0007

# BOX:
517

# FOLDER:
4705

# DESCRIPTION:
Samuels, Ralph

# DATE:
03/21/93

4705

*Witnesses:*

Wolf Lipsman

Leon I. Chase

D. 154 B.W. Oct 3/93

984/93

Counsel,

Filed 21 day of March 1893

Pleads, Not guilty Deft

THE PEOPLE

vs.

25 Leg. Rpts

274 Selections

Ralph Samuels

Forgery in the Second Degree.
[Sections 511 and 521, Penal Code.]

Convicted 8/93

DE LANCEY NICOLL,

*District Attorney.*

A TRUE BILL.

Wm W Heaton

*Foreman.*

Part III Oct 9/93

Pleads Guilty

Elmira Ref.

Oct 11/93

8000

0009

**Police Court, 2 District.** 1901

City and County of New York, ss. Wolf Lippman

of No. 391 8th Avenue Street, aged 30 years,

occupation Dry goods being duly sworn, deposes and says,

that on the 4th day of January 1899, at the City of New York, in the County of New York,

One Ralph Samuels did make utter and forge, and pass upon deponent for the purpose of defrauding deponent a certain false and fraudulent paper purporting to be a check drawn by Leon Chase on the Second National Bank of the city of New York for seven dollars and fifty cents, the defendant on said date purchased seventy five cents worth of goods from deponent and tendered the aforesaid check in payment therefor and defendant then said to deponent that he defendant had just received the said check from a neighbor of deponent named L. Chase, and defendant then pretended to deponent that he defendant had just collected a bill from said L. Chase, and that he defendant had received said check in payment for the said bill, whereas the said check was a forgery, and not signed by the said L. Chase

Sworn to before me this ~~14th day of January~~ 1899

Police Justice

Wolf Lippmann

SWORN TO BEFORE ME THIS 21 DAY OF March 1899

John R. Voorhees

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,* ..... *189* ..... *Police Justice.*

*I have admitted the above-named* .....

*to bail to answer by the undertaking hereto annexed.*

*Dated,* ..... *189* ..... *Police Justice.*

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

..... *guilty of the offense within mentioned, I order h to be discharged.*

*Dated,* ..... *189* ..... *Police Justice.*

1881

0011

154 a W.

**Police Court---** 154 a **District.** W.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Wolf Lippman
391 8th Ave

vs.

Ralph Samuels

2

3

4

Offense Forgery

Dated, Jan 189

Magistrate.

Bonnoir & Cottrell Officer.

C. O. Precinct.

Witnesses Leon S. Chase

No. 435 8th Avenue Street.

No. Street.

No. Street.

$ to answer

BAILED,

*No.* 1, *by*

*Residence* *Street.*

*No.* 2, *by*

*Residence* *Street.*

*No.* 3, *by*

*Residence* *Street.*

*No.* 4, *by*

*Residence* *Street.*

00:12

CITY AND COUNTY OF NEW YORK, } ss.

1921

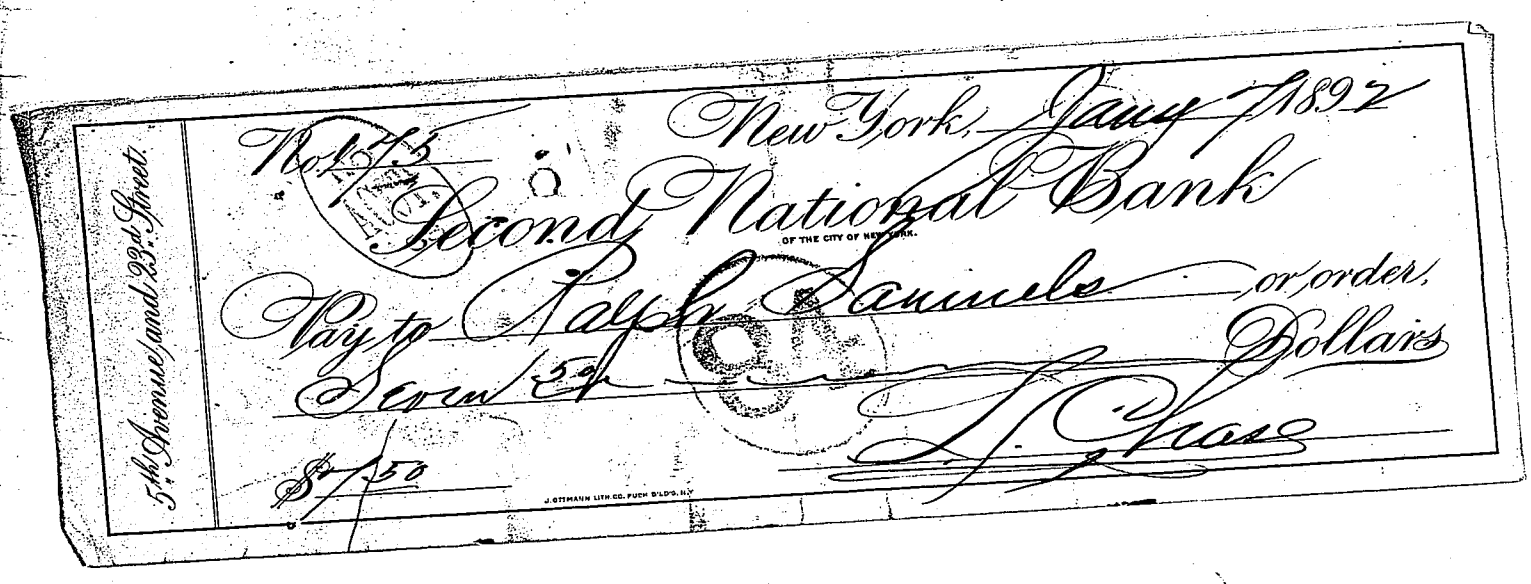
Leon S. Chase

aged 40 years, occupation Milliner Business of No. 495 5th Avenue Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Wolff Lippman and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me this 21 day of March 189 } Leon S. Chase

John Ryan Police Justice.

0013



5th Avenue and 23rd Street.

No. 175

New York, Jany 1892

Second National Bank

OF THE CITY OF NEW YORK.

Pay to Ralph Samuels or order,

Seven 50 Dollars

$7.50

L. Gross

J. OTTMANN LITH. CO. PUCH BLDG. N.Y.

0014

Ralph Samuels
W & L Lippmann

West Side
34-35 8 ave

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

Ralph Samuels

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

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

The said Ralph Samuels

late of the City of New York, in the County of New York aforesaid, on the Seventh day of January in the year of our Lord one thousand eight hundred and ninety-three, at the City and County aforesaid, with intent to defraud, feloniously did forge a certain instrument and writing, which said forged instrument and writing is as follows, that is to say:

No 175 New York, Jany 7, 1893

Second National Bank
of the City of New York

Pay to Ralph Samuels or Order
Seven 50 Nelson
$7 50 R. S. Chase

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

Ralph Samuels

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

The said Ralph Samuels

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 intent to defraud, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, which said forged instrument and writing is as follows, that is to say:

No 175 New York, Jany 7. 1872

Second National Bank
of the City of New York

Pay to Ralph Samuels or Order

Seven 50
$7 50

Nelson
P. S. Chase

the said Ralph Samuels

then and there well knowing the same to be forged, 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.*

0017

# BOX:
517

# FOLDER:
4705

# DESCRIPTION:
Scanlon, Stephen

# DATE:
03/10/93

4705

Witnesses:

John Blake

Hugh Moffat

2 Recint

Judge Lyons

A

Counsel,

Filed 10 day of March 1893

Pleads, Not guilty 13

THE PEOPLE

vs.

P

Stephen Scanlon

Robbery, Degree.
(Sections 224 and 228, Penal Code.)

DE LANCEY NICOLL,
*District Attorney.*

A TRUE BILL.

Wm W. Heaton

*Foreman.*

Part 2. March 15. 1893.

Tried and Acquitted

00108

Police Court— 4 District. 1931

City and County of New York, } ss.:

Patrick J. Muldoon

of ~~No.~~ the 23rd Precinct Police Street, aged 30 years,

occupation Police Officer being duly sworn,

deposes and says, that on the 31st day of August 1893 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Thomas Scanlon and James Lafft (both now here) ~~who~~ from the following facts, to wit: that said Lafft did strike deponent one violent blow on the head with a ~~club~~ bottle then and there held in his, Lafft's, hands grievous and serious cutting and wounding deponent; that said Scanlon did strike deponent several violent blows on the head and body with a wooden club then and there held in his, Scanlon's, hands and said assault was committed by said defendants (while acting in concert with each other) and deponent was at the time in the discharge of his duty as a Police Officer and in full uniform and on his post in Beat 47 Sheet in the said City.

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

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

Sworn to before me, this 14 day of September 189 } Patrick J. Muldoon

Geo. G. Rooke Police Justice.

0020

Sec. 198—200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Thomas Scanlon 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 Scanlon

*Question.* How old are you?

*Answer.* 21 years

*Question.* Where were you born?

*Answer.* [illegible]

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

*Answer.* No 241 East 45th Street 5 years

*Question.* What is your business or profession?

*Answer.* Driver

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

*Answer.* I am not guilty
Thomas Scanlon

*Taken before me this* 15
*day of* [illegible] 189

[illegible]
*Police Justice.*

0021

Sec. 198—200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

James Laff 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.* James Laff

*Question.* How old are you?

*Answer.* 23 years

*Question.* Where were you born?

*Answer.* N.Y.

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

*Answer.* No 225 East 45 Street 2 months.

*Question.* What is your business or profession?

*Answer.* Driver

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

*Answer.* I am innocent

James Laff 225

*Taken before me this* 4 *day of* [illegible] 189[illegible]

[illegible] *Police Justice.*

0022

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

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 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, [illegible] 14 189 3 [illegible] Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated, 189 Police Justice.

There being no sufficient cause to believe the within named

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

Dated, 189 Police Justice.

0023

972
1334

**Police Court---** 4 **District.**

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Patk J. Donldson
vs.
Thomas Scanlon
James Luff
3
4

Offense Assault & Disorderly

Dated, Sept 14 1893
Barker Magistrate.
Jos. O'Donovan Officer.
23 Precinct.

Witnesses
1 Frank Scully
No. 318 E 45 Street.
2 James de Russell
No. 223 E 47 Street.
3 Simon Oppenheimer
(866) No. 866 - 1 Avenue Street.
$ 1000 each to answer G.S.

Ste 263

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Witness
No 4 Isaac Oppenheimer
866 - 1 Avenue
No 5 Henry Oppenheimer
866 - 1 Avenue

SEP 15 1893 DISTRICT ATTORNEY

0024



# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

Stephen Scanlon

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

— Stephen Scanlon —

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

The said Stephen Scanlon,

late of the City of New York, in the County of New York aforesaid, on the Eighth day of March, in the year of our Lord one thousand eight hundred and ninety- three, ~~in the~~ ~~time of the said day,~~ at the City and County aforesaid, with force and arms, in and upon one John Shaha, — in the peace of the said People then and there being, feloniously did make an assault; and one silver coin of the United States of America, of the kind called dollars, of the value of one dollar,

of the goods, chattels and personal property of the said John Shaha, — from the person of the said John Shaha, against the will and by violence to the person of the said John Shaha, — then and there violently and feloniously did rob, steal, take and carry away, the said Stephen Scanlon being then and there aided by an accomplice, actually present, whose name is to the Grand Jury aforesaid as yet unknown, —

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

DeLancey Nicoll,
District Attorney.

0025

# BOX:
517

# FOLDER:
4705

# DESCRIPTION:
Schaffer, Charles

# DATE:
03/22/93

4705

Bail $1000

*Witnesses:*

Counsel, 183 Wagner

Filed 22 day of March 1893

Pleads, Not guilty NS

THE PEOPLE

*vs.*

B

Charles Schaffer

Burglary in the Third Degree. & Petit Larceny [Section 496, 506, 528 and 532 1.

Wilcox

DE LANCEY NICOLL,

*District Attorney.*

A TRUE BILL.

Wm Heaton

April 3/93 *Foreman.*

Trial & convicted of Petit Larceny

Pen 1 yr

Apl 7/93 P.B.M.

0026

276

THE PEOPLE,

vs.

CHARLES SCHAFFER.

COURT OF GENERAL SESSIONS, PART 1.

BEFORE JUDGE MARTINE.

Monday, April 3, 1893.

Indictment for BURGLARY in the third degree.

