

0593

**BOX:**

305

**FOLDER:**

2902

**DESCRIPTION:**

Smith, Albert

**DATE:**

04/25/88



2902

POOR QUALITY  
ORIGINAL

0594

323

Witnesses;

Counsel,

Filed 25 day of April 1888

Pleads,

THE PEOPLE

vs.

P

Albert Smith

Grand Larceny, Second Degree,  
(From the Person.)  
[Sections 528, 531-550 Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill found

W. J. Gobberry

Foreman.

E. J. [Signature]

April 24, 1888.

POOR QUALITY  
ORIGINAL

0595

Police Court—B District.

Affidavit—Larceny.

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

of No. 106 E Broadway Street, aged 27 years,

occupation Cap Maker being duly sworn

deposes and says, that on the 21 day of April 1888 at the City of New

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

person of deponent, in the day time, the following property viz :

One Silver Watch of  
the Value

Five Dollars

the property of

Deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Albert Smith Nowhere

from the fact that previous  
to said larceny deponent had said  
watch in a pocket of his vest  
then and there worn on the person of  
deponent and about the hour of  
four o'clock on the afternoon of the  
above date as deponent was standing  
on the Bowery near Spring Street the  
said deponent pushed against  
deponent and at the same time  
took from deponent pocket the  
above watch and then attempted  
to run away

Jacob Baer

Sworn to before me, this 22 day  
of April 1888

James M. McQuinn Police Justice.



POOR QUALITY  
ORIGINAL

0596

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I have nothing to say  
Albert Smith.*

Taken before me this

day of

188

Police Justice.



POOR QUALITY  
ORIGINAL

0597

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

Police Court 620  
District.

THE PEOPLE, &c.,  
vs. THE COMRADE OF

Accused 13 & 4  
106 East 10th Street  
At New York

2 .....  
3 .....  
4 .....  
Offence Larceny from person

Date April 22 188

Magistrate.

Officer.

Precinct.

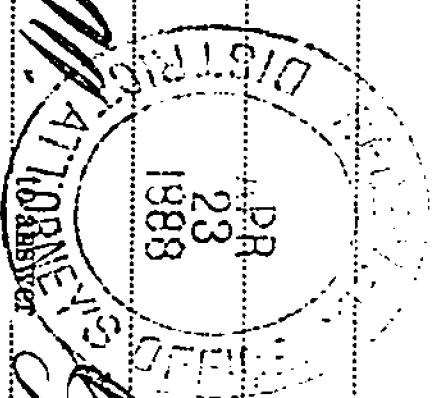
Witnesses

No. Street.

No. Street.

No. Street.

No. Street.



102  
New York

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

Dated April 22 188 Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

POOR QUALITY  
ORIGINAL

0598

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Albert Smith*

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

The said *Albert Smith*,

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

*One watch of the value of  
five dollars*

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

**POOR QUALITY  
ORIGINAL**

0599

SECOND COUNT—

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

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

The said

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

One watch of the value of  
five dollars—

of the goods, chattels and personal property of one

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

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

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

JOHN R. FELLOWS,

District Attorney.



0600

**BOX:**

305

**FOLDER:**

2902

**DESCRIPTION:**

Smith, Henry

**DATE:**

04/25/88



2902

POOR QUALITY  
ORIGINAL

0601

Witnesses:

Counsel,

Filed

25 day of April 1888

Pleads,

Chargedly

THE PEOPLE

vs.

Henry Smith

Robbery, *first* degree.  
[Sections 224 and 228, Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill found

W. J. Griffiths  
Foreman

May 25/88.

*Indictment dismissed*

April 24, 1888.

On the within affidavits and papers and on the statements of the complainant and the different witnesses for the prosecution and defense all of whom I have carefully examined I believe that no crime has been committed by this defendant and that which was only a drunken brawl was given this serious character by the arrest and indictment of the defendant. I would respectfully recommend that the within indictment be dismissed -  
May 25<sup>th</sup>, 1888. Part I.

Wm. J. Graves  
Deputy Auditor

POOR QUALITY  
ORIGINAL

0602

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

The People of the State of New York  
Plaintiff,  
against  
Henry Smith  
Defendant.

State of New York  
City and County of New York.

Joseph Hackett, of N.Y.  
370 West 11th St. in the City of New York, dealer  
in red & white sand, being duly sworn, deposes  
and says: That he is personally acquainted  
with the defendant herein, and that he has  
known him from childhood.

That said defendant is about twenty-four  
years of age, and has resided all his life time  
in the same neighborhood with deponent.

That defendant has always been a steady,  
industrious, and honest young man, and  
that his character for respectability and hon-  
esty is of the very best.

That defendant is a truck driver, and at  
the time of his arrest, and for a long time  
prior thereto, had been in receipt of a salary  
of fifteen dollars per week.

That to deponent's own knowledge



POOR QUALITY  
ORIGINAL

0603

defendant has never before been arrested  
for, or charged with the commission of any  
crime.

Sworn to before me  
this 5th day of May, 1888.

} Joseph J. Mackett

Oliver Friend

Not Public  
NYC

POOR QUALITY  
ORIGINAL

0604

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

The People of the State of New York  
Plaintiff,

- against -  
Henry Smith

Defendant.

State of New York  
City and County of New York.

John Antonie, of No.  
372 West 11th St, in the City of New York,  
Barber, being duly sworn, deposes and  
says: That he has known the defendant  
herein, from childhood, and has seen him  
almost daily for many years.

That defendant's character for respecta-  
bility and honesty is of the highest, and  
that he has always been, a steady, indus-  
trious, and sober young man, and to depo-  
nent's own knowledge has never before been  
arrested or charged with the commission  
of crime.

Sworn to before me  
this 5th day of May, 1888.

John A. Anthony

Ellen Friend

Not Public's

m/c

POOR QUALITY  
ORIGINAL

0605

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

The People of the State of New York  
Plaintiff,  
- against -  
Henry Smith  
Defendant.

State of New York  
City and County of New York.

John Cusick, of No. 413  
West Street, in the City of New York, dealer  
in junk, being duly sworn, deposes and  
says: That he has known the defendant  
herein for many years, and that they have  
resided in the same neighborhood for more  
than ten years.

That said deponent is acquainted with  
many people who also know said defendant;  
that from deponent's own knowledge, as also  
from the reputation borne by said defen-  
dant among his neighbors, deponent can  
state that defendant's character for hones-  
ty is most excellent.

Sworn to before me  
this 5th day of May, 1888.

John Cusick  
Oen Friend  
Not Public Recd



POOR QUALITY  
ORIGINAL

0606

POLICE COURT—2 DISTRICT.  
CITY AND COUNTY }  
OF NEW YORK, } ss.

RECOGNIZANCE TO TESTIFY.

BE IT REMEMBERED, That on

the 20 day of April in the year of our Lord 188

William M Ford  
of No. 277 Sixth Avenue Street, in the City of New York,

and Edward J Fitzgerald  
of No. 49 Horatio Street, in the said City,

personally came before the undersigned, one of the Police Justices in and for the City of New York, and acknowledged themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say: the said

Ford  
the sum of one Hundred Dollars,

and the said Fitzgerald  
the sum of one Hundred Dollars,

separately, of good and lawful money of the State of New York, to be levied and made of their respective goods and chattels, lands and tenements, to the use of said People, if default shall be made in the condition following, viz:

The Condition of this Recognizance is such, That if the person first above recognized shall personally appear at the next COURT OF General SESSIONS of the Peace, to be holden in and for the City and County of New York, and then and there Testify and give such evidence, in behalf of the People of the State of New York, as he may know concerning an Offense or felony said to have been lately committed in the City of New York aforesaid by Henry J Smith

And do not depart thence without leave of the Court, then this Recognizance to be void, otherwise to remain in full force and virtue.

Taken and acknowledged before me, the }  
day and year first above written. }

William M Ford  
Edward J Fitzgerald

Samuel M. Kelly Police Justice

POOR QUALITY  
ORIGINAL

0607

New York *General* Sessions.  
THE PEOPLE, &c.

Recognizance to Testify.

*William M Ford*  
*B A Reilly* Magistrate

Filed day of 188

*Surety identified*  
*by William M. Ford*  
*339 W. 20 St*  
*N. Y. City*

*Sworn before me, this*  
day of *April* 188

CITY AND COUNTY  
OF NEW YORK, ss.

*Edward Fitzgerald*  
holder in  
said City, and is worth  
over and above the amount of all his debts and liabilities; and that his property consists of

*about one hundred of a store*  
*on 128 E. 10th St. New York*  
*of the value of one hundred*  
*dollars and above all*  
*his personal*

*John J. Fitzgerald*

POOR QUALITY  
ORIGINAL

0608

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 2<sup>d</sup> DISTRICT.

of the 16<sup>th</sup> Police Precinct Street, aged 25 years,  
occupation Police Officer being duly sworn deposes and says,  
that on the 19<sup>th</sup> day of April 1888

at the City of New York, in the County of New York, William M. Ford

(now here) is a material witness on a certain  
complaint against Henry Smith charged  
with Robbery and this deponent has good  
reason to believe that said William M. Ford  
will not appear at the next Court of General  
Sessions and testify as such witness,  
deponent therefore prays that said William  
M. Ford may be committed to the  
House of Detention until he shall thence be  
delivered by due course of law

John Townsend

Sworn to before me, this

of April 1888

day

Paul J. McNeill Police Justice,



POOR QUALITY  
ORIGINAL

0609

Meroy Boarding Stables, 3

JOHN P. NICHOLS, PROP'R.

HORSES BOARDED BY THE DAY,  
WEEK OR MONTH.

New York, Apr-25<sup>th</sup> 1888

To whom it may Concern

This is to certify that  
James Henry Smith was in  
my employ about one year  
and during the time was  
always prompt faithful  
honest and perfectly  
trustworthy in every particular  
and take pleasure in re-  
commending him to any  
one in need of his services.

John P. Nichols

POOR QUALITY  
ORIGINAL

06 10

Schoverling, Daly & Gales.

302 BROADWAY AND 84 DUANE ST.

ADDRESS P. O. BOX 3170.

New York,

April 25 1888

To Whom it may concern  
James Henry Smith -  
has acted a driver for us  
for several years though not  
officially in our employ - he  
has handled our money  
and goods during that  
time to a very considerable  
amount - Daily - to our  
entire satisfaction -

Very truly  
Schoverling Daly & Gales

POOR QUALITY  
ORIGINAL

0611

STANLEY WORKS,  
MANUFACTURERS,  
No. 79 CHAMBERS STREET,

NEW YORK.

April 25 1888

To whom it may concern

We have known James Henry Smith for 3 years as a driver for our Carriage. During that time he has handled considerable money for us, and his fees have always been correct. He has been faithful and attentive to our business, and we have no fault to find with his habits.

Yours truly  
Stanley Works  
Lawrence



POOR QUALITY  
ORIGINAL

06 12

NEW YORK.

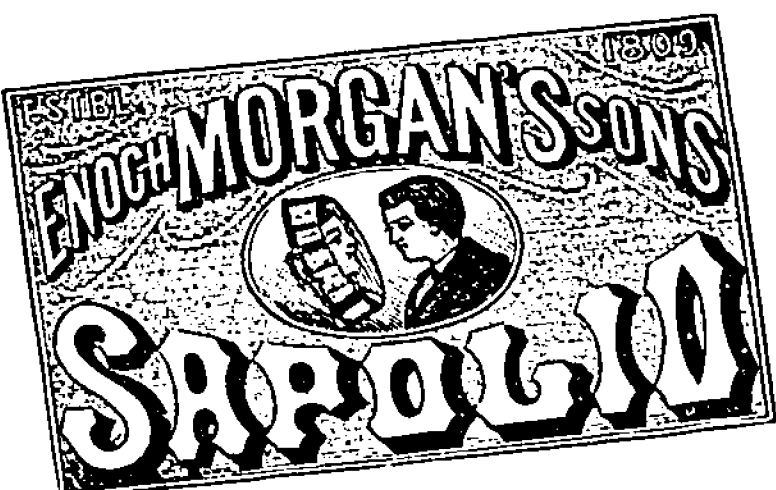
188

James Henry Lucitt has been  
in my employ for 3 years  
During that time he has  
been honest, sober and in-  
dustrious, and I consider him  
one of the best men ever in my  
employ

Joseph Lock.

POOR QUALITY  
ORIGINAL

0613



ENOCH MORGAN'S SONS CO.,  
SOAP MANUFACTURERS,  
OFFICE, 22 PARK PLACE, NEW YORK.

GEO. F. MORGAN, PRES.  
JOHN H. EVANS, VICE-PRES.  
EDWARD W. FRANCIS, TREAS.  
R. FLEMING HANDY, SEC'Y.

New York, *April 26<sup>th</sup> 1888*

This is to certify that James H. Smith was  
employed by us as truck driver from  
the 22<sup>nd</sup> June 1885 to the 10<sup>th</sup> Nov<sup>r</sup> of  
same year, - during which time we  
found him sober, honest and attentive  
to his duties -

*R. Fleming Handy*  
Secretary

440 West St.

POOR QUALITY  
ORIGINAL

06 14

84 AND 86 CHAMBERS ST.

WIEBUSCH & HILGER, LIMITED,  
HARDWARE, CUTLERY AND GUNS,  
NEW YORK.

P. O. BOX 96.

April 25 1888

To whom it may concern

James Henry Smith has been in  
the employ of our store man for  
3 years and during that time  
we have known him as an hon-  
-est hardworking man and  
have had no fault to find  
with him.

Wiebusch & Hilger Ltd

N. M. Tansley  
Treas.



POOR QUALITY  
ORIGINAL

06 15

People

rs.

Henry Smith.

John Townsend, 16<sup>th</sup> Precinct.

On the night of April 19<sup>th</sup>, 1888, at 1 a.m., about 9 was on 7<sup>th</sup> Ave. at 19<sup>th</sup> Street and I saw the defendant on the N.W. cor of 7<sup>th</sup> Ave. & 18<sup>th</sup> St. apparently in a scuffle with the complainant. I heard the complainant shout "police" and I ran toward him. There were two men and they did not run away. I reached them and said "what is the matter?". A man by the name of Finch was with the defendant. The complainant said "these two men have been trying to rob me." Then Finch said to me "what is the matter with you?" Then I hit Finch and he ran away. The defendant also ran away and I pursued him. He fell down and I seized him. He resisted arrest and I clubbed him and raffed for assistance. Defendant said nothing in explanation of his conduct until he reached the station house. The complainant was somewhat under the influence of liquor. He was locked up at the station house under a charge of being intoxicated because we did not know where we could find him in

**POOR QUALITY  
ORIGINAL**

06 16

D-16-88.

the morning. The only thing that Frisch said to me when I came up to them was "What is the matter with you?". The defendant when arrested was under the influence of liquor somewhat. I cannot say whether the complainant had his coat on or not when I came up.

POOR QUALITY  
ORIGINAL

0617

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

City and County } ss.  
of New York.

of No. 277 6<sup>th</sup> Avenue *William W. Ford* Street, aged 35 years,  
occupation *Bar-tender* being duly sworn, deposes and says,  
that on the 1<sup>st</sup> day of April 1888, at the City of New  
York, in the County of New York, *between half past twelve*

and One o'clock in the morning I was  
coming down 7<sup>th</sup> Avenue and between  
18<sup>th</sup> and 19<sup>th</sup> streets I met the defendant  
and another person (unknown to me)  
who were coming in an opposite direction  
As they were passing me the defendant  
grasped the parcel I was carrying under  
my arm, and tore therefrom the  
paper enveloping it. I held on to the  
parcel tightly and placed a trunk I  
was carrying in my right hand  
between my legs and attempted to  
strike the defendant to defeat him  
in his attempt, as I construed it, to  
snatch my parcel away. At the same  
time I called for the police. Officer  
Townsend came upon the scene im-  
mediately and arrested the defendant.  
I had not been drinking to an  
extreme degree, having drunk about  
4 glasses of beer between 9 and 12 o'clock  
said evening and several glasses  
of whiskey.

I had had no conversation  
with the defendant or his associate  
previous to the attempt above described.

I am the complainant herein.

Sworn to before me  
this 7<sup>th</sup> day of May, 1888.

*William W. Ford*  
Complainant  
*atty*

*William Ford*



The People vs  
Henry Smith

City & County of New York  
William M. Ford  
being duly sworn says that he  
is the complainant in the above  
entitled action, that from the  
letter of recommendation he has  
read as to the good character of the  
defendant herein, as well as  
from what he has heard said of  
the defendant as to his reputation,  
he believes that the defendant is  
a man of good character, which  
added to the circumstances and  
conditions as they existed on the night  
of the alleged robbery as set forth in  
the indictment herein, <sup>last</sup> he believes  
that there was no intent on the part  
of the defendant to commit the robbery  
that the incident was not the result  
of any criminal intent on the part of the  
defendant, but more the result of a  
sudden loss. Therefore therefore  
would withdraw the charge herein  
impelled by no intent whatever

POOR QUALITY  
ORIGINAL

06 19

with the matter of a personal  
interest nor any advantage to  
himself; and he deponent, therefore  
begs to recommend the defendant  
to such leniency and clemency  
as the court and District attorney  
may see fit to show.

Sworn to before me  
this 25th day of May 1888. William M Ford  
Clerk of Court  
City of New York

Pro.

Wm Ford

Applicant's or  
Signature of Complainant

POOR QUALITY  
ORIGINAL

0620

Police Court

2<sup>d</sup>

District.

CITY AND COUNTY }  
OF NEW YORK. } ss.

William M. Ford

of No 277 Sixth Avenue

being duly sworn, deposes and saith, that on the 18 day of April 1888, at the 16<sup>th</sup> Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the FOLLOWING PROPERTY, VIZ:

1 Piece of Dress Goods of the value of Nine Dollars  
1 Cloth Skirt of the value of Six Dollars  
One Small Trunk containing a lot of  
Fancy Articles consisting of Laces,  
Patterns &c of the value of Thirty Dollars  
and all

of the value of Forty - Five <sup>00/100</sup> DOLLARS,  
the property of Lillie M. Cole and of deponent and all in deponent's  
charge and custody  
and that this deponent has a probable cause to suspect, and does suspect, that the said property  
was feloniously taken, stolen, and carried away, by force and violence as aforesaid by

Henry Smith (nowhere) and another person not  
yet arrested and unknown to deponent while acting  
in concert with each other, for the following reasons  
to wit: that at about the hour of 1 A.M. on the  
aforesaid night deponent was walking along  
Seventh Avenue in said City and deponent had  
in his possession the aforesaid property when  
said said defendant and said other person  
came up to deponent and seized hold of a bundle  
containing part of the aforesaid property which deponent  
held in his, deponent's, left hand, and when deponent  
resisted and firmly held said bundle said  
defendant did seize deponent's left arm and did

day of

1888

Sworn before me this

Police Justice



POOR QUALITY  
ORIGINAL

0621

attempt to wrest and forcibly take, steal and carry away the aforesaid property from the possession of deponent, whereupon deponent shouted for help and assistance and Officer John Townsend of the 16<sup>th</sup> Police Precinct came to deponent's assistance and arrested said defendant.

Deponent therefore charges said Henry Smith and said other person not yet arrested while acting in concert with each other with having attempted to feloniously take, steal and carry away <sup>from the person of deponent</sup> by force and violence ~~the~~ and against deponent's will the aforesaid property and asks that he may be dealt with ~~as the law~~ may direct.

Sworn to before me this }  
19<sup>th</sup> day of April 1888 } William M Ford

Samuel C. Bull  
Police Justice

Police Court— District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF  
vs.  
AFFIDAVIT—ROBBERY.

Dated

188

Magistrate.

Officer

Witnesses:

POOR QUALITY  
ORIGINAL

0622

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 25 years, occupation John Townsend  
Police Officer of No. the 16<sup>th</sup> Police Precinct Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of William M. Ford  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 19<sup>th</sup>

day of April

188 8

John Townsend  
Police Justice.

POOR QUALITY  
ORIGINAL

0623

Sec. 198—200.

2. District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

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

Question. What is your name?

Answer.

Henry Smith

Question. How old are you?

Answer.

24 years

Question. Where were you born?

Answer.

New York City

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

Answer.

N<sup>o</sup> 535 Hudson Street and about 1 year

Question. What is your business or profession?

Answer.

Truck - driver

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

Answer.

The defendant complainant was  
very drunk and staggered against my  
companion who began to wrangle on  
with him, the complainant pulled off  
his coat and wanted to fight and  
somebody said "Here comes a policeman"  
so I walked away.

Henry Smith

Taken before me this

day of

April 1888

Sam'l C. Smith Police Justice.



POOR QUALITY  
ORIGINAL

0624

Complainant  
Bailed by  
Edward J. Hyman  
128 Greenwich Ave.

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

Police Court 9<sup>th</sup> 623  
District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

It is M. Ford

1 Henry Smith

2  
3  
4

Offence Robbery

Dated April 18, 1888

Magistrate  
T. J. McElroy  
Officer  
T. J. McElroy

Witnesses  
John T. T. T.  
No. 16 Police Precinct

Complainant  
No. 16  
\$25000 to answer  
Gemma 1111

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 Twenty-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 April 19, 1888 Police Justice.

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

Dated 1888 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 1888 Police Justice.

POOR QUALITY  
ORIGINAL

0625

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

City and County } ss.  
of New York,

{ The People  
vs.  
Henry Smith

Harry V. Finck

of No. 62 Horatio Street, aged 24 years,  
occupation truck driver being duly sworn, deposes and says,  
that on the 18 day of April 1888, at the City of New  
York, in the County of New York,

at about 12<sup>1</sup>/<sub>2</sub> A.M. I was in  
the company of the defendant Henry <sup>Smith</sup> and  
and William Jackson going along 7<sup>th</sup> Ave near  
18<sup>th</sup> Street. Jackson was slightly in front of me. The  
complainant Wm. M. Ford came along with a parcel  
and a small trunk under his arm. He was very  
drunk and staggered along. He asked us some questions  
about some street or avenue. ~~He~~ I said "one block  
over" understanding the question to relate to 6<sup>th</sup> Ave.  
Then we commenced to joke with him and I  
asked him if his girl had turned him out referring  
to the small trunk <sup>he had</sup> under his arm. Complainant  
then threw his hat, coat, cuffs and the trunk and  
parcel on the ground and approached the defen-  
dant in a threatening manner. I then took Smith  
by the arm and said "come on, there is a policeman".  
Then the officer came up and came between the  
complainant and myself and I told him just  
what had happened. He turned his back to me  
and without speaking turned back again quickly  
and while I stood doing nothing and with my  
hands in my pocket he struck me with his fist  
in the face and knocked me down. I ~~for~~ got up and  
picked my hat up and walked away. Smith ran  
away and the officer pursued him and I saw  
him strike Smith across the kidneys with his  
club. I have known the defendant well during  
the past 15 years. He has always since I have known  
him been a hard working fellow and has  
never to my knowledge been arrested or in any  
trouble before. None of us were intoxicated the night  
this affair happened.

Sworn to before me this

5<sup>th</sup> day of May, 1888.

Wm. Travis Jerome

Harry V. Finck

Notary Public, New York County.

POOR QUALITY  
ORIGINAL

0626

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

City and County } ss.  
of New York, }

{ The People vs  
ag. Smith  
Henry Smith

William N. Jackson

of No. 135 Christopher Street, aged 27 years,  
occupation truck owner and driver being duly sworn, deposes and says,  
that on the 18<sup>th</sup> day of April 1888, at the City of New  
York, in the County of New York, he was in the company of the  
above named Henry Smith and one Harry Finch at  
12<sup>1</sup>/<sub>4</sub> o'clock A.M. We were coming along the west side  
of Seventh Avenue. I was in advance of the others. As I  
started to cross 18<sup>th</sup> Street going South the complainant,  
Wm. Ford, passed me. He had a small truck with  
him. He was drunk and unable to walk straight.  
After he had passed me I heard him say to the others  
who were behind me something that sounded  
like "can you tell me where —" and then I  
heard no more until I got across the street.  
Then I hear Harry Finch say something to him,  
the complainant, like "are you going to get your  
name up?" meaning are you going to treat. I heard  
the complainant say something that I did not  
distinctly hear, and then as I turned around  
for on the south west corner of 18<sup>th</sup> Street and 7<sup>th</sup>  
Avenue I saw the complainant throw his trunk  
on the ground, then take off his coat and cuffs  
and throw them down on the ground and also  
his hat. He then walked up very close to Henry Smith  
and said something that seemed to me like  
"what are you going to do about it?" or some remark  
of that character. I saw a policeman coming  
and I called out "come on here comes a  
copper. You will only get yourself into trouble  
there." I started then and walked down looking  
back and I saw the officer come up and talk  
with the three. Suddenly the officer struck Finch  
in the nose with his fist and knocked him down.  
The defendant, Smith, then started across 7<sup>th</sup>  
Avenue the officer following him striking  
him with his club. Finch picked up his hat  
and joined me <sup>later</sup> and we came away. The  
last I saw of Smith the officer had knocked



POOR QUALITY  
ORIGINAL

0627

him down and was rapping for help. While the defendant was running across the avenue he pursued by the officer clubbing him he said "I did not say anything to the man". We had taken several drinks that night but none of us were under the influence of liquor. We only drank lager beer. I have known the defendant Smith for 15 years and have never known of his being arrested or in any trouble before. He has been working steadily for the past year and is not a drinking man and I have never seen him drunk. I have been informed that this ~~Sworn~~ affidavit is to be used upon a motion in the above entitled action.

Sworn to before me this }  
5<sup>th</sup> day of July 1888 }  
Wm. Travers Jerome,  
Notary Public,  
New York County.

Wm. H. Jackson

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

THE PEOPLE, &c., ON THE COMPLAINT OF	us.	Offence
---	-----	---------

Dated 188

Witnesses

No. Street,

No. Street,

No. Street,

POOR QUALITY  
ORIGINAL

0628

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Henry Smith*

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

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

The said *Henry Smith*.

late of the City of New York, in the County of New York aforesaid, on the *12th* day of *April*, in the year of our Lord one thousand eight hundred and eighty-*eight*, in the *night* time of the said day, at the City and County aforesaid, with force and arms, in and upon one *William M. Ford*, in the peace of the said People, then and there being, feloniously did make an assault, and

*one piece of cloth of the value of nine dollars, one shirt of the value of six dollars, one handkerchief of the value of five dollars, and some other goods, chattels and personal property, a more particular description whereof is to the Grand Jury aforesaid unknown, of the value of thirty dollars.* —

of the goods, chattels and personal property of the said *William M. Ford*, from the person of the said *William M. Ford* against the will, and by violence to the person of the said *William M. Ford*, then and there violently and feloniously did rob, steal, take and carry away, (the

*said Henry Smith being then and there aided by an accomplice actually present, whose name is to the Grand Jury aforesaid unknown.)* —

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

*John R. Kellogg.*

*District Attorney*

0629

**BOX:**

305

**FOLDER:**

2902

**DESCRIPTION:**

Smith, James

**DATE:**

04/13/88



2902



POOR QUALITY  
ORIGINAL

0630

Witnesses:

See A. Am. old  
Wing - May  
clear ahead  
one beam of  
unpermanant  
for hancery

W

Notes A

Counsel,  
Filed 13 day of April 1888  
Pleads, Chiquilly 1131

THE PEOPLE  
vs. <sup>ss.</sup> <sup>Warrant</sup> <sup>to produce</sup> P  
James Smith  
Grand Larceny, 5th Degree.  
(From the Person.)  
[Sections 528, 530, 550 Penal Code.]

April 13/88

April 18 JOHN R. FELLOWS,  
District Attorney.  
Remitted to the Court of  
General Sessions for trial April 23/88

A True Bill.  
Pr. Apr 24/88  
per. 22 day.

M. J. Berry

Foreman.

H. J. Berry  
April 25/88

POOR QUALITY  
ORIGINAL

0631

Police Court First District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 54 Chrystie Street, aged 18 years,  
occupation Tailor being duly sworn

deposes and says, that on the 17 day of March 1888, 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 night time, the following property viz :

One suit of men's clothing of the  
value of six dollars (\$6.00)

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 James Smith Crew here,

for the reason that on the above-mentioned  
date ~~at~~ about the hour of 9 o'clock  
p.m. deponent was in Chatham Square  
near Oliver Street and had then and there  
the above-described property under his  
right arm, when the said defendant  
approached deponent from behind,  
and snatched said property from  
under deponent's arm, and ran away  
with said property.

Benjamin Poznanski  
mark

Sworn to before me, this 17 day  
of March 1888,  
Police Justice.

POOR QUALITY  
ORIGINAL

0632

Sec. 198-200.

1st District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

James Smith

Question. How old are you?

Answer.

24 years

Question. Where were you born?

Answer.

New York City

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

Answer.

No. 60 Governor street New York

Question. What is your business or profession?

Answer.

Printer

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

Answer.

I am not guilty. I gave  
the Complainant a ring for the suit  
of clothes.

James Smith

Taken before me this

day of

March

1888

at

New York

City

State of

New York

County of

New York

Police Justice.

John J. [Signature]

Police Justice.



POOR QUALITY  
ORIGINAL

0633

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

Police Court 493  
District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Boydman's Complaint*  
*of 54 Subpoena 28*  
*James Smith*

Offence *Larceny from*  
*the Person*

Dated *March 27* 1888

*Butler* Magistrate.

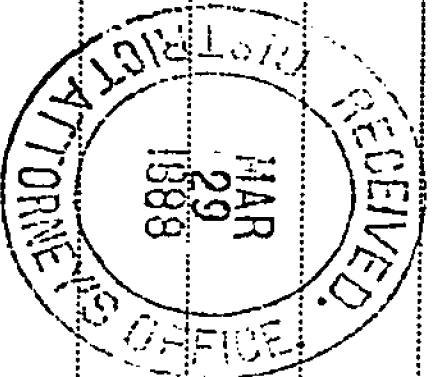
*John J. Adams* Officer.

Precinct *1*

Witnesses

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

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



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

\$ *Three* Hundred Dollars, TO BINDER

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

Dated *March 27* 1888 *Butler* Police Justice.

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

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ 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 \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0634

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Smith

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

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

The said

James Smith  
late of the City of New York, in the County of New York aforesaid, on the seventeenth  
day of March in the year of our Lord one thousand eight hundred and  
eighty-eight, in the night time of the said day, at the City and County  
aforesaid, with force and arms,

One coat of the value of two  
dollars,

One vest of the value of two  
dollars and

One pair of trousers of the  
value of two dollars

of the goods, chattels and personal property of one Benjamin Posnonski  
on the person of the said Benjamin Posnonski —  
then and there being found, from the person of the said Benjamin Posnonski  
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.

POOR QUALITY  
ORIGINAL

0635

SECOND COUNT—

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

— *James Smith* —  
of the CRIME of RECEIVING STOLEN GOODS, committed as follows:

The said

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

*One coat of the value of two  
dollars,*

*One vest of the value of two  
dollars, and*

*One pair of trousers of the value  
of two dollars* —

of the goods, chattels and personal property of one

*Benjamin Posnonski*

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

*Benjamin Posnonski*

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

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

JOHN R. FELLOWS,

District Attorney.



0636

**BOX:**

305

**FOLDER:**

2902

**DESCRIPTION:**

Smith, John

**DATE:**

04/06/88



2902

0637

**BOX:**

305

**FOLDER:**

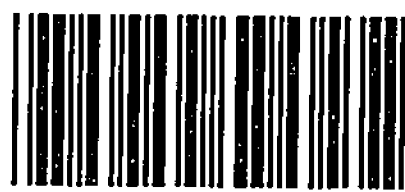
2902

**DESCRIPTION:**

Taylor, John

**DATE:**

04/06/88



2902

POOR QUALITY  
ORIGINAL

0638

Witnesses:

Counsel,

Filed

Pleads,

day of April 1888

Not guilty (7)

THE PEOPLE

vs.

Robbery, [Sections 224 and 228, Penal Code].  
degree.

John Smith.  
John Taylor

JOHN R. FELLOWS,

apptd. District Attorney.  
Ordered by the Court of  
Circuit and Remitted for trial

A TRUE BILL

W. J. Berry  
April 17, 1888  
Foreman.

Both tried and convicted  
to 10 years State Prison  
April 6/88



POOR QUALITY  
ORIGINAL

0639

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 9<sup>th</sup> DISTRICT.

of No. 4<sup>th</sup> Reisinger Street, aged 26 years,  
occupation Police officer being duly sworn deposes and says  
that on the 1<sup>st</sup> day of April 188

at the City of New York, in the County of New York, George Smirk  
(now here) is a material witness  
for the People in a case against  
John Smirk and John Taylor  
both charged with robbery and  
deponent believes that said  
George Smirk will not appear  
upon the trial of said defendants  
and prays that he may sent  
to the House of Detention until the  
trial of said case

James Macaulay

Sworn to before me, this 1<sup>st</sup> day of April 188  
J. J. Murphy  
Police Justice.

0640

ROBERT BONYNGE,  
LAW STENOGRAPHER,  
MORSE BUILDING,  
No. 140 NASSAU STREET, NEW YORK.

POOR QUALITY  
ORIGINAL

0641

COURT OF OYER & TERMINER.

----- x  
The People, etc.,  
vs.  
John Smith and John Taylor.:  
----- x

Before:  
Hon. Edward Patterson, J.,  
and a Jury.

New York, April 17th, 1888.

A P P E A R A N C E S:

Gunning S. Bedford, Assistant District Attorney,  
For the People.

Jacob Berlinger

For the Defendants.

Mr. Bedford opened case on behalf of the People,  
and called as a witness

G E O R G E S M I T H, who being duly sworn, testified as  
follows:

My business is that of a sailor and I have followed  
the sea for the last five years ; I have been detained in  
the House of Detention for seventeen days ; I remember the  
early morning of April 1st ; about three o'clock in the  
morning I was on Cherry Street ; I had \$2.75 in one pocket  
and seventy-five cents in another pocket ; I had these  
same clothes on at the time ; the smallest man of the two  
defendants (Smith) I don't know his name, the black headed



**POOR QUALITY  
ORIGINAL**

0642

2

man, he came up to me and I was making pee against a wagon in the street and I was buttoning my pants and he says "Can't you pay for a fellows lodging?" I said "My dear man you are a stranger to me,,I want to attend to business and I am short myself" he says "Can't you go and treat, the saloons are open" I said "I am not drinking myself and I don't want to treat you!" This fellow with the mustache says "Here, go for him John"; it was Taylor that said "Go for him John", so they went for me and I stood like this (illustrating) and they shook me once ; Smith hit me first and I kind of fell down and I threw my hands out and I knocked one down and the other slid backwards against the wagon ; when they got me by the throat this little fellow, Smith caught one of my arms ; he caught me by the throat and I was choked ; I could not speak for nearly ten minutes when they let me go ; the other one, Taylor, put his hands in my pocket and took two dollars and put it in his pocket and he says "You can treat you son-of-a-bitch when you had the money" he called me a stingy fellow "You can pay for us to-night" and they began to pound me and one went one street and another another street, and left ; they both ran in different directions ; one fellow went one way and the other fellow another way, around that short street ; I went after them and saw them meet one another again in the

**POOR QUALITY  
ORIGINAL**

0643

3

street, and they came together ; I was thinking I was a poor man ; I did not see any officers ; afterward I met an officer on the corner and I spoke to him and I told him what happened to me ; I stood myself, thinking how it happened to me ; I saw them coming ; I went again to the officer and I said "See those two fellows coming?" and he said "Which ones" and I told him ; they saw the officer coming and they crossed the street to another side and the officer did not know which ones they were ; I said "Go way after those two fellows" ; he went and I got one and he arrested him ; (looking at the defendants) the black-headed one grabbed me and held me by the throat, I can swear positively that when he seized me and held me by the throat , the other man stole from my pocket two dollars and after that he called me a stingy bugger and then they punched me.

CROSS-EXAMINED.

This occurred on Cherry Street about three o'clock Sunday morning ; there was no lamp-post near ; it did not take more than ten minutes, less than ten minutes because I was against the wagon and they were face to face to me ; it was a dark night ; I did not see any lantern ; I never saw those people before ; I am sure those are the men ; they talked to me and when they saw I did not do what they wanted me to do they went for me and robbed me ; when they

**POOR QUALITY  
ORIGINAL**

0644

4

were arrested I was about the third block from the place where I was robbed ; I did not follow them ; I let them go ; I saw them on the street afterward and saw them come together ; I never saw them before only that time ; I could not tell at what street they were arrested ; I could not tell whether it was Oliver Street or East Broadway ; I am a German man and could not tell the number ; I am on ship all the time ; I do not know what the street is.

RE-DIRECT EXAMINATION.

I was as sober then as I am now.

RE-CROSS EXAMINATION.

I had not drunk anything at all that night, not a drop ; that same evening I was asleep on board the ship and I asked the officer to call me as I wanted to get my clothes for Easter Sunday ; I went to go to Cherry Street to my sister for my clothes which I left there.

J A M E S M c C A U L E Y, called as a witness on behalf of the People, being duly sworn, testified as follows:

I am an officer of the police and belong to the Fourth Precinct, and was on duty April 1st about three or four o'clock in the morning, and saw the complainant, and in consequence of a conversation that I had with him I saw fit to arrest the defendants ; I went right over to both of them and spoke to them about assaulting this man and taking



**POOR QUALITY  
ORIGINAL**

0545

5

his money ; they said they had not anything to do with him at all ; the complainant pointed out those two men and stated that they were the men ; he pointed out Taylor the man that took the money out and Smith as the man that grabbed him by the throat ; there was mud on Taylor's hat where he said he knocked it off in the mud. The complainant was sober at that time.

**CROSS-EXAMINATION.**

It was a quarter to five o'clock when I made the arrest ; the complainant stated it was around about three o'clock when he was robbed ; it was four o'clock when he consulted me about the matter first ; I made the arrest at the corner of Oliver and Henry streets, the complainant said that he was robbed down at Cherry Street, it was about four blocks from the scene of the alleged robbery where I made the arrest ; I searched the defendants in the station-house ; I found upon Taylor forty-three cents and upon Smith forty-one cents ; small change.

**TO A JUROR.**

The complainant identified the two defendants at the time I arrested them ; he identified them by their hats by being all mud ; he said he could swear positively that they were the men who took his money and choked him.

**POOR QUALITY  
ORIGINAL**

0646

6

TO DEFENDANT'S COUNSEL.

About that hour in the morning in that particular neighborhood there are a great many pedestrians ; it is a lively neighborhood there, lodging houses and lots of people.

TO MR. BEDFORD.

When the complainant told me he had been robbed and I arrested these men the complainant did not have the slightest hesitation in saying that they were the men ; he said right away they were the men.

G E O R G E S M I T H, re-called:

TO DEFENDANT'S COUNSEL:

Upon the night that I was robbed I had \$2.75 in my pocket ; two dollars was taken from me, they were two silver dollars ; the seventy-five cents was in my other pocket.

Mr. Berlinger then opened the case on behalf of the defendants and called as a witness

J O H N T A Y L O R, defendant, who being duly sworn, testified as follows:

I work down in the Fulton Market for a living and have been working there off and on for the last three or four years; I saw the complainant who was on the stand a

**POOR QUALITY  
ORIGINAL**

0647

7

few moments ago, I met him that night that he complains of, with the officer ; I did not rob him that night ; I had never seen him before he came up with the officer and had nothing to do with the robbery.

CROSS-EXAMINED.

I got up at three o'clock and was going down to the market ; I went down to a restaurant between James' Slip and Oliver Street and got something to eat ; from there I went down and I tried to get a drink in some of the saloons and I could not get it and I went up to the corner of East Broadway and got a drink and came out and stood on the corner as much as five or ten minutes with this man ; it was on the corner of Oliver and East Broadway which was four or five blocks from Cherry Street ; I guess it was about four o'clock ; at two o'clock I was in bed in my own house in Oliver Street ; I left Oliver Street about three o'clock I was not in Cherry Street ; I went to South Street into an eating saloon ; I never saw the complainant before. I deny this robbery.

RE-DIRECT EXAMINATION:

I had money when arrested ; Smith slept with me that night ; I have never been convicted of crime ; this is the first time I was arrested---yes, I was arrested once for fighting about six years ago.



**POOR QUALITY  
ORIGINAL**

0648

8

J O H N S M I T H, defendant, called as a witness on behalf of the defendants, being duly sworn, testified as follows:

I work in the junk business occasionally, and 'long-shoring ; I saw the complainant Smith on the stand and remember the morning that I was arrested ; in the early part of that evening I met Taylor at his own residence in Oliver Street and he asked me to go to the theatre and when the theatre got over it was about half past eleven and we came down the Bowery and got a few drinks and he said "Let us go down and go to bed" ; I slept there before with him ; it was then about three o'clock in the morning and he woke up and he said "Let us go and get something to eat" I said "Wait until it gets day-light" ; we got up and went down to the restaurant between Oliver and James' Slip, it was between three and four o'clock ; I guess about that, and we came out and he said "Let us go and get a drink" ; we went up towards Catherine Street and came back again. We stood there a few minutes and went back to the house again in Oliver Street, and then he went up towards the corner of Oliver Street and East Broadway and he went into a saloon and he says I am going to get some tobacco. He says to me "Let us go back again and sleep." When I was arrested it was at the corner of Henry and Oliver ; the complainant came up with the police-man and pointed me and

**POOR QUALITY  
ORIGINAL**

0649

9

Taylor out ; I had not seen him before that night at any time ; it is not true that I held him by the throat while Taylor went through his pockets and rifled him of two dollars ; I did not have anything to do with him ; I never saw him before.

No Cross-Examination.

G E O R G E S M I T H, recalled, by a juror:

It was kind of cloudy that night and the place where I went through there was no lamp-post ; about the third block I saw a lamp-post ; it did not seem to me that these men, the defendants, were drunk that night ; they spoke very perfectly to me for a nights lodging.

TESTIMONY CLOSED.

The Court then charged the jury.

The Jury found the defendants guilty.

POOR QUALITY  
ORIGINAL

0650

*Oyer & Terminer* COURT.

*The People, etc.,*  
vs.  
*John Smith and John Taylor.*

TRANSCRIPT OF  
Stenographer's Notes

NEW YORK, *April 17<sup>th</sup>* 1888

ROBERT BONYNGE,  
LAW STENOGRAPHER,  
MORSE BUILDING,  
No. 140 NASSAU STREET, NEW YORK.



POOR QUALITY  
ORIGINAL

0651

Police Court District.

CITY AND COUNTY }  
OF NEW YORK, ss

*George Smith*  
of No *Mr Home* Street, Aged *25* Years  
Occupation *Seaman* being duly sworn, deposes and says, that on the  
*1st* day of *April* 188*8*, at the *4th* Ward of the City of New York,  
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-  
ponent by force and violence, without his consent and against his will, the following property, viz:

*Gold and lawful*  
*money of the United*  
*States, consisting of two*  
*silver coins*

of the value of *two* DOLLARS,  
the property of *Deponent*

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

*John Smith and John*  
*Taylor (both now here, for*  
*the reasons following, to wit:*  
*at about the hour of their return*  
*on the night of said date as de-*  
*ponent was walking on Cherry*  
*Street having the said money*  
*in the trousers pocket then worn*  
*by deponent when the said*  
*Smith seized deponent by*  
*the throat while the said Taylor*  
*took the said money from said*  
*deponent.*

*George Smith*

day of *April* 188*8*  
Sworn to before me, this  
*George Smith*  
Police Justice.

POOR QUALITY  
ORIGINAL

0652

Sec. 198—200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*John Smith* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is ☒ right to  
make a statement in relation to the charge against *he*; that the statement is designed to  
enable *he* if *he* see fit to answer the charge and explain the facts alleged against *he*  
that *he* is at liberty to waive making a statement, and that *he* waiver cannot be used  
against *he* 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 may think will tend to your  
exculpation?

Answer.

Taken before me this

day of

*March* 1888

Police Justice.

POOR QUALITY  
ORIGINAL

0653

Sec. 198—200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this

day of

188

Police Justice.



POOR QUALITY  
ORIGINAL

0654

Police Court 520  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

3  
4  
Offence

Date 188

Magistrate

Officer

4 Precinct

Witness

No. of Detention Street

in default of \$100.

No. of Bail Street

No. Street

\$1000 to answer

1

1

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 April 188 Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

POOR QUALITY  
ORIGINAL

0655

Dismissed Feb 21. 1889.

District Attorney's Office,

CITY AND COUNTY OF NEW YORK.

CAPTAIN OR OFFICER IN COMMAND.

Dear Sir:

*James*  
I desire to see Officer *Macaulay*  
attached to ~~your~~ <sup>the</sup> command in  
*Apr 1888* in relation to the case of  
*John Smith*  
sentenced *Apr 12/88* to *ten*  
years and ~~months~~ imprisonment by  
*John Patterson*

Please ask the officer to bring such information in relation to the case, and as to the previous record of the prisoner, as he may be enabled to obtain.

Yours truly,

HENRY W. UNGER,

Deputy Assistant and Secretary to the District Attorney.

**POOR QUALITY  
ORIGINAL**

0656

For  
The custom named  
Jimmie Macaulay was  
dismissed from  
the force Feb 21/84



POOR QUALITY  
ORIGINAL

0657

OFFICE OF THE  
Superintendent of Police of the City of New York,  
300 MULBERRY STREET,

New York, Feb 22 1899

Henry W. Unger Esq  
Depty. asst & Cety. to Dist Atty  
NY

Sir

I am directed by the  
Superintendent to return the  
within note and to state  
that Macaulay was dismissed  
from the force Feb 21 1899  
Very Respectfully  
Geo H. Peroff  
AS

The others were attended to

POOR QUALITY  
ORIGINAL

0658

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*John Smith and  
John Taylor*

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

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

The said *John Smith and John  
Taylor, both*

late of the City of New York, in the County of New York aforesaid, on the *first*  
day of *April*, in the year of our Lord one thousand eight  
hundred and eighty *eight*, in the *month* time of the said day, at the City and  
County aforesaid, with force and arms, in and upon one *George Smith*,  
in the peace of the said People, then and there being, feloniously did make an assault, and

*Two silver coins of the United  
States of America, of the kind  
called dollars, of the value of  
one dollar each.*

of the goods, chattels and personal property of the said *George Smith*,  
from the person of the said *George Smith*, against the will,  
and by violence to the person of the said *George Smith*,  
then and there violently and feloniously did rob, steal, take and carry away, *(the  
said John Smith and John Taylor and  
each of them, being then and there  
aided by an accomplice actually  
present, to wit, each by the other)*

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 H. Adams,  
District Attorney*

0659

**BOX:**

305

**FOLDER:**

2902

**DESCRIPTION:**

Smith, William

**DATE:**

04/03/88



2902



POOR QUALITY  
ORIGINAL

0660

Witnesses:

Counsel,

Filed

Pleads,

No 19 A  
3 day of April 1888  
Chas. H. H. 4

THE PEOPLE

vs.

P

William Smith

Grand Larceny Second degree.  
[Sections 528, 531, 533 Penal Code].

JOHN R. FELLOWS,

Pr Apr 15. 1888 District Attorney.

years P.L.

A TRUE BILL.

W. J. Berry

Foreman.

Sworn One yr.

April 3/88

POOR QUALITY  
ORIGINAL

0661

Police Court

District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

of No. 57 Hurlon Street, aged 35 years,  
occupation Furniture being duly sworn  
deposes and says, that on the 30 day of March 1888 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the nighttime, the following property viz :

One Roll of Carpet  
of the Value of forty  
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 William Smith Gardner

from the fact that previous to  
said property was standing  
in front of said premises and this  
deponent has been informed by  
officer Thomas R. Hastings that  
he arrested the said defendant  
on the Cor of Riverston & Hurlon  
with the above property in  
his possession. Deponent  
identifies as his property and  
the property that was stolen from  
his place of business.

Samuel Lustig

Sworn to before me, this

of March 31 1888

David C. Buckley Police Justice.

POOR QUALITY  
ORIGINAL

0662

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 29 years, occupation Police Officer of No. 12 Beemer Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Samuel L. Lusk

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

Sworn to before me, this

day of March 188

BT Thomas K. Hastings

Samuel C. Kelly  
Police Justice.



POOR QUALITY  
ORIGINAL

0663

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

William Smith 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.

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 may think will tend to your  
exculpation?

Answer.

I am not Guilty. I  
Was hired by a man to carry  
the cloth

William Smith

Taken before me this

day of

March 1881

1881

Police Justice.

POOR QUALITY  
ORIGINAL

0664

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court--

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*James M. Smith*

*William Smith*

2  
3  
4

Offence

Dated *March 31*

188

*Appearing* Magistrate.

*Appearing* Officer.

*121* Precinct.

Witnesses

No.

Street.

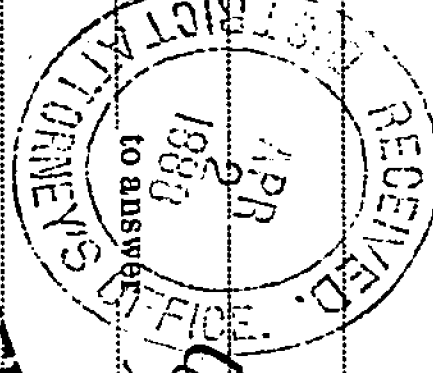
No.

Street.

No.

Street.

*\$500* to answer



COMMITTED.

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

*Dejen dunn*

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

Dated *March 31* 188 *Samuel C. Riley* Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

POOR QUALITY  
ORIGINAL

0665

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

William Smith

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

William Smith

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

The said

William Smith

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

One roll of carpet of the value of forty dollars

of the goods, chattels and personal property of one

Samuel Rustig

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.



POOR QUALITY  
ORIGINAL

0666

SECOND COUNT—

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

William Smith

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

The said

William Smith

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

One roll of carpet of the  
value of forty dollars

of the goods, chattels and personal property of one

Samuel Lustig

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

Samuel Lustig

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

William Smith

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

JOHN R. FELLOWS,

District Attorney.

0667

**BOX:**

305

**FOLDER:**

2902

**DESCRIPTION:**

Solomon, Abraham

**DATE:**

04/26/99



2902

POOR QUALITY  
ORIGINAL

0668

Witnesses;

Counsel,

Filed

26 day of April 1888

Pleads,

Chiquet 30

THE PEOPLE

vs.

Abraham Solomon

Burglary in the Third degree,  
and Petit Larceny

[Section 498, 506, 528 and 532]

JOHN R. FELLOWS,

Pr May 2, 1888

Heads P.L. District Attorney.

May 4/88 V.M.D.

A True Bill.

W. J. Berry

Foreman.

6 West 10th

T. J.



POOR QUALITY  
ORIGINAL

0669

Police Court— 4 District.

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

of No. 255 East 49<sup>th</sup> Street, aged 41 years,  
occupation Liquor Dealer being duly sworn

deposes and says, that the premises No. 925-2 Ave Street, 19<sup>th</sup> Ward

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

building part

and which was occupied by deponent as a dwelling and place of business

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

were BURGLARIOUSLY entered by means of forcibly breaking open

a door leading into the Cellar of

said premises and entering therein

with intent to commit a felony

on the 15 day of April 1888 in the night time, and the

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

a quantity of Fruit of the

value of four dollars (\$4.00)

the property of in the Care and Custody of deponent

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

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

Abraham Solomon (now here)

for the reasons following, to wit: that deponent is informed

by John Kierman of No 925-2

Avenue that at about 8 O'clock PM

of the above date date he saw defendant

force open said door and enter said premises

and saw him while in the slight alcohol

and saw him come out fifteen minutes

after with a quantity of fruit in his

possession

Patrick O'Connor

Sworn to before me  
this 15th day of April 1888 at New York  
Notary Public

POOR QUALITY  
ORIGINAL

0670

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 12 years, occupation go to school of No.

925-24th Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Patrick Connor

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

knowledge.

Sworn to before me this

day of

1888

John Kiernan

John Kiernan

Police Justice.

POOR QUALITY  
ORIGINAL

0671

Sec. 198—200.

*H* District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Abraham Solomon* 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.

*Abraham Solomon*

Question. How old are you?

Answer.

*18 years*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*No 937 Second Ave. 12 years*

Question. What is your business or profession?

Answer.

*Costume Supplier*

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

Answer.

*I am not guilty*  
*Abraham Solomon*

Taken before me this

day of

188

Police Justice.



POOR QUALITY  
ORIGINAL

0672

241/317  
Police Court-44  
District. 621

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Patrick W. W. W.

255 E. 4th St.

Offence

BAILED,

No. 1, by

Residence

Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

No. 4, by

Residence

Street

Dated

188

Magistrate

Officer

Winnings

No. 1, by

Residence

Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

No. 4, by

Residence

Street

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 April 21 188 8 Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

POOR QUALITY  
ORIGINAL

0673

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Abraham S. Soman

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

Abraham S. Soman

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

The said Abraham S. Soman,

late of the nineteenth Ward of the City of New York, in the County of New York, aforesaid, on the fifteenth day of April, in the year of our Lord one thousand eight hundred and eighty-eight, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the dwelling of one

Patricia O'Connor,

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

Patricia O'Connor.

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

POOR QUALITY  
ORIGINAL

0674

SECOND COUNT—

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

*Abraham Solomon* —

of the CRIME OF *Exix* LARCENY, —

committed as follows:

The said *Abraham Solomon*,

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

*a quantity of goods (a more particular  
description whereof is to the Grand Jury  
aforesaid unknown) of the value of  
four dollars.*

of the goods, chattels and personal property of one *Richard O'Connor*, —

in the *building* of the said *Richard O'Connor*. —

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

*John R. Kellom,*  
*District Attorney*



0675

**BOX:**

305

**FOLDER:**

2902

**DESCRIPTION:**

Spell, John

**DATE:**

04/06/88



2902

Witnesses:

Counsel,

Filed

Pleads,

day of April 1888

THE PEOPLE

vs.

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

John Spell

JOHN R. FELLOWS,

District Attorney.

A True Bill.

M. J. Cherry,

Foreman.

April 5/88

No 55.

April 9/88  
City Prison 30 days.

06 76

POOR QUALITY  
ORIGINAL

0677

Police Court—2 District.

City and County } ss.:  
of New York,

William F. Scheller

of No. 611 8th Avenue Street, aged 21 years,

occupation Baker being duly sworn

deposes and says, that on the 31 day of March 1888 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by John Spell  
nowhere Deponent was walking  
along the street with a pile in his  
hand when the defendant came  
up and caught hold of deponent  
with his left hand, and then  
cut deponent with a knife  
inflicting a wound on the  
deponent's finger

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

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

Sworn to before me, this 1st day  
of April 1888 } William F. Scheller

J. M. Plettman Police Justice.



POOR QUALITY  
ORIGINAL

0678

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.

*John Spell*

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.

*John Spell*

Question. How old are you?

Answer.

*40 years*

Question. Where were you born?

Answer.

*U.S.*

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

Answer.

*217 W 38th St. 4 years*

Question. What is your business or profession?

Answer.

*Harmon maker*

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

Answer.

*I do not remember anything  
about it.*

*John Spell*

Taken before me this

day of

188

Police Justice.

POOR QUALITY  
ORIGINAL

0679

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

Police Court 2 5/6 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Wm. J. Acheller  
611 - 1st Ave.  
John Speck

Offence Felony  
Assault

Dated April 1 188

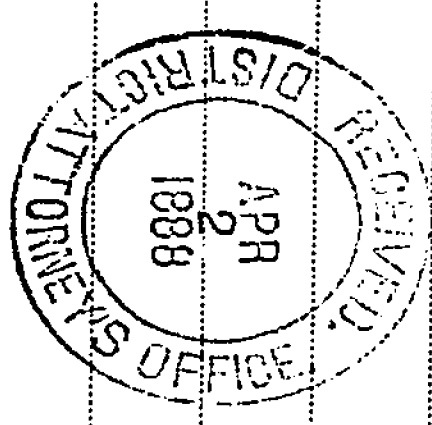
Patton Magistrate.

Henry Wagner Officer.  
no Precinct.

Witnesses

No. .... Street.

No. .... Street.



No. .... Street.  
\$ 1000 to answer  
S. S.  
Conrad

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

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

Dated April 1 188 J. M. Patton Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

POOR QUALITY  
ORIGINAL

0680

HUGHES & HALLADAY,

Successors to R. CAMPBELL,

SADDLERS,

IMPORTERS AND MANUFACTURERS,

54 FOURTH AVENUE,

New York, April 7<sup>th</sup> 1888

To Whom it may Concern  
John Spill has been in  
our employ from time to time  
for the past 16 or 18 years  
we have always found him  
Honest Punctual & Civil -  
Hughes & Halladay



POOR QUALITY  
ORIGINAL

0681

ESTABLISHED 1847.

# RIDABOCK & CO

MILITARY  
AND  
BAND  
EQUIPMENTS

SUCCESSORS TO

J. B. McKenney & Co.

(BAKER & MCKENNEY.)

141 GRAND STREET,  
NEW YORK, April 7 1883

Mr Spill has been in our employ  
at various times, (when we had  
the class of work that he works  
at) and we have have found  
him to be an honest, industrious  
and capable workman

Respectfully  
Ridabock & Co

POOR QUALITY  
ORIGINAL

0682

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*John Spell*

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

*John Spell* —

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

The said *John Spell*.

late of the City and County of New York, on the *thirty first* day of *March*, in the year of our Lord one thousand eight hundred and eighty *eight*, with force and arms, at the City and County aforesaid, in and upon one

*William F. Schaeffer*.

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault; and the said *John Spell*.

with a certain *knife* which *he* the said

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

*John R. Xellous,*  
*District Attorney*

0683

**BOX:**

305

**FOLDER:**

2902

**DESCRIPTION:**

Spink, Frederick

**DATE:**

04/27/88



2902

POOR QUALITY  
ORIGINAL

0684

420

Counsel,  
Filed 27 day of April 1888  
Pleads *Guilty* - (34)

THE PEOPLE,  
vs.  
*B*  
*Frederick Spink*  
*May 1888*

VIOLATION OF EXCISE LAW  
(Selling on Sunday, Etc.)  
[III Rev. Stat. (7th Edition), page 1993, Sec. 21 and  
page 1989, Sec. 5.]

227

JOHN R. FELLOWS,  
District Attorney.

~~16~~  
A TRUE BILL.  
*W. J. Leary*  
Foreman  
~~18~~  
~~18~~

*April 27, 1888*

WITNESSES:



**POOR QUALITY  
ORIGINAL**

0685

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Frederick Spink*

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

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

The said

*Frederick Spink*

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

*George Rose*

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

SECOND COUNT—

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

*Frederick Spink*

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

The said

*Frederick Spink*

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

**JOHN R. FELLOWS,**

District Attorney.

0686

**BOX:**

305

**FOLDER:**

2902

**DESCRIPTION:**

Sposito, Salvatore

**DATE:**

04/24/88



2902

POOR QUALITY  
ORIGINAL

0687

Witness:  
*Robert Miller*

*1905*  
Counsel,  
Filed *24* day of *April* 1888  
Pleads, *Innocently*

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

THE PEOPLE

*3d. vs.*

*Salvatore Spozito*

JOHN R. FELLOWS,

District Attorney.

*100/1000*  
*pr May 1888*  
*reads 1000 200*  
**A True Bill.**

*W. J. Berry*  
Foreman.

*April 20/88*

POOR QUALITY  
ORIGINAL

0588

Police Court—2 District.

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

of No. 269. 7<sup>th</sup> St Patrick Welsh Street, aged 17 years,

occupation work in a wire factory being duly sworn

deposes and says, that on the 15<sup>th</sup> day of April 1888 at the City of New York, in the County of New York, in West 32<sup>nd</sup> Street.

he was violently and feloniously ASSAULTED and BEATEN by Salvatore

Sposito (now here) who willfully and

maliciously cut and stabbed deponent

twice in the back and once in the

back of the head with a razor which

he the said deponent then and there

held in his hand, inflicting three very

severe and painful wounds.

Deponent further says that such

assault was committed

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

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

Sworn to before me this 16<sup>th</sup> day  
of April 1888.

Patrick Welsh

Police Justice.



POOR QUALITY  
ORIGINAL

0689

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Salvatore Spozito*

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.

*Salvatore Spozito*

Question. How old are you?

Answer.

*37 years old*

Question. Where were you born?

Answer.

*Italy*

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

Answer.

*21 Ave Cr 32 St. 3 Mos*

Question. What is your business or profession?

Answer.

*Barber*

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

Answer.

*I am not guilty and I  
demand an examination  
Salvatore Spozito*

Taken before me this

day of

*April*

188

*Sam'l C. Smith* Police Justice.

POOR QUALITY  
ORIGINAL

0690

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

Police Court-  
District 603

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Patrick Heleah  
268 West 32nd St  
Maliciously &c.

2  
3  
4

Offence Assault-  
felony

Dated April 16 1888

Magistrate  
Crispin  
Officer  
20 Precinct

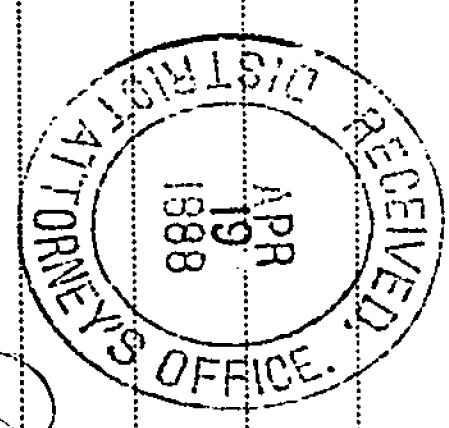
Witnesses

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

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

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

\$ 15000 to answer



COMMITTED

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

Dated April 16 1888 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ 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 \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0691

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Salvatore Spicito*

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

The said *Salvatore Spicito*,  
late of the City of New York, in the County of New York aforesaid, on the  
*22<sup>nd</sup>* day of *April*, in the year of our Lord  
one thousand eight hundred and eighty *eight*, with force and arms, at the City and  
County aforesaid, in and upon the body of one *Patricia Walsh*,  
in the peace of the said People then and there being, feloniously did make an assault,  
and *in* the said *Patricia Walsh*,  
with a certain *knife* —

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

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

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*Salvatore Spicito* —  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Salvatore Spicito*,  
late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of  
the said *Patricia Walsh*,  
in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make another assault, and *in* the said *Patricia Walsh*,  
with a certain *knife* —

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

*John A. Edwards,*  
*District Attorney.*