

0975

**BOX:**

401

**FOLDER:**

3726

**DESCRIPTION:**

Stephani, Alphonse

**DATE:**

06/04/90



3726

POOR QUALITY  
ORIGINAL

0976

Witnesses;

Jas L. Buttery

Counsel,

Filed

Pleas,

4

day of

June 1890

Alfred G. Galt

THE PEOPLE

vs.

I

Alphonse J. Stephane

MURDER IN THE FIRST DEGREE.

(Section 189, Penal Code.)

JOHN R. FELLOWS,

District Attorney.

Indictment of Court of New York  
County of New York  
in and for the City and County of New York  
against the within named defendant  
for the crime of Murder in the first degree  
as charged in the indictment  
filed for the purpose of obtaining a writ of habeas corpus  
under the provisions of the Act of April 3, 1891  
For endorsement.

A TRUE BILL.  
Jas L. Buttery  
Attorney at Law  
New York City

Frederick Higgins

April 3, 1891 Foreman.

Tried and convicted

Murder 2nd degree

April 12, 1891 sentenced for life in State

penitentiary

Alfred G. Galt



0977

AUTOPSY.

CLINTON G. REYNOLDS.

CHAMBERS STREET HOSPITAL,

NEW YORK CITY.

12.10 P.M., Tuesday, May 20th, 1890.

Body well nourished. No oedema. Rigor mortis well marked.

Incised wound two inches in length, horizontal, slightly anterior of axillary line, in centre of which there is a round penetrating wound of thorax between 8th and 9th ribs, in 8th intercostal space, chipping 9th rib. There is a slight loss of substance of the upper border of the 9th rib corresponding to the above mentioned perforating wound. The <sup>edges</sup>~~edges~~ of the wound are discolored a dark red color. The wound in the rib is 8 inches from the middle line of the body in front.

The diaphragm is at the 4th inters<sup>Costal</sup> space, both sides.

The ~~peritoneum~~omentum is moderately stained with dark red blood. The small intestines are, in places, coated with a thin layer of fluid blood. The mesentery is similarly stained. There is no evidence of peritonitis.

The vermiform appendix is normal. The peritoneal cavity contains a small amount of dark fluid blood. There are a few old scattered adhesions over the left lung in the anterior axillary line, also at apex.

0978

The right lung is completely adher<sup>ed</sup>~~ed~~ to the chest wall by a fairly loose old adhesion. The wound in the chest wall passes through the lowest part of the pleural cavity half an inch above the reflection of the pleura from the ribs.

Opposite the wound in the diaphragm the omentum is completely adhered. On tearing away these adhesions, a large quantity of fluid and clotted blood is found in the peritoneal cavity in the neighborhood of the spleen, above the ~~x~~ transverse colon.

The spleen lies above and posterior to the wound, and has not been penetrated.

The small and large intestines are considerably distended with gas. Left kidney: There is a penetrating wound through the upper portion of the kidney, just at the edge, irregular in outline, about a quarter of an inch in diameter, surrounded by a zone of kidneous tissue infiltrated with blood. The wound can then be traced inward.

The heart is normal.

The right lung, upper lobe, contains a number of cheesy nodules the size of a bean. There is considerable increase in connective tissue. The lung generally is congested and oedematous.

The left lung, moderate congestion and oedema; otherwise normal.



0979

The spleen is normal. The connective tissue at the hylum is infiltrated with extravasated blood. The spleen itself shows no injury. The left kidney shows the above mentioned penetrating wound. The kidney is normal in size. The capsule is not adherent. Its surface is finely granular. It contains several small cysts from the size of a pea to the size of a bean. The cortex is somewhat thin, pale, and the markings not very distinct.

The right kidney the same as the left.

The stomach is normal.

The duodenum is normal.

The pancreas, the splenic extremity, is infiltrated with extravasated blood; otherwise normal.

The small intestines are normal. The large intestine is normal. The gall bladder is normal. The liver normal size, normal in appearance. The aorta is normal and shows no wound. The urethra admits a large sound. The bladder is normal. The intestines show no wound

The wound in the chest wall extends inward through the upper portion of the left kidney, behind the splenic flexure of the colon, and enters the body of the last dorsal vertebra. The bullet lies in the body of the last dorsal vertebra, projecting into the spinal column.

Direction: Inward, slightly upward and backward.

CAUSE OF DEATH: Hemorrhage from penetrating pistol abdomen, kidney and pancreas.

Shot wound of the thorax, ~~abdomen~~  
Autopsy concluded at 1.45 P.M.

*Handwritten notes:*  
The wound in the chest wall extends inward through the upper portion of the left kidney, behind the splenic flexure of the colon, and enters the body of the last dorsal vertebra. The bullet lies in the body of the last dorsal vertebra, projecting into the spinal column.

0980

Autopsy completed at 1:30 P.M.  
at the home of the deceased.

SECTION: Head, neck and back.  
CAUSE OF DEATH: Hemorrhage from hemorrhoidal artery.

Direction: Head, neck and back.

General condition: Poorly preserved.

General condition: The patient died in the room of the test.

Examination of the body: The body of the test.

The upper portion of the body: The body of the test.

The lower portion of the body: The body of the test.

The head: The body of the test.

The neck: The body of the test.

The back: The body of the test.

The chest: The body of the test.

The abdomen: The body of the test.

The pelvis: The body of the test.

The extremities: The body of the test.

The internal organs: The body of the test.

The external organs: The body of the test.

The skin: The body of the test.

The hair: The body of the test.

The nails: The body of the test.

The teeth: The body of the test.

The tongue: The body of the test.

The throat: The body of the test.

The larynx: The body of the test.

The trachea: The body of the test.

The bronchi: The body of the test.

The lungs: The body of the test.

The heart: The body of the test.

The stomach: The body of the test.

The intestines: The body of the test.

The liver: The body of the test.

The spleen: The body of the test.

The pancreas: The body of the test.

The gallbladder: The body of the test.

The kidneys: The body of the test.

The ureters: The body of the test.

The bladder: The body of the test.

Send for  
Dr. Daniel  
New York Hospital



0981

Aug 27<sup>th</sup> 90

Dear Sir I am a witness against L.B.  
Cooke in the Tombs, I was not summoned  
last week, please let me know in time  
when his trial comes off, so I can attend.  
Kindly send me an order to go and see him

Yours respectfully  
John Macdonald  
59 Willoughby Street  
Brooklyn

0982

J.B. Cooke Esq.  
520 Locust St.  
Phila. - Pa. -

Yours of 7/30 to hand, it  
is impossible for me to make  
engagements during the day  
just now. - should it please  
to meet you in the evening, at  
my room here. - or where ever  
you may suggest. -

In answering me on this  
subject please do so under-  
cover. - I hardly think our  
communications are in the  
line of postal cards

I am Sir

Very Resp<sup>tly</sup> -

#515 Cooper St.

Camden N.J.

D.S. Hough

Thursday July Thirtieth 1890



0983

HILL & MCGOVERN,  
Mechanical Engineers and  
Machinery Dealers in General,

OFFICE AND WAREHOUSES,  
2110 and 2112 Market Street.

New and Second-Hand Hoisting Engines and Pumps a Specialty.

July 23

Philadelphia, July 22, 1890

D, Ledger Office;

Sir, If you will  
kindly give me an address  
I should like to see you  
with regard to your advertise-  
ment in this morning's  
Ledger, which I inclose.

Respectfully

Warren Dickinson.

Address

#2110 Market St.

COPIES OF THIS LETTER IN THE HANDS OF THE MODERN  
COPYING MACHINE CO. 100 N. 3RD ST. PHILADELPHIA

0984

Check  
Warren Beckman  
Deposit \$100  
Aug 12



0985

OK

Called

322 Franklin St.  
July 22, 1890.

D / Ledger Office.

Dear Sir:— Seeing your  
advt in this morning's paper,  
and wishing such a position I  
respectfully submit myself as an  
applicant for the position.

I am 28 years of age, a gra-  
duate of a Penna. Normal School.  
I can furnish security and good  
reference and trust by a trial  
I can prove my ability to suit  
you. Hoping to receive a favorable  
reply.

I remain

Yours very respectfully

A. R. Chymer.

Will deposit  
\$500

0986

D. I. Ledger Office. Perceiving by  
your advertisement in to day's  
Ledger, that you are in want  
of a Clerk, to which I respect-  
fully offer my services.  
I can give security and best  
of references.

Very truly  
Louis Meyberg.

251 N. 6<sup>th</sup> St.



0987

My dear Mr Leake  
your letter of  
the 14<sup>th</sup> & 15<sup>th</sup> the one  
only received to-  
day - the 14<sup>th</sup> marked  
in Phil<sup>a</sup> at 2 PM the  
15<sup>th</sup> I have called  
at the Hotel but did  
not find you in  
neither did I see you  
at the Depot the 3<sup>rd</sup> inst.  
I do hope you & Mr  
K - will join forces as I  
know you can be of  
immense benefit in any  
proper business - you  
possess those qualities which  
make success -  
Yours truly  
J. M. Clark

0988

July 30<sup>th</sup> 1901.  
Recd of J B Hook \$5-  
five dollars for room  
at 119 N 10 St  
Mary Emman.

0989

TACONY  
CLAY POT WORKS,  
LEWIS EARNSHAW,

MANUFACTURER OF  
Glass House Pots of every description.  
Rings and Stoppers.  
Fire Clay for all purposes constantly  
on Hand.  
TACONY, - PHILA.

Ans July 23  
\$1.25  
152

Tacony, Pa. July 22 1890

Dear Sir:-

I saw your advertisement in this morning's "Ledger" for a Clerk. I can furnish good reference and moderate security and would be pleased if you would give me a trial. Hoping that this will meet with your approval I am yours very Respectfully

Chas. T. Earnshaw  
Tacony Phila.



0990

New York July 21/90  
Hon W H Stokely

Phil & Ann  
My dear Sir

It affords  
me great pleasure to  
introduce to you my  
friend Mr J Brooke  
who is desirous of  
establishing a business  
of much profit in  
your city

Remembering a  
most pleasant acquaintance  
with you many years  
since embracing our  
friend Dan Dettich &  
Messrs Hill & Leeds &

0991

take the liberty to  
recommend you to  
your kind consideration  
& can assure you  
of his excellent business  
qualities & that he is  
possessed of such  
energy & withal  
very sagacious -

Respecting for  
you both a pleasant  
acquaintance I  
Am Very Truly Yours  
R. Clark

0992

PART I.

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

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

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

*Richard H. Wallace*

of No. ~~250~~ *245* ~~Clinton~~ *Clinton* Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the *29* day of *1890*, at the hour of *11* in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

*J. Bartlett Cook*

Dated at the City of New York, the first Monday of  
in the year of our Lord 1890.

JOHN R. FELLOWS, *District Attorney.*



0993

Should the case not be called on for trial, and no reason assigned in Court, please inquire at the District Attorney's Office about it, and you may save time.

If inconvenient to remain, and you prefer another day, state this early to the District Attorney in the Court.

If ill when served, please send timely word to the District Attorney's Office.

If you know of more testimony than was produced before the Magistrate, or if a fact which you think material was not there brought out, please state the same to the District Attorney or one of his Assistants.

Feb 5th - Letter

Feb 6th - made motion

Feb 10th - called to Court

Feb 12 -

Feb 13th - went to work

March 10th - gave notice

March 22nd - time up

March 24th -

0994

Working a contract is  
a contract. You will  
remain until the  
week is out on next Saturday.

J. B. Goble

at no. 4

0995

IN THE CORONER'S COURT OF THE CITY AND COUNTY OF NEW YORK.

INQUEST IN THE MATTER OF THE

BEFORE

DEATH OF

HON. FERDINAND LEVY,  
Coroner,  
and a Jury.

CLINTON G. REYNOLDS.

New York, Friday, May 23rd, 1890.

For the District Attorney's office appeared Mr. HENRY  
HARTMAN.

For the prisoner, Alphons J. Stephani, appeared Mr.  
WILLIAM F. HOWE.

THE CORONER: Gentlemen, the case that you are about to investi-  
gate is that of Clinton G. Reynolds, found at Chambers Street  
Hospital on the 15th day of May. The prisoner here, Alphons J.  
Stephani is charged with killing him.

WILLIAM EDWARDS

a police officer, sworn and examined.

BY THE CORONER:

Q. Officer, will you state all that you know with reference  
to the case we are now investigating? A. On the morning of  
the 15th of May I was in Pearl Street just a little below Wall.  
A boy came down to me and said there had been a man shot in 61  
Wall Street. I went up there, went to the office-----

Q. (Interposing) What floor? A. On the 3rd floor, in



the office of Reynolds & Harrison, lawyers. I found the prisoner, who is sitting there (pointing), lying on the floor, with two gentlemen holding him down. I got him on his feet and took him over to where Mr. Reynolds was lying on the floor, where he lay after this man shot him.

Q. As you were informed? A. As I was informed; and I asked Mr. Reynolds if this was the man that shot him. He said "Yes," mentioning this man's name, "Alfred Stephani."

BY MR. HARTMAN:

Q. Alphonse Stephani? A. Alphonse Stephani. So I took this man to the station house.

BY THE CORONER:

Q. You mean Stephani? A. Stephani. I took him to the station house. In searching him, I found this pouch (exhibiting same) in his right hip pocket.

Q. And the pistol? A. No, sir; the pistol was given to me by Mr. Butterly.

Q. You found this pouch? A. Yes, I found this in his hip pocket.

BY MR. HARTMAN:

Q. It was unbuttoned, of course? A. Yes, sir.

Q. Do you identify that as the pouch you found in his hip pocket? A. Yes, sir.

BY THE CORONER:

Q. You took the prisoner to the station house? A. Yes, sir; and sent out an ambulance call from the station house to be sent to 61 Wall Street.

Q. You say this was on the third floor? A. On the third floor, on the Hanover Street side of the Brown building.

0997

(Pouch produced and identified by witness was marked  
"Exhibit A.")

BY MR. HARTMAN:

Q. (Indicating) Who handed you that pistol? A. Mr.  
Butterly.

BY THE CORONER:

Q. Who is Mr. Butterly? A. He is one of the clerks in  
the office.

BY MR. HARTMAN:

Q. What was the condition of it when you got it? A. There  
was one chamber unloaded and the others all full.

Q. One of the chambers discharged? A. Yes, sir.

-----X-----

JAMES L. BUTTERLY

sworn and examined.

BY THE CORONER:

Q. 61 Wall Street; is that your place of business? A. That  
is my place of business.

Q. Now, Mr. Butterly, are you a member of the firm of Reynolds  
& Harrison? A. I am not.

Q. What is the correct name of the firm? A. Reynolds &  
Harrison.

Q. Are you employed there? A. I am.

Q. As what? A. Their managing clerk.

BY MR. HARTMAN:

Q. Of whom did the firm consist? A. It consisted of  
Clinton G. Reynolds and Robert L. Harrison.

0998

BY THE CORONER:

Q. Now, Mr. Butterly, will you tell the Jury all that you know with reference to the occurrence in question that happened in the forenoon of the 15th of this month? A. At about ten o'clock in the morning of that day-----it may have been a few minutes earlier----Mr. Stephani came in the office. I had known him for some little time prior to that.

BY MR. HARTMAN:

Q. Which Stephani? A. Alphonse J. Stephani, the prisoner. He asked me if Mr. Reynolds had arrived yet. I told him he had not. He asked me if I expected him soon. I said yes. We had quite an extended conversation. I asked him when he arrived, and endeavored to detain him in the office until Mr. Reynolds would come, as I believed Mr. Reynolds would want to see him. He remained there I should think three quarters of an hour, possibly a little more.

BY MR. HOWE:

Q. Pardon me. Did you say that you endeavored to detain him? A. I endeavored to engage him in conversation so that he would remain, because I believed that Mr. Reynolds would like to see him, and furthermore, we had some papers that I was not decided whether we should serve on him or not without consulting with Mr. Reynolds, and I wanted Mr. Reynolds to arrive and advise me upon that subject. After about three quarters of an hour, he said that he thought that he would step out and return later in the day. I followed him out almost directly and went as far as the office of the Safe Deposit Company of New York, where I served a paper upon the Secretary, and returned to the office. On my return, there were present in the outer office Mr. Scott,



0999

another clerk, Mr. John F. Cowan, a client in the office; and in Mr. Harrison's room there was himself and Mr. Alfred S. Burlingham, another <sup>client</sup> ~~clerk~~. The door between our room and Mr. Reynolds' private office was closed at the time. Mr. Scott was standing between my desk and the door. After I had been in the office a few minutes, a very few minutes, Mr. Scott told me that Stephani was in the office with Mr. Reynolds and that Mr. Reynolds would probably want to see me, as I had had charge of the litigation in which Mr. Stephani was interested. I made an excuse, pretended that I wanted the check book, went to Mr. Reynolds' desk to get it. At that time Mr. Reynolds and the prisoner were standing at the left hand side of Mr. Reynolds' desk facing each other, separated by a distance of I should think about three feet, not much more, and they were talking, and in an ordinary tone of voice. I overheard Mr. Reynolds say "Well, how much do you want?" and the answer was in such a low tone that I did not catch it, though I was only a few feet away from them. I took the check book and passed from the room, and Mr. Reynolds excused himself to Stephani and followed me out. He asked me if the injunction in the case in which the prisoner was interested had been served. I told him yes, that I had just served it.

