* day of *April*  
1889, I was tried on the above indictment before Hon.  
Justice Cowing, and that after a four days' trial, the  
Jury disagreed, the Jurors standing, as I am informed,  
seven to five.

That thereupon, and thereafter, and upon  
several occasions, I, through my counsel, William F. Howe  
made application to have the case tried again, or my  
bond discharged; and that ultimately, upon furnishing  
the District Attorney with proof of what had been done  
by the said Goode since my said trial, before my said  
trial, and what said Goode had sworn upon said trial,  
the said District Attorney of the said county discharged  
my bail, and the indictment was filed away; and I was  
informed by my counsel, William F. Howe, that that course



06 10

having been pursued, the said indictment would ~~never be~~  
*is all probability* ~~brought to trial.~~ *again he* ~~in all probability~~

I say that now I am unexpectedly called upon to be tried again.

I say that I am wholly unprepared at this term of the Court to proceed to trial, for the reason that Mary Heintzman, (who was a servant in our employment, and who was actually present at the time of the shooting, charged in the said indictment, and was an eye-witness thereto, and who was beyond all question, as the records of this Court show, a most important and necessary witness for me, and upon whose testimony I verily believe the Jury acted, and whose testimony, I am informed by my counsel, William F. Howe, is necessary and material in my behalf, and without whose testimony, I now swear I am advised by my counsel that I cannot safely proceed to trial) left this city for Germany, her native home, on the 24th day of July, 1889, and that I am informed and verily believe that she will not be in this city until the month of August in this present year.

I say that I have no means of bringing her here until that time, and that when she went away I fully believed that this case would never be brought to trial again, defendant having once been tried, although the bail was not then discharged.

I solemnly swear that to place me again on trial in the absence of the said necessary and material witness, would be a great injustice, and would only be listening to the clamor and malice and the unjust accusations ~~caused~~ *made* by the said Michael Goode upon the admin-

06 11

istration of justice.  
sworn to before me this  
8<sup>th</sup> day of June, 1890.

Louis B. Allen  
Notary Public  
N.Y.C.

*Antone Simon*

06 12

Court of General Sessions.

----- X  
The People on the complaint of

Michael Goode,

-against-

Gustav Simon and Another.  
----- X

City and County of New York, ss:

WILLIAM F. HOWE being duly sworn, deposes  
and says:

That I am an attorney and counsellor at law  
of this State, and that I acted for the said Simon as  
his counsel on the trial which was had herein.

I say that the said Mary Heintzmann was a  
witness on that trial. I say that she is a necessary  
and material witness for the above named defendant,  
as is abundantly evidenced by ~~a reference to the~~ *The*  
stenographer's notes of the last trial.

I say most positively that it will be a great  
injustice to compel this defendant to go to trial in  
the absence of the said Mary Heintzmann; and ~~again~~ *iterate*  
*ate* that she is, beyond all question, and absolutely,  
a most necessary and material witness for the said de-  
fendant, Gustav Simon on the proposed trial of this  
indictment, and, in my honest judgment, he cannot safely  
proceed to trial without her testimony. —

That her said testimony is material under the  
*and as to what she can & did testify*  
rule, the learned Judge of this Court will at once see  
by glancing over it from a copy of the stenographer's  
*and make part of this affidavit as an exhibit marked A-9*  
notes, which I submit herewith, and I also say that  
since the last trial had in this Court, the said Michael

Goode on the 29th day of November, 1889, in the Supreme Court of this Department, commenced an action against the said defendant, Gustav Simon, for damages arising, as the said Goode claims, from the same cause of action <sup>as that</sup> for which this indictment is found.

That the said Goode, by his summons and affidavit to hold defendant to bail, served on the said defendant on December 2nd, 1889, claims damages for the amount of \$20,000. (Exhibit B?)

I say that the said action is now pending in the said Supreme Court, and that under the rules and practice of this Court of General Sessions, as is well known <sup>to</sup>, the learned Judge now presiding, it has been the practice not to try an indictment in which there is a civil suit pending <sup>for the same subject matter and cause</sup> until the disposition of the said civil suit; and why departure from this well recognized rule should be made in this case, this deponent respectfully declares he cannot understand.

