

0009

BOX:

121

FOLDER:

1271

DESCRIPTION:

Schawcheski, Peter

DATE:

11/09/83



1271

00 10

Counsel,

Filed

day of

1883

Pleads

W. H. Kane

THE PEOPLE

vs.

P

Peter

Schawtschick

*Doorsing Buncs
Kane in
508*

JOHN McKEON,

Dr. Med 14/13 District Attorney

And acquitted.

A True Bill.

W. H. Kane

Foreman.

Just 7. 1. 13 13-14

Monday 6/11

P. S. Kane

W. H. Kane

W. H. Kane

0011

Police Court 4th District.

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

aged 28 years, Police Officer attached to 8th Precinct
of No. 104 East 52nd

John William Godwin
Street, aged _____ years

occupation _____

being duly sworn

deposes and says that the premises No 104 East 52nd Street, in the
19th ward of the City and County aforesaid, the said being a dwelling house its 1st

floor and Basement of father John Godwin as a dwelling

and which was occupied by deponents and in which there was at the time a human being, by name Ann Godwin
deponents mother and deponent

were BURGLARIOUSLY entered by means of forcibly opening the Hall
door leading into the hall way of said premises and afterwards
opening the door leading into the Dining room with a
false Key, Pick lock, or some other implement to deponent
unknown.

on the 24th day of October 1883 in the day time, and the
attempted to be
following property feloniously taken, stolen, and carried away, viz:

Clothing, Jewelry, &c of the value of one hundred
dollar and more or less \$100.00

the property of deponent, and his father John Godwin

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

Peter Schawclowski (nowhere)

for the reasons following, to wit: That said premises were securely
fastened the Hall door and the doors leading
up deponents apartments being shut that
at about the hour of 12 o'clock M. on said day
deponent arrived at said premises in the Dining
room of said premises that deponent immediately
placed defendant under arrest and took him to
the 19th Precinct Station House where deponent searched
him and found in his said defendants possession

0012

a Skeleton Key or Pick Lock with four other
Keys.

Deponent then for charges the said
defendant with Burglariously entering said
premises and with feloniously attempting to
steal therefrom said property, and asks
that he be held to answer and dealt with
according to law

John H. Goodwin

Sworn to before me this
24th day of October 1883

W. H. M. Police Justice

Police Court _____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Degree.

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ _____ Bail.

Bailed by _____

No. _____ Street.

00 13

Sec. 198-200

4th District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Peter Schawclowski 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.

Peter Schawclowski

Question. How old are you?

Answer.

38 years

Question. Where were you born?

Answer.

Russia

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

Answer.

New York, on and off 20 years

Question. What is your business or profession?

Answer.

machinist

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

Peter Schawclowski

Taken before me this

day of October

188

24th

Justice.

00 14

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 Peter Schawclowski

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, or be legally discharged

Dated October

1883

[Signature] 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.

00 15

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

#17- 14th 820
Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John G. Gordini
8th Prec.

1 *Peter Schawelinski*

2 *"deft. Com." by Court*

3 *for action of Grand Jury*

4 *on complaint for having*
been in possession of

Dated *October 2 1883*

M. G. Gordini Magistrate

Gordini Officer.

Burglar 2nd Precinct.

Witnesses *Jim M...*

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *1500.00* to answer *G.S.*

Leon

1908

00 16

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Peter Schanckstein

The Grand Jury of the City and County of New York, by this indictment, accuse Peter Schanckstein of the CRIME OF Possessingburglar's instruments committed as follows:

The said Peter Schanckstein

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

intentionally was found, in the dwelling house of one John Goodman, there situate, having in his possession certain instruments adapted and commonly used for the commission of burglary, that is to say: one false key, one pick-lock and four keys: with intent then and there to use the same in the commission of some crime 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.

John McLean

District Attorney.

00 17

BOX:

121

FOLDER:

1271

DESCRIPTION:

Scheterly, Frank

DATE:

11/15/83



1271

5000
 11/16/83
 RBC of

Bailed to Peter
Conrad
34 Broadway Street

Witnesses
Julius Otto
520.3 are Brooklyn
Off Gallagher
6. Percent.

Beckwith

861
 (11)
 Deed of Trust
 Day of Trial,

Counsel,
Filed 15 day of Nov 1883

Pleads Not guilty (19)

THE PEOPLE

vs.

Frank
vs.

Schuster
116 Hester Street

JOHN McKEON,

District Attorney.

A True Bill.

N. Care

Foreman.

RECEIVED
DISTRICT
NOV 15 1881
OFFICE

Rec'd from ¹⁰1000 a Feb 19/87

0018

00 19

COUNTY OF NEW YORK, ss.

In the Name of the People of the State of New York, To any Sheriff, Constable,
Marshal or Policeman in this State, GREETING :

An indictment having been found on the 15 day of Novr
188 3, in the Court of General Sessions of the Peace, of the County of
New York, charging Frank Schatlerly
with the crime of keeping a bawdy house

You are therefore Commanded forthwith to arrest the above named defendant
_____ and _____ bring him before that Court to answer the indictment; or
if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the
City Prison of the City of New York, or if he require it, that you take him before any Magistrate
in that County, or in the County in which you arrest him, that he may give bail to answer the
indictment.

City of New York, the 15 day of Novr 188 3.

By order of the Court,

 Clerk.

0020

N. Y. General Sessions of the Peace

THE PEOPLE
OF THE STATE OF NEW YORK,

against

Frank Scheterly
116 West 2nd St.

68 Clinton

Bench Warrant for Misdemeanor.

Issued

Nov. 15th 1883

Nov. 16th 1883

The within named
defendant was arrested
this day and brought
to the Court of General
Sessions.
by Von Gerichten & Reilly

☒ The defendant is to be admitted to be bail
in the sum of 500 dollars.

0021

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Frank Scherby

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

Frank Scherby

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL FAME, committed as follows:

The said *Frank Scherby*

late of the *Tenth* Ward of the City of New York, in the County of New York aforesaid, on the ~~first~~ day of ~~May~~ in the year of our Lord one thousand eight hundred and eighty-~~three~~ and on divers other days and times as well before as afterwards, to the day of the taking this inquisition, at the Ward, City and County aforesaid, a certain common house of ill fame, unlawfully and wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said *Frank Scherby*

_____ on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offences as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of, and against good morals and good manners, 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 *Frank Scherby*

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said *Frank Scherby*

late of the *Tenth* Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: on the ~~first~~ day of ~~May~~ in the year of our Lord one thousand eight hundred and eighty-~~three~~ and on divers other days and times between the said

0022

day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did maintain a certain common, ill-governed house, and in ~~this~~ said house, for ~~this~~ own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and willfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and willfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common annoyance of the said citizens, 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.

THIRD COUNT.—And the Grand Jury aforesaid, by this indictment, further accuse the said Frank Scherby

of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said Frank Scherby

late of the Tenth Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: on the first day of May in the year of our Lord one thousand eight hundred and eighty-~~two~~ and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in ~~this~~ ——— said house and place of public resort, for ~~this~~ ——— own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women, in ~~this~~ ——— said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully, did permit, and yet continues to permit, by which the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, 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 McKEON,

District Attorney.

0023

BOX:

121

FOLDER:

1271

DESCRIPTION:

Schofield, Silleck S.

DATE:

11/02/83



1271

0024

BOX:

121

FOLDER:

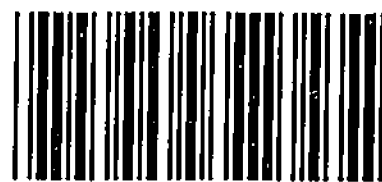
1271

DESCRIPTION:

Aiken, David E.

DATE:

11/02/83



1271

0025

BOX:

121

FOLDER:

1271

DESCRIPTION:

Quinn, Michael

DATE:

11/02/83



1271

0027

FOL. 1

At a Criminal Term, Part 1, of the Supreme Court of the
State of New York, held in and for the County of
New York at the Criminal Courts Building in the
Borough of Manhattan, of the said City of New
York, on the 2 day of Nov, 1899.

Present,

HONORABLE

Edgar L. Furman

Justice.

THE PEOPLE OF THE STATE OF
NEW YORK

against
Selleck J. Schofield
David E. Aiken
Michael Quinn

It appearing in the opinion of this Court, that it is proper that the indictment
hereinafter named be tried herein :

Now, on motion of Asa Bird Gardiner, District Attorney of the County of New
York, it is

FOL. 2

ORDERED, that the indictment found in the Court of General Sessions
of the Peace of the City and County of New York on the 2 day of

November, 1899, against the above named defendant *Selleck J. Schofield*
David E. Aiken, *Michael Quinn*, for the crime of Forgery

be and the same is hereby removed into the Supreme Court of the State of New York
in and for the County of New York.

Edgar L. Furman
JH

NEW YORK SUPREME COURT,
COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF
NEW YORK

against
Sullivan J. Schofield
David C. Aiken
Michael Quinn

Order of Removal of
Indictment.

ASA BIRD GARDINER,
DISTRICT ATTORNEY,
CRIMINAL COURT BUILDING,
BOROUGH OF MANHATTAN,
NEW YORK CITY

0028

0029

COURT OF GENERAL SESSIONS OF THE PEACE
of the City and County of New-York.

-----X
The People of the State of New-York :
- against - :
Silleck S. Schofield, David E. Aiken :
and Michael Quinn, whose real name :
is to the Grand Jury unknown. :
-----X

The GRAND JURY of the City and County of New-York, by this indictment, accuse Silleck S. Schofield, David E. Aiken and Michael Quinn, whose real name is to the Grand Jury aforesaid unknown, of the Crime of FORGERY in the Third Degree, committed as follows:

On the twenty-first day of May, in the year of our Lord one thousand eight hundred and eighty three, there was in the City of New-York, in the County of New-York aforesaid, a certain public officer called the Chief Engineer of the Croton Aqueduct, the same being an officer of the Mayor, Aldermen and Commonalty of the City of New-York, a municipal corporation duly existing under and by virtue of the laws of the State of New-York, and being at the head of one of the Bureaus in the Department of Public Works of the said corporation commonly called the Bureau of the Chief Engineer. And on said day there was kept in the office of the said Chief Engineer of the Croton Aqueduct a certain book of accounts commonly called and designated the Meter Ledger, the same being a book of accounts belonging and appertaining to the business of the said municipal corporation and of the said Chief Engineer of the Croton Aqueduct as such public officer, wherein was recorded, according to the usage and customs of the said office, the accounts of certain consumers of Croton water and of their indebtedness to the said municipal corporation for water supplied by it, the said municipal corporation, to certain consumers thereof, and wherein was also recorded, according to the usage and customs of the said office, the amounts paid to the said municipal corporation by such consumers for water supplied as aforesaid. And on said day, at the City and County aforesaid, there was a certain firm doing business as brewers under the firm name and style of Opperman and Muller, who were then and there, and for a long time previous thereto had been, consumers of water furnished to it, the said firm, by the said municipal corporation. And in the said book of accounts, so kept as aforesaid in the office of the said Chief Engineer of the Croton Aqueduct, commonly called and designated the Meter Ledger as aforesaid, ^{there was kept} a certain account of the said firm of Opperman and Muller with the said municipal corporation for and on account of water supplied to it, the said firm, as aforesaid. And in the said account, so as aforesaid contained in the said book of accounts, it was the custom and usage of the said office to enter in a column of the said account having the heading "Date" the date of the inspection of the meter and the taking of the record therefrom of the amount of water at that date received by the said firm of Opperman and Muller since the date of the last inspection of the meter; and in another column of the said account, having the heading "Meter No." it was the custom and usage of the said office to enter the number of the meter so inspected; and in another column of the said account, having the heading "Size", it was the custom and