CHARLES H. CORNELL, sworn and examined, testified: I live at 107 Tillary street, Brooklyn, and am an engineer in charge of the building 174-182 Worth street, in this city. I think it is in the Fifth ward. What sort of a building is that? It is different manufactories; on the first floor is a glass bevelling place; the next floor, right through the building, is a silk finisher; it is a brick building, six stories high, and two basements, occupied by different tenants. The plumbing work attached to that place belongs to the building. Were you in charge of the building on the 14th of March? Yes; I have been there going one eight years. Will you explain to the jury how the plumbing on the fourth floor of that building is arranged? This was in #182, where he was cutting the lead, it is one of the floors, it was the fourth floor; there was nobody in the apartment on the 14th of March. I went up up on the fourth floor in the morning, quarter past 7, and I saw the door was locked; I didn't try the door that leads into the closet. I went back there at half past 9, and then the door was burst in, the bolt was out in the lock, the clasp was tore off, and the door open. I saw that as I passed by and went in the room; I turned around to go in there, and I saw him (the defendant) on his knees cutting the lead safe out at the water-closet. His feet was in the room and his head inside, and he down on his knees in the water-closet cutting it out. When you speak of the lead

safe, do you mean a sheet of lead laid on the floor under the water-closet? Yes; then there is a waste pipe carries it down in another sink on the next floor. Did your coming into the room attract his attention? Yes, he said the plumber sent him in there to take lead out. I asked himwhere his order was, and he had none. Did you ask him who the plumber was? I did. What did he tell you? He said it was the corner of Grand and center streets, he gave the name, I don't know what the name is. Did you subsequently take him down to the plumber's place? No, I did not; I handed him over to the officer; I stayed with him on the floor until the elevator man went and got the officer.

CROSS EXAMINATION:

I couldn't tell you exactly how long that fourth floor was vacant, but I think it was somewheres around in September, 1892; Messer & Co. were the party who occupied that floor; they made pocket-book frames . Did you know this young man before? I couldn't recognize him, but I heard that he worked for Messer. This arrest was made on the 14th of March, 1893. Tell the jury whether you knew him before the 14th of March? I couldm't say that I did; I didn't recognize him when I saw him. When you saw him on this floor did you ask him what he was doing there? Yes; he said he was sent there by Mr. Powers, the plumber; it was about half past 9 in the morning when I caught him; I kept him there fifteen or twenty minutes, till the officer came; I saw the lead when it was cut by the defendant, it was all torn up, loose; he had no implements or tools of any kind; I saw him put something in his pocket, I didn't see the knife until he got to the station house. The knife was taken away from him. Mr. Shea was with me. He said Mr. Powers sent him to take the safes out. I

says, "Where is your order? There can be no work done here unless you have a written order or I am notified." I says, "It would be very funny you would be sent here to take the safes out, when he had put them down, saving waste going down on the other floors." He says, "If you don't want them out, I will leave and go out." I says, "Oh, no," he had got up on his feet them; I says, "Dan, you go right out and get an officer." Do you recollect anything that he said? No, I don't think he said a word, I think the boy was so dumfounded that he could not talk. The defendant told the officer that Powers had sent him there to take the safes out. I accompanied the officer and the defendant to the station house; he told the story there that Powers sent him down to take the lead out. The officer asked me what that lead safe cost; I told him that the lead safes in those closets cost $8P.00; there was only one cut. The officer went with him to see Mr. Powers; I didn't go with him. The defendant had a large bag, which the officer took away from him, and he took a common jack-knife from him. I made my statement to the clerk in the Tombs, and then they took the defendant's statement. They asked the defendant if he went to take out the lead safe, and he said he did. They asked him then what was his business, and he said he was a brass polisher; that is all I heard.

GEORGE WILLETT, sworn, and examined, testified:

I am attached to the 6th precinct, and 176 Worth street, in this city, is in the Sixth ward. Do you remember arresting this defendant, on the 14th of March, at 176 Worth street? Yes, it was about a quarter to 10 when I arrested him; I found him in the custody of Charles H. Cornell, in a room

on the fourth floor. Did you, while you were there, examine the lock on the door of that room, on the fourth floor, where you found Cornell and the defendant? The lock was broken. Did you examine the drip pan under the closet? It was loosened and torn up, and there were fresh marks on the edge of it. You took this defendant away? Yes. Did you ask him why he went there? I asked him why he went there; he told me a plumber on the corner off Grand and Center streets, Powers, told him to go there and take this lead out off this water-closet. Before that, Cornell told me he broke the lock and forced an entrance. After Mr. Cornell told me he accused him of breaking an entrance, he told me he didn't break the lock, that he followed a man up there with a pint of beer that went further up in the building, and he found the door open himself, and entered there himself. I took him to the station house. While he was in the station house did you go to the corner of Grand and Center streets, to get a man of the name of Power? I went there and found there was no plumber in there; but there was a man named Powers in Mulberry street, in that neighborhood; there was no plumber on the corner of Grand and Center streets; there was a plumber in Mulberry street, about two and a half blocks away, and I brought him to the station house. When you brought him to the station house did you arraign this prisoner for identification? I brought him up and took him through the office, in front of Mr. Powers. What did Powers say while he was there? He said he didn't know him at all, and had no authority from him to go there. What did this defendant say to that? He didn't say anything, he made no answer at all. When you brought him to the station house you searched him; didn't you? Yes. What did you find on him? I found a jack-

knife in his pocket, and he had one of those patent coffee bags under his coat, and his coat buttoned over it.

CROSS EXAMINATION:

The knife I found on him was a heavy pocket-knife; I gave it back to him; I gave the knife to the keeper in the Tombs. Was there not some thing said about Louis Messer & Co. at the time you arrested this young man? No. Why didn't you keep that knife and produce it here? I hardly thought that it was necessary. You don't mean to tell this jury that the knife you found on this man was strong enough to cut lead; do you? I suppose it could, I never worked at the lead business, I couldn't tell you that.

THE CASE FOR THE DEFENCE.

CHARLES SCHAFFER, the DEFENDANT, sworn and examined: I am sixteen years old and live with my father and mother at 311 Avenue A. Do you know these rooms 176 Worth street? Yes, I had been working for Louis Messer & Co., on the fourth floor; they are pocket-book manufacturors; my sister worked there also. Dp you know this man, the engineer, that was on the stand, Charles H. Cornell? Yes, I knew him while I was working there; he knew me during the four months I worked there; I talked to him may be twice a week. I remember the 14th of March, the day I was arrested. Tell the Court and jury what took place, how you came to go into the building? I came into the building -- I had been looking for a job--I thought Mr. Messer would be in the place again; when I got in there I saw the floor was empty. I meant to run around again, and the engineer happened to come up on the elevator; he asked me what I was doing in here. I said, "I am just looking for a job." The elevator man said "We will have him locked up."

I

What time in the day did you get into that building on the 14th of March? About half past nine. When you went into the house did you know that Messer & Co. had moved? No. You went up to this fourth floor thinking they were still there? Yes, I thought that. Have you heard what Cornell testified to on the stand here this morning? Yes. He says that you were on your knees, cutting away at this lead; is that true? He couldn't prove that, because he didn't see me. Were you on your knees, and did you cut the lead? No. Did you have your knife out? No, I did not. Did you break the door? No, the door was open when I got to the floor. Cornell told me to get out of the building; he said, "What business have you in here?" I said, "I am looking for a job." He said, "You clear out." I was going to go out, and the elevator man said, "We will have him locked down," Daniel Shea is his name. He went down for an officer, and the engineer held me until the officer came up. Did you make any attemtp to get away? No, I talked to the engineer. Did the engineer say anything about a plumber? He said, "What business have you in here, to touch the lead? Did the plumbers send you here -- Powers?" I said, "No." The engineer mentioned the plumber first; did he? Yes. Did you say the plumbers sent you there? No. How did Cornell say that to you, did he say, "Did the plumber send you here?" or did he mention the plumber's name? He mentioned the plumber's name; he says, "Was it Powers sent you here, are you looking for Powers?" I said, "No, I am looking for Mr. Messer." Have you ever been arrested before? No.

I

CROSS EXAMINATION:

How long did you work at 176 Worth street? I worked for him for four months. You arefamiliar with the building; are you not? Yes. When you were in the Tombs court why did you tell the Judge you were twenty years of age? I was all mixed up, because I gott locked up. It was not a coffee bag that I had; it was a kind of a little bag I had on my chest.

EMILE SCHAFFER, sworn, and examined, testified:
I live at 317 Avenue A. I am a polisher. The defendant is my son. He is sixteen years of age, and has never been arrested before. He worked, and lived at home, and was a good boy.

ORIBAT RITTER: sworn, and examined, testified:
I live in 544 West 39th street, and am working in the car stable of the Sixth Avenue Railroad. I know the defendant for the last seven years, and know him to be a good, honest, respectable young man.

MARTIN SHALLY, sworn, and examined, testified:
I live at 311 Avenue A, and am in the wholsesale milk business. I know the defendant about five months. I know his character to be good. He is an honest, quiet boy.

JACOB GOOD, sworn, and examined, testified:
I live at 296 Avenue A and am a baker. I know the defendant two or three months. I know his mother well. Do you know anything about this boy? No.

ALVA M. ROW, sworn, and examined, testified:

I am clerk for the defendant's counsel. Were you handed a subpoena to be served upon one of the members of the firm of Louis Messer & Co.? I was. Where did you go to serve the subpoena? L74 Worth street, in this city. I could not find them. The place was not empty, but they had dissolved partnership and were not there.

CHARLES H. CORNELL, recalled by District Attorney:

Who owned that lead? It belonged to the estate of Brussell, deceased. Who are the executors? Mr. Emholz and Mr. Litchenstein.

The Jury rendered a verdict of GUILTY.

Testimony in the case
Charles Schaffer
filed
March
1893

25 Vs



5200

0036

Police Court— 1 District.

City and County of New York, } ss.:

Charles H. Cornell

of No. 176 North Street, aged 47 years,

occupation Engineer being duly sworn

deposes and says, that the premises No 176 North Street, 6 Ward

in the City and County aforesaid the said being a Six story Brick building the said fourth floor of which was unoccupied

~~and which was occupied by deponent as a~~

~~and in which there was at the time a human being, by name~~

were BURGLARIOUSLY entered by means of forcibly breaking the lock on the door leading to said floor

on the 14 day of March 1893 in the day time, and the following property feloniously taken, stolen, and carried away, viz:

One leaden pan of the water closet on said floor worth about Twenty five dollars

the property of Brussel Estate and in the care and custody 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 Charles Schaffer now here

for the reasons following, to wit: on said date about the hour of 7.15 o'clock A.M. deponent saw the said door leading to said floor securely locked and fastened — ~~at~~ and the said leaden pan was intact in proper position in said Water Closet about half past nine o'clock A.M on said date deponent discovered that said door had been broken open — and he saw the defendant in said place, breaking said pan

from its proper position in said water closet - deponent caused defendant to be arrested and charges him with having Burglariously entered said place

Charles H [illegible]

Sworn to before me
this 14th day of March 1893

John J Ryan
Police Justice

---

Police Court, ______ District.

THE PEOPLE, &c.,
on the complaint of

vs.

1 ______
2 ______
3 ______
4 ______

Offence—BURGLARY.

Dated ______ 188
______ Magistrate.
______ Officer.
______ Clerk.

Witnesses, ______
No. ______ Street,
No. ______ Street,
No. ______ Street,

$ ______ to answer General Sessions.

*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* ______ 188 . ______ *Police Justice.*

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

*Dated* ______ 188 . ______ *Police Justice.*

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

*Dated* ______ 188 . ______ *Police Justice.*

0038

Sec. 198—200. 1882

District Police Court.

City and County of New York, ss:

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

*Question.* What is your name?

*Answer.* Charles Schaffer

*Question.* How old are you?

*Answer.* 20 years + 16 years

*Question.* Where were you born?

*Answer.* New York

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

*Answer.* 534 — E — 16th St — 2 years
11 Avenue A

*Question.* What is your business or profession?

*Answer.* Brass Polisher

*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

Entered

his
Charles X Schaffer
mark

*Taken before me this* 3 *day of* [illegible] *189*3

*Police Justice.*

0039

*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* [illegible] *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,* March 14 *189*3 ..... *Police Justice.*

*I have admitted the above-named* .....

*to bail to answer by the undertaking hereto annexed.*

*Dated,* ..... *189* ..... *Police Justice.*

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

..... *guilty of the offense within mentioned, I order h to be discharged.*

*Dated,* ..... *189* ..... *Police Justice.*

0040

163 / 293

1334

**Police Court---** 1 **District.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles H. Cornell
176 North

vs.

1 Charles Schaffer

2

3

4

Offense Burglary

Dated, March 14 1893

Ryan Magistrate.

Willett Officer.

6 Precinct.

Witnesses Daniel Shea

No. 176 North Street.

No. Street.

No. Street.

No. Street.

$ 1000 to answer G. S. 2,

Burglary

BAILED,

No. 1, by Chas H Reed

Residence 310 E 69 Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0041

Coroners' Office,
27 Chambers Street,
New York, April 5th 1893

Dear Judge Martine:

Mr. Emil Schaefer of 311 Ave. A has been known to me well and favorably as a good, honest, hardworking man and Democrat for more than fifteen years. His son Charles Schaefer is to ~~stand trial~~ come up before you on Friday for sentence. He is sixteen years old and the only one of Mr. Schaefer's children who is able to earn some money and assist in supporting his fathers six children. He works steadily and gives his wages to his parents. If he is taken from them the four dollars weekly which he earns will be a severe loss to them. If you can kindly exercise clemency in this case it will be

a great charity and will comfort his parents very much. I am sure they will gratefully appreciate your goodness. They fear that if he is sentenced to some penal institution he will be ruined by the tricks he will be taught. He is rather weak minded and on that account easily impressed. They promise faithfully to do all in their power to correct any faults he may have and think they can succeed in doing so now but if sent away from their influence into bad company he will be hopelessly depraved.

You will favor me very much if you will please be as lenient as possible. Perhaps you would kindly suspend sentence under the circumstances.

With my best wishes for your very good health and every success believe me to be

Yours Very Truly

Dr W J B McCaemen

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

Charles Schaffer

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

Charles Schaffer

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

The said Charles Schaffer

late of the 6th Ward of the City of New York, in the County of New York aforesaid, on the fourteenth day of March, in the year of our Lord one thousand eight hundred and ninety-three in the day-time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the building of one

Abraham Lichtenstein

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 Abraham Lichtenstein in the said building 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

Charles Schaffer

of the CRIME OF Petit LARCENY committed as follows:

The said Charles Schaffer

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 day - time of said day, with force and arms,

one leaden pan of the value of twenty-five dollars

of the goods, chattels and personal property of one Abraham Dreikleinstein

in the building of the said Abraham Dreikleinstein

there situate, then and there being found, in the building 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 Lancey Nicoll
District Attorney

0045

# BOX:
517

# FOLDER:
4705

# DESCRIPTION:
Schneider, Carl

# DATE:
03/08/93

4705

*Witnesses:*

Officer David J. Mallon
14th Precinct

Counsel,

Filed day of March 189 5

Pleads,

THE PEOPLE

*vs.*

Carl Schneider

Grand Larceny, Second Degree.
[Sections 528, 53, Penal Code.]

DE LANCEY NICOLL,

*District Attorney.*

A TRUE BILL. Found

W Healey

Foreman.

March 1/95

Plead G. L. 2d deg

Sen 1 yr B.

9409

0047

Police Court 3 District. Affidavit—Larceny.

City and County of New York, } ss:

Julius Aaron

of No. 166 Avenue C. Street, aged 28 years, occupation Neck Tie Maker being duly sworn, deposes and says, that on the 21 day of Feby 1893 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 Thirty Dollars, in the pocket of which was a handkerchief $30.00

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 Carl Schneider (Brooklyn) from the fact that deponent was in the premises 25 Avenue A. and left said Coat hanging on a rack in said premises. Deponent missed the said property and is informed by Officer John Stack of the 10th Precinct Police that he arrested the said defendant and found in his possession a handkerchief. Deponent has since seen the handkerchief found in the possession of said defendant and fully and positively identifies it as the handkerchief that was in the pocket of the Overcoat that was taken stolen and carried away from deponents possession

Julius Aaron

Sworn to before me this 24 day of March 1893

Police Justice.

4759

0048

(1335)

Sec. 198—200. 3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Carl Schneider being duly examined before the undersigned 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.* Carl Schneider

*Question.* How old are you?

*Answer.* 18 Years

*Question.* Where were you born?

*Answer.* Germany

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

*Answer.* No Home

*Question.* What is your business or profession?

*Answer.* Butcher

*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 I did not have anything to eat and that was the reason I took the coat

Carl Schneider

*Taken before me this* 21 *day of* [illegible] 1899

[illegible] *Police Justice.*

0049

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, July 29 1893 ..... Police Justice.

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

Dated, ..... 189 ..... Police Justice.

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

Dated, ..... 189 ..... Police Justice.

0050

238

Police Court, 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Julius Aaron
166 Avenue C.

vs.

1 Carl Schneider
2
3
4

Offense, Larceny

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated, July 28 1893

Koch Magistrate.

Smallen & Stock Officer.

14 Precinct.

Witnesses Rudolph Shumer
No. 329 East 13 Street.

Frank Schuck
No. 98 East 8 Street.

No. Street.

$1000 to answer

RECEIVED
MAR 2 1898
DISTRICT ATTORNEY

G/2

0051



# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
*against*
Carl Schneider

The Grand Jury of the City and County of New York, by this indictment, accuse Carl Schneider of the CRIME OF GRAND LARCENY IN THE Second DEGREE, committed as follows:

The said Carl Schneider late of the City of New York, in the County of New York aforesaid, on the 21st day of February, in the year of our Lord one thousand eight hundred and ninety-three, at the City and County aforesaid, with force and arms,

one overcoat of the value of thirty dollars, and one handkerchief of the value of one dollar

of the goods, chattels and personal property of one Julius Aaron

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

0052

# BOX:
517

# FOLDER:
4705

# DESCRIPTION:
Schroeder, Herman

# DATE:
03/09/93

4705

30

*Witnesses:*

Patrick Costello
206 Grand Street

Offer Mulhen Mulch
10th Precinct

Counsel, .....

Filed, 9 day of March 1893

Pleads, .....

THE PEOPLE

*vs.*

Herman Schroeder

43
10th Precinct

INJURY TO PROPERTY.
[Section 654, Penal Code.]

DE LANCEY NICOLL,
*District Attorney.*

A TRUE BILL. Found

Wm W Heaton
*Foreman.*

Jan 19 93

Plead Guilty

3 yrs Sing Sing
Mch 13/93

13

E500

0054

Sec. 198—200.

1882

District Police Court.

City and County of New York, ss:

Herman Schroeder 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 a 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.* Herman Schroeder

*Question.* How old are you?

*Answer.* 43 years

*Question.* Where were you born?

*Answer.* Germany

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

*Answer.* 108 Bowery 9 weeks

*Question.* What is your business or profession?

*Answer.* Shearing Cane maker

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

*Answer.* I am guilty

H Schroeder

Taken before me this 8th day of April 1882

[illegible] Police Justice.

0055

*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,* March 4 *189* 3 John D. Lindsay *Police Justice.*

*I have admitted the above-named*

*to bail to answer by the undertaking hereto annexed.*

*Dated,* *189* *Police Justice.*

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

*guilty of the offense within mentioned, I order h to be discharged.*

*Dated,* *189* *Police Justice.*

0056

30

1334

**Police Court---** 1 **District.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Patrick Carney
206 Grand
Herman Schedel

2

3

4

Offense Murder in the 2nd Degree

Dated, March 4th 189 3

Smith Magistrate.

Welch Officer.

10 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

$ 500 to answer

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0057

1852

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, ..... DISTRICT.

Patrick Costello

of No. 206 Grand Street, aged 49 years,

occupation Bartender being duly sworn, deposes and says

that on the 4th day of March 1893,

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

Herman Schroeder (Complaint)

did wilfully and maliciously break

a plate glass window in the premises

206 Grand Street the property of Charles

McGlroy of 206 Grand Street and of

the value of One hundred dollars. For

the reasons to wit, On the morning of said

day defendant was in said premises and on

being ejected from said premises returned

with a hatchet cleaver and brace etc

said window and deponent charges him

with wilful & malicious mischief Patrick Costello

Sworn to before me, this 4th day of March 1893

John Duffy Police Justice.

0058



# 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

Herman Schroeder

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

Herman Schroeder

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

The said Herman Schroeder

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

one pane of plate glass

of the value of one hundred dollars

of the goods, chattels and personal property of one Charles McElroy 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.

SECOND COUNT.

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

The said Herman Schroeder 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 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 ~~Patrick~~ Charles Mc Elroy there situate, of the real property of the said Charles Mc Elroy 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,
*District Attorney.*

0060

# BOX:
517

# FOLDER:
4705

# DESCRIPTION:
Shirley, Charles E.

# DATE:
03/24/93

4705

223

Counsel,

Filed 24 day of March 1893

Pleads,

THE PEOPLE

*vs.*

Charles E. Shirley

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

DE LANCEY NICOLL,
*District Attorney.*

A TRUE BILL.

Wm. W. Heaton
*Foreman.*

Part 3. May 12 93
Plea withdrawn
Deft discharged on his own
recognizance

*Witnesses:*

Wm Brown

At request of complainant and with consent of Dist Atty. McoLL we are willing that defendant should be permitted to withdraw his plea & that he be discharged on his own recognizance.

Respectfully
Thomas J. Bradley
Dep Chief Clerk

Deft was used as witness for people upon trial Louis Hahenstein the receiver & principally upon his evidence a conviction was obtained. I therefore concur in recommendation

Taylor J. Wilks
A.D.A.

0062

Police Court 2 District. Affidavit—Larceny.

City and County of New York, } ss: William E. Ball

of No. 73 Mercer Street NY Street, aged 32 years, occupation Fur dealer being duly sworn, deposes and says, that on the 15 day of March 189 7 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 seal skin of the value of thirty five dollars $35 —

the property of John Rusgit Fur Co, in deponents care

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Charles E. Shirley (now here) The defendant was employed John Rusgit Fur company as a freight elevator man, and he had access to said property and deponent and detective William Brown of the 8th precinct police caught the defendants in the act of feloniously taking the said property from said John Rusgit Fur Company store on the 6th floor of the premises 71 to 75 Mercer Street on said date, and defendant was arrested with said stolen property in his possession

W. E. Ball

Sworn to before me, this 16 day of March 1897

Frank Moorhead Police Justice.

4759

0063

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Charles E. Shirley being duly examined before the undersigned 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.* Charles E. Shirley

*Question.* How old are you?

*Answer.* 42 years

*Question.* Where were you born?

*Answer.* U. S.

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

*Answer.* 2622 8th Av. Since September

*Question.* What is your business or profession?

*Answer.* elevator man

*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

Chas. E. Shirley

*Taken before me this* 16 *day of* March 1887

Edward Ellwood Jr. *Police Justice.*

0064

*It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named* Charles E. Shirley *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* March 16 *18* 97 John R. Welsh *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.*

0069

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

228 321

Police Court--- 2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Wm E. Ball
43 Mercer
Chas. E. Shirley
2 .....
3 .....
4 .....

Offence Larceny Lottery

Dated March 16 1899

Voorhis Magistrate.

Browne & Clarke Officer.

8th Precinct.

Witnesses Chas. E. Shirley

No. ..... Street.

No. ..... Street.

No. ..... Street.

$ 1000 to answer

MAR 16 1899

0066

Page 243

4771

# AFFIDAVIT FOR COMMITMENT OF WITNESS.

POLICE COURT 2 DISTRICT.

CITY AND COUNTY OF NEW YORK, } ss.

John T. Clarke

of the 5 Precinct Police, being duly sworn, deposes and says that Joseph Hobenstock aged 18 or the examination in this court (now here) is a material witness for the people against Louis Hobenstock and Solomon Kulner charged with Receiving Stolen Goods. As deponent has cause to fear that the said Joseph Hobenstock will not appear in court to testify when wanted, deponent prays that the said Joseph Hobenstock be Juvenile for Omission of Cruelty to Children committed to the ~~House of Detention~~ in default of bail for his appearance.

John T. Clarke

Sworn to before me, this 16 day of March 1893

John Collins Police Justice.

0067

505

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

Charles E. Shirley

**The Grand Jury of the City and County of New York,** by this indictment, accuse Charles E. Shirley of the CRIME OF GRAND LARCENY IN THE second DEGREE, committed as follows:

The said Charles E. Shirley, late of the City of New York, in the County of New York aforesaid, on the 15th day of March in the year of our Lord one thousand eight hundred and ninety-three, at the City and County aforesaid, with force and arms,

one seal-skin of the value of thirty-five dollars

of the goods, chattels and personal property of ~~one~~ a certain corporation known as the Rusgits Fur Company 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

0068

# BOX:
517

# FOLDER:
4705

# DESCRIPTION:
Simms, Robert F.

# DATE:
03/28/93

4705

265 Ow Mch 18/93
493

Counsel, Pinkney

Filed 28th day of March 1893

Pleads, Guilty April 3

THE PEOPLE

vs.

Robert F. Billings

Grand Larceny, Degree, Penal Code.
[Sections 528, 530,

Pled April 3/93

DE LANCEY NICOLL,
*District Attorney.*

A TRUE BILL.

J. W. Heaton,
*Foreman.*

June 16/93
Discharged on his own recog

*Witnesses:*

W. Crow

Bail $1000

I am convinced from an examination made in the case that the testimony will not warrant a conviction. I have already held [redacted] for a term in Sing Sing for 3 months. And I believe that under all the circumstances he should be discharged upon his own recognizance.

June 15th 93 Robert Lawrence
District Attorney.

I concur
Frank W. Patterson Asst Dist Atty

0070

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

City and County of New York, } ss.

Selden W. Crowe of No. 158 West 36th Street, aged 57 years, occupation Physician being duly sworn, deposes and says, that on or about the 27th day of January 1893 at the City of New York, in the County of New York,

the following described Property was stolen from the possession of deponent, by one Robert F. Simms, to wit:
four folding beds of the value of two hundred dollars, six mirrors of the value of one hundred dollars, eleven mattresses of the value of one hundred dollars, seven other beds of the value of one hundred dollars, one book case of the value of twenty-five dollars, a quantity of clothing of the value of one hundred dollars, a quantity of carpets of the value of two hundred dollars, fifty chairs of the value of two hundred dollars, and other property of the value of two hundred dollars;

Deponent charges the said Robert F. Simms with the larceny of the said property for the following reasons:

Prior to the said date the said property was contained in premises, No. 218 West 53rd Street where deponent then resided. The said Robert F. Simms occupied a floor in said premises. Deponent left New York City on an extended travelling tour on January 23rd, leaving the said defendant in said premises. When deponent returned to New York on March 8th, he discovered that the said property was missing and that the said defendant had disappeared.

On March 20th, deponent saw part of the said property in the possession of defendant at Washington, D.C.

Sworn to before me this 28th day of March, 1893
Henry W. Unger
Notary Public
N.Y.Co.

Selden W. Crowe

0071

DISTRICT ATTORNEY'S OFFICE,

*City and County of New York.*

THE PEOPLE, &c.,

ON THE COMPLAINT OF

The District Attorney

*vs.*

Robert F. Simms

Offence

Dated March 28th 1893

Witnesses, Dr. Selden W. Crowe

No. 158 West 36th Street,

No. Street,

No. Street,

Gallagher and Co.-
Cor. Bway and 30th St.-
Mr Gallagher-) Mr John
Early- 8th & 9th ave. and
35th St. N.Y.

COUNTY OF NEW YORK, ss.:

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

An indictment having been found on the 28th day of March 1893, in the Court of General Sessions of the Peace of the County of New York, charging Robert F. Simms

with the crime of Grand Larceny first degree

**You are therefore Commanded** forthwith to arrest the above named Robert F. Simms and bring him before that Court to answer the indictment; or if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the City Prison of the City of New York.

*City of New York, the* 28th *day of* March 1893

By order of the Court,

John T. Carroll

*Clerk of Court.*

0073

New York General Sessions of the Peace.

THE PEOPLE

OF THE STATE OF NEW YORK,

*against*

Robert F. Simmons

BENCH WARRANT FOR FELONY.

*Issued* March 28th 1893

April 3 1893

The within named defendant was arrested this day and brought to the Court of General Sessions by

Reilly Van G. Ga Fain

☞ **The officer executing this process will make his return to the Court forthwith.**

0074

Court of General Sessions -
The People
agst
Robert Simms -

To De Lancy Nicoll
District Attorney.

Sir will please take notice that upon the affidavits herein annexed & notice of motion and upon all the proceedings had in this case a motion will be made in Part II - of the Court of General Sessions - on Friday the 16th day of June 1893 for an order discharging the defendant upon his own recognizance & for such other ruling as may be just

Dated N.Y. June 15th 1893.

Purdy & McMahon -
Defts Attys -
No. 116. Centre St.

0075

Lewis & Samuel Lewis
Ex'rs
vs.
Robert J. Lewis.

Filed Feb 28 1873

Notice of Motion.

Purdy & McMahons
attys for dfts
No. 116 Center St.
Cthy

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
*against*
Robert F. Simms

**The Grand Jury of the City and County of New York,** by this indictment, accuse Robert F. Simms of the CRIME OF GRAND LARCENY IN THE First DEGREE, committed as follows:

The said Robert F. Simms

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

four folding beds of the value of fifty dollars each, six mirrors of the value of twenty dollars each, eleven mattresses of the value of ten dollars each, seven beds of the value of fifteen dollars each, one book-case of the value of twenty-five dollars, divers articles of clothing and wearing apparel of a number and description to the Grand Jury aforesaid unknown of the value of one hundred dollars, two hundred yards of carpet of the value of one dollar each yard, and fifty chairs of the value of five dollars each and divers other goods, chattels and personal property, a more particular description whereof is to the Grand Jury aforesaid unknown of the value of two hundred dollars of the goods, chattels and personal property of one Selden W. Crowe

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.

SECOND COUNT—

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

Robert F. Simms

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said Robert F. Simms

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,

the same goods, chattels and personal property described in the first count of this indictment

of the goods, chattels and personal property of ~~one~~ Selden W. Crowe

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

unlawfully and unjustly did feloniously receive and have; the said

Robert F. Simms

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,
*District Attorney.*

0078

# BOX:
517

# FOLDER:
4705

# DESCRIPTION:
Smith, Henry

# DATE:
03/27/93

4705

*Witnesses:*

Johnson Heist

Patk Farrell

23 HZ a

Counsel

Filed 27 day of March 1893

Pleads Mzulty 28

THE PEOPLE

34 416 & 12th Ledder

*vs.*

Henry Smith

Grand Larceny, Second Degree.

[Sections 528, 531, Penal Code.]

DE LANCEY NICOLL,

*District Attorney.*

A TRUE BILL.

Wm W Healey

*Foreman.*

Pat 2 – April 11, 1893

Tried and Convicted of

Petit Larceny

17 Yr Pen Pg.

0080

Police Court "3" District. Affidavit—Larceny.

City and County of New York, } ss:

Alois Pfliegel

of No. 512 E 11th Street, aged 54 years, occupation Ice Dealer being duly sworn, deposes and says, that on the 13th day of March 1892 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 set of Harness
Valued at about Forty dollars
40 00/100

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 Henry Smith (now here)

from the fact that said property was stolen from deponents stable at number 523 East 4th Street this city on said date.

Deponent is informed by Solomon Hecht that he bought said property from defendant who informed witness that said harness was the property of defendant that he defendant was going out of business and had no further use for said Harness.

Deponent has since identified said Harness as the property stolen from deponent

Alois Pfliegel

Sworn to before me, this 9 day of March 1892

Police Justice.

4759

0081

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss:

Henry 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 sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

*Question.* What is your name?

*Answer.* Henry Smith

*Question.* How old are you?

*Answer.* 34 years

*Question.* Where were you born?

*Answer* U.S.

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

*Answer.* 9 Remington Street 3 weeks

*Question.* What is your business or profession?

*Answer.* Hoover Cutter

*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 Smith

*Taken before me this* 7 *day of* July 1893

Police Justice.

0082

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 D. Gunderson

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, May 189 3 Police Justice.

I have have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated, 189 Police Justice.

There being no sufficient cause to believe the within named

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

Dated, 189 Police Justice.

0083

251 237

Police Court, 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Alois Pflegel
572 E. 11th

vs.

1 Henry Smith

2

3

4

Larceny
Offense.

Dated, May 28 1893

Koch
Magistrate.

Farrel & Brunn
Officer.

13th
Precinct.

Witnesses Solomon Hecht

No. 301 2nd Street.

No. Street.

No. Street.

$ 500 to answer G.S.

Can

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

RECEIVED
MAR 29 1893
DISTRICT ATTORNEY

COURT OF GENERAL SESSIONS OF THE PEACE---Part 2.

CITY AND COUNTY OF NEW YORK.

| | |
|---|---|
| THE PEOPLE, VS. HENRY SMITH. | BEFORE HON. JAMES FITZGERALD, AND A JURY. |

TRIED, NEW YORK, APRIL 11TH, '93.

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INDICTED FOR GRAND LARCENY IN THE SECOND DEGREE.

INDICTMENT FILED MARCH 27TH, 1893.

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY JOHN F.MCINTYRE,

FOR THE PEOPLE.

JAMES W.MCLOUGHLIN, ESQ.,

FOR THE DEFENSE.

ALOIS PFLEIGER, a witness for The People, testified that he was an ice dealer. On November 14th last he stabled at 273 4th Street. In the stable he had a horse, harness and feed for the horse. On November 13th he locked up the stable between 7 and 8 o'clock in the evening. He paid $37 for the harness with the collar more than two years ago. He did not go back to the stable until next morning, when he found the harness was gone. Nothing else was missing. The door was open and the pin out. He did not notify the police. On February 27th he found the harness in the stable of Solomon Hecht, 4th St near Avenue D. The way he found it was that he went to the harness maker and ordered a new harness. He said his harness was stolen and the harness maker said he knew where it was. He didnt know how the harness got in Hecht's stable He had seen the defendant before around 4th street He did not see the defendant on Nov 27th, but he saw him a couple of days before the harness was stolen. He didnt see the defendant until the night he was arrested. He, the witness, went with the officer to Hecht's place and found

the defendant and the harness. He, the witness, identified the harness as his property. The defendant said he bought the harness in the horse market.

In

C R O S S - EBX A M I N A T I O N

the witness testified that he knew the ha rness was his.

"""""""""""""

SOLOMON HECHT testified that he was a boss truckman. His place of business was at 38th Street and 1st Avenue and his stable was at 304 E.4th Street. He had known the deft 10 or 12 years but had not seen him in quite a while. The last time he saw the deft was when he sold him, the witness, the harness in question. He bought the harness from the deft in the early part of December for $10. It was the harness that the complainant identified as his property. The deft said he got it at the horse market.

"""""""""""""

PATRICK BRENNAN, a witness for The People, sworn, testified that he was attached to the 13th Precinct. Officer Donnelly arrested the deft and brought him to the station-house and turned him over to him, the witness. Officer Farley took the deft to Hechts place. In the station-house the deft said he had bought the harness in the horse market. The complainant identified the harness as his and said the collar was missing. Mr. Hecht said that he had the collar and he brought it to the station-house and the complainant said it was his collar.

" " " " " " " " " "

WILLIAM SCHWAB, a witness called by the defense, sworn, testified that at the time of the alleged larceny he was at 275 4th Street. The deft, whom he knew, came along the latter part of October.and asked him to rent hm him, the deft, his , the witness's, wagon. The deft said he had just bought a horse and harness at the

0088



market and would like to go around peddling. He, the witness, saw the horse. It was a gray horse, and the defendant had the harness on it. He rented the deft his wagon. The deft kept it 4 or 5 weeks. Then the deft said he didnt care to stay in the business because he had no more money. He, the witness, told the deft he could sell, his, the witness's, wagon if he was going to sell the rest and get a better bargan for the whole thing. The deft sold the wagon and gave him $25 The deft sold it in 3rd street. He had known the deft about 3 years. The deft worked for him a year ago. His reputation for honesty was first class.

In

C r o s s - E x a m i n a t i o n

the witness testified that he didnt know that the deft had been sent to State prison for four years and a half.

"""""""""""

ERNEST H. DAMON a witness for the defense, sworn, testified

to the deft's good character.

"""""""""""

HENRY SMITH, the defendant, sworn, testified, in his own behalf, that he lived at 714 E. 13th Street, with his wife. He was convicted 12 years ago. Since his release he had been working at artificial flowers and merchandise. He had been working hard to build up his reputation. He bought the harness in October last at 74th Street horse market for $6.50. He paid $12.50 for the horse at auction and hired a wagon from Schwab. He sold the harness to Solomon Hecht for $10 and the horse for $12. The wagon he sold for $25 and returned the money to the owner. He didnt break into the complainant's place and steal the harness. He used the horse, wagon and harness in the neighborhood and he met the complainant two or three times. It was the complainant's ice route. He the deft peddled.

In

Cross-Examination

the deft testified that he was convicted in 1884 of stealing clothing. He was sentenced to 3 years in State prison. He bought the harness on Oct.26th.

//////////

0091

1921

CITY AND COUNTY OF NEW YORK, } ss.

Solomon Hecht

aged 21 years, occupation Smokman of No. 300 Second Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Alois Pflugal and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 28 day of July 1893 } Solomon Hecht

Police Justice.

0092



# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

Henry Smith

**The Grand Jury of the City and County of New York,** by this indictment, accuse Henry Smith of the CRIME OF GRAND LARCENY IN THE second DEGREE, committed as follows:

The said Henry Smith, late of the City of New York, in the County of New York aforesaid, on the thirteenth day of November in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, with force and arms, one set of harness of the value of forty dollars

of the goods, chattels and personal property of one Alois Pfleger

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.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said Henry Smith of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows: The said Henry 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 set of harness of the value of forty dollars of the goods, chattels and personal property of one Alois Pfliegen by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said Alois Pfliegen unlawfully and unjustly did feloniously receive and have; the said Henry 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,
*District Attorney.*

0094

# BOX:
517

# FOLDER:
4705

# DESCRIPTION:
Smith, James J.

# DATE:
03/16/93

4705

Witnesses:

Repeated efforts have been made to have the complainant present in Court, but without avail. He is no longer connected with the Police force and report comes to the office that he is sick at some point in the Country, I think the defendant is entitled to have the bail discharged. He indictment having been formed ~~some~~ six years since. I would recommend defendants discharge upon his own recognizance

Albert Jonnard,
Asst Dist Atty

Pt I
Dec. 8th '99.

117

Counsel,

Filed 7th day of March 1893

Pleads, Mizell, 20

THE PEOPLE

*vs.*

B

James J. Smith

POOL SELLING.
(Section 351, Penal Code and Chap. 479, Laws of 1887, §§ 4 and 7.)

DE LANCEY NICOLL,

*District Attorney.*

**A True Bill.**

Wm H. Heaton

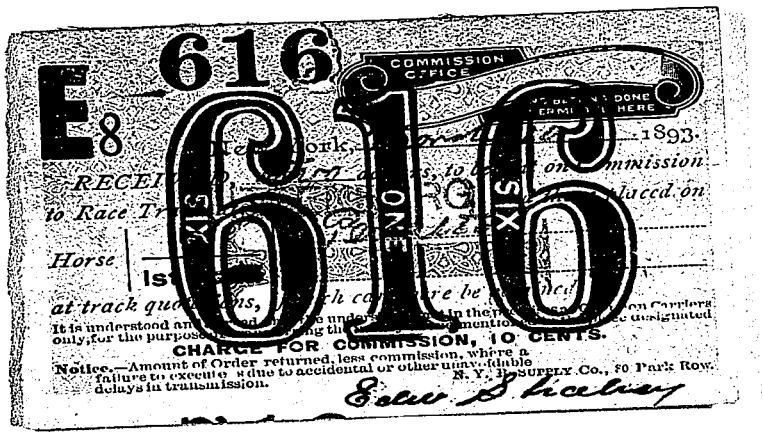
*Foreman.*

Dec. 8/99.
Bail Discharged.

Dec. 8 1899

5605

0096


E 616
COMMISSION OFFICE
1893.
Horse
CHARGE FOR COMMISSION, 10 CENTS.
Notice.—Amount of Order returned, less commission, where a failure to execute is due to accidental or other unavoidable delays in transmission.
N. Y. BOOK SUPPLY Co., 80 Park Row.

0097

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

POLICE COURT— 3 —DISTRICT.

Edward Shalvey

of No. The 13th Precinct Police Street, being duly sworn, deposes and says that on the 10 day of March 1893 at the City of New York, in the County of New York, James J. Smith (another) did at the premises 620 Grand Street keep a room or place therein and who occupied such premises with books and paraphernalia for the purpose of recording and registering bets or wagers dependent upon the result of a trial or contest of speed of beasts to wit: horses in violation of Section 351 of the Penal Code of the State of New York. Deponent on and date visited the above premises and saw on the walls of said room paraphernalia, blackboards with the names of horses marked thereon, and figures marked against each name which deponent understood to be the amount of odds bet against each of said horses and deponent selected the name of one of said horses marked on said blackboard to wit: Peralto a horse who was to run in a contest at race track at Gutenberg in the State of New Jersey and deponent saw the said defendant in front of a partition in said room and deponent said to said defendant that he wanted to bet two dollars on the said horse Peralto. Said defendant told deponent that he would have to fill out an order for the transmission of said bet to the race track. Deponent filled

0098

out said order and gave said defendant the sum of two dollars and ten cents the ten cents being for commission for the transmission and bet. Deponent received the ticket (bets unmixed) and he heard the said defendant called to some person behind said partition to transmit deponents order.

Deponent therefore asks that said defendant may be dealt with as the law directs

Sworn to before me this 10 day of March 1893 } Edward Shaney

Charles N Tomlin
Police Justice

Police Court, _____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated _____ 188

_____ Magistrate.

_____ Officer.

Witness, _____

Disposition, _____

0099

(1895)

Sec. 198—200.

3 District Police Court

CITY AND COUNTY OF NEW YORK, } ss.

James J. Smith being duly examined before the undersigned 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.* James J. Smith

*Question.* How old are you?

*Answer.* 36 years

*Question.* Where were you born?

*Answer.* New York

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

*Answer.* 620 Grand Street. 18 years

*Question.* What is your business or profession?

*Answer.* Clerk

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

*Answer.* I am not guilty

James J. Smith

*Taken before me this* 10 *day of* March 1893

Charles N. Tuntz, *Police Justice.*

0 100

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 Arfuendul

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, March 10 1893 Charles N Tinter Police Justice.

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

Dated, Mar 10 1893 Charles N Tinter Police Justice.

There being no sufficient cause to believe the within named

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

Dated, 189 Police Justice.

BAILED,

No. 1, by James E. Burke

Residence 404 Madison Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

117 279

Police Court, 3 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Edward Shalvey
12-P

vs.

1 James J. Smith

2

3

4

Offense, Vio Sec 351 Penal Code

Dated, Mar 10 1893

Taylor Magistrate.

Shalvey Officer.

12 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

$ 500 to answer

Bailed

RECEIVED MAR 16 1893 DISTRICT ATTORNEY

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

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

James J. Smith

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse James J. Smith

of the crime of keeping a room for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said James J. Smith

late of the Seventh Ward of the City of New York, in the County of New York aforesaid, on the Tenth day of March in the year of our Lord one thousand eight hundred and ninety Three, at the Ward, City and County aforesaid, and not upon any grounds or race track, owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, with force and arms, did unlawfully and feloniously keep a certain room in a certain building there situate, for the purpose of therein recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed and power of endurance of beasts, to wit, horses; 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 James J. Smith

of the crime of knowingly permitting a room to be used and occupied for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said James J. 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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the occupant of certain room in a certain building there situate, with force and arms, unlawfully and feloniously did knowingly permit the said room to be used and occupied for the purpose of therein recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed, and power of endurance of beasts, to wit, horses; 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 James J. Smith

of the crime of keeping, exhibiting and employing devices and apparatus for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said James J. 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, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being the occupant of a certain room in a certain building there situate, with force and arms, did unlawfully and feloniously therein keep, exhibit and employ, divers devices and apparatus (a more particular description whereof is to the Grand Jury aforesaid unknown) for the purpose of recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed and power of endurance of beasts, to wit, horses; 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.

**Fourth Count,** And the Grand Jury aforesaid, by this indictment, further accuse the said James J. Smith

of the crime of becoming the custodian and depository, for hire and reward, of money staked,

wagered and pledged upon the result of trials and contests of speed and power of endurance of horses, committed as follows :

The said James J. 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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the occupant of a certain room in a certain building there situate, with force and arms, did unlawfully and feloniously therein then and there become the custodian and depository, for hire and reward, of certain money, to wit: the sum of Five dollars in lawful money of the United States of America, which said money was then and there by one Edward Shaley staked, wagered and pledged upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called Rivales and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situate at Guttenberg in the County of Hudson in the State of New Jersey and commonly called the Guttenberg Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the circumstances and manner of, upon, and in which the said money was so staked, wagered and pledged as aforesaid, is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

**Fifth Count,** And the Grand Jury aforesaid, by this indictment, further accuse the said — James J. Smith

of the crime of recording and registering a bet and wager, committed as follows :

The said — James J. 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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose

of improving the breed of horses, where racing was then lawfully had, with force and arms, did unlawfully and feloniously record and register, and cause to be recorded and registered, a certain bet and wager, then and there made by and between one

Edward Daley

and divers other persons to the Grand Jury aforesaid unknown, upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called Peralta and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at Guttenberg in the County of Hudson in the State of New Jersey and commonly called the Guttenberg Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the said bet and wager so as aforesaid then and there made upon the same, is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

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

James J. Smith

of the CRIME OF POOL SELLING, committed as follows:

The said James J. 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, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was lawfully had, with force and arms, did feloniously engage in pool selling, and did then and there feloniously sell, and cause to be sold, to one Edward Daley and to divers other persons, to the Grand Jury aforesaid unknown, a certain pool upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called Peralta and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year afore-

said, at a certain place and race track situated at Guttenberg
in the County of Hudson in the State of New Jersey
and commonly called the Guttenberg Race Track,
and which said trial and contest was had, holden and run on the day and in the year aforesaid at the place and race track aforesaid (a more particular description of which said trial and contest, and of the pool upon the same so as aforesaid then and there sold, is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

**Seventh Count,** And the Grand Jury aforesaid, by this indictment, further accuse the said James J. Smith

of the crime of recording and registering bets and wagers, committed as follows :

The said James J. 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, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, with force and arms, did unlawfully and feloniously record and register, and cause to be recorded and registered, divers bets and wagers, then and there made by and between divers persons to the Grand Jury aforesaid unknown, upon the result of divers certain trials and contests of speed and power of endurance of and between divers horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at Guttenberg
in the County of Hudson in the State of New Jersey
and commonly called the Guttenberg Race Track, and which said trials and contests were had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trials and contests and of the said bets and wagers so as aforesaid then and there made upon the same, is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

**Eighth Count,** And the Grand Jury aforesaid, by this indictment, further accuse the said James J. Smith

of the crime of pool selling, committed as follows:

The said James J. 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, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, with force and arms, did feloniously engage in pool selling, and did then and there feloniously sell, and cause to be sold to divers persons, to the Grand Jury aforesaid unknown, divers pools upon the result of divers trials and contests of speed and power of endurance of and between divers horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at Guttenberg in the County of Hudson in the State of New Jersey and commonly called the Guttenberg Race Track, and which said trials and contests were had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trials and contests and of the pools upon the same so as aforesaid then and there sold, is to the Grand Jury aforesaid unknown, and cannot now be given), 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.**

0 108

# BOX:
517

# FOLDER:
4705

# DESCRIPTION:
Spiedelglass, Jacob

# DATE:
03/15/93

4705

Witnesses:

Jno. G. Bowe

Jacob Gilletary

Counsel,

Filed 15 day of March 1893

Pleads, Guilty

22 Fiddler married

60 attorney of counsel

THE PEOPLE

vs. Russian Poland

Jacob Spiedelglass

Burglary in the Third Degree.
[Section 498, Pen. Code.]

DE LANCEY NICOLL,

*District Attorney.*

Mar. 22/93 U.M.D.

A TRUE BILL.

Wm. W. Heaton

*Foreman.*

Old Days

Part 2 — March 30/93.

Pleads Guilty, Burg. 3rd Deg.

March 27

Elmira Ref.

0110

Police Court— 3 District.

City and County of New York, } ss.:

Jacob. Goldkling

of No. 5 Sharff. Street, aged 28. years,

occupation Lawn Tyger. being duly sworn

deposes and says, that the premises No 35 Sharff. Street, 13th. Ward

in the City and County aforesaid the said being a the rear room in the floor.

and which was occupied by deponent as a factory

~~and in which there was at the time a human being, to wit, name~~

were BURGLARIOUSLY entered by means of forcibly removing the hasp and staple and then forcing open the door. leading to said apartment

on the 8th day of March 1893 in the Night time, and the following property feloniously taken, stolen, and carried away, viz:

Twenty six ladies cloaks. of the value of two hundred and sixty dollars.

the property of Julius Stern & Co. of 575 Broadway

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

Jacob. Spiedelglass (Prowler)

for the reasons following, to wit: Myself. at. about. 11. Oclock P.M. March 7th 1893 Deponent secured locked and fastened the said Premises. Deponent is informed by Officer John J Bowe that. at. about 3 Oclock A.M. March 8th he Bowe arrested the defendant in Delancey Street that when he brought the defendant to the Station House he found secreted

on the defendants premises five dollars
cleared.

Debrueck further says that when
he went to the said premises he found
that the said premises had been broken
into as aforesaid and the same properly
missing. That he then went to the
12. Precinct Station House to report the
Burglary when he was told by the
the prisoner found on the defendant
as part of the property and property
taken from the said premises.

Sworn to before me
this 9th day March 1893

Charles N Lester
Police Justice

x Jakob Goldklang

Police Court, _____ District.

THE PEOPLE, &c.,
on the complaint of

vs.

1
2
3
4

Offence—BURGLARY.

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

to answer General Sessions.

*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* 188 *Police Justice.*

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

*Dated* 188 *Police Justice.*

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

*Dated* 188 *Police Justice.*

0112

Sec. 198—200. 3 1882

District Police Court.

City and County of New York, ss:

Jacob Speedelglass 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.* Jacob Speedelglass

*Question.* How old are you?

*Answer.* 18 years

*Question.* Where were you born?

*Answer.* Russia

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

*Answer.* Canal & Bowery.

*Question.* What is your business or profession?

*Answer.* Peddler

*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

Jacob his X mark Speedelglass

Taken before me this 1 day of Nov 1882

Charles Counter Police Justice.

0113

*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* A Fredrick

*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,* March 7 *189*3 Charles N Smith *Police Justice.*

*I have admitted the above-named* .....

*to bail to answer by the undertaking hereto annexed.*

*Dated,* ..... *189* ..... *Police Justice.*

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

..... *guilty of the offense within mentioned, I order h to be discharged.*

*Dated,* ..... *189* ..... *Police Justice.*

1881

0114

272

Police Court--- 8 3 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Jacob Greenberg
5 Spencer

vs.

Jacob Sperdel Jr

2

3

4

Offense Burglary

Dated, March 9 1893

Counter Magistrate.

Bowe Officer.

22 Precinct.

Witnesses Call Officer

No. Street.

No. Street.

No. Street.

$ 1000 to answer

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

RECEIVED MAR 15 1893 DISTRICT ATTORNEY

0115

1921

CITY AND COUNTY OF NEW YORK, } ss.

John J Bowe

aged 4 years, occupation Police Officer of No. 12 Precinct Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Jacob Goldberg and that the facts stated therein on information of deponent are true of deponent's own knowledge.

*Sworn to before me this* 9 *day of* March 189 3 } John J Bowe

Charles N Tainter *Police Justice.*

0116



# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

Jacob Spiedelglass

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

Jacob Spiedelglass

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

The said Jacob Spiedelglass

late of the 13th Ward of the City of New York, in the County of New York aforesaid, on the eighth day of March in the year of our Lord one thousand eight hundred and ninety-three, in the night-time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the factory of one Jacob Goldsborg

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~~ one Julius Stern in the said ~~building~~ factory 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

Jacob Spiedelglass

of the CRIME OF Grand LARCENY in the second degree, committed as follows:

The said Jacob Spiedelglass

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-six cloaks of the value of ten dollars each

of the goods, chattels and personal property of one Julius Stein

in the factory of ~~the said~~ one Jacob Goldklang

there situate, then and there being found, in the factory 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.

THIRD COUNT:

**And the Grand Jury aforesaid,** by this indictment, further accuse the said Jacob Speedglass of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said Jacob Speedglass

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

twenty-six cloaks of the value of ten dollars each

of the goods, chattels and personal property of Julius Stern

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said Julius Stern

unlawfully and unjustly did feloniously receive and have; (the said Jacob Speedglass

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

DE LANCEY NICOLL,
*District Attorney.*

0119

# BOX:
517

# FOLDER:
4705

# DESCRIPTION:
Starensky, Morris

# DATE:
03/29/93

4705

0120

# BOX:
517

# FOLDER:
4705

# DESCRIPTION:
Rosenbaum, Charles

# DATE:
03/29/93

4705

*Witnesses:*

Jas Foley
11th Precinct
Yetta Block

253 Waiver

253 ~~X~~ ~~X~~

Counsel,

Filed 29 day of March 1893

Pleads, Guilty 20

THE PEOPLE

*vs.*

Morris Starensky
and
Charles Rosenbaum

Burglary in the Third Degree.
[Section 498, Penal Code.]

DE LANCEY NICOLL,
*District Attorney.*

Part 1
April 6

A TRUE BILL.

Geo. W. Heaton.
April 7/93 *Foreman.*

Both Tried & Ad. Convd
of P.L. House of Refuge
Not Acquitted April 10/93

Separate complaints. 10

0122

Police Court— 3 District.

City and County of New York, } ss.:

Gitta Block

of No. 77 Hester Street, aged 18 years,

occupation — being duly sworn

deposes and says, that the premises No. 77 Hester Street, 10 Ward

in the City and County aforesaid the said being a three story brick

dwelling with Store

and which was occupied by deponent as a Hat Store

and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly opening a door leading from the hallway of said premises into said Store

on the 24 day of March 189[illegible] in the night time, and the following property feloniously taken, stolen, and carried away, viz:

Seventy Hats of the value Sixty Six dollars and fifty Cents

the property of Herman Block deponents father ~~and in the~~ care and custody of deponent

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

Morris Stanesky

(now here) and two other unknown and not arrested and acting in concert

for the reasons following, to wit: that on said date at about the hour of six P.M. said premises were securely locked and fastened and at about the hour of 10 30 P.M. deponents return to said premises deponent discovered that said premises had been entered in the manner described above. Deponent is informed by Officers William Burns and John M. Foley of the 11th Precinct Police

that at about the hour of 10 P.m. on said date they saw the said Starusky and two others not arrested and unknown to deponent in Chrystie Street with a number of Hats in their possession and that on seeing the said Officers they dropped on the Street Twenty three Derby Hats and that they arrested the said Starusky the other two unknown persons escaping Deponent has since seen the property found in the possession of said defendant and fully and positively identifies it as part of the property taken stolen and carried away from deponent's possession

Sworn to before me this
26 day of [illegible] 1893

Yetta Black

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 ______ 188 . ______ Police Justice.

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

Dated ______ 188 . ______ Police Justice.

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

Dated ______ 188 . ______ Police Justice.

---

Police Court, ______ District.

THE PEOPLE, &c.,
on the complaint of

vs.

1. ______
2. ______
3. ______
4. ______

Offence—BURGLARY.

Dated ______ 188

______ Magistrate.

______ Officer.

______ Clerk.

Witnesses, ______

No. ______ Street,

No. ______ Street,

No. ______ Street,

$ ______ to answer General Sessions.

0124

Sec. 198—200.

3

1882

**District Police Court.**

**City and County of New York, ss:**

Morris Starensky being duly examined before the undersigned 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.* Morris Starensky

*Question.* How old are you?

*Answer.* 14 years

*Question.* Where were you born?

*Answer.* Russia

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

*Answer.* 242 Division Street 2 years

*Question.* What is your business or profession?

*Answer.* Tobacco Stripper

*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

Morris Starensky

*Taken before me this* 26 *day of* January 1889

Police Justice.

0125

CITY AND COUNTY OF NEW YORK } ss.

POLICE COURT, 3 DISTRICT.

John Foley

of No. the 11th Pct Street, aged years,

occupation Policeman being duly sworn, deposes and says

that on the 14 day of March 189 3

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

Morris Sharinsky (man
here) was arrested on
a charge of burglary but
as defendant has not
had the necessary in=
=criminating evidence
he asks that said Morris
Sharinsky be detained to
procure the same

John Foley

Sworn to before me this 15 day of March 189 3

Police Justice.

0126

Police Court, 3 District. 271

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated Jan 26 189 8

Magistrate.

Officer.

Witness,

Disposition

Cer. adj. 6 26 [illegible]
Left-recognizance in [illegible]
Officer

0127

*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* Chapman

*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,* Mar 26 *189*3 *Police Justice.*

*I have admitted the above-named*

*to bail to answer by the undertaking hereto annexed.*

*Dated,* *189* *Police Justice.*

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

*guilty of the offense within mentioned, I order h to be discharged.*

*Dated,* *189* *Police Justice.*

1881

0128

B.O. 253 3 346

**Police Court--- 3 District.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Gitta Block
97 Hester
vs.

1. Morris Stamuska
2.
3. Indicted with
4. Charles Rosenbaum

Offense Burglary

Dated, March 26 1893

Koch Magistrate.

W. H. Burns & J. M. Foley Officer.

11 Precinct.

Witnesses Call the Officers

No. Street.

No. Street.

No. Street.

$ 1000 to answer G.J.

Can

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

RECEIVED MAR 27 1893 DISTRICT ATTORNEY

0129

CITY AND COUNTY OF NEW YORK } ss.

POLICE COURT, 3 DISTRICT.

John F. Foley

of No. The 11th Precinct Police Street, aged years,

occupation Police Officer being duly sworn, deposes and says

that on the 27 day of March 1893

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

Charles Rosenbaum (prisoner) who is one of the unknown persons mentioned in the affidavit of Letta Block on March 26th 1893 charging Morris Starucky (held for trial) and two unknown persons not arrested with Burglary on the premises 77 Hester Street on March 25th 1893. Deponent therefore asks that said Rosenbaum may be dealt with as the law directs

John Foley

Sworn to before me, this 28th day of March 1893

Police Justice.

0130

Sec. 198—200. 3 1882 District Police Court.

City and County of New York, ss:

Charles Rosenbaum being duly examined before the undersigned 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.* Charles Rosenbaum

*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.* 52 Essex Street. 8 Years

*Question.* What is your business or profession?

*Answer.* Cap Maker

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

*Answer.* I am not guilty

Charles Rosenbaum

*Taken before me this* 24 *day of* March 1883

[illegible]

*Police Justice.*

0131

*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,* Mar 27 *189*3 *Police Justice.*

*I have have admitted the above-named*

*to bail to answer by the undertaking hereto annexed.*

*Dated,* *189* *Police Justice.*

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

*guilty of the offense within mentioned, I order h to be discharged.*

*Dated,* *189* *Police Justice.*

0 132

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

B.O. 253

Police Court, 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Foley

vs.

1 Charles Rosinbaum
2
3 Intoxicated with
4 morphine Larceny

Offense, Larceny

Dated, Mar 28 1893

Hogan Magistrate.

Foley & Burns Officer.

11 Precinct.

Witnesses .....

No. ..... Street.

No. ..... Street.

No. ..... Street.

$ 1000 to answer Gd.

77/93

THE PEOPLE,

vs.

MORRIS STARENSKY
and
CHARLES ROSENBAUM.

COURT OF GENERAL SESSIONS, PART 1.

BEFORE JUDGE MARTINE.

Thursday, April 6, 1893.

Indictment for Burglary, in the third degree, and Grand Larceny.

A Jury was empannelled and sworn.

YETTA BLOCH, sworn and examined, testified: Where do you live? 77 Hester street, New York. You live with your father there? Yes. Is there a business conducted at 77 Hester street? Yes, the business of hats. Do you live on the premiises overhead? We live on the first floor; we manufacture hats. Do you remember the evening of the 24th of March? Yes. Who closed the store that night? My brother did; I didn't see him close it. Do you know whether it was closed, of your own personal knowledge? Certainly. Did you see it after he had closed it? Yes. You found it locked and the windows all complete and intact? Yes. When did you next see it after noticing it was locked on that night? About fifteen minutes after it was locked. Your brother locked it at what time? About seven o'clock; I went down stairs and I seen it was locked, but I didn't examine it. Did you go down again later in the night? Later in the night, when I returned from the street, about half past 10, I seen the door was wide open and I went up stairs and asked my father if he was in the store. He says, "I didn't go down to the store yet," and then we found the gas out. Had you left the gas burning? We always leave the gas burning; when we went inside then we saw that there was a lot of hat boxes down, and a lot of hats gone. Did you notice any marks

on the door? No, I didn't notice any marks, only the lock wa off, it was not broken but forced. What sort of locks were there on the door? It was a small lockmthat was taken off altogether, and the other lock was there with a big key to it. The lock that was hanging, that was gone? It was gone, we did not see it. The other lock was harging down? It was not broken, it was just forced open like, the iron part that held it was off. How many hats did you miss from the place? We reckoned up about $66.50; I don't remember exactly how many hats. Did you ever see those hats after that? We got twenty-four hats back; we found them in the Eldridge st. station. They were part of the property that was taken this night? Yes. Did you see those hats after they were in the station house? Yes. Had you ever seen them before? Certainly. Where had you seen them before? In my father's store.

JOHN FOLEY, sworn and examined, testified:
What precinct are you attached to? The 11th precinct. Do you know the premises 77 Hester street? Yes, they are in the Tenth ward. Did you see these two defendants on the night of the 24th of March? Yes. Where did you first see them? A saw them crossing Grand street, coming out of Chrystie street, at about 10:15 in the evening. Who was with you when you saw them? Officer Burns. Did they have any bundles with them? Yes. What did Rosenbaum have with him? He was carrying a bag full of hats. What did this other defendant have? He had the hats in his hand, and a new one on his head. What did you and Officer Burns do? We started up Chrystie street after them, we got to the middle of the side-walk and they both started to run. What became of the

hats? I stayed there with the hats and Officer Burns gave chase and caught the little fellow. The bundles were dropped, and they ran? Yes. Did you see Burns that night? I waited until he came back with the little one. Did you see the complaining witness? She came in afterwards, and claimed the stuff, she identifeed it. You, up to this time, did not know of any burglary? No, we did not. When was this other defendant here arrested? Two or three days afterwards. Where was he arrested, and by whom? He was arrested around Ludlow and Hester streets, by one of the men of the precinct; we told him to pick him up. He was brought in by an officer? Yes. You identified him as one of the boys you had seen? Yes, the boy we chased that night. Did you look at the door of that place? Yes, we went down there. Describe to the jury how the premises were broken, and what marks were on the door? There was a hanging lock on the door, hung by two staples, and that was wrenched off. The mortis lock was forced open, and the wood was broken.