This deponent lastly says that it will be a reproach to the administration of Justice, and will be simply a yielding to the spleen, unjust clamor, and disgraceful vituperation of the complainant, who has made most infamous and unfounded attacks in public upon those who are charged with the administration of Justice in this City.

Sworn to before me this  
3rd day of June, 1890.

Louis B. Allen

Notary Public

N. Y. C. O.

William F. Howe



06 14

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

..... being duly  
sworn, says that he resides at No. .... Street, in the City of  
New York; that he is ..... years of age; that on the ..... day of .....  
1890, at Number ..... in the City of  
New York, he served the within ..... on .....  
the ..... by leaving a copy thereof with .....

Sworn to before me this  
day of ..... 1890. }

*H. H. General Sessions*

*The People &c*  
Plaintiff,

*against*  
*Gustavo Simon and*  
*Letta Simon.*  
Defendants

*Affidavits.*

**HOWE & HUMMEL,**  
*Attorneys for defendants.*

87 & 89 CENTRE ST., New York City.

Due and timely service of copy of the within  
hereby admitted  
this ..... day of ..... 1890.  
Attorney.

To .....

*Filed June 29/90*

06 15

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK,

4 District Police Court.

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

Question. What is your name?

Answer. *Sette Siman*

Question. How old are you?

Answer. *40 years*

Question. Where were you born?

Answer. *Prussia*

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

Answer. *114 East 56 Street. 12 years*

Question. What is your business or profession?

Answer. *Merchant Marine Clerk*

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*

*Sette Siman*

Taken before me this

day of *February* 188*4*

Police Justice

06 16

Sec. 198-200.

21 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer. *Mustar Simon*

Question. How old are you?

Answer. *44 years*

Question. Where were you born?

Answer. *Rumania*

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

Answer. *114 East 56 Street 12 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 I was  
mistaken. It was true  
self defence.*

*Mustar Simon*

Taken before me this

day of

1889

Police Justice

06 17

TO THE CHIEF CLERK.

Please send me the Papers in the Case of

PEOPLE

*Mr Goff* - vs.

*Eustace Senior*

1890

*June 6 - Part 3*

*J. R. [Signature]*  
District Attorney.



06 18

Court of General Sessions  
Part II  
The People, etc,  
against  
Justave Simon et al.

List of witnesses for the Prosecution

- 1 Michael Goode, Complainant No 145 East 57. St. =
- 2 Max Rosenstein, - No 951 3. Ave. cor. 57. St. } with
- 3 Cornelius Rapelye, No 951 3. Ave. " } Greenberger
- 4 Detective Guff; 23 Pct. station house - E. 51. St. } and Keck
- 5 Officer Green, 23 Pct. station house, E. 51. St.
- 6 Officer L. Flannery, Broadway Squad: 34 East 29. St.
- 7 Albert A. Roberts, No 206 Second Avenue.
- 8 Dr. Leo Dinkelspiel, No 689 Lexington Avenue.
- 9 Dr. Sichel, Dentist, No 114 East 56<sup>th</sup> Street
- 10 Moses Michael, No 206 East 61<sup>st</sup> Street
- 11 Mils Talent 32 Lewis St.
- 12 Wm P Brissach who sold the outfit

06 19

The People, etc.,

v.

Justave Simon and  
Lette Simon.

List of witnesses for  
the Prosecution

0620

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 Gustav Simon  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Five Thousand Each 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 July 6 1889 John H. Mann Police Justice.

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

Dated July 8 1889 John H. Mann Police Justice.

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

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

Dated July 8 1889 John H. Mann Police Justice.

