

0202

**BOX:**

373

**FOLDER:**

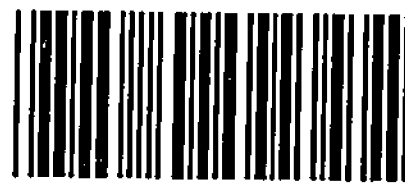
3491

**DESCRIPTION:**

Oberbauer, Otto J.

**DATE:**

11/19/89



3491

0203

**BOX:**

373

**FOLDER:**

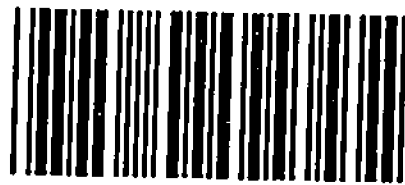
3491

**DESCRIPTION:**

Culberson, John

**DATE:**

11/19/89



3491

0204

517

Pettie Gillette

Long View

Wm. H. Little

No. 1 - Paired Nov. 20/89  
\$1500 by - Julia Goldzier  
25 Horatio St.

**Filed**

## Pleads,

Day of

**THE PEOPLE**

vs.

2

Charles Goldner,  
Jr.

Otto J. Herbauer

John Culberson  
(2 cars)

JOHN R. FELLOWS,

*District Attorney.*

1. Cr. 222. 2. 222. 3. 222.

2 July 12/90

Wm. Priedy requested

# A True Bill

Andersson

# Part I

**Foreman.**

525 1890

191690 blue tree  
 on stream of dry cat  
 in open country - in  
 dis. at 2.4.3 B.M.  
 Feb 27/96

POOR QUALITY  
ORIGINAL

0205

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

OTTO S. SHEDDANER  
and John Rutherfordson

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

Indictment accuse OTTO S. SHEDDANER and John

Rutherfordson

of the crime of Usury,

committed as follows:

The said OTTO S. SHEDDANER and John  
Rutherfordson, both

late of the City of New York, in the County of New York, aforesaid, ~~on the~~

twining on the ninth day of November, in the year of our Lord one thousand  
eight hundred and eighty-seven, at the City and County aforesaid,

loaned to one Fittie Little the sum of  
two hundred and ninety dollars of lawful  
money of the United States of America, to  
be repaid by her the said Fittie Little  
to the said OTTO S. SHEDDANER and John  
Rutherfordson sixty days thereafter, to wit:  
on the eighth day of January in the year  
of our Lord one thousand eight hundred  
and eighty-eight, and the said Fittie  
Little having defaulted in the repayment  
of the said loan of money on the day and  
year last aforesaid, & forward to the



in the day of January in the year last  
 aforesaid, at the City and County aforesaid,  
 unduly and unlawfully and corruptly did  
 directly receive from the said Little  
 Biddle, interest and consideration upon  
 the loan and forbearance of the said  
 sum of money so loaned as aforesaid,  
 greater than is, and then was, allowed by  
 statute to wit - the sum of fifteen dollars  
 of lawful money of the United States of  
 America, as interest upon the said loan of  
 money from the said eighth day of January  
 in the year aforesaid to the day last  
 aforesaid in the year aforesaid, and in and  
 for consideration of and for the forbearance  
 of the same, and of introducing and deter-  
 mining the payment thereof for and until  
 thirty days from the said last mentioned  
 day, which said sum of fifteen dollars, so  
 received by the said John D. Oberholser and  
 John Patterson from the said Little  
 Biddle upon the said loan and forbearance  
 of money did exceed the rate of six dollars  
 upon the loan or forbearance of one hun-  
 dred dollars for one year; against the  
 form of the statute in such case made  
 and provided, and against the peace of  
 the People of the State of Tennessee,  
 and their dignity

Second Count:

And the Grand Jury aforesaid, by this indictment further accuse the said Wm. S. Overbaker and John Patterson of the same crime of Usury, committed as follows:

Heretofore, to wit: on the ninth day of November, in the year of our Lord one thousand eight hundred and eighty seven, at the City and County aforesaid, one John Doe (whose real name is to the Grand Jury aforesaid unknown) loaned to one Riddle Little the sum of two hundred and ninety dollars of lawful money of the United States of America, to be repaid by her the said Riddle Little to the said John Doe fifty days thereafter, to wit: on the eighth day of January, in the year of our Lord one thousand eight hundred and eighty eight. And the said Riddle Little having accepted in the repayment of the said loan of money on the day and in the year last aforesaid, the said John Doe aforesaid, to wit: on the fifteenth day of February in the year last aforesaid, at the City and County aforesaid, unlawfully, unjustly and corruptly, indirectly receive from her the said Riddle Little, to wit: the sum of

POOR QUALITY  
ORIGINAL

0208

The act and procurement of the said John D. O'Donovan and John R. Sullivan, acting for and as the agents and representatives of the said John Doe, who received and collected the same from the said Fittie Fickett as such agents and representatives, for and on behalf of the said John Doe, interest and consideration upon the loan and forbearance of the said sum of money, so loaned, greater than is, and then was, allowed by statute to int. The sum of fifteen dollars of lawful money of the United States of America, or interest upon the said loan of money from the said eighth day of January in the year aforesaid to the day last aforesaid in the year aforesaid, and in and for consideration of and for the forbearance of the same and of introducing and delivering the payment thereof for and until thirty days from the said last mentioned day, which said sum of fifteen dollars, so received by the said John Doe from the said Fittie Fickett as aforesaid, upon the said loan and forbearance of money did exceed the rate of six dollars upon the loan or forbearance of one hundred dollars for one year.

And the said John D. O'Donovan and John R. Sullivan, both late of the City and County aforesaid, on the said eighth day

POOR QUALITY  
ORIGINAL

0209

of Edward, in the year last aforesaid,  
at the City and County aforesaid, were  
intendingly concerned in the commission  
of the said crime and misdemeanor by the  
said John Doe, in manner and form  
aforesaid, and were then and there unlaw-  
fully present, aiding and abetting in the  
said John Doe in the commission of the  
same, against the form of the Statute in  
such case made and provided, and against  
the peace of the People of the State of  
New York, and their dignity.

John R. Fellows,

District Attorney.

POOR QUALITY  
ORIGINAL

02 10

But for at 4000<sup>th</sup>

Witnesses:

Counsel,

Filed

Pleads,

day of June 1889

THE PEOPLE

vs.

NA

Otto J. Oberbauer

NA

John Culberson

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

Foreman

But for

1708

[Sec. 378, Code]

POOR QUALITY  
ORIGINAL

0211

Recd New York  
Dec 21. 1890 from  
Hon John Sparks and  
Copy Chattel Mortgage  
Copy Court Supreme  
Court & envelope of  
vouchers &c. all be-  
longing to Mrs Oscar  
Gillette -

Elynn  
Atty Mrs Gillette  
(see)



POOR QUALITY  
ORIGINAL

02 12

No 212 W 46<sup>th</sup> St  
New York March 15/90

To District Attorney of  
New York City & Co.  
& Clerk Genl Sessions

You will please deliver  
to E. Yenni, my Attorney  
all papers, receipts, vouchers  
&c. left by me with you  
in matter of complaints  
against Charles Goldzier &  
which was tried in Febry  
last -

R. Gittler

POOR QUALITY  
ORIGINAL

0213

Grand Jury Room.

PEOPLE

vs.

Hannah Barthly Southworth

murder on Stephen Pottus

Witnesses:

Philip Smith

Clerk in W. H. Bennett's  
tea store

// Fulton St near Ferry

Officer

Goodwin

old Slip Station House

Capt McLaughlin

old Slip Station House

Grand Jury Room.

PEOPLE

vs.

Hannah B. Southworth

Mr. Little -

Officer Goodwin and

the witness Philip Smith

are present in obedience

to subpoenas

They can give  
sufficient testimony to  
warrant the finding  
of an indictment.

Wm. D. Dinsmore  
Squid.

Nov 26/89.

Grand Jury Room.

PEOPLE

vs.

Hannah B. Southworth

Witnesses

Philip Smith (Clerk in Bennett's  
tea store, 10 Fulton St)

Will testify as to the  
homicide - was an eye-witness  
of the assault.

Officer Goodwin } Old Slip  
Capt McLaughlin } Station House

Will testify to defendant's  
arrest. Her declaration's  
and confession.

Officer disarmed her.

Dep. Coroner Jenkins. Made  
autopsy and will prove  
cause of death.

William A. Hawson  
25 old Slip  
C/O Standard Chemical Co.

POOR QUALITY  
ORIGINAL

02 14

S. A. & D. J. NOYES,  
COUNSELLORS AT LAW,  
Nos. 62 & 64 CEDAR STREET,

New York, ..... 188

(Copy)

Otto I. Oberbauer /  
John Culberson /

Sergt Von Gerichten  
v. Keenan

of  
Inspector Byrne's  
Staff

POOR QUALITY  
ORIGINAL

02 15

The Charles Murray of  
M<sup>r</sup> Gillette  
2<sup>n</sup>  
Obernuechel

Does not exist on a sheet the  
9<sup>th</sup> of November 1887

This Murray however was cancelled  
I think & the other name on the  
17<sup>th</sup> Aug 7 Aug 1888

State of New York  
City and County of New York

Ruben Sillitt being duly sworn deposes and says: I reside at No 212 West 46<sup>th</sup> Street in the city of New York. I am the complainant against one John Culberson and one Otto Ockebauer against whom ~~Indictments~~ <sup>was</sup> found by the Grand Jurquest of this county on or about June 10<sup>th</sup> 1882. The complaint and indictment ~~are~~ <sup>was</sup> with ~~usum aut gratia~~. I have said Indictments ~~was~~ <sup>was</sup> found and have discovered that a person whom I did not know at the time but who aided and abetted in the work of Culberson and Ockebauer and who advised their criminal course, by the name of Charles Goldzier, an attorney at law of this city, and a brother in law of Ockebauer was the moving cause in all the wrongs perpetrated upon me. I first met Goldzier at the home of one to me with a person representing himself as a Marshal to take away my furniture upon which Culberson and Ockebauer held a mortgage (namely one Smith and then one Lewis) as the sole and sole owners. I had received from Otto Ockebauer the sum of \$290 in cash and he exacted a Mortgage for \$360. I had already paid off \$190 by paying \$25 monthly - I told Mr Goldzier that my attorney Mr James Byrne of 346 Broadway had an injunction restraining the foreclosure of said mortgage and my



delaney was telephoned for and met Mr Goldzie  
& the Marshal at my house and produced the  
Injunction = The next week Mr Goldzie came to  
my house with Chechauer, Culbertson & Son &  
Truckmen = My mother said in my hearing there  
are your papers (to Mr Goldzie) and he refused  
to exhibit or show them; Mr Goldzie did all the  
talking and was the moving party in the transaction.  
I forbade them to touch any property and called in  
an officer from the street to prevent his taking my  
property. Goldzie persisted in taking the goods -  
and took not only the articles named in the Mortgage  
but the property described as follows which I <sup>suppose</sup> have since had to pay for as appears by the amount owing  
at the time to Mr Shepard Knapp, consisting of  
One Turkish couch with blue velvet bands  
of the value of \$55 - One large easy chair of mohair  
yellow pink blue plush bands value \$25 which was  
my property - Sofa the value of \$80 - I was  
present when my mother insisted and pleaded  
with Mr Goldzie that these articles were not  
included in the Mortgage and he pushed her  
away saying take her away on the couch  
and all - I have never been able to get  
an account from Mr Goldzie of these articles  
and they were feloniously stolen and carried  
away by said Goldzie & his associates from  
my apartments.

Account before me this

14th of December 1887

Oliver J. Mudd

Commissioner of Deeds of D.C.

Robert G. ...



POOR QUALITY  
ORIGINAL

0218

State of New York  
City and County of New York:

Louis Wien being duly sworn  
deposed and says- I reside at No. 203 E. 47th  
New York City. At the request of Mrs Pittie Gillette, I  
called on Mr Charles Goldzie an attorney at law  
at 206 Broadway New York City and demanded  
from him on the 9th day of November 1899 last the  
return of the property hereinbefore described (with  
the couch and chair) and which I told him he had  
wrongfully taken and perained from Mrs Gillette's  
residence - His answer was "It has gone after  
my advice, and under my instructions and I  
am only sorry that I did not take more" - and  
he refused to give me any further information  
as to the whereabouts of the property except that  
he stated that Culberson was the man who had  
sold the property and is entitled to pay her back  
the money - but that Culberson was out of town  
in Jaxessville Ohio - I then saw that said  
Goldzie stated to me that all the transactions, regarding  
the purchase and removal of this furniture was  
done under his instruction, supervision, and cooperation.  
I have no other interest in this proceeding except  
that I desire to see justice done to Mrs Gillette & her  
of the furniture.

Sworn to before me this  
10th day of November 1899  
Oscar Mendel

Commissioner of Deeds  
N.Y.C.

Louis Wien

POOR QUALITY  
ORIGINAL

02 19

State of New York

City and County of New York:

Mrs. Mahala Pitts of No. 212 W. 46 Street being  
duly sworn deposes & says: I have read the statements  
contained in the affidavit of Mrs. Rittie Gillette. I  
saw her make and was present on the 29<sup>th</sup> day  
of October 1888 when Mr. Goldzie with two or three men  
took away a couch and easy chair as described  
in the accompanying affidavit & persistently in-  
deavored to prevent his taking away these articles  
telling him that they were not included in any  
Mortgage held against my daughter and Mr. Goldzie  
stated to me in a violent & insulting manner  
that he would take me out with the sofa if I did not  
get out of the way. Mr. Goldzie was told also by  
my daughter not to touch this property as it  
formed no part of any claim or mortgage against  
her but Goldzie would not listen to her and  
insisted on taking the same and carried  
it away against my daughters protest and  
objection.

Subscribed and sworn to before me this

15<sup>th</sup> day of November 1888.

Mahala Pitts

Oscar Mendel

Commissioner of Deeds.

N.Y. Co.

POOR QUALITY  
ORIGINAL

0220

Ch. 13

Charles Goldyier.

Adams.

11

POOR QUALITY  
ORIGINAL

0221

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

City and County } ss.  
of New York,

of No. Street, aged years,  
occupation being duly sworn, deposes and says,  
that on the day of 188 , at the City of New  
York, in the County of New York.

Oct 9<sup>th</sup> 1888.

Mrs Gillette

~~Harriet~~ Mrs Pitt

✓ Mr Dunham Boarder

Louis Wein

Wendell from Knapp  
Officer Meade

Mr Hamilton  
Mrs Wheeler

POOR QUALITY  
ORIGINAL

0222

1708

DISTRICT ATTORNEY'S OFFICE,

City and County of New York.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Rittie Gillette  
212 W 46 St  
N.Y.

Charles Goldzger  
Otto J. Charbaner  
John Cullerson

Offence  
Manslaughter and  
Grand Larceny

Dated November 16 1889

Witnesses, Louis Weir

No. 203 East 47 Street,

Mrs. Mahala Pitts

No. 212 West 46 Street,

RECEIVED

NOV 18 1889

No. Street,

POOR QUALITY  
ORIGINAL

0223

GENERAL SESSIONS OF THE PEACE,  
City and County of New York.

-----  
THE PEOPLE OF THE STATE OF NEW YORK

--against--

CHARLES GOLDNER, OTTO J. OBERHAUER  
and JOHN OLSZESZAK.

No. 2.

Sir:--

Please take notice, that upon the indictment herein  
found, upon the annexed affidavit of Charles Goldner and  
upon all proceedings herein, a motion will be made at the  
Court of General Sessions of the Peace, in and for the  
City and County of New York (Part I) on the 2<sup>nd</sup> day of  
December 1939, at the opening of said Court or as soon  
thereafter as counsel can be heard, for an order directing  
an examination into the charge in the said indictment con-  
tained before a Police Justice of the City of New York,  
and for such other or further order or relief as may be  
just.

Dated November 25<sup>th</sup> 1939.

Charles Wohle,

Attorney for defendant Charles  
Goldner,  
220 Broadway, New York.

To

John R. Hollows, Esq.,  
District Attorney.



POOR QUALITY  
ORIGINAL

0224

GENERAL SESSIONS OF THE PEACE,  
City and County of New York.

-----X  
THE PEOPLE OF THE STATE OF NEW YORK:  
--against--  
CHARLES GOLDMIER, OTTO J. OBERBAUER:  
and JOHN CULBERTSON.  
-----X

City and County of New York ss:--

CHARLES GOLDMIER being duly sworn says, that he is one of the defendants above named. That an indictment has been found herein against the defendants upon a charge of obtaining the sum of Fifteen dollars usurious interest for the term of about forty-six days, which interest is alleged to have been paid on the 26th day of February 1888.

Deponent further says that he is a practicing attorney duly admitted by the Supreme Court of this State, and has been such for the last sixteen years, and during that time has always had an office with the transaction of his business in the City of New York.

Deponent further says, that he never knew the complainant Rittie Gillette until the 26th day of October 1888 when he saw her for about five minutes, in the presence of her attorney Mr. Byrne of Otto J. Oberbauer and either John or Sidney Culbertson, and that he never knew of her existence or of the loan of any money to her or the giving of any mortgage by her until three or four days prior to the said 26th day of October 1888.

POOR QUALITY  
ORIGINAL

0225

2

Deponent further says, that he never made, caused or authorized to be made any loan to the said Rittie Gillette, and never received either directly or indirectly from the said Rittie Gillette or in her behalf any interest or other money or property whatsoever; that this deponent never made or authorized to be made any loan to any person upon interest, or for any other compensation, and that this deponent never neither invested directly or indirectly or caused or authorized to be invested any money upon any interest or other compensation, and never either directly or indirectly had anything whatever to do with the loan or investment of money upon interest, *except the loan upon bond and mortgage on real estate at the legal rate.*

Deponent further says, that the only dealings had between him and the said Rittie Gillette either directly or indirectly were as the attorney of Otto J. Oberbauer and others in a certain action now pending in the Supreme Court of the State of New York. That this deponent could have easily been found at all times between the said 25th day of February 1888 and the date hereof, and never sought in any wise to avoid or evade the service of process. That the indictment herein was found without any warrant from a Police Justice, or any examination had before a Police Justice; that this deponent cannot surmise upon what evidence it is sought to charge him with the commission of any offence; that unless an examination before a Police Justice is ordered great injustice will be sustained by this deponent.

Sworn to before me this  
25th day of November 1889.

*Chas Goldzie*  
*Geo. B. [Signature]*  
*John [Signature]*

POOR QUALITY  
ORIGINAL

0226

General Sessions Court.

The People

Plaintiff  
Dec 27/99 McKonkey

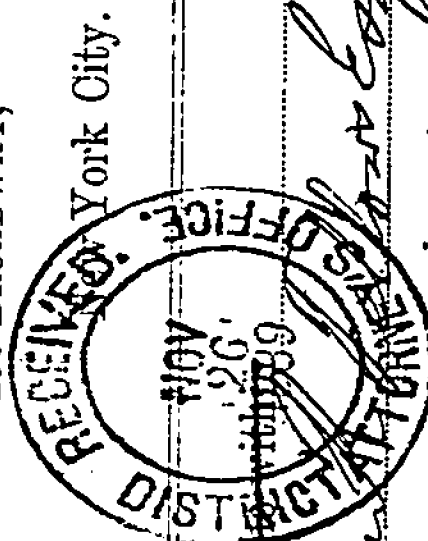
against  
Jury took papers  
12/27/99

Charles Goldzieher  
Defendant

Legal Affidavit  
Police of New York City

CHARLES WEHLE,

Attorney for *Chas. Goldzieher*  
290 BROADWAY,  
New York City.



Service of this writ with return  
to John *Goldzieher*  
is admitted this *27th* day of *Dec*

POOR QUALITY  
ORIGINAL

0227

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 Goldzier,  
Otto J. Oberlauer and  
John Culberson.

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

Indictment accuse

Charles Goldzier, Otto J.  
Oberlauer and John Culberson  
of the crime of Usury

committed as follows:

The said

Charles Goldzier, Otto J.  
Oberlauer and John Culberson, all

late of the City of New York, in the County of New York, aforesaid, on the

having on the ninth day of November in the year of our Lord one thousand  
eight hundred and eighty-seven, at the City and County aforesaid,

loaned to one Rittie Gillette the sum of  
two hundred and ninety dollars of lawful  
money of the United States of America to  
be repaid by her, the said Rittie Gillette  
to the said Charles Goldzier, Otto J. Oberlauer  
and John Culberson sixty days thereafter, to  
wit: on the eighth day of January in the  
year of our Lord, one thousand, eight hundred  
and eighty-eight, and the said Rittie  
Gillette having defaulted in the repayment  
of the said loan of money on the day  
and year last aforesaid, afterwards, to wit: on



the sixteenth day of February in the year last  
aforesaid, at the City and County aforesaid,  
unlawfully, unjustly and corruptly, did  
directly receive from her the said Rittie  
Gillette, interest and consideration upon  
the loan and forbearance of the said sum  
of money, so loaned as aforesaid, greater  
than is, and then was, allowed by statutes,  
to wit: the sum of fifteen dollars of law-  
ful money of the United States of America,  
as interest upon the said loan of money  
from the said eighth day of January  
in the year aforesaid, to the day last  
aforesaid in the year aforesaid, and in and  
for consideration of and for the forbearance  
of the same, and of withholding and defer-  
ring the payment thereof for and until  
thirty days from the said last mentioned  
day, which said sum of fifteen dollars, so  
received by the said Charles Goldzier, Otto J.  
Oberbauer and John Culberson from the said  
Rittie Gillette upon the said loan and forbearance  
of money, did exceed the rate of six dollars  
upon the loan or forbearance of one hun-  
dred dollars for one year; 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 Goldziur, Otto J. Oberlauer and John Culberson of the same crime of Usury, committed as follows:

Heretofore, to wit: on the ninth day of November, in the year of our Lord one thousand eight hundred and eighty seven, at the City and County aforesaid, one John Doe (whose real name is to the Grand Jury aforesaid unknown) loaned to one Rittie Gillette the sum of two hundred and ninety dollars of lawful money, of the United States of America, to be repaid by her the said Rittie Gillette to the said John Doe sixty days thereafter, to wit: on the eighth day of January in the year of our Lord one thousand eight hundred and eighty eight. And the said Rittie Gillette having defaulted in the repayment of the said loan of money on the day and in the year last aforesaid, the said John Doe afterwards, to wit: on the sixteenth day of February in the year last aforesaid, at the City and County aforesaid, unlawfully, unjustly and corruptly, indirectly receive from her, the said Rittie Gillette, (to wit: through



the act and procurement of the said Charles Goldzier, Otto J. Oberbauer and John Culberson, acting for, and as the agents and representatives of the said John Doe, who received and solicited the same from the said Rittie Gillette as such agents and representatives; for and on behalf of the said John Doe,) interest and consideration upon the loan and forbearance of the said sum of money, so loaned, greater than is, and there was, allowed by statute, to wit: the sum of fifteen dollars of lawful money of the United States of America, as interest upon the said loan of money from the said Eighth day of January in the year aforesaid, to the day last aforesaid in the year aforesaid, and in and for consideration of and for the forbearance of the same and of withholding and deferring the payment thereof for and until thirty days from the said last mentioned day, which said sum of fifteen dollars, so received by the said John Doe from the said Rittie Gillette as aforesaid, upon the said loan and forbearance of money did exceed the rate of six dollars upon the loan or forbearance of one hundred dollars for one year.

