

0590

BOX:

425

FOLDER:

3923

DESCRIPTION:

Silvernail, Herman

DATE:

01/21/91



3923

Witnesses:

[Signature]
deft declares
to find sentence
of 100

216 *[Signature]*

Counsel,
Filed day of Jan'y 1891
Pleads, *[Signature]*

THE PEOPLE

vs.

Herman Silverman

Grand Larceny, Second Degree.
(From the Person.)
[Sections 528, 537 — Penal Code].

JOHN R. PHILLIPS

District Attorney.

A True Bill.

[Signature]

Foreman.

[Signature]

[Signature]

0592

Police Court

District.

Affidavit—Larceny.

City and County }
of New York, ss:

Mary Schuffer
of No. 111, 2^d Avenue Street, aged 25 years,
occupation Domestic being duly sworn,

deposes and says, that on the 19th day of January, 1891 at the City of New York,
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in
the day time, the following property, viz:

One Pocketbook Containing
Good and lawful money of the
United States issue to the amount
and of the value of two dollars.

in the care and charge
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 Herman Silverman (Emancipator)

from the fact that at or about the
hour of 1st P. M. on said date deponent
was walking along First Avenue
and when in the corner of Third
Street the said Silverman came
up to deponent, snatched said
property from deponent's left hand,
and ran away from deponent with
said property in his possession.

Mary Schuffer

Sworn to before me, this

day

1891

Police Justice.

0593

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer.

Herman Silvernail

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

New York City

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

Answer.

Aone

Question. What is your business or profession?

Answer.

Labrer.

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 -**Herman Silvernail*

Taken before me this

*18*day of *February* 188*9**J. M. [Signature]*

Police Justice.

0594

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 Algerman

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 July 18 91 John P. M. Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0595

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court--- 5th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mary Schaffer
111-2

Herman Schaffer

2

3

4

Dated *January 18* 1891

Wood Magistrate.

W. J. Smith Officer.

2nd Precinct Precinct.

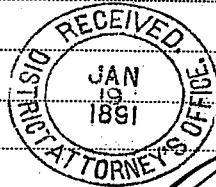
Witnesses

No. Street.

No. Street.

No. Street.

\$ *1000* to answer



The People
 vs. Herman Silvermail
 Court of General Sessions. Part I
 Before Recorder Smyth. January 23, 1891
 Indictment for grand larceny in
 the second degree.

Mary Cheulin, sworn and examined, testified
 I live at 111 Second Avenue in this city. Did
 you see this defendant Silvermail on the 17th
 of January last? Yes sir, on First Avenue near
 Third Street in this city. Did you have in
 your possession when you first saw him
 a pocket book? Yes sir. I had a pocket book
 in my hand, and he snatched it out
 of it. What was in the pocket book? Two
 dollars; the pocket book was not worth
 much about 25 cents. When this man came
 up to you did he say anything - any conver-
 sation? No sir, he did not snap it until
 he got me to the corner, he took it at
 the corner; it was raining, he turned
 the corner, I had hold of my coat, he took
 the pocket book out of my hand. I had the
 pocket book in the other hand and the
 defendant snatched it out of my hand.
 When he snatched your pocket book did
 he run? Yes sir, towards Second Avenue.
 Was anybody else in that neighborhood
 running at that time? No sir, except the
 man that followed him when I halloed out.
 When you began to run after him was

anybody else running after him when you first began? No sir. Where you got up to Second Avenue a lot of people joined in? Yes. You continued to run as fast as you could, did you come up to him? Yes sir. Where did you next see him? I met him coming up the avenue with Officer Wood and another man who caught him. You recognized him as the man? Yes sir, he had a bright coat on. You chased him up Second St. Yes sir. Cross Examined by counsel. Did you ever see him before that time? No sir. The first you saw of him was when he went by you on the sidewalk? Yes sir, he was not running until he came up, then he took the pocket book and ran. Did you see the pocket book afterward? No. You followed him right up? Yes sir. You did not find the pocket book on the sidewalk. I did not look on the sidewalk. Did any one find it on the sidewalk? I do not know. I did not get it. Was it found on him when he was arrested? No sir. You have not seen it from that day to this? Not since. Did you have an umbrella at that time? Yes sir. I had the umbrella in my right hand holding it up and the pocket book in the left hand.

0598

The defendant came on my left side. I seen him when he came over Second St. Alburtns Wood, sworn and examined. I am an officer attached to the second district Police Court. I saw the defendant Silvernail on the 17th of January on Second avenue in this city near Third street. When I first saw him he was trying to get away, he was running; the people had him surrounded, he was trying to run, he was striking out and running at the same time sideways. I was not in uniform, I was in citizen's clothes. I came up and from information I got from the parties you took hold of him. I told him I was an officer. I brought him back, and this lady came running up across the street and said, "That is the man who took my pocket book." I met the complainant on the corner of Second street about four houses below. She was out of breath, running and excited. She said, "This is the man who took my pocket book on the corner of Third street and First avenue. You did not find the pocket book afterwards, did you? No sir." The defendant said he did not take the pocket book. I did not hear of any pocket book being found in the vicinity. I searched him in the station house and found nothing on him.

Herman Silvernail, sworn and examined
 in his own behalf testified. I was up to 29th St.
 and First Avenue with a truckman. He
 asked me on the corner of Jay St. if I
 would go up and help him to unload a
 load of hay. I told him I would, and he
 gave me 35 cents for unloading it. When
 I got through he says, "I have to go up
 town, you can go back again if you
 will." I started down First Avenue and got
 to the corner of Third Street and I crossed
 It was raining hard. I had light clothes
 on, and I wanted to get out of the rain.
 I started to run, and all of a sudden I
 heard a woman crying, "Here goes the
 boy that stole my pocketbook." I slacked up
 running and walked up to the corner
 until I met a policeman and he came
 and grabbed hold of me and said he
 wanted me to come back to the station
 house. I says, "I am not afraid to go
 back. I have done nothing." He took me to
 the station house and searched me and
 did not find anything except 30 cents.
 I did not take the woman's pocketbook.
 The 30 cents I had on my person I got
 for unloading the hay.
 The jury rendered a verdict of guilty.

0600

Testimony in the

case of

Reynaud Silverman

Filed Jan 1

1991

0601

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Herman Silvernail

The Grand Jury of the City and County of New York, by this indictment, accuse
Herman Silvernail
of the CRIME OF GRAND LARCENY in the *second* degree committed as follows:
The said *Herman Silvernail*

late of the City of New York, in the County of New York aforesaid, on the *seventeenth*
day of *January* in the year of our Lord one thousand eight hundred and
ninety-one, in the *day* - time of the said day, at the City and County
aforesaid, with force and arms,

one promissory note for the payment of money of the kind commonly called United
States Treasury Notes, of the denomination and value of *two* dollars; *one*
promissory note for the payment of money of the kind commonly called Bank Notes, of the de-
nomination and value of *two* dollars; *one* United States Gold Certificate,
of the denomination and value of *two* dollars; *one* United States
Silver Certificate, of the denomination and value of *two* dollars.

two promissory notes for the payment of money, of the kind commonly called United
States Treasury Notes, of the denomination and value of *one* dollar each; *two*
promissory notes for the payment of money of the kind commonly called Bank Notes, of the de-
nomination and value of *one* dollar each; *two* United States Gold Certificates,
of the denomination and value of *one* dollar each; *two* United States
Silver Certificates, of the denomination and value of *one* dollar each;

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

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

He Lancelotti Nicoll,
District Attorney.

0602

BOX:

425

FOLDER:

3923

DESCRIPTION:

Simono, Antonio

DATE:

01/08/91



3923

If these;

14 9

Counsel,

Filed

day of Jan 18 91-

Pleas

THE PEOPLE

vs.

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

Antonio Simons

De Ruyter, Ricolly
JOHN R. FELLOWS

District Attorney.

Plaint
Jan 13 1891 for
affidavit from Criminal

A True Bill.

John W. Warden

Foreman.

Jan 14/91

Spent 10 minutes
for 14/91/91
J. W. Warden

THE PEOPLE
vs.
ANTONIO SIMONO.

COURT OF GENERAL SESSIONS, PART I.
BEFORE RECORDER SMYTH.

Tuesday, January 13, 1891.

Indictment for assault in the first degree.

SALVATORE BINDO sworn and examined through the
Interpreter by Mr. Macdonna.

- Q. What is your business, what is your trade? A. Stone mason.
- Q. Where do you live? A. No. 2031 First Avenue.
- Q. Did you live there in March last? A. No, I did not live there in March last.
- Q. Where did you live? A. I do not remember exactly, I think it was 611 113th Street.
- Q. Where were you working on the 24th day of March last? A. 136th Street.
- Q. Whereabouts, east or west? A. East.
- Q. Near what avenue? A. Between First and Second Avenues
- Q. Who was working with you? A. Nicola Bindo and another one that is not here but in Italy.
- Q. He is in court now? A. Yes sir, he is here, he is the other wounded man.
- Q. What sort of work were you doing at the place? A. We were laying the foundation in a cellar for a house.
- Q. Did you see the defendant Simono? A. Yes sir I saw him that day, him and two sons.
- Q. At what time in the day did you see them? A. I saw them first before twelve o'clock but the row took place about one o'clock.
- Q. What did this man say to you when you met him the first time that day? A. He came and wanted us to stop our

work, him and his two sons.

- Q. Did he ask you to stop your work? A. He says, "where is the boss?" I answered, "he is not here." He said, "he owes me some money, where is he gone"; he said, "stop your work because he owes us some money, you must not work any more"; so by your stopping work that will compel him to pay us." "Why should I stop, I said? He does not owe me any money, he has always paid me." They answered then, "you don't want to stop your work?" I said, "no, I don't stop." So he said, "if you wont stop I will make you stop."

They put their hands on their knives and they commenced showering blows on me.

- Q. Did you see a knife in the hands of the defendant Antonio Simono, this old man? A. Yes sir, I did, he wounded me on the back.

By the Court. Q. What was it, a knife or what? A. It was a knife of this size (showing).

- By Mr. Macdonna. Q. Did he make a blow at you in front with that knife? A. The son was giving me blows in front, I was defending myself the best way I could from his son when he gave me a blow on the back.

- Q. Was anybody else at your back when you received this blow? A. No sir, nobody except Simono, the defendant; and then after I received the blow on my back the son wounded me on my chest.

- Q. Was Nicola with you at this time, did he come to your rescue? A. He seen me in such a plight he came to my assistance and he was cut in his face.

- Q. What became of Simonoafter Nicola came up to you, did they run off? A. The father cut me in the face and the son

gave me a blow near my heart.

- Q. What became of Simono after they cut Nicola? A. After cutting him they run away, we commenced calling for the assistance of the police and they ran away.
- Q. And were there any other men there round about?
A. Yes sir, there was a big crowd collected around.
- Q. After they began to holler? A. Yes sir, after we commenced hallooing police the crowd collected.
- Q. Did he notice in which way those men ran, ask him whether they ran away or whether they walked away? A. No, they ran away, running.
- Q. Did the officer come? A. The police officer arrived about quarter of an hour afterwards.
- Q. Officer Lockwood? A. No, another one in uniform.
- Q. And where did you go? A. They called an ambulance and took me to the hospital.
- Q. And they took Nicola to the same hospital? A. Yes sir, both of us.
- Q. What hospital did they take you to? A. The hospital at 120th Street.
- Q. East 120th Street? A. East, near the river.
- Q. How long did you remain in the hospital? A. I was there one week in the hospital and then I had the doctor attending me four weeks in the hospital.
- Q. What became of the clothes that you had on when you went to that hospital with the coat mark in the back?
A. The doctors in curing my wound they had to cut them all to pieces.
- Q. Was there a mark on your back of that stab wound?
A. Yes sir, both on the back and on my chest.

The Court: If the Jury desires to see the mark they can.

Witness: The one behind is much bigger than the one in front.

By Mr. Macdonna. Q. That is one mark (pointing to the mark)?

A. That is the place where the knife came in.

Mr. Macdonna to the Interpreter: Ask him to take off his coat.

Witness: It is healed up.

By the Court. Q. Where was that wound? A. On the left shoulder blade.

By Mr. Macdonna. Q. When did you next see Antonio Simono, this prisoner here, the old man? A. I never saw him since the time that I had him arrested.

Q. I asked him where and when did he see him after the cutting?

A. I saw him on 115th Street.

Q. When? A. On the morning of Sunday, I do not remember exactly the day of the month but it was on a Sunday morning, I saw him going to his house and I went for an officer immediately.

Q. Was that the day he had him arrested? A. Yes sir, he was arrested that same day.

Q. You have not any doubt that this is the man who cut you on that day? A. No sir, I am positive.

CROSS EXAMINED by Counsel.

Q. Where do you live? A. 2031 First Avenue.

Q. How long have you lived there? A. Eight months.

Q. Where did you live before that? A. 113th Street.

Q. How long did you live there? A. About two years.

Q. What day did this stabbing take place that you talk about?

A. It was on a Monday but I do not recollect the date exactly.

Q. What year? A. It was in March of last year.

Q. Do you know that man, the defendant? A. Yes sir.

Q. How long have you known him? A. I know him for the last two years.

Q. How many times since the 24th day of March, 1890 have you seen him? A. I never saw him but the day I arrested him.

Q. How often have you seen him since the 24th of March, 1890, the day of the assault.

By the Court. Q. Ask him if he ever saw that man between the day that he says he cut him and the day he had him arrested?