0030

usage of the said office to enter the figure or figures denoting the size of the meter so inspected; and in another column of the said account, having the heading "Index at last settlement, Cubic feet", it was the custom and usage of the said office to enter the figures denoting the state of the said meter at the date of the said inspection; and in another column of the said account, having the heading "Index at date, Cubic feet", it was the custom and usage of the said office to enter the figures denoting the total number of cubic feet of water which on the dates of the said inspections had passed through the said meter as indicated by the meter itself; and in another column of the said account, having the heading "Consumption, cubic feet", it was the custom and usage of the said office to enter the figures denoting the number of cubic feet of water consumed by the said Opperman and Muller, as shown by the said meter, and for which they were chargeable; and in another column of the said account, having the heading "Index taken by", it was the custom and usage of the said office to enter the words and letters indicating the name of the meter inspector by whom the inspections of such meter were made. And there was in said account another column provided, with the heading "Meter rent", in which, according to the usage and custom of the said office, there would be entered a charge for the rent of the meter belonging to the said municipal corporation placed upon the premises of the said Opperman and Muller whenever the said firm became justly chargeable therewith; and in another column of the said account, having the heading "Water rent", it was the usage and custom of the said office to enter the figures denoting the values of the different amounts of water consumed by the said firm as entered in the said column having the heading "Consumption, cubic feet"; and in another column of the said account, having the heading "Deduct building rate", it was the custom and usage of the said office to enter the figures denoting the deductions, if any, to be made from the said last mentioned amounts on account of the payment of the tax commonly called building rates for Groton water; and in another column of the said account, having the heading, "Amount paid, partial - total", it was the custom and usage of the said office to enter the figures denoting the amounts due to the said municipal corporation by the said firm of Opperman and Muller for water supplied to it, the said firm, after the said deductions, if any, had been made; and in another column of the said account, having the heading "When paid", it was the custom and usage of the said office when any of the amounts so entered in the said column having the heading "Amount paid, partial - total", were paid by the said firm to enter opposite the respective amounts paid the words and figures denoting the date and dates of such payments. And whenever in the said column having the heading "When paid", the words and figures denoting a date were entered the said entry denoted, according to the usage and custom of the said office, that the amount entered as due and owing by the said firm in the column having the heading "Amount paid, partial - total", and opposite to which the said words and figures denoting such date were so entered, had been paid by the said firm and, according to the usage and custom of the said office, the said entry of such words and figures indicating a date as aforesaid denoted a credit to the said firm of the amount so set opposite to it in the said column having the heading "Amount paid, partial - total".

And on the said day there was in the said account of the said firm of Opperman and Muller, so as aforesaid kept in the

0031

said book of accounts, a certain item entered as aforesaid, under the respective headings as aforesaid, in the words and figures following, to wit:

Date	Meters	Sigs	Index at	Index at	Company	Index	Meter	Water	Debit	Amount paid		When paid	Remarks
			last set C. H. feet	rate C. H. feet	last set C. H. feet	rate C. H. feet	rent	rent	rate	Partial	Total		
"	28	"	"	542000	542000	136500	menan		136 80 See page 32-33	17 50	119 30 111 20		230 50

And the said Silleck S. Schofield, late of the First Ward of the City of New-York, in the county of New-York aforesaid, and the said David E. Aiken, late of the same place, and the said Michael Quinn, whose real name is to the Grand Jury aforesaid unknown, late of the same place, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, well knowing the premises, with intent to defraud, feloniously did make a certain false entry in the said book of accounts in the account of the said firm of Opperman and Muller, so kept as aforesaid in the ^{32nd} book of accounts, in the column having the heading "When paid", opposite to the entries in the item of the said account hereinbefore set forth, by then and there falsely entering in the said column having the heading "When paid", and opposite to the item aforesaid, the words and figures following, to wit:

1883

May 21.

Which said false entry then and there falsely denoted that the sum of two hundred and thirty dollars and fifty cents entered in the column having the heading "Amount paid, partial - total" in the said account, as appears in the item of the said account hereinbefore set forth, had been duly paid by the said firm of Opperman and Muller; 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 MC'KEON,
District Attorney.

0032

Counsel, *W. H. A. Clark* 978
Filed 2 day of Nov 1883
all Pleadings Nov 4 July 9.

THE PEOPLE

Silvester S. Schofield
David E. Wilkin
and
Michael Quinn

JOHN MCKINNON
Indecent Exposure
and Rape
A TRIAL
Nov. 7 1883
W. H. A. Clark

Supreme Court, Dartmouth
Nov. 2 1899 — *On Motion*
of the District Attorney
defendants discharged on
their verbal representation
C. H. A.

It would be well to
proceed with the
motion year 1899
indictment. The
indictment and record
necessary to a suc-
cessful prosecution
are not available
the indictment itself
does not negate the
(except by way of
a conclusion) the
alleged false entry
to clear the record
Indecent exposure
and Rape
on their own rec-
ognition.
Nov 7 99
W. H. A. Clark
and Quinn

EE00

850
E.L. Litchfield

in and for the County of New York.
be and the same is hereby removed into the Supreme Court of the State of New York
Nov 1883, 1899 against the above named defendant, *Edward J. Litchfield*
of the Peace of the City and County of New York on the *2* day of *Nov*
ORDERED, that the indictment found in the Court of General Sessions
Fol. 2
York, it is
Now, on motion of Asa Bird Gardiner, District Attorney of the County of New
hereinafter named be tried herein :
It appearing in the opinion of this Court, that it is proper that the indictment

THE PEOPLE OF THE STATE OF
NEW YORK
against
Edward J. Litchfield
Edward E. Litchfield
Michael Litchfield

Fol. 1
At a Criminal Term, Part 1, of the Supreme Court of the
State of New York, held in and for the County of
New York at the Criminal Courts Building in the
Borough of Manhattan, of the said City of New
York, on the *2* day of *Nov*, 1899.
Present,
HONORABLE *Edgar J. Litchfield*
Justice.

NEW YORK SUPREME COURT,
COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF
NEW YORK

against
Alfred J. Schofield
David E. Arlow
Michael Quinn

Order of Removal of
Indictment.

ASA BIRD GARDINER,
DISTRICT ATTORNEY,
CRIMINAL COURT BUILDING,
BOROUGH OF MANHATTAN,
NEW YORK CITY

0034

0035

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Simeon S. Schofield,
David E. O'Brien, and
Michael Quinn whose
real name is to the
Grand Jury unknown
The Grand Jury of the City and County of New York, by this indictment accuse
Simeon S. Schofield, David E. O'Brien, and
Michael Quinn whose real name is to
the Grand Jury aforesaid unknown
of the crime of GRAND LARCENY committed as follows:

The said Simeon S. Schofield, David E.
O'Brien and Michael Quinn
late of the First Ward of the City of New York, in the County of New York, aforesaid,
on the tenth day of November in the year of our Lord one thousand eight
hundred and eighty-two at the Ward, City and County aforesaid, with force and arms,

Five 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; ten 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; 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 five dollars, and of the
value of five 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 two dollars,
and of the value of two 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 dollar, and of the value of one dollar each; five 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; 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 ten dollars each; twenty 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; 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 two dollars, and 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 dollar

of the goods, chattels, and personal property of Frederick Opperman the
younger and John Miller 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.

0036

Second Count:

And the Grand Jury aforesaid, by this indictment, further accuse the said Silas S. Schofield, David E. Aiken, and Michael Quinn, whose real name is to the Grand Jury aforesaid unknown, of the Crime of Grand Larceny, committed as follows:

The said Silas S. Schofield David E. Aiken and Michael Quinn

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

five 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; ten 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; 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 five dollars, and of the value of five 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 two dollars, and of the value of two 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 dollar, and of the value of one dollar each; five 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; 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 ten dollars each; twenty 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; 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 two dollars, and; 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 dollar

of the goods, chattels, and personal property of The Mayor, Aldermen and Commonalty of the City of New York, then and there being found, then and there feloniously did steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

JOHN McKEON, District Attorney.

0037

BOX:

121

FOLDER:

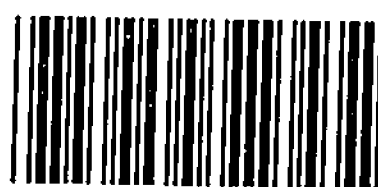
1271

DESCRIPTION:

Schwab, Justus H.

DATE:

11/15/83



1271

0038

#90-

Day of Trial,
Counsel, *Verly*
Filed *15* day of *Nov* 188*3*
Pleads *Nov 4 July 21*

THE PEOPLE
vs. *Justice Dr.*
Schwarz
[2 cases]
Revolution of Excise Law.
(Sunday)
R. S. 7-1983
and 1989 & 82

JOHN McKEON,

District Attorney.

A True Bill.

W. H. Crane
Foreman.
Pail duty 2 by
Pr Court. May 24/84

0039

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

The People &c. /
vs
Justus H. Schwab /

City & County of New York ss:

Justus H. Schwab
being duly sworn deposes and says: I am
the above named defendant. I was
arrested on the 22^d day of April 1883, and
on May 15th 1883 and May 21st 1883, and
on each occasion the charge being for
violation of the Excise Law.

That deponent is entirely innocent
of any of said charges. That in the
month of May 1883 the Grand Jury
presented three Indictments for violation
of the Excise Law. That on the 21st
day of November 1883 deponent was tried
in the Court of General Sessions before
Hon. Rufus B. Cowing, upon one of
the aforesaid Indictments and acquitted
on said charge on the merits. That
the remaining Indictments filed against
deponent are founded on similar
evidence.

Deponent prays that said

0040

Indictments may be dismissed as provided by the Code of Criminal Procedure, deponent alleging that the trial of said Indictments has never been postponed at Deponent's request.

Sworn to before me of
this 29th day of May 1884 *Justus H. Schwab*
Arthur Kinnier,
Commissioner of Deeds,
New York City.

0041

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.....
18....., 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 18 }

N. D. General Sessions

The People vs.

Plaintiff,

against

Justus H. Schwab

Defendant.

Affidavit of Defendant.

HOWE & HUMMEL,

Attorneys for

87 & 89 CENTRE ST., New York City.

Due and timely service of cop of the within
hereby admitted
this day of 18

Attorney.

To

0042

Police Court 3 District.

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

of No. 147 Precinct Street,
of the City of New York, being duly sworn, deposes and says, that on Sunday the 29 day
of April 1883, in the City of New York, in the County of New York,
at premises 50" first street
a place where intoxicating liquors and wines were kept for sale, and sold as a beverage,
Julius H. Schwab [now here]
did then and there expose for sale and did sell, caused, suffered and permitted 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 in
the house or premises aforesaid, contrary to and in violation of law; and did not keep said place closed on said
Sunday the 29 day of April 1883 as required by law.

WHEREFORE, deponent prays that said Julius H. Schwab
may be arrested and dealt with according to law.

Sworn to before me, this 30 day of April 1883, by Louis Rott

J. M. Parnell POLICE JUSTICE.

0043

Sec. 198-200

3

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Justus H. Schwab 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.

Justus H. Schwab

Question. How old are you?

Answer.

Thirty six years.

Question. Where were you born?

Answer.

Germany

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

Answer.

50 1 Street Six years

Question. What is your business or profession?

Answer.

Saloon Keeper

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
Justus H. Schwab*

Taken before me this

day of

April 1888

John J. ...
Police Justice

0044

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 Justus H. Schwab.

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

Dated April 30 188 8. A. M. Patterson Police Justice.

I have admitted the above named Justus H. Schwab
to bail to answer by the undertaking hereto annexed.

Dated April 30 188 8. A. M. Patterson 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.

0045

BAILED,

No. 1, by John Kapp
Residence 84 East 2nd Street,

No. 2, by _____
Residence _____ Street,

No. 3, by _____
Residence _____ Street,

No. 4, by _____
Residence _____ Street.