BY MR. HARTMAN:

Q. Who asked you that; Mr. Reynolds? A. Mr. Reynolds. He then returned to the room and I sat down at my desk, but a short distance from his door. Mr. Scott was still standing between the door and the desk. Two, perhaps three minutes elapsed, not more than that, when we heard the shot. We had not heard a loud word, no scuffling, no noise of any kind or character, until we heard the shot, with the exception of a low hum of conversation,

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of a conversation carried on in a low tone of voice behind a closed glass door. In I should think a second after the shot was fired, I don't think it was more, Mr. Scott was in the room, because he was standing, as I say, within three feet of the door.

Q. He was the first man in the room after the shot was fired?

A. He was the first man in the room. He dashed right in. It was certainly not more than a second after the shot until he was in. It certainly was not more than two seconds until I was in. When I rushed in Mr. Scott had Stephani by the right arm above the elbow in which he held the revolver.

Q. Who held the revolver? A. Stephani, the prisoner, held the revolver then in his right hand. Mr. Scott had him by the right wrist and the right arm above the elbow, and Stephani, the prisoner, was crowding Scott, or they were struggling towards the door, he pushing towards the door, the only mode of getting out of the room. As I came in, he pointed the revolver directly at me and I rushed forward and grabbed his arm nearer to the hand, turned it one side, and he even then, by a wrist movement, tried to point the revolver at Mr. Scott and myself. I got my hand on the revolver and twisted it away from him, and as soon as I got the revolver away I put it in my pocket and struck him. Mr. Cowan, who was in the office at the same time, rushed in and hit him with a chair, and we disposed of him for the time being.

BY MR. HOWE:

Q. What do you mean by "disposed of him;" was he senseless?

A. He was either senseless or pretended to be; he made no further trouble.

BY THE CORONER:

Q. Proceed, witness. A. Mr. Reynolds at the time was lying

in the corner of the room behind his desk. As soon as practicable after getting matters to rights, I informed Mr. Harrison of what had occurred. I went to Mr. Reynolds and he placed his hand on his side and said Stephani had shot him in the stomach, to send for a Doctor. We sent for the Doctor and sent for the police, Mr. Gowan meantime holding the prisoner on the floor. When the officer came in and made the arrest, he brought the prisoner before Mr. Reynolds and Mr. Reynolds says "That is Stephani; he is the man who shot me." I might say that the arrangement of our office there is this. The hall on the third floor runs directly back from the elevator, parallel with Hanover Street. At the end of the hall, cutting across the end running parallel with Wall Street, is Mr. Harrison's private office. Opening from the end of the hall to the right towards Hanover Street is the general office, a large square room. Passing through that, turning again to the right, on the right hand side of the hall as you go in, was Mr. Reynolds' room, and every person passing into Mr. Reynolds' room passed in and out through our general office.

Q. I think the Jury understands that. That is all that occurred to your knowledge? A. That is all that occurred to my knowledge.

Q. Was Stephani excited when he first came up to the office that morning? A. He was not. He was cool and collected as a man could well be, but when Mr. Reynolds failed to arrive at the usual time, he did exhibit some impatience, seemed very anxious to see Mr. Reynolds.

THE CORONER: Have you any questions, Mr. Howe?

MR. HOWE: Not one.

THE CORONER: Does any Juror desire to question this witness?



A JUROR: I would like to ask the Coroner whether this pistol is the property of the prisoner ?

MR. HARTMAN: I will come to that.

BY MR. HARTMAN:

Q. Did I understand you to say that you took the pistol away from Stephani ? A. You did. I took it away from him.

Q. (Submitting revolver already produced) Is that the pistol?

A. That is the pistol.

Q. And you took it out of what hand ? A. Out of his right hand.

Q. How soon after the report of the shot did you get possession of this pistol ? A. Well, it is pretty hard to keep the exact time. Of course the whole thing was very brief. As I say, I certainly had hold of him in less than two seconds after the shot was fired, and I think I had the pistol away from him in the course of two more. I did not take very long.

Q. And you identify that as the pistol you took away from him ? A. I do.

Q. Did you examine it after you took it away from him ? A. I did .

Q. In what way; to see if the chambers were discharged ?

A. No, I did not.

Q. Were there any cartridges in it, did you notice, when you got it ? A. I did not.

Q. You just identify the pistol from its general appearance ?

A. From its general appearance.

----- OXO -----

W A L T E R   G .   S C O T T

s worn and examined.

BY THE CORONER:

Q. What is your occupation ? A. Lawyer, in the employ of Reynolds and Harrison as clerk.

Q. At 61 Wall Street ? A. At 61 Wall Street.

Q. Will you tell the Jury all that you know of your own knowledge with reference to the occurrence in question ? A. On the morning of the 15th of this month at ten o'clock I was called upon to <sup>go up to</sup> the City Court. Going out in the Street I met Stephani, passed him. He did not see me.

BY MR. HARTMAN:

Q. Who do you mean; the prisoner ? A. I mean S<sup>t</sup>ephani, the prisoner. He did not see me, but a little way off I saw Mr. Harrison. I turned to come after Stephani, and Mr. Harrison coming down the Street I stopped for a moment and spoke to him. Mr. Harrison said to me "Well, I want you back in the office, as I have got something important for you to do." I went back with him and sent someone else out. I found the prisoner in the office sitting at a desk. He said "How do you do ?" and I said "How do you do ?" to him, having met him several times before, and I went into Mr. Harrison's room, came back, went to my desk, performed a little work, and Stephani sat there waiting for Mr. Reynolds. A few words passed. He waited there for some time. He got up asked something about when Mr. Reynolds would be there. He said "I'll go away; I'll come back later in the day." I said "All right." About ten or fifteen minutes after he left, Mr. Reynolds came to the office. I said to him "S<sup>t</sup>ephani is back."

He went into his room. A couple of clients who were in the office at the time went in to him. They were talking about a codicil to a will. The clients and Mr. Burlingham, who was sitting in the outer office, then went in Mr. Reynolds' room and talked with him awhile. In the meantime, Stephani came in and sat down at the window. He asked if Mr. Reynolds was in. I said "Yes, I will let him know you are here in a little while." I was engaged on some work at the time for Mr. Reynolds and I took that work in to Mr. Reynolds. I said to him "Stephani is outside, wants to know if he can see you." I had the check book in my hand and I put it on Mr. Reynolds' desk. He said to Burlingham "Let me see this young man a few minutes, I would like to have a talk with him." Burlingham left the room. I said to Mr. Reynolds "Mr. Reynolds, don't you think it would be safer if I would stay in the room here with you?"

BY MR. HOWE:

Q. The prisoner wasn't in there, was he? A. No, sir; he was outside.

MR. HOWE: I object to that.

THE CORONER: It will be excluded. Proceed, witness.

THE WITNESS: Nothing that I said to Mr. Reynolds about my being in there will be admitted, I suppose?

THE CORONER: No. Proceed.

A. (Resuming) Mr. Reynolds came outside and I followed him. He went over to Stephani and said "How do you do, Stephani; when did you get back?" shook hands with him, greeted him very pleasantly. Mr. Stephani passed some remark, I didn't catch what it was. Mr. Reynolds took him into his room. They talked there awhile. I stood between Mr. Butterly's desk and Mr. Reynolds' door. I had in my hand a large ruler. First Stephani seemed to



be a little excited about something; I could hear his voice raised, but I couldn't hear Mr. Reynolds. Mr. Reynolds came out and asked for Mr. Butterly. I said "Butterly is up serving those papers."

Q. Did you tell him what papers? A. Yes, I told him he was up serving the papers in the matter of the Stephani suit. So he said something else and said to me "Oh I think it will be all right."

BY MR. HARTMAN:

Q. Who said that? A. Mr. Reynolds. He saw I was standing there looking out for something to happen-----

MR. HOWE: (Interposing) Oh no, no, no; let us have that right out. I ask your Honor to order that stricken from the minutes.

THE CORONER: As far as you expected something to happen will be excluded. Proceed.

A. (Resuming) Mr. Reynolds said to me "I think it will be all right; I don't think there will be any danger." He went back to his room. Mr. Butterly came in and after awhile said that he had served the Company. I said to him "Mr. Reynolds has been asking for you, I think he wants to see you." He said "I'll go in; I'll make some excuse to get the check book." He went in and he came out. Mr. Reynolds shortly afterwards followed him out and asked him if he had served those papers. Mr. Butterly said "Yes, he had." Mr. Reynolds again said to me "I guess it'll be all right; he got a little excited, I guess it'll be all right," and he went back to his room.

BY MR. HARTMAN:

Q. Where was Stephani all that time? A. He was in Mr.

1006

Reynolds' room. Mr. Reynolds went back to his room and two or three minutes afterwards I heard the report of a pistol shot and Mr. Reynolds groan. As quick as I heard the shot I jumped to the door, threw it open and jumped into the room, saw Stephani standing over Mr. Reynolds with a revolver in his right hand and his thumb apparently on the hammer, the left hand down.

THE CORONER: (Submitting to witness revolver previously identified) Will you just describe that?

MR. HARTMAN: Is that the revolver?

THE CORONER: Just identify it now; just tell us in what position was Stephani?

THE WITNESS: Mr. Reynolds lay crosswise, in that position (illustrating). Stephani stood this way (illustrating) as I came in. I jumped for him. As I jumped for him his hand went up to the pistol this way (illustrating).

BY MR. HARTMAN:

Q. His left hand? A. His left hand went to the pistol this way quickly (illustrating), and I grabbed him by the wrist. His hand came away easily and I made a grab for this. Just then he moved his arm quickly and I grabbed here (illustrating). Then having him that way, he pointed the pistol again at Mr. Reynolds. Seeing that, I pulled him back. I turned his arm, I had hard work to turn it, this way and that way (illustrating), so as to keep the pistol pointed from Mr. Reynolds, in which direction he was pointing. I pulled him back behind the desk, and then he tried by a wrist movement to turn on me, but I kept his arm pointed so that if he fired again it would shoot into the desk and nobody would be hurt. Mr. Butterly came in. I said something

to him about taking the pistol away as quickly as possible, and he grabbed the man by the hand and wrenched the pistol from him and then struck him. He was still struggling to get towards the door after we got behind the desk, and Cowan, a client in the office, came rushing in with a chair uplifted and brought it down on Stephani's head. Stephani seemed to have his senses for a moment, and then he became limp. When I saw that, I threw him down and I rushed over to Mr. Reynolds. Mr. Reynolds said as he saw me coming "He shot me; I believe I am dying." He said, "Go for a Doctor." Wanting to know where he was hit. And have him bring proper instruments, I said "Where did he shoot you?" and he pointed to his stomach. I left Mr. Reynolds and went immediately for a Doctor, procured a Doctor and brought him back to the office. There I found the policeman had Stephani. I believe he was putting handcuffs or something on him at the time.

BY A JUROR:

Q. Did the prisoner make any remark at all? A. He didn't say a word to me, didn't pass a word while I held him.

BY THE COMMISSIONER:

Q. How long prior to that day had you seen Stephani in Mr. Reynolds' office before? A. I cannot distinctly recollect.

Q. Was it weeks or months? A. Oh it was six or eight weeks ago. It was sometime before he went to Europe. It must have been two months ago.

Q. Then you inferred that he had returned from Europe that morning? A. Oh of course. I heard he was in Europe.

Q. There had been no trouble that you know of on that day except that which you have related? A. There was no trouble except the rumors of this suit.



Q. Except the suit in question ? A. Except the suit in question.

Q. But you knew of no trouble that took place between the deceased, Mr. Reynolds, and Stephani ?

MR. HARTMAN: That is, the relations seemed to be pleasant ?

A. Mr. Reynolds greeted Stephani very pleasantly; Stephani shook hands with him.

BY THE CORONER:

Q. In your presence ? A. In my presence. They both shook hands.

Q. And the meeting, you say, was a cordial one ?

MR. HOWE: No, no; he did not; he said it was, on the part of Reynolds.

A. On the part of Reynolds it was very cordial.

-----OXO-----

JOHN F. COWAN

sworn and examined.

BY THE CORONER:

Q. Where do you live ? A. 86 Washington Avenue, Newark, N.J.

Q. Mr. Cowan, were you in the office of Reynolds and Harrison on the morning of the 15th instant ? A. I was; yes.

Q. Will you please tell the Jury all that you saw with reference to the occurrence in question ? A. I called at Mr. Reynolds' office on the 15th day of May, for the purpose of seeing him in regard to an engagement we had about looking after some

lands together. On arriving at the office a few minutes before eleven o'clock, I found Mr. Reynolds engaged. I asked Mr. Scott, who was in the office at the time and who was the only person present, who was in the office and he said Stephani. I had seen this Stephani in the office on two or three occasions previous to that and had made something of a mental note of the man's appearance.

BY MR. HARTMAN:

Q. Do you mean the defendant? A. The defendant, who is now here present. I said "I am in a great hurry; I would like to get away as rapidly as possible; is it possible for me to see Mr. Reynolds?" Mr. Scott says, "Mr. Reynolds will be at liberty in a few moments." I sat down in a chair near the Hanover Square window and waited. Mr. Butterly came in a few moments afterwards. I am getting a little ahead. Mr. Scott was standing at the desk, between the folding doors and the desk, and it was something unusual to see him standing there and I asked him what was the matter. He made no remark whatever to that. But I sat down and he still remained standing. Mr. Butterly came in a few moments afterwards and walked into the office and brought out the check book. In a second or two after I heard a shot. With that, Mr. Scott threw the door open and dashed in, Mr. Butterly next, I after him. It was done so very quickly that, as far as the minutes or seconds are concerned, I really could not state. But when I arrived in the room Mr. Scott had his arms around the defendant struggling and Butterly was trying to wrench the revolver away from him. The revolver was pointing out towards the door as I was coming in. I turned around, picked up the chair and brought it down upon the defendant's head, and as I did all parties

let go of him and he fell to the floor. He lay there. I went over to Mr. Reynolds after Mr. Scott had gone for the Doctor and I says to him "Old man, how are you?" He says to me "I'm shot." "Where?" He says, "In the bowels; I am afraid I'm going to die."

(At this point the proceedings were disturbed by the crashing of a piece of brick through a window pane close to the witness stand, possibly from the World Building on the adjoining lot.)

BY THE CORONER:

Q. Proceed, Mr. Witness. A. He says, "I am shot in the bowels; I am afraid I am going to die." I knelt down alongside of him and I unbuttoned his clothes, removing them. He had told me before that he was shot on the right side. When I raised his underclothing up I found that there was nothing there. Says I "You are not shot there at all;" says I, "It is only a shock." "Oh," he says, "I am." With that, I raised his clothes on the left side. There I found the wound, him bleeding. He was then lying on his back with his hands underneath his head. Says I, "I can do nothing for you; they have gone for the Doctors and a policeman." I was then in the room with him entirely alone.

Q. Where was Stephani at that time? A. Stephani was then lying down in the room where I had knocked him.

Q. In what person's charge? A. No person's charge.

Q. All alone? A. He was senseless. He was either senseless, or playing possum. I went over to him, and as I went over to him I saw him tremble as though he was recovering. I then sat down upon his breast, took hold of his hands, crossed them on his breast and held him there, thinking he might get up and offer to make his escape. When he came to, he says "Who are you?"



10 11

looking at me. Says I, "It makes no matter who I am." Says he, "What have I done?" Says I, "You have done too much for to-day." That was my answer to him. Then his next question was "Is he hurt; will he die; is he dead?" "I don't know." Then he says, "Oh, I know; he wouldn't do as I wished him to and he wouldn't tell me." With that he remained perfectly silent. The officer came in in a few moments and I turned the prisoner over to the officer and I says "You will take this man in charge." The officer took hold of his right wrist and I of his left and we pulled him up off the floor. The officer then put something around his wrist and says I, "You will bring this man over to Mr. Reynolds and have him identify him." He done so. He asked Mr. Reynolds "Is this the man who shot you?" Mr. Reynolds was still lying on the floor. He took his left hand from underneath his head and pointing at the prisoner says "That is the man, Stephani, who shot me." With that the officer removed him. I saw the pistol in the prisoner's hands.

BY MR. HARTMAN:

Q. Would you know it if you saw it again. A. I believe I would. I asked the officer, after the pistol was given to the officer, to give the pistol to me to allow me to identify it.

Q. (Exhibiting revolver previously identified) Do you identify that as the pistol? A. I do.

-----oxo-----

THE CORONER: Now, gentlemen, the Medical Testimony is as follows: I wont read the autopsy; I will come right down to the cause of death, unless counsel desires me to read it. "Cause of

10 12

death: Hemorrhage from penetrating pistol shot wound of the thorax  
abdomen, kidney and pancreas.

-----OXO-----

The Coroner here charged the Jury.

-----OXO-----

VERDICT.

We, the Jury, find that Clinton G. Reynolds came to his  
death by a pistol shot wound at the hands of Alphonse J. Stephani  
at 61 Wall Street, on the third floor, in the office of Reynolds  
& Harrison, on May 15th, 1890.

-----OXO-----

ADJOURNED.

10 13

Coroner's Office,

CITY AND COUNTY }  
OF NEW YORK, } SS.

*Alphonse J. Stephani* being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to answer or not, all or any questions put to him, states as follows, viz.:

*Answers to said questions are given by the prisoner's counsel*

Question—What is your name?

Answer—

*Alphonse J. Stephani*

Question—How old are you?

Answer—

*24 years*

Question—Where were you born?

Answer—

*Counsel says he does not know*

Question—Where do you live?

Answer—

*Counsel says he does not know*

Question—What is your occupation?

Answer—

*Counsel says he does not know*

Question—Have you anything to say, and if so, what, relative to the charge here preferred against you?

*Counsel for prisoner says his client's answer is no - and by advice of counsel the prisoner refuses and does not sign his name to the foregoing questions and answers —*

Taken before me, this *23<sup>rd</sup>* day of *May* 18*87*  
*Ferdinand Hoof* CORONER.



1014

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	DATE When Reported
55 Years	Months	Days	U.S.	Chambers St Hosp.	May 20 <sup>th</sup> 190

2nd 588- 1890  
HOMICIDE.

AN INQUISITION. 1247

On the VIEW of the BODY of

William G. Reynolds

whereby it is found that he came to  
his death by the hands of

William J. Stephens

quest taken on the 23<sup>rd</sup> day

May 1890

John and J. J. Coroner.



Time of death 10:30

10 15

2nd 588- 1890

HOMICIDE.

AN INQUISITION. (24)

On the VIEW of the BODY of

Winson G. Reynolds

whereby it is found that he came to

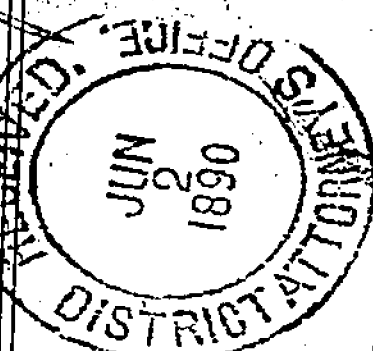
Death by the hands of

Caliphonse J. Stephane

Report taken on the 23<sup>rd</sup> day

May 1890

Frederic and Levy, Coroner.



Committed

Prisoned

Discharged

Date of death

MEMORANDA.

DATE

WHERE FOUND

PLACE OF NATIVITY

AGE

Days

Months

Years

Chambers St. N.Y.

May 30 1890

10 16

TESTIMONY.

*Wm. L. Huston*  
I have made *An autopsy* of the body of  
*Clinton G. Regan* now lying dead at  
*Chambers St. Hospital* and from such *Examination*  
and history of the case, as per testimony, I am of opinion the cause of  
death is *Penetrating fatal shot wound*  
*of thorax and abdomen as described*  
*in autopsy*

*Wm. L. Huston, M.D.*  
M. D.

Sworn to before me,

this

20

day of

*May* 1890  
*Frederick L. Levy*

CORONER.



1017

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
Years	Months	Days			
55			H.S.	Chambers St. Hospital	May 20 <sup>th</sup> 1890

F. L.

No. ....

Quar. 1890

AN INQUISITION

On the VIEW of the BODY of

William S. Reynolds

whereby it is found that he came to  
a death by

W.M.  
170

Inquest taken on the \_\_\_\_\_ day  
of \_\_\_\_\_ 1890 before  
FERDINAND LEVY, Coroner.

10.18

F. L.

No. \_\_\_\_\_  
Quar. 189

AN INQUISITION  
On the VIEW of the BODY of

*Clinton S. Reynolds*

whereby it is found that he came to  
his death by

*suicide*  
*by*

Inquest taken on the \_\_\_\_\_ day  
of 189 before  
FERDINAND LEVY, Coroner.

AGE		PLACE OF NATIVITY	Years Months Days	25
WHERE FOUND				
Date When Reported		Charles B. Knight - May 20/96		

*Clinton S. Reynolds*  
*May 20/90*

MEMORANDA.

10 19

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION,

Taken at the house of *Coroners Office*  
No. *67 Park Row* Street, in the *4th* Ward of the City of  
New York, in the County of New York, this *23* day of *May*  
in the year of our Lord one thousand eight hundred and *90* before  
*Ferdinand Levy* Coroner,  
of the City and County aforesaid, on view of the Body of *Clinton G. Reynolds*  
lying dead at

*Five* good and lawful men of the State of New York, duly chosen and  
sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said  
*Clinton G. Reynolds* came to his death, do  
upon their Oaths and Affirmations, say: That the said *Clinton G. Reynolds*  
came to his death by

*Pistol shot wound of abdomen and*  
*thorax, inflicted with a pistol in the*  
*hands of Alphonse J. Stephani, at*  
*61 Wall Street, May 15<sup>th</sup> 1890.*

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisition,  
set our hands and seals, on the day and place aforesaid.

JUROS.

<i>Edward Lorb</i> 49 <i>Marshall</i>	<i>Benjamin Vung</i> 53 <i>Warren</i>
<i>Berthold Halun</i> " "	<i>Marcus allars</i> 83 <i>Heads</i>
<i>Karl Hutter</i> 34 <i>Reade St</i>	<i>Wm B. Parsons Jr.</i> 110 <i>Chambers St</i>
<i>James J. Pitt</i> 65 <i>Nassau St</i>	<i>Edward Coles</i> 116 <i>Reade</i>
<i>Samuel H. Hall</i> 99 <i>Chambers St</i>	<i>Jacob H. Lektukstein</i> 283 <i>Grand St</i>
<i>Algaride</i> 131 <i>Duane</i>	<i>Julius Becker</i> 90 <i>Chambers St</i>

*Ferdinand Levy*  
CORONER, E. S.



1020

- STATE OF NEW YORK, -

CITY AND COUNTY OF NEW YORK, ss.

AN ANTE-MORTEM INQUISITION,

\* Taken at *Chambers Street Hospital*  
 No. *160* Chambers Street, in the *3<sup>d</sup>* Ward of the City of  
 New York, in the County of New York, this *15<sup>th</sup>* day of *May*  
 in the year of our Lord one thousand eight hundred and *90* before  
*Ferdinand Levy* Coroner,  
 of the City and County aforesaid, on view of the body of *Clinton G. Reynolds*

*Brookland Hospital* at  
 Upon the Oaths and Affirmations of  
 good and lawful men of the State of New York, duly chosen and  
 sworn or affirmed and charged to inquire, on behalf of said people, how and in what manner  
 the said *Clinton G. Reynolds* was injured, do upon

their Oaths and Affirmations, say: That the said *Clinton G. Reynolds*  
*As suffering from Pistol shot wound of*  
*Thorax & Abdomen, inflicted with a pistol*  
*in the hands of Alphouse J. Stephani*  
*at 61 Wall Street, May 15<sup>th</sup> 1890*

In Witness Whereof, We, the said Jurors as well as the CORONER, have to this Inquisition  
 set our hands and seals, on the day and place aforesaid.

JURORS.

CORONER, F. S.

1021

City and County of New York, ss.

Statement of Clinton G. Reynolds <sup>now lying</sup>  
dangerously wounded at Chambers Street Hospital in the <sup>Ward</sup>  
of said City and County, on the Fifteenth day of May, 1890

Question—What is your name?

Answer—Clinton G. Reynolds

Question—Where do you live?

Answer—Orange, N.J. Place of business 61 Nassau  
New York City.

Question—Do you now believe that you are about to die?

Answer—Maybe

Question—Have you any hope of recovery from the effects of the injury you have received?

Answer—Yes, maybe.

Question—Are you willing to make a true statement, how, and in what manner, you came by the injury from which you are now suffering?

Answer—Yes. This shooting took place about  
11 o'clock this morning at my office. Young  
Alphonse ~~de~~ Stephani shot me in my office.  
I was pleading with him to be reconciled  
to his mother and to be kind and  
beated to her with tears in my eyes. I then told  
him that I had advised her to seek the  
assistance & protection of the Courts. I had  
commenced an action against him and had  
obtained an injunction <sup>against</sup> him and the safe deposit  
Company. He rose, drew from his pocket a pistol <sup>and</sup>  
shot me. He said nothing. There was  
nobody else present in my office at the time of  
the shooting. There were clerks in the outer  
office. He shot me once, in the left side. I can say  
no more.

Sworn before me May 15-16, 1890  
Clinton G. Reynolds  
Fireman & Levy } Marks  
Coroner }

1022

AN ANTE-MORTEM INQUISITION

On the VIEW of the BODY of

Clinton G. Reynolds

whereby it is found that he was  
injured by

pistol shot  
wound

Taken on the 15<sup>th</sup> day  
of May 1890

before  
Frederick Levy Coroner.

Committed

Bailed

Discharged

✓



1023

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 1 DISTRICT.

James L. Butterly  
of No. 431 West 44th Street, aged 33 years,  
occupation Lawyerbeing duly sworn deposes and says  
that on the 15 day of May 1890  
at the City of New York, in the County of New YorkClinton G. Reynolds.  
was feloniously assaulted and beaten by  
Alphonse J. Stephani (now here) who  
discharged one shot from a revolving pistol  
at said Reynolds, wounding him in the  
stomach. That said Reynolds is now  
confined to the Chamber Street Hospital  
from the effect of the injuries inflicted  
and as deponent is informed is in  
a dangerous condition.Deponent prays that said Alphonse  
J. Stephani be committed for further

Sworn to before me, this

of

1890

day of

Police Justice

1024

Police Court--

District--

THE PEOPLE, & C.,

ON THE COMPLAINT OF

*James L. Buttery*

vs.

*Alphonse Steplian*

*Alphonse Steplian*

Dated

*May 16* 1890

Magistrate.

*John W. Campbell*

Officer.

Witness,

Disposition, Ex. May 19. 2 P.M.

" " 21. 2 P.M.

Examination and for the further purpose  
to await the result of said injuries

Sworn to before me this 7<sup>th</sup> of L. Buttery  
16<sup>th</sup> day of May 1890  
*John W. Campbell*  
Plaintiff



1025

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.,

New York, May 16<sup>th</sup> 1890

To whom it may concern:  
The position  
of the wound (in the case of  
Clinton G. Reynolds) the direction  
& velocity of the bullet make  
it possible that a fatal in-  
jury has been inflicted: there  
~~is~~ not, at present, positive  
evidence that such is the case

Carter S. Cole, M.D.  
Surgeon



1026

To  
HON. LEVI P. MORTON,  
THE GOVERNOR OF THE STATE OF NEW YORK :

I, JOSEPHINE STEPHANI, the mother of Alphonse J. Stephani, now serving a sentence of imprisonment for life in the States Prison at Sing Sing, do most humbly and earnestly pray for the exercise of your clemency in granting him his pardon.

My son, Alphonse J. Stephani, was, I humbly submit, improperly convicted of the crime of which he was charged. I do not in saying this complain of the conduct of the trial. But I respectfully urge that he was not answerable for his crime, being insane, and that the circumstances under which he committed it were of such a mitigating character that the punishment which he has already suffered is more than a compensation for it. I further submit that during the term of his imprisonment his mental condition has been greatly improved and that he is now in complete control of his mental faculties. And he will promise if he be liberated, that he will at once leave the country and take up his residence in Germany, where his father's relations reside, or in some other foreign country, and remain there hereafter.

I, who am wholly innocent, have suffered during the past five years much more than he, and while I am not an old woman, I am advised by my physician that my life has been already shortened

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and that I am in constant danger of losing it from the continual mental torture and anxiety, from which I have been unable to free myself.

I pray, therefore, on my own account, as well as upon his, in order that I may, for the short term of life which I have yet to spend, have the comfort and satisfaction of his freedom.

My son is thirty-one years old, having been born on the 28th of September, 1865. In his youth he was a bright, precocious, good-natured and genial boy. When he was sixteen years old he suffered an accident to his head by being thrown from a horse. The accident produced an entire change in his disposition. He became very excitable and at times morose. He was especially excited by interference with what he thought to be his property rights. In 1888, his father died. During his father's lifetime he was under control, but even his father could not prevent very violent out-breaks of temper, and he was a constant source of anxiety to him.

After his father's death in November, 1888, various complications arose as to the settlement of his estate. My husband was engaged in business as a wine and commission merchant, and it became necessary in order to settle his estate to have somewhat

-3-

extensive negotiations with the surviving partner as to withdrawing from the business my husband's capital. In the course of the negotiations relating to that settlement, we employed Mr. Clinton G. Reynolds. Mr. Reynolds was a man most calculated to arouse and provoke my son's suspicions and animosity. He was a dogmatic, dictatorial man and in his dealings with my son treated him with great lack of tact. He did, in fact, arouse a great deal of suspicion and animosity on the part of my son, and in my son's then irritable, and (as the testimony showed which was produced after the shooting) his insane condition, Mr. Reynolds brought upon himself the violence which resulted in the loss of his life. Mr. Reynolds was, so far as can be ascertained, entirely the aggressor.

In the Spring of 1890 my son went to Europe to visit his relations in Germany. Prior to his going there had been some discussion between Mr. Reynolds, my son and myself over the disposition of certain securities of the estate. Mr. Reynolds proposed and insisted upon a disposition of the securities which angered and greatly irritated my son. My son was absent about two months. Before his return Mr. Reynolds advised me to have nothing to do with him on his return, but to let Mr. Reynolds see him first. Greatly against my will I acted on that advice, although it was with great distress of mind. In order to do so I was compelled to move from the hotel at which I had been staying



-4-

to another hotel. So that upon his return my son was unable to find me. He went to the hotel and was told by the clerk that the clerk did not know where I was. The consequence was that he was greatly agitated and, as he himself testified before the Commission to which I shall presently refer, he passed a sleepless night, and finally went to visit Mr. Reynolds in the early morning, with the fixed idea that Mr. Reynolds was responsible for my treatment of him.

No one knows exactly what took place in Mr. Reynolds' office. No one was present except Mr. Reynolds and my son. My son testified before the Commissions appointed to examine into his mental condition before the trial, that he had no remembrance whatever of the occurrences of the shooting. And he continually made the same statement to other persons. He was felled in Mr. Reynolds' office by a blow on the head with a chair, and the physicians who testified on his trial and before the Commissioners stated that such a blow would be sufficient to deprive him of any definite recollection of the occurrence. On one occasion since the trial he has stated what took place at that time. He was examined at Sing Sing Prison in an action brought against him by Charles W. Packard in the Supreme Court of this State in 1894. He then testified that Reynolds insulted him, and that they had a hand to hand scuffle which Reynolds began, and that the pistol was drawn and the trigger pulled in the scuffle.

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The facts which I have related as to the incentive of the act or the actual occurrence did not appear in evidence upon the trial.

Prior to his trial, two Commissions were appointed to examine into his mental condition. The first Commission was composed of Gilbert M. Spier, Jr., Dr. Walter M. Fleming and Dr. Meredith Clymer. That Commission found that my son was, at the date of the report, (August 6, 1890) "suffering from an affection of the mind called Melancholia, with delusions of persecution, is insane and wholly incompetent to make his defense to the indictment." Upon the hearing before that Commission was produced the testimony of Doctors Chetwood, Field, Spitzka, DePlasse and Douglass. Dr. DePlasse had been the physician attending my son since 1881. He said before he was fifteen or sixteen he was a very clean and quiet boy, very attentive to his parents, never left his mother alone, and showed her great love and affection. After that age, being the date of the accident by being thrown from his horse, he completely changed, becoming insolent and abusive to his father and mother, and made various attempts at his own life. He further said that the change between what he was before he was fifteen and at the time of the trial, was remarkable.

Dr. Chetwood was the attending examiner of the Department of Charities and Corrections. Both of these physicians examined

my son at the request of the District Attorney.

Dr. Spitzka is an eminent specialist in mental and nervous diseases, and so likewise was Dr. Douglass.

All of these physicians concurred in finding that my son was insane at the time. No expert appeared who testified to the contrary. They were corroborated by testimony from the keepers of the prison and other persons who came in contact with him.

Subsequently to the rendering of this report and owing to suggestions made by me to Judge Martine that there had been improper influence brought to bear upon the Commission, the Report was set aside and a new commission was appointed, composed of Daniel Lord, Jr., Dr. George S. Fowler and Mr. Charles C. Fosdick.

Before this Commission was introduced the testimony of Dr. de Plasse, Dr. Field, Dr. William T. Lusk, Dr. Packard, Dr. Stewart Douglass, Dr. Allan Robane Hamilton, Dr. A. B. Hall, Dr. Spitzka, Dr. Charles L. Dana and Dr. Frederick Peterson.

All of these physicians concurred in the conclusion that my son was insane, but nevertheless the Commission reported by the two votes of Dr. Fowler and Mr. Fosdick against that of Mr. Lord that my son was competent to advise his counsel as to his defense.

Upon the trial, therefore, the question tried was merely as to the premeditation, although evidence was introduced as to his mental condition.



-7-

On the trial Dr. Ball, Dr. de Plasse, Dr. Lusk, Dr. Field, Dr. Douglass, Dr. Hamilton and Dr. Dana all testified as before, as to his incompetent mental condition, and the only physician of note who testified to the contrary, was Dr. Carlos McDonald, and even his testimony was to the effect that he had never seen the form of insanity from which the other physicians said my son was suffering.

The result of the trial was the conviction of my son of murder in the second degree, and he was, on the 10th day of April, 1891, sentenced to imprisonment for life in Sing Sing Prison. No appeal was taken from the judgment, though the result of the trial was such as to incite Dr. Hamilton to make it the text of a plea for reform in the trials of the criminal insane. This plea took the form of a letter to the "Evening Post", which is found in the issue of the 18th of April, 1891, and a copy of which I annex to this Petition.

The form of insanity from which my son was suffering was of a kind from which the physicians on the trial and before the commissions testified he might recover. Since he has been confined in prison, he has necessarily led a regular life and the result has been, as I am informed, and as I verily believe, such as has led to his substantial recovery. While the form of punishment for his crime has not been such as should have been awarded, if what the physicians have testified to as to his condition of

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-8-

mind were true, it has nevertheless had the effect which a more scientific treatment in an Insane Asylum would probably have produced more rapidly.

I annex hereto extracts from the testimony taken before the Commissions and at the trial, to which I have referred.

I am, with great respect,

Your obedient and humble servant,

*Joséphine Stephanie*

Dated New York, November 20, 1896.

1034

June 1900

STATE OF NEW YORK  
Executive Chamber  
ALBANY

Nov. 23<sup>rd</sup> 1896.

Dear Sir:

Application for Executive clemency having been made on behalf of Alphonso Joseph Stephani who was convicted of Murder 2d in the County of New York and sentenced April 10, 1891 to imprisonment in the State Prison for the term of Life. I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, you will forward to him a concise statement of the facts of the case, together with your opinion of the merits of the application.

It is particularly requested that each letter of inquiry from the Executive Chamber should be separately answered.

Very respectfully yours,

Ashley W. Cole.

Private Secretary.

Hon. John P. Fellows,

District Attorney,

New York.



1035

Stephanie H. J.  
Nov 2  
Life

Nov 21

1036

BRIEF ABSTRACTED EXTRACTS FROM THE EVIDENCE GIVEN  
BEFORE THE TWO COMMISSIONS TO EXAMINE INTO  
THE SANITY OF ALPHONSE J. STEPHANI AND AT  
HIS TRIAL.

DR. LOUIS A. De PLASSE testified before the first and second commissions, and at the trial.

He had attended the Stephani family as a physician for some years. He says :

Now for a person who has examined him as I did since he was fifteen years of age, the change is very remarkable. Before he was fifteen or sixteen he was a very clean and quiet boy, very attentive to his parents and never left his mother alone, showing her great love and affection. After that age he became insolent to his father and mother, was of sad humor, and threatened to bite his mother. I suggested sending him to a lunatic asylum, and then his father discharged me for the advice. The day before I was discharged he asked me for poison. He also took a knife and tried to cut his wrist. In 1881 he had an accident; he fell from his horse. When I saw him after the accident I found he couldn't stand a very long conversation about the same thing; his intellect wouldn't stand great tension. I have arrived at the conclusion that he is of unsound mind, has melancholic mania

with insane delusions.

DR. CHETWOOD, the regular attending physician at the Tombs testified before the first and second commissions that he had seen him almost daily during his confinement in the Tombs. He says :

"I made up my mind as far as I could find out, that his mind was unbalanced by a form of mania which I should term melancholia. I believe that he is in a deranged state of mind, and is not in a condition to confer with counsel intelligibly.

DR. MATTHEW F. FIELD, the official examiner of the Department of Charities and Correction in lunacy, testified before the first and second commissions and at the trial, that he examined Stephani at the instance of the District Attorney. He says, stating the grounds of his opinion very particularly :

"In my opinion his mental condition is such that he is incapable of consulting with his counsel so as to properly assist them in the formulation of a defense. He gave no connected story about leaving the steamer and coming in the city and going to Judge Reynolds office. He said he had no idea of killing Judge Reynolds when he went to see him at his office. He did not give a clear account of what happened in Reynolds' office. He claimed he was unable to do that. The effect of a blow such as he received a few months ago in my opinion would



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cause for a certain length of time a loss of memory. Stephani told me that he arrived in New York during the evening and attempted to find his mother, and didn't; he then spoke of going to the Park about in the manner I related the other day; that then he went to Reynolds' office and was told he was out. He left and was unable to tell me the length of time he was gone or where he went exactly. Not long after he came back. Mr. Reynolds was out, so he waited until he came in and then the affair occurred. He had not seen Reynolds since going to Europe. The first visit was early in the morning. He said he asked for his mother's address, and then just what occurred he does not know. I said he had a lapse of memory from that time which was more noticeable than at any other time, but I thought it was most ascribed to the blow of the chair he received.

DR. EDWARD C. SPITZKA, testified before the first and second commissions. He says :

I arrived at the conclusion that he suffers from a disordered mind from perhaps infancy, but certainly from Puberty. The patient claims almost complete forgetfulness of the crime. He recognizes in a shadowy way that something happened. That claim would be entirely inconsistent with the disease, but when I learned he had been struck on the head by a chair, I recognized the effect that follows a blow. People will forget an event im-

1039

4

mediately preceding a blow as to minutes, days and even months. This seems to be his case. I could not find a single suggestion of simulation. He is a weak minded person, who through his original weak mindedness and exhaustion of nervous system cannot realize his surroundings and social duties. I directed my questions to the intent and purpose of the act. He had purchased a pistol in Belgium to protect himself against socialists. I would say that the blow he received on his head was a marked factor, so far as the relation of the act itself is concerned.

Such patients sometimes recover. The same may be true here.

I find he has a real loss of recollection on that point. That in my opinion is explained by blows on the head. He says "At the time when I asked him the address of my mother everything seemed red before my eyes and I remember seeing a man lying there in a shadowy, foggy way, but that is all. I have taxed my brain again and again to get at that and that is all I can remember". I believe every word he states about the transaction is exactly as he recollects it. He states: I know all about that pistol. I know all about the fracas, but I cannot remember a thing from that moment on. It is so consistent in every point and so far above his mental calibre to simulate so as to present so true a picture, that I regard it as real. I started to examine him from the assumption of simulated insanity, but found

I had to abandon that notion very soon.

DR. STEWART DOUGLASS, resident physician in charge of the insane at Bellevue Hospital, testified before the first and second commissions and at the trial that he had examined Stephani at request of District Attorney. He says :

I think the young man insane. I do not think he is mentally qualified to advise with his counsel as to his defense.

In giving an account of his crime, he said he had come to America to find his mother. He went to his hotel and spent a restless night. In the morning he went to Central Park to end his troubles, but couldn't, as every one was watching him, and then he went to Reynolds' office. It was hard to get him to speak of the crime; seems to have very little appreciation of it. He said he had purchased the pistol to protect himself from socialists in Belgium.

DR. WILLIAM T. LUSK, an expert on insanity, testified before the second commission and at the trial, that he had been consulted some four years before by Stephani's father; that Stephani was extremely irascible and had hardly any control of his temper. He says : "I was much impressed at the time. I thought that man of unsound mind." I told his father so.



DR. JOHN H. PACKARD testified before the second commission and at the trial that he had examined the prisoner in 1885, and that he found the boy insane. He says :

I believe I told his father that I advised that he be put under necessary restraint in a hospital. I put it very strongly, because I knew his father.

DR. ALLEN McLANE HAMILTON testified before the second commission and at the trial. He says :

I found him to be a nervous man, and I arrived at the conclusion that he is insane. My idea is that he has been more or less irresponsible for a number of years. As to the commission of the alleged crime, he had forgotten it; he knew nothing about it. I think the man unmistakably insane now. I think treatment would do him good. He admitted going into the office, but said the next thing he knew was there was a giddy mist in front of his eyes, and the next thing he knew was finding himself in the Tombs. I think steady treatment would be advisable.

DR. A. B. BALL testified before the second commission that he had examined Stephani in 1885. He says :

He had symptoms of extreme nervous irritability, various outbursts of temper and general ugliness. At that time I regarded him as perfectly insane, and was not one bit surprised to hear what came from it.

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DR. DANA testified before the second commission and at the trial. He says :

He could give me no coherent statement of his doings just before going to Reynolds' office. He insisted that there is a blank, that is in regard to the killing of Reynolds. He systematically asserted that he did not remember anything about that. I think it possible that there was a loss of memory; that he had a peculiar apoplectic condition during which he killed the man. I do not think he would be able to give his counsel an intelligent account of what took place on that day, what he did and his motives in so doing. In my opinion his case answers to the technical requirement of the definition of insanity.

ALPHONSE J. STEPHANI testified before the second commission :

I didn't see her (his mother) after I landed. I went to see her, but didn't find her, and I worried the whole of that night, the whole night through. I worried all the time I was coming from Europe to know how she would be because I heard she was suffering here. When the boat got in late at night I didn't stay on board. I ran up in a terrible rain and they told me she had left four days before, and I felt very much worried because I had sent a cable from Liverpool saying I was coming home. I worried and I thought she would be there, and she wasn't there. I worried the whole night through until 2.30 I went to

bed about 3, and I got up, it must have been very early in the morning, because I went to the park, and I thought I would kill myself. I bought several little things in Frankfurt. I invested in a pistol because I thought it was cheap. I bought it because the Socialists were rampant."

I was in the streets nearly all night, not knowing where to go to hunt for my mother.

MR. JOHN H. BIRD testified before the second commission and at the trial that he was the legal adviser of the prisoner's father. He says :

"I have known young Stephani since he was ten. He was then a bright boy and probably one of the most polite young gentlemen I had ever seen. Finally his father said there was a change taking place in the boy. The boy was about fifteen then. After his father's death, I stated to the mother that she should put the boy in confinement, and advised it to be done. I then stated that I should advise her no longer as she did not take my advice in the matter. As I said at the start that young man impressed me most powerfully as one of the most extraordinary young men I had ever met. He was bright, intelligent and most courteous. His manners were most marked, but as time went on all that changed. I advised his mother to put him under restraint."



1044

9

CHARLES A. DUNN testified on the trial that he was manager of the Lincoln Hotel when young Stephani resided there in 1890 with his mother. He says :

I saw him on May 14th 1890. He asked me where his mother was. I told him I didn't know; that she had left the hotel. She was in the annex, however.

DR. CARLOS McDONALD testified for the State on the trial. He says :

His memory was accurate as to his life and history except as to circumstances immediately surrounding the homicide. He had no recollection of that event and said he couldn't possibly have killed Reynolds and didn't believe he was dead.

1045

EXTRACT FROM A DEPOSITION MADE BY ALPHONSE J.

STEPHANI AT SING SING PRISON JANUARY 27, 1894,  
FOR USE IN AN ACTION BROUGHT AGAINST HIM IN  
THE SUPREME COURT, CITY AND COUNTY OF NEW  
YORK, BY CHARLES W. PACKARD.

*(extract)*

1046

( Letter of Dr. Allan McLane Hamilton  
in Evening Post of April 18. 1891 )



1047

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.

New York, May 19 1890

To whom it may concern:  
Christm G.

Requies who was brought  
to Chambers St. Hospital on -  
May 18<sup>th</sup> suffering from a  
penetrating pistol shot  
wound is still under treatment  
at the hospital. His condition  
is still serious, although he  
has been doing as well as  
could be hoped for.

Arthur A. Cobb, M.D.  
House Surgeon

First Assistant  
Police Surgeon

Carter S. Cole M.D. being duly  
sworn deposes and says, that he is  
house surgeon of the Society of  
the Worcester Hospital, House of,  
No. 100 Chambers Street that  
on the 15th day of May 1890 Clinton  
J. Reynolds was brought to said  
Hospital suffering from a pistol  
shot wound, and that said Clinton  
J. Reynolds died from the effects  
of injuries caused by said pistol  
shot wound, on the 20th day of  
May 1890 3<sup>15</sup> and a clock at  
said Hospital

Sworn to before me  
the 24th day of May 1890

Carter S. Cole, M.D.  
Notary Public

John H. Lawrence  
Witness



1049

CITY AND COUNTY  
OF NEW YORK, ss.

POLICE COURT, / DISTRICT.

of No. 431 West 47 Street, aged 33 years,  
 occupation lawyer, being duly sworn deposes and says  
 that on the 16 day of May 1890  
 at the City of New York, in the County of New York deponent ~~was~~

he made the here to undersigned complainant  
 charging the defendant Alphonse J  
Stephane with knowingly feloniously shot  
Clinton G. Reynolds, that said Reynolds  
 was twice that time down from the  
 effect of the injuries as shown to by Carter  
at Cole the same surgeon of the Chamber  
Street Hospital deponent therefore charges  
 that said Stephane caused the death  
 of said Reynolds, wherefore deponent  
 prays that the said Stephane be

Sworn to before me, this

of May1890

day

Police Justice.



1050

death with as the law directs

Sworn to before me this } J. L. Amery  
24 day of May 1890  
John J. Herman  
Prothonotary

Police Court-- District.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated.....188

Magistrate.

Officer.

Witness,

Disposition,

1051

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK } ss.

*Alphonse Stephanie* 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. *Alphonse Stephanie*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *Frank.*

Question. What is your business or profession?

Answer. *None*

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

Answer. *I refuse to make any  
statement by advice of counsel**refused to sign*

Taken before me this

day of

*May**1890*

at

*Frank*

Police Justice.



1052

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

*Alphonse Stephane*

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

Dated *May 24* 1890 *John J. [Signature]* Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.



1053

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Police Court---

824 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*James L. Buttery*

*431 West 47 St*

*Alfreda Hoffman*

2

3

4

Offence *Carried over*

Dated *May 24* 18*98*

*Greene* Magistrate.

*Capt W. Chauplin* Officer.

*1* Precinct.

Witnesses *Jeff Edwards 1<sup>st</sup> Dist*

No. *Mr Jenkins corner* Street.

*Walter Scott 61 Wall*

No. *John L. Landon* Street.

*46 West 100 St*

No. *Wendover* Street.

*Chambers* to answer *Y S*

*When you want Court*

*telegraph to him*

*instead of subpoena*

1054

X-102

P E T I T I O N

--of--

MRS. JOSEPHINE STEPHANI,

For the pardon of her son

ALPHONSE J. STEPHANI,

now serving a sentence of imprisonment for life in the States Prison at Sing Sing.

Dated, November 20, 1896.