A. No sir, I did not see him.

By Counsel. Q. You positively had no conversation with him since that time? A. How could I have a conversation with

him if I had not seen him.

Q. Why did you give a false name at the station house?

A. I gave my name Salvadore Bindo.

Q. You say you were stabbed in the back by the prisoner?

A. Yes sir.

Q. Did not you also tell the District Attorney that the prisoner stabbed you in the chest? A. No sir, I said it was the son.

Q. If you were stabbed in the back by the prisoner how could you see who stabbed you? A. I saw him approaching me with a knife and while I was defending myself from his son I felt the knife on my back.

Q. When the son was assaulting him how far was the father from him? A. He was close, the distance between ourselves.

Q. Was there not another son there? A. Yes sir, the other son was fighting with the other witness.

By the Court. Q. Nicola? A. Yes sir, Nicola.

By Counsel. Q. Do you know John Capello? A. Yes sir, John Cap-

Q. I simply asked does he know him? A. If you will bring him here I might know him.

Q. Stand up, Capello --- do you know him? A. Yes sir, he worked with us.

Q. Do you know Mike Pasinella, stand up, Mike? A. Yes sir, he was also arrested at the time.

By Mr. Macdonna. Q. That was the time of the assault, wasn't it?

A. The time of the assault.

By Counsel. Q. There was several other Italians there, were there not ? A. Yes sir, there were several Italians, there were nine arrested.

Q. There was fifteen or twenty, were there not, arrested?

A. There were only arrested nine, no more, the men that were on the work.

Q. And they were all acquitted? A. Yes sir.

Q. Did not you pick up a trowel and assault one of the sons of this man? A. No sir.

Q. And he is positive and it is as true as anything he said, that he has not seen the prisoner since the 24th day of March, 1890, up to a few days ago when he was arrested by the police? A. If I had seen him before I would have had him arrested.

Q. Has he seen either of the sons since the 24th day of March, 1890? A. No sir, if I will see him I will have him arrested.

Q. Did you ever see the prisoner carry a knife before?

A. I never had anything to say to him and never seen him with a knife before.

Q. You have worked with him, have you? A. Yes sir.

Q. And always have been very friendly? A. Yes sir, like any of the other laborers.

Q. And never had any trouble or quarreling together?

A. Never.

Q. Then he had no occasion to stab you, had he?

The Court: That is excluded.

By Counsel. Q. Was there not a sort of melee or riot between you

and the Italians up there at 130th Street at the time the stabbing took place? A. No sir, there was nothing, it

was himself and his two sons that came and assaulted us.

Q. There was no trouble there at all? A. No, no row.

Q. There was no row? A. There was nothing.

Q. He says 136th Street he was stabbed, between what streets

or avenues was he stabbed? A. Between First and Second Avenues.

Q. Ask him if he is sure of that? No answer.

By Mr. Macdonna. Q. That man who stood up, Mike, he was arrested?

A. Yes sir, he was arrested.

Q. Was he brought to the hospital to you? A. Yes sir.

Q. How many other men were brought to the hospital to you?

A. They brought about twenty persons.

Q. And Mike was one of them? A. Yes sir.

Q. And you did not identify Mike as the man who stabbed you?

A. No sir, because he was not in the row.

Q. I hand you the Police Court papers and ask you if that is your signature? A. Yes sir, that is the signature

Bindo Salvatore.

Q. That is your name, Bindo Salvatore? A. Yes sir.

By Counsel. Q. You say that both of those men, John Capello and Mike Fasinella were both at 136th Street at the time of this

stabbing? A. No sir, there was only one of them, Mike.

Q. Which one of them? A. Michello.

NICOLA BINDO sworn and examined through the Interpreter by Mr. Macdonna.

Q. What is your business Nicola, what is your trade?

A. Stone mason.

Q. Were you at work as a stone mason in 138th Street between First and Second Avenue on the 24th of March last?

A. Yes sir.

Q. In company with the last witness Salvatore? A. Yes sir.

Q. Was he there about one o'clock? A. Yes sir.

Q. Did you see the prisoner Antonio Simono? A. Yes sir, him and his two sons.

Q. Did you see Antonio Simono, the old man, strike Salvatore in the back with a knife?

Objected to as leading. Objection sustained.

By the Court. Q. What did you see the prisoner do to the complainant? A. I saw him giving him a blow with a knife.

By Mr. Macdonna. Q. Where, in the back? A. On his back.

Q. Did you see the knife in his hand? A. Yes sir.

Q. What was Salvatore doing when the old man struck him in the back with a knife, the prisoner? A. He was clinched quarreling with his son.

Q. With the son of the prisoner? A. Yes sir.

By the Court. Q. What was the prisoner's son doing? A. They were fighting.

Q. Did they have any knives? A. Yes sir.

Q. Who were they fighting? A. With ourselves, myself and Salvatore.

By Mr. Macdonna. Q. Were you cut? A. Yes sir, and another one from one of the sons on my chest.

Q. Who cut you in the face? A. The prisoner.

By the Court. Q. Was it his son cut him in the breast?

A. Yes sir, and the son gave me a wound on my breast.

By Mr. Macdonna. Q. Did the ambulance take you away from that place that afternoon? A. Yes sir.

Q. And where were you brought? A. To the hospital on 120th Street.

Q. How long did you remain in the hospital at 120th Street?

A. Two months.

Q. Did he see Salvator there during that time? A. We went together.

Q. Near one another? A. Our cots were near each other.

Q. When did you next see Simono after the 24th day of March last? A. I saw him lately because I went out of town.

Q. Did you see him before he was arrested? A. I only saw him now lately.

Q. After his arrest? A. Yes sir.

Q. Did you see Michello, that man who stood up, did you see that man in the hospital? A. Yes sir, they were brought to the hospital when they were arrested.

Q. And many others? A. Yes sir, several people were brought.

Q. And you did not identify those people as the people who had stabbed you or Salvatore? A. No sir.

CROSS EXAMINED by Counsel.

Q. How many Italians were at this place at the time you were stabbed? A. About six, eight or ten persons.

Q. Were there any other persons beside Italians? A. Yes sir.

Q. You say you were stabbed also by the prisoner in the face?

A. Yes sir.

Q. Did he stab you first or did he stab the complainant first?

A. The first blow was given him and when I went to his assistance then he cut me.

Q. Was there not three or four other people than you and the complainant in the fight in the melee between you?

A. No sir, there was nobody.

Q. How near to the complainant was the prisoner when you went to the rescue? A. They were close to each other.

Q. Was he in front of him or in the back of him? A. They were standing like we are standing, that way, close to each other.

Q. How could he stab the complainant in the back the way the Interpreter is standing in front of you now?

A. We were close to each other and when we said we would not stop work then he gave the blow with the knife.

By the Court. Q. He wants to know what position this man was in at the time that he stabbed the complainant, see if you can get that out? A. We were quarreling and talking, he came from behind and gave me the blow this way (illustrating) and in the moment I saw him and went to his rescue I was cut on the face.

Counsel: I would like to know on which side this man said he was stabbed on the back?

The Court: The stab was under the left shoulder, as I understand it.

Counsel: And he striking him on the right --- I leave that to the Jury.

By Counsel. Q. Are you positive that neither one of the sons of the

prisoner stabbed this complainant? A. One of the sons wounded him on his chest and also one of the sons wounded me on my chest.

Q. How near was the son to the complainant when you went up to rescue him from these two young men? A. We were close to each other.

Q. Did the father come up to the complainant to strike him? after he got in a fight with the two sons or before?

A. First the father and then the sons.

Q. Where does he live? A. 120th Street.

Q. How long has he been living there? A. About eighteen months.

Q. Haven't you seen the prisoner since the 24th day of March, 1890 up to a few days ago when he was arrested?

A. I remained two months in the hospital, then I came out and I went out of town.

By the Court. Q. He was two months in the hospital? A. Yes sir.

Q. And when he got out of the hospital where did he go to live? A. I went to Boston.

Q. How long did he remain in Boston? A. About three months.

Q. Did he come back to New York? A. A. yes sir.

Q. About what time? A. To the best of my recollection it was the month of August when I came back from Boston.

Q. Ask this question, if he saw the prisoner the old man here at any time between the time that he left the hospital and the time that he went to Boston A. No sir.

Q. He told us that he got back here in August? A. Yes sir.

Q. When did he next see this old man after he came back?

A. Two days before he was arrested.

Q. Where did he see him then? A. I saw him on the street.

Q. On what street? A. In a street near 3rd Ave. uptown.

By Counsel. Q. Do you know this man (pointing to a man in Court)?

A. Yes sir, I worked for him.

Q. In the month of May, 1890, did you work for him. (Patsy Zoccolo). A. Yes sir.

Q. Did you see that man (the prisoner) working for him?

A. No sir, because I worked only one day for him.

Q. Did not you testify a few moments ago that you did not return from New York until August? A. Yes sir.

Q. And has he not been in New York ever since up to the time of the prisoner's arrest? A. Yes sir.

Q. How near do you live to the prisoner's house? A. I live on 110th and he lives on 115th Street.

Q. What number in 115th Street does he live? A. I do not remember, I do not think about it now.

Q. Haven't you been to the prisoner's house? A. No sir.

Q. You are positive that the day you worked in the month of May for Mr. Zoccolo, the contractor, that you did not meet the prisoner? A. Yes sir, I saw him that day with his two sons.

Q. Which is the truth, did you see him or didn't you see him?

A. Yes sir, I have seen him.

Q. Then when he testified a few moments ago that he had not seen him up to the time of the arrest, that was false, was it not?

Question withdrawn.

Q. When did you next see him after you saw him in May?

A. I saw him on the street that he was walking upon.

Q. Why did not he have him arrested then? A. Because I did

not know the number of his house.

Q. How many times after the second time did he see him on the street? A. Yes sir, I saw him another time but I did not take any notice of him.

Q. You did not have him arrested at that time? A. There was not police officer.

Q. How many times after the third time did he see him without having him arrested? A. I have not seen him any more afterwards.

Q. Only two or three times? A. I saw him only two times.

Q. Ask him the night that he called at the prisoner's house why did not he have him arrested at that time?

The Court: Ask him if he called at his house? You have no business to assume a fact that is not proved.

By Counsel. Q. Did he call at the prisoner's house? A. No sir.

Q. Did you at any time after you saw the prisoner on the street inform the complainant that you had seen him?

A. Yes sir, I did.

Q. Was that the first time that you saw the prisoner?

A. Yes sir, I told him the first time I saw him.

Q. What did you tell him then? A. I said, "the man that wounded you is here in town."

Q. Was that before the month of May or was it during the month of May? A. No, it was in August.

Q. When he saw him in the month of May he had no conversation at all with him, with the complainant? A. NO.

Q. Between the month of May and the month of August he swore that he saw the prisoner once or twice, did he on any of those occasions tell the complainant that he saw the prisoner? A. I came back in August.

Mr. Macdonna: I object to this as immaterial, irrelevant, and incompetent.

By Counsel. Q. Have you seen the two sons since? A. No sir, I have not seen them here.

By the Court. Q. He meant to ask if you saw the prisoner's two sons since the day of the cutting? A. No sir.

By Mr. Macdonna. Q. Did you have any weapon or knife in your hand on the 24th of March when this row occurred? A. No sir, I was undressed and I had nothing in my hand.

Q. Did Salvatore have anything in his hand that you saw? A. He had nothing.

Q. Did he have his coat off too? A. Yes sir.

Q. In his shirt? A. In his shirt, yes sir.

WILLIAM J. LOCKWOOD sworn and examined.

By Mr. Macdonna. Q. Officer Lockwood, you are connected with the 33rd precinct? A. Yes sir.

Q. Did you arrest this defendant Simonov? A. Yes sir.

Q. When? A. On the 22nd of December.

Q. On whose complaint? A. On the complaint of the complainant here who has testified.

Q. Salvatore, the first witness examined? A. Yes sir.

By the Court. Q. What day did you make the arrest? A. The 22nd of December.

By Mr. Macdonna. Q. Where did you arrest him? A. In 115th St. near First Avenue.

Q. Did you bring him to the station house or to the Court first? A. To the station house.

Q. Was the complainant there? A. Yes sir.

Q. Did the complainant identify him? A. Yes sir.

Q. Was there an interpreter there? A. Yes sir.

Q. Tell us what happened, what conversation or what was said by the defendant or by the complainant and what the defendant said in the station house through the interpreter.

Objected to. Objection sustained.

Q. You locked this man up, did you? A. Yes sir.

Q. Was he the first man whom you had arrested for this crime? A. No sir.

Q. Did you arrest this man they call Michealo over there?

A. Yes, he was one of them, there was a number of them arrested at the time.

Q. How many of them did you arrest? A. I think there was nine or ten, I am not positive, I did not arrest them.

By the Court. Q. But there were nine or ten people arrested on suspicion and taken to that hospital for the purpose of enabling the complainant to identify any of them if he could, is that it? A. Yes sir.

Q. He did not identify any of them? A. No sir.

Q. Were you looking for this man? A. Yes sir.

Q. From the time that the complaint was made about the stabbing? A. On and off, we had our eyes open.

Q. But you did look for him? A. Yes sir.

Q. In what neighborhood? A. Down in the neighborhood of 110th and 112th Streets, around Second Avenue.

Q. Inhabited by Italians? A. A. Yes sir.

Q. You did not succeed in catching him until the 22nd?

A. No sir.

CROSS EXAMINED by Counsel.

Q. You had never seen the prisoner before arresting him?

A. No sir.

Q. You did not know whether there was a son by the same name or not, did you? A. No sir.

Q. The name was given you Antonio Simono? A. Yes sir.

Q. You do not know whether that was the son's name or the father's? A. It was reported by the complainant that the father and his son had committed the crime.

Q. Did he say son? A. No, one son I believe.

Q. You said you arrested this man Mike, you did not arrest him? A. No sir, I did not arrest him.

Q. You do not know whether he was arrested or not, do you?

A. I do, yes, I helped to convey him.

Mr. Macdonna: That is the case for the People.

ANTONIO SIMONO sworn and examined in his own behalf, through the Interpreter:

By Counsel. Q. Where do you live? A. 115th Street.

Q. What number? A. Near First Avenue.

Q. How long has he lived there? A. About eleven months.

Q. Where did he live before that? A. I lived down town before.

Q. Ask him if he remembers the 24th day of March, 1890.

A. Yes sir.

Q. Ask him what day did that fall on? A. On the 23rd.

By the Court. Q. Ask him if it was Monday? A. I do not remember

By Counsel. Q. Ask him if he knows the complainant, do you know

that man? A. Yes sir.

Q. Do you know the man sitting next to him? A. Yes sir.

Q. How many times since the 24th day of March, 1890, have you seen the complainant, the man whom had you arrested?

A. I have always seen him, always met him, and I worked one day with him also.

Q. Since the 24th day of March, 1890, how often have you seen Salvatore?

A. I saw him as soon as he came out of the hospital.

Q. How many times after he came out of the hospital have you seen him since the 24th day of March?

A. I saw him every day.

Q. Most every day? A. Every day.

Q. Does he mean every day or most every day? A. Nearly every day.

Q. How many times has he seen Nicola since he came out of the hospital?

A. I have always seen them.

By the Court. Q. How often did he see him since he came out of the hospital?

A. As soon as he came out of the hospital I did not see him but when he commenced working I saw him every day nearly.

Q. How soon after he came out of the hospital did he see him?

A. Three or four days after he came out of the hospital.

By Counsel. Q. From that time up to the time he was arrested he had seen him most every day?

A. Yes sir, nearly every day.

Q. Ask him how many times since Salvatore got out of the hospital he has been to the prisoner's house?

A. He did not come to my house.

Q. How many times since Nicola got out of the hospital has he been to his house??

A. He did not come either to my

house.

Q. When you first met Salvatore after he came out of the hospital did he mention anything to you about this stabbing?

A. No sir, I saw him and we passed each other at a certain distance but we had no conversation.

Q. When you met Nicola after Nicola came out of the hospital did he mention anything to you about the stabbing?

A. No sir, he said nothing because I was innocent.

Q. Did you ever carry a knife that long, about ten or twelve inches long?

A. Never, I never carried a knife.

By the Court. Q. Ask him if he ever had a knife at all?

A. Never.

By Counsel. Q. On the 24th day of March when your sons were fighting with Nicola and Salvatore, how far away were you from that little melee or squall?

A. I was about fifteen steps away from them.

Q. Did he raise his hand at all to either one, the complainant or the complainant's witness, Salvatore or Nicola?

A. No sir, I did nothing.

Q. And he has always lived in New York since the 24th day of March --- I believe he testified to that?

The Court: I think he did.

By Counsel. Q. At the time that this stabbing affair took place you were working for this man here, weren't you? (Pointing to Patsy Zoccolo.)

A. Yes sir.

Q. What is your business?

A. Laborer.

Q. You are positive that you never raised a hand or a stone or a knife -----

The Court: He said all that, that he had no knife, he did not raise his hand, he did not do anything to anybody.

CROSS EXAMINED by Mr. Macdonna.

- Q. Do you know Mike? A. Yes sir.
- Q. He lives near you, don't he? A. A little distance away from me.
- Q. He visits you, don't he? A. Yes sir, sometimes he came to see me.
- Q. How long has he been living near you? A. Since I came to live uptown; I live on 113th Street and he lives in 115th Street.
- Q. Does he remember when Mike was arrested for stabbing these two men?

Objected to. Objection sustained.

- Q. Do you remember when Mike was arrested for the purposes of identification? A. Yes sir, I remember, I was present but they did not arrest me.
- Q. He knew that Mike was arrested? A. Yes sir.
- Q. Did you have any conversation with Mike after he came back from the hospital? A. No sir.
- Q. Not a word? A. No sir.
- Q. Did he know when Mike was arrested ---- he was present --- did he know what he was being arrested for?
- A. They arrested everybody, I do not know why, for what reason, but they arrested everybody.
- Q. You did not say anything to the police officer, did you, about being present? A. They said nothing to me and I said nothing.
- Q. He knew they were arresting everybody for this crime, didn't he? A. Yes sir, I saw them arresting everybody.
- Q. He knew what they were arresting them for, did he?

A. They were arresting them on account of a fight that took place.

By the Court. Q. Did he say anything to the police officers about his two sons? A. No sir, I did not.

Q. Were his two sons at the fight? A. Yes sir, they were.

Q. Did they have knives? A. I do not know if they had knives or not.

Q. Ask him when they ran away, when they went away?

A. They ran away there and then.

Q. Where did they run to, ask him? A. No sir, I do not know.

Q. He does not know whether they are in Italy or here?

A. I do not know, sir.

Q. He does not know anything at all about them? A. No sir, I do not know nothing.

By Mr. Macdonna. Q. Never saw them from that day to this? A. No sir, I have not seen them.

Q. He has no animosity against Salvatore or Nicola, has he?

A. No sir, I have got nothing against them.

Q. They are friendly? A. Yes sir, certainly.

Q. And they were friendly before this assault took place, weren't they? A. We have been always friends.

Q. And these two men visited him didn't they, before the fight? A. No sir, they did not visit me.

Q. Neither of them? A. No sir, they did not visit me.

Q. Ask him how he knew that they were both in the hospital for nearly two months, didn't he know it, yes or no?

Objected to as immaterial. Objection overruled.

A. I know that one was for two months and another one for one month.

Q. Did he call on them during that time, those friends of his?

Objected to as immaterial and inadmissible.

Objection overruled.

A. No sir, I did not.

Q. Did not go near them? A. I did not go because I did not know where the hospital was.

Q. Now he has testified here that he has seen Nicola since he got out of the hospital almost every day, do I understand that to be true? A. Yes sir.

Q. Ask him if he was in Boston during the month of June, July and August? A. No sir, I have not been there.

Q. He was in New York, was he? A. I was always in New York.

By the Court. Q. What street did he live in did he say?

By Mr. Macdonna. Q. Were you in 110th Street during these three months? A. Always at 115th Street.

Q. Ask him does he know that Nicola was in Boston during these three months June, July and August? A. No sir.

Q. He was in New York was he, he saw him? A. Yes sir, I seen him uptown.

Q. Now did these two men Nicola and Salvatore assault your two sons on the 24th of March? A. Yes sir, the complainant and the other one assaulted my sons before.

Q. And ^{who} ~~he~~ was helping the complainant and Nicola, was there some other man helping them to beat his sons? A. He caught hold of Antonio with one hand and with the other hand had the trowel.

Q. And who was helping the complainant and Nicola, was there some other man helping them to beat his sons? A. No sir.

Q. There was nobody there but his two sons; and Nicola?

A. There were seven persons all fighting together.

Q. Were the three persons helping his two sons to beat these two men or were they helping Salvatore and Nicola to beat his sons, there were three men? A. Yes sir, they were against my two sons.

Q. These three men were they friends of Nicola and Salvatore or friends of your sons? A. They were friends of the complainant and the other one.

Q. And were they beating his sons too or holding them?

A. Yes sir.

Q. And you stood by and looked at this thing and did not take a hand in, is that the idea? A. I was with my hands in my pockets and crying.

By Counsel. Q. How old are you? A. Sixty-three years old.

MICHEALO FASINELLA sworn and examined through the Interpreter.

By Counsel. Q. Where do you live, Fassinella? A. 343 115th St.

Q. On the 24th day of March, 1890, do you remember that day?

A. Yes sir.

Q. Was that Sunday or a Monday? A. Monday.

Q. Do you remember a fight having taken place at 136th Street between First and Second Avenue or Brook and Willis Avenue?

A. Yes sir.

Q. Did you see the prisoner Antonio Simona there? A. Yes sir.

Q. Who else did you see there? A. There were two complainants, the complainant and his witness.

Q. Who else? A. There were about fifteen Italians altogether.

By the court. Q. Did he see the defendant's two sons there?

A. Yes sir.

By Counsel. Q. Did you see the stabbing affair or the fight, what did you see?

A. I had to take in some money, the balance of my wages and as I was not paid by the boss, as the boss had not been paid, he had not paid us either; we went this day -----

By the Court. Q. Who did, who is we?

A. Myself.

By Counsel. Q. And who else?

A. And other four or five persons

Q. What did they do? A. To ask for the balance of our wages.

I was talking with a man, with one of the laborers in charge of the clay on the sidewalk.

Q. What took place, did you see a fight then ----- did he see a fight there, that is what I want to know?

A. I saw the son-in-law of Antonio Simono, the prisoner.

Q. Step-son you mean? A. The step-son.

Q. What did he see? A. Talking with the foreman.

Q. Did he see a fight there, that is what I want to know?

A. Yes sir.

Q. Who was in that fight? A. The two sons of the prisoner and other seven people, seven more.

Q. Did you see the prisoner at the bar in that fight?

A. Yes sir, I did see him, he was distant about ten or eleven steps.

Q. But was he fighting? A. No sir.

Q. Did he see a knife in the prisoner's hand? A. No sir, I have not.

Q. Was Nicola and Salvatore in that fight? A. Yes sir.

Q. And they were in the fight with the two sons and the rest of these Italians whom he says were fighting together, is that it?

A. He wants to be excused to say two words.

Q. What is that? A. Now the Foreman ----

Q. I want to know was Nicola and Salvatore and the two sons in the melee, were they fighting together, that is what I want to know? A. Yes sir.

Q. And he is positive that this man, the prisoner, was not near that fight, not near these two men while they were clubbing each other?

The Court: He said he was not within ten or fifteen feet, he was doing nothing.

Witness: On my conscience I saw him doing nothing.

By Counsel. Q. How often have you seen the prisoner since the 24th day of March, 1890, in the City of New York?

Objected to as immaterial. Objection overruled.

A. I have always seen him, he has not moved from the city.

By the Court. Q. Ask him if he saw the complainant taken away?

A. Yes sir, I did.

Q. Who took him away from the fight? A. The ambulance.

Q. Was anything the matter with him? A. I knew twenty minutes afterwards that he was wounded.

Q. Did not he see him lifted into the ambulance, put in?

A. Yes sir.

Q. Did he see any blood on him? A. Yes sir.

Q. Where was he bleeding? A. On his back.

Q. Did he see a cut in his coat? A. I saw it at the Hospital after.

Q. At the hospital he saw where the cut was in his coat, is that right? A. The shirt, I saw his shirt.

Q. Did he see Nicola there that day? A. Yes sir, I saw him at the hospital.

- Q. Did not he see him taken away in an ambulance? A. Yes sir.
- Q. Did he have any blood on him? A. Yes sir.
- Q. Where was it, right down his face? A. He had his forehead full of blood.
- Q. And he was lifted into the ambulance? A. Yes sir.
- Q. Now were any of the other seven people taken and put in the ambulance? A. Only two I have seen taken in the ambulance.
- Q. Did he see any blood on any of the other five? A. No sir.
- Q. Not one of them had a bit of blood? A. No sir, none of them was wounded.
- Q. It was not the old man that cut Salvatore, or whatever his name is? A. No sir.
- Q. Who did cut him? A. The step-son.
- Q. His step-son, the prisoner's step-son? A. The step-son of the prisoner.
- Q. What did he cut him with? A. I cannot say.
- Q. Did not he see him cut? A. They were fighting on the sidewalk and there was a crowd and there was great confusion.
- Q. How did he know it was the step-son cut him? A. I saw him wounding the complainant.
- Q. In the back? A. Yes sir.
- Q. What did he do, stick a knife right into his back, just show us how he did it? A. He is a very short man (the witness illustrated as if stabbing him in the chest).
- Q. Ask him if he ever did anything of that kind himself?
- A. No sir, I have not got the courage to kill a fly.
- Q. Ask him who cut Nicola's face down here? A. I cannot say but I think they were the blows of hammers which they

exchanged between themselves.

