

0740

BOX:

196

FOLDER:

1973

DESCRIPTION:

Lindenthal, Rachel

DATE:

11/16/85



1973

142.

Witnesses:
Minnie Simon
Marion Webster

Bailed Nov. 14, 1885
by deposit of money.
Richard B. Martin

*I have carefully examined
this case and believe a con-
signment could not be had upon
the facts stated. No allusion of
Sentry Burtch of Soc. for prevention of
crim. to children whom I have
conferred with concurs in this
view. I recommend that the boy
be discharged and that
he be discharged upon her
own recognizance
Randolph B. Martin
District Attorney
Dec. 14, 1885*

Counsel,
Filed *16th* day of *Nov* 188 *5*
Plends *St. Paul & N. W.*
field caught in the case

THE PEOPLE
vs. *B*
Richard B. Martin
Deputy
Paula Decker

RANDOLPH B. MARTINE,
District Attorney.

A TRUE BILL.

J. Catlin Jr.
Foreman
Dec 14, 1885

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*The New York Society for the
Prevention of Cruelty to Children*

100 EAST 23D ST. (COR. FOURTH AVE.)

New York, November 17 1885

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

*The People
against
Rachel Lindenthal*

Notice of Prosecution.

*To the District Attorney of the
City and County of New York,*

*Sir: This Society is interested in the prosecution of
the above defendant, and is familiar with the facts of the
case. It respectfully requests that before sending the papers
to the Grand Jury, fixing the day of trial, consenting to
any postponement thereof, or to any reduction of bail,
or final disposition of the charge, you will duly notify me as
its President and Counsel, so that I may confer with you
in regard thereto. This request is made pursuant to the
statute (Laws of 1875, Chapter 130, Section 3), and in
furtherance of the ends of Justice.*

I have the honor to remain, with great respect,

*Elbridge T. Gerry,
President, &c.*

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N. Y. GENERAL SESSIONS.

THE PEOPLE



(CRUELTY TO CHILDREN.
Kidnapping)

NOTICE OF PROSECUTION

BY THE SOCIETY.

ELBRIDGE T. GERRY,
President, &c.

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

The People &
against
Rachael Lindenthal

City and County of New York ss.

Rachael Lindenthal being duly
sworn deposes and says

I reside at 148 Mulberry Street
in the City of New York and am
wife of Adolph Lindenthal. I am
acquainted with the complainant
herein. I first became acquainted
with her about three years ago last
June. She entered my service as a
servant in June 1882 and remained
with me up to about April of this
year. She was a very good girl up
to the time she became acquainted
with Alexander M^r. Sullivan who is
a linenman and was a boarder with
me during the time complainant
was in my service. About 18 months
ago I noticed that the complainant
was becoming on very intimate terms
with said M^r. Sullivan. She used to

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go out with him of an evenings to theatres and other places of amusement, as she informed me afterwards.

About the latter part of March or beginning of April last my attention was called by one or two of the boarders to the condition of the complainant and I spoke to her about it and taxed her with being in the family way which she at first denied but finally admitted her condition and stated she was going to get married to Alick McChellan. I offered to speak to said McChellan with a view of persuading him to keep his promise to marry her at once but she forbade me to do anything of the sort. I noticed that said McChellan became strange in his behavior and did not come to the table with the other boarders and I asked her the reason. She simply laughed and said nothing. On one occasion she told me she was going to get married to "Alick" and I said to her "I hope it is so but I am afraid Alick is not a marrying man." I had previously cautioned her against going out with him. She said on the

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2.

last mentioned occasion " Now don't you say anything to Allick or he will be awfully angry with me. She told me that Allick had asked her to go into a furnished room with him and I said to her "I would not do so until you get lawfully married to him" To this she made no reply. About a week afterwards it was discovered she was in the family way. She said Mr. Sullivan left the house suddenly taking his trunk without giving any notice of his intention of leaving and did not return. Complacant cried very much when she heard that he had left and wanted to leave the house. I asked her where she wanted to go and she said she did not know I was afraid that she would do herself some injury and I said to her " You stay right here " and we will see what we can do." She remained and when her condition became such that I could not allow her to be about the place where there were so many young men I went round to 2nd Avenue where there is a lying in institution and stated the case to the authorities there and they told me it was not possible for them to take her