And the said Charles Goldzier, Otto J. Oberbauer and John Culberson, both late of the City and County aforesaid, on the

said sixteenth day of February, in the year  
last aforesaid at the City and County aforesaid,  
were unlawfully concerned in the commission  
of the said crime and misdemeanor by the  
said John Doe, in manner and form  
aforesaid, and were then and there unlaw-  
fully present, aiding and abetting him, the  
said John Doe in the commission of the  
same; against the form of the Statute  
in such case made and provided and  
against the peace of the People of  
the State of New York and their dignity.

John R. Fellows,  
District Attorney.

POOR QUALITY  
ORIGINAL

0232

1708

Counsel,  
Filed 19 day of Apr 1889  
Plends, 11. Chiquity 20

THE PEOPLE  
vs. #  
Charles Solager  
Otto J. Oberbauer  
John Culberson  
(Sec 3) 8 (Sec 1) 10

JOHN R. FELLOWS,  
District Attorney.

A TRUE BILL.  
M. W. Little  
July 12/90 Foreman  
Indulently Dismissed  
on account of poverty  
in open Court. B.M.

Guaranteed at \$500  
F.

Witness:  
Pettie Gillette  
Honey Meier  
Wm. M. Pettie

No. 1 - Bailed Nov. 20/89  
\$500 by Julia Goldner  
25 Horatio St

POOR QUALITY  
ORIGINAL

0233

GENERAL SESSIONS OF THE PEACE,  
City and County of New York.

----- x  
THE PEOPLE OF THE STATE OF NEW YORK :

--against-- :

CHARLES GOLDZIER, OTTO J. OBERDAUER  
and JOHN GILBERTSON. :

----- x  
Sir:--

Please take notice, that upon the indictment herein found, upon the annexed affidavit of Charles Goldzier and upon all proceedings herein, a motion will be made at the Court of General Sessions of the Peace, in and for the City and County of New York (Part I ) on the 2<sup>d</sup> day of ~~December~~ 1889, at the opening of said Court or as soon thereafter as counsel can be heard, for an order directing an examination into the charge in the said indictment contained before a Police Justice of the City of New York, and for such other or further order or relief as may be just.

Dated November 25<sup>th</sup> 1889.

Charles Wohls,

Attorney for defendant Charles  
Goldzier,  
330 Broadway, New York.

To

John R. Wellows, Esq.,

District Attorney.

POOR QUALITY  
ORIGINAL

0234

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

-----x  
THE PEOPLE OF THE STATE OF NEW YORK:

--against--

CHARLES GOLDZIER, OTTO J. OBERBAUER:  
and JOHN CULBERTSON.  
-----x

City and County of New York ss:--

CHARLES GOLDZIER being duly sworn, says that he is one of the defendants above named. That this deponent is a practicing attorney in the City of New York, and has been such for about sixteen years last past; that this deponent resides at No. 25 Moratio Street in the City of New York, where he has resided for about four years last past, and has his office at #206 Broadway, where he has been located for about five years last past.

Deponent further says, that on or about the 10th day of November 1889, an indictment for grand larceny in the second degree was found against this deponent and the other defendants herein, upon the allegation as contained in the said indictment, that the said defendants on the 29th day of ~~October~~ 1888, had stolen one couch of the value of Fifty dollars, and one chair of the value of Twenty five dollars of the goods, chattels and personal property of one Rittie Gillette. That this deponent is informed that the said charge arose from the following <sup>facts</sup> that prior to October 1888 a chattel mortgage was given by the said Rittie Gillette to one R. H. Smith upon certain of her household furniture, and that she claimed the said chattel



POOR QUALITY  
ORIGINAL

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mortgage to have been void on the ground of usury; and that on the 29th day of October 1888, the said John Culbertson and Otto J. Oberbauer jointly indicted with this deponent ~~to~~ foreclose the said chattel mortgage, and carried away certain of the property of the said Rittie Gillette, and it is claimed that among the property thus carried away was the couch and chair described in the said indictment, and that the same was not included in the said chattel mortgage.

Deponent further says, that the first information he ever had regarding the said chattel mortgage or any claims made thereunder, was a few days prior to the 28th day of October 1888, when this deponent was consulted by Mr. John Culbertson regarding the same; that thereafter and on the 28th day of October, this deponent at the request of the said *John Culbertson* or *John Culbertson* communicated by telegram, called at the residence of the said Rittie Gillette, No. 212 West 46th Street in the City of New York, and there met Otto J. Oberbauer, John Culbertson, Rittie Gillette and James T. Byrne, her attorney, and was informed by the said James T. Byrne that an injunction by Justice Barrett had been granted, restraining the removal of the property included in the said chattel mortgage; that Mr. Byrne at that time showed to deponent a paper which purported to be an injunction thus granted; that this deponent asked Mr. Byrne whether he had copies ready for service, and that Mr. Byrne said he had not, but would serve the same on that or the next day. That this deponent thereupon said to the said Byrne in the presence of Mrs. Gillette and the other

POOR QUALITY  
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parties aforesaid, that although the papers were not served as required, he would recognize the injunction granted by the Justice, and would see to it that it was respected; and that Mr. Byrne should serve the papers upon this deponent the same day or the next day before two o'clock, and Mr. Byrne stated that he would do so.

Deponent further says, that he waited the next day at his office until 5 o'clock, and that the said injunction papers were not served; that thereupon this deponent informed his clients of that fact.

Deponent further says, that he was not present on the 29th day of October 1888, when, as he was afterwards informed, a foreclosure of the said chattel mortgage was attempted; that he was at his office at the time when, as he is informed and verily believes, the said foreclosure was made; that he gave no directions regarding the same; that he never knew what property was included in the said chattel mortgage; that he never had the said chattel mortgage in his hands, and to the best of his knowledge and recollection, never even saw the same, but had merely a general information as to what was contained in the said chattel mortgage.

Deponent further says, that the first information he received about any foreclosure or attempt of foreclosure of the said chattel mortgage on the 29th day of October 1889 was a telegram from ~~the~~ his clients to the effect that they had been arrested and taken to the Police Station upon a charge of having stolen Mrs. Gillette's property

POOR QUALITY  
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and that this deponent should come up there. That this deponent immediately went up to ~~the~~ 46th Street and at the corner of 46th Street and 7th Avenue met Mr. Oberbauer and an Assistant of some City Marshal whose name this deponent does not remember, but whom this deponent had previously met, and was informed by them, among other things, which were communicated to this deponent as counsel, and which he is not at liberty to disclose, that they had been arrested, taken to the Police Station and had been discharged, but were unable to gain admission into the premises of Mrs. Gillette after their arrest.

Deponent further says, that he did not at any time see the property or any of the property alleged to have been taken from Mrs. Gillette, and at no time either received any part thereof or the proceeds of any sale thereof

Deponent further says, that his connection with the said mortgage, any foreclosure thereof or any proceedings *acting for his clients in the matter and not otherwise* had was merely that of an attorney at law, that the injunction or alleged injunction which was shown to this deponent on the 23th day of October 1889 as aforesaid, was never served upon him or upon any person so far as this deponent could ascertain, but that on the 29th day of October 1889, and as this deponent is informed and verily believes, after any foreclosure or attempted foreclosure of the said chattel mortgage, an injunction was granted by Justice Barrett in an action brought by the said Rittie Gillette in the Supreme Court against Robert H. Smith, Otto J. Oberbauer and John Culbertson, which was served upon

POOR QUALITY  
ORIGINAL

0238

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John Culbertson two months after the said 20th day of October, 1888, and that the said injunction remains in full force and effect, and that the said action is defended by this deponent as attorney, and is still pending.

Deponent further says, that he has at no time attempted either to fly from the City of New York or to avoid the service of any process; that his connection with the case as attorney was at all times from the said 26th day of October 1888 known to the said Rittie Gillette, and her attorneys; that there was absolutely no reason for an indictment upon any of the facts aforesaid; that this deponent is not informed upon what testimony or charge the said indictment is based except as hereinbefore stated, and that unless an examination before a police magistrate of the said charge is ordered, great injustice will be done to this deponent, and his rights will be materially affected and prejudiced.

*Deponent further says, that the indictment herein was found without any warrant issued, or examination previously had by any Police Justice or committing magistrate -  
Shewn to before me this } charged by  
25. day of November 1889 } Charles Goldzie  
Yes. L. R. R. R.  
Attest Public  
A. G. G. G. G.*

POOR QUALITY  
ORIGINAL

0239

General Sessant Court.

The People

Plaintiff

against

Charles Goldziever  
vs.  
Defendant

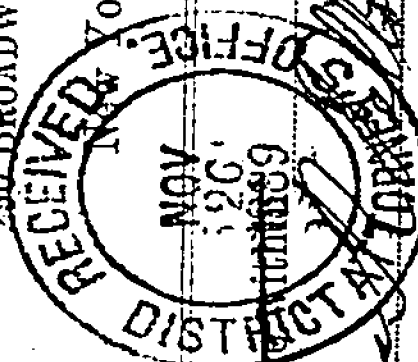
Copy Affidavit  
and  
Notice of motion

CHARLES WEHLE,

Attorney for *Sept. Goldziever*

200 BROADWAY,

New York City.



Service of the

*The People*  
is admitted this *Eighty-sixth* day of



POOR QUALITY  
ORIGINAL

0240

District Attorney's Office.

PEOPLE  
*vs. Gilette*

*Att. J. Oberbauer* *vs.*

*55 W 33*

*under Sec 378 Penal Code*

*Witnessed by*  
*Miss Gilette*

*Bill Anderson*

POOR QUALITY  
ORIGINAL

0241

*Chapter 11 The Story of a Borrower.*

A person who directly or indirectly receives any interest, discount or consideration upon the loan or forbearance of money, goods or things in action, greater than is allowed by statute, is guilty of a misdemeanor. Section 874 Penal Code.

The rate of interest upon the loan or forbearance of any money, goods or things in action shall be 8% upon \$100 for one year, and at that rate for a greater or less sum, or for a longer or shorter time.

Every person who, for any such loan or forbearance, shall pay or deliver any greater sum or value than is allowed to be received, and his personal representatives, may recover in an action against the person who shall have taken or received the same, and his personal representatives, the amount of the money so paid, or value delivered, above the rate aforesaid, if such action be brought within one year after such payment or delivery. REVISED STATUTES.

C. F. "Stone" (whose full name and address are at the disposal of the City Attorney) became hard pressed for money with which to discharge obligations which sickness in the family had entailed. After consultation with his wife, he decided to borrow \$50 on their household effects. A friend, whose furniture had been mortgaged at least twice a year ever since it had been purchased on the mortgage instalment plan, told Stone that the Standard Loan and Investment Company was a responsible, law-abiding concern that would be glad to let him have the money. The

Standard Loan and Investment Company. Stone lost no time in calling on the persons who transacted business under that corporation name. These were a dark, quiet man, a light, affable man and a young lady. Later on Stone learned that the quiet man was W. B. Comfort, who did a good deal of writing and made collections; that the affable man was C. W. Ruppe, who interrogated the applicants and examined their security, and that the young lady was a notary before whom customers were required to swear that they had no ulterior designs on the Company. To Mr. Ruppe Stone stated the object of his visit. He wanted a loan of \$50 for four months.

He was more in need of money than at the beginning. There seemed to be nothing to do but to have both the loan and the mortgage renewed. The second operation would be much simpler than the first and the expenses, of course, correspondingly lighter. But here Stone was counting without Ruppe. That gentleman was willing to renew the mortgage and make another loan, but the expense would be the same as before. Stone, like all mortgagors, had become hardened by this time. He sanctioned a repetition of the first operation, signed a note and a new mortgage, received \$85, handed back \$15 and received his itemized bill of expenses duly receipted. On the first occasion Stone was satisfied of the absurdity of the last item of \$5 for indorsing, guaranteeing, &c.; now it was clear that most of the other items were equally absurd, particularly those making a charge for appraisal and for searching the records. Stone knew that no second appraisal had been made, and he did not believe Ruppe had gone to the trouble of searching the county records again, if, indeed, he had in the first instance.

"You had better give me back the old mortgage," he said when the second operation had been completed. Ruppe hunted up the instrument, clipped out Stone's signature and handed it to him with the remark:

"Here is your signature. It will do you just as well, and we prefer to keep the mortgage for future reference."

Again matters went along smoothly, though, like other mortgagors, Stone had grown less prompt with his payments and had had several calls from Comfort, the silent partner. Suddenly there was a terrible scandal in the office of the Standard Loan and Investment Company. Gossiping outsiders had become monotonous, and the Company had taken to practising on each other. Stone was informed how matters stood in the following letter:

STANDARD LOAN AND INVESTMENT COMPANY,  
1285 BROADWAY, NEW YORK, May 3, 1889.  
Dear Sir:—We have no objection to your holding in trust for mortgage your note and mortgage, and all payments hereafter require to be paid to me. I will call upon you in a short time and explain all. Respectfully,  
C. W. Ruppe,  
President Standard Loan and Investment Company.

Stone's schedule shows that he has yet to make seven payments of \$4 each, and one of \$5. When I have done this," he said, having concluded his statement to THE WORLD as above, "I shall go out of the mortgage business forever. I went into it with my eyes open, but only experience can teach one the full misfortune he courts when he mortgages his household effects. It is all well enough for the sharks to say that the people who borrow the money know what they are doing and agree voluntarily to all the terms, but I know that in my own case the enforcement of a law making it impossible

ORIGINAL

New York, N.Y. May 22 1889

Mr. C. F. Stone

To Standard Loan and Investment Co. De.  
LOAN AND INSURANCE BROKERS

Room 21, Yaka Elevator.

1285 BROADWAY.

For appraisal and examination of

searching county records for mortgages and judgments;

drawing mortgage promissory note and all necessary papers.

2	58
2	70
5	73
1	74

**POOR QUALITY  
ORIGINAL**

0242

**LAUNDRESS**—Wanted, first-class laundress; refer-  
ence. Call between 1 and 3 P. M., 103 West  
42d st.

**LAUNDRESS**—Wanted, a German laundress for plain  
clothes at 260 West 25th st.

**MARKER**—Wanted, experienced marker and sorter;  
shirt ironers, 807 Myrtle ave., East Troy Steam  
Laundry, Brooklyn.

**NURSE**—Wanted, girl, about 17, to mind baby and  
do plain sewing; reference wanted. Call Friday,  
10 to 12, F. F. Lowenfels, 128 East 63d st., 2d flat.

**NURSE**—Wanted, a reliable girl as nurse, willing to  
go to country for summer; city reference required.  
66 East 58th st.

**NURSE**—Wanted, experienced nurse to take care of  
children and do sewing, 116 East 81st st., 2d  
flat, east.

**NURSE**—Wanted, German girl, speaking English,  
competent to take full charge of three children.  
Call from 10 to 12 A. M., 1007 Madison ave.

**OPERATORS** on fine custom shirts; highest prices;  
steady work. W. A. Phelan, 50 Wall st.

**OPERATOR**—Wanted, experienced operator on  
Wart's machine. Apply to Simonson & Woies,  
116 Grand st.

**OPERATOR WANTED** on flannel shirts; good pay.  
H. H. Kifo, 318 Fulton st., Brooklyn.

**OPERATORS** on awnings wanted. Apply 1263  
Broadway.

**OPERATORS** on fine pants and vests in custom  
store. Call or address Groves, 1215 East Broad  
st., Elizabeth, or at Doyle's, 12 Lispenard st., until 10.

**OPERATORS WANTED**. Thos. Goraty, 1245 3d  
ave., 2d st.

**OPERATORS**—Wanted, operators and apprentices;  
paid while learning. Dressmaker, 314 West 40th st.

**OPERATORS**—50 operators on saten and gingham  
suits; good pay. Nagelsmith & Rothschild, 314  
Church st.

**OPERATOR**—Wheeler & Wilson and Domestic op-  
erator for dressmaking and lawn suits; waist hands.  
Call or address 123 to 127 West Broadway.

**OUTSIDE HANDS WANTED** on ladies' calico  
wrappers. C. Van Nortwick, 363 Canal st.  
place.

**SALESLADY WANTED** for candy store. 16 Clinton  
place.

**SCARFS**—Experienced hand-turners. Apply at once,  
Louis Auerbach, 836 Broadway.

**SETTERS WANTED** on tapestry Brussels carpet.  
Stinson Bros. & Kurlbaum, Huntington, 5th and  
6th sts., Philadelphia.

**TYPEWRITER**—A young lady typewriter in an office;  
state salary expected and experience. Address J.  
F. P., P. O. box 457, city.

**WAIST HAND**—Wanted, first-class waist hand;  
none but competent hands need apply. 2064  
3d ave., 2d floor.

**WASHING**—A first-class washer and ironer for Mon-  
days and Tuesdays. Apply 225 West 14th st.

**WAITRESSES**—Two waitresses for restaurant. 9  
Waverley place, near 8th st., Broadway.

**WAITRESS**—Young lady to wait on tables and be  
generally useful. Harter's restaurant, 1028 Gates  
ave., near Broadway, Brooklyn.

**WAIST** and skirt hands wanted. 120 West 17th st.

**WAITRESS** and upstairs girl in private family; must  
be willing to go to country. Call at 350 West  
22d st.

**WAITRESS WANTED** for restaurant. 16 Clinton  
place.

**AMERICAN GIRL** for bakery; willing worker; live  
near with parents. Apply D. A. M., 150 6th ave.

**REFINED** and educated lady, who is or has been  
prominently engaged in Sunday-school work, can  
find remunerative employment suited to her taste; office  
hours, 9-4. Chas. Seifert, 40 University place.

**YOUNG GIRL** fond of children, willing, obliging,  
to make herself useful. 223 West 24th st.

**BRIGHT GIRL** for cash desk. Apply before 12 Sat-  
urday at Nevin & Co.'s, 628 Myrtle ave., B'klyn.

**LAUNDRESS**—Wanted, first-class laundress; refer-  
ence. Call between 1 and 3 P. M., 103 West  
42d st.

**CANDY-MAKER** 2 or 3 days each week; superior  
workman for retail store. Address Confections,  
119 World.

**CANVASSERS**—Gentle canvassers (Catholic) to in-  
troduce a new and superb work, The History of the  
Catholic Church in the United States, finely illustrated.  
Rhule & Thomas, 150 Nassau st.

**CARPET CLEANER WANTED**—One who under-  
stands measuring, packing and scouring of carpets.  
Star Carpet Cleaning Works, 157 West 32d st.

**CARRIAGE WORK**—first-class stripper wanted; also  
blacksmith. 97 Charles st., near Bloeker.

**CARPENTER** for hotel wanted. 10 Union square.

**CASHIER** for hotel; also good clerk. Town, 66 E.  
12th st.

**CIGAR SALESMAN WANTED** for city and vicin-  
ity with experience and some trade. Address  
Star, box 177 World Office.

**CLERK**—Furnishing goods clerk wanted. Address  
Haberdasher, 209 Uptown World Office.

**CLERK**—Wanted, a young man between 18 and 25  
years of age, of steady habits and not afraid of  
work, as stock clerk and general assistant in an artist's  
manufacturing business; must reside with his parents.  
Call after 10 o'clock, Friday, at 94 Hoes st., 3d floor.

**CLERK**—Wanted, an experienced grocer's clerk;  
single; American. A1 reference. 3470 8th ave.

**CLERK**—Wanted, a house-furnishing clerk to go to  
Long Branch; one who understands crockery,  
glassware, tinware, etc. Apply between 12 and 1 o'clock,  
Steiner, Kahn & Co., 561 Broadway.

**COACHMAN**, useful man, wanted for private family.  
108 West 42d st., basement.

**CLOTHING SALESMAN WANTED**; steady place  
and good wages. 16 Clinton place.

**COLLECTOR**—An energetic man as collector; bond  
required. 512 Grand st., Brooklyn.

**CONFECTIONER WANTED**—A man for the country,  
on ice-cream and candy. Inquire 157 Franklin st.,  
D. A. M.

**COOK**—Wanted, capable, steady,  
for restaurant. Apply at 427 Grand st.

**COOKS**, waiters, dishwashers for hotels and restau-  
rants. Town, 66 East 12th st.

**COOK**—Night order cook for hotel restaurant; \$10  
weekly. 48 Clinton place.

**COOKS WANTED** male, for restaurant. 16 Clinton  
place.

**CUSTOM CUTTER WANTED**; must have good re-  
ference. Apply at 318 Manhattan ave., Greenpoint,  
Brooklyn, E. J.

**CUSTOM COAT MAKER WANTED**. Call between  
9 and 10 o'clock, E. Whitworth, 135 East 8th st.

**CUTTER**—Experienced knife cutter wanted in a  
clothing house; one to do his own marking pre-  
ferred. Herman Kratzenstein, 20 West Houston st.

**DISH-WASHING**—Strong, active, temperate man  
for washing dishes; in writing fall not to send  
reference. B. O., 123 World.

**DRESS SILKS**—Smart young man, of gentle ap-  
pearance, with some experience, to sell colored  
dress silks; must possess excellent references. E.  
RIDLEY & SONS, Grand and Orchard sts.

**DRIVER**—A temperate, honest man wanted to drive  
milk route; must be familiar with Jersey City and  
not afraid of hard work; steady work and remunerative  
employment to the right person; give references and  
age. Address M., 264 Uptown World.

**DRIVERS**, waiters, useful men, collectors, carpen-  
ters, farmers wanted. Mercantile Agency, 306  
Washington st., Brooklyn.

**DRIVER WANTED** for wholesale and retail wine  
house. 16 Clinton place.

**DRIVERS**—Wanted, 3 drivers for coke carts. Apply  
to Walter Roome & Co., 402 West 18th st.

**DRUG CLERK**—Junior; one year's experience; state  
salary expected. Address Sulzonal, station W.,  
Brooklyn.

**DRUG CLERK**, graduated or licensed in New Jersey,  
to go to the country. Address P. O. box 181,  
Hackensack, N. J.

**DRUMMER WANTED** to take orders for custom  
clothing to be sold either for cash or on instal-

POOR QUALITY  
ORIGINAL

0243

1708  
DISTRICT ATTORNEY'S OFFICE,  
City and County of New York.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Ruthie Gilelette  
212 W 46<sup>th</sup> St.

Otto S. Oberbauer  
+ John Culherson

Offence

Dated June 5 1889

Witnesses, Louis Weiss

No. Street,

Wm. Pette

No. Street,

No. (Mother of Joseph S.)

Street,

POOR QUALITY  
ORIGINAL

0244

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 F. Fitzgerald,  
Otho J. Oberbauer  
John R. Harrison*

The Grand Jury of the City and County of New York, by this indictment, accuse *Charles F. Fitzgerald, Otho J. Oberbauer*  
*and John R. Harrison*

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

The said *Charles F. Fitzgerald, Otho J. Oberbauer*  
*and John R. Harrison, all*

late of the City of New York, in the County of New York aforesaid, on the *29th*  
day of *October*, in the year of our Lord one thousand eight hundred and *eighty*  
*eight*, at the City and County aforesaid, with force and arms,

*one couch of the value of fifty five*  
*dollars, and one chair of the value*  
*of twenty five dollars,*

of the goods, chattels and personal property of one *Rickie F. Lette,*

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

*John A. Hallam,  
District Attorney*



0245

**BOX:**

373

**FOLDER:**

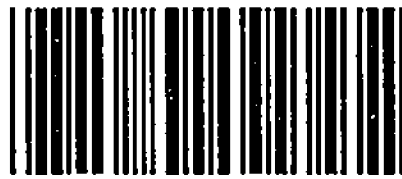
3491

**DESCRIPTION:**

Enfer, Emil J.

**DATE:**

11/25/89



3491

0246

**BOX:**

373

**FOLDER:**

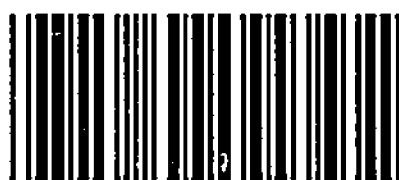
3491

**DESCRIPTION:**

Graham, Robert M.C.

**DATE:**

11/25/89



3491

POOR QUALITY  
ORIGINAL

0247

Witnesses:

*E. M. Martin*

The defendant Graham has died since the finding of this indictment. (See letter from Boston 1 Nov, filed herein). The Council to the Health Dept has informed this

office that the nuisance was abated soon after the filing of the indictment, and that no further complaints have been received by the Department. Mr. Purdie also states that he understands that the Department has no desire to insist upon the prosecution of this indictment.

I therefore recommend the dismissal of this indictment.

May 28/91

Vernon M. Davis

For the reasons above set forth I recommend that this indictment be returned

Elmer E. Meece  
Deputy

Counsel,

Filed

1889

Pleas,

*Not guilty (Ch.)*

THE PEOPLE

vs.

*Robert M. C. Graham*

*and*  
*Emil J. Ensen*

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

*W. J. Little*  
Foreman.

*Indictment*

*Dismissed*

*Indictment*  
(Chap. 300, Laws of 1886, § 1;  
Chap. 410, Laws of 1887, § 1;  
and § 77, Sanitary Code)

POOR QUALITY  
ORIGINAL

0248

COUNSEL,  
Department of the City of New York,  
No. 301 Mott Street.

DEC 23  
230 PM  
P.U.

Hon. W. Trower Jerome  
Dist. Asst. Attorney  
Chambers St. New York City

COUNSEL,  
MENT  
DIRK,  
SET.

NEW YORK  
JAN 3  
5 PM  
A

Hon. W. Trower Jerome  
Dep. Asst. Dist. Atty  
Chambers St.  
New York City

POOR QUALITY  
ORIGINAL

0249



Office of  
Attorney & Counsel,  
ROOMS 46 & 47.

*New York* \_\_\_\_\_ 188

2nd. That after the Standard people were held the Equitable people waiving examination undertook the repairs and improvements demanded, and their care since this time has generally avoided complaint.

3rd. Robt. M. C. Graham and Emile J. Enfer did not go to Special Sessions, but asked for trial at General Sessions, and the complaint against them was only three days later than that against Messrs Andrews and Weeks, which was disposed of October 16th.

There is at present no new complaint against these defendants.

Yours Very truly,

*W. D. Zentgraf*  
*Chief of Health Dept.*



POOR QUALITY  
ORIGINAL

0250



Office of  
Attorney & Counsel.  
ROOMS 46 & 47.

*New York* \_\_\_\_\_ 188\_\_

2

tutes a nuisance. No complaints have been received from the locality since that time with regard to gas nuisances. The works have been inspected twice a week up to November 15, 1889, and daily since that time, and have been found in good condition."

Under the circumstances, I have understood that this Department had no desire to insist, at this time, upon the prosecution under the indictment of November 25, 1889.

I remain,

Very respectfully,

*W. H. Reuther*

Attorney and Counsel.

POOR QUALITY  
ORIGINAL

0251



Office of  
Attorney & Counsel.  
ROOMS 46 & 47.

*New York* May 28, 1891. 188

The People &c.  
v.  
R. M. C. Graham and  
Emil T. Enfer

Hon. Vernon M. Davis,  
Assistant District Attorney.

Sir-

The inquiry made by your letter of May 27th 1891, relative to an indictment of a nuisance at the Equitable Gas Company Works, November 25, 1889, is similar to an inquiry made last year, in January, by Hon. E. N. Jerome, Assistant District Attorney, and which was then answered as far as I was able to give the information.

At that time I asked the Sanitary Superintendent to have a report made on this nuisance, which was understood to be then abated, and the report made by Mr. Martin, the chemist of the department, January 3, 1890, is to the following effect:

"The manufacture of gas at these works no longer consti-

POOR QUALITY  
ORIGINAL

0252

District Attorneys Office.  
City & County of  
New York. December 31<sup>st</sup> 1887.

People vs. Graham and Eifer }  
Wm P. Prentice, Esq.,  
Counsel N.Y. Health Department.

Dear Sir,

Yours of Dec. 28<sup>th</sup> /87  
in the above matter is at hand and  
contents noted.

Will you kindly add to the  
information therein contained.  
I desire to know whether the  
above-named defendants have  
complied with all the require-  
ments of the Health Department  
since complaint was made  
against them: And further, does  
the Department of Health desire  
the matter further prosecuted?  
for if it does I desire to see you  
and make some arrangements  
about trying the case.

Yours truly

Wm Graves Jerome  
Deputy Assistant.

**POOR QUALITY  
ORIGINAL**

0253

People  
vs.  
Graham + Parker

POOR QUALITY  
ORIGINAL

0254



Office of  
Attorney & Counsel,  
ROOMS 46 & 47.

New York Jan 3 1890

Sir:

The Board has  
had no meeting since your  
letter of Dec 31 has rec'd, and  
I have not rec'd instructions  
concerning the prosecution of  
Messrs Graham and Eaper.

I have today seen  
a report of which I enclose  
a copy as it will doubtless  
give the information you desired.

Very truly  
Yrs Wm Tracy Jerome. (Wheeler)



POOR QUALITY  
ORIGINAL

0255

*Cop*

H E A L T H   D E P A R T M E N T

of the City of New York.

SANITARY BUREAU.

No. 301 Mott St.

Office  
Sanitary Department.

New York, January 3, 1890.

W. A. Ewing, M.D.

Sanitary Superintendent.

Sir:-

I have the honor to report that immediately after the arrest of the President and Superintendent of the Equitable Gas Light Company, larger tanks were used to catch the drips and offensive material, and the manufacture of gas at these works was so conducted as to no longer constitute a nuisance.

No complaints have been received from the locality since that time, with regard to gas nuisances. The works have been inspected twice a week up to November 15th 1889, and daily since that time, and have always been found in good condition.

Respectfully submitted,

(Signed) Edward W. Martin,

Chemist.

POOR QUALITY  
ORIGINAL

0256

COUDERT BROTHERS,  
COUNSELLORS AT LAW,  
68 & 70 WILLIAM STREET,  
P. O. BOX 2559,  
NEW YORK.  
—O—  
Paris, 3 Rue Scribe.

PAUL FULLER,  
JAMES RICHARDS.

NEW YORK, May 22 1891.

*People v. Graham and Enfer.*  
*Don Deane*  
*Case*  
*Don Deane*  
*District Attorney, etc.*  
*Dear Sir,*  
In compliance with your suggestion to our Mr. Lewis, we write to call your attention to the indictment against Col. Robert M. C. Graham (now deceased) and Emil J. Enfer. The Col. was the President and Mr. Enfer is the Superintendent of the Equitable Gas Light Co.; and they were, <sup>jointly</sup> indicted, for a technical violation of the Sanitary Code, in suffering refuse matter from the Gas works, 40<sup>th</sup> St. and East River, to escape into the stream. The indictment was found under your predecessor in office, in or about the month of November, 1889, and the case was in the hands of Mr. Jerome.

We did our utmost to have the case brought to trial, (as Mr. Jerome will witness) and understood that it was practically abandoned, at the request of the Board of Health, long before you took office. It was a surprise to us to find it resurrected today and upon the calendar for the purpose of fixing a day for trial. The death of Col. Graham disposes of the indictment as to him, and as to Mr. Enfer, the case is

**POOR QUALITY  
ORIGINAL**

0257

COUDERT BROTHERS,  
COUNSELLORS AT LAW,  
68 & 70 WILLIAM STREET,  
P. O. Box 2559,  
NEW YORK.

Paris, 3 Rue Scribe.

PAUL FULLER,  
JAMES RICHARDS.

NEW YORK, .....189

Set for the first Monday of June.

Will you kindly have the matter investigated at once and have us informed of your disposition of it as soon as possible, in order that we may prepare for trial if you conclude to try us.

We have no hesitation in saying that we are prepared to prove that the substance which escaped into the river was not sludge acid or ~~anything~~ of a character in any way dangerous or detrimental to health; indeed, its properties are quite the reverse. And we have Mr. Jerome's permission to say that he came to the conclusion that a conviction was not possible. As soon as the attention of the company was called to the matter new appliances were constructed which have, we believe, effectually prevented a recurrence of the accident (for it was an accident) which caused the escape of the refuse matter complained of, and we understand that there has been no repetition of it.

An early reply will much oblige

Yours very truly  
Coudert Brothers  
L

POOR QUALITY  
ORIGINAL

0258

The People

v.

Graham, Enfer.

Office of  
Attorney & Counsel,  
ROOMS 46 & 47.



*New York* December 28, 1889.

Hon. W. TRAVERS JEROME,

D. Asst. District Attorney.

Dear Sir:-

Your enquiry relative to the case made against the Equitable Gas Company managers was misunderstood by me until your letter was received.

I had in mind the case of the Standard Gas Company, which was almost identical, except in the obstinacy of the defendants. Messrs W.C. Andrews and George H. Weeks were complained of, at 115th Street, at the same time Messrs Graham and Enfer were complained of, at 41st St; but they went to Special Sessions, and there frankly entered their plea Oct 16, 1889, and each was fined \$25.00. The nuisance at the Standard Works was then reported abated.

Messrs R. M. C. Graham and Emile J. Enfer, made more trouble and have asked for a trial at General Sessions. I hope they may have it.

In respect to your question it appears this was an aggravated case of nuisance, no less than that of the Standard Company.

POOR QUALITY  
ORIGINAL

0259

District Attorneys Office.

(1.)

City & County of

New York. December 27<sup>th</sup>, 1889.

The People  
Robert M. C. Graham } Misdemeanor.  
and Emil J. Eifer. }

Wm. P. Prentice, Esq.,

Counsel N. Y. City ~~Board of~~ Health Department.

Dear Sir,

I find the above case upon my calendar in the Court of General Sessions. The defendants are indicted for allowing the refuse from the works of the Equitable Gas Light Company to be thrown or to pass into the East River. The complaint is made by Edward W. Martin, chemist and chief inspector of the Health Department. The time of the alleged violation of the statutes and ordinances is in the complaint stated to be on July 22<sup>nd</sup>, 1889, and on divers days prior thereto and especially since June 1<sup>st</sup>, 1888.



POOR QUALITY  
ORIGINAL

0260

District Attorney's Office.  
City & County of  
New York. December 27<sup>th</sup> 1889.

(2.)

People vs. Graham & Eifer }

In regard to this matter will  
you please inform me

1<sup>st</sup>. Is this complaint for the same  
transaction as the one to which  
these defendants pleaded guilty at  
Special Sessions and were fined?

2<sup>nd</sup>. Have these defendants and  
the Equitable Gas Light Company  
complied with all the require-  
ments of the Health Department  
since ~~the~~ <sup>defendants</sup> they pleaded guilty at  
the Court of Special Sessions?

3<sup>d</sup>. What was the date of the ~~complaint~~ <sup>defendants</sup> ~~pleading guilty~~ <sup>plea of guilty</sup>  
at Special Sessions?

I very much wish that you  
would give me any additional  
information that you may have  
in regard to the case, and whether  
~~the Health Department~~ what  
disposition <sup>the</sup> ~~the~~ Health Department  
thinks would be proper. I make these  
inquiries in view of our conversation

POOR QUALITY  
ORIGINAL

0261

upon the subject some days ago.

Very truly yours

Wm Travers Jerome  
Deputy Assistant.

A copy of this letter was sent to the Hon. Sec. of the Interior,  
Washington, D.C., Dec. 27/89.

Copy of  
letter sent to  
Wm. P. Brewster  
on Dec 27/89.  
W.T.J.

People

vs.

Graham

d

Evfer

POOR QUALITY  
ORIGINAL

0262

Sec. 192.

4th District Police Court

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before Daniel M. Mahon Police Justice  
of the City of New York, charging Emile J. Enfer Defendant with  
the offence of Violation Sanitary Code

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

We, Emile J. Enfer Defendant of No. 510 Essex St  
Street; by occupation Superintendent  
and John Enfer of No. 100 Broadway  
Street, by occupation a Chapman Surety, hereby jointly and severally undertake that  
the above named Emile J. Enfer Defendant  
shall personally appear before the said Justice, at the 4th District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York the sum of Five  
Hundred Dollars.

Taken and acknowledged before me, this 20th day of July 1889

Daniel M. Mahon POLICE JUSTICE

POOR QUALITY  
ORIGINAL

0263

CITY AND COUNTY } ss.  
OF NEW YORK, }

day of *July*  
*1881*  
*W. J. Mahoney, Police Justice.*

Sworn to before me, this

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

*of land situated at nos 345*

*Thoms Street in said city*

*valued at Twenty Thousand*  
*Dollars*

*John J. Fox*

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear  
during the Examination.

Taken the *188* day of *July* 188

Justice.

POOR QUALITY  
ORIGINAL

0264

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

Edward W. Martin of 301 Mott Street, being duly sworn says that he is a Chemist and is the Chief Inspector of the Division of the Sanitary Bureau of the Health Department of the City of New York; and is detailed to the inspection of Offensive Trades; that on the 22nd day of July 1889, and at divers times prior thereto especially since the 1st day of June 1888, Robert M. C. Graham, the President, and Emilie J. Enfer the Superintendent of the Equitable Gas Light Company, having its Gas Works, Manufactory and Gas House where it is engaged in the manufacture of illuminating gas, on the north side of east 39th Street and the East River and extending up to 42nd Street in the City of New York, did violate the Sanitary Code and especially section No. 77 thereof, at all the times herein mentioned in full force and operative in said City, and did in violation thereof cause and allow the refuse matter, drips and offensive matter from the said Gas Works, Gas House and Manufactory and from the pipes connected therewith, to run and be deposited into and upon the East River and public Waters adjacent to said Gas Works, having the right and power to prevent the same and did thereby create a public nuisance thereat and in the neighborhood thereof, although heretofore notified to abate and to prevent the nuisance caused thereby; and did then and there permit the escape of offensive odors from the pipes of the said Gas Company and from the material in use in the manufacture of Gas and from the said offensive gas refuse and drips, which said nuisance and odors were dangerous and prejudicial to life and health; and did also then and there fail to use the most approved means for preventing the escape of odors, in violation as aforesaid of section No. 77 of the said Sanitary Code, which is as follows, to wit

Sec. 77.\* That no person or company being a manufacturer of gas, or engaged about the manufacture thereof, shall throw or deposit, or allow to run, or, having the right of power to prevent the same, shall permit to be thrown or deposited into any public waters, river or stream, or into any sewer therewith connected, or into any street, or public place any gas tar or any refuse matter of or from any gas-house, works, manufactory, mains or service pipes; or permit the escape of any offensive odors, or gas from their works, mains or pipes; nor shall any such person or company permit to escape from any of their works, mains, or pipes, any gas dangerous or prejudicial to life or health; or manufacture illuminating gas of such ingredients and quality that in the process of burning, it or any substance which may escape therefrom, shall be dangerous or prejudicial to life or health; or fail to use the most approved or all reasonable means for preventing the escape of odors.

Sworn to before me this 24th day  
of July 1889.

*Edward W. Martin*

*W. J. M. Malone*

Police Justice



POOR QUALITY  
ORIGINAL

0265

Mr.                      District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Edward W. Martin

against

Robert M. C. Graham

and Emilie J. Enfer

Affidavit, Violation of  
Sec. 77 of the  
Sanitary Code

Magistrate.

Officer.  
Sanitary Squad.

Witnesses, Dr. Warren

No. 301 & 401 St

Officer Phillips  
301 & 401 St

No. W. L. Craig  
301 Inwood. St.

\$ to answer

POOR QUALITY  
ORIGINAL

0266

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name.

Answer.

*Robert M. L. Graham*

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.

*125 E 12<sup>th</sup> St. 1 Year*

Question. What is your business or profession?

Answer.

*President. Gas Company*

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 -*

*Robert M. L. Graham*

Taken before me this

day of

188

Police Justice.

POOR QUALITY  
ORIGINAL

0267

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name.

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this

day of

1889

Police Justice.

POOR QUALITY  
ORIGINAL

0268

Sec. 151.

Police Court 4th District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Edward W. Martin of No. 301 Mott Street, that on the 22 day of July 1889 at the City of New York, in the County of New York,

Robert W. C. Graham the President and Emilie J. Eifer the Superintendent of the Equitable Gas Light Co. on the north side of 39th and East River did then and there unlawfully cause and allow drips and refuse from the Gas works of the Equitable Gas Co. to run on the waters of the East River in violation of Section 77 of the Sanitary Code.

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring them forthwith before me, at the 4th DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 24th day of July 1889

N. F. McMahon POLICE JUSTICE.

POOR QUALITY  
ORIGINAL

0269

POLICE COURT *4th* DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Eduard W. Martin*

*vs.*

*T. Robt. W. C. Graham*

*Emilie J. Eufes*

Warrant-General.

Dated ..... 188

Magistrate.

*John W. Phillips* Officer.  
*Sum. C. S.*

The Defendant

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

Officer.

Dated ..... 188

This Warrant may be executed on Sunday or at  
night.

Police Justice.

Dated

188

having been brought before me under this Warrant, is committed for examination to the  
WARDEN and KEEPER of the City Prison of the City of New York.

The within named

Police Justice.



POOR QUALITY  
ORIGINAL

0270

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court  
THE PEOPLE, &c.

ON THE COMPLAINT OF

William M. McCarty

vs

James J. Conroy

vs

William M. McCarty

vs

James J. Conroy

vs

William M. McCarty

vs

James J. Conroy

vs

William M. McCarty

vs

James J. Conroy

vs

William M. McCarty

vs

District

Code

1109

July 31

1889

Offence

3

4

Dated

July 31

1889

Magistrate

Officer

Witnesses

No.

No.

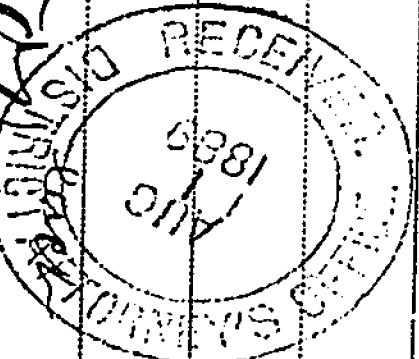
No.

No.

No.

No.

No.



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

Dated July 31 1889 Police Justice.

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

Dated July 31 1889 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 1889 Police Justice.

POOR QUALITY  
ORIGINAL

0271

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 M. C. Graham  
and Emil J. Enfer

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

Indictment accuse Robert M. C. Graham and Emil  
J. Enfer of a Misdemeanor,  
~~of the crime of~~

committed as follows:

The said Robert M. C. Graham and Emil  
J. Enfer, both

late of the City of New York, in the County of New York, aforesaid, on the

Twentysecond day of July, in the year of our Lord one thousand  
eight hundred and eighty- nine, at the City and County aforesaid,

the said Robert M. C. Graham being then and  
there the president of the Equitable Gas Light  
Company, a corporation engaged in the making  
of illuminating gas, having its works, factory  
and gas-house, and buildings used for the  
making of gas there, and the said Emil J. Enfer  
being then and there the superintendent of the  
said corporation, at the City and County afore-  
said, did unlawfully place, and cause to be  
placed, in the waters there commonly called  
the East River, a great quantity of sludge  
acid, and a great quantity of other refuse matter

POOR QUALITY  
ORIGINAL

0272

[a more accurate description whereof is to the  
Grand Jury aforesaid unknown, and can not  
now be given/ resulting from the manufacture  
and process of manufacture of certain refined  
material, to wit: illuminating gas, and the  
treatment of certain crude material, to wit:  
coal, in the manufacture of such gas, from  
the said works, gas-house and factory of the  
said corporation, and its buildings there used  
for the making of gas; 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.

POOR QUALITY  
ORIGINAL

0273

Second COUNT.

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

Robert M. C. Graham and Emil J. Enfer  
of the CRIME of Violating the Sanitary Code of the Board of  
Health of the Health Department of the City of New York,  
committed as follows:

The said Robert M. C. Graham and Emil J.  
Enfer, both \_\_\_\_\_

late of the City and County aforesaid, afterwards to wit: On the day and in the year aforesaid,  
~~at the City and County aforesaid,~~ the said Robert M. C. Graham  
being then and there the president of the Equitable  
Gas Light Company, a corporation engaged in the  
making of illuminating gas, having its gas-house  
works and manufactory there, and the said Emil  
J. Enfer being then and there the superintendent  
of the said corporation, and the said Robert M. C.  
Graham and Emil J. Enfer thereby being man-  
ufacturers of gas, and engaged about the man-  
ufacture thereof, did unlawfully throw and  
deposit, and allow to run, and having then and  
there the right of power to prevent the same, did  
unlawfully permit to be thrown and deposited  
into the public waters and river there, commonly  
called the East River, a great quantity of  
gas tar, and a great quantity of refuse matter,

POOR QUALITY  
ORIGINAL

0274

A more accurate description whereof is to the Grand Jury aforesaid unknown, and cannot now be given / of and from the said gas-house, works and manufactory, and did then and there unlawfully permit the escape of divers offensive odors and gas from the said works; and did then and there unlawfully permit to escape from the said works, a great quantity of gas dangerous and prejudicial to life and health, and did then and there unlawfully fail to use the most approved, or all reasonable means for preventing the escape of odors from the said works; against and in violation of the Sanitary Code of the Board of Health of the Health Department of the City of New York, duly adopted and declared as such at a meeting of the said Board of Health held in the said City on the second day of June 1873, as amended in accordance with law, and particularly in violation of the seventy seventh section of the said code, which is as follows, to wit:

SEC. 77.\* That no person or company being a manufacturer of gas, or engaged about the manufacture thereof, shall throw or deposit, or allow to run, or, having the right of power to prevent the same, shall permit to be thrown or deposited into any public waters, river or stream, or into any sewer therewith connected, or into any street or public place, any gas, tar, or any refuse matter of or from any gas house, works, manufactory, mains or service pipes; or permit the escape of any offensive odors, or gas from their works, mains or pipes; nor shall any such person or company permit to escape from any of their works, mains or pipes, any gas dangerous or prejudicial to life or health; or manufacture illuminating gas of such ingredients and quality that in the process of burning, it or any substance which may escape therefrom, shall be dangerous or prejudicial to life or health; or fail to use the most approved or all reasonable means for preventing the escape of odors.

which said section was by a certain resolution duly passed and adopted by the said Board of Health and by the said Health Department, at a meeting



POOR QUALITY  
ORIGINAL

0275

thereof duly held in the said City on the twentyfifth day of January, 1881, duly amended so as to read as above set forth, and which said section so amended as aforesaid was thereafter duly published once a week for two successive weeks, in the City Record, a daily official newspaper and journal published in the said City, as required by law, and which said Sanitary Code, and the said section thereof so amended as aforesaid and heretofore set forth, was at the time of the commission of the offense therein alleged, in full force and operation, and was by law declared to be binding and in force in said City, <sup>the said section</sup> having been in no way, except as herein stated, altered, amended or annulled by the said Board of Health; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

John R. Fellows,  
District Attorney.

0276

**BOX:**

373

**FOLDER:**

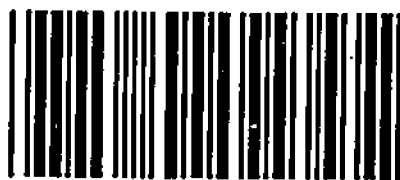
3491

**DESCRIPTION:**

Gray, Archibald

**DATE:**

11/25/89



3491

POOR QUALITY  
ORIGINAL

0277

Witnesses:

*W. A. Holloway*

*off*

Counsel,

Filed *Dec 12* day of *Dec* 188*9*

Pleads, *Not guilty* vs

THE PEOPLE

vs.

*Archibald Gray*

Grand Larceny, *third* Degree.  
(From the Person.)  
[Sections 528, 580 — Penal Code.]

Ordered to N. Y. Court of  
Criminal Justice for trial

*Chambers*

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Foreman.

*Dec 17*  
Part III December 17, 1889  
Pleads. *G. R. 2d* / *Gray*  
*Olivera Ref. P. 11*

POOR QUALITY  
ORIGINAL

0278

and deponent in case of George St Clair

Police Court—2<sup>nd</sup> District.

Affidavit—Larceny.

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

Virginia S Philhower

of No. 148 East 86<sup>th</sup> Street, aged 28 years,  
occupation Bookmaker being duly sworn

deposes and says, that on the 2<sup>nd</sup> day of November 1889 at the City of New

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

possession of deponent, in the night time, the following property viz:

one Diamond Pin of the value of  
forty dollars

\$ 40.00

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 Archibald Gray (nowhere)

from the fact that deponent was  
walking on 11<sup>th</sup> Street between 5<sup>th</sup> Avenue  
and Brooklynway when deponent had  
said Pin in the Scarf then worn upon  
deponent's person that said deponent  
was walking alongside of deponent and  
said Pin from deponent's person and  
run away

W S Philhower

Sworn to before me, this

10

day

of

November

1889

James H. McMillan Police Justice.

POOR QUALITY  
ORIGINAL

0279

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Archibald Gray

Question. How old are you?

Answer.

20 years

Question. Where were you born?

Answer.

Chicago

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

Answer.

Refuse to answer

Question. What is your business or profession?

Answer.

Bookbinder

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

Archibald Gray

Taken before me this

10

day of November 188 9

John J. Hannon Police Justice.



POOR QUALITY  
ORIGINAL

0280

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court-- 2 District.

1663

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*William J. McManus*

vs.

*Isidore C. Gray*

2

3

4

Offence

*Larceny*  
*Grand Person*

Dated

*Nov 10*

1889

Magistrate.

*William J. McManus*

Officer.

19

Witnesses.

No.

*William J. McManus*

Street.

No.

*William J. McManus*

Street.

No.

*William J. McManus*

Street.

\$

*William J. McManus*

to answer

*William J. McManus*

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 *Nov 10* 1889 *William J. McManus* Police Justice.

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

Dated 1889 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 1889 Police Justice.

POOR QUALITY  
ORIGINAL

0281

District Attorney's Office.

PEOPLE

vs.

*Archibald Gray.*

*Kimball S. Philhower  
J. George Stclair  
H. E. 86<sup>th</sup> St*

*Off. Con Kline  
19<sup>th</sup> Prec't*

*Compt and personal  
officer issued  
Mar 12/89 Myers*

+

POOR QUALITY  
ORIGINAL

0282

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Archibald Gray*

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

— *Archibald Gray* —  
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows :

The said

*Archibald Gray*

late of the City of New York, in the County of New York aforesaid, on the *second*  
day of *November*, in the year of our Lord one thousand eight hundred and  
eighty-*nine*, in the *night* time of the said day, at the City and County  
aforesaid, with force and arms,

*one scarf pin of  
the value of forty dollars*

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

then and there being found, from the person of the said

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.

*Winfield S. Philhower*  
*Winfield S. Philhower*  
*Winfield S. Philhower*  
*John R. Fellows,*  
*District Attorney.*

0203

**BOX:**

373

**FOLDER:**

3491

**DESCRIPTION:**

Greenhood, Otto J.

**DATE:**

11/21/89



3491

POOR QUALITY  
ORIGINAL

0204

Witnesses:

J. H. Armstrong

Counsel,

Filed

Day of

188

Pleads,

THE PEOPLE

Grand Larceny, 2nd degree  
(False Pretenses)  
[Section 528, and 531, Penal Code].

1663-1928  
235-1928

Otto J. Greenhood

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*Amendable*

Part II Foreman,  
November 1929  
Pleads Guilty 29.

S. P. 31/2 m.s.



POOR QUALITY  
ORIGINAL

0285

Police Court—2 District.

Affidavit—Larceny.

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

Julius H. Armstrong  
of No. 34 1/2 Street, aged 35 years,  
occupation Bookkeeper being duly sworn

deposes and says, that on the 19 day of October 1889 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property viz :

One Suit of Clothing of the value of  
Twenty Eight dollars  
and Government furnished goods of the value  
of about twenty one dollars  
and good and lawful money of the issue  
of the United States of the value of about  
fifty one dollars  
said property being in all of the value  
of One hundred dollars  
the property of Brokaw Brothers & Co and  
Charge of deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Otto J. Greenhood (now here)  
from the fact that on said day said  
deponent purchased the above described  
property and presented in payment the  
here to annexed check. That said  
deponent had business goods before  
in said place of business and gave  
checks in payment which were then  
paid. The present check was accepted  
in payment for said purchased property  
and fifty one dollars was given to said  
deponent the full face value of said  
check. Deponent further says that  
the check was deposited for collection  
and returned as being of no value

Sworn to before me this  
1889 day

Police Justice.

POOR QUALITY  
ORIGINAL

0286

and defendant is informed that said  
defendant had no deposit in said Bank  
and had none there since June last  
and that he has no right to draw upon  
the funds of said Bank

Defendant Charge that said defendant  
did feloniously make said check or  
instrument in writing with the intent to  
cheat and defraud and whereby  
he did cheat said Pradaw Brothers  
as aforesaid

Sworn to before me this  
17 day of November 1889

Police Justice

Dated 1889 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 1889 Police Justice

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

Dated 1889 Police Justice

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

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

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

Offence—LARCENY.

vs.

1  
2  
3  
4

Dated 1889

Magistrate.

Officer.

Clerk.

Witness,

No.

Street,

No.

Street,

No.

Street,

\$ to answer

Sessions.

POOR QUALITY  
ORIGINAL

0287

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Chas J Greenhorn

Question. How old are you?

Answer.

33 years

Question. Where were you born?

Answer.

Germany

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

Answer.

166 East 92 Street 4 blocks

Question. What is your business or profession?

Answer.

Merchant

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

Answer.

I am not guilty

Chas J Greenhorn

Taken before me this

17

day of

November 1889

at

Samuel J. Greenhorn

Police Justice.

POOR QUALITY  
ORIGINAL

0288

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court... 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John H. Armstrong  
Att. & Counselor

2  
3  
4

Offence *Swamy*  
*felony*

Dated

*Nov 17*

1889

Residence

*Green*

Magistrate

No. 3, by

*John H. Armstrong*

Officer

Residence

*15*

Precinct

No. 4, by

*John H. Armstrong*

Witness

Residence

*John H. Armstrong*

Street

No. 4, by

*John H. Armstrong*

Street

No. 4, by

*John H. Armstrong*

Street

No. 4, by

*John H. Armstrong*

Street

*Anna*

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

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

Dated *Nov 17* 1889 *John H. Armstrong* 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.



POOR QUALITY  
ORIGINAL

0289

*Branching from Branch St.*

*no. 12* *New York City 14<sup>th</sup> 188* *No. 12*

**Empire State Bank**

*Pay to the order of* *E. J. Greenhead & Co.* *\$100.00*

*One Hundred* *00* *Dollars*

**EUROPEAN NOVELTY CO.**

*E. J. Greenhead*

C. K. Stanley 72 John St. N.Y.



POOR QUALITY  
ORIGINAL

0290

127 Broadway, New York City

no. 127 Broadway, New York City

188

Empire State Bank

Pay to the order of

100.00

100 Dollars

EUROPEAN NOVELTY CO.

C. K. Bradley 77 John St. N.Y.

POOR QUALITY  
ORIGINAL

0291

*O. J. Greenhaw*

FOR DEPOSIT IN  
CHEMICAL NATIONAL BANK,  
TO THE CREDIT OF  
BROOKLYN STEELERS,

*[Signature]*

POOR QUALITY  
ORIGINAL

0292

District Attorney's Office.

PEOPLE

vs.

Otto J. Greenwood  
Larceny.

John A. Armstrong  
34 - 4<sup>th</sup> Ave.

Vogel Bros Bookkeeper  
129 Broadway + Houston St

C. H. Roberts  
640 Broadway  
N. Eysenhardt  
418 Nassau St

X Off Sullivan  
15 Precinct

POOR QUALITY  
ORIGINAL

0293

Court of General Sessions of the Peace  
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
AGAINST

*Otto J. Greenwood*

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

*Otto J. Greenwood*

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

The said *Otto*,

late of the City of New York, in the County of New York aforesaid, on the *19th*  
day of *October*, in the year of our Lord one thousand eight hundred and  
eighty-*nine*, at the City and County aforesaid, with force and arms, with intent to  
deprive and defraud *Isaac V. Brokaw and William*  
*V. Brokaw, co-partners,*

of the proper moneys, goods chattels and personal property hereinafter mentioned, and of  
the use and benefit thereof, and to appropriate the same to *his* own use, did then and  
there feloniously, fraudulently and falsely pretend and represent to *the said*  
*Isaac and William,*

That a certain paper writing in the  
words and figures following, to wit:

"New York Oct 19th 1889 No. 254

Empire State Bank

Pay to the order of *O. J. Greenwood or Bearer* \$100 <sup>00</sup>/<sub>100</sub>

One hundred <sup>00</sup>/<sub>100</sub> Dollars.

European Novelty Co.

*O. J. Greenwood manager*

which he the said *Otto* then and there

POOR QUALITY  
ORIGINAL

0294

produced and delivered to the said Isaac and William, was then and there a good and valid order for the payment of money, and of the value of one hundred dollars,

And the said Isaac and William

then and their believing the said false and fraudulent pretenses and representations so made as aforesaid by the said Otto

and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver to the said

Otto, one coat of the value of fourteen dollars, one vest of the value of five dollars, one pair of trousers of the value of nine dollars, a quantity of gentlemen's furnishing goods, a more particular description whereof is to the Grand Jury aforesaid unknown, of the value of twenty one dollars, and the sum of fifty one dollars in money, lawful money of the United States of America, and of the value of fifty one dollars.

of the proper moneys, goods, chattels and personal property of the said Isaac and William.

And the said Otto did then and there feloniously receive and obtain the said proper moneys, goods, chattels, and personal property, from the possession of the said Isaac and William, by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said Isaac and William

of the same, and of the use and benefit thereof, and to appropriate the same to his own use

Whereas, in truth and in fact, the said paper writing which he the said Otto so as aforesaid then and there produced and delivered to the said Isaac and William, was not then and



POOR QUALITY  
ORIGINAL

0295

there a good and valid order for the  
payment of money, and was not of  
the value of one hundred dollars, nor  
of any value, but was wholly worthless,

And Whereas, in truth and in fact, the pretenses and representations so made  
as aforesaid by the said Otto  
to the said Grace and William was and were  
then and there in all respects utterly false and untrue, as he the said  
Otto  
at the time of making the same then and there well knew

And so the Grand Jury Aforesaid, do say that the said  
Otto  
in the manner and form aforesaid, by the means aforesaid, the said proper moneys, goods,  
chattels and personal property of the said Grace and William  
then and there feloniously did STEAL, against the form of the Statute in such case made and  
provided, and against the peace and dignity of the said people.

JOHN R. FELLOWS,

District Attorney.

0296

**BOX:**

373

**FOLDER:**

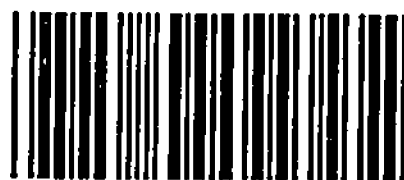
3491

**DESCRIPTION:**

Griffin, Dennis

**DATE:**

11/14/89



3491

POOR QUALITY  
ORIGINAL

0297

Witnesses:

*D. Griffin*  
*Wm. C. Tubbs*

Counsel,

Filed

1889

Pleads

*Indigently*

THE PEOPLE

vs.

*Dennis Griffin*

Grand Larceny, Second Degree.  
(From the Person.)  
[Sections 528, 587 Penal Code].

*Dec 19/89*  
JOHN R. FELLOWS,

District Attorney.

A True Bill.

*William Little*

Foreman.

*Dec 19/89*  
*Wm. C. Tubbs*

*Per: D. C. Tubbs*

POOR QUALITY  
ORIGINAL

0298

Police Court—15/- District.

Affidavit—Larceny.

City and County } ss.  
of New York, }

of No. 122 River St. Hoboken N.J. employed John Malmontier No 223 Grand Street, aged 33 years,

occupation Boat Oiler being duly sworn

deposes and says, that on the 5 day of November 1889 at the City of New

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

One nickel watch with gold chain  
and chains all of the value of Twenty  
Six dollars

the property of Deponent

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

Deponent says he was in saloon south  
west corner of Grand & Elizabeth Streets  
in said City and said deponent  
snatched said property that was  
attached to his button hole and  
contained in the pocket of the vest  
then and there worn by him and ran  
away. That officer Tubbs came and  
arrested said deponent with said  
watch in his possession

John Malmontier.

Sworn to before me, this

day

18 89

John Malmontier Police Justice.

POOR QUALITY  
ORIGINAL

0299

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Dennis Griffin*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *Boston Mass*

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

Answer. *I lodge in Boray Lodging House 6 mos*

Question. What is your business or profession?

Answer. *Car 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*

*Dennis Griffin*

Taken before me  
day of *Nov* 188*9*

*J. C. [Signature]*  
Police Justice.



0300

*[Handwritten scribbles and marks]*

Dependant

Dated 6 Nov 18 89 W. C. R. H. Police Justice.

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

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

POOR QUALITY  
ORIGINAL

0301

**PART I.**

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK.  
If this Subpoena is disobeyed, an attachment will immediately issue.  
Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York.

To *John H. H. H. H.*

of No. *122. River*

Street *W. H. H.*

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the *18th* day of *November* 1889, at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

*Dennis Griffin*

Dated at the City of New York, the first Monday of *November* in the year of our Lord, 1889.

JOHN R. FELLOWS, District Attorney.

POOR QUALITY  
ORIGINAL

0302

Should the case not be  
signed in Court, please  
face about it, and you  
If inconvenient to rem  
ate this early to the Dis  
If ill when served, plea  
Attorney's Office.  
If you know of more  
re the Magistrate, or  
as not there brought  
District Attorney or one

THE PEOPLE

vs.

Dennis Griffin

City and County of New York, ss:

James Smith being duly  
sworn, deposes and says: I reside at No. 334 East 37th  
Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the  
City and County of New York. On the 16th day of November 1889,  
I called at 122 River St. Hoboken, N. J.

the alleged residence of John Malmontis  
the complainant herein, to serve him with the annexed subpoena, and was informed by  
the tenant of said premises that said  
complainant never resided there to her  
knowledge. I also enquired at No. 102 River  
St. and received the same information.  
I also consulted the Hoboken City Directory,  
but his name or address was not entered  
therein. That deponent made all  
due and diligent search to find  
the said John Malmontis, but  
has been unable to ascertain  
anything <sup>concerning</sup> his whereabouts.

Sworn to before me, this 18th day  
of Nov 1889

Edward Grasse  
Notary Public  
City and County of New York

James Smith  
Subpoena Server.

POOR QUALITY  
ORIGINAL

0303

Court of General Sessions.

THE PEOPLE, on the Complaint of

*John Melmonte*

vs.

*Dennis Griffin*

Offence:

JOHN R. FELLOWS,

*District Attorney.*

*Affidavit of*

*Subpoena Server.*

Failure to Find Witness.

POOR QUALITY  
ORIGINAL

0304

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Dennis Griffin*

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

*Dennis Griffin*  
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said

*Dennis Griffin*

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

*one watch of the  
value of six dollars, one chain  
of the value of fifteen dollars  
and one charm of the value of  
five dollars*

of the goods, chattels and personal property of *one John Malmontier*  
on the person of the said *John Malmontier*  
then and there being found from the person of the said *John Malmontier*  
then and there feloniously did steal, take and carry away, against the form of the statute in such  
case made and provided, and against the peace of the People of the State of New York and their  
dignity.

*John R. Fellows,*  
District Attorney



0305

**BOX:**

373

**FOLDER:**

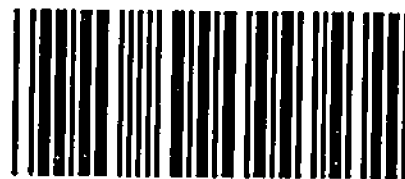
3491

**DESCRIPTION:**

Gutheim, Meyer

**DATE:**

11/15/89



3491

POOR QUALITY  
ORIGINAL

0306

139. Good  
H. Kennedy

Counsel,  
Filed 15 day of Apr 1889  
Pleads *Not guilty*

Hand on board -  
France keeper.  
[Sec. 382, Penal Code]

THE PEOPLE

vs.

*12*  
Meyer Gutheim  
Apr 19 1889

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

*Amund Little*

*W. J. 25/09/11*  
Foreman  
*W. J. 25/09/11*

Witness:  
*Emma C. Audet*

POOR QUALITY  
ORIGINAL

0307

Court of General Sessions of the Peace  
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Meyer Gutheim

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

Indictment accuse Meyer Gutheim

of the crime of obtaining food and accommodation at a boarding-house without paying therefor, with intent to defraud, committed as follows:

The said Meyer Gutheim,

late of the City of New York, in the County of New York, aforesaid, on the

twentyfourth day of June, in the year of our Lord one thousand eight hundred and eighty- nine at the City and County aforesaid,

did unlawfully obtain food and accommodation to the amount of the value of twenty one dollars and fifty cents, at the boarding house of one Mary E. Rudd, there situate, without paying therefor, with intent to defraud the said Mary E. Rudd, the proprietress thereof; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

John R. Fellows,

District Attorney.