Q. Did Nicola have a hammer in his hand? A. No, Nicola had no hammer, he had a stone in his hand.

Q. And what cut his face? A. I cannot say, it might have been either a hammer or a blow from a stone.

Q. Or it might have been a knife, might it not?

A. I cannot say.

Q. Or a stiletto? A. I did not see it.

Q. But he had blood on his face? A. Yes sir.

Q. There was not a bit of blood on the prisoner, was there?

A. No, there was nothing.

By Counsel. Q. After these two men were taken to the hospital did the prisoner run away or did he remain there with the rest of the people? A. He remained there.

Q. And the step son and the other son, they ran away didn't they? A. Yes sir.

By MQ. Macdonna. Q. Nicola had a stone in his hand, did he?

A. Yes sir.

Q. What did Salvatore have in his hand? A. The trowel.

Q. Salvatore and Nicola were both defending themselves with the trowel and a stone, were not they hitting these other fellows? A. Yes sir.

Q. Did they strike severe blows? A. The row did not take more than one minutes time.

Q. Did Salvatore hit anybody with the trowel?

A. No, I saw him holding him and holding the trowel aloft on his head but he did not bring it down.

Q. This way (illustrating) quite still? A. Yes sir, quite still.

Q. No blood on any of them? A. NO.

Q. Never used the trowel or the stone? A. No sir.

Q. Did you tell the police when you were brought to the hospital that Simono's step-son cut the complainant?

Objected to. Objection overruled.

A. Yes sir, I did say so.

Q. Did you speak to Salvatore and to Nicolo in the hospital?

A. Yes sir, I did.

Q. Did you tell them that you had seen their father, the father of the other Simono at the fight?

Objected to as immaterial. Objection sustained.

JOHN CAPPELLO sworn and examined by Counsel through the Interpreter.

By Counsel. Q. Cappello, on the 24th day of March, 1890, were you at work in 136th Street between Brook and Willis Avenue?

A. Yes sir, I was working there.

Q. Did you see the prisoner Simono there and the witness Fasinella?

A. Yes sir, I did.

Q. On that day there was a fight took place?

A. Yes sir.

Q. Who was fighting?

A. There were seven or eight persons fighting.

Q. Was those two men fighting (pointing). A. Yes sir.

Q. And who were the others that were fighting?

A. Two other countrymen of theirs and other pesons that I do not know.

Q. Was this man near the fighting, the defendant?

A. No sir, he was standing near me at a distance.

- Q. And did you see a knife in his hand? A. No sir, I did not.
- Q. Did you see any instrument in his hand? A. No sir, nothing.
- Q. Did you see him in the fight at all? A. No sir.
- Q. He was standing near you? A. Yes sir.
- Q. Where do you live? A. No. 430 113th Street.
- Q. How often have you seen the prisoner at the bar since the 24th day of March, 1890, in New York City?
- A. As we worked close to each other I see him every night.
- Q. Most every night? A. Yes sir.
- Q. Since the 24th day of March, 1890? A. I have always seen him since that date.
- Q. You have been in New York city since the 24th day of March, 1890? A. I have always worked here, I have never left the town.
- Q. During the month of May were you in the employ of this contractor or builder, Patsy Zakolo? A. Yes sir.
- Q. Did you see Antonio Simono there during the month of May?
- A. Ys, I did.

By the court. Q. How long did you see him there and how often?

- A. He worked for eight or nine days.
- Q. What part of May was it? A. About the middle of May, the 14th or 15th.
- Q. Where did you see him, where was he working?
- A. 140th Street.
- Q. Near what avenue? A. Between First and Second Avenues, he was working at 140th Street.

By Counsel. Q. When those two men were taken to the hospital, Salvatore and Nicola, did this man remain there, was he scared and did he run away (the defendant)?

A. Antonio Simono did not run away but remained with us but he was not arrested with the others.

CROSS EXAMINED by Mr. Macdonna.

Q. Were you about the building on 136th Street on that afternoon of the row, looking for your money?

A. No, I was working.

Q. Does he know who else was looking for money beside Antonio Simono and his two sons?

Objected to as immaterial. Objection overruled.

A. I know only those.

Q. Does he know what the other men other than Antonio and Salvatore and the son and step-son of Simono were doing, were they helping the complainant and his witnesses or were they helping the sons of this man, the prisoner at the bar?

A. They were all in one big row.

Q. And he was standing with Antonio Simono and himself looking at this row? A. There was myself and the defendant and Mike, the other witness that was on the stand.

Q. Three altogether? A. Yes sir.

Q. And how was the old man standing, did he have his arms folded or in his pocket? A. He was with his hands in his pockets and he was crying and he was shouting, "be quiet be quiet."

By Counsel. Q. Did you see any knife or any instrument or a stone or anything in the prisoner's hand?

A. No sir, nothing, he had nothing in his hands.

Q. Have you ever seen the prisoner carry a knife?

Objected to.

Objection overruled.

A. No sir, I have never seen him with a knife.

By the Court. Q. He never had a knife at all?

A. No/n e has never had a knife.

Wednesday, January 14, 1891.

ROSA SIMONO sworn and examined by Counsel through the Interpreter.

Q. You are the wife of the prisoner? A. Yes sir.

Q. Where do you live? A. 115th Street.

Q. How long have you been living there? A. About a year.

Q. On the 24th day of March, 1890 up to the time of the arrest of the prisoner, has the prisoner ever been absent from your room at night? A. He was always at the house.

Q. Was he from the 24th day of March, 1890, up to the time of his arrest ever absent from the city?

A. He was always in New York, never went out of town.

PASQUALE CAGGINO sworn and examined by Counsel through the Interpreter.

Q. You are the landlord of the premises where the prisoner has been living? A. Yes sir.

Q. What is the number of that house? A. No. 343.

Q. What street? A. 115th Street.

Q. How long has the prisoner lived there? A. One year.

Q. From the 24th day of March, 1890 up to the time of his arrest did you see him every day or did you ever see him there? A. I have seen him every night.

The Jury rendered a verdict of guilty of assault in the second degree.

Counsel: I ask leave to make a motion for a new trial on the minutes.

The Court: Make it now, put down the ground.

Counsel: I make a motion for a new trial on the ground that the evidence adduced by the People is insufficient for a verdict.

The Court: Motion denied.

Counsel: Note an exception.

The Court sentenced the Defendant to the State Prison for five years.

0635

Testimony in the
case of
Antonio Simono

filed
Jan.
1891.

THE COURT: ...
THE COURT: ...

1891.

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... the ...

0636

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Antonio Simons

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

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

The said *Antonio Simons*

late of the City of New York, in the County of New York aforesaid, on the
24th day of *March* in the year of our Lord
one thousand eight hundred and *ninety*, with force and arms, at the City and
County aforesaid, in and upon the body of one *Salvatore Berto*
in the Peace of the said People then and there being, feloniously did make an assault
and *him* the said *Salvatore Berto*
with a certain *knife*

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

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

SECOND COUNT—

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

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

The said *Antonio Simons*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of
the said *Salvatore Berto* in the peace of
the said People then and there being, feloniously did wilfully and wrongfully make
another assault, and *him* the said

with a certain *knife*

which the said *Antonio Simons*
in *his* right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did
wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York,
and their dignity.

THIRD COUNT—

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

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

The said

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

which *he* the said *Antonio Simons*
in *his* right hand then and there had and held, in and upon the *breast*
and back of *him* the said *Salvatore Berto*
then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-
fully inflict grievous bodily harm upon the said *Salvatore Berto*

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

JOHN R. FELLOWS,

District Attorney.

0638

BOX:

425

FOLDER:

3923

DESCRIPTION:

Skallon, Thomas

DATE:

01/15/91



3923

0639

Witnesses:

Counsel,

Filed

15 day of Jan 1891

Pleads,

THE PEOPLE

vs.

Grand Larceny Second Degree.
[Sections 528, 531 - Penal Code]

Thomas Skellom

DL LANCEY NICOLL,
JOHN R. FELLOWS,

D2 Feb 3/91 District Attorney.

Tried and convicted PL.

A True Bill.

Franklin Egan

D2 Feb 3, 1891 Foreman.

14th Dec 91

21

0640

Police Court 4 District.

Affidavit—Larceny.

City and County } ss:
of New York,

Mrs Johanna Scallon
of No. 520 West 58th Street, aged 49 years,
occupation Green, & Candies being duly sworn,
deposes and says, that on the 6th day of January 1891 at the City of New York,
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in
the day time, the following property, viz:

Two Dresses and
a cloth Coat together of the
value of thirty dollars
\$ 30.00

the property of deponent and daughter

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and
carried away by Thomas Scallon (now here)

from the fact that deponent was
informed that the said defendant
had been seen leaving the above
premises with a bundle. while deponent
was temporarily absent from said premises.
Deponent on her return traced the
above property, and on asking the
said defendant about it he told
deponent that the said cloth coat
was in Fox's Pawn Shop 9th Avenue
between 44th & 45th Streets and that
it was pawned under the name of
White. Deponent has since been to
said Pawn Shop and recovered the

Sworn to before me, this

189

Police Justice.

0641

said Coat and identifies it as
part of the property taken stolen
and carried away from defendant's
possession. Defendant therefore prays
that the said defendant, may
be dealt with as the law directs.

Sworn to before me this } Mees Skellon
17th day of January 1891
John Ryan
Police Justice

0642

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name.

Answer. *Thomas Seaton*

Question. How old are you?

Answer. *19 Years*

Question. Where were you born?

Answer. *New York*

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

Answer. *520 West 50 Street 3 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*
Thomas Seaton

Taken before me this

day of

John J. Ryan

Police Justice.

0643

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 Thyraudus

Ben 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 July 7 1891 John Ryan Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0644

25

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Johanna Scallan
520 - West 50th
Thomas Scallan
2
3
4
Office *Grand Jury*

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *January 4* 18*91*

Phaw Magistrate.

F. E. Norstus Officer.

32 Precinct.

Witnesses *Call Officer*

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *1000* to answer *G. S.*



Geo

G. L. 2

COURT OF GENERAL SESSIONS OF THE PEACE

In and for the City and County of New York.

The People,
 vs.
 THOMAS SCALLON.

Before

HON. FREDERICK SMYTH

and a Jury.

Tried, February 3rd, 1891.

Indictment filed January 15th, 1891.

Indicted for Grand Larceny in the Second Degree.

APPEARANCES:

Assistant District Attorney Weeks, for The People.

Messrs. Blake & Sullivan, for The Defense.

JOHANNA SCALLON, the complainant, testified that she lived at 520 West 50th Street. The defendant was her son. On the 6th of January, 1891, between the hours of 1 and 2 o'clock in the afternoon, she dressed herself to go out, intending to have the defendant arrested. She returned between 3 and 4 o'clock. Between 5 and 6 o'clock, when the gas was lit, she missed the sacque belonging to her little girl, and two dresses belonging to herself. The defendant was not at home at that time. He came home on the

following morning, having been out all night. She said to him, "What have you been doing last night?" And the defendant laughed, and said, "What have I been doing?" And she, the complainant, said, "You have been robbing again off me," and the defendant said, "No; I aint---" And she said, "Never mind what you have been doing to me, but you are a hard hearted brother to strip your sister of her only little comfort---her coat." And he said, "I aint got it," and she said, "Where is it?" And the defendant said, "I pawned it in Fox's, and I gave him the name of 'White'". The defendant also said that he pawned the coat for \$2. She, the complainant, asked him for the ticket, and he said that he had destroyed it. Fox's pawn shop, where the defendant said he had pawned the coat, was in 9th Avenue, between 44th and 45th Street. She went to the pawnshop, and they denied that they had received any such pledge. Then she took the defendant and went with the police officer to the pawnshop on the following morning. Then the pawn broker looked at his books and found that the coat had been pawned the day before, for \$2., under the name of "White." She, the complainant, identified the coat as her daughter's. She paid the pawn broker \$2. for the coat, and received it. She, the complainant, paid \$10.50 for the coat originally. It had been worn for only about three weeks. Under

CROSS-EXAMINATION, the complainant testified that she kept

0647

3

a store, and that she supported her daughter and the defendant and a blind son. Since the arrest of the defendant the dresses have been returned. She found them at the door of her rooms about half past 2 o'clock on the morning of the Thursday before the trial. When she opened the door to let out her blind son, who was going to get his newspapers to sell, she found the dresses. The defendant was then in prison. A week after the defendant was arrested, a boy about 19 years of age came into her store, and asked her if she knew where a boy named Scally lived, and she said that she knew no one by that name. And he said Scallon had given him two pawn tickets to keep for them and he handed her one of them. He refused to give his name. There was

NO DEFENSE.

0648

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Thomas Skallon

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

Thomas Skallon

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

The said

Thomas Skallon

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

two dresses of the value of twelve dollars each and one coat of the value of six dollars

of the goods, chattels and personal property of one

Johanna Skallon

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.

Edgar M. Tamm
District Attorney

0649

BOX:

425

FOLDER:

3923

DESCRIPTION:

Smith, Edward

DATE:

01/09/91



3923

0650

Monday

Witnesses:
E. J. Johnson
1544 4th St

Counsel,
Filed 9 day of Jan 18 91
Pleads, *Maguire*

THE PEOPLE
vs.
R
Edward Smith
Grand Larceny, 4th Degree.
(From the Person.)
[Sections 628, 630, Penal Code.]