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in there as she was an unmarried woman and they referred me to an institution No 5 Livingstone Place. I went there and pleaded for her and they consented to take her in. I took her to the said lying in institution but they said she had no occasion to go in yet. She returned to my house and remained there for about a couple of weeks longer and I then took her to the said hospital and persuaded them to take her in as I did not like to have her about my place any longer on account of her palpable condition, and it was arranged that she should render a little assistance about the said hospital pending the time when she might be confined. This was about the middle of April and she remained in the said hospital until after her confinement which took place ^{consequently} some time afterwards. Just prior to the 15th July I received a communication from the complainant to the effect that the hospital authorities wished to have her removed because they were about to close the establishment. I then went to the hospital and persuaded them to keep her, as she had been there so long.

until after her confinement and they at my urgent solicitation agreed to do so

A few days afterwards she was confined and I received an intimation from the hospital authorities that she had been confined of a girl child. The complainant sent me a postal card informing me the nurses had all left and that the child must be taken away. I went up to the hospital and said that I had no place to remove the baby to at that time but was looking for a place. I came home and spoke to a Mrs. Westerberger who has rooms in my said house 148 Mulberry Street and asked her if she would take the child in board and she agreed to do so at ten dollars a month. I went and purchased some clothes for the child and afterwards in company with Mrs. Westerberger proceeded to the said hospital and brought the child away. When we got there the complainant was so sick that she could not be removed and the doctor's orders were that the child must go out but that the complainant was too ill to be removed. The child was taken home

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and Mrs. Westenberger took charge of it and kept it for four days and then came to me and said she could not keep it any longer as it was too much trouble and her husband would not allow her to keep it. I went up to the complainant and told her and she said the child had to be taken care of and asked me to find some one else to take charge of it. I was to have paid Mrs. Westenberger \$10 a month to board the child and she would have looked to me for payment. I went round and looked for somebody else to take charge of the child and went to a Mrs. Henney ^{of 703 5-12 St.} who said she could not take the child and recommended me to a Mrs. Silber. On the same evening at 6 o'clock the said Mrs. Silber called upon me recommended so she told me by Mrs. Henney. When she came, I called Mrs. Westenberger down with the child and told her the lady was there that was going to take the child in board. She said Mrs. Silber agreed to take the child and I paid her twenty five dollars which I advanced at the request of the complainant and which she subsequently

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repaid me, when she came out of the hospital, together with dollars I had paid Mrs. Moserberger making \$26 in all. She said Mrs. Silber took the child away with her. About the first week in August I received a letter from the complainant sent from the hospital asking me to call and get her out. I proceeded to the hospital and found her already dressed waiting for me. She was very weak and I had to assist her in leaving. I brought her away and took her back to my house. As we were on our way in the car we had a conversation. She said to me "Mrs. Lindenthal I am very sick but my heart is perfectly contented that my child is attended to. I had previously informed her of my having given the child to Mrs. Silber to take care of and that I had advanced \$25. I took her to my home and nursed and attended to her she being so sick as to be wholly unfit to attend to even the lightest work and she also while at my home at my suggestion attended the dispensary on 2nd

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Avenue. She continued at my house until last Sunday week the 8th Nov^r when she left. She left because she had insulted my son and I considered that it was showing a poor gratitude on her part for her to insult my boy who for years past has had the misfortune of being crippled. During her stay in my house subsequent to her confinement and up to the time of her leaving notwithstanding the fact that she knew Mr. Silber had had her child and also knew Mr. Silbers address she never bothered herself not even so much as to go to Mr. Silbers house to see how the child was getting on whether it was sick or what had become of it. It was a few days subsequent to her leaving my house that I received a summons to appear before the Essex Market Police Court which was the first intimation I ever received that the complainant had any cause or reason to complain of any alleged misconduct on my part towards her. I say that I am 50 years of age and have resided in the City of

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New York for the last 32 years past during the whole of which time I have worked industriously for the support and maintenance of myself and family. I have never in my life been arrested for any crime but have always maintained an honest respectable reputation in this community. And lastly I say that this present charge has weighed heavily upon my mind and subjected me to great mental distress occasioned thereby.

That all I did in the above entitled matter was prompted solely by humane and charitable motives and with a view of doing what was for the best interest of the infant child of the complainant and I never gave Mrs. Sieber any authority, right or permission either to advertise or to adopt such child, all I did was to hand the child to Mrs. Sieber with the sum of \$25, to take care of it until such time as the complainant was in a physical and financial condition to look after it herself.

Shown to before me this
20th day of Nov^r: 1883

James H. Nicemann

Notary Public, Kings Co.
At: filed in NY

Niedhul. Lindenhal

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1
Court of General Sessions for the Peace
held for the City and County of New York

The People vs
- against -
Rachael Lindenthal

City and County of New York ss.

Abraham S. Lehman of 148
Mulberry Street in the City of New
York deposes and says

I am the son of Rachael Lindenthal
the defendant in the above entitled
matter. I know the complainant
herein and first became acquainted
with her when she entered my
mother's service some three years ago

I am acquainted with one Alexander
McMillan who was a boarder in the
said house 148 Mulberry Street
during the whole of this period up to
about the latter end of March last

About 18 months ago I noticed and
it was the subject of general comment
in the house that the complainant
and said McMillan were on terms
of great familiarity. In or about the
month of March of this year the

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complainant was noticed to be in the family way and Mr. Millan was suspected of being the father. One night about the end of March I came in and discovered the complainant in tears. I asked her what was the matter and she replied that "Alec" meaning Mr. Millan, had run away and taken his trunk. She then told me she was in the family way by him said Mr. Millan and asked me whether there were no means of getting at him. I told her there was a friend of mine working for the Bankers and Merchants Telegraph Co. whose office were opposite the Western Union in Day Street and that I would see him and request him to find out whether Mr. Millan was still in the employ of the company. I subsequently did request him to do so and he told me afterwards that he had made such inquiry and had been informed by the Superintendent of Construction that said Mr. Millan had left the employ of the company stating to the Superintendent that he had received a letter from his folks in Nova Scotia that some of his relations were sick and that he was

0755

going home and that when all was over he would return. I told the complainant the information I had obtained. Previous to this I know my mother and Mr. Maltby had been to the Western Union and had been unable to get any satisfactory information as to Mr. Sullivan's whereabouts. I know that my mother the defendant had taken great trouble in finding a place for the complainant to go and remain until after her confinement.

The complainant left the house some time in April of this year as I understood to go into a lying in institution where she remained until about the middle of August. Just prior to her leaving I received a letter from said Mr. Sullivan asking how the complainant was getting on and I informed the complainant of my receiving such letter and said I would answer it. I did answer such letter and told him I considered it his duty as a man to come back and do what was right by the girl and I mailed the letter to the address given by said Mr. Sullivan, some place in Massachusetts.

0756

but the exact address I do not remember but the letter was returned to me marked by the Post office authorities "not called for" by which I concluded that the said ex: Sullivan had left the neighbourhood. I know that during the time complainant was in the lying in institution my mother visited her frequently and was very kind to her taking her oranges and other fruits. Sometime the latter part of July or beginning of August I remember my mother and Mrs Westenberger bringing back the child from the lying in institution and I saw it the following day. Mrs Westenberger took charge of the child for a few days when I was informed by my mother that she had refused to take charge of it any longer and that she must see about putting it out with some one else. I was present in the same room when a person whom I was informed and believe to be Mrs Silber called upon my mother with a view as I was informed by my mother of taking the charge of the child and

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I know they had some conversation with reference to the child and I was subsequently informed by my mother that the said Mrs. Silber had agreed to take charge of the child and board it and that she, the defendant, had paid her the sum of \$25 towards its support and that she had taken it away with her.

About a couple of weeks after this the complainant returned to the house. She was in a very delicate state and for some time was unable to do anything but sit round the house and was utterly incapable of performing the lightest labor even and during this time my mother waited upon and took care of her.

The complainant remained in the house until the 8th November and during the whole of this period I never heard her make the slightest complaint in any respect of my mother's conduct towards her, nor express the slightest wish or desire to see her child or have it back in her custody although she was perfectly cognisant of the manner

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in which it had been disposed of
On the contrary I have heard her
express considerable gratitude for
my mother's kindness to her. On
the 8th day of Nov^r 83 complainant
left the house as I understand in
consequence of a disagreement
between her and my mother owing
to her, complainant, having made
some insulting remarks in reference
to me. I saw her leave the house
and am positive that up to that time
she made no complaint whatsoever
relative to the disposition of the said
child and no communication was
sent by her in reference to the matters
alleged in the present charge and
no application was made by her
within my knowledge until the
service of the summons herein. I
am positive from my knowledge
of my mother and the circumstances
of the case that there is not the
slightest ground or foundation for
the present charge

Sworn to before me Abraham L. Lehman,
this 20th day of Nov^r 1883

James F. Newman,
Notary Public, Kings Co. Cert. filed in N.Y. Co.

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Court of General Sessions for the City and
County of New York

The People vs
— against —
Michael Lindenthal

City and County of New York ss.

Morris Manasse being duly
sworn deposes and says

I am of the age of 16 years and
board at 148 Mulberry Street in the
City of New York with the above named
defendant. I have boarded with her for
nearly two years last past. I am in
the employ of Richard Rauff of 204
E. 18th Street New York City Piano
hardware manufacturer. I know the
complaisant Minnie Shimmom. She
was a servant in M^{rs}. Lindenthal's
employ prior to my going there to
board. To my knowledge M^{rs}. Lindenthal
always treated her with great kindness
consideration and attention. I had heard
that she had been conspired with a
child and remember that she was
absent several months from M^{rs}.
Lindenthal's house prior to her
returning in the month of August last

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I remember the evening of the 30th July 1885. I had come home from my employ a few minutes before 6 o'clock. Upon coming into the room of the defendant I saw a strange woman whom I had never seen before sitting there. Very shortly afterwards M^r. Wessmberger who occupied a room with her husband in defendant's house came down with the complainant's child and handed it to the strange woman who I am since informed was a M^r. Sieber. I saw the defendant M^r. Lindenthal count out twenty five dollars and hand it to the strange woman who took the money and after sitting for five or ten minutes went out taking the child with her. Although I did not know the name of the strange woman who took the child away I nevertheless could identify her very fully. I am a German by birth and have none of my family in this country. The defendant ever since I have boarded with her has treated me with marked kindness consideration and affection and I have never in the two years I have known her heard any person speak unkindly or

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disrespectfully of her
sworn to before me this Morris Mamass.
21st day of April 1883
James H. Hargrave
Notary Public
King Co. Cert. filed in 1880.

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

The People vs
against
Rachael Lindenthal

City and County of New York is. Baetzgar
Zwostenberger being duly sworn
deposes and says I reside at no 148
Mulberry Street in the City and County of
New York and am a Telegraph instrument
maker I know Mrs Lindenthal for
upwards of one year past. I know her
reputation I look upon her as a
good humane worthy woman. I
remember Mrs Lindenthal sending
Compliments child to my wife it
remained with us for four days - The
child was sickly and I could not
permit my wife to keep it any longer
I was present when Mrs Lindenthal
handed over the child to Mrs Silber
I also saw her at the same time
give Mrs Silver the sum of \$25⁰⁰
My wife brought the child down to
Mrs Lindenthal's room and in my
presence the child and the money

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was given to Mrs Silber. I then saw
Mrs Silber leave the house with the
child. Mrs Lindenthal is a kind
charitable woman and was most
attentive and generous to the
Complainant while she was in her
house

Sworn to before me this
17th day of November 1885.

Montague L. Mark

Notary Public
W. Co.

B. Wertenbarger

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Court of General Sessions for the City
and County of New York

The People vs
against
Rachael Lintenthal

City and County of New York ss.

John Bhangan being duly sworn
deposes and says

I am an officer in the Municipal
Police of the City and County of New
York and am attached to the 14th
Police Precinct of the said City and
reside at 148 Mulberry Street in the
said City. I know the defendant Rachael
Lