

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, *Almy*

THE PEOPLE

vs.

P

Albert Smith

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

JOHN R. FELLOWS,

Special District Attorney.

Special Attorney G. Gray

A True Bill found

W. J. Gobbey

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 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 who here

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
John Williams 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 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. *Albert Smith*

Question. How old are you?

Answer. *16 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *317 Bowery 2 days*

Question. What is your business or profession?

Answer. *Staller*

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 *12* day of *Nov* 188*8*
J. J. Williams
Police Justice.

POOR QUALITY ORIGINAL

0597

BAILIED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court 620 District

THE PEOPLE, &c.,
OF THE COUNTY OF

*Robert J. ...
156 ...
Alfred ...*

2
3
4
Office *Lucy from person*

Date *April 22* 188

M. ... Magistrate.

... Precinct.

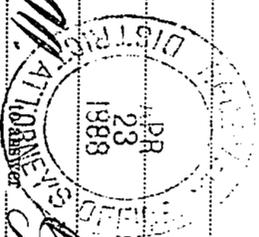
Witnesses

No. Street

No. Street

No. Street

No. 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

...

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

Dated *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

318
H.A.

Counsel,
Filed 25 day of April 1888
Pleads, *Not Guilty*

THE PEOPLE
vs.
R
Henry Smith

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

JOHN R. FELLOWS,
District Attorney.

A TRUE BILL. *found*

W. J. Foxberry
Foreman
May 25/88.

Indictment dismissed

April 24, 1888.

Witnesses:

*On the within affidavits and papers and on the statements of the complainant and the defendant witness 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 lark was given this serious character by the arrest and indictment of the defendant. I would respectfully recommend that the within indictment be dismissed -
May 25th, 1888. Part I.*

Wm. Traverser Jenoue
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 } Joseph J. Mackett
this 5th day of May, 1888.

Oliver Friend
Notary Public
N.Y.C.

57

POOR QUALITY
ORIGINAL

0504

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

Oliver Friend

Notary Public

m/CS

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

John Cusick

Not Public Use

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 South Avenue Street, in the City of New York,
and Edward J Fitzguald
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 Fitzguald
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 Offence or Tobacco
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 Fitzguald

Samuel M. Kelly Police Justice

POOR QUALITY ORIGINAL

0607

New York General Sessions.
THE PEOPLE, &c.

Recognizance to Testify.
William M Ford
to O'Reilly Magistrate

Filed day of 188

Surety identified
by William M. Bohan
339 W. 20 St
n. Y. City

Sworn before me, this
day of April 188
to William M Ford
the within-named Bail, being duly sworn, says that he is a
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 ten hundred
dollars and about all
the remainder
Edward F Fitzgerald
Magistrate

POOR QUALITY ORIGINAL

0508

CITY AND COUNTY } ss.
OF NEW YORK, }

POLICE COURT, 2^d DISTRICT.

John Townsend

of the 16th Police Precinct Street, aged 25 years,

occupation Police Officer being duly sworn deposes and says,

that on the 19th 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 19th day

1888

Paul J. Kelly
Police Justice,

POOR QUALITY
ORIGINAL

0609

Meroy Boarding Stables,
JOHN P. NICHOLS, PROP'R.
HORSES BOARDED BY THE DAY,
WEEK OR MONTH.

New York, Apr-25th 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

0610

Schoverling, Daly & Gales.

302 BROADWAY AND 84 DUANE ST.

ADDRESS P. O. BOX 3170.

New York,

April 25 1888

So whomever may concern
James Henry Smith -
has acted a driver for us
for several years though not
officially in 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 al-
ways been correct. He has been
faithful and attentive to our
business, and we have no fault
to find with his habits

James Henry
Stanley Works
Lawrence

POOR QUALITY
ORIGINAL

0612

NEW YORK.