371
Police Court--3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Louis Rott

vs.
1 Justus H. Schwan
2 _____
3 _____
4 _____

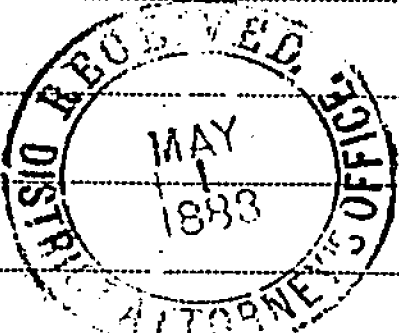
Offence, 2nd Degree

Dated April 20 1893
Patterson Magistrate.
Rott Officer.
14 Clerk.

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

No. _____ Street,
\$ 100 to answer S. B.

Bailed



0046

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Justus A. Schmal

The Grand Jury of the City and County of New York, by this indictment, accuse *Justus A. Schmal*

OF THE CRIME OF **Exposing for Sale and Selling ~~Strong and Spirituous~~ Liquors, Wines, Ale and Beer, on Sunday**, committed as follows:

The said *Justus A. Schmal*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the ~~twenty~~ day of ~~May~~ in the year of our Lord one thousand eight hundred and eighty-~~three~~, at the Ward, City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain ~~strong and spirituous 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 whisky, one gill of cordial, one gill of bitters,~~ one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain ~~strong and spirituous liquor~~ to the Grand Jury aforesaid unknown, unlawfully did expose for sale and sell as a beverage to

~~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

Justus A. Schmal

of the CRIME OF GIVING AWAY AND DISPOSING OF ~~STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, ON SUNDAY~~, committed as follows:

The said *Justus A. Schmal*

late of the First Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: On the said ~~twenty~~ day of ~~May~~ in the year of our Lord one thousand eight hundred and eighty-~~three~~, at the Ward, City and County

0047

aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain ~~strong and spirituous 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 whisky, one gill of cordial, one gill of bitters,~~ one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain ~~strong and spirituous liquor~~ to the Grand Jury aforesaid unknown, unlawfully did give away and dispose of as a beverage to _____

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.

THIRD COUNT:

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

John A. S. Schmal

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 A. S. Schmal

late of the First Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: on the said twenty day of May in the year of our Lord one thousand eight hundred and eighty-three 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 certain premises at number Twenty First Street

in the City and County aforesaid, which said place 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 McKEON, District Attorney.

I Consent that the
bail be in the two
indictments be
discharged

May 29th 1884

J. H. Williams
Sailor Bay.

779.

Day of Trial, *Nov 26*
Counsel, *W. H. H. H.*
Filed *18* day of *Nov* 1883
Pleads *Not Guilty* 41.

THE PEOPLE
vs.
Quinn v. School
carey
Violation of Excise Law.
(Sunday)
III R.S. 1734/1963421
and 1969 557

JOHN McKEON,

District Attorney.
Pr May 29/84
1 Bail dischd.
A True Bill.

A. H. Crane

Foreman.

0048

0049

EXCISE VIOLATION ^{after hours} ~~WITHOUT LICENSE.~~

Police Court— 3rd District.

CITY AND COUNTY }
OF NEW YORK, } ss.

Daniel J. McInerney

of the 17th Precinct Police

of the City of New York, being duly sworn, deposes and says, that on the 20th day

of May 1883, in the City of New York, in the County of New York, at

No. 50 First Street,

Justus H. Schrab
did then and there ~~cause~~ ^{to wit:} caused, suffered and permitted to be sold, under his direction and authority, strong and spirituous liquors, ~~wine and~~ beer, being intoxicating liquors, in quantities less than five gallons at a time, to be drunk in the house or premises aforesaid ~~without having a proper license therefor~~ contrary to and in violation of law.

That at the hour of 12 o'clock and thirty minutes
on the morning of said day said Justus H. Schrab
did unlawfully keep open the saloon on the aforesaid
premises, that the front door was open, lights burning
and about twenty persons were drinking Beer in said saloon

WHEREFORE, deponent prays that said Justus H. Schrab
may be arrested and dealt with according to law.

Sworn to before me, this 21 day } Daniel J. McInerney
of May 1883 }

Hugh Gardner POLICE JUSTICE.

0050

W
Police Court, *(3)* District.

THE PEOPLE, & c.,

ON THE COMPLAINT OF
Warrant of W. H. Herring
James H. Schwab

EXCISE VIOLATION--WITHOUT LICENSE.

Dated *21* day of *May* 188 *3*

Garden Magistrate.
W. H. Herring Officer.

14
Witness,

Bailed \$ _____ to Ans. _____

By _____

_____ Street.

0051

Sec. 198—200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Justus H Schwab 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.

Justus H Schwab

Question. How old are you?

Answer.

36 years

Question. Where were you born?

Answer.

Germany

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

Answer.

50 First Street and about seven years

Question. What is your business or profession?

Answer.

A Publisher

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.

It is true that I had my place open, But I did not sell any liquor
Justus H. Schwab

Taken before me this
day of

May 21
1883

August C. Spencer

Police Justice.

0052

Sec. 151.

Police Court 3rd District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Harriet J. McJannet of the 14th Precinct Police Street, that on the 20 day of May 1883 at the City of New York, in the County of New York,

Justice H. Schmal did unlawfully keep open premises No 50 First Street, at the corner of 12th Street and Third Avenue on the morning of said day the said premises being a saloon that there were about 20 persons in said Saloon drinking Beer

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 3 DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 21 day of May 1883

Henry Gardner POLICE JUSTICE.

0053

POLICE COURT. ⁽³⁾ DISTRICT.

THE PEOPLE, & c.,
ON THE COMPLAINT OF

James J. McCherny
vs.

James R. Schrae

Warrant-General.

Dated

May 21

188

Garrett

Magistrate

W. McCherny

Officer.

The Defendant

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

Officer.

Dated

188

This Warrant may be executed on Sunday or at
night.

Henry Garrett
Police Justice.

REMARKS.

Time of Arrest,

Native of

Age,

Sex

Complexion,

Color

Profession,

Married

Single,

Read,

Write,

0054

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 Justus H. Schurab

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 May 21 3 188 Hugh Gardner Police Justice.

I have admitted the above named Justus H. Schurab
to bail to answer by the undertaking hereto annexed.

Dated May 21 3 188 Hugh Gardner 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.

0055

BAILED

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Daniel J. McNamee
17th Precinct

Justus H. Schwab

1

2

3

4

Dated

May 21 1883

Magistrate.

Daniel J. McNamee

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ 100 to answer G.S.

Bailed

0056

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

The People
 ^{vs}
Justus H. Schwab } For violation of
 the Excise Law.

To

Hon. Peter B. Olney,

District Attorney of the City and
County of New York.

Sir -

Please take notice that a motion
will be made for the discharge of the
above named Defendant Justus H. Schwab
who is now indicted for violation of the
Excise Law, having been indicted by the
Grand Jury of the City and County of
New York in the month of May 1883, -
before the Hon. Rufus B. Cowing one
of the Justices of said Court of General
Sessions on the 29th day of May 1884,
on the ground that more than two terms
of said Court of General Sessions have
elapsed since the indictment of the
said Justus H. Schwab, and that he has
not been brought to trial for the offence
for which he is so indicted as required

0057

by section 668 and 671 of the Code of
Criminal Procedure.

Dated this 28th day of May 1884.

Yours respectfully,

Howet Hummel,

of Counsel for said

Schwab.

Court of General Sessions of the Peace,

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE

against

For

To Hon

District Attorney of the City and County of New York:

SIR—

Please take notice, that a motion will be made for the discharge of the
above named prisoner , (who is now
imprisoned in the New York City Prison, on a charge of
having been committed to said City Prison, by Justice
on the _____ day of _____ 187) before the
Honorable _____ one of the Justices of said Court
of General Sessions, at the opening of said Court of General Sessions, on the
day of _____ 1875, on the ground that more than two terms of said
Court of General Sessions have elapsed since the committal of the said
_____, and that he has not been brought to trial for the offense
for which he is so committed and detained.

DATE this day of 187 .

Yours, respectfully,

~~HOWE & HUMMEL,~~

Of Counsel for said

0059

General Sessions, N. D.

THE PEOPLE,

vs.

Justus H. Schwab

(Copy)

Notice of Motion for discharge
of Prisoner.

HOWE & HUMMEL,
Attorneys at Law,
89 Centre Street
New York City.

To Hon. J. H. McQuay

Dist. Atty. N. D.

0060

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Justus M. Schuch

The Grand Jury of the City and County of New York, by this indictment, accuse *Justus M. Schuch*

OF THE CRIME OF **Exposing for Sale and Selling Strong and Spirituous Liquors, Wines, Ale and Beer, on Sunday**, committed as follows :

The said *Justus M. Schuch*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *twenty ninth* day of *April* in the year of our Lord one thousand eight hundred and eighty- *three*, at the Ward, City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain strong and spirituous 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 whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did expose for sale and sell as a beverage to

~~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

Justus M. Schuch

of the CRIME OF GIVING AWAY AND DISPOSING OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, ON SUNDAY, committed as follows :

The said *Justus M. Schuch*

late of the First Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit : On the said *twenty ninth* day of *April* in the year of our Lord one thousand eight hundred and eighty- *three*, at the Ward, City and County

0061

aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain strong and spirituous 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 whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did give away and dispose of as a beverage to _____

~~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.

THIRD COUNT:

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

_____ *Justus M. Schuch* _____

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 _____ *Justus M. Schuch* _____

late of the First Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: on the said ~~twenty ninth~~ day of *April* _____ in the year of our Lord one thousand eight hundred and eighty-~~three~~ *three* 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 certain premises at number *Fifty* _____

Fifth Street _____

in the City and County aforesaid, which said place 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 McKEON, District Attorney.

0062

BOX:

121

FOLDER:

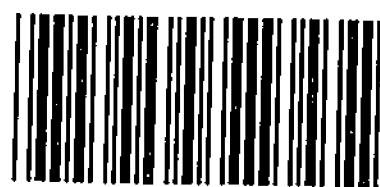
1271

DESCRIPTION:

Schwartz, Lee

DATE:

11/02/83



1271

0063

Filed 2 day of May 1883

Pleas

THE PEOPLE

vs.

B

~~NA~~

Lee Schwartz

Obtaining Goods by False Pretences.

JOHN McKEON,

District Attorney.

A True Bill.

W. H. Anderson

Foreman.

Recd from W. A. T. 10/10/87

0064

FIRST DISTRICT POLICE COURT.

THE PEOPLE

vs.

LEE SCHWARTZ.

Before

HON. SOLOM B. SMITH.

POLICE JUSTICE.

May 29th 1883.

A. GRUBER, ESQ., for the people.

JACOB SCHWARTZ, ESQ., for the defendant.

City and County of New York ss.

WILLIAM R. MOREHEAD the complaining witness in this
this case being duly sworn deposes and says:---

Q (Mr. Gruber) What is your business?

A Clerk at Bates, Reed and Cooley's.

Q What was your business on the 5th of September last?

A I was in the credit office of Bates, Reed & Cooley.

Q What was your duties in connection with that position?

A Taking statements from parties who ^{desire} discount credit.

Q Do you know the defendant?

A I do.

Q How long have you known him?

A I guess since 1873.

0065

2

Q Did you see him on the 5th of September in this city?

A Yes sir; in the credit office of Bates, Reed & Cooley.

Q For what purpose did he come there?

(Objected to.)

Q What did he say to you there at any time?

A He came to a salesman and he wanted to buy some goods on credit.

Q How detail the conversation that you had with him at that time?

A I asked him if he was willing to make a statement and he said he was; I told him I was aware of what terms he used to buy goods at the place I worked at before--- his father at that time endorsed for him, and he said yes; he then made the statement that I have written down there. (Objected to)

Q What was the statement?

A He stated that he had a stock on hand of \$5500.00; that he owed at that time at the bank; I think it was the First National Bank at Bath, N.Y. \$2500.00 endorsed by his father; I asked him if he had any other debts, and he said no.

Q Did you at the time reduce that statement to writing?

A Yes sir.

Q Please look at the memorandum handed you and state if that is the memorandum you made?

0066

3

(Objected to as incompetent and improper.)

Q Is that the statement? (Handing witness a paper.)

A To the best of my knowledge, and belief, sir, it is.

This paper was now marked Ex. A. for identification.

Q State if there were any questions asked?

A Yes sir; I asked him how much stock he had and he said \$5500.00 worth; I asked him how much he owed, and he said so much at the bank endorsed by his father.

Q Immediately on his making those statements what did you do?

A I wrote them down.

Q After the conversation was done did you show him the memorandum you had made?

A Yes sir; after I had written out the conversation, I wrote it all out as it is there, and he read it.

Q Did he state anything concerning it?

A He said it was all right.

Q Upon the strength of that statement what did you do?

A I told him I was willing to sell him a bill of goods.

Q How many goods did you sell him on the strength of that statement?

A Well I was willing to sell him a certain sum.

Q To what extent did you sell him goods after that time?

0067

4

A I think about \$1100.00 to the best of my knowledge.

Q And those goods were shipped at what time?

A Well that I don't know; I think I checked them out on that day, and on the next day.

Q At any subsequent time did you ship any goods?

Question objected to as incompetent and not connected with this transaction.

Q (The Court) You told the defendant you would be willing to sell him goods to a certain amount?

A Yes sir.

Q What amount was that?

A \$1000.00.

Q (Mr. Gruber) For whom, as vendors, did you ship those goods?

A For the firm of Bates, Reed & Cooley.

Q Has Leo Schwartz ever paid for those goods?

A Part of them only.

Counsel for the people now offered the statement Marked Ex. A. in evidence.

Counsel for the defense admits the memorandum Ex. A. so far as it relates to the defendant on the day of the alleged representations.

CROSS - EXAMINATION by Mr. Jacob Schwartz.

0068

5

Q Mr. Morehead you say you have known the defendant for some years?

A Yes sir.

Q You must have known him before the day you refer to?

A Yes sir.

Q Socially or in a business capacity?

A In a business capacity, sir?

Q You have sold him goods before that?

A On certain conditions, yes sir.

Q With whom were you connected before?

A Evans, Peake & Company.

Q You first met the defendant while you were connected with Evans, Peake & Company as their credit man?

A No sir, I was not their credit man.

Q Well you were connected with them in the business there?

A Yes sir.

Q Do you know the extent of the time given to the defendant by Evans, Peake and Company?

A I do not.

Q He dealt with them quite extensively, didn't he?

A On his father's endorsement.

Q Do you swear that he did not deal with them otherwise than on his father's endorsement?

0069

6

A All the transactions that I know of were endorsed by his father.

Q Do you pretend to know them all?

A Pretty well; I had charge of books .

Q Do you mean to say, Mr. Morehead, that the defendant did not deal with Evans, Peake & Company upon the strength of his personal responsibility to a large amount?

A Yes, sir.

Q Then all you are willing to testify to is as far as your knowledge goes?

A I know it.

Q You know what?

A I had charge of the books there.

Q You swear positively he did not trade with them on his individual responsibility in any manner?

A If he did it was not known to the credit man; I will swear to that. His basis of credit with Evans, Peake and Company, was made upon his father's indorsement alone.

Q Did he deal with Evans, Peake & Company upon his personal responsibility at some time?

A If he did it was before I knew him.

Q Then you don't know it?

A Not when I was connected there.

0070

7

Q He dealt with that firm to, the extent of forty thousand or fifty thousand dollars didn't he?

A I believe he did.

Q And it has ~~been~~ all been paid, to your knowledge?

A Yes sir.

Q You had in your ~~knowing~~ employ, or in the employ of the house with which you were connected at the time you say these representations were made, a party by the name of A.H. Bates?

A Yes sir.

Q Do you connect him in any way with that first sale made?

A Yes sir; he brought him into the office.

Q Didn't you send Mr. A.H. Bates for the defendant?

A No sir.

Q Didn't you request Mr. Bates to tell him that you wanted to see him?

A I might have.

Q And what was the purpose?

A To sell him goods.

Q As you had sold him before?

A Yes sir.

Q It was when he came there that he made the representations that you have charged him in this case?

0071

8

A Yes sir.

Q Will you kindly point out to me your statement of the firm to the defendant?

A From the 4th to the 21st.

Q This is a complete statement of your transactions with the defendant?

A From the first to the last.

Q Then you have here, upon what you call a complete statement of the transaction between your house and the defendant, an item marked September 4th. to 21st, \$1038.19.

A Yes sir.

Q Now which part of this was sold on the 4th of September?

A The whole of it.

Q Why did you mark it before September 21st?

A Because the goods were not all ^{gotten up} ~~getting off~~ at the same time; he made his statement on the 5th.

Q You say it was all sold on September 4th.?

A No sir.

Q I understood you to say that this amount was all sold on September 4th?

A No sir.

Q Will you tell me by looking at your statement what amount of goods were sold on the 4th of September to the defendant?

0072

9

A The goods which we sold outside I cannot say when they were sold; there were \$270.00 worth.

Q When was the next sale?

A On the 6th.

Q And subsequent to that one?

A It does not follow that a sale was made, the day it was charged; a sale does not end until the goods are shipped out of the store; they were not shipped out of the store until his statement is satisfactory to us.

Q These goods were all picked out at one time?

A I should judge so.

Q When was the date of ~~xxxx~~ that picking out?

A I could not tell you sir.

Q Did you ship any goods to him before the 5th of September?

A No, we did not.

Q Then will you tell what the charge of Sept. 4th means?

A I suppose that it is goods he picked out.

Q Then do these dates represent the different times that he picked out goods?

A It represents the dates when goods went down into the packing room to be charged; some of them were not shipped perhaps until six, seven, eight, ten or eleven days afterwards; they are never shipped until he establishes his credit.

0073

10

Q He picked them out on the 4th of September?

A Yes sir.

Q They were sent to him in different installments?

A Yes sir; I should judge so.

Q On the 4th of September he picked out how much?

A I could not say.

Q Did he pick out any on the 5th of September?

A I think by the ^{looks} ~~looks~~ of that, that he picked out the goods before he came in to see ~~him~~ me.

Q How many he picked out you do not know?

A No sir.

Q Now isn't that a fact, Mr. Morehead, that the defendant first came to your place on the fourth of September and picked out this two hundred and some odd dollars worth of goods, and that you refused to ship those goods, and sent Mr. Bates to notify the defendant to come to you that you wanted to see him?

A I should judge so; I should think so.

Q And after that do you say that ~~you~~ he picked out more goods?

A That I cannot say sir, because I cannot tell when he picked the goods out; I cannot go out to stock and ask when a man buys goods.

Q Were not these representations made, as you charge, for the

0074

II

purpose of inducing you to send that \$270.00 worth of goods that he had picked out previously?

A No sir; because I do not know how much he had picked out.

Q Had you been informed by Mr. Bates that he picked out \$270.00 worth of goods?

A No sir.

Q Hadn't you been informed that he had picked out about that amount of goods by some one?

A No sir; the checks come up in the packing room, and come into the credit office; I noticed his name, and then I sent for him to make a statement before the goods were shipped.

Q After he made the statement, as you allege on the same day, did he pick out other goods?

A I should think so.

Q Do you know to what amount if he did at all?

A I cannot swear to that.

Q Can you give any date subsequent to the time when you charged these representations to have been made when he picked out any goods in your concern?

A I could not sir.

Q I understand you to say that you sold him about a thousand dollars worth of goods along about that time?

A Yes sir.

0075

12

Q And that was paid?

A Do you want to know how much was sold first?

Q No I want to know how it was paid.

A Well it was not paid according to the contract ^{of} ~~to~~ the sale;
I can't tell you that.

Q Do you mean to say that the thousand dollars worth of goods
that he picked up then were not paid for?

A Yes sir.

Q Did you receive any collateral for them?

A Yes sir; for part of them.

Q For how much?

A I think \$388.00

Q What collateral did you receive for \$388.00?

A I received a note indorsed by his father.

Q Did you receive any collateral for the balance?

A No sir.

Q Nothing at all?

A No sir.

Q No note?

A I received a note, but it was not collateral.

Q Then you make a distinction as to whether there is an
indorsement on the note?

A Yes sir.

Q You received two notes?

0076

13

A Yes sir; one \$500.00 and one of \$500.00---- The \$500.00 has been paid, and the \$500 dollar note had not been paid. The first note was to be his own, and the last was endorsed by his father.

Q And \$500.00 was the long note?

A It was to have been the long note, but it was the short one.

Q How long was it for?

A Two months.

Q How long was the \$500.00 note?

A Four months; he turned around and sent a two months note on his father's indorsement; there is where he was smart.

Q You took it, didn't you?

A I could not help myself; I was not going to let half a loaf go.

Q You did not return the notes?

A I sent the other one to his father for indorsement and he refused to sign it.

Q You kept on dealing with him after that extraordinary transaction?

A Yes sir.

Q You sold him quite a quantity of goods after that?

A Yes sir, for cash; what we call cash ten days.

Q (Re-direct) Did you see the defendant after the 5th of Sept.

0077

14

at the store?

A Yes sir.

Q Did he state anything at that time concerning his purchase of the goods from the store?

A I do not know; I have a faint recollection that he said----
Objected to.

Q Did he say anything?

A I would not swear to it.

Q These goods which were selected on the 4th of September were they shipped after that time?

A Yes sir.

Q After the 5th of September?

A Yes sir.

Q And then no goods were shipped to Lee Schwartz before he made that statement on the 5th of September?

A No sir.

Q Would you have shipped him any goods if that statement had not been made?

Question objected to as incompetent; objection overruled; exception.

A No sir.

Q Was that the sole cause of the shipment of the goods?

A That and the agreement; five hundred dollars worth of it was on that statement.

0078

19

Q (By the Court) Do you mean the agreement as to the two notes?

A No sir the one note.

Q And you mean by the agreement is the indorsed note?

A Yes sir.

Q (Mr. Gruber) Five hundred dollars worth of the goods were to be shipped on credit?

A Yes sir.

Q (Mr. Schwartz) I understand you to answer His Honor that you relied not only upon the statement made to you, as you charge, but upon the agreement that he was to send you the indorsed note of five hundred dollars?

A Not the way you put it sir--- as to \$500.00 of it.

Q Did you expressly state a moment ago that you relied upon the statement and the agreement as far as the indorsed note is concerned?

A That is as far as the \$500.00 is concerned.

Q (The Court) Did you make that statement to the defendant?

A Yes sir I told him I would take a risk on his statement of \$500 if his father would take the other \$500, and I would send him the goods if he would send his fathers note for four months or send his own note indorsed by his father.

Q (Mr. Gruber) Did you at any time know that the defendant was

0079

capable of buying goods on his own credit.)

The Court. That is already on the record.

William R. Morehead

Sworn to before me this

20th day of May 1933.

Solow B. Smith

Police Justice.

0080

17

City and County of New York ss.

F R A N K G A T P B E L L a witness called on the part of the people and sworn deposes and says:---

Q (Mr. Gruber) Where do you reside?

A Bath.

Q What is your business?

A Cashier of the Farmer's and Mechanic's Bank.

Q Do you know Lee Schwartz?

A Yes sir.

Q Representing the bank did you at any time have any business dealings with Lee Schwartz?

A Yes sir.

Q At what time was it?

A At all the times since he was in business in Bath.

Q In the month of August 1882 did you have any dealings with him?

A Yes sir.

Q What were the dealings?

A We discounted a note of \$1000.00 made by Schwartz and indorsed by his father, and a man named Ossoski.