1055

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Alphonse J. Stephan*

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

*Alphonse J. Stephan*

of the CRIME OF Murder in the First Degree, committed as follows:

The said *Alphonse J. Stephan*,

late of the City of New York, in the County of New York aforesaid, on the *27th* day of *May*, in the year of our Lord one thousand eight hundred and *eighty nine* at the City and County aforesaid, with force and arms, in and upon one *Clinton F. Reynolds*, in the peace of the said People then and there being, wilfully, feloniously, and of *his* malice aforethought, did make an assault, and the said *Alphonse J. Stephan*, a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which said pistol the said *Alphonse J. Stephan* in *his* right hand then and there had and held, to, at, against, and upon the said *Clinton F. Reynolds* then and there feloniously, wilfully, and of *his* malice aforethought, did shoot off and discharge, and the said *Alphonse J. Stephan*, with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the gunpowder aforesaid, shot off, sent forth and discharged, as aforesaid, *him* the said *Clinton F. Reynolds*, in and upon the *abdomen* of *him* the said *Clinton F. Reynolds*, then and there feloniously, wilfully, and of *his* malice aforethought, did strike, penetrate and wound, giving to *him* the said *Clinton F. Reynolds*, then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth and shot out of the pistol aforesaid, by the



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said *Alphonse J. Stephain*, in and upon the *abdomen* of the said *Rinton F. Bregg*, one mortal wound of the breadth of one inch, and of the depth of six inches, of which said mortal wound — *two* — the said *Rinton F. Bregg*, at the City and County aforesaid, from the said — *fifteenth* — day of — *May*, — in the year aforesaid, until the *twentieth* day of — *May*, — in the same year aforesaid, did languish, and languishing did live, on which said *twentieth* day of — *May*, — in the year aforesaid, the said *Rinton F. Bregg*, at the City and County aforesaid, of the said mortal wound did die.

And so the Grand Jury aforesaid do say: That the said *Alphonse J. Stephain*, *him*, — the said *Rinton F. Bregg*, in the manner and form, and by the means aforesaid, wilfully, feloniously, and of *his* malice aforethought, did kill and murder, 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 *Alphonse J. Stephain* —

of the same CRIME OF Murder in the First Degree, committed as follows:

The said *Alphonse J. Stephain*, —

late of the City and County aforesaid, afterwards, to wit: on the said *fifteenth* day of — *May*, — in the year of our Lord one thousand eight hundred and eighty — *eighty*, at the City and County aforesaid, with force and arms, in and upon the said *Rinton F. Bregg*, in the peace of the said People then and there being, wilfully, feloniously, and with a deliberate and premeditated design to effect the death of the said *Rinton F. Bregg*, did make an assault, and the said

*Alphonse J. Stephan*, a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which said pistol the said *Alphonse J. Stephan* in ~~his~~ right hand then and there had and held to, at, against, and upon the said *Clinton F. Reynolds*, then and there feloniously, wilfully, and with a deliberate and premeditated design to effect the death of the said *Clinton F. Reynolds*, did shoot off and discharge. and the said *Alphonse J. Stephan*, with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the gunpowder aforesaid, shot off, sent forth, and discharged, as aforesaid, ~~him~~ the said *Clinton F. Reynolds*, in and upon the ~~abdomen~~ of ~~him~~ the said *Clinton F. Reynolds*, then and there feloniously, wilfully, and with a deliberate and premeditated design to effect the death of the said *Clinton F. Reynolds*, did strike, penetrate, and wound, giving to ~~him~~ the said *Clinton F. Reynolds*, then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth, and shot out of the pistol aforesaid, by the said *Alphonse J. Stephan*, in and upon the ~~abdomen~~ of the said *Clinton F. Reynolds*, one mortal wound of the breadth of one inch, and of the depth of six inches, of which said mortal wound ~~he~~ the said *Clinton F. Reynolds*, at the City and County aforesaid, from the said ~~21st~~ day of ~~May~~, in the year aforesaid, until the ~~21st~~ day of ~~May~~, in the same year aforesaid, did languish, and languishing did live, on which said ~~21st~~ day of ~~May~~ in the year aforesaid, the said *Clinton F. Reynolds*, at the City and County aforesaid, of the said mortal wound did die.

And so the Grand Jury aforesaid do say: That the said *Alphonse J. Stephan*, ~~him~~, the said *Clinton F. Reynolds*, in the manner and form, and by the means aforesaid, wilfully, feloniously, and with a deliberate and premeditated design to effect the death of the said *Clinton F. Reynolds* did kill, and murder, against the form of the Statute in such made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

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**BOX:**

401

**FOLDER:**

3726

**DESCRIPTION:**

Stewart, Peter

**DATE:**

06/03/90



3726



Witnesses:

*A. Constock*

Counsel,

Filed

day of June

1890

Pleads

*Unlawfully &*

THE PEOPLE

vs.

*B*  
*Peter Stewart*

POLICY.  
[§ 344, Penal Code].

JOHN R. FELLOWS,

*District Attorney.*

**A TRUE BILL.**

*Wm. G. Haggan*  
*June 12/90* Foreman.

*Pleaded guilty on 1st count*  
*Fine \$100. P.B.M.*  
*Done*

1059

1060

9-78 08/20  
1-10-50 8/10  
57-67 73  
16-42 54

MAY 21 AM 1899

GLUED PAGE

1061

CITY OF New York COUNTY OF New York } ss.  
AND STATE OF NEW YORK.

Anthony Countock  
of <sup>41 Park Row</sup> ~~150 Nassau~~ Street, New York City, being duly sworn deposes and says, he is  
21 years of age, and is employed as chief agent of the New York Society for the  
Suppression of Vice, that he has just cause to believe, is informed and verily does  
believe, that James Don and charge  
Peter Stewart  
whose real name is unknown, but who can be identified by John P. Collard  
did, at the city of \_\_\_\_\_ County  
of \_\_\_\_\_ and State of New York, on or about the 21<sup>st</sup> day of May 1890,  
unlawfully use a room, table, establishment or apparatus for gambling purposes—and  
did engage as ~~a dealer or game keeper~~ in a gambling or banking game, where money or  
property was dependent upon the result—and did sell, or offer to sell what is com-  
monly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing  
or drawn numbers of a certain lottery, hereto annexed, and did indorse and use a book or  
other document for the purpose of enabling others to sell or offer to sell lottery policies,  
writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing  
or drawn numbers of a lottery, against the form of the statute of the State of New York  
in such case made and provided.

Deponent further says, he has just <sup>came</sup> ~~come~~ to believe, is informed and verily does  
believe from ~~personal observation and from~~ statements made by John P. Collard to deponent  
that the said James Don — Peter Stewart  
aforesaid, <sup>did</sup> ~~now~~ have in his possession, at in and upon  
certain premises occupied by him and situate and known as number  
138 Broady street  
in the city of New York and within  
the County and State aforesaid, for the purpose of using the same as a means to commit a



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public offense, divers and sundry device, apparatus, tables, establishment and paraphernalia layouts, chips, deal boxes, cards, lottery tickets, lottery policies, writings, papers, books and documents for gambling purposes, in violation of the Provisions of Chapter IX of the Penal Code of the State of New York, wherefore deponent prays that warrants may be issued for the arrest of the persons named aforesaid, and to search for, seize and take possession of all of said unlawful matter, and that all be dealt with according to law.

Subscribed and sworn to before me this }  
22<sup>nd</sup> day of May 1890. }

*Anthony P. Cuntoch.*

*[Signature]* Police Justice.

CITY OF New York AND COUNTY OF New York ss.

*John H. Ballard, of 205 West 14th*  
 being ~~further~~ <sup>duly</sup> sworn deposes and says that on the 21<sup>st</sup> day of May 1890,  
 deponent visited the said premises, named aforesaid, and there saw the said

~~James Dor~~ - Peter Stewart aforesaid, and  
 had dealings and conversation with him as follows:

Deponent saw the said ~~James Dor~~ <sup>Peter Stewart</sup>, write, record  
 and sell the annexed paper, annexed aforesaid,  
 and deponent purchased the same of ~~James Dor~~ <sup>Peter Stewart</sup>  
~~Dor~~, and the said ~~James Dor~~ <sup>Peter Stewart</sup> wrote, and sold the  
 annexed paper, what is commonly called a lottery  
 policy, to deponent for its sum of forty cents  
 which deponent paid the said James Dor for the  
 same. Deponent further says that the said  
~~James Dor~~ <sup>Peter Stewart</sup> had divers papers, device, apparatus  
 books and paraphernalia in his possession for  
 the purpose of gambling and with intent,

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to use the same as a means to commit  
a public offense, at or upon the premises  
named aforesaid -

Subscribed and sworn to before us / John P. Colford  
this 22<sup>nd</sup> day of May 1890  
John P. Colford  
Police Justice

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Subscribed and sworn to before me this }  
\_\_\_\_\_ day of \_\_\_\_\_ 188\_\_\_\_ }

\_\_\_\_\_  
*Police Justice.*

THE PEOPLE	ON COMPLAINT OF	AGAINST
	<i>Anthony Comstock</i>	<i>John R. Holland</i>
		<i>Peter Stewart</i>
		<i>138 C</i>

*Violation Sec. 844, P. C.  
Gambling and Policy.*

Affidavit of Complaint.

WITNESSES:

*A. Comstock*

*John R. Holland*

*205 West*



1065

**Sec. 198—200.**

**District Police Court.**

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer:

Question. How old are you ?

*Answer.*

*Question.* Where were you born ?

*Answer.*

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

*Answer.*

*Question.* What is your business or profession?

*Answer.*

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

*Answer.*

P. Stewart

*Taken before me this*

day of

*Handwritten signature*

22

## Police Justice

1066

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 *May 22* 18 *90* *John J. Hoffman* Police Justice.

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

Dated *May 22* 18 *90* *John J. Hoffman* Police Justice.

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

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



1067

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court---

827 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Anthony Caustock

vs.

1 Peter Stewart

2

3

4

Dated

Magistrate.

Officer.

Precinct.

Witnesses

No.

No.

No.

\$

to answer

1000

1000

1000

1000

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1068

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9780816  
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164307810  
96078810  
10000  
9780816  
10000  
10000

1069

138 C. v. l. y. st.  
May 22/20  
Price 80 cts.

138 C. v. l. y. st.  
May 22/20  
Price 80 cts.  
J. R. B.



GLUED PAGE

1070

CITY OF New York COUNTY OF New York } ss.  
AND STATE OF NEW YORK.

Antony Bountsch of 41 Park Row New York, being duly sworn, deposes that he has just cause to believe and does believe and charge that Peter Stewart like present did, on or about the 22<sup>nd</sup> day of May, 1890, at number 138 Crosby street, in the City of New York and County of New York unlawfully and knowingly sell, furnish, vend and procure, and cause to be furnished and procured, a certain paper or instrument, purporting to be a ticket or part of a ticket in a lottery, which said ticket or part of a ticket is hereto annexed, and which said paper or instrument hereto annexed is what is commonly known as, or are called lottery policies and further that the said,

Peter Stewart had in his possession, within and upon certain premises, occupied by him and situated and known as number 138 Crosby street, in the City of New York and County of New York aforesaid, certain others, what are commonly known as, or are called lottery policies or lottery tickets, and also certain writings, cards, books, documents, personal property, tables, devices, and apparatus, for the purpose of enabling others to sell or vend lottery policies or lottery tickets, and at, within and upon said premises, sells, vends, furnishes and procures, and had in his possession, the aforesaid articles in violation of the laws of the State of New York, in such case made and provided.

Subscribed and sworn to before me,  
this 22<sup>nd</sup> day of May 1890  
John J. [Signature]  
Police Justice.

Antony Bountsch

CITY OF New York COUNTY OF New York } ss.

John R. Ballard of 205 West Street being duly sworn further deposes and says, that on the 22<sup>nd</sup> day of May 1890, aforesaid, he called at the place of business of the said Peter Stewart aforesaid, at the said premises 138 Crosby Street and there purchased the said paper, ticket and instrument, purporting to be what is commonly called a lottery policies as annexed to foregoing affidavit, under the following circumstances to wit: Deponent there saw the said Peter Stewart and had conversation with him, in substance as follows.

Deponent said, and saw him sell, write, and record said policy a number aforesaid and deponent paid the said Peter Stewart the sum of 8 cents for the same for an all day play -

Subscribed & sworn to before me  
this 22<sup>nd</sup> day of May 1890  
John J. [Signature]  
Police Justice

John R. Ballard



POLICE COURT— DISTRICT.

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

*A. Court*

VS.

*Peter Stewart*

LOTTERY AND POLICY.

Dated.....188

Magistrate.

Clerk.

Officer.

WITNESSES:

Bailed, \$.....

to answer.....Sessions.

By.....

Street.

1071

1072

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, } ss.

*Peter Stewart* 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. *Peter Stewart*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *15 Murray Street 24 years*

Question. What is your business or profession?

Answer. *Clerk*

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

Answer. *I am not guilty*

*P Stewart*

Taken before me this

day of

*May*

1890

at

*15 Murray Street*

City of New York

Police Justice.

1073

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 Stephen Law

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 May 22 1890 John H. Hanna Police Justice.

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

Dated May 22 1890 John H. Hanna Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.



1074

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court---

824  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Anthony Lombardi*

*Peter Schwarz*

1

2

3

4

Dated

*May 20*

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

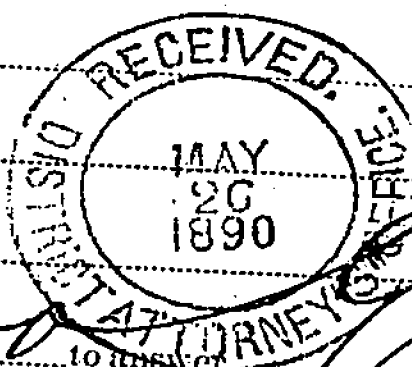
No.

Street.

No.

Street.

\$



*W. J. [Signature]*  
*W. J. [Signature]*

1075

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Peter Stewart

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

Peter Stewart  
of the CRIME OF SELLING WHAT IS COMMONLY CALLED A LOTTERY POLICY, com-  
mitted as follows:

The said

Peter Stewart

late of the City of New York in the County of New York aforesaid, on the *twenty-first*  
day of *May* in the year of our Lord one thousand eight hundred and *eighty*  
*ninety*, at the City and County aforesaid, feloniously did sell to one

*John R. Ballard*  
what is commonly called a Lottery Policy, the same being a certain paper, and writing,  
as follows, that is to say:

*May 21 A.M. 1890*  
*16.42.54*  
*57-67.73*  
*-1-10.50* } *30*  
*9-78* } *20*

(a more particular description of which said paper and writing so commonly called a Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT.

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

Peter Stewart

of the CRIME OF SELLING A PAPER, WRITING, AND DOCUMENT, IN THE NATURE  
OF A BET AND WAGER UPON THE DRAWING OF A LOTTERY, committed as follows:

The said

Peter Stewart

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
at the City and County aforesaid, feloniously did sell to one

*John R. Ballard*

1076

a certain paper, writing and document, in the nature of a bet and wager upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document, is as follows, that is to say :

May 21 A.M. 1890  
 16.42.54 }  
 57-67.73 } 30  
 1-10.50 }  
 9-78 CS 20

(a more particular description of which said paper, writing and document, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

### THIRD COUNT.

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

Peter Stewart  
 of the CRIME OF SELLING A WRITING, PAPER, AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows :

The said

Peter Stewart

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one

John R. Ballard

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say :

May 21 A.M. 1890  
 16.42.54 }  
 57-67.73 } 30  
 1-10.50 }  
 9-78 CS 20

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

### FOURTH COUNT.

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

Peter Stewart

of the CRIME OF SELLING A PAPER, WRITING AND DOCUMENT IN THE NATURE OF A BET AND WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows :



1077

The said Peter Stewart

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one John R. Ballard

a certain paper, writing and document in the nature of a bet and wager upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say:

May 21 A.M. 1890  
 16-42-54 }  
 57-67-73 } 30  
 -1-10-50 } 10  
 9-78 CS 20

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FIFTH COUNT.

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

Peter Stewart

of the CRIME OF SELLING A WRITING, PAPER AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said Peter Stewart

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one John R. Ballard

a certain paper, writing and document in the nature of an insurance upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say:

May 21 A.M. 1890  
 16-42-54 }  
 57-67-73 } 30  
 -1-10-50 } 10  
 9-78 CS 20

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

**JOHN R. FELLOWS,**

District Attorney.

1078

Witnesses:

*A. Comstock*

*Q. P. P. #23*

Counsel,

Filed

day of June

1897

Pleas

*Chiquita &*

THE PEOPLE

vs.

**POLICY**  
[S 344, Penal Code].

*Peter Stewart*  
(2 cars)

JOHN R. FELLOWS,

District Attorney.

*June 12/90*

*Placed with on first count  
sentenced on first indictment*

**A TRUE BILL.** Sentence suspended  
B.M.,

*Francis Higgins*

Foreman.