CROSS EXAMINATION:

What caused you to notice these boys any more than you would any other? Their actions, they kept watching us, looking at us; we stopped on the corner. Were you in uniform? No. Officer Burns was in the same dress he now is? Yes. What time was that? About 10:15. There was quite a crowd on Grand street? No, very few at that time. Did you stop? We did. And the boys stopped? No, they went along pretty lively, and we started after them. Did you ever have any trouble with these boys? The smallest one has been arrested before; he was wanted in the house for larceny, Officer Mooney had the case; I was with Officer Mooney when he locked him up. Do you know this boy, Rosenbaum? No. They kept

looking back at us, and as soon as we quickened our pace they ran; the big fellow turned in Broome street. It was not quite dark in Chrystie street that night, the lights were all lit. Are there any stores in that block, near Grand street? Yes. The little fellow was immediately taken to the station house after his arrest? Yes. Did he say anything to the station house, in answer to you? Yes. What statement did he make, if any? He said he was paid by another party to carry the hats. Did he tell you how much he got for it? I think he said ten cents, I wouldn't say positively. Did you ask him who the other boy was, who was with him? Yes, he said he didn't know him. Who made the arrest of the second boy, Rosenbaum? Officer Nell. Is he in court? No. I knew Rosenbaum before; I saw him around Ludlow street a good many times; I think he lives in Essex street.

WILLIAM BURNS, sworn and examined, testified:
You are attached to the 11th precinct? Yes. Were you in company with the last witness on the corner of Chrystie and Broome streets, on the night of the 24th of March, about half past 10? Yes. Did you see these two boys? Yes. Describe to us what they were doing when you first saw them? They were going through Chrystie street, we just got near Chrystie and Grand; they had bundles with them. What did the big one have? He had a bag, along with another boy. What did the other boy have? He had a box, about that big, white. Did you follow them? I went across on the south side of Chrystie street, to head them off, between Grand and Broome, and before they got to Broome they dropped them and ran. Rosenbaum, when he got to Broome street, ran towards the Bowery, and this little boy ran towards Forsyth street,

and I continued after him. At any time, during the time you werewatching them, we re those two boys talking together as they walked along the street with thier bundles? No, they were walking along together. Were they talking? I couldn't say, I didn't get near enough to know. Did you question the little boy who the other boy was? He said he didn't know who the other boys were that were with him, one we have not got , there were three in all. You, however, identified this other boy as one of those boys who was with this younger one? Yes. Did you give a description of him? I gave a description to Officer Nell, and Foley knew him and told the Officer to pick him up when he saw him, and he brought him in.

CROSS EXAMINATION:

Do you know hwhere Rosenbaum lived? No. Did Foley tell you where Rosenbaum lived? No. You are the side-partner of Foley, and you were with him the night of the supposed burglary? Yes. You arrested one of the defendants? The small boy. You werr looking for the second one? Yes. You waited three days, until somebody else brought this defendant in; is that right? We looked for him; we could not find him; we looked around the house in Ludlow street, and every one of those streets; Ididn't go to his house. Did you go with Officer Foley, at any time, to this boy's house to see if he was there? No.

OFFICER JOHN FOLEY, recalled by District Attorney:

Were those two boys alone when you saw them go through the street? No, there was a third party with them. Did the third party have any property with him? The one we have not got, and the biggest one, was carrying a bag. They both had hold of the bag? Yes. Why did you testify, a moment ago,

there were only two boys there, did you say this boy was accompanied by another? They were together; you didn't ask me how many there were. You did not say anything about the third boy before? No. Didn't you say this boy carried a bag? He was carrying a bag, yes. Didn't you state, a moment ago, in your direct-examination, when first called, that you saw this boy have a bag? No, I did not. Which boy had the bag? The big one, and the little one had a box in his hand and one hat on his head. Why didn't you state there was a third boy? I was not asked. Where did the third party run? I don't know, I lost him in Broome street; I stayed there, and watched the hats. Officer Foley, you know this boy's address? No, I knew the day after he was arrested, when he gave it in court; I know it was on the papers. I did not know he lived in Essex street until after he was arrested. I heard he lived in Essex street, but where I didn't know; and I do not know the number now.

THE CASE FOR THE DEFENCE.

SARL ENGEL, sworn and examined, testified:

What is your business? Manufacturer of hats and caps, and I have been in that business seven or eight years. Do you know this boy Rossenbaum? Yes. Was he ever in your employ? He was, up to about three months ago. How long was he with you? About a year and a half. What was his duty in your place? Doing errands and helping inside. From your knowledge of this defendant, do you know his general character? Yes, it is good, as far as I know.

HURTER KEENAN, sworn and examined, testified:

You are employed with C. B. Rouss, on Broadway? Yes, I am

a door-man there. Do you know this boy Rosenbaum? Yes. How long have you known him? Since he has been in our employ, I know him being in the store a little over a year. Do you know his general character? I know his character as far as being in the house, it was good with us; I have charge of every boy in the house. How long is he with you? Pretty nearly fifteen months.

MAX CRONTHAL, sworn and examined, testified:
What position do you hold at C. B. Rouss's? Salesman, and at one time I was cashier. Did you know this boy Rosenbaum during the time that you were cashier? Yes. How long was he in the employ of C. B. Rouss, to your knowledge? About fifteen months. You paid him off during that time; did you? Yes. Do you know his reputation as far as honesty is concerned? Yes; it is good.

CROSS EXAMINATION:
How old are you? Eighteen; I was cashier in Rouss's for two or three years. I paid all the hands off, about seventy-five of them. Do you know why he left the postion he was in at Rouss's? It was kind of slack, and we had to get rid of some of the boys.

MORRIS STARENSKY, sworn and examined, testified:
I am fourteen years old. Do you remember the night that Officer Foley charges you with having broken into the premises of Mrs. Bloch and having property belonging to her? Yes, it was Friday night; I walked past Grand street, and I met two fellows carrying stuff. One of them said to me, "Will you make a few cents?" And I said, "Yes." He said, "Carry that up to Delancey street," and he gave me a box of hats to

carry. I walked half a block and the big fellow dropped his stuff, making a run. I took my box and I went over on the corner and I looked around, and the man took me up to the station house. Did you get your ten cents for doing that? No. Did you ever see that man before that gave you the box to carry? No, I never saw him before. Did you ever see him before he was brought into court, Rosenbaum? No, I didn't know him. You swear to this jury that this boy Rosenbaum was not one of the boys who was with you that night? Yes. You didn't see him at all that night; did you? No.

BETTY ROSENBAUM, sworn and examined, testified: What is your married name, give your right name? Lipmann. You are a sister of this boy, are you? Yes. Do you remember the 27th of March? Yes. What day was that? Friday. Did you see your brother that day? Yes. Does he live with you? Yes. He boards with you, and pays you so much a week? Yes. Did you see him on the night of the 27th of March? Yes, in my place, he came inabout eight o'clock. Mrs. Rosenbaum, this time that you state, I see that there is some little nervousness here on the part of the prosecution, this day that you claim your brother was home, do your emember the exact date? On a Friday:

COUNSEL: It was an error on my part, it was the 24th of March.

THE COURT: Do not supply that -- that is grossly improper.

By Counsel: You are sure it was friday night? Yes, it was Friday night, about eight o'clock. Did he leave the house after coming in that same night? No, he didn't leave the house at all. You remained home all evening, didn't you? Yes. Was anybody else home that evening beside you and this defendant? No, but my husband came home that. You swear to this jury

that your brother did not leave the house from the time he came home at 8 o'clock until the next morning? Yes.

CROSS EXAMINATION:

Are you a married woman? Yes; I have been married about four years. Tell us whether it was the 27th or the 24th; you have testified, with equal facility, to two dates here, one that it was on the 27th of March that this boy came home at 8 o'clock and remained all night, and again, after the aid of counsel, you say it was the 24th; which day is true, on which night was it that he came home? Friday evening, but I don't recollect what date it was. I went to bed about 10 o'clock; I don't recollect the time I got up the next morning. That Friday my husnabd came home a quarter after 8. I remember it was Friday night night, for the next day was a Jewish holiday, and I was cleaning up. You have not spoken to counsel, nor to your husband, nor your brother about this case, nor to anybody, since he was arrested? No.

ISRAEL LIPMANN, sworn and examined, testified:

I am a brother-in-law of the defendant Rosenbaum, and the last witness is my wife. I live at 169 Essex street, and am a butcher, working at 318 Houston street. Do you remember the night of the 24th of March? Yes, it was Friday night. I got home after 8 o'clock, and when I got there I saw my wife and brother-in-law; he is living with me; I had supper when I came home. I didn't go out that night until the next morning, at 6 o'clock. As far as you know, did the boy Charlie go out? No. Did you see what he was doing after he had supper? He was sitting down talking, and he was reading the paper.

CHARLES ROSENBAUM, sworn and examined, testified:
I live at 169 Essex street, with my brother-in-law and sister. I remember the 24th of March, Friday night; I got into the house about 8 o'clock, and from the time I got in until the next morning I didn't leave the house for anything. You are indicted with this boy and another, who is not arrested as yet, with having stolen some property, burglariously, from certain premises in Hester street, on the night of the 24th of March; did you ever see this boy before you met him in court? No, not until I met him in the Tombs. That was the first time you have ever seen that boy? Yes.

CROSS EXAMINATION:
Do you remember seeing this officer in the station house after you were arrested, on the 27th of March, and did you have any conversation with him? Yes, a little. Tell us what it was? He came up to me and asked me if I knew anything about where the hats were; I told him I knew nothing about it, and I was not out that night. I said to him I was told about it, that something was committed around Hester street, but I didn't know the boys.

WILLIAM BURNS, recalled by District Attorney:
Do you recollect having a conversation with this boy, Charles, on the 27th, when he was arrested and locked up in the station house? Yes. You were endeavoring to recover the rest of that stolen property; were you not? Yes. You went down and had a talk with him? Yes; I went down to the cells in the station house, and said, "Now, will you tell me where the rest of those hats are? Mr. Bloch says that he lost $66.50 worth of hats, and there was about thirty or thirty-five missing. I want to know where the rest of those hats are." He

said, "I didn't steal the hats. I only was with those boys to show them a place in Hester street where they could sell them."

CROSS EXAMINATION:

Do you remember going to this little boy's cell? No. Did you ever have a conversation with the little boy? Yes. Did you do anything to the little boy to make him tell who was with him that night? No. Did you put any handcuffs around his neck, instead of putting them around his arm, to make him tell who the boys were that were with him? No. Didn't he tell you that he did not know the other boys? He said he did not know the other boys. They were all big fellows? Yes, one was tall, and the other a little shorter.

The Jury rendered a verdict of NOT GUILTY in the case of Rosenbaum, and convicted Sarensky of PETTY LARCENY.

Testimony in the case
of
Morris Starensky and
Charles Rosenbaum
35 Vs
filed
March
1893
35 Vs

0194

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

Morris Starensky
and
Charles Rosenbaum

**The Grand Jury of the City and County of New York,** by this indictment, accuse Morris Starensky and Charles Rosenbaum

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

The said Morris Starensky and Charles Rosenbaum, both

late of the Tenth Ward of the City of New York, in the County of New York aforesaid, on the twenty-fourth day of March in the year of our Lord one thousand eight hundred and ninety-three in the night-time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the Store of one Hyman Block

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 Hyman Block in the said Store

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 Morris Starensky and Charles Rosenbaum of the CRIME OF Grand LARCENY in the second degree, committed as follows: The said Morris Starensky and Charles Rosenbaum, 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, seventy hats of the value of one dollar each of the goods, chattels and personal property of one Hyman Block in the store of the said Hyman Block there situate, then and there being found, in the store 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.

THIRD COUNT:

**And the Grand Jury aforesaid,** by this indictment, further accuse the said Morris Starensky and Charles Rosenbaum of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said Morris Starensky and Charles Rosenbaum, both late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, with force and arms, at the Ward, City and County aforesaid,

seventy hats of the value of one dollar each

of the goods, chattels and personal property of Hyman Block

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said Hyman Block

unlawfully and unjustly did feloniously receive and have; (the said Morris Starensky and Charles Rosenbaum then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
*District Attorney.*

0 148

# BOX:
517

# FOLDER:
4705

# DESCRIPTION:
Stein, Charles

# DATE:
03/15/93

4705

0149

# BOX:
517

# FOLDER:
4705

# DESCRIPTION:
Roth, Tony

# DATE:
03/15/93

4705

80

Witnesses:

Ambrose W. Hussey

Counsel,

Filed 15 day of March 1893

Pleads,

THE PEOPLE

vs.