0621

Bond Renewed Apl. 27/89  
same bondsmen

BAILED,

No. 1, by

Edw. Bauman

Residence

36 Ave C Street.

No. 2, by

Edw. Bauman

Residence

36 Ave C Street.

No. 3, by

Edw. Bauman

Residence

36 Ave C Street.

No. 4, by

Residence

Street

Police Court---

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Markland Ford

145 E. 37 St

1 Gustav Simon

2 Hattie Simon

3

4

Dated July 1889

Corrigan

Cuff

33 Precinct.

Witnesses

Greenberger vs Simon, entered Jan 7/89

No. 1

1000 to answer

Bailed





0622

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 14 DISTRICT.

John Cuff  
of the 23rd Precinct Street, aged 40 years,  
occupation Police Officer being duly sworn deposes and says,  
that on the 9th day of January 1889

at the City of New York, in the County of New York, he arrested

Gustave Simon (now here)  
upon Complaint of Michael Goode  
of No 1445 East 9th Street who  
having feloniously assaulted said  
Goode by aiming at and discharg-  
ing the contents of two barrels of  
a pistol loaded with powder  
and ball and shooting said Goode  
in two parts of the body causing  
injuries from which said  
Goode is now confined to

Known to before me, this

188

day

Police Justice.

0623

181 & 238

Police Court

District

THE PEOPLE, &c.

IN THE COMPLAINT OF

John Caff

vs.

Gustave Simon

Dated

188

May 9

Magistrate.

Welder

Officer.

Capt

Witness.

The Justice presiding

At the Court House

My presence here and

determine the matter

according to law

W. H. H. H.

Disposition, Committed

to await removal

of injuries

to \$5000 Bail

ACQUITTAL

Summons before me  
the 9th day of May 1888

John Caff

his bed and unable to appear  
in Court and make formal  
Complaint as set forth in the  
Certificate hereto attached.  
Deponent prays that said  
Simon be held to await the  
result of said injury.

John E. Caff

0624

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 4 DISTRICT.

of No. 145 East 59 Street, aged 50 years,

occupation City Marshal being duly sworn deposes and says,

that on the 8th day of January 188 9

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

Getta Simon did knowingly  
by resist by the use of force  
and violence an Executive  
officer while in the performance  
of his duty. That at about  
9 o'clock A.M. of the above  
date defendant went to defendant's  
residence No 114 East 56th Street  
for the purpose of executing  
a process of the law issued  
by the Judge of the Supreme Court

Sworn to before me, this

day

188

Filed July







0626

Sec. 192.

4<sup>th</sup> District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before J. Henry Ford a Police Justice  
of the City of New York, charging Zetta Simon Defendant with  
the offence of Assault

and he having been brought before said Justice for an examination of said charge, and it having been made to  
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-  
ing thereof having been adjourned,

We, Zetta Simon Defendant of No. 114 East  
56<sup>th</sup> Street Street; by occupation a married woman  
and Fidel Epstein of No. 231 East 57<sup>th</sup> Street  
Street, by occupation a real estate business Surety, hereby jointly and severally undertake that  
the above named Zetta Simon Defendant  
shall personally appear before the said Justice, at the 4<sup>th</sup> District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York the sum of 200  
Hundred Dollars.

Taken and acknowledged before me, this 4<sup>th</sup>

day of February

1889

John J. Flynn POLICE JUSTICE.

Zetta Simon  
Fidel Epstein

0627

CITY AND COUNTY } ss.  
OF NEW YORK, }

Sworn to before me, this  
day of July  
1938  
at New York  
City, New York.  
Justice.

the within named Bail and Surety being duly sworn, says, that he is a resident and free  
holder within the said County and State, and is worth Twenty Hundred Dollars,  
exclusive of property exempt from execution, and over and above the amount of all his debts and  
liabilities, and that his property consists of One house & lot no

962 - 1st Avenue worth \$42000 -  
Mayer's for \$18000 -

Zeigel Epstein

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Undertaking to appear  
during the Examination.

vs.

Taken the 188 day of July 1938

Justice.

0628

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before Charles Welds Esq. a Police Justice  
of the City of New York, charging Gustav Simon Defendant with  
the offence of felonious Assault

and he having been brought before said Justice for an examination of said charge, and it having been made to  
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-  
ing thereof having been adjourned,

We, Gustav Simon Defendant of No. 114

East 56 Street; by occupation a Merchant  
and Edmund Bannan of No. 36 & 38 Ave C

Street, by occupation a grocer Surety, hereby jointly and severally undertake that  
the above named Gustav Simon Defendant

shall personally appear before the said Justice, at the 4 District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York the sum of five thousand  
~~thousand~~ Dollars.