John R. Fellows
JOHN R. FELLOWS,
District Attorney.

A True Bill.

Wm. D. McHenry
Jan 15 91
Foreman.
James V. C. Dwyer
Wm. R. Dwyer
Jan 23 91

0651

Police Court 2 District.

Affidavit—Larceny.

City and County } ss:
of New York,Orlando Russellof No. 134 - W - 26thStreet, aged 27 years,occupation waiter

being duly sworn,

deposes and says, that on the 27 day of November 1898 at the City of New York,
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent and person
the night time, the following property, viz:

one silver watch with plated
chain attached of the value
of Five dollars

the property of deponent

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

Deponent says that he saw said
Smith in saloon in 526 Sixth
Avenue on said night when
he missed said property that
was contained in the pocket
of the Vest then and there was
him Deponent is informed by

Sworn to before me, this
day of December 1898
Police Justice.

0652

Robert E Lee that he purchased
a ticket representing the appraised
property that was pledged
in a loan office in West
31st Street in said City from
said defendant

Wherefore defendant charges him
with felonies by taking stealing
and carrying away the same

Orlando Russell
Sworn to before
me this 25th day of Dec 1890.

John Ryan Peace Justice.

0653

CITY AND COUNTY }
OF NEW YORK, } ss.

Robert E. Lee

aged 54 years, occupation Plumber of No.

149-22-16

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Orlando Russell

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

Sworn to before me, this

24

day of

Dec

1897

Robert E. Lee

John J. Ryan

Police Justice.

0654

Sec. 108-200.

CITY AND COUNTY } ss.
OF NEW YORK,

2 District Police Court.

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

Question. What is your name?

Answer. *Edward Smith*

Question. How old are you?

Answer. *21 Years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *136-r-33 d St 3 mos*

Question. What is your business or profession?

Answer. *Singer*

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**Edward Smith*

Taken before me this

day of

John J. Ryan

Police Justice.

0655

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

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 Dec 24 1899. John J. Ryan Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0656

Police Court--- 2 District. 1899

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Orlando Russell
134- vs. West 26th
Edward Smith

Offence Carrying gun
H. Susan

2
3
4

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated Dec 25 9.

Ryan Magistrate.

Murphy Officer.

19 Precinct.

Witnesses Robt. E. Lee

No. 149-72-16 Street.

\$1500 & Dec 24 2 P.M. 1899

No. 1000 Street.

\$1000 to answer G.S.

Committed

Ex 1

0657

New York.
Jan. 19th 1891

Your Honor. I hope you will
be lenient with me as this
is the first time that I have
ever been arrested. I therefore
wish you would send me to
the Elmira Reformatory as I
do not wish to become an
ex-convict and with God's
help I will try and become
a better man and atone
for the wrong that I have
done in the past and shun
all bad company.

Your Humble Servant.
Edward Smith.

0658

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Edward Smith

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

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

The said Edward Smith,

late of the City of New York, in the County of New York aforesaid, on the twenty seventh day of November in the year of our Lord one thousand eight hundred and ninety, in the night time of the said day, at the City and County aforesaid, with force and arms,

one watch of the value
of four dollars and one chain of
the value of one dollar

of the goods, chattels and personal property of one
on the person of the said

Orlando Russell
then and there being found, from the person of the said Orlando Russell
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.

0659

SECOND COUNT—

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

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

The said

Edward Smith

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

one watch of the value of four
dollars and one chain of the
value of one dollar

of the goods, chattels and personal property of one

Orlando Russell

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

Orlando Russell

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

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

De Lancey Ricoll
~~JOHN R. FELLOWS,~~

District Attorney.

0660

BOX:

425

FOLDER:

3923

DESCRIPTION:

Smith, Harry

DATE:

01/22/91



3923

232-641 May 4/92

Counsel,
Filed 24 day of Jan 1891
Pleads, *Not guilty*

THE PEOPLE
For H. H. V.
B. Harry Smith
[Sections 528, 539 Penal Code.]
PETIT LARCENY.
DE LANCEY NICOLL
JOHN R. FELLOWS,
District Attorney.

A True Bill.

Franklin Esson
May 11/92 Foreman.
G. S. P. May 11/92
May 6/92 G. S. P.

Witnesses;

0662

Police Court—2nd District.

Affidavit—Larceny.

City and County } ss.:
of New York, }Abram P. Kerleyof No. 1107 10th Avenue Street, aged 33 years,
occupation Druggist being duly sworndeposes and says, that on the 18 day of November 1896 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property, viz:

good and lawful money of the
United States consisting of Bills
of the value of Nineteen dollars
and one nickel coin of the value of five cents
and three papers (memorandums)
said property being in all of the value
of Nineteen ⁰⁵/₁₀₀ Dollars

\$19.⁰⁵/₁₀₀the property of deponent

and that this deponent
 has a probable cause to suspect, and does suspect that the said property was feloniously taken, stolen,
 and carried away by Harry Smith (known here)

from the fact that deponent saw
said defendant in the rear part of
deponent's store at the aforesaid premises
at a Tin bar which at the time
contained said money
and when detected by deponent
he ran away, deponent pursued
him and he was caught when
said money and papers were
found in his possession

Abram P. Kerley

Sworn to before me, this

day

of November 1896John J. McManus Police Justice.

0663

Sec. 198-200.

2 District Police Court

CITY AND COUNTY } ss.
OF NEW YORK,

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

Question. What is your name?

Answer. *Harry Smith*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *1513 2nd Avenue 4 years*

Question. What is your business or profession?

Answer. *Bookkeeper*

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

Answer. *I am not guilty**Harry Smith*

Taken before me this

18

day of

*November**1883**John W. McMan*

Police Justice

0664

POLICE COURT 2 DISTRICT.

City and County of New York, ss.:

THE PEOPLE,

vs.

On Complaint of Abraham P. Kerley
For Larceny

Harry Smith

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

Dated October 18 1890

Harry Smith

John J. Hoffman Police Justice.

0665

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

Defendant

Three *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 *Nov 24 1887* *Do J. C. R. [Signature]* Police Justice.

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

Dated *Nov 25 1887* *Do J. C. R. [Signature]* 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.

0666

\$500 bail for Ex
20 Nov 2 PM,
adj Nov 24
3 PM

BAILED.

No. 1, by

J. H. Kennedy

Residence

1479 1/2 Avenue

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

The presiding magistrate
is authorized to hear and
determine this case in my
absence and to accept bail.

John J. Flanagan
Police Justice.

Police Court---

2

1765 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Abraham P. Kerley
1107 18th Ave

1 *Harry Smith*

2

3

4

Offence
Carrying
Gun

Dated

Nov 18

1890

Magistrate.

John W. Walters

Officer.

Witnesses

No.

Street.

No.

Street.

No.

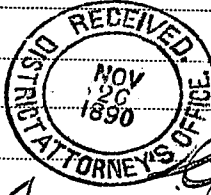
Street.

\$

300

to answer

Committed



0667

A. P. KERLEY,
DRUGGIST AND CHEMIST,
AMSTERDAM AVENUE, COR. 69TH STREET.

New York, *Jan 10th* 1891

Dear Sir,

On Nov. 18th last, a
smoke thief - Thomy Smith - entered
my place and took my till of \$19.00.
I caught him in the act, chased him
till captured by Officer Walters of the
Central Office. He was taken before
Justice Lorman at Jefferson Market
and his examination put down for
Monday following, Nov. 24th, when
he demanded a trial by jury, and
was held in \$300.00 Bail for the
General Sessions. I heard nothing
of it for some time so on Dec. 15th
wrote Dist. Atty. Hellows, asking what
had become of the prisoner. His Sec.
wrote me the day following that he was
out on bail, and would undoubtedly be

0668

brought to trial within that week on
the next and as I have heard
nothing of it since. I write you
to leave what is being done in regard
to it, and urge you to bring him
to trial as speedily as possible. for I
do not intend to let the matter drop.
 Hoping to hear from you soon I remain

Respectfully

A. D. Kerley

To the Hon. DeLaney Nicoll
Deek. Atty,

Specimen
Brought
to trial
on 11/11/11
by 11/11/11

0669

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Harry Smith

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

Harry Smith
of the CRIME OF PETIT LARCENY committed as follows:

The said

Harry Smith

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

*the sum of nineteen dollars in
money, lawful money of the United
States and of the value of nineteen
dollars, one nickel coin of the kind
called five cent pieces, of the value of
five cents each and three pieces of
paper of the value of one cent
each piece*

of the goods, chattels and personal property of one *Abram P. Kerley*

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

De Lancey Nicoll,
District Attorney

0670

BOX:

425

FOLDER:

3923

DESCRIPTION:

Smith, Jesse G.

DATE:

01/15/91



3923

Counsel,

Filed

Filed 10/5/11 day of

Pleads,

~~THE PEOPLE~~

THE PEOPLE
vs.
Jesse S. Smith
Defendant
vs.
The State of New York
Prosecutor

DE LANCEY NICOLL,
JOHN R. FELLOWS,

District Attorney.

A True Bill

Franklin Evans

Feb 2 - Jan. 19/1891 Foreman.

ried and consisted of

Reverend Stephen Grady

Chlorine

0672

Police Court—3 District.

Affidavit—Larceny.

City and County }
of New York, } ss.of No. 46 Stanton Street, aged 15 years,
occupation Officer by being duly sworndeposes and says, that on the 9 day of January 1891 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property, viz:

One Silver watch of the
value of Five dollars
(\$5.00)

the property of deponentand that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by Jesse G. Smith (now

here) and two others not yet
arrested who were acting
in concert with each other
for the reason that at about 5
O'clock PM of said date while
deponent was standing on the
sidewalk, near Division Street
he noticed both of said persons
not yet arrested fight against
him and immediately thereafter
he noticed his chain hanging
down from the lower left side
pocket of his vest then and there
worn by him as a part of his

Sworn to before me, this

18

day

Police Justice.

brdily clothing and to the end
 of which chain said property was
 attached. that defendant followed
 said two persons not yet arrested
 and saw them join defendant
 (now here) that defendant continued
 following said two persons not
 yet arrested until he lost sight of
 them. that subsequently defendant
 was walking up the Perry and
 saw defendant now here coming
 out of Simpsons Pawnshop
 No 175 Perry, defendant thereupon
 went into said Pawnshop and
 defendant was informed by John
 Hennessy of No 175 Perry that
 he had just received a watch
 corresponding in description to
 the watch defendant had lost
 whereupon defendant caused
 defendants arrest.

Defendant further says
 that he is informed by said
 Hennessy that he identifies
 the defendant now here as
 the person who pawned said
 property with him which defendant
 has since seen and fully and
 positively identifies

Subscribed and sworn to before me
 this 10th day of Jan'y 1891 } Tobias J. Kluspies
 O. W. Meach
 Police Justice

0674

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 36 years, occupation John Hennessy Clerk of No.

175 Perry Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

Tobias J. Kluspie

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

Sworn to before me, this

10

day of

Jan

188

John Hennessy

Wm Meade

Police Justice.

0675

Sec. 193-200.

CITY AND COUNTY
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty

Jesse G. Smith

Taken before me this

day of *May* 1891

W. M. Moore

Justice

0676

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

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

Dated Jan 10 1891 James J. Connelley Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0677

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court---

3 District. 39

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Tobias Kluspie
46 - 73 Stanton St.

Issa G. Smith

2

3

4

Offence: *Carrying
fire arm*

Dated *Jan 10* 1891

Greene Magistrate.

Winkelday Officer.

11 Precinct.

Witnesses *Ans. Hennessy*

No. *175* *Derry* Street.

No. Street.

No. Street.

\$ *1,000* to answer *G.S.*



0678

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Jesse G. Smith

The Grand Jury of the City and County of New York, by this indictment, accuse
Jesse G. Smith
of the CRIME OF GRAND LARCENY in the *second* degree committed as follows:

The said

Jesse G. Smith
late of the City of New York, in the County of New York aforesaid, on the *ninth*
day of *January* in the year of our Lord one thousand eight hundred and
ninety one, in the *day* - time of the said day, at the City and County
aforesaid, with force and arms,

*one watch of the
value of five dollars*

Tobias J. Kluspies
of the goods, chattels and personal property of one *Tobias J. Kluspies*
on the person of the said *Tobias J. Kluspies*
then and there being found, from the person of the said *Tobias J. Kluspies*
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.

SECOND COUNT—

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

Jesse G. Smith
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Jesse G. Smith*

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

*one watch of the value of
five dollars*

of the goods, chattels and personal property of one

Tobias J. Kluepfer

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

Tobias J. Kluepfer

unlawfully and unjustly did feloniously receive and have; the said

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

De Lancey Nicoll,
~~JOHN R. FELLOWS,~~

District Attorney.

0680

BOX:

425

FOLDER:

3923

DESCRIPTION:

Smith, Joseph

DATE:

01/14/91



3923

Witnesses:

Scarfes oppia
W. White
127 St. Jean r. car.
Near Barber Shop
East Side -

F.S.

Counsel,

Filed

14 day of

Jan

1891

Pleads

THE PEOPLE

vs.

I

Joseph Smith

DE LANCEY NICOLL,

JOHN R. FELLOWS,

District Attorney.

A True Bill.

INJURY TO PROPERTY.

[Section 654, Penal Code.]

Le William Edson

Foreman.

Jan 14/91

James Smith

1428 W. 20th St.
San Francisco

0682

Police Court, District.

City and County } ss.
of New York,

Michael Hines

of No. 50 James Street, aged 38 years,
 occupation Bartender being duly sworn, deposes and says,
 that on the 25 day of December 1890, at the City of New
 York, in the County of New York,

That on said date Joseph Smith
 (now here) did wilfully unlawfully and
 maliciously break a certain light
 of Plate glass to wit - a light of Plate
 glass in the window of No 20 Bowery
 valued at (\$100) one hundred
 Dollars, with intent to injure and
 cause damage to deponent or his
 employer. For the reasons following
 to wit. Defendant was in said premises
 on said date and was ordered
 out by Deponent. Defendant went
 out of said place and threatened to
 come back and break said window.
 Deponent is informed by Thomas
 Mullins that he saw the Defendant
 throw a stone at said window and
 break it.

M Hines

Sworn to before me
 this 26th December 1890

P. Dineen
 Police Justice

0683

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas Mullins

aged *27* years, occupation *Porter* of No.

20 Bowery

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Michael Hines*

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

Sworn to before me, this *26* day of *Dec* 18*90*

Thomas Mullen
Prince
Police Justice.

0684

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court

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

Question. What is your name?

Answer.

Joseph Smith

Question. How old are you?

Answer.

53 years

Question. Where were you born?

Answer.

France

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

Answer.

20 Bowery

1 year

Question. What is your business or profession?

Answer.

Painter

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

Answer.

I am not guilty

his
Joseph Smith
mark

Taken before me this

26

day of *June* 1890

James

Police Justice.

0685

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

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

Dated Dec 26 1890 Deane Police Justice.

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

Dated.....18..... Police Justice.

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

Dated.....18..... Police Justice.

0686

Police Court---

3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Michael Hines
30 - James St.
Joseph Smith

Offence Malicious
Mischief

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Dated Dec 26 1900

Driver Magistrate.

✓ Bischoff Officer.

6 Precinct.

Witnesses, Thomas Mullins

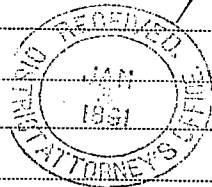
No. 20 Bowery Street.

No. Street.

No. Street.

\$ 500 to answer J.S.

Com



0687

Court of General Sessions of the Peace

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Joseph Smith

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

— Joseph Smith —

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

The said *Joseph Smith*, —

late of the *Sixth* Ward of the City of New York, in the County of New York
aforesaid, on the *twenty eighth* day of *December*, in the year
of our Lord one thousand eight hundred and eighty *ninety*, at the Ward, City and
County aforesaid, with force and arms, *a certain pane of*

plate glass,

of the value of *one hundred dollars,* —

of the goods, chattels and personal property of one *Edward Byrne,*
then and there being, then and there feloniously did unlawfully and wilfully *break*

and destroy,

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

0688

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said
George Smith —
of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* —
REAL PROPERTY OF ANOTHER, committed as follows:

The said *George Smith* —
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the Ward, City and County aforesaid, with force and arms, *a certain*
pane of plate glass,

of the value of *one hundred dollars* —
in, and forming part and parcel of the realty of a certain building of one
Edward Blugie —
there situate, of the real property of the said
Edward Blugie —
then and there feloniously did unlawfully and wilfully *break and destroy,*

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

DE LANCEY NICOLL,
JOHN R. FELLOWS,
District Attorney.

0689

BOX:

425

FOLDER:

3923

DESCRIPTION:

Smith, Peter F.

DATE:

01/07/91



3923

45. Study

Counsel,

Filed 7 day of Jan 1891

Pleads,

W. J. Smith

THE PEOPLE

57-2-106
162-2-106
murder
Peter J. Smith

Burglary in the Third degree.
and Petit Larceny.

[Section 498, 526, 527 & 528-1]

DeSancey, Nicoll,
~~JOHN R. HARRIS,~~

District Attorney.

A True Bill.

John W. Hapeman

Foreman.
Park III January 14/91

Pleads Petit Larceny.
16

Ernest Law Jr.
Jan 16/91

Witnesses:

upon reading the
with David C.
complainant of
and military

to accept the

Plan of Petit

Larceny which the

Prison - offing

January 14th/91

E. J. D.

E. J. D.

New York Court of General Sessions.

----- x
 :
 The People etc. :
 :
 against :
 :
 Peter F. Smith. :
 :
 ----- x

City and County of New York ss:-

Phillip Hill being duly sworn says:

That he resides at 222 Grand st. New York, and
 is in the wine and liquor business: I have known the above
 named defendant for about a year; I know other people who know
 the defendant and they speak of him in the highest terms.
 He has at different times during the year paid bills for me
 and he always attended to them faithfully. At different
 times I loaned him money and he always repaid me.

Sworn to before me this

16th day of January, 1891.

Philip Hill
B. W. Y. Hill
 Notary Public
 New York County.

0692

New York Court of General Sessions.

----- x
: The People etc.
: against
: Peter F. Smith
: ----- x

City and County of New York ss:-

F. B. Pieper being duly sworn says:

That he resides at 227 Grand St., New York City and is in business as a merchant tailor. That he has known the above named defendant for over fourteen years and all during those years, I never heard a single thing against his character. I have entrusted him with bills to collect, with the delivery of goods, and he has always been faithful and honest; and notwithstanding the present charge and the plea of guilty, I would again give him employment.

Sworn to before me this
16th day of January 1891.

Abraham D. Levy
Comm'r of Deeds.
Notary Public

F B Pieper
5

New York County.

New York Court of General Sessions.

----- x
 :
 The People etc. :
 :
 against :
 :
 Peter F. Smith. :
 :
 ----- x

City and County of New York ss:-

John S. Maxwell

I reside at 115 Hewes street, Brooklyn, E. D.

That I am in business as a merchant tailor at 224 Grand st.
 New York City. I know the above named defendant ever since
 I have been in business in Grand st. for about four years.
 He has been employed by me and by people in the neighborhood
 and we always found him an honest and industrious man.
 I never heard the slightest thing against his character.
 at various times I loaned the above named defendant small
 sums of money and he has invariably repaid the loans.

Sworn to before me this

16th day of January, 1891.

John S. Maxwell

R. J. Maclellan
 Notary Public

New York County.

New York Court of General Sessions.

----- x
The People etc. :

against :

Peter F. Smith :

----- x
City and County of New York ss:-

James Purcell, being duly sworn says:

I reside at 2273 Sixth avenue, I know the above named defendant for about fifteen years and the families of the defendant and mine, are on very intimate terms; during all that time the families have visited each other. The defendant's family consists of a wife and two grown up daughters and two sons who all have excellent homes and are very respectable people. The defendant has a good home with his wife and daughter; all during these years the defendant has borne an excellent reputation with every one in the neighborhood as a sober, honest and industrious man.

Sworn to before me this

16th day of January, 1891

Abraham D. Levy
Comm. of Secs.
~~Notary Public~~

New York County.

0695

STATE OF NEW YORK,
STATE 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

189 }

U. S. Cont. of New York
The People
Plaintiff

against

Robert H. Smith
Defendant

Alfred Smith

PURDY & McLAUGHLIN,

Attorneys for

No. 280 BROADWAY, New York City

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

Attorney.

To _____

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

Rtr. F. Smith.

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself.

From my investigation I find that the defendant is a man of excellent character. He is 57 years old and his family consists of a wife and seven or eight children. I desire that no indictment be found against him and that he be discharged.

David J. Howard

0697

Police Court Third District.

City and County } ss.:
of New York, }of No. 172 Cherry Street, aged 23 years,
occupation Clerk being duly sworn

deposes and says, that the premises No. 172 Cherry Street, 7th Ward

in the City and County aforesaid the said being a four-story brick

tenement, the third floor of

which was occupied by deponent as a dwelling and living

room and in which there was at the time no human being, by name

were BURGLARIOUSLY entered by means of forcibly opening the
kitchen door with a key or
some instrumenton the 20 day of December 1889 at the day time, and the
following property feloniously taken, stolen, and carried away, viz:and One Coat,
and One Vest of the
value of Seventeen Dollarsthe property of David J. Howard
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 Smith (nowhere)

for the reasons following, to wit: About half past

three o'clock on said day,
and date deponent locked,
bolted and effectually closed
said door, and went into his mother-in-
law's apartment on the
same floor, and hearing
a door slam, deponent

from out ^{and then} and there
said Defendant, with said
property in his possession,
coming out of Defendants
apartments into said house
and on said floor.
Wherefore Defendant now
charges said Defendant
with Burglarily entering
said house and taking,
stealing and carrying away
said property and prays
that he be dealt with as
the law directs
David J. Howard

Sworn before me
this 21st day of May 1888
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1888
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1888
There being no sufficient cause to believe the within named
guilty of the offence mentioned, I order he to be discharged.
Dated 1888
Police Justice.

Police Court,	District,
THE PEOPLE, &c., on the complaint of	
vs.	
1	
2	
3	
4	
Dated	1888
Magistrate.	
Officer.	
Clerk.	
Witness.	
No.	Street,
No.	Street,
No.	Street,
\$	to answer General Sessions.

0699

Sec. 198-209.

CITY AND COUNTY
OF NEW YORK, ss.

District Police Court.

Henry F. Smith
being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is his right to
make a statement in relation to the charge against him, that the statement is designed to
enable him to 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 at the trial.

Question. What is your name?

Answer. *Henry F. Smith*

Question. How old are you?

Answer. *37 years of age*

Question. Where were you born?

Answer. *New York City*

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

Answer. *164 Sixth St (1 Year)*

Question. What is your business or profession?

Answer. *Composition Newspaper*

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

Answer. *I am not guilty*
Henry F. Smith
mark

Taken before me this

day of

August 1909

Police Justice

0700

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

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

Dated *Dec 11 1890* 18..... Police Justice.

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

Dated..... 18..... Police Justice.

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

Dated..... 18..... Police Justice.

0701

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court---

3rd 1892 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

J. H. Thompson
vs. *422 1/2*
J. H. Smith

1 _____
2 _____
3 _____
4 _____

Dated *Dec 7/1892* 1889

Duffy Magistrate.

Wilkinson Officer.

J. D. P. L. Precinct.

Witnesses:

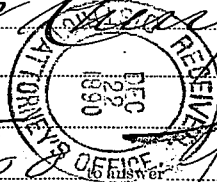
No. *177 Cherry* Street.

Mr. Standard

No. *177 Cherry* Street.

No. _____ Street.

\$ *500* to answer.



Bing 3574 P.H.

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 F. Smith

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

Peter F. Smith

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

Peter F. Smith

late of the *Seventh* Ward of the City of New York, in the County of New York
aforesaid, on the *twentieth* day of *December* in the year of our Lord one
thousand eight hundred and *ninety* — , with force and arms, in the
day — time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one *David J. Howard* —

there situate, feloniously and burglariously did break into and enter, with intent to
commit some crime therein, to wit: with intent, the goods, chattels and personal property
of the said *David J. Howard* —
— in the said dwelling house then and there being, then and
there feloniously and burglariously to steal, take and carry away, against the form of
the Statute in such case made and provided, and against the peace of the People of the
State of New York and their dignity.

SECOND COUNT—

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

Peter F. Smithof the CRIME OF Petty LARCENY, committed as follows:

The said

Peter F. Smithlate of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, in the day time of said day, with force and arms,

one coat of the value of twelve
dollars and one vest of the value
of five dollars

of the goods, chattels and personal property of one David J. Howard

in the dwelling house of the said

David J. Howard

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

Wm. A. McCall
District Attorney

0704

BOX:

425

FOLDER:

3923

DESCRIPTION:

Snow, Edward

DATE:

01/13/91



3923

103

Witnesses:

The prosecutor will
be reconnet from
Lawson Bradish

The appraiser says
that he believes that
is first Amendment

For

Counsel,
Filed 13 day of Jan 1891
Pleads,

THE PEOPLE
vs.
Edward Snow
Grand Larceny Second degree.
[Sections 528, 587, Penal Code].

R

W. L. Beck

DE LANCEY NICOLL

District Attorney.

A True Bill.

Leahman Edson
Foreman.
James H. J. J.
Charles C. J. J.
G. W. H. H. H.

0706

Police Court 2 District.

Affidavit—Larceny.

City and County } ss:
of New York,

Hattie L. Hammell

of No. 280 Sixth Avenue Street, aged 27 years,
occupation Dress maker being duly sworn,deposes and says, that on the 2 day of January 1891 at the City of New York,
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in
the day time, the following property, viz:One overcoat of
the value of fifty five dollars.