1079

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Peter Stewart

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

Peter Stewart

of the CRIME OF SELLING WHAT IS COMMONLY CALLED A LOTTERY POLICY, committed as follows:

The said

Peter Stewart

late of the City of New York in the County of New York aforesaid, on the ~~twenty-second~~ day of ~~May~~ <sup>ninty</sup> in the year of our Lord one thousand eight hundred and eighty

John R. Ballard

what is commonly called a Lottery Policy, the same being a certain paper, and writing, as follows, that is to say:

9.78 CS 10 5  
16.42 54 SF 10 10  
9.60.78 SF 10 10  
all Day  
Kent & May 22  
(9.78 CS 10 60  
all Day

(a more particular description of which said paper and writing so commonly called a Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT.

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

Peter Stewart

of the CRIME OF SELLING A PAPER, WRITING, AND DOCUMENT, IN THE NATURE OF A BET AND WAGER UPON THE DRAWING OF A LOTTERY, committed as follows:

The said

Peter Stewart

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one

John R. Ballard



1080

a certain paper, writing and document, in the nature of a bet and wager upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document, is as follows, that is to say :

9.78 CS 10 5  
16.42 54 10 10  
9.60.78 10 10

All Day  
Sent 8 May 22  
(9.78 CS 10 60)  
all Day

(a more particular description of which said paper, writing and document, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

### THIRD COUNT.

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

*Peter Stewart*

of the CRIME OF SELLING A WRITING, PAPER, AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows :

The said

*Peter Stewart*

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one

*John R. Ballard*

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say :

9.78 CS 10 5  
16.42 54 10 10  
9.60.78 10 10

All Day  
Sent 8 May 22  
(9.78 CS 10 60)  
all Day

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

### FOURTH COUNT.

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

*Peter Stewart*

of the CRIME OF SELLING A PAPER, WRITING AND DOCUMENT IN THE NATURE OF A BET AND WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows :

1081

The said *Peter Stewart*

late of the City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one

*John R. Ballard*

a certain paper, writing and document in the nature of a bet and wager upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say :

*(9.78 CS 10 5  
16.42 54 8 10 10  
9.60.78 8 10 10  
all day  
Kent O May 22  
(9.78 CS 10 60  
all day*

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

#### FIFTH COUNT.

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

*Peter Stewart*

of the CRIME OF SELLING A WRITING, PAPER AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said *Peter Stewart*

late of the City and County aforesaid, afterwards, to wit : On the day and in the year aforesaid, at the City and County aforesaid, feloniously did sell to one

*John R. Ballard*

a certain paper, writing and document in the nature of an insurance upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say :

*(9.78 CS 10 5  
16.42.54 8 10 10  
9.60.78 8 10 10  
all day  
Kent O May 22  
(9.78 CS 10 60  
all day*

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

**JOHN R. FELLOWS,**

District Attorney.

1082

**BOX:**

401

**FOLDER:**

3726

**DESCRIPTION:**

Stiene, Henry

**DATE:**

06/05/90



3726



1083

Witnesses:

*Edward Becker*

Counsel *JB*

Filed

1890

day of

*June*

Pleaded

*Myself*

THE PEOPLE

vs.

*Henry Stener*

*B*

*June 16/90*

VIOLATION OF EXCISE LAW.  
(Selling to Minor).  
[Section 290, Penal Code, sub. 3.]

Sent to the Court of Special  
Sessions for trial, by request  
of ~~the~~ *Attorney* for Defendant.

*June 16/90 10:15 AM in agreement*

JOHN R. FELLOWS,

*to be taken 10:15 AM*

District Attorney.

A True Bill.

*Spencer Higgins*

Foreman.

1084

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 Stone*

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

accuse

*Henry Stone*  
of a MISDEMEANOR, committed as follows:

The said

*Henry Stone*

late of the City of New York, in the County of New York aforesaid, on the  
*twenty eighth* day of *May* in the year of our Lord  
one thousand eight hundred and ninety , at the City and County aforesaid,

certain strong and spirituous liquors, and certain wine, ale and beer, to wit: One gill of  
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of  
cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of  
lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury  
aforesaid unknown, unlawfully did sell, and cause and procure and permit to be sold to one

*Katie Knopf* who was then and  
there a child actually and apparently under the age of sixteen years, to wit: of the age of  
*nine* years, 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.*

1085

**BOX:**

401

**FOLDER:**

3726

**DESCRIPTION:**

Stingone, Pasquale

**DATE:**

06/17/90



3726



Witnesses;

*N. J. Leacock*

Upon examination, I recommend re-  
lease of bail herein, and discharge of  
defendant upon his own recognizance.

June 23/90.

*Attest*  
*Alfa*

Counsel,

Filed

17 day of

June 1890

Pleads,

*Wm. G. Gault*

THE PEOPLE

vs.

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

*B*  
*Barquale Stingones*

10 C.

JOHN R. FELLOWS,

District Attorney.

**A True Bill.**

*Deputy Foreman*  
*June 23/90*  
*On recon. Dist. Atty.*  
*Bail discharged*  
*RBH*

1086

1087

Police Court—1<sup>st</sup> District.City and County  
of New York, } ss.:

(186) Francis J. Cassidy  
 of No. #186 Hester Street, aged 21 years,  
 occupation Printer being duly sworn

deposes and says, that on the 1<sup>st</sup> day of June 1890 at the City of New  
 York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Pasquale  
Stingone (now here) who cut deponent  
on the face - to wit: across the  
mouth, with a razor he then and  
there held in his hand

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 12<sup>th</sup> day  
 of June 1890.

Francis J. Cassidy

A. M. Mahon Police Justice.

1000

Sec. 198—200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Pasquale Stingone* 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.

*Pasquale Stingone*

Question. How old are you?

Answer.

*29 years*

Question. Where were you born?

Answer.

*Italy*

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

Answer.

*41 Mulberry Street - 2 days*

Question. What is your business or profession?

Answer.

*Butcher*

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

Answer.

*I am not guilty.*  
*Pasquale Stingone*

Taken before me this

*12*day of *June* 1890*Attest*

Police Justice.



1089

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

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

Dated.....*June 12* 18*90*.....*D. M. M. M. M.* Police Justice.

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

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

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

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

$\frac{1}{2} \times 2 \times 2 = 1 \times 1 \times 1$   
 $59 \times 2 \times 1 = 1 \times 1 \times 1$   
 $1 \times 1 \times 1 = 1 \times 1 \times 1$   
 $1 \times 1 \times 1 = 1 \times 1 \times 1$   
 $1 \times 1 \times 1 = 1 \times 1 \times 1$

BAILED.

No. 1, by Teresa Inozzo  
Residence 37 Mulberry Street.

No. 2, by.....

Residence..... Street.....

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street \_\_\_\_\_

No. 4, by .....

Residence ..... Street .....

**Police Court---**

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

ON THE COMPLAINT OF  
Francis J. Cassidy  
1863. Western St.  
Pasquale Stongone

Offenses  
 Del Casanova Jr.

Dated June 12 1899

*M. Simha* Magistrate

Peterman Officer.  
65 Precinct

Witnesses.....

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

No. 127 JUN 18 1900 Street. 127

No. .... Street.

\$ 1000 to answer

~~Booth~~ ~~22~~ ~~10/11~~



1091

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Pasquale Stingone

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

Pasquale Stingone  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

Pasquale Stingone

late of the City of New York, in the County of New York aforesaid, on the  
first day of June in the year of our Lord  
one thousand eight hundred and ninety, with force and arms, at the City and  
County aforesaid, in and upon the body of one Francis J. Cassidy  
in the Peace of the said People then and there being, feloniously did make an assault  
and him the said Francis J. Cassidy  
with a certain razor

which the said Pasquale Stingone  
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 him the said Francis J. Cassidy  
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

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

The said

Pasquale Stingone

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 Francis J. Cassidy in the peace of  
the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and him the said

with a certain

razor

which the said Pasquale Stingone  
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 D. Fellows  
District Attorney.



1092

**BOX:**

401

**FOLDER:**

3726

**DESCRIPTION:**

Stringer, George

**DATE:**

06/17/90



3726

1093

Witnesses:

Gerardo  
Opert

Counsel,

Filed 17 day of June 1890

Pleads,

Dr. Kelly

THE PEOPLE

vs.

George Stringer

Burglary in the Third degree.

[Section 498, Penal Code.]

4 P. M. 20 June

JOHN R. FELLOWS,

District Attorney.

A True Bill.

George Stringer

Foreman.

June 25, 1890

Tried and acquitted



1094

Police Court— District.

City and County }  
of New York, } ss.:of No. 235 Washington Street, aged 15 years,occupation Clerk being duly sworndeposes and says, that the premises No. 235 Washington Street,in the City and County aforesaid, the said being a brick buildingin the 3rd Ward of New York Cityand which was occupied by deponent as a fruit storeand in which there was at the time no human being, by nameswere BURGLARIOUSLY entered by means of forcibly openingthe basement door leading fromthe street to said premiseson the 11th day of June 1889 in the night time, and the

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

A quantity of fruit of the  
value of three dollars.the property of deponent's father, Albert Lascano and indeponent's care and charge

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

Serge. Shinger (Gowhee)for the reasons following, to wit: that at or about thehour of 6 P.M. on said date deponentsecretly fastened and left saidpremises. Deponent is informed byDaniel Smith that at or about thehour of 9.30 P.M. on said date he sawthe said Shinger coming up thestairs leading to said premisesand immediately discovered that



1095

And premises had been burglarized  
entire as aforesaid. I pray  
therefore prays that the said  
Stranger may be seen to answer

I must beque me & Jackey Casano  
this 12<sup>th</sup> day of June 1890

W. T. Minahan

Justice

Jackey Casano  
J. Casano

Police Court — District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Burglary

Degree.

Dated

188

Magistrate.

F

Officer.

P

Clerk.

Witnesses:

Committed in default of \$

Bail.

Bailed by

No.

Street.

1096

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged ✓ 5 years, occupation Samuel Smith  
238 Greenwich Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Joseph Casano  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 12<sup>th</sup>  
day of June 1890 Samuel Smith

Wm Mahon  
Police Justice.

1097

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*George Stringer* 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. *George Stringer*

Question. How old are you?

Answer. *37 Years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *Paris Hotel Bowery 2 Years*

Question. What is your business or profession?

Answer. *Speculator*

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

Answer. *I am not guilty*  
*George Stringer*

Taken before me this *13*

day of *June* 188*7*

*Wm. J. Sullivan*

Police Justice.



1098

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

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

Dated June 29 1890 D. T. M. Miller Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

\_\_\_\_\_



1100

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

George Stringer

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

George Stringer

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

The said

George Stringer

late of the

Third

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

New York, aforesaid, on the eleventh day of June in the year of  
our Lord one thousand eight hundred and ninety, with force and arms, at the  
Ward, City and County aforesaid, a certain building there situate, to wit: the store of one

Albert Basano

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

Albert Basano

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

John Q. Fellows,  
District Attorney.



1101

**BOX:**

401

**FOLDER:**

3726

**DESCRIPTION:**

Strockbine, George

**DATE:**

06/23/90



3726

Witnesses:

*Off Bal*

18.1  
3-4-9  
K. G.

Counsel,

Filed *23* day of *June* 18 *90*

Pleads,

*Argued*

THE PEOPLE

vs.

*B*

*George Stockbine*

*May 1893*

*Witness for trial by request  
of defendant*

VIOLETION OF EXCISE LAW  
(Selling on Sunday, Etc.)  
[Ill. Rev. Stat., 7th Edition, page 1883, Sec. 21 and  
page 1888, Sec. 5.]

JOHN R. FELLOWS,

*District Attorney*

A True Bill.

*Amos Higgins*

*Foreman.*

1102



1103

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*George Strockbine*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*George Strockbine*  
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON SUNDAY, committed as follows:

The said

*George Strockbine*

late of the City of New York, in the County of New York aforesaid, on the  
*twelfth* day of *August* 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 *Joseph Dack*

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

*George Strockbine*

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

*George Strockbine*

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.



1104

**BOX:**

401

**FOLDER:**

3726

**DESCRIPTION:**

Suder, Fredrick

**DATE:**

06/09/89



3726

WITNESSES:

*Off Collins*

Upon the statements  
of the witnesses herein  
I feel constrained to  
recommend a dis-  
missal of the writ-  
in indictment. I  
am satisfied that  
the people cannot ob-  
tain a conviction  
herein and that a  
trial of the witness  
indictment would  
be a waste of time  
of this court.

Dated N. Y. October 13, 1890  
*Edward Gross*  
*Deputy Foreman*

VIOLATION OF EXCISE LAW  
(Selling on Sunday, Etc.)  
[III Rev. Stat. (7th Edition), page 1983, Sec. 21 and  
page 1989, Sec. 5.]

THE PEOPLE,  
vs.

*B*

*Fredrick Sunder*

*F*

*J. E. Collins*

*Indictment Dismissed*  
JOHN R. FELLOWS,

*Report to Mr. Gross for*  
*examination - W. W. S.*  
A TRUE BILL.

*Foreman.*  
*Edward Gross*

*Feb 3/91*

Counsel,

Filed

Pleads

day of

1890

532

1105

## Court of General Sessions.

The People vs. Frederick Proder
---------------------------------------

Eugene D. Collins, Roundsman,  
 9th precinct. On the 26th day of  
 August, 1888, a Sunday, in the  
 evening, I gained admittance to  
 defendant's saloon, ~~then~~ 217 East 6<sup>th</sup>  
 Street, city of New York, through the  
 side door in the hallway. The said  
 door was ~~open~~ locked, but the  
 defendant opened it upon my  
 request. The defendant carries on  
 a boarding house in said pre-  
 mises. When I entered I saw  
 a number of people seated around  
 a table covered with linen,  
 but I do not know whether  
 they were eating or not. I  
 asked for a glass of beer, ~~but~~  
 and the defendant gave it to  
 me. I drank very little of it,  
 and could not swear whether  
 it was lager or white beer.



1107

Frederick Puder, 217 East 6th Street,  
Boarding house keeper at said  
place. On the 26th of August, 1890  
I admitted the complainant into  
my place, because I took him  
to be one of my boarders, who  
had come to my house during  
my absence in the country.  
He asked me for a glass of beer  
and I gave him a glass of  
white beer. I do not sell any  
lager beer or other strong drinks  
on Sundays.

1108

Excise Violation-Selling on Sunday.

POLICE COURT-

14<sup>th</sup> DISTRICT.

City and County } ss.  
of New York,

I, Eugene D. Collins  
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 26 day  
of August 1888, in the City of New York, in the County of New York, at

premises No. 217 East 6<sup>th</sup> Street  
Frederick Suder Street,

did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his  
direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors,  
to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

WHEREFORE, deponent prays that said Frederick Suder  
may be arrested and dealt with according to law.

Sworn to before me, this 27 day  
of August 1888.  
[Signature] Police Justice.

Eugene D. Collins



1109

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.

*Fredrick Suder* 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* *er* that the statement is designed to  
enable *h* *er* if he see fit to answer the charge and explain the facts alleged against *h* *er*  
that he is at liberty to waive making a statement, and that *h* *er* waiver cannot be used  
against *h* *er* on the trial.

Question. What is your name?

Answer. *Fredrick Suder*

Question. How old are you?

Answer. *42 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *217 E 6<sup>th</sup> Street. 4 years*

Question. What is your business or profession?

Answer. *Saloon*

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

Answer. *I am not guilty**F. Suder*

Taken before me this

day of *August* 188*8**W. J. Smith*  
Police Justice



1110

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 Superintendent

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of One 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 August 29 1888 A. J. White Police Justice.

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

Dated Sept 10 1888 A. M. Peterson Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

Bond renewed Oct. 7/90  
BAILED,  
No. 1, by *Julius Terrier*  
Residence *208 E 6<sup>th</sup>* Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

1437  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
*August D Collins*  
vs.  
*Franklin S. Linder*

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offence

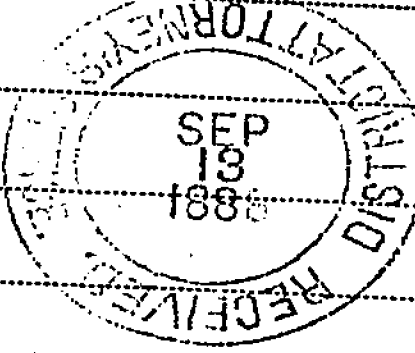
Dated *August 29<sup>th</sup>* 188*8*  
*White* Magistrate.  
*Collins* Officer.  
*10-00* Precinct.

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

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

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

\$ *100* to answer *Ad*  
*Ex Sept 20<sup>th</sup> and*  
*Parish 10-00*





COURT OF GENERAL SESSIONS

THE PEOPLE, &c.

vs.

Frederick Duder

BRIEF OF FACTS.

For the District Attorney.

Dated October 29 1890

Edward Grose

Deputy Assistant.