Q What length of time had that note to run?

A I think about three months.

0081

18

Q Was that note paid on the 5th of September 1882?

A No sir.

Q (Mr. Schwartz) Do you remember the exact reading of that note

A I think it was "three months after date I promise to pay to the order of

Sworn to before me this 29th

day of May 1883.

*Witness without the jurisdiction of
the Court*
Solomon B. Smith

Police Justice.

0082

19

City and County of New York ss.

W I L L I A M W. A L L E N called on the part of the people
and sworn deposes and says:---

Q (Mr. Gruber) Where do you reside?

A Bath, N.Y.

Q What is your business?

A Cashier of the First Nation Bank.

Q Do you know Leo Schwartz the defendant?

A Yes sir.

Q Representing that bank did you have any dealings with
Leo Schwartz in June 1882?

A Yes sir.

Q What were those dealings?

A I discounted a note for him.

Q What amount?

A \$1000.00

Q Made by him or indorsed by him?

A Made by him.

Q Was that made on the 5th of September 1882?

A No sir, it was still a valid and substantial indebtedness

Q by L ee Schwartz?

A Yes sir.

0083

20

Q Did you have any business dealings with Lee Schwartz on the 31st of July 1882?

A Yes sir.

Q What was the nature of those dealings?

A We discounted his note on that day.

Q What day was that?

A July 31st.

Q For what amount?

A \$1000.00

Q Made by Lee Schwartz?

A Yes sir.

Q Was that note paid on the 5th of September 1882?

A No sir.

Q On the 8th of August 1882 did you have any dealings with Lee Schwartz?

A Yes sir.

Q What was the nature of the dealing?

A We discounted his note for \$1 500.00

Q A note made by him?

A Yes sir.

Q On the 9th of August 1882 did you have any dealings with Lee Schwartz?

A We discounted his note for \$700.

0084

21

Q Made by him?

A Yes sir.

Q Was that paid on the 5th of September 1932?

A *No* sir.

Q On the 22nd of August 1932 did you have any dealings with
Leo Schwartz?

A Yes sir.

Q What was the nature of those dealings?

A We discounted his note for \$400.00

Q A note made by him?

A Yes sir.

Q Was it unpaid on the 5th of September?

A Yes sir.

CROSS-EXAMINATION.

Q Was Leo Schwartz the maker of the first note?

A Yes sir.

Q Payable to the order of whom?

A By Mr. Ossoski.

Q Did Leo Schwartz make that note?

A Yes sir.

Q To whose order was the note made payable?

A I do not know sir; it was to Leo Schwartz or Mr. Ossoski.

Q Has that note been paid?

0085

22

A Yes sir.

Q And the next note was made by him?

A The same maker and the same indorser.

Q And that was a thousand dollar note?

A Yes sir.

Q And the other note was \$700.00

A Yes sir.

Q And that was the same way?

A Yes sir.

Q (Re-direct) When were these notes paid Mr. Allen?

A The first on the 25th of October.

Q Were they all paid after the 5th of September?

A Yes sir.

Sworn to before me this

29th day of May 1903.

witness without the county jurisdiction
Solomon Smith

Police Justice.

Defendant's Counsel now moved for the dismissal of the complainant and the discharge of the defendant on the ground that no facts have been proven sufficient to show the commission of any offense; motion denied; exception.

The Court now held the defendant to answer in the sum of \$1000.00

*I hereby certify that the foregoing is a true transcript of the testimony taken by me in this case - J. H. Fletcher
J. H. Fletcher*

0086

Sec. 198-200.

East District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Lee Schwartz being duly examined before the under-
signed, according to law, on the annexed charge and being informed that it is no 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 no waiver cannot be used
against him on the trial.

Question. What is your name?

Answer. Lee Schwartz

Question. How old are you?

Answer. 31 years

Question. Where were you born?

Answer. England

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

Answer. Elmhurst. Twenty years

Question. What is your business or profession?

Answer. Commercial traveller

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

Lee Schwartz

Taken before me this 29th
day of May 1888
Salomon J. F.
District Police Justice.

0087

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss.POLICE COURT, First DISTRICT.H. L. ClerkWilliam R. Moreheadof No. 343 to 347 Broadway Street, being duly sworn, deposes andsays that on the 25th day of September 188 2at the City of New York, in the County of New York, Lee Schwartz did

by means of certain false and fraudulent representations, made to deponent with the felonious intent to cheat and defraud deponent obtain from deponent goods and merchandise property of Levi M. Bates John Reed and Martin D. Cooley and thus in the care and custody of deponent, and as appears by the annexed statement of said Bates Reed and Cooley under the following circumstances to wit:

On said date said Schwartz came to deponent and bought the said goods from deponent and they falsely represented to deponent with the intent to cheat and defraud deponent, that he was, doing business at Bath in Steuben County in the State of New York; that he then had in his store at said place a stock of goods worth five thousand dollars and that he was owing nothing for merchandise that he was solvent and that his liabilities consisted only of notes for the amount of twenty five hundred dollars then held by the First National Bank of Bath.

0088

relying upon and
 Deponent, believing said false
 and fraudulent statements
 to him made by said Schwartz
 sold to said Schwartz the goods
 as appears by the annexed statement
 and of the value of Twenty two
 hundred and fifty five $5\frac{1}{2}$ 100
 dollars. Deponent has since been
 informed by William H Nichols
 the Attorney of said First National
 Bank of Port, that he knows said
 Lee Schwartz and is familiar
 with the account kept in said bank
 by said Schwartz, and that said
 Bank ~~was~~ did at the time (to wit
 Sept 5/1882) when said Schwartz
 made the within fraudulent statement
 to deponent, hold notes given by
 said Schwartz payable at said bank
 to the amount of forty six hundred
 dollars, and that said Schwartz also
 had given ^{one} notes payable at the Farmers
 and Merchants Bank at Port for
 one thousand dollars. Deponent is also
 informed by said Nichols that he examined
 the books of said Schwartz and found
 him indebted to the firm of 1882
 Claflin and Company near
 one thousand dollars. ^{at said date Sept 5, 1882}
 depont says said Schwartz may be
 arrested and dealt with as the
 law directs -

William R. Morehead

sworn to before me this 2d of March 1883
 John D. Smith
 Police Justice

Police Court District
 THE PEOPLE, &c
 ON THE COMPLAINT OF

Dated

Witness

Disposition

0089

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 30 years, occupation William H. Nichols
Lawyer of No.

Back Street 60 New York Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of William R. Morehead

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

Sworn to before me, this

20

day of

March

1883

W. H. Nichols

Solomon R. Smith
Police Justice.

0090

STATEMENT.

New York, Feb 7th 1883
 Mr Lee Schwartz
 Bath N.Y.

To Bates, Reed & Cooley, Dr.

343, 345 & 347 BROADWAY,

1882

Sept 4	To Mdse.	67.10	23679
"		27.9	3590
6		4/60	7209
7		"	40155
9		"	1463
11		"	17334
"		60	825
21		"	9564
			103819

Nov 18 By credit 500-
 Oct 23 " Cash & Int- 3819
 53819

Nov 10	4 mos	\$500.00
"	"	2976
"	"	3600
"	60%	23844
"	4 mos	775
11	"	10754
24	60%	15600
		\$109464

0091

STATEMENT.

New York, 3/2 1883
Lee Schwartz
 Paet NY

To Bates, Reed & Cooley, Dr.

343, 345 & 347 BROADWAY.

Nov	10	To Mase. 4 mos.	29.76
"	"	"	36
"	"	"	469.47
"	"	"	147.54
"	"	60 ds	238.44
"	"	4 mos	7.75
"	"	net.	107.54
"	"	"	19.15
"	"	4 mos	104.72
"	"	7/10	156
			<u>1316.32</u>
Sept. 4 to 21,			1038.19
			<u>2354.51</u>
			538.19
			<u>599.32</u>
			<u>1813.32</u>

Amount paid
Lee Schwartz

0092

Sec. 157.

District Police Court.	<i>John B. Smith</i> CITY AND COUNTY ss. OF NEW YORK	Officer
	of <i>First Dist Police Court N.Y. City</i>	
	being duly sworn says, that he is acquainted with the hand-writing of	
	<i>Solon B. Smith</i>	
	the <i>Police Justice</i>	
	who issued the annexed Warrant, that the signature to this Warrant is in the hand-writing	
	of said <i>Solon B. Smith</i>	
	Sworn to before me, this <i>28</i>	<i>Joseph A. Gardener</i>
	day of <i>Apr</i> 188 <i>9</i>	
	<i>Francis V. [illegible]</i>	<i>Justice of the Peace</i>

0093

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 Lee Schwab

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

Dated May 29th 1883 Solon B. Smith Police Justice.

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

Dated May 29th 1883 Solon B. Smith 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.

0094

BAILED.

No. 1, by Jacob Gladke
Residence 474 Broadway Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

*This Case is committed
to the present Grand
Jury for re-arrest
Not returned
Sept 7. 83 J.S.B.
P 2*

W 178 No 60 473
Police Court-- 2nd District.

THE PEOPLE vs.
ON THE COMPLAINT OF

William M. Morahan

345 11th St
Brooklyn

1 See return
2 B
3
4

Dated May 19 1883
Smith Magistrate.

Gardner Officer.
Precinct.

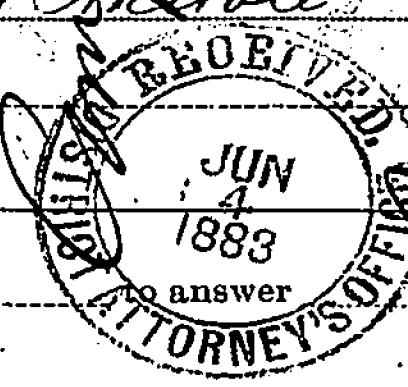
Witnesses Frank Campbell

No. Cashier & Co. 11th St. Brooklyn
William M. Morahan

No. Wm. N. Nichols Street, Long

No. _____ Street,

\$ _____



Bailed

(see endorsement on other side)

0095

Sec. 151.

Police Court Just District.

CITY AND COUNTY }
OF NEW YORK, } ss

In the name of the People of the State of New York; To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York. GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by William B. Morehead of No. 347 Broadway Street, that on the 5th day of Sept 1883 at the City of New York, in the County of New York,

See Schwent did with the felonious intent to cheat and defraud and by means of certain false and fraudulent representations did obtain from Bate Reed and Cooley property of the an value of twenty two hundred and fifty five 57/100 dollars

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

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

Dated at the City of New York, this 2d day of March 1883

Solomon B. Stinson POLICE JUSTICE.

0096

POLICE COURT. DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mr. 17 Manhattan
347 1st Ave.
Lee Schwartz

Warrant-General.

Dated *Mar 2* 188*3*

Smith Magistrate

Gardner Officer.

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

Gardner Officer.

Dated *March 2* 188*3*

Spelled until April 30 1883.

This Warrant may be executed ~~on Sunday~~

~~in~~ in the county of *Staten*

Francis J. [illegible] Police Justice.

REMARKS.

Time of Arrest, *9:20 AM*

Native of *England*

Age, *32*

Sex *Male*

Complexion, _____

Color *W*

Profession, *Agent*

Married *yes*

Single, _____

Read, *yes*

Write, *yes*

Lee Schwartz
Bath, N.Y.

0097

Bates, Reed & Cooley;

New York.

Sept 5th

1882

Name

Lee Schwartz

Address

Dath

Salesman

D. V. D.

N.Y.

States to me that he has stock 5,500.-
Sells for cash

owes at Bank.

Notes endorsed by his father 5,500.-
which includes all he owes. \$3,000.-

Sales 2m pr month.

Insured for \$5,500.-

Expenses all told same as all 1,800.-

Will give him a line.