Taken and acknowledged before me, this 26

day of June

1889

G. Henry Bond POLICE JUSTICE.

0629

CITY AND COUNTY  
OF NEW YORK, } ss.

*deputy*  
*William B. Pratt*  
Police Justice  
1889

Sworn to before me, this

the within named Bail and Surety being duly sworn, says, that he is a resident and  
holder within the said County and State, and is worth *ten* *thousand* ~~hundred~~ Dollars,  
exclusive of property exempt from execution, and over and above the amount of all his debts and  
liabilities, and that his property consists of

*Six story brick dwelling*  
*house and two lots of land situated*  
*and located at 1036 and 38 Avenue C*  
*in the city of New York and is worth*  
*Twenty five thousand dollars over all legal*  
*encumbrances. Ed Bauman*

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear  
during the Examination.

Taken the day of 188

Justice.

*Witnessed by the*

*following*

*Just.*

*Lynman Rindokoff*

*Reginald C. Dwyer*

*of House & Furniture*



0630

As witness it may concern:  
This is to certify that Michael Grade  
is suffering from a fatal wound of the  
lung, which is dangerous & may prove  
fatal.  
Jas A. Michael Grade M.D.

0631

689 Lex. Ave.

This is to certify that  
Michael Goode is  
now out of danger.

Dr. Leo Dinkelspiel

Jan. 17/89

0632

689 Lex Ave

Jan 13/89

This is to certify that the  
condition of Michael Goode  
is somewhat improved, but  
he is not yet out of danger.

Leo Dunkelshiel M.D.

0633

Police Court—H District.City and County } ss.:  
of New York, }of No. 145 East 54th Street, aged 50 years,occupation City Marshal being duly sworndeposes and says, that on the 8 day of January 1889 at the City of New

York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Gustave Simon, who did  
aim at deponent a revolving  
pistol, loaded with ball and  
powder and discharged the  
contents of three barrels of said  
pistol, two of which shots struck  
deponent's body, one ball  
striking deponent on the right  
side of the face and the other  
ball striking deponent on the  
right side of his back and  
passing through the body of  
deponent that said assault  
was committed by the said  
Gustave Simon

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

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

Sworn to before me, this First dayof February 1889.John J. [Signature]

Police Justice.

Michael Goode



0634

Form 5.

EXECUTION AGAINST THE PROPERTY.

The People of the State of New York

To any Marshal of the City of New York, GREETING:

Whereas, Judgment was rendered on the 7<sup>th</sup> day of January one thousand eight hundred and eighty-five, by AMBROSE MONELL, Esquire, Justice of the District Court in the City of New York for the Seventh Judicial District, in an action in said Court, between Ernst Greenberger and Christian Heck, composing the firm of Greenberger and Heck = Plaintiff

and

Justave Simon =

Defendant

in favor of the said Plaintiff against the said Defendant for the sum of \$ 72 <sup>25</sup>/<sub>100</sub>

And Whereas, The sum of is now actually due thereon: \$ 72 <sup>25</sup>/<sub>100</sub>

Therefore we Command you, That you collect the amount due on said judgment, out of the personal property of the said Judgment Debtor, and pay the same to the said Plaintiff and return this execution, within twenty days after its receipt by you, to the said District Court, with a certificate thereon endorsed, stating the manner in which you have executed the same.

Witness, AMBROSE MONELL, Esquire, the Justice of our said District Court, at the City of New York, the 7<sup>th</sup> day of Jan'y. in the year one thousand eight hundred and eighty-five.

John F. Carroll  
Clerk

114 E. 56.

Form 5.

Vol.

Fol.

District Court in the City of New York

FOR THE SEVENTH JUDICIAL DISTRICT.