1112



1113

**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 Suder*

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

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

The said

*Frederick Suder*

late of the City of New York, in the County of New York aforesaid, on the *twenty sixth* day of *August* 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

*Eugene D. Collins*

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 Suder*

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 Suder*

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.

1114

**BOX:**

401

**FOLDER:**

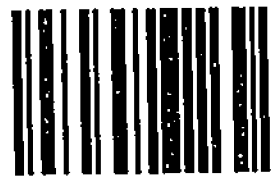
3726

**DESCRIPTION:**

Sullivan, John

**DATE:**

06/05/90



3726

Witnesses:

Mary Mahony

Counsel,

Filed

day of

June 1890

Pleads,

THE PEOPLE

vs.

I

John Sullivan

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

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Charles Higgins Foreman.

Charles Higgins

Pleas & G. J. J. J.

Edmund P. P. P.

1115



1116

Police Court—

District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 360 Madison Street, aged 26 years,  
occupation Keep House being duly sworn

deposes and says, that on the 30 day of May 1898 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

One pocket-book containing  
good and lawful money  
of the United States to the  
amount of three dollars and  
sixty four cents.  
(\$3.64)

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 John Sullivan (workman)

from the fact, that the  
said deponent and  
feloniously take steal and  
carry away the said property  
from the hand of deponent

M. Mahoney

Police Justice.

1117

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK,

District Police Court.

*John Sullivan* 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 *h* 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.

*John Sullivan*

Question. How old are you?

Answer.

*25 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*254 E 54th St. 2 years*

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 think will tend to your  
exculpation?

Answer.

*Am not guilty*

*John Sullivan*

Taken before me this

day of

188

Police Justice



1118

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

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

Dated May 31 1888 [Signature] 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.



1119

Police Court---

844  
District,

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Mary Mahoney  
136 St. vs. Modestine  
John Sullivan

2

3

4

Offered to the People

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street

Dated

May 31

1890

Magistrate.

James Smith

Officer.

Precinct.

Witnesses

Call the officer

No.

Street.

No.

Street.

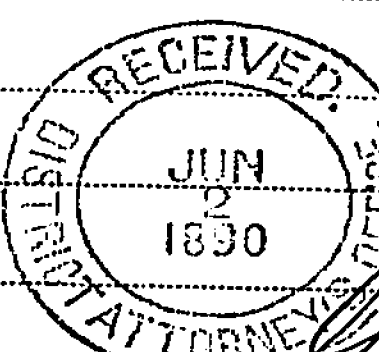
No.

Street.

\$

1000

to answer



Bow

G. S. L. J. J. J.

1120

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 Sullivan*

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

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

The said

*John Sullivan*

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

*\$3.64*  
*one* promissory note for the payment of money of the kind commonly called United States Treasury Notes, of the denomination and value of *two* dollars; *one* promissory note for the payment of money of the kind commonly called Bank Notes, of the denomination and value of *two* dollars; *one* United States Gold Certificate, of the denomination and value of *two* dollars; *one* United States Silver Certificate, of the denomination and value of *two* dollars;

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

*divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of three dollars and sixty-four cents and one pocket book of the value of twenty-five cents*

of the goods, chattels and personal property of one *Mary Mahoney* on the person of the said *Mary Mahoney* then and there being found, from the person of the said *Mary Mahoney* 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 Q. Fellows,*  
*District Attorney.*

1121

**BOX:**

401

**FOLDER:**

3726

**DESCRIPTION:**

Sullivan, Martin

**DATE:**

06/30/90



3726



Witnesses  
Almestock

1

*for Pleading July 2*  
**473**  
Counsel,  
Filed **30** day of *June* 18**90**  
Pleads

THE PEOPLE

vs.

*B*  
*Martin Sullivan*

**POLICY.**  
[SS 848 and 844, Penal Code].

*John R. Dillway*  
**RANDOLPH B. MARTINE,**  
District Attorney.

**A True Bill.**

*Wm. J. Higgins*  
Foreman.  
*July 11/90*  
*Wm. J. Higgins*  
Sentence suspended  
*R.B.M.*

1122

1123

*[Signature]*

18-042925

19 Aug 31

1124

6 West St.  
1/31/90 J.W.H.



1125

CITY OF New York COUNTY OF New York } ss.  
AND STATE OF NEW YORK.

Anthony Bountock  
of 41 Park Row ~~107 Nassau Street~~, New York City, being duly sworn deposes and says, he is more than 21 years of age, and is employed as Chief agent of the New York Society for the Suppression of Vice, that he has just cause to believe, is informed and verily does believe, that M. Sullivan

whose real name is unknown, but who can be identified by J. W. Hilliard  
did, at the City of        County  
of        and State of New York, on or about the 30<sup>th</sup> day of January 1890,  
and between that day and the 27<sup>th</sup> day of March 1890,  
unlawfully use a room, table, establishment or apparatus for gambling purposes—and  
did engage as ~~a dealer or game keeper~~ in a gambling or banking game, where money or  
property was dependent upon the result—and did sell, or offer to sell what is com-  
monly called a "lottery" policy," and a certain writing, paper, or insurance, upon the drawing  
or drawn numbers of a certain lottery, hereto annexed, and did indorse and use a book or  
other document for the purpose of enabling others to sell or offer to sell lottery policies,  
writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing  
or drawn numbers of a lottery, against the form of the statute of the State of New York  
in such case made and provided.

Deponent further says, he has just ~~come~~ <sup>cause</sup> to believe, is informed and verily does  
believe from personal observation and from statements made by       

J. W. Hilliard to deponent  
that the said M. Sullivan

aforesaid, now has in his possession, at in and upon  
certain premises occupied by him and situate and known as Number Six  
& Seven West Street  
in the City of New York and within  
the County and State aforesaid, for the purpose of using the same as a means to commit a

1126

public offense, divers and sundry device, apparatus, tables, establishment and paraphernalia layouts, chips, deal boxes, cards, lottery tickets, lottery policies, writings, papers, books and documents for gambling purposes, in violation of the Provisions of Chapter IX of the Penal Code of the State of New York, wherefore deponent prays that warrants may be issued for the arrest of the persons named aforesaid, and to search for, seize and take possession of all of said unlawful matter, and that all be dealt with according to law.

Subscribed and sworn to before me this }  
27<sup>th</sup> day of March 1890 }

*Anthony Bonito*

*Myrman* Police Justice.

CITY OF New York AND COUNTY OF New York ss.

*J. W. Hilliard of 47 Park Row*

being further sworn deposes and says that on the 31<sup>st</sup> day of January 1890,  
 deponent visited the said premises, named aforesaid, and there saw the said  
Mr. Sullivan aforesaid, and

had dealings and conversation with \_\_\_\_\_ as follows:

Deponent had given to a friend a piece of paper upon which were the numbers 18, 20, 42 written and asked him to play them in lottery policy for him. Deponent ~~saw~~ his friend go into a room where Mr. Sullivan aforesaid was sitting writing upon what is commonly called a Manifest book for recording lottery policies. Deponent's friend said to said Sullivan "hurry up." Said Sullivan said "what is it?" eighteen, twenty, forty two for 25 cents all day" The said Sullivan wrote upon his book, and the annexed paper, and handed it to deponent's friend and deponent.

1127

handed same to deponent, Deponent paid  
~~50~~ 50 cents for the same -  
 Deponent further says he has been into  
 said Bullivans place of business upon various  
 dates since and before the 31<sup>st</sup> day of January  
 1890, and there saw the said Bullivan, have  
 in his possession and using certain books, paper  
 and paraphernalia for selling and recording  
 what are commonly called lottery tickets,

Subscribed and sworn to before me  
 this 27<sup>th</sup> day of March 1890  
 J. W. Hilliard  
 Police Justice

J. W. Hilliard



1128

Subscribed and sworn to before me this }  
\_\_\_\_\_ day of \_\_\_\_\_ 188\_\_\_\_ }

\_\_\_\_\_  
Police Justice.

THE PEOPLE	
ON COMPLAINT OF	
<i>Anthony Brubaker et al</i>	
AGAINST	
<i>Mr Sullivan</i>	
Affidavit of Complaint.	

WITNESSES :

Violation Sec. 344, P. C.  
Gambling and Policy.

1129

City and County of New York, ss:

In the name of the People of the State of New York:

To any Peace Officer in the City and County of New York:

Proof by affidavit having been this day made before me, by Anthony Buntoc  
J.W. Hilliard of 41 Park Row Street, New York  
City, that there is probable cause for believing that Mr Sullivan whose real  
name is unknown but who can be identified  
by J.W. Hilliard

has in his possession, at, in and upon certain premises occupied by him and situated and known number 647 West Street in said City of New York certain and divers  
device, establishment, apparatus and articles suitable for gambling purposes, lottery policies, lottery tickets, circulars, writings,  
papers and documents in the nature of a bet, wager or insurance upon the drawing or drawn numbers of a lottery, books and  
other documents for the purpose of enabling others to sell lottery policies and other writings, papers and documents, black-  
boards and gaming tables, with intent to use the same as a means to commit a public offense.

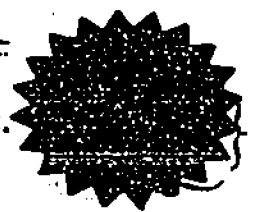
YOU ARE THEREFORE COMMANDED, at any time of the day  
time to make immediate search on the person of the said Mr. Sullivan

and in the building situate and known as number 647 West aforesaid,  
for the following property, to wit: all Faro layouts, all Roulette Wheels and layouts, all  
Rouge et Noir, or Red and Black layouts, all gaming tables, all chips, all packs  
of cards, all dice, all deal boxes, all lottery policies, all  
lottery tickets, all circulars, all writings, all papers, all  
documents in the nature of bets and wagers, or insurance upon the drawings, or drawn numbers of a lottery, all books  
all documents for the purpose of enabling others to gamble or sell lottery policies, all black-  
boards, all slips or drawn numbers of a lottery, all money to gamble with, and all device,  
establishment, apparatus and articles suitable for gambling purposes.

And if you find the same, or any part thereof, to bring it forthwith before me at the 14 District  
Police Court at 100 South 1st Avenue Street in the City of New York.

Dated at the City of New York, the  
27<sup>th</sup> day of March 1890

John J. McManis  
POLICE JUSTICE.



1130

Inventory of property taken by William O Toole the Peace Officer by whom this warrant was executed :

~~Pano layouts,~~ ~~Roulette Wheels,~~ ~~Roulette layouts,~~ ~~Rouge et Noir lay-~~  
~~outs,~~ ~~gaming tables,~~ ~~chips,~~ ~~packs of cards,~~ ~~dice,~~ ~~deal~~  
~~boxes,~~ ~~deal trays for holding chips,~~ ~~cue boxes,~~ ~~markers, or tally cards,~~  
~~ivory balls,~~ ~~lottery policies,~~ 142 lottery tickets, 85 circulars, 1 lot writings, x  
papers, ~~black boards,~~ 3 pks slips, or drawn numbers in policy, ~~money,~~  
2 manifold books, ~~slates,~~ 1 agate pencil, 1 acct book.

City of New York and County of New York ss:

I, Wm O Toole the Officer by whom this warrant was executed,

do swear that the above Inventory contains a true and detailed account of all the property taken by me in this warrant.

Sworn to before me, this 27<sup>th</sup>  
day of March 1890

William O Toole  
Dep. C. O. Lynam

Police Justice.

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

A. Cantor & Co.

vs.

M. Sullivan

Search Warrant.

Dated

188

Justice.

Officer.



1131

Sec. 151.

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

Police Court, \_\_\_\_\_ District.

In the name of the People of the State of New York: To the Sheriff, or any Deputy Sheriff or Peace Officer of the County of New York, or to any Marshal, Constable or Policeman of the City of New York. GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Anthony Bruto & J.W. Hilliard of No. 41 Park Row Street, charging that on the 31<sup>st</sup> day of January 1890 at the City of New York, in the County of New York that the crime of selling what is commonly called a lottery policy

has been committed, and accusing M. Sullivan whose real name is J.W. Hilliard unknown but who can be identified by \_\_\_\_\_ thereof.

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Deputy Sheriffs, Peace Officers, Marshals, Constables and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 1<sup>st</sup> DISTRICT POLICE COURT, in the said City or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 27<sup>th</sup> day of March 1890  
J. W. Hilliard POLICE JUSTICE.

1132

POLICE COURT, 12 DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Almon T. H. at. al

vs.

M. Sullivan

Warrant-General.

Dated \_\_\_\_\_ 188

Magistrate.

Officer.

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

Officer.

Dated \_\_\_\_\_ 188

This Warrant may be executed on Sunday or at  
night.

Police Justice.

## REMARKS.

Time of Arrest, \_\_\_\_\_

Native of \_\_\_\_\_

Age, \_\_\_\_\_

Sex, \_\_\_\_\_

Complexion, \_\_\_\_\_

Color, \_\_\_\_\_

Profession, \_\_\_\_\_

Married, \_\_\_\_\_

Single, \_\_\_\_\_

Read, \_\_\_\_\_

Write, \_\_\_\_\_



1133

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

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

Dated *May 6* 18*90* *John H. Horner* Police Justice.

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

Dated *May 26* 18*90* *John H. Horner* Police Justice.

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

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



1134

Ex ~~Arrested~~ April 3: 2 PM  
16 2 PM  
26 9 am  
29 2  
May 7 11  
14 2 PM  
23 2 PM

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

The Magistrate presiding  
in this Court will please  
hear and determine  
the within case by reason  
of my absence.

John J. Sullivan  
- Police Justice

Brink & Horn 980  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Anthony Constock  
Martin Sullivan

2  
3  
4

Offence  
Holding  
Gamboling

Dated March 27 1890  
Gorman Magistrate.  
Toole Officer.  
60 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ 1000 to answer G. Sullivan

W. Sullivan

1135

Sec. 192.

1 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before John J. Gorman a Police Justice  
of the City of New York, charging Martin Sullivan Defendant with  
the offence of Violation of the Lottery Law

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

We, Martin Sullivan Defendant of No. 6  
West Street; by occupation a Stationer  
and Peter De Lacey of No. 127 West 42  
Street, by occupation a Brooklyn Surety, hereby jointly and severally undertake that  
the above named Martin Sullivan Defendant  
shall personally appear before the said Justice, at the 1 District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York the sum of Five  
Hundred Dollars.

Taken and acknowledged before me this 22

day of March

1890

John J. Gorman  
POLICE JUSTICE.

Martin Sullivan

Peter De Lacey



1136

CITY AND COUNTY } ss.  
OF NEW YORK, }

day of *June*  
*1881*  
Police Justice.

Sworn to before me, this

*27*

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

*in the South East Corner of Jerome Ave & 180th Street of the City of New York of fifteen Thousand Dollars*  
*Peter DeLacy*

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Undertaking to appear  
during the Examination.

Taken the

day of

188

Justice.



1137

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

Anthony Buntich being duly sworn, deposes  
and says, that Martin Sullivan  
here present, is the one known as Mr. Sullivan  
in annexed complaint.

Subscribed and sworn to before me, this

27<sup>th</sup> day to March 1890

Anthony Buntich

John J. [Signature]  
Police Justice.

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Martin Sullivan*

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

*Martin Sullivan*

of the CRIME OF KEEPING A ROOM TO BE USED FOR GAMBLING PURPOSES, committed as follows:

The said

*Martin Sullivan*

late of the *First* Ward of the City of New York in the County of New York aforesaid, on the *thirty-first* day of *January* in the year of our Lord one thousand eight hundred and ~~eighty~~ *ninety*, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep a certain room in a certain building, there situate, to be used for gambling purposes, to wit: to be used for the purpose of therein conducting a certain gambling game commonly called "policy," where money and property was dependent upon the result, 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

*Martin Sullivan*

of the CRIME OF KEEPING A ROOM TO BE USED FOR THE PURPOSE OF SELLING LOTTERY POLICIES THEREIN, committed as follows:

The said

*Martin Sullivan*

late of the Ward, City and County aforesaid, afterward, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, unlawfully did keep a certain room in a certain building there situate, to be used for the purpose of therein selling and offering to sell what are commonly called Lottery Policies, and divers writings, papers, and documents in the nature of bets, wagers and insurances upon the drawing or drawn numbers of certain public and private lotteries, and of therein endorsing and using books and other documents for the purpose of enabling divers persons to sell and offer to sell lottery policies and other such writings, papers and documents, 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.

1139

THIRD COUNT.