4 1/2 m 160%

of 750 to 1m 500.- to be endorsed by his
father, "last note", first note his
own note

Morehead

He was burned out sometime
ago, had stock of 1.5m and
for 5m only put enough to

0098

cover his debts. His father
has helped him for the past
8 years, and endorsed for
him as high as 6 to 800.
never pushed him and is not
likely to do so on this small
amount as long as he is doing
well. Has settled down, married
and has one child.
Morehead

Sept. 5 - 82

Beck. W. J.

Lee. J. J.

0099

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

W^m R Morehead
vs
Lee Schwartz

W^m R Morehead being duly sworn
according to Law, deposes and says
that he was not fully examined by
the Grand Jury of the June Term - nor
permitted to detail all the facts
in said case. He believes that
a full statement made would result
in finding a bill of indictment
against the deft.

Sworn & Subscribed
before me this 7th day
of Sept 1883
J^m A Penney.
Notary Public
New York Co

W. R. Morehead

0100

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

THE PEOPLE OF THE STATE OF NEW YORK
against

See Schwartz

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

See Schwartz
of the crime of OBTAINING GOODS BY MEANS OF FALSE PRETENCES,
committed as follows:

The said See Schwartz

late of the First Ward of the City of New York, in the County of New York aforesaid,
on the fifth day of December in the year of our Lord
one thousand eight hundred and eighty three at the Ward, City and County
aforesaid, with force and arms, with intent feloniously to cheat and defraud

Levi
M. Baker, John D. Reed and Martin
D. Cooley, then and there doing business
in the said City and County under the
name and style of Baker, Reed and Cooley
did then and there feloniously, unlawfully, knowingly, and designedly, falsely pretend
and represent to one William R. Motthead then
and there being the Clerk of them the said
Levi M. Baker, John D. Reed and Martin D. Cooley

That he, the said See Schwartz then had in

his store at Bath, in Steuben County, in the
State of New York, a stock of goods, wares
and merchandise of the value of five thousand
dollars; that he was then entirely solvent;
and was able to pay for all goods which he
from them the said Levi M. Baker, John D. Reed and Martin D. Cooley
might order and to discharge all debts which
he might incur by reason of the ordering of
any such goods, from them the said Levi M.
Baker, John D. Reed and Martin D. Cooley, and
that his entire indebtedness, at said time
amounted to the sum of twenty five
hundred dollars, and no more

0101

And the said William R. Morehead

then and their believing the said false pretences and representations
so made as aforesaid by the said Lee S. Schwartz

and being deceived thereby, was induced, by reason of the false pretences and representations so made as aforesaid, to deliver, and did then and there deliver to the said Lee S. Schwartz, fifty dozen shirts of the value of six dollars each dozen, fifty dozen pairs of drawers of the value of six dollars each dozen pairs, and divers other goods, chattels and personal property, a description whereof is, to the Grand Jury aforesaid in return of the value of one thousand dollars.

of the proper moneys, valuable things, goods, chattels, personal property and effects of the said Levi M. Bates, John W. Reed and Martin J. Cooley and the said William R. Morehead did then and there designedly receive and obtain the said goods

of the said William R. Morehead

of the proper moneys, valuable things, goods, chattels, personal property and effects of the said Levi M. Bates, John W. Reed and Martin J. Cooley by means of the false pretences and representations aforesaid, and with intent feloniously to cheat and defraud the said Levi M. Bates, John W. Reed and Martin J. Cooley

of the same. And Whereas, in truth and in fact, the said Lee S. Schwartz

did not then have in his said store at Stark in Stark County in said State a stock of goods of the value of five thousand dollars, and whereas in truth and in fact he the said Lee S. Schwartz was not then entirely solvent, and was not able to pay for all goods which he might order from the said Levi M. Bates, John W. Reed and Martin J. Cooley, and was not able to discharge all debts which he might incur to them by reason of the ordering of any such goods; and whereas in truth and in fact the entire indebtedness of him the said Lee S. Schwartz did not then amount to the sum of twenty five hundred dollars and no more; and whereas in truth

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and in fact he the said Lee Schwartz then owed large sums of money to divers persons, to wit the sum of more than ~~five~~ thousand dollars, and whereas in truth and in fact he the said Lee Schwartz was at the time of the making of the false and fraudulent pretences and representations aforesaid entirely insolvent and irresponsible

And Whereas, in truth and in fact, the pretences and representations so made as aforesaid, by the said Lee Schwartz to the said William R. Morehead was and were in all respects utterly false and untrue, to wit, on the day and year last aforesaid, at the Ward, City, and County aforesaid.

And Whereas, in fact and in truth the said Lee Schwartz well knew the said pretences and representations so by him made as aforesaid to the said William R. Morehead to be utterly false and untrue at the time of making the same.

And so the Grand Jury aforesaid, do say, that the said Lee Schwartz by means of the false pretences and representations aforesaid, on the day and year last aforesaid, at the Ward, City and and County aforesaid, feloniously, unlawfully, falsely, knowingly and designedly, did receive and obtain from the said William R. Morehead the goods ~~mentioned~~ more particularly described

of the proper moneys, valuable things, goods, chattels, personal property, and effects of the said Benjamin B. Bates John H. Reed and Martin J. Cooley with intent feloniously to cheat and defraud them of the same, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

JOHN McKEON, District Attorney.

0103

BOX:

121

FOLDER:

1271

DESCRIPTION:

Seymour, Arthur

DATE:

11/02/83



1271

0104

Counsel, *H. R. G.*
Filed, 2 day of Nov 1883
Pleads *Nov 4 July 5*

THE PEOPLE

vs.

Arthur
Seymour

*subscribed by me
for the purpose of
conveying to the
benefit of the
said Arthur
(1883) 71-2527 & 17*

JOHN McKEON,
District Attorney

A True Bill.

W. H. Menden
Foreman.

Dec 5/83
Fried, & Keymiller.

This Indenture made this 18th day of June 1883. Witnesseth that, for and in consideration of the payment of the sum of Eighty One dollar and twenty five cents, by Christian Kalle Jr. to James Cunningham Son Co. in full settlement of their claim against a certain Coupe of their make purchased by me from them and now in the possession of said C. Kalle Jr. I hereby relinquish all claim of ownership in said Coupe and also in a certain Bay horse in possession of said C. Kalle Jr. at this date and for above consideration I hereby assign all my right, title and interest in said Coupe and Bay horse to Christian Kalle Jr. In witness whereof I have hereunto affixed my hand and seal on the day above written.

Witness {
 Edward Willis }
 Counsel for both parties

0106

Mort. on Goods and Chattels.

H. Anstice & Co., Stationers, 23 Nassau St., N. Y.

To all to whom these Presents shall come

KNOW YE THAT

I Arthur Seymour of the City, County and State of New York party

of the first part, for securing the payment of the money hereinafter mentioned, in consideration of the sum of one dollar to me in hand duly paid by Christian Rolfe

of the same place party

of the second part, at or before the ensembling and delivery of these presents, the receipt whereof is hereby acknowledged, have bargained and sold, and by these presents do grant, bargain and sell unto the said party of the second part, four bay horses and two Coupes

all other goods and chattels mentioned in the schedule hereunto annexed, and now in the Livery Stable known as No 139 East 25th Street City of New York

To have and to hold, all and singular the goods and chattels above bargained and sold or intended so to be unto the said party of the second part, his heirs, executors, administrators and assigns forever.

And I the said party of the first part, for myself my heirs, executors and administrators, all and singular of the said goods and chattels above bargained and sold, unto the said party of the second part, his heirs, executors, administrators and assigns, against me the said party of the first part, and against all and every person or persons whomsoever, shall and will warrant, and for ever defend.

Upon Condition that if I the said party of the first part, shall and do well and truly pay unto the said party of the second part, his heirs, executors, administrators or assigns, the just full and true sum of Four hundred + twenty dollars and fifty cents with legal interest thereon, secured by promissory notes, Eight of said notes being for \$50. each and the 9th for the sum of \$20.50 and all dated September 1st 1852 + being respectively 1, 2, 3, 4, 5, 6, 7, 8, and 9 months from said September 1st 1852 and to each respectively bear interest from their date, And also to secure whatever other sums or sums of money that may hereafter become due + payable from party of the first part from month to month for the care and keeping of 4 Bay horses, two Coupes at the Livery Stables aforesaid the same due paid monthly in addition to said notes, but in case of any default the amount on due shall be deemed secured by this mortgage and the said party of the first part shall be void.

myself my heirs, executors, administrators and assigns, do covenant and agree, to and with the said party of the second part, his heirs, executors, administrators and assigns, that in case default shall be made in the payment of the said sum above mentioned, then it shall and may be lawful for and the said party of the first part do hereby authorize and empower the said party of the second part, his heirs, executors, administrators and assigns, with the aid and assistance of any person or persons to enter such Livery Stable dwelling house, store and other premises, and such other place or places as the said goods or chattels, are or may be placed, and take and carry away the said goods and chattels, and to sell and dispose of the same for the best price they can obtain, and out of the money arising therefrom, to retain and pay the said sum above mentioned, and all charges touching the same, rendering the overplus (if any) unto me

or to my heirs, executors, administrators or assigns. And until default be made in the payment of the said sum of money or any part thereof I am to remain and continue in the quiet and peaceable possession of the said goods and chattels, and the full and free enjoyment of the same.

In Witness whereof, I

the said party of the first part have hereunto set my hand and seal the 1st day of September one thousand eight hundred and

Sealed and Delivered in the presence of
the undersigned witnesses
the words and all other things that may be
expressed be duly in witness that Christian Rolfe
has lines - intended before witnesses
Christian Rolfe

Arthur Seymour

0107

Office of the Register of Deeds, &c. } ss.
City and County of New York.

Filed

I have compared the annexed copy with an Instrument
in this office on the *18th* day of *Sept*

A. D. *1882* at *3* o'clock *30* min. *P*. M. by the
number 117413

and certify the same to be a correct Transcript therefrom, and of the
whole of said Instrument.

In testimony whereof, I have hereunto subscribed my name and
affixed my official seal, this *18th* day of *May* 18*83*

Augustus T. Dooharty Register.

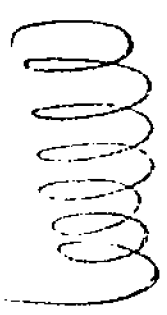
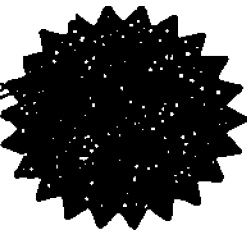
Reid Gould, Law Blank Publisher and Stationer, 108 Nassau Street, N. Y.

for Memorial Asst. Deputy

0108

Schedule referred to in the within Mortgage
Four Bay Horses —

Two Coupe - trimmed with blue cloth
All in the premises or Livery
Stables known as No. 189 East 23^d Street
in the City, County, and State of New York
presence of

Christian Halle  Arthur Lyman 

~~Received New York April 19th 1883.~~
~~The sum of two hundred dollars for my coupe.~~
~~Christian Halle~~

I hereby deputize & authorize
Abraham Edward Marshall of the City of New York
to foreclose the within Mortgage
& take possession of the property
& every part thereof wherever
found among others 1 Coupe
now at 24 St in charge of one
Mullis a Carriage maker
Dated May 9th 1853
Christiana Holly

No. 666
Arthur Seymour
 + 10/183
 TO _____
Christian Holler Jr
 Dated Sept 1st 1882
 Filed _____ 18 ____
Mortgage.
 This Mortgage or a true copy thereof must be filed.
 If in the city of New York, in the Office of the Register.
 If in any other city or county town, in the Clerk's Office therein.
 If in any other town in this State, in the Town Clerk's Office.
 It becomes void if not renewed before the expiration of the year.
 filed Sept 18 1882