Greenberger et al

against

Simon

EXECUTION AGAINST THE PROPERTY.

|                  |    |       |
|------------------|----|-------|
| Damages, - - -   | \$ | 63.25 |
| Costs, - - -     |    | 2.50  |
| Allowance, - - - |    | 7.00  |
|                  | \$ | 72.75 |
| Poundage, - - -  |    |       |
| Total, - - -     | \$ |       |

Satisfied in full this 14th

day January, 1889.

C. A. Harley  
Marshal.

Recd. from Marshal  
Harley the full amount  
of the within judgment  
Jan'y. 14<sup>th</sup> 1889.  
Greenberger and Heck.

I, John F. Carroll, Clerk of the Seventh Judicial  
District Court, do hereby certify that the within  
is a true and correct copy of the original  
Execution now on file in my office.  
Dated New York February 8<sup>th</sup> 1889.  
John F. Carroll  
Clerk ccy.

0635

0636

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

The People of the State of New York, To the Sheriff, Deputy  
Sheriffs, and Policemen of the City and County of New York,  
Greeting:

**We Command You,** and each of you  
That you attach and take the body of  
*Mary Mullin*  
who stands charged before our Justices of  
our Court of General Sessions of the Peace, in and for the said  
City and County, with a Contempt, and ~~hither~~ forthwith bring  
before our said Justices, to be dealt with according to law.

Witness, *Hon. Frederick Smyth* - Recorder  
of our said City, this *fourteenth* day of November  
in the year of our Lord, one thousand eight hundred and  
*eighty-Nine* -

BY THE COURT.

*[Signature]*  
Clerk of Court.

0637

*New York General Sessions of the Peace.*

THE PEOPLE  
Of the State of New York,

*against*

*Mary Mullin*

Dated,

*November 14* 188*9*

ATTACHMENT FOR A CONTEMPT.



0638

On Oct 13

Court of General Sessions of the Peace

People vs.

Against  
SimowBrief of facts  
for Prosecution

Michael Goodl says: I went to Simow's house on January 8<sup>th</sup> 1889, to make a Levy, at about 9.30 A.M. I went in the hall door way and went down stairs to the basement hallway. At the time I got there, there were Mr. Rosenstien, Simow and his wife and perhaps the servant. I said to Simow are you Mr. Simow: "he said yes." Then I told him (Simow) who I was and what I wanted and showed him my shield and also the execution; He told me he had no money, and would not pay the execution. I then said: "I must have the money or the carpet." The answer to this was: "get out of my house! you God damned thief, I'll kill you. God damned you are a fraud." Simow then rushed at me, and got hold of me, and tried to put me out. I got hold of him then and told him "you must stop, or I'll lock you up." Then I let go, and I then said you

0639

keep quiet," & then told Rosenstein to take the carpet up. Rosenstein stooped to do so & Simon pushed over to Rosenstein & stopped him. He was going to grab Rosenstein when I stopped him. Then I told Rosenstein to go and get the other man, named Gappelya. Then Rosenstein went out. I remained in the room, some one closed the outer door of the basement viz: the iron gate. I saw Rosenstein enter and he made a motion to the effect that he could not get in. I went to the door to let Rosenstein & Gappelya in. Simon & his wife followed me out and pushed me out under the stoop. They then closed the vestibule door. We three pushed in the door & all three of us went into the hall. Then I heard Simon say: "I did not strike you it was my wife. I placed them under arrest for assault." Then he (Simon) & his wife got hold of me and commenced to beat me. His wife struck me with her fist and he pushed me about. At this time I sent Rosenstein out for a policeman & I released them. After Rosenstein went out I commenced

0640

to fix my cuffs. at this time Dr. Sichel came down and asked what was the matter. I was explaining to him what it was about, when some one called out, lookout he is going to shoot; I turned around & as I did so I received a shot in the face. I saw the pistol in Simon's hand. I then turned to go out in the hall & as I was doing so I received another shot in the back. He then fired another shot at me; I then went home. I had no pistol with me, nor club, nor any weapon.

I never carried a pistol when making a Levy.

At the time Simon fired the first shot he stood behind his wife & two other women.

Officer Buff; can prove how difficult it was to arrest Simon.

Officer Brew; can prove the fact that Rosestein called him to make the arrest.

Max Rosestein, can prove that: Dr. Sichel said in German: put that pistol away; and corroborates all the facts set forth by Good, at the time Rosestein was in



Simon's house and also that he brought the policeman. He also saw the pistol.

Corn. Gappelyea; heard the shots fired; and also saw prove the facts about the hallway.

Benjamin Prince  
Officer Barnes 4<sup>th</sup> Dist Court  
Simon Lessor who served him  
Doctor Warren Johnson  
Mr P. Brisach salesman

Court of General Sessions  
of the Peace.

The People vs.

Against

Simon

Defendant

Brief of facts

}

}

}

Witness

Michael Cordle

Max Greenstein

Off. Green

Off. Cuff

Cornelius Rappelyea



0642

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Gustave Simon  
and Sette Simon*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Gustave Simon and Sette Simon* —  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

① The said *Gustave Simon and Sette Simon,*  
*both* —

late of the City of New York, in the County of New York aforesaid, on the  
— *eight* — day of — *January* —, in the year of our Lord  
one thousand eight hundred and eighty—*nine*—, with force and arms, at the City and County  
aforesaid, in and upon the body of one *Michael Goode,* —  
in the peace of the said People then and there being, feloniously did make an assault and  
to, at and against — *him* — the said *Michael Goode,* —  
a certain pistol then and there loaded and charged with gunpowder and one leaden  
bullet, which the said *Gustave Simon and Sette Simon*  
in *their* right hands then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did then and there shoot off and discharge,  
with intent *him* the said *Michael Goode,* —  
thereby then and there feloniously and wilfully to kill,, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York  
and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*Gustave Simon and Sette Simon*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

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

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

JOHN R. FELLOWS,

District Attorney.

0643

**BOX:**

343

**FOLDER:**

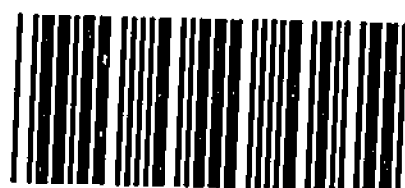
3239

**DESCRIPTION:**

Simpson, George

**DATE:**

02/06/89



3239

Witnesses;

Maggie Rully

off Edmeston  
Ant Laffier

Counsel,

Filed

Pleads,

day of July 1889

Chiquely-7/12

THE PEOPLE

George Simpson

Grand Larceny, Sec 528, 529, 530 Penal Code.  
(From the Person.)

JOHN R. FELLOWS,

District Attorney.

A True Bill.

J. Robinson

Foreman,

Part III February 11/89-

Pleady Smith - S.L. 2d day.

Elmer Ref. B.M.

T.

0644

0645

Police Court

2

District

Affidavit—Larceny.

City and County } ss.:  
of New York,

Maggie Reilly

of No. 49 Evergreen St. Bogen Point N.Y., aged 17 years,  
occupation Nothing being duly sworn

deposes and says, that on the 28th day of January 1889 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
and person of the deponent, in the day time, the following property, viz:

a pocket book containing good and lawful  
money consisting of divers bills and  
divers pieces of silver and nickel  
Coin all of the value Four dollars  
and twenty cents

the property of Richard Reilly deponent's Father

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 Simpson Henry Washington

(both married) from the fact that deponent  
is informed by Edward Armstrong of the  
Central Office that he saw said defendants  
together in West 14th Street standing  
alongside of her and immediately  
thereafter they walked away together  
informs her that deponent says that said officer  
arrested said defendants and found  
the aforesaid property in the possession  
of said Simpson  
deponent says that said property  
was taken stolen and carried away  
from the pocket of the Goat Bag and then  
worn by her Maggie Reilly

Sworn to before me, this 29 day  
of January, 1889

Edw. Armstrong  
Police Justice.



0646

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Edward Armstrong*  
aged 24 years, occupation Police officer of No.

300 Mulberry Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Maguire Reilly

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

Sworn to before me, this

29

day of

Jan

188

*Edward Armstrong*

*Sam'l C. Reilly*

Police Justice.

0647

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Henry Washington*

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

Question. What is your name?

Answer.

*Henry Washington*

Question. How old are you?

Answer.

*22 years*

Question. Where were you born?

Answer.

*U.S.*

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

Answer.

*118 Macdougall St - 1 year*

Question. What is your business or profession?

Answer.

*Waiter*

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 do  
not know anything about  
it  
Henry Washington*

Taken before me this

*29*

day of

*January*

188*9*

*Lois C. Kelly*

Police Justice.

0648

Sec. 198—200.

2

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

*George Simpson*

Question. How old are you?

Answer.

*19 years*

Question. Where were you born?

Answer.

*U.S.*

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

Answer.

*114 South 5th St Brooklyn E.D. 2 years*

Question. What is your business or profession?

Answer.

*Clerk*

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 Simpson*

Taken before me this

*29*

day of *January* 188*5*

*W. J. Coffey* Police Justice

0649

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 Simpson and Henry Washington*  
guilty thereof, I order that ~~he~~<sup>he</sup> be held to answer the same and he be admitted to bail in the sum of *fifteen* Hundred Dollars, *Each* and be committed to the Warden and Keeper of the City Prison, of the City of New York, until ~~he~~<sup>he</sup> give such bail.

Dated *Jan 29* 188*9* *Sam J. Kelly* 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.



0650

Police Court---

2

159 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Maggie Reilly  
49 Congress St  
August 1st 1887  
George Simpson  
Harry Washington

Sawyer from  
offence the person

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Dated January 29 1887

O. Reilly

Armstrong & Redbridge Officer.

Witnesses

No. \_\_\_\_\_ Street.

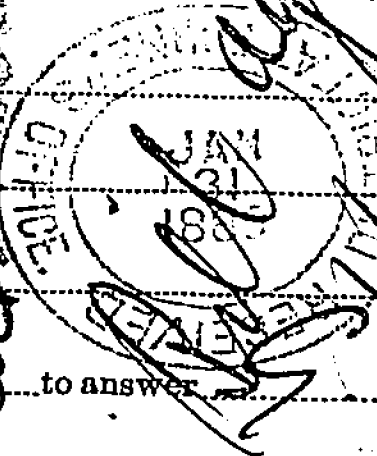
No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

\$ \_\_\_\_\_ to answer

COMMITTED.

Bill against  
Harry Washington  
recovered



agreed  
Jury  
G. J. 2  
Harrow

0651

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 Simpson

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

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

The said

George Simpson

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

two 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 and value of two dollars each; two  
promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes),  
of the denomination and value of two dollars each; two United States Silver  
Certificate of the denomination and value of two dollar each; two United States  
Gold Certificate of the denomination and value of two dollars each.

four 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 and value of one dollar each; four  
promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes),  
of the denomination and value of one dollar each; four United States Silver  
Certificate of the denomination and value of one dollar each; four United States  
Gold Certificate of the denomination and value of one dollar each.

divers coins of a number, kind and denom-  
ination to the Grand Jury aforesaid unknown, of  
the value of four dollars and seventy  
cents and one pocketbook of the  
value of twenty-five cents

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

0652

SECOND COUNT—

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

— *George Simpson*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

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

*Two* 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 and value of *two* dollars each; *two* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of the denomination and value of *two* dollars each; *two* United States Silver Certificate of the denomination and value of *two* dollars each; *two* United States Gold Certificate of the denomination and value of *two* dollars each;

*four* 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 and value of *one* dollar each; *four* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of the denomination and value of *one* dollar each; *four* United States Silver Certificate of the denomination and value of *one* dollar each; *four* United States Gold Certificate of the denomination and value of *one* dollar each;

*divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of four dollars and seventy cents, and one pocketbook of the value of twenty-five cents*

of the goods, chattels and personal property of one

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

*Maggie Reilly*  
unlawfully and unjustly, did feloniously receive and have; the said

*George Simpson*  
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.