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

Martin Sullivan  
of the CRIME OF SELLING TO ANOTHER WHAT IS COMMONLY KNOWN AS A  
LOTTERY POLICY, committed as follows:

The said

Martin Sullivan  
late of the Ward, City and County aforesaid, afterward, to wit: on the day and in the year  
aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to  
one

John W. Hilliard  
a certain paper, instrument and writing, commonly called a Lottery Policy, which said paper,  
instrument and writing, called a Lottery Policy, is as follows, that is to say:

By Jan. 31  
18-2042 of 25-  
Illoy

(a more particular description of which said instrument and writing so commonly called a  
Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), against the  
form of the Statute in such case made and provided, and against the peace of the People of the  
State of New York and their dignity.

FOURTH COUNT.

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

Martin Sullivan  
of the CRIME OF SELLING A PAPER AND WRITING, IN THE NATURE OF A BET  
AND WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said

Martin Sullivan  
late of the Ward, City and County aforesaid, afterward, to wit: on the day and in the year  
aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to  
one

John W. Hilliard  
a certain paper and writing, in the nature of a bet and wager upon the drawn numbers of a  
certain lottery, the same being a scheme for the distribution of property by chance among  
persons who had paid or agreed to pay a valuable consideration for such chance (a more par-



1140

particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper and writing is as follows, that is to say:

BE Jan 31  
18-20 42 of 25  
Oltory

(a more particular description of which said paper and writing is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity,

FIFTH COUNT.

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

Martin Sullivan  
of the CRIME OF SELLING A WRITING PAPER AND DOCUMENT IN THE NATURE  
OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows:

The said

Martin Sullivan

late of the Ward, City and County aforesaid, afterward, to wit: On the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one

John W. Hilliard

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say:

BE Jan 31  
18-20 42 of 25  
Oltory

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John R. Bellows  
**RANDOLPH B. MARTINE,**

District Attorney.

1141

**BOX:**

401

**FOLDER:**

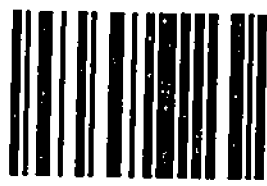
3726

**DESCRIPTION:**

Sullivan, Michael

**DATE:**

06/13/90



3726

Witnesses;

*off Riley*

Counsel,

Filed

Pleads,

*13 June 1886*

THE PEOPLE

vs.

*H*  
*Michael Sullivan*  
*(2 cases)*

PETIT LARCENY.

[Sections 528, 532 Penal Code]

JOHN R. FELLOWS,

*District Attorney.*

**A True Bill.**

*Thomas Higgins*

Foreman.

*Sentenced on and*  
*indict. B.M.*

1142



1143

Police Court—Fourth District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

Elizabeth Williams  
of No. 1605 Broadway Street, aged 60 years,  
occupation Boarding House being duly sworn

deposes and says, that on the 3<sup>rd</sup> day of June 1900 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession

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

One Pocket Book containing Good and lawful money of the United States of the value of Six Cents the property of deponent and One Coat, One Vest and One Pair of Pants of the value of Ten Dollars the property of Frank Jordan which was in deponent's charge and custody all of the value of Ten 06/100 Dollars (\$10.06)

the property of

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 Michael Sullivan (now here)

from the fact that at about the hour of 1 P.M. on the aforesaid day said deponent entered deponent's apartments in said premises and said defendant took hold of deponent's hands and then inserted his defendant's hand in the right hand side pocket of a dress then and there worn upon deponent's person and took and stole therefrom said Pocket book containing said money and then said defendant took said Coat Vest and Pants which also were in the room and ran away.

Elizabeth Williams

Sworn to before me, this

of

1900

Police Justice.

1144

Sec. 198-200.

4

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Michael Sullivan* 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.

*Michael Sullivan*

Question. How old are you?

Answer.

*21 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*N<sup>o</sup> 812 - 8 Avenue & about 2 weeks*

Question. What is your business or profession?

Answer.

*Coal - shoveler*

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

Answer.

*I am guilty*

*M. Sullivan*

Taken before me this

day of *June* 188*9*

*William J. Board*  
Police Justice.



1145

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

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

Dated June 11, 1890 J. Henry R. D. 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.



1146

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Police Court

4<sup>th</sup> 908 District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

Elizabeth Williams

vs.

Barry

Michael Sullivan

2

3

4

Dated

June 11/1890

Magistrate

Officer.

Precinct.

Witnesses

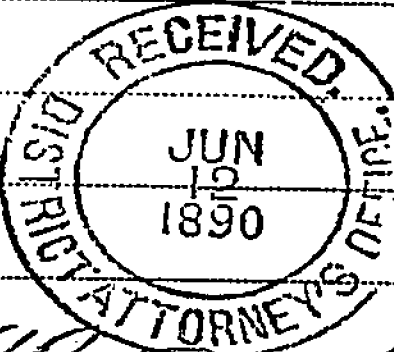
Frank Jordan

No. 340 W 53<sup>rd</sup> Street.

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

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

\$ 1000 to answer



1147

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Michael Sullivan*

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

*Michael Sullivan*  
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said

*Michael Sullivan*

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

*one nickel coins of the  
kind called five cent pieces, of the  
value of five cents, and six coins of  
the kind called cents of the value  
of one cent each, and one pocketbook  
of the value of twenty-five cents*

of the goods, chattels and personal property of one *Elizabeth Williams*  
on the person of the said *Elizabeth Williams*  
then and there being found, from the person of the said *Elizabeth Williams*  
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. Feltows*  
District Attorney.

Witnesses:

*off Riley*

Counsel,

Filed

Pleads,

*18 June 1880*

*# 218*

THE PEOPLE

vs.

*P*

*Michael Sullivan*

*(2 cases)*

Grand Larceny, Second Degree.  
(From the Person.)  
[Sections 528, 58/ — Penal Code.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*Charles Higgins*  
*June 18/90*  
*Foreman.*  
*James J. Tracy*  
*S. P. 3 pms 11 mo.*  
*P. B. M.*

1148



1149

**Court of General Sessions of the Peace.**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Michael Sullivan*

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

*Michael Sullivan*

of the CRIME OF PETIT LARCENY committed as follows :

The said

*Michael Sullivan*

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

*one coat of the value of five  
dollars, one vest of the value of  
two dollars and one pair of  
trousers of the value of three  
dollars*

of the goods, chattels and personal property of one

*Frank Jordan*

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

*John R. Fellows,  
District Attorney.*

1150

**BOX:**

401

**FOLDER:**

3726

**DESCRIPTION:**

Susskind, Sigmund

**DATE:**

06/20/90



3726

Witnesses:

Louis Jacke

*Ch. J. Kelly*

Counsel,

Filed

20

day of

1890

Pleads,

*C. Kelly*

THE PEOPLE

vs.

*Sigmund Swendsen*

Grand Larceny, Second Degree.  
[Sections 528, 537 — Penal Code]

JOHN R. FELLOWS,

District Attorney.

A True BILL.

*Francis Higgins*

Foreman.

June 26<sup>th</sup>

*Disch. by Court*

June 26. 90

*Upon reading  
the within writ  
- demand and  
affidavits of good  
character, posted  
that the prisoner  
be discharged and  
his own recognizance  
June 26 to 90 G.L.P.  
Order granted J.L.P.  
Vol 2 - June 26 90 A.D.-H.*



1152

Court of General Sessions

-----  
The People :  
vs :  
Sigmond Susskind :  
-----

City and County of New York S. S.

Isaac Meyer of No. 88 Prince Street  
this City being duly sworn says that he is engaged in the  
Real Estate, business that he has known the de endant  
above named for about fifteen years last past and is ac-  
quainted with a great many other people that know him and  
that said defendants character up to the present time  
has been very good never before having heard of him &  
being charged with the commission of any offense.

Sworn to before me  
June 26th 1890

*David K. Carr* *I Meyer*  
Notary Public Kings Co  
(Certified in N.Y.C.)

1153

Court of General Sessions

2222-----  
The People :  
vs :  
Sigmond Susskind :  
-----:

City and County of New York S. S.

Wolf Meyer of No. 86 Bond Str<sup>o</sup>  
this City being duly sworn says that he is engaged in the  
manufacturing of Ostrich feathers at the above address

That he is acquainted with the defendant ~~with~~ about  
fifteen years last past, and ~~has~~ also acquainted with a  
great many other persons that know him and that said de-  
fendants character up to the present offense has been most  
excellent never before having heard of him being charged  
with a commission of any crime.

Sworn to before me }  
June 24th 1890

Wolf Meyer

David Blake  
Notary Public King Co.  
(Cert. filed 11/4/90)

1154

*Court of General Sessions*

-----  
*The People* :

*against* :

*Sigmond Susskind* :  
----- :

*City and County of New York S. S.*

*Samuel Meier of No. 56 Bleeker Street  
of this City being, duly sworn says that he is engaged in  
the manufacturing of Artificial feathers at the above  
address.*

*That he is acquainted with the defendant about five  
years last past, and also was employed by me for about  
one year and has always found him honest industrious and  
attentive to his business, and up the present time  
offense have always found his character most excellent,  
never before having heard of him being charged with any  
~~offense~~ a commission of any crime.*

*Sworn to before me* {

*June 25th 1890*

*David H. Ball*  
*Notary Public*  
*(City of New York)*

*Samuel Meier*



1155

*Court of General Sessions*

*The People* :

*vs* :

*Sigmond Susskind* :

*City and County of New York S. S.*

*L. F. Littmann of No. 293 Grand  
Street this City being duly sworn says that he is engaged  
in the Millinery business at the above address  
That he has known the defendant above named for over two  
years last past during which time he has seen him quite  
frequently and is also acquainted with a great many other  
persons that know him and that said defendants character  
up to the present time to deponent knowledge has been  
most excellent.*

*Sworn to before me*

*June 26th 1890*

*David Chase  
Notary Public  
(City of New York)*

*L. F. Littmann*

General Sessions Court.

*The People*

AGAINST

*Symond Seaverkind*

*Defendants as to  
Character.*

MAURICE MEYER,

*Attorney for Deft.*

38 PARK ROW,

POTTER BUILDING,

NEW YORK CITY.

Due service of a copy of the within is hereby  
admitted.

Dated New York,

18

To

1156

1157

## New York General Sessions.

PEOPLE ON MY COMPLAINT,  
VERSUS

Sigmond Suskind

Larceny

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. I have known the defendant for about four years, and he has had business relations with me for about two months. I am also well acquainted with the relatives of the defendant who are hard working industrious people and have known them also for about five years. And in view of the defendant not having been arrested before, the respectability of his relatives and family, and in view of the fact that restitution will be made, I respectfully ask permission to withdraw my Complaint, and I sincerely believe that the punishment already inflicted to defendant will be a severe lesson to him.

June 23<sup>d</sup> 1890.

Louis Sacks



1158

W. TOPPING & CO.  
Auctioneers.

No. 5 & 7, White St.,

Bot. Church & West Broadway,

New York. June 16 1890

Mr L. Sachs -

Dear Sir:

On Saturday  
June 7<sup>th</sup> we wanted for  
delivery and delivered your  
representative three bills  
of goods amounting to \$68.87  
bought by you on Friday June 6<sup>th</sup>.  
These bills you personally  
paid us on Saturday June  
14<sup>th</sup>. We had no knowledge  
when we wanted these bills for  
delivery, that you had sent

1159

the money to pay for them  
by the man who received  
the goods. On the contrary  
he stated, "that you would  
pay for them the following  
week -

Yours Respectfully

Wm. Topping<sup>th</sup>



1160

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 36 years, occupation Auctioneer of No. 547 White Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Louis Sacho

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

Sworn to before me, this 17 day of June 1889 } Henry S. Topping

J. M. Patterson  
Police Justice.



1151

Sec. 151.

Police Court 3 District.

CITY AND COUNTY } ss. *In the name of the People of the State of New York; To the Sheriff of the County*  
OF NEW YORK, } *of New York, or any Marshal or Policeman of the City of New York:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police  
Justices for the City of New York, by Louis Sachs

of No. 147 Essex Street, that on the 6 day of June

1890 at the City of New York, in the County of New York, the following article to wit:

Sixty dollars in good and lawful  
money of the United States

of the value of Sixty Dollars,

the property of the Complainant said Louis Sachs

w as taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and  
believe, by A. J. Fessenden

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said  
Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant  
and forthwith bring him before me, at the 3 DISTRICT POLICE COURT, in the said City, or in  
case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the  
said charge, and to be dealt with according to law.

Dated at the City of New York, this 16 day of June 1890

A. J. Fessenden POLICE JUSTICE

1162

Police Court 3d District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Louis Sachs  
vs.  
A. Susskind

Warrant-Larceny.

Dated June 16<sup>th</sup> 1890

Patterson Magistrate

R. B. Hiley Officer.

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

Officer.

Dated \_\_\_\_\_ 188

This Warrant may be executed on Sunday or at  
night.

Police Justice.

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

Dated \_\_\_\_\_ 188

Police Justice.

The within named

June 16/90

41

Gen

Mr. Chamberlain

290 W. 39



1163

Police Court

District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 147 Essex Street, aged 37 years,  
occupation Fireman being duly sworn  
deposes and says, that on the 6<sup>th</sup> day of June 1896, at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

Good and lawful money  
of the United States of  
the amount and value  
of Sixty dollars  
\$60.00

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 John J. Crossland

for the reasons following to-wit:  
On the said date, this deponent  
who was in the employ of deponent,  
was sent by deponent to pay  
the said money to Messrs.  
Wm. Jeffrey & Company, he  
having failed to pay said  
money and having appropriated  
the same to his own use, all  
deponent prays that the defendant  
be apprehended and found to  
answer

Louis Sachs

Sworn to before me, this 6 day  
of June 1896  
John J. Crossland  
Police Justice.



1164

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Sigmund Susskind* 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. *Sigmund Susskind*

Question. How old are you?

Answer. *41 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *270 West 37th St 8 months*

Question. What is your business or profession?

Answer. *Commission Merchant*

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

Answer. *I am not guilty*  
*Susskind*

Taken before me this

*17*

day of *June*

*1891*

*Police Justice*

1165

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

*Defendant*

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

*Ten* Hundred Dollars,.....and be committed to the Warden and Keeper of

the City Prison, of the City of New York, until he give such bail.

Dated *June 17* 18*90* *J. M. Patterson* Police Justice.

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

to bail to answer by the undertaking hereto annexed.

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

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

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

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



1166

Ex June 7

10. A.M.

2 1/2 P.M.

June 17

Police Court--

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Louis Sachs

Reginald Tuckind

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

2

3

4

Dated

June 17 1890

189

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

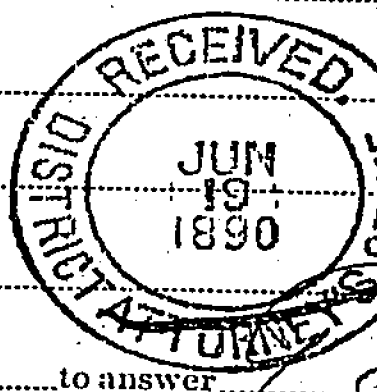
Street.

No.

Street.

\$

to answer



for money de



1167

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Sigmund Suskind

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

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

The said

Sigmund Suskind

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

dollars; divers other promissory notes for the payment of money, being then and there due  
and unsatisfied (and of the kind known as Bank Notes), of a number and denomination  
to the Grand Jury aforesaid unknown, for the payment of and of the value of thirty

dollars; divers United States Silver Certificates of a number and denomination to the Grand  
Jury aforesaid unknown, of the value of thirty

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

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

of the goods, chattels and personal property of one

Louis Sachs

then and there being found,

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

JOHN R. FELLOWS, District Attorney.

1168

**BOX:**

401

**FOLDER:**

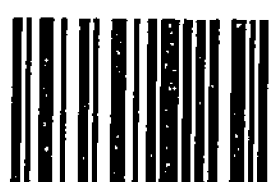
3726

**DESCRIPTION:**

Sutz, John

**DATE:**

06/19/90



3726

1169

*John C. Short, President.  
William A. Miner, Vice-Prest.*

*Robert T. Clarke, 2<sup>d</sup> Vice-Prest.  
Oscar H. Short, Secretary.*

*Standard Investment Company*

*Capital Stock, \$500,000.*

*96 Broadway, New York.*

*Syndicates formed and Loans negotiated  
for Railroad Companies and other Corporations.*

*Government Bonds, State Bonds, Municipal Bonds,*

*Railroad and other Bonds,*

*bought and sold on commissions.*



1170

**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 L. Sutz*

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

*John L. Sutz*  
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

*John L. Sutz*  
late of the City of New York, in the County of New York aforesaid, on the  
*twenty-ninth* day of *July* in the year of our Lord one  
thousand eight hundred and *eighty-eight* 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 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.*

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**END OF  
BOX**