188

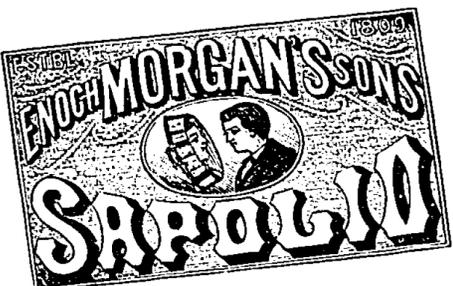
James Henry Lucitt has been
in my employ for 3 years
During that time he has
been honest sober and in-
dustrious, and I consider him
one of the best men ever in my
employ

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 26th 1888*

This is to certify that James H. Smith was employed by us as truck driver from the 22nd June 1885 to the 10th Nov^r 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

0614

84 AND 86 CHAMBERS ST.

P. O. BOX 96.

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

April 25 1888

To whom it may concern

James Henry Smith has been in
the employ of our best 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. Fawcett
Treas.

People

vs.

Henry Smith.

John Townsend, 16th Precinct.

On the night of April 19th, 1888, at 10.00. about 9 was on 7th Ave. at 19th street and I saw the defendant on the N.W. cor of 7th Ave. & 18th 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-76-88.

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 }
of New York, } ss.

of No. 277 6th Avenue William W. Ford Street, aged 35 years,
occupation Bar-tender being duly sworn, deposes and says,
that on the 18th 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 evening I was
coming down 7th Avenue and between
18th and 19th 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 7th day of May, 1888.

William W. Ford
Complainant
atty. W. W. Ford

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, ^{last} he believes
that there was no intent on the part
of the defendant to commit the robbery
but the incident was not the result
of any criminal intent on the part of the
defendant, but more the result of a
careless look. Therefore therefore
would withdraw the charge herein
impelled by no intent to obstruct

POOR QUALITY
ORIGINAL

0619

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
William M Ford
County Clerk
City of New York

Pro.

Wm Ford

Applicant's
Signature of Applicant

POOR QUALITY ORIGINAL

0620

Police Court 2^d 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 16th 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 ^{00/100} 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

Subscribed before me this

Notary at 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 16th 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 from the person of deponent 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 }
19th day of April 1888 } William M Ford

Samuel C. Bell
Police Justice

Police Court— District—

AFFIDAVIT—ROBBERY.

THE PEOPLE, & c.
ON THE COMPLAINT OF

vs.

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 16th 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 19th
day of April 1888

John Townsend

Samuel C. Hill
Police Justice.

POOR QUALITY ORIGINAL

0623

Sec. 198-200.

2. District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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^o 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 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

Paul J. McKeely Police Justice.

POOR QUALITY ORIGINAL

0624

Complainant -
Bailed by
Edward J. Fyquald
128 Eucumbach Ave.

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

Police Court - 2nd 613
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs. M. Frank
vs. ~~Frank~~
vs. Henry Smith

1
2
3
4

Offence - Robbery

Dated April 18, 1888

W. O. O'Reilly Magistrate
Tormond Officer

Witnesses John Tormond
vs. Police Precinct

Complainant: Edward J. Fyquald
Security of \$100
No. 10
\$25000 to answer
Gemma Wild



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 W. O. O'Reilly 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.

{ The People
vs.
Henry Smith

City and County } ss.
of New York,

of No. 62 Horatio Street, aged 24 years,
occupation truck driver being duly sworn, deposes and says,
that on the 1st day of April 1888, at the City of New
York, in the County of New York,

Harry V. Fitch

at about 12 1/2 A.M. I was in the company of the defendant Henry ^{Smith} ~~Fitch~~ and and William Jackson going along 7th Ave near 18th 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 6th Ave. Then we commenced to joke with him and I asked him if his girl had turned him out referring to the small trunk ^{he had.} under his arm. Complainant then threw his hat, coat, cuffs and the trunk and parcel on the ground and approached the defendant 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.

WJ

Sworn to before me this }
5th day of May, 1888. }
Wm. Travis Jerome

Harry V. Fitch

Notary Public, New York County.

POOR QUALITY ORIGINAL

0626

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

City and County }
of New York, } ss.

{ The People vs
 against
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 18th 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 1/4 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 18th 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 18th Street and 7th
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 7th
avenue the officer following him striking
him with his club. Finch picked up his hat
and joined me ^{later} 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 }
5th day of July 1888 }
Wm Travers Jerome,
Notary Public,
New York County.

Wm. N. Jackson

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

| | |
|--|-----------------------------|
| THE PEOPLE, &c., ON THE COMPLAINT OF vs. | 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 month 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 gold of the value of nine dollars, one half of the value of six dollars, one tenth 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

Notes A

Witnesses:

Sept. 13th 1888
Wm. J. Berry
James Smith
for Plaintiff

Counsel,
Filed 13 day of April 1888
Pleads, Chiquely 113

THE PEOPLE
vs.
James Smith
Grand Larceny, 5th Degree.
(From the Person.)
[Sections 528, 530, 550 Penal Code.]

April 13/88

April 18th JOHN R. FELLOWS,
District Attorney.
Remitted to the Court of
General Sessions for trial
April 20/88

A True Bill.
Filed by J. Berry

W. J. Berry

Foreman.

H. J. Berry
April 13/88

POOR QUALITY ORIGINAL

0631

Police Court First District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Benjamin Poznanski

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

person 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 there 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,
John B. Smith
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 his right to
make a statement in relation to the charge against him; that the statement is designed to
enable him if he see fit to answer the charge and explain the facts alleged against him
that he is at liberty to waive making a statement, and that his waiver cannot be used
against him on the trial.

Question. What is your name?

Answer. James 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 pair of trousers
of clothes.

James Smith

Taken before me this 27

day of March 1888

Wm. B. Beckwith
Police Justice.

POOR QUALITY ORIGINAL

0633

BAILLED,

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

Raymond Bennett
514 Lafayette St
James Smith

1 _____
2 _____
3 _____
4 _____

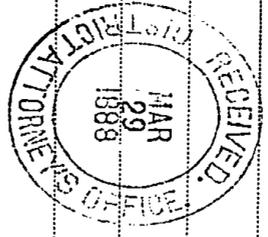
Offence *Larceny from the Person*

Dated *March 27* 1888

W. J. Duffy Magistrate
John J. Adams Officer
Precinct _____

Witnesses _____

No. _____ Street _____
No. _____ Street _____
No. _____ Street _____



No. _____ Street _____
\$ _____ TO HIS/HER

James Smith
W. J. Duffy

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 *W. J. Duffy* 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**

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

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

The said

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

0630

Witnesses:

Counsel,

Filed

Pleads,

No. 75
assigned by J. P. O'Brien

Berkshire

day of April 1887

Not guilty (7)

THE PEOPLE

vs.

John Smith
John Taylor

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

JOHN R. FELLOWS,

apptd. District Attorney.

Presented to the Court of
Cyes and Remanded for trial

A True Bill found

W. J. Berry
Foreman.

April 17, 1887

Both tried and convicted
to the 10 years State Prison

April 6/88

11.7. 20

POOR QUALITY ORIGINAL

0639

CITY AND COUNTY } ss.
OF NEW YORK, }

POLICE COURT, 9th DISTRICT.

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

at the City of New York, in the County of New York, George Smith
(now here) is a material witness
for the People in a case against
John Smith and John Taylor
both charged with robbery and
deponent believes that said
George Smith 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 1st day of April 188
[Signature]
Police Justice.

POOR QUALITY ORIGINAL

0641

COURT OF OYER & TERMINER.

| | | |
|-----------------------------|---|----------------------------|
| ----- | x | |
| | : | |
| The People, etc., | : | |
| | : | Before: |
| vs. | : | Hon. Edward Patterson, J., |
| | : | and a Jury. |
| John Smith and John Taylor. | : | |
| ----- | x | |

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**

0543

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

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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**

0546

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

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**

0548

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

Ogden & Termine COURT.

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

TRANSCRIPT OF
Stenographer's Notes

NEW YORK, *April 17th* 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 1888, 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:

Good 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 hearing the said money
in the houses passed them
by deponent when the said
Smith seized deponent by
the throat while the said Taylor
took the said money from deponent
and fled.

George Smith

day of April 1888
Sworn to before me, this
George Smith
Police Justice.

POOR QUALITY ORIGINAL

0652

Sec. 108-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

John Smith

Question. How old are you?

Answer.

21 years.

Question. Where were you born?

Answer.

Belmont.

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

Answer.

53 Barry St. 6 months

Question. What is your business or profession?

Answer.

Laborer

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

Answer.

I am now fully
John Smith

Taken before me this

day of *April* 1888

George W. Kelly

Police Justice.

POOR QUALITY ORIGINAL

0653

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

1 District Police Court.

John Taylor 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.

John Taylor.

Question. How old are you?

Answer.

38 years.

Question. Where were you born?

Answer.

New York.

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

Answer.

64 Pine St. 2 months

Question. What is your business or profession?

Answer.

Labourer.

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 now guilty.
John Taylor*

Taken before me this

day of

188

[Signature]
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

Offence

Dated 188

Magistrate
Officer

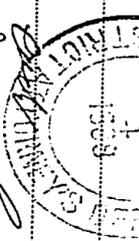
Witness
Precinct

Complaint sent to
No. of Detention
Street

in default of \$100
No. Bail
Street

No. to answer
Street

\$1000



to answer
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

Defendants
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
\$100 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.

Feb 15 1893
CAPTAIN OR OFFICER IN COMMAND.

Dear Sir:

James
I desire to see *Officer Macaulay*
attached to ~~your~~ ^{the} ~~command~~ ^{prison} in
Apr 1888 in relation to the case of
John Smith
sentenced *Apr 1888* to *ten*
years and ~~months~~ imprisonment by
Jesse 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 21/19

POOR QUALITY
ORIGINAL

0657

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

New York, July 22 1899

Hon. W. Unger Esq
Depty. asst & City- to Dist Atty
NY

Sir

I am directed by the
Superintendent to return the
within notice and to state
that Macaulay was dismissed
from the force July 21 1899
Very Respectfully
G. H. Peroff
GHS

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, and 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

No 19 A

Counsel,
Filed
Pleads, *Charged by 4*

3rd day of April 1888

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

THE PEOPLE
vs.
Wm. Smith

JOHN R. FELLOWS,
District Attorney.
7th Apr 15. 1888
yeeds P.L.

A TRUE BILL
W. J. Berry
Foreman.
Sworn One yr.
April 1888

Witnesses:

POOR QUALITY ORIGINAL

0551

Police Court

District.

Affidavit—Larceny.

City and County } ss.:
of New York,

Samuel Lustig

of No. 57 Hudson 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 night, 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 K. Harting that he arrested the said defendant on the Car of Riverington in Hudson Street 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 31 day of March 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 Beuel Street, being duly sworn deposes and

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

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

Sworn to before me, this 31 day of March 1888 by Thomas K. Hastings

Samuel C. ...
Police Justice.

POOR QUALITY ORIGINAL

0663

Sec. 198-200.

³ District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. William Smith

Question. How old are you?

Answer. 29 years

Question. Where were you born?

Answer. New York

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

Answer. 142 Suffolk & Morris

Question. What is your business or profession?

Answer. Clotte 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 was hired by a man to carry the Clotte

William Smith

Taken before me this

day of

March 1888

31

David J. Kelly
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

Samuel Hunter

vs. William Smith

Offence Larceny

2

8

4

Dated March 31 188

Magistrate

Officer

121 Precinct

Witnesses

No. Street

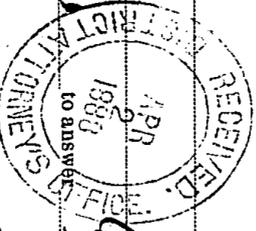
No. Street

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

Defendant

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

Dated March 31 188 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 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 eight 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

0558

Witnesses;

Counsel,

Filed

26 day of April 1888

Pleas,

Chiquet 30

THE PEOPLE

vs.

R

Abraham Solomon

Burglary in the Third degree,
and Petit Larceny

[Section 498, 506, 528 and 532]

JOHN R. FELLOWS,

Pr May 2, 1888

Plenda P.L. District Attorney.

May 2/88 V.M.D.

A TRUE BILL.



M. J. Berry

Foreman.

6 Mas 8 1888

T. J. D.

POOR QUALITY ORIGINAL

0669

Police Court— H District.

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

of No. 255 East 49th Street, aged 41 years,

occupation Liquor Dealer being duly sworn

deposes and says, that the premises No. 925-2 Ave Street, 19 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 Sherman of No 925-2 Ave to wit that at about 8 O'clock PM of the above date date he saw deponent force open said door and enter said premises and saw him while in the light of a candle and saw him come out fifteen minutes after with a quantity of fruit in his possession

Patrick O'Connor

A warrant to apprehend this party of April 1888 in Wall Street Prison

POOR QUALITY ORIGINAL

0670

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 12 years, occupation John Kiernan
Go to school of No.

925-2nd 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 24 day of April 1888 by John Kiernan

Shaw-Hudde
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 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. *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. *Costumes 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 *Apr* 188*7*
W. J. Wells
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

Andrew S. Damon

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

Andrew S. Damon

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

The said *Andrew S. Damon*,

late of the *nineteenth* Ward of the City of New York, in the County of New York, aforesaid, on the *thirtieth* day of *April*, in the year of our Lord one thousand eight hundred and eighty-~~eight~~ *eight*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *residence* 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 *residence* 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 *Real* 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 referred to the Grand Jury aforesaid returned) of the value of four dollars.

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

in the *building* of the said *Richard O'Conor*, —

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

06 76

Witnesses:

Counsel,

Filed

Pleads,

6 day of April 1888

THE PEOPLE

vs.

John Spell

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

JOHN R. FELLOWS,

District Attorney.

Wentworth & Ziegler

A TRUE BILL.

M. J. Chery

Foreman.

April 5/88

No 55.

April 9/88
City Prison 30 days.

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 1885 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by John Spell (now here) 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~~ 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 1st day of April 1885 } *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 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. *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 32d 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 *April* 188*8*

John Spell

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 No. 2 576 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Wm. J. Achollen
611 - 1st St
John Spelt

1 _____
2 _____
3 _____
4 _____

Offence Felony Assault

Dated April 1 1888

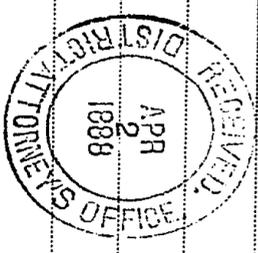
Patton Magistrate

Kenia Wagner Officer
70 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 Spelt

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

Dated April 1 1888 J. M. Patton 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**

0580

HUGHES & HALLADAY,

Successors to R. CAMPBELL,

SADDLERS,

IMPORTERS AND MANUFACTURERS,

54 FOURTH AVENUE,

New York, April 7th 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. D. McKenney & Co.

(BAKER & MCKENNEY.)

141 GRAND STREET,

NEW YORK, April 9 1883

Mr Spall 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 Friday 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

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)

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

THE PEOPLE,
vs.

B
Sweeney & Spink
Chicago

227

JOHN R. FELLOWS,
District Attorney.

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

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

1905
E. J. Nelson

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

THE PEOPLE
vs.
Salvatore Spozito

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

JOHN R. FELLOWS,
District Attorney.

Wm. J. Berry
pleads *Not Guilty*
A True Bill. *S. P. H. & W.*
W. J. Berry
Foreman.

April 20/88

Witness:
Robert Miller

POOR QUALITY ORIGINAL

0588

Police Court— 25 District.

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

of No. 269. 7th St Patrick Welsh, Street, aged 17 years,
occupation Work in a wire factory being duly sworn
deposes and says, that on the 15th day of April 1888 at the City of New
York, in the County of New York, in West 32nd Street.

He was violently and feloniously ASSAULTED and BEATEN by Salvatore
Spasito (now here) who willfully and
maliciously cut and stabbed disjoint
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 15th day of April 1888 } Patrick Welsh

Police Justice.

POOR QUALITY ORIGINAL

0589

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. *1st 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 16
188*8*

San J. Anthony
Police Justice.

POOR QUALITY ORIGINAL

0590

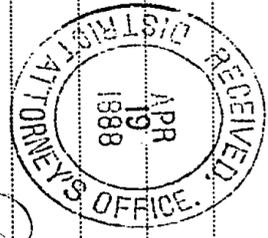
BAILED,
 No. 1, by _____
 Residence _____ Street _____
 No. 2, by _____
 Residence _____ Street _____
 No. 3, by _____
 Residence _____ Street _____
 No. 4, by _____
 Residence _____ Street _____

Police Court No. 91603
 District

THE PEOPLE, &c.,
 ON THE COMPLAINT OF
 Patrick Heleah
 268 West 32nd St
 Manhattan, N.Y.
 Offence Assault - Felony

Dated April 16 1888

Magistrate
 Officer
 Precinct



Witnesses _____
 No. _____ Street _____
 No. _____ Street _____
 \$ 15000 to answer
 Street _____

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 *27th* 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