56-55-127

1871

2011

Wm. Long



27/11/1945

0110

Know all Men by these Presents,

THAT

I, Arthur Seymour of the City of New York, partyof the first part, for securing the payment of the money hereinafter mentioned, and in consideration of the sum of one dollar to me duly paid by Elizabeth Gordon ofthe same place, partyof the second part, at or before the ensembling and delivery of these presents, the receipt whereof is hereby acknowledged, have bargained and sold, and by these presents do grant, bargain and sell, unto the said party of the second part, two coupes (one made by Willis, the other made by Cummingham) four bay horses, 2 double sets of harness, one single set of harness (made by Dean), two carriage robes and five horse blankets and all other goods and chattels mentioned in the schedule hereunto annexed, and now in thestable N^o 139 East 23^d Street in the said City of New York**To have and to hold**, all and singular the goods and chattels above bargained and sold, or intended so to be, unto the said party of the second part, her executors, administrators and assigns forever. **And I** myself thesaid party of the first part, for myself, my heirs, executors and administrators, all and singular of the said goods and chattels above bargained and sold unto the said party of the second part, her heirs, executors, administrators and assigns, against methe said party of the first part, and against all and every person or persons whomsoever, shall and will warrant and forever defend. **Upon Condition**, that if the said party of the first part shall and do well and truly pay unto the said party of the second part, my executors, administrators or assigns, each and every one of ten several promissory notes, all bearing date the 1st day of August 1882, each for the sum of One hundred dollars (\$100.) made by me, the said party of the first part, to the said party of the second part, and payable in three, six, eight, ten, twelve, fourteen, sixteen, eighteen, twenty two and twenty four months from the date thereof, respectively, with interest at the rate of five per cent per annum then these presents shall be void. **And I** myself the said party of the first part, for myself, my executors, administrators and assigns, do covenant and agree, to and with the said party of the second part, her executors, administrators and assigns, that in case default shall be made in the payment of the said sum above mentioned, then it shall and may be lawful for, and the said party of the first part, do hereby authorize and empower the said party of the second part, her executors, administrators or assigns, with the aid and assistance of any person or persons, to enter said stable, dwelling house, store and other premises, and such other place or places as the said goods or chattels are or may be placed, and take and carry away the said goods or chattels, and to sell and dispose of the same for the best price they can obtain, and out of the money arising therefrom, to retain and pay the said sum above mentioned, and all charges touching the same, rendering the overplus (if any) unto me or to my executor, administrators or assigns. **And** until default be made in the payment of the said sum of money I am to remain and continue in the quiet and peaceable possession of the said goods and chattels, and the full and free enjoyment of the same: provided however that if the said party of the second part, should at any time, consider her interest in said goods and chattels, she may take the same into her possession, she make take the same into her possession.In witness whereof, I the said party of the first part have hereunto set my hand and seal the first day of August one thousand eight hundred and eighty two.Sealed and delivered in the presence of
The words "and all other goods and chattels mentioned in the schedule hereunto annexed" struck out before execution.David J. McPheeArthur Seymour

0111

STATE OF New York
City and } ss:
County of New York

On the fourth day of August in the year one thousand eight
hundred and eighty two before me personally came Arthur Seymour

_____ to me known, and known to me
to be the individual described in, and who executed the foregoing instrument, and
_____ acknowledged that he had executed the same for the purposes
therein expressed.

Thomas Hunt
Notary Public (S.D.)
New York County
New York State

_____ the Mortgagee within named, do
certify and state that there remains due and unpaid on the mortgage, of which the foregoing is a true copy,

and this copy and statement are filed to continue the notice required by the Statute made and provided
for the renewal of chattel mortgages.

Dated this _____ day of _____ A. D. 18__

0112

68 B Cu
No. 147/13

Arthur Heymann
TO
Elizabeth Gordon

Dated August 1st 1882
Filed 18

Mortgage.

On Goods and Chattels.

*This Mortgage, or a true copy thereof, must be filed,
If in the City of New York, in the Office of the Register.
If in any other City or County Town, in the Clerk's Office therein.
If in any other Town in this State, in the Town Clerk's Office.
Invalid if not renewed within 30 days next preceding expiration of
each and every term of one year after filing thereof.*

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Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

2

District Police Court.

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

Question. What is your name?

Answer. *Arthur Seymour*

Question. How old are you?

Answer. *31 years of age*

Question. Where were you born?

Answer. *England*

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

Answer. *312 East 35 St.*

Question. What is your business or profession?

Answer. *Driver*

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

Answer. *I am not guilty.
I demand a trial by
jury at the Court of
General Sessions.
Arthur Seymour.*

Taken before me this *23*
day of *October* 188*8*

John P. Sullivan

Police Justice.

0114

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 Arthur Seymour

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

Dated October 23rd 188 J M Patterson 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.

0115

For the People
Edward Russell
120 Broadway

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

For the Defendant
M. A. Koppman
89 Centre St.

Oct. 22/83 at
ack'd & Ctd. 2 1/2 P. M.
23/83 2 1/2 P. M.

289
Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Elizabeth Gordon
147 Thompson St.
Arthur Seymour

3
3
4

Dated July 27 1883

Patterson Magistrate.

Nelson Officer.

discharged Court Precinct.

Witnesses Christian Hollos

No. 139 East 123rd Street.

Moved to parts unknown
Christian Hollos Jr

No. 139 East 123rd Street.

William Hogan

No. 219 East 28th Street.

\$ 1000. to answer G.D.

Comd

Office Violation of
Section 574 of Penal Code
13 R.S. Sec. 2527
Code: 1000

0116

Sec. 151.

Police Court 2 District.

CITY AND COUNTY }
OF NEW YORK, } ss

In the name of the People of the State of New York; To the Sheriff of the County
of New York, or to any Marshal or Policeman of the City of New York. GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by Elizabeth Gardner

of No. 147 Thompson Street, that on the 1st day of September
1882 at the City of New York, in the County of New York,

Arthur Seymour di Paulanguez, Recd.
Assign or otherwise dispose of Certain
Matrimonial Personal Property Contained in the
Platte 139 East 23rd Street, consisting of 2 Coats,
4 pairs, 2 down, 2 of Harris and other property,
with intent thereby to defraud said Complainant

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

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

Dated at the City of New York, this 27th day of July 1883

A. M. Patterson POLICE JUSTICE.

0117

POLICE COURT. DISTRICT.		REMARKS.
THE PEOPLE, &c., ON THE COMPLAINT OF <i>Elizabeth Gordon</i> vs. <i>Arthur Seymour</i>		Time of Arrest, <i>July 28 (88)</i>
Warrant-General.		Native of <i>Ivy</i>
		Age, <i>30</i>
		Sex
		Complexion,
		Color, <i>White</i>
		Profession, <i>Lab</i>
		Married <i>Yes</i>
		Single,
		Read, <i>Yes</i>
		Write, <i>Yes</i>
		<i>225 E 28 St</i>
Dated <i>July 27</i> 188 <i>3</i> <i>Patterson</i> Magistrate <i>Nixon</i> Officer. The Defendant <i>Arthur Seymour</i> taken, and brought before the Magistrate, to answer the within charge, pursuant to the command con- tained in this Warrant. <i>Wm B. Nixon</i> Officer. Dated <i>July 28</i> 188 <i>3</i> This Warrant may be executed on Sunday or at night. _____ Police Justice.		

0118

State of New York }
City & County of New York } Is. Thompson in
Elizabeth Gordon of said City, being
duly sworn, says:

That at the said City of New York
and on or about the 1st day of August
1882, Arthur Seymour of said City executed
and delivered to deponent a certain mort-
gage bearing date on said last named
day whereby he bargained and sold unto
deponent two coupes, four bay horses,
2 double sets of harness, one single set
of harness, two carriage robes and four
horse blankets, said goods and chattels
being at the time of the execution of said
instrument in the stable N^o. 139 East
23rd Street in said City - said sale
being upon condition that if the said
Seymour should well and truly pay
to deponent, her executors, administrators or
assigns each and every one of ten several
promissory notes all bearing date the 1st day
of August 1882, each for the sum of
One hundred dollars (\$100.) made by the
said Seymour to deponent and payable in

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three, six, eight, ten, twelve, fourteen, sixteen, eighteen, twenty two and twenty four months from the date thereof, respectively, with interest at the rate of five per cent per annum, then the said instrument of mortgage or sale should be void.

That no part of said notes has been paid, except the sum of Ten dollars, which was paid by said Seymour on account thereof.

That said mortgage now is, and ever since the execution thereof has been, a valid lien upon the said goods and chattels herinabove and in said mortgage mentioned.

That, as deponent is informed by one Christian Holle of No. 139 East 23rd Street in said City, the said Seymour has, since the execution of said mortgage at the City of New York, sold and disposed of the following articles herinabove and in the said mortgage mentioned, to wit: Two carps, two horses, one double set of harness and one single set of harness; and that said goods and chattels were sold and disposed of by the said Seymour with the intent, ^{thereby} to defraud deponent as mortgagee under said mortgage.

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That, as deponent is informed by said Christian Kolle Jr., and believes, the said Seymour did, after the execution and delivery to deponent of said mortgage, make, execute and deliver to said Kolle another and a second mortgage of the said two carpes and the said four horses, and after default had been made in the payments which said mortgage to Kolle was given to secure, and the said Kolle had taken possession of one of said carpes and one of said horses, the said Seymour ^{at the said city of New York} sold and assigned to said Kolle, all his (said Seymour's) right, title and interest in and to said last mentioned carpe and horse. That the said several acts in this paragraph mentioned as having been done by said Seymour were done with the intent thereby to defraud deponent as mortgagee under said first mentioned mortgage.

Sworn to before me this } Elizabeth L. L. L.
27th day of July 1853 }

Wm. Patterson

Justice

0-121

State of New York }
City & County of New York } ss:
Christian Kolle Jr. of 139 East
123^d Street in said City, being duly
sworn, says:

That ^{at the city of New York and} on or about the 1st day of
September 1882, Arthur Seymour of said
City, made and executed to deponent a
mortgage bearing date on said last
named day, whereby he (said Seymour)
bargained and sold to deponent four
horses and two coupes which were at
that time in the stable known as
No. 139 East 123^d Street in said City,
said sale being upon condition that
if said Seymour should well and
truly pay to deponent the sum of
four hundred and twenty dollars
together with any additional sum
that might thereafter become due from
said Seymour to deponent for the board
of said horses, then the said instru-
ment of sale or mortgage should be
void.

That thereafter the said Seymour

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made default in the payments provided for by the said mortgage, and deponent thereupon, and on or about the day of April 1883, and after such default had been made, took one of the said Coupes ~~and~~ and one of the said horses into his (deponent's) possession, and there - after and on or about the day of July 1883, the said ^{at the said city of New York} Seymour sold and assigned to deponent all his right title and interest in and to said last mentioned horse and coupe for the sum of twenty five dollars.

That on or about the day of April 1883, the said ^{at the said city of New York} Seymour sold the other of the said two Coupes herinabove and in said mortgage mentioned to one William Hogan of said city, for the sum of two hundred dollars, deponent as said mortgagee as aforesaid, assenting thereto. That the said sum of two hundred dollars was applied by the said Seymour to the part payment of the indebtedness secured by said mortgage.

That the said Seymour informed deponent, and deponent verily believes, that he (the said Seymour) in or about the

0123

month of April 1883, ^{at the said city of New York,} sold and delivered ^{a double} a set of harness to a person to deponent unknown, but who, as deponent was informed by said Seyman and believes, carried on his business, at the time of said last mentioned sale, at the corner of 4th Street and Lafayette Place in said City, for the sum of Twenty five dollars.

That in or about the month of March 1883, ^{at the city of New York aforesaid, sold & delivered} the said Seyman, a bay horse to a certain person named James Holley for the sum of Thirty dollars.

That on or about the 15th day of July 1883, the said Seyman informed deponent that he (said Seyman) had sold a set of single harness to one Edward Willis of said City.

That the said horses, carriages and harnesses were on the first day of August 1883, and for a long time prior and subsequent thereto had been, in the stable known as No. 139 East 23rd Street in said City, and that the said Seyman did not at the said last mentioned date have any other carriages or horses in said stable than those hereinabove mentioned.

Deponent to before me this
 27th day of July 1883
 Christian Holley
 Attorney

Sworn to before me this
 27th day of July 1883.

Wm. H. Goodhue (No 175)

Notary Public of the City & County of New York

Christian Holley

0124

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Arthur Seymour

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

Arthur Seymour
of the CRIME OF Disposing of personal property upon which
he had executed a mortgage
committed as follows:

On the first day of
August in the year of our Lord one thousand eight hundred and eighty-two

at the City and County aforesaid, the said Arthur Seymour executed a mortgage of personal property, whereby, upon certain conditions he the said Arthur Seymour bargained and sold unto one Elizabeth Gordon, among other things, four horses and two vehicles of the kind commonly called carriages; and the said mortgage thereupon became and was a lien upon the said personal property.

And the said Arthur Seymour, late of the City and County aforesaid, afterwards, to wit: on the first day of September in the year aforesaid, and whilst the said mortgage yet was a lien upon the personal property aforesaid, at the City and County aforesaid, with intent to defraud the said Elizabeth Gordon, so being with mortgage as aforesaid, with force and arms, the personal property aforesaid, to wit: four horses and two vehicles of the kind commonly called carriages, upon

0125

which he had so as aforesaid executed the
said mortgage, unlawfully did then and
there dispose of; 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 McKeon

District Attorney.

0126

BOX:

121

FOLDER:

1271

DESCRIPTION:

Shaw, William

DATE:

11/30/83



1271

0 127

BOX:

121

FOLDER:

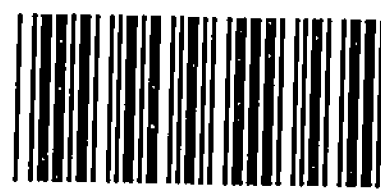
1271

DESCRIPTION:

Mulhern, Thomas

DATE:

11/30/83



1271

Counsel,
Filed 20 day of Nov 1883
Pleads Not guilty

THE PEOPLE

H. D.
28.

William Shaw

and

Thomas Mulhern

Robbery in the 1st Degree
(Sections 224 and 225)

Mr. Thos. Vincent

December 3rd.
(York)
D^r.
Paid to Ch. 2. Committed to
Elizabeth May & Ch. 1. Chapman
Ch. 2.
S. P. 10 of year - Dec 4/83

0128

0129

Police Court

2^d

District.

CITY AND COUNTY }
OF NEW YORK. } ss.

Michael Jeffers

of No 529 West 28th St. Street,

being duly sworn, deposes and saith, that on the 21st day of November 1883, at the 8th Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the FOLLOWING PROPERTY, VIZ:

Good and lawful money of the United States, consisting of a bank note or bill of the value and denomination of Five dollars. One bank note or bill of the value of Two dollars. Silver and copper coins of diverse denominations and values and being of the value of Six dollars. Being in all together

of the value of Thirteen DOLLARS, the property of Deponent

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

Thomas Mulhearn and William Shaw. (now here). from the fact That

while deponent was walking in Thompson Street, said Shaw came up to deponent and held him by the throat while said Mulhearn, went through deponent, and took from the left hand pants pocket of deponent, which

he then had on, the aforesaid property and ran away with the same. When said Mulhearn, ran away with the said property in his possession, said Shaw followed him; Deponent

Sworn before me this 24th day of November 1883
Police Justice.

0130

fully identifies the said Shaw as
the person who held him and who
was acting in concert with said
Mulhearn while said person
took said property from his person

sworn to before me
this 22nd day of November 1883

Mike Heffernan

P. D. Coffey
Justice

Police Court— District.

THE PEOPLE, & c.
ON THE COMPLAINT OF

vs.

AFFIDAVIT—ROBBERY.

Dated

188

Magistrate.

Officer.

Witnesses:

0131

Sec. 198-200

CITY AND COUNTY } ss.
OF NEW YORK, }

2

District Police Court.

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

Question. What is your name?

Answer. William Shaw

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. United States

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

Answer. 61 Thompson St 3 months

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 of the charge
William Shaw

Taken before me this 22

day of January

Police Justice

0132

Sec. 198-200

CITY AND COUNTY
OF NEW YORK, } ss.

2 District Police Court.

Thomas Mulhearn being duly examined before the undersigned, according to law, on the annexed charge: and being informed that it is his 10 right to make a statement in relation to the charge against him; that the statement is designed to enable him if he de-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 10 waiver cannot be used against him on the trial.

Question. What is your name?

Answer. Thomas Mulhearn

Question. How old are you?

Answer. 24 years

Question. Where were you born?

Answer. New York

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

Answer. 157 West Houston 7 months

Question. What is your business or profession?

Answer. leaf 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 not guilty of the charge

Thomas Mulhearn

Taken before me this

25

day of

John J. Mulhearn

Police Justice.

0133

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

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

Dated Apr 22 1883 W. B. Duff 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.

0134

Police Court-- 2 District. 880

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Michael Hefferan

William Thaul

Thos Mulhearn

8
4

Offence

BAILED,

No 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated November 22^d 1883

Leahy Magistrate.

Dooley Officer.

18 Precinct.

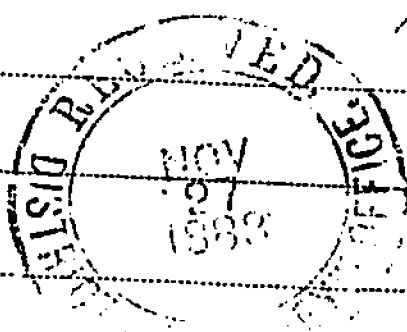
Witnesses Michael Tjerman

No. 51 Thompson Street.

No. _____ Street.

No. _____ Street.

\$ 1000 to answer G S Each



0135

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

William Shaw
and
Thomas Mulhern

The Grand Jury of the City and County of New York, by this indictment, accuse, William Shaw and Thomas Mulhern of the CRIME OF ROBBERY IN THE First DEGREE, committed as follows:

The said William Shaw and Thomas Mulhern

late of the First 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 eighty-three, at the Ward, City and County aforesaid, with force and arms, in and upon one Michael Stefferan in the peace of the said People then and there being, feloniously did make an assault of them the said William Shaw and Thomas Mulhern being then and there aided by an accomplice actually present and one promissory note for the payment of money of the kind known as United States Treasury notes, the same being then and there due and unsatisfied, for the payment of and of the value of five dollars, one promissory note known as United States Treasury notes, the same being then and there due and unsatisfied, for the payment of and of the value of two dollars, and silver coins of the United States of America, of a number kind and denomination to the Grand Jury aforesaid unknown, of the value of six dollars

of the goods, chattels and personal property of the said Michael Stefferan from the person of said Michael Stefferan and against the will and by violence to the person of the said Michael Stefferan then and there violently and feloniously did rob, steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity,

John Vincent

~~JOHN VINCENT~~, District Attorney.

0136

BOX:

121

FOLDER:

1271

DESCRIPTION:

Sheehan, Maurice

DATE:

11/20/83



1271

Sept.
Commenced and
Sewd. 15 mus
Sp. for Pl from
person

Sept-12/81.

by ²app. can

4

Mr. Cunningham
for Robert
2 Reg. & Sen. & Co
\$1375.00
Decy 18-91 P

Dec 15/91

#119. 10. class

J. Pliver,

Counsel,

Filed 7 day of

Pleads Not guilty.

1882

THE PEOPLE

ρ

Maarice

Steehan

JOHN McKEON,

District Attorney.

A True Bill.

Wm. D. W.

W. H. C. Cople.

Nov 28/83.

Foreman.

Dear Lady

Messrs J. V. F.
Chorchoz.



0137

0138

First
District Police Court. Affidavit—Larceny.
CITY AND COUNTY OF NEW YORK, ss. *Robert Gubring*
of No. *House of Detention* Street, *33* years old. *Calbores*
being duly sworn, deposes and says, that on the *15* day of *Nov* 188*8*
at the *Night time at the* City of New York,
in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent *and from his person*
the following property, viz:

*A Silver Watch
With steel chain attached &
of the value of eight 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 *Maurice Sheehan now*

Present That about 12 O'clock, A.
On said night deponent was passing
along Greenwich Street when the
defendant came up, took hold
of deponent & grasping the watch
chain jerked the watch from a pocket
of deponent's vest breaking and
detaching the watch chain. That
deponent then took hold of and held the
defendant till an officer came up who
picked the watch from the ground where the
defendant had thrown it. *Robert Gubring*

Sworn before me this

14 day of

188

Police Justice,

0139

Sec. 198-200

CITY AND COUNTY
OF NEW YORK } ss.

1901 District Police Court.

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

Question. What is your name?

Answer.

Maurice Sheehan

Question. How old are you?

Answer.

24 Years

Question. Where were you born?

Answer.

This City

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

Answer.

10 Washington & about 18 Years

Question. What is your business or profession?

Answer.

Plumber

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 met the complainant in Greenwich Street as I was on my way home he was drunk and took hold of me and we commenced wrestling he knocked me down and was on top of me when the officer came up the watchman may have fallen from his pocket I did not have anything to do with it

Maurice Sheehan
ma

Taken before me this

day of

188

Charles J. Smith Police Justice.

0140

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

Maurice Sheehan

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

Nov 14 3

188

Arthur J. White

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.

0141

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Police Court

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Jacob Gubring
City of

Maurice Sheehan

Dated

Nov 14 1883

John Syrell

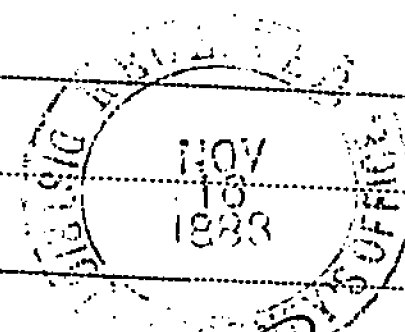
Witnesses

No. Street.

No. Street,

No. Street,

\$500 to answer General Sessions.



0142

County of General Sessions

The People vs.
 Against
 Maurice Sheehan

Committed Nov. 28. 1893.
 On his own Confession
 of Grand Larceny 1st Degree

City and County of New York ss. Mary Sheehan
 of No. 10 Washington Street New York
 City being duly sworn says: She is the
 Mother of the Defendant above
 named: That since the release of
 said Defendant from Prison
 December 16. 1892, he has worked
 faithfully and well as an aboriginal
 man, earning sixteen or seventeen
 dollars a week, giving his wages
 to Defendant, and supporting her and
 his father through out the winter,
 that he lost no time by his own
 fault from work: That Defendant
 believes he would not have com mitted
 the crime for which is he was indicted
 and which he confesses him self guilty
 of unless he was introduced, and
 Defendant swears that the mercy of the Court
 be extended to him

Sworn to before me
 this 30th day of November 1893

Mary Sheehan
 Mark

John A. Gerner
 Notary Public, & Co.

0143

County of Gloucester
County of New York

The People

v. s.
Maurice Sheehan

Applicant of
Mary Sheehan

Atty. Gen. J. L. Oliver
Deputy Counsel

0144

Maurice Sheehan
arrested by Park Officer
Made on Battery Park
August 12th 1881. Charge
Larceny from Person
Comptainant Wm McCallan
18 Months by
Judge Cowing

0145

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Maurice Sheehan

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

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

The said Maurice Sheehan

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the fifteenth day of November in the year of our Lord one thousand eight hundred and eighty three, at the Ward, City and County aforesaid, with force and arms, in the night time of said day, one watch of the value of seven dollars and one chain of the value of one dollar

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

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

JOHN McKEON, District Attorney.