Charles Stein

and

Tony Roth

Burglary in the Third Degree.
[Section 498, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

Tuesday Pros. 2
Pt. 2 Both Mch 22 1893
Third County Receiving Stolen Goods
Each 1 Yr & mos.

A TRUE BILL.

Wm W Heaton
Foreman.

~~Both Plead Guilty~~

~~Tues March 21/93~~

~~Receiving Stolen Goods~~

March 22. 1893 MWD

0151

Police Court— B District.

City and County of New York, } ss.:

Annie Morgenbesser

of No. 247 Rivington Street, aged 23 years,

occupation Prop a Billiard Room & Confectionery being duly sworn

deposes and says, that the premises No 66 Pitt Street, 13 Ward

in the City and County aforesaid the said being a three story and basement brick house

and which was occupied by deponent as a Billiard Room and Confectionery store

and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking open a window in an alley alongside said premises and leading into said store

on the 9 day of March 1883 in the night time, and the following property feloniously taken, stolen, and carried away, viz:

One Set of Pool Balls and Ten boxes of Confectionery of the value of Twenty dollars

$20 00/100

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

Charles Stern and Tony Roth
(nowhere and acting in concert)

for the reasons following, to wit: from the fact that at about the hour of 12.30 A.M. on said date deponent left said premises securely locked and fastened and on returning to said premises at 9 A.M. on said date deponent discovered that said premises had been forcibly entered in the manner described above. Deponent is informed by Officer Ambrose Shaney of the 12th Precinct Police that he found in the

Police Court, _____ District.

THE PEOPLE, &c.,

on the complaint of

_____

vs.

1 _____

2 _____

3 _____

4 _____

Offence—BURGLARY.

Dated _____ 188

_____ Magistrate.

_____ Officer.

_____ Clerk.

Witnesses, _____

No. _____ Street,

_____

No. _____ Street,

_____

No. _____ Street,

$ _____ to answer General Sessions.

_____

_____

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 _____ 188 .

_____ Police Justice.

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

Dated _____ 188 .

_____ Police Justice.

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

Dated _____ 188 .

_____ Police Justice.

Defendant's Name: Louis Mc Mahon

Alias: Charles Stewart

Charge: Burglary 3d

Complaint of: Mary Ann Stewart

Residence: 39 Cherry St

Occupation: Laborer

Where and when taken: Complainant's house, 39 Cherry St, on the night of Dec 12th 1883

Witnesses: Officer Reilly, 15th Precinct

Disposition: Defendant pleaded guilty to petit larceny

Sentence: 1 year in Penitentiary

Remarks: Defendant is a notorious burglar

Recommended to Gov. Cleveland for pardon

Defendant's Name: Louis Mc Mahon

Residence: Cherry St

Occupation: Laborer

Crime: Petit larceny

Sentence: 1 year in Penitentiary

Pardon: Refused

Remarks: Defendant is a notorious burglar

0152

0153

(1335)

Sec. 198—200.

3 District Police Court

CITY AND COUNTY OF NEW YORK, } ss.

Tony Roth being duly examined before the undersigned 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.* Tony Roth

*Question.* How old are you?

*Answer.* 19 years

*Question.* Where were you born?

*Answer.* New York City

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

*Answer.* 4 Rivington Street 2 months

*Question.* What is your business or profession?

*Answer.* Paperhanger

*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

Tony Roth

*Taken before me this* 11 *day of* June 1895

Charles S. Hamilton *Police Justice.*

0154

(1885)

Sec. 198—200.

3 District Police Court

CITY AND COUNTY OF NEW YORK } ss.

Charles Stein being duly examined before the undersigned 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.* Charles Stein

*Question.* How old are you?

*Answer.* 20 Years

*Question.* Where were you born?

*Answer.* New York City

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

*Answer.* 4 Remington Street. 2 months

*Question.* What is your business or profession?

*Answer.* Iron Worker

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

*Answer.* I am not guilty

Charles Stein

*Taken before me this* 11 *day of* March 1893

*Police Justice.*

0155

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 [illegible]

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, 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, March 189 3 Charles N Smith Police Justice.

I have have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated, 189 Police Justice.

There being no sufficient cause to believe the within named

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

Dated, 189 Police Justice.

0156

80 273

Police Court, 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Annie Morgenthau
247 Henry St

vs.

1 Charles Stein
2 Tony Ritto
3
4

Offense, Burglary

Dated, Mar 11 1893

Hunter
Magistrate.

Shalvey & Hussey
Officer.

12
Precinct.

Witnesses Louis Hirschkowitz
No. 225 Broughton Street.
Call the Officers
No. Street.
No. Street.

$1000 to answer

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

RECEIVED
MAR
DS
1893

0157

1921

CITY AND COUNTY OF NEW YORK, } ss.

Ambrose Hussey

aged — years, occupation Police Officer of No. 12 Precinct Police Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Annie Morganbesser and that the facts stated therein on information of deponent are true of deponent's own knowledge.

*Sworn to before me, this* 11 *day of* March 189 } Ambrose V. Hussey

Charles N. Tainter *Police Justice.*

0158

1921

CITY AND COUNTY OF NEW YORK, } ss.

Louis Hirschkowitz

aged 28 years, occupation Cigar Store & Confectionery of No. 225 Rivington Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Louis Morgenbesser and that the facts stated therein on information of deponent are true of deponent's own knowledge.

*Sworn to before me, this* 11 *day of* March 1893 } Louis Hirschkowitz

Charles N Tainter *Police Justice.*

0159



# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
*against*
Charles Stein
and
Tony Roth.

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

Charles Stein and Tony Roth

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

The said Charles Stein and Tony Roth, both

late of the 13th Ward of the City of New York, in the County of New York aforesaid, on the ninth day of March — in the year of our Lord one thousand eight hundred and ninety-three in the night time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the store of one Annie Morganbesser ——

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 Annie Morganbesser in the said ~~Thomas Morganbesser~~ store 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

Charles Stein and Tony Roth

of the CRIME OF Petit LARCENY committed as follows:

The said Charles Stein and Tony Roth, 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,

sixteen pool balls of the value of one dollar each and ten boxes of candy of the value of fifty cents each box

of the goods, chattels and personal property of one Annie Morganbesser

in the store of the said Annie Morganbesser

there situate, then and there being found, in the store 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.

THIRD COUNT:

**And the Grand Jury aforesaid,** by this indictment, further accuse the said Charles Stein and Tony Roth of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said Charles Stein and Tony Roth, both late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, with force and arms, at the Ward, City and County aforesaid,

sixteen foot balls of the value of one dollar each, and ten boxes of candy of the value of fifty cents each box

of the goods, chattels and personal property of Annie Morganbesser

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said Annie Morganbesser

unlawfully and unjustly did feloniously receive and have; (the said Charles Stein and Tony Roth — then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
*District Attorney.*

0 162

# BOX:
517

# FOLDER:
4705

# DESCRIPTION:
Stern, Max

# DATE:
03/28/93

4705

Witnesses:

Geo Rosenheimer

Wm O'Hara

Part I

April 11 1893

On the within withdrawal and for the reason that I do not believe that the People could secure a conviction of any degree of crime I recommend that the deft be discharged on his own recognizance

H D Macdona

Asst

Counsel, Stanley Bray Lewis Levy

Filed 28th day of March 1893

Pleads, Not guilty

THE PEOPLE

vs.

Max Stern

Grand Larceny, Second Degree.
[Sections 528, 584 Penal Code.]
(Fourth Assembly)

Part I

April 11 1893

DELANCEY NICOLL,
District Attorney.

n 12/93

A TRUE BILL.

W M Heaton,
Foreman.

Filed 12/93

on recom. of Dist. atty. deft. dischd on his own recog. RBM

2

0 164

Police Court 2 District. Affidavit—Larceny.

City and County of New York, } ss:

George Heppenheimer of No. 50 E. First Street, aged 30 years, occupation Dealer in Jewelry being duly sworn, deposes and says, that on the 17 day of October 1892 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 gold Watch of the value of Fifty dollars

$50

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 Max Stern

(complainant) Deponent met defendant on the corner of Houston Street & Bowery in said City and he asked him if he had a good gold watch for sale, & deponent replied in the affirmative. That said defendant requested him to accompany him to the corner

Sworn to before me, this 17 day of October 1892

Police Justice.

4259

of Church & Thomas Streets in said City where he stated that there was a man in said building who desired to purchase said property and requested deponent to give him the same and that he would return with the property or the value thereof in five minutes. Deponent says that he remained waiting ten minutes, and said defendant failed to appear. Deponent says that he went in said premises and learned that said defendant went out of an entrance in Duane Street - and that there was no person in said place, who was negotiating the purchase of a watch. Deponent says that said defendant has ~~not~~ failed to return said property or the value thereof, and charges him with unlawfully appropriating the same with intent to deprive the true owner of the same George Heppenheimer

Sworn to before me this 23 day of March 1893

John R Voorhis
Police Justice

0 166

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Max Stern being duly examined before the undersigned 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.* Max Stern

*Question.* How old are you?

*Answer.* 34 years

*Question.* Where were you born?

*Answer.* Germany

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

*Answer.* 193 Washington St. — 4 mos.

*Question.* What is your business or profession?

*Answer.* Jewelry - Salesman

*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 —
Max Stern

*Taken before me this* 13 *day of* March 1893

Michael Moore

*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 Seven 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 March 1893 John R. Woodis 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.

0168

252 342

Police Court--(2) District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George Heppenheimer
50 E. 12
vs.
1 Max Stein
2
3
4

Offence Grand Larceny

Dated March 23 1893

Voorhis Magistrate.

William O'Hara Officer.

11 Precinct.

Witnesses Timothy A. Fay

No. 157 E 55 Street.

No. Street.

No. Street.

$ 1000 to answer G.S.

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

$1000 Bail for Exa: Mar 23 2.30 P.M.
" " 25 10. a.m.

0169

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

The People on my complaint
-vs-
Max Stern

As complainant in this matter I respectfully ask the Court and the District Attorney to allow the complaint to be withdrawn. I expressly assert that my reasons for so doing are not controlled by any advantage to myself, but I do this because the defendant and his friends prior to his arrest were always very friendly and the watch which I gave him to sell has been returned to me. His friends have explained to me that the defendant had no felonious intent to steal the watch.

The defendant prior to this arrest has always enjoyed a good reputation. He is a widower and he has three small children depending upon him for support.

Dated April 11th 1893

George Heppenheimer
Complainant.

City and County of New York, ss:

George Heppenheimer being duly sworn deposes says, that the foregoing complaint withdrawal signed

by him is true, and as to those matters stated on belief deponent believes to be true.

Sworn to before me this 11th day of April 1893.

Max Myers
Commissioner of Deeds
N.Y. City

George Heppenheimer

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

Max Stern

**The Grand Jury of the City and County of New York,** by this indictment, accuse Max Stern of the CRIME OF GRAND LARCENY IN THE second DEGREE, committed as follows:

The said Max Stern

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

one watch of the value of fifty dollars

of the goods, chattels and personal property of one George Heppenheimer

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.

0172

# BOX:
517

# FOLDER:
4705

# DESCRIPTION:
Sullivan, Lawrence

# DATE:
03/30/93

4705

299

*Witnesses:*

Jas McCabe

Counsel,

Filed, 30 day of March 1893

Pleads, Not guilty Apl 6

THE PEOPLE

*vs.*

B

Lawrence Smallman

Complaint sent to the Court of Special Sessions.

Discharged 15 9

VIOLATION OF THE EXCISE LAW.
Selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 32.]

DE LANCEY NICOLL,

*District Attorney.*

**A TRUE BILL.**

Wm W Heaton

*Foreman.*

0174

2967

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
*against*

Lawrence Sullivan

**The Grand Jury of the City and County of New York,** by this indictment, accuse Lawrence Sullivan of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said Lawrence Sullivan

late of the City of New York, in the County of New York aforesaid, on the — 12th — day of — March — in the year of our Lord one thousand eight hundred and ninety — Three —, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey. one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

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

SECOND COUNT—

**And the Grand Jury aforesaid,** by this indictment, further accuse the said Lawrence Sullivan of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said Lawrence Sullivan

late of the City and County aforesaid, afterwards, to-wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one John McCarthy

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

DE LANCEY NICOLL,
*District Attorney.*