\$ 55—

the property of Adolph Feist, and then in
deponent's careand that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and
carried away by Edward Snow (now here) underthe following circumstances: The said coat
was in deponent's possession for repairs on
said date in said house, and defendant
lived there and had access to the said
coat. Subsequently the coat was
missed and defendant, as deponent
is informed by Adolph Feist, the
owner of said property, admitted

Sworn to before me this

of

1891

day

Police Justice

0707

to said Feist that he had stolen
the said property and the defendant
gave information where the said
property had been pawned by him
and surrendered a pawn ticket for
said coat, herewith annexed.

Subscribed before me this

6th day of January 1891
at New York

Hyatt L. Hammett

Police Justice.

0708

CITY AND COUNTY }
OF NEW YORK, } ss.

Adolph Feist

aged _____ years, occupation _____ of No. _____

200 Grand St Brooklyn Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Mathe L. Hammell

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

Sworn to before me, this 6

day of January

1891

} Adolph Feist

W. B. Mahon

Police Justice.

0709

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

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

Question. What is your name?

Answer. *Edward Snow*

Question. How old are you?

Answer. *41 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *250 Mott St., One (May 1)*

Question. What is your business or profession?

Answer. *Dentist*

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 have nothing to say*
Edward Snow

Taken before me this

day of *January* 188*2*

H. H. H. H. H.

Police Justice.

0710

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

Edward Snow

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 Jan 20 1891 W. D. McMahon Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0711

32

Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Hattie L. Hammell
280- 13. 6th Ave.

1 Edward Snow

2

3

4

Offence Larceny
felony

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated Jan 6 1891
Mc Mahon Magistrate.

Hayer Officer.
19 Precinct.

Witnesses Adolph Feiss
No Lou Grand St. Bklyn. 5th St.

No. _____ Street.

No. _____ Street.

\$ 1000 to answer G.S.



Cor 9th St

07 12

234

J. J. McAleenan,
No. 194 Eighth Avenue,
Bet. 19th & 20th Sts., N. Y.

JANUARY 2 1891

Coat

Bremner 5:25

or Good for One Year Only.
Not accountable for loss or Damage by Fire,
Breakage, Robbery or Mole.

Rates of Interest.

On sums of One Hundred Dollars, or
under, 2 per cent. per month or any fraction
thereof for first six months, and 2 per cent. per
month thereafter. On sums over One Hundred
Dollars, 2 per cent. per month for first six
months, and 1 per cent. per month thereafter.

0713

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Edward Snow

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

Edward Snow

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

The said

Edward Snow

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

one overcoat of the value of
fifty-five dollars

of the goods, chattels and personal property of one

Adolph Fierst

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.

DeLancey McCall
District Attorney

0714

BOX:

425

FOLDER:

3923

DESCRIPTION:

Stewart, John

DATE:

01/06/91



3923

0715

Witnesses:

Deerfor of pen
for

Counsel,

Filed

6 day of Jan 1891

Pleads,

24th

THE PEOPLE

vs.

John Stewart

P

Burglary in the Third degree.
Attacks.

[Section 486]

Crimes Code

John Stewart

JOHN B. WILLOWS

District Attorney.

A True Bill.

Franklin Eason

Foreman.

Jan 20/91

John Stewart

Wm. W. W. W.

Jan 23/91

0716

Police Court—4 District.City and County } ss.:
of New York, }of No. 349 East 52nd Street, aged 19 years,~~occupation~~ Married woman, being duly sworndeposes and says, that the premises No. 349 East 52nd Street, 19 Wardin the City and County aforesaid the said being a dwelling house thesecond floor of~~and~~ which was occupied by deponent as a dwelling~~and in which there was at the time a human being, by name~~~~attempted to be~~ were **BURGLARIOUSLY** entered ~~by~~ by means of forcibly breaking thepanel in the door leading into saidapartment and breaking a pane of glassin a door also leading into the saidapartmenton the 24th day of December 1889, in the day time, and the

following property feloniously taken, stolen, and carried away, viz:

A quantity of wearing apparel ofthe value of about One hundreddollarsthe property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen and carried away byJohn Stewart (now here) and two othermen not arrestedfor the reasons following, to wit: that on said day deponentsecurely locked and fastened andthe door leading into said apartmentand said property was therein. Deponentreturned in about two hours thereafterand met the defendant and one ofsaid unknown men in the buildingcoming down stairs. Deponent then foundsaid panel and glass broken and

immediately pursued the defendants and
said unknown man but was met by
the other unknown man who stopped
deponent and enquired for a person of the
name of Casey and also the cause
of deponent's apparent agitation and
excitement. Deponent saw the defendants
and the first mentioned unknown man
on the opposite side of the street and
deponent saw the last mentioned
unknown make motions to the defen-
dant and then all of them ran
away; deponent pursued them and
~~caused the defendants to be arrested.~~
they escaped. Deponent is informed by
Engene Snyder (now here) that he saw
deponent pursuing the defendants and
when deponent abandoned the pursuit
he Snyder continued following the
defendant and caused his arrest.
Sworn to before me 2 P. O. R. U. S. J.
this 26th December 1890

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1888
I have admitted the above named
to bail to answer by the undertaking here to answered.
Dated 1888
There being no sufficient cause to believe the within named
guilty of the offence mentioned, I order he to be discharged.
Dated 1888
Police Justice

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

vs.

1
2
3
4

Offence—BURGLARY.

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.

0718

CITY AND COUNTY }
OF NEW YORK, } ss.

Eugene Snyder
aged 15 years, occupation Errand Boy of No. 427 East 39 Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of *Rosalie Utitz*
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 26 day of December 1890 } *Eugene Snyder*

Charles N. Smith
Police Justice.

0719

Sec. 198-200

District Police Court

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this 26th day of December 1890

Police Justice

0720

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

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

Dated *Dec 26* 18 *90* *Charles K. Smith* Police Justice.

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

Dated.....18..... Police Justice.

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

Dated.....18..... Police Justice.

0721

Police Court---

1904
4th District.

THE PEOPLE &c.,
ON THE COMPLAINT OF

Rosalie Wittz
349 - 6th St.
John Stewart

Offence

Burglary

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated *Dec 26* 189*9*

Tamilton Magistrate.

Buff & Lilly Officer.

23 Precinct.

Witnesses *Eugene Snyder*

No. *427 E 59th* Street.

Carl H. H. H. Street.

No. *Adele* Street.

349 E 52nd St.

No. *Bertha Feuerlicht* Street.

349 E 52nd St.

to answer

Att'y 3

St. H.

0722

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

John Stewart

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

John Stewart
attempting to commit the crime of
of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

John Stewart

late of the *nineteenth* Ward of the City of New York, in the County of New York
aforesaid, on the *twenty-fourth* day of *December* in the year of our Lord one
thousand eight hundred and *ninety*, with force and arms, in the
day — time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one *Rosalie Utitz*

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

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

De Lancey Nicoll,
District Attorney

0723

BOX:

425

FOLDER:

3923

DESCRIPTION:

Stone, Harry M.

DATE:

01/19/91



3923

160

Counsel,

Filed

Pleas,

19 Day of May 1891

THE PEOPLE

vs.

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

DE LANCEY NICOLL,

~~JOHN R. HILLIARY~~

District Attorney.

Harry M. Stoner

A True Bill.

Stephen Eason

Foreman.

May 19/91

pleaded guilty
to the crime of
Grand Larceny
May 22/91

Witnesses

By the People
Chas. J. Stone
Comptroller
for Currency

R. J.

POLICE COURT FOR THE FIRST DISTRICT.

.....
 The People of the State of New York on :
 the complaint of William R. Kurau :
 against :
 Harry M. Stone :

CITY AND COUNTY OF NEW YORK, SS :

undrayd No. 642 West 123rd Street in the City of New York
 William R. Kurau being duly sworn, deposes and says :
Upon information and belief
 That on the 26th day of December at the City of New York,

one Harry M. Stone did take, steal and carry away the sum
 of two hundred and seventeen dollars and seventy one cents,
 from the possession of such bank,
 the property of the Bowery Bank, a corporation organized
 under the laws of the State of New York, and doing business
 in the City of New York.

That deponent charges the commission of the said
 offense, upon the following facts :

That upon the said 26th day of ~~November~~ ^{December}, 1890, a
 person whom deponent believes to be Harry M. Stone, came to
 the Bowery Bank in this city, and presented the draft
 hereunto annexed, with the slip pinned thereto, reading :
 " From No. 61, payment stopped, No. 70". That the meaning
 of said slip was, that the accompanying draft, which had
 been deposited with the Bowery Bank for collection, and by
 them forwarded to the Fourth National Bank of this city for
 collection, had been returned by said Fourth National
 Bank for the reason that payment had been stopped thereon at
 said bank. That said draft had been sent by the Bowery
 Bank through the Clearing House to the said Fourth National
 Bank, as the Bowery Bank had obtained credit therefor in

0726

its dealings with the said Fourth National Bank. That deponent as Paying Teller of said Bowery Bank, relying upon the statement contained upon the said slip attached to said draft, that payment of the same had been stopped at the Fourth National Bank, paid to the person presenting the same, whom deponent believes to be the defendant herein, Harry M. Stone, two hundred and seventeen dollars and seventy one cents, in lawful money of the United States, said sum being the amount of said draft.

Deponent further charges, upon information and belief, derived from the affidavit of *D. J. Thompson* hereunto annexed, and from the confession of Harry M. Stone hereunto annexed, that said Stone had no authority from the Fourth National Bank to demand back said money, and that payment thereon had not been stopped by said Fourth National Bank, and that the money to pay the same was then deposited in said bank.

And deponent further charges ^{*upon info within and belief*} that the said Harry M. Stone has committed the crime of larceny in the second degree, ~~in~~ that he has taken from the possession of the Bowery Bank, the true owner thereof, the sum of two hundred and seventeen dollars and seventy one cents, as already mentioned, and has obtained the sum by the color and aid of fraudulent and false representation and pretence as above set forth.

That deponent knows the defendant, Harry M. Stone personally and knows that he has presented drafts and checks at various times at the Bowery Bank in behalf of the Fourth National Bank of this city.

Sworn to before me this) *James R. Luman*

8th day of January, 1891) *Justice*

0727

POLICE COURT FOR THE FIRST DISTRICT

.....
The People of the State of New York on
the complaint of William R. Kurau,
against
Harry M. Stone
.....

CITY AND COUNTY OF NEW YORK :

D . J. TOMPKINS being duly sworn, says that he knows

Harry M. Stone, the accused in this proceeding, that he
saw him write the annexed confession, and sign the same,
and that said defendant, Harry M. Stone, admitted to
deponent that the statements therein were true.

Sworn to before me this)
9th day of January, 1891)

*that he resides at 54 South Oxford St
Brooklyn*
Daniel J. Tompkins

Edgar

Police Justice

0728

Sec. 198-200.

District Police Court

CITY AND COUNTY
OF NEW YORK, ss.

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

Question. What is your name?

Answer. *Harry M. Stone*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *130 Clinton place 2 months*

Question. What is your business or profession?

Answer. *Clear*

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

Answer. *I am guilty*

Harry M. Stone

Taken before me this

day of January 1891

Police Justice

0729

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

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

Dated *January 9* 1891 *[Signature]* Police Justice.

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

Dated.....18..... Police Justice.

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

Dated.....18..... Police Justice.

0730

Police Court---

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William R. Sturges
vs.
Harry M. Sturges

2

3

4

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated *January 9* 188*9*

Magistrate.

Officer.

Precinct.

Witnesses *Daniel J. Thompson*

No. *54* Street.

No. _____ Street.

No. _____ Street.

\$ *1000* to answer.

Court

for money





City of New York Records & Chambers

New York Jan 20 1891.

Hon. Frank D. Smith
Recorder =

This petition represents that
Harvey M. Sloane, lately clerk in the Fourth
Nat^l Bank, is now under indictment on charge
of Grand Larceny. He has pleaded ^{guilty} or will
do so - having made confession - He has been
in the employ of the bank about seven years,
has been of Exemplary conduct hitherto
and this offence is his first. He made
early confession and appears penitent.
The bank desires that such leniency may
be shown this young man (now twenty eight
years of age) as the Court may deem consistent
with the interest of justice - not only on
account of his long & previously faithful

service but because of peculiar tempta-
 tion in which he was placed because of
 domestic troubles - he being separated from
 his wife, and obliged to provide for support
 of herself and two children upon his salary
 as a clerk. It is believed he is capable
 of reform and his friends will place him
 far away under new associations if your
 Honor will permit. We pray, therefore, that
 sentence may be suspended in his case, for
 the reasons here laid before your Honor.

The Fourth Natl Bank by
 C. H. Atterton, Clerk

The Guarantee Company of North America - which was surety upon Mr.
 Stone's bond to the Fourth Natl Bank - ~~and~~ caused Stone's prosecution to be
 commenced, but hereby concurs in the above petition. We caused the
 Complaint against Stone to be made by Mr. W. R. Kuran, Paying
 Teller of the Bowery Bank of New York, but Mr. Kuran leaves the
 disposition of this matter entirely in our hands, and authorizes
 our concurrence in this petition so far as the use of his name
 may seem necessary. - as neither the Bowery Bank nor he, have,
~~any~~ nor have had, any pecuniary interest in the matter.

N.Y. Jan'y 20/91

Respectfully.

The Guarantee Co. of North America
 by J. P. Thompson, Secretary

0733

Statement of Harry M. Stone.

Made Wednesday Jan 7/90 -
NEW YORK

My name is Harry M. Stone,
28 years of age, and reside
at 138 Clinton St. with
Katie Kelly. My wife
Ethel B. Stone, from whom
I am separated resides at
West Brighton S.D. with
our children.

I am an employee of
the Fourth National Bank.

On Friday Dec. 26, 1890
I checked ship of checks from
The Bowery Bank of New York
to the Fourth National Bank
and placed on that ship

~~marked~~ the letter "D" on the slip to indicate that someone else had checked the slip. - Among the checks from the Bowery Bank of New York was one from the Augusta Savings Bank of Augusta Ga. on the Fourth National Bank of New York City for two hundred and seventeen dollars and seventy one cents, the amount of which appeared on the slip from the Bowery Bank of New York referred to in the foregoing.

This check or draft I took went with it to the Bowery Bank of New York

Chas. W. ...

0735

previously" attaching to the
check a ticket reading
"From No. 61, Payment Stopped
No 70", all of which was
printed except the number
70" which I ^{wrote} put on. I
handed this check with
ticket attached to the Paying
Teller of the Bowery Bank
of New York and received
from him two hundred
and seventeen dollars and
seventy one cents and
appropriated this money
to my own use. of this
money I paid to my
wife Nellie C. Stone, thirty

five dollars on the evening of
 Dec. 26/90, also \$30 on Tuesday
 following to my wife, paid
 on Dec. 27. to Mrs. Kayser, at
 138 Clinton Pl. - \$5. for my
 board, paid to my father
 Edward F. Stone, \$11⁵⁰, paid
 to Jas. C. Ketchum of U. S. Treasury
 \$11⁵⁰, paid on Jan. 3/91, to
 Mrs. Kayser \$6. for my board,
 paid to Mr. W. A. Babcock of
 the Fourth National Bank \$10⁰⁰,
 paid to Walter E. Burkett
 of same bank \$10⁰⁰ bought
 a suit of clothes for \$8⁵⁰, also
 a pair of shoes for \$2⁹⁷ and paid
 to Katie Kelly \$5⁰⁰ paid to
 Eugene Davis \$5⁰⁰ the balance
 and what I have paid for incidentals
 is still in my possession. I make this
 statement without any prejudice of any
 character being made. *Wm. M. Stone.*

0737

District Attorney's Office,
 City & County of
 New York.
 \$21 28/95 for
 Attorney's Fees
 County of New York
 Court of Sessions
 Cause No. 1000
 1911

0738

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Harry M. Stone

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by
this indictment, accuse *Harry M. Stone*

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

The said *Harry M. Stone*

late of the City of New York, in the County of New York aforesaid, on the *26th*
day of *December* in the year of our Lord one thousand eight hundred and
ninety, at the City and County aforesaid, with force and arms, in the
day time of the same day, divers promissory notes for the payment of money, being
then and there due and unsatisfied (and of the kind known as United States Treasury
Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the
payment of and of the value of *one hundred*

42172
dollars; divers other promissory notes for the payment of money, being then and there due
and unsatisfied (and of the kind known as Bank Notes), of a number and denomination
to the Grand Jury aforesaid unknown, for the payment of and of the value of
one hundred
dollars; divers United States Silver Certificates of a number and denomination to the Grand
Jury aforesaid unknown, of the value of *one hundred*

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

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

seventy - one cents

of the goods, chattels and personal property of *one* a corporation called
the Bowery Bank then and there being found,

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

John R. Fellows
JOHN R. FELLOWS, District Attorney.

0739

BOX:

425

FOLDER:

3923

DESCRIPTION:

Sullivan, William

DATE:

01/09/91



3923

0740

BOX:

425

FOLDER:

3923

DESCRIPTION:

Hewlett, George

DATE:

01/09/91



3923

63

Witnesses:
J. M. Conner
18 Jan 1891
Filed
Counsel

THE PEOPLE
vs.
William Sullivan
and
George Hewlett
Burglary in the Third degree
Robt Lawrence
Section 498, 626, 625, 632

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Wm. W. Warrington
Foreman.

Jan 12/91
Read Jury
No. 2. Al. Ref.
Jan 1, 1891 Pen 20

Also for open
Sp. Hewlett
430 W 19 St
Mach's Sullivan
67, Lawrence
Fol. Has seen
a Penny of 247
Pen. 78

0742

Police Court—2 District.City and County } ss.:
of New York,

Charles H. Peto
of No. 104 Spring Street, aged 53 years,
occupation Restaurant Keeper being duly sworn
deposes and says, that the premises No. 104 Spring Street,
in the City and County aforesaid, the said being a building, the
basement of
and which was occupied by deponent as a Restaurant
and in which there was at the time a barman being, by name

were BURGLARIOUSLY entered by means of forcibly breaking a
pane of glass in a window leading
into said basement and breaking of
twisting the iron bars fastened across
the window
on the 29th day of December 1898 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

A quantity of flat silver plates were
consisting of forks and spoons of the
value of about ten dollars; one pair
shoes, one coat and box of cigars

All of the value of Fifteen
dollars

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

William Sullivan & George Hewitt
(both now here)

for the reasons following, to wit:

for that said premises
were securely locked and fastened
and closed for business and said
property was therein. Deponent upon
opening the establishment found it
broken into in the manner aforesaid
and said property stolen.

Deponent is informed by Charles
S. Schneider (now here) police officer

that ~~he~~ arrested the defendant for
 a larceny, and they confessed to him
 that they had committed this burglary
 and they in open Court after each
 of them being informed of their
 rights acknowledged and confessed
 that they broke into said premises
 and carried away the said property.
 Sworn to before me C. H. Peterson
 this 2nd January, 1891

A. T. McMahon
Police Justice

Police Court. District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

Degree

vs.

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$

Bail.

Bailed by

No.

Street.

0745

Sec. 138-200.

CITY AND COUNTY
OF NEW YORK, ss.

District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this

day of

William J. Sullivan
William J. Sullivan

Police Justice

0746

Sec. 198-200

CITY AND COUNTY
OF NEW YORK ss.

District Police Court

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

Question. What is your name?

Answer. *William Sullivan*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *67 Ganssawort St. Bronx*

Question. What is your business or profession?

Answer. *Printer's apprentice*

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

Answer. *I am guilty*
Wm. Sullivan

Taken before me this

*2*day of *January* 190*8*

Police Justice

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

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

Dated May 2 18 98 W. W. Mahon Police Justice.

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

Dated.....18.....Police Justice.

There being no sufficient cause to believe the within named.....

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

Date.....18.....Police Justice.

0748

Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles H. Peltch
104-23 Spring St.
William Sullivan
George Newell

Offence *Burglary*

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated *Jan 7* 188*9*
Wm. M. Schueidin Magistrate.
Schueidin Officer.
15 Precinct.

Witnesses *Call officer*
No. *Edward Bassett*
627+629 Broadway
No. _____ Street.

No. _____ Street.
\$ *1300* to attorney *G. S.*



Wm. Sullivan
P. S.

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 Sullivan and George Hewlett

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

William Sullivan and George Hewlett —

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

William Sullivan and George Hewlett, both —

late of the *Eighth* Ward of the City of New York, in the County of New York
aforesaid, on the *twenty ninth* day of *December* in the year of our Lord one
thousand eight hundred and *ninety* —, with force and arms, in the
night — time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one *a certain building to wit:*

the restaurant of one Charles W. Peters

there situate, feloniously and burglariously did break into and enter, with intent to
commit some crime therein, to wit: with intent, the goods, chattels and personal property
of the said *Charles W. Peters in the said*
restaurant — in the said dwelling house then and there being, then and
there feloniously and burglariously to steal, take and carry away, against the form of
the Statute in such case made and provided, and against the peace of the People of the
State of New York and their dignity.

SECOND COUNT—

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

William Sullivan and George Hewlett
 of the CRIME OF *PETIT LARCENY*, committed as follows:

The said

William Sullivan and George Hewlett, both

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

twenty forks of the value of twenty-five cents each, twenty spoons of the value of twenty-five cents each, one pair of shoes of the value of two dollars, one coat of the value of two dollars, fifty cigars of the value of four cents each

of the goods, chattels and personal property of one

Charles W. Petch
restaurant Charles W. Petch
 in the dwelling house of the said

in the restaurant

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

De Rancey Nicoll,
District Attorney.

0751

BOX:

425

FOLDER:

3923

DESCRIPTION:

Swartz, Joseph

DATE:

01/27/91



3923

Witnesses;

Deft. Foreman
Ch. in hat of a
King. For

Counsel,

Filed 27 day of Jan 18 91
Pleads,

THE PEOPLE

vs.

Joseph Swartz

Grand Larceny & second degree.
[Sections 628, 631, Penal Code]

DE LANCEY NICOLL
JOHN B. ELLIOTT

District Attorney.

A True Bill.

Franklin Eason
Foreman.

Henry J. Gray
Pleads *Guilty*

241 Mr. J. P. A.

0753

Police Court— 3 District.

Affidavit—Larceny.

City and County }
of New York, } ss.Simon Sulkey
of No. 400 - Third Avenue Street, aged 68 years,
occupation Retired being duly sworndeposes and says, that on the 23rd day of January, 1891, at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the nighttime, the following property, viz:

Two sets of silver service pieces, of the value of ^{each} seventy-five (75) Dollars, a silver pointer and silver chain of the value of fifteen Dollars, three taliths (shawls) of the value of fifty Dollars

All of the aggregate value of One hundred & Forty (140) Dollars the property of Congregation Adath El, of 135 East 29th Street, in care and charge of deponent as a Trustee

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Joseph Schwartz (nowhere) for the reasons following, to wit:

Deponent says - said property was contained in the Synagogue of 135 East 29th Street, and on January 24, missed said property.

Deponent further says - he is informed by Sergeant Edward Burns of the 7th Precinct, that at about 8:30 P.M., of Jan'y 23rd, he arrested a defendant at the jewelry store of Louis J. Ellisberg of 141 East Broadway, in the act of disposing of above mentioned silver, and also found & seized three taliths (shawls) in the possession

Sworn to before me, this 18 day of

Justice.

of defendant, all of which property
deponent and Michael Levy of
135 East 29th Street, identify as
being the missing property.

Deponent further says - he is
further informed by said Jergs Burns,
that defendant admitted to him
that he had stolen said property
from said Synagogue, 135 East 29th Street.

Wherefore, deponent charges
defendant with the larceny of said
property, and prays that he be held and
dealt with as the law directs.

Sworn before me
this 25th day of July 1893 J. J. [Signature]

Henry M. Wilson
Police Justice.

0755

CITY AND COUNTY }
OF NEW YORK, } ss.

Edward Burns

aged _____ years, occupation *carpenter* of No. _____

75 Mee

Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of

Simon Sulsky

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

Sworn to before me, this

25

Edward Burns

day of *June* 189*8*.

Wm. J. Murray

Police Justice.

0756

CITY AND COUNTY }
OF NEW YORK, } ss.

Michael Deay
aged 62 years, occupation Sexton of No.

135 Canby St Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Simon Sulsky

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

Sworn to before me, this 25 day of May 1899 } Michael Levy

John Brown
Police Justice.

0757

CITY AND COUNTY }
OF NEW YORK, } ss.

Rovis J. Ellisberg
aged 22 years, occupation Printer of No. 141 East Broadway Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Simon Sulzberg
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 25 } Rovis J. Ellisberg
day of May 1899 }

Wm. M. M. M. M.
Police Justice.

0758

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer.

Joseph Schwartz

Question. How old are you?

Answer.

23 years

Question. Where were you born?

Answer.

England

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

Answer.

4 Rivington St 14 months

Question. What is your business or profession?

Answer.

Diamond Cutter

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

Answer.

I am guilty.
Joseph Schwartz

Taken before me this

23

Police Justice

0759

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

Mequand

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 *July 25* 18 *91* *John Murray* Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated 18 Police Justice.

There being no sufficient cause to believe the within named

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

Dated 18 Police Justice.

0760

BO, 303
Police Court---

98 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Simon Sulley
1100 23. 3d av

Joseph Schway

2

8

4

Office
Grand Convey

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated

July 25 18*91*

Murray Magistrate.

Edward Burns Officer.

7 Precinct.

Witnesses

No. *Michael Wemy* Street

135 East 24th St

Anna J. Ellisberg

No. *141 East Broadway* Street

No.

\$ *1000-*



Street

CM

12
1

0761

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Joseph Swartz

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

Joseph Swartz

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

The said

Joseph Swartz

late of the City of New York, in the County of New York aforesaid, on the 23rd day of January in the year of our Lord one thousand eight hundred and ninety one, at the City and County aforesaid, with force and arms,

two sets of silver service pieces of the value of thirty-five dollars each set, one pointer of the value of five dollars, one chain of the value of ten dollars and three shawls of the value of fifteen dollars each.

of the goods, chattels and personal property of one

Simon Sulkey

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

De Lancey Nicoll,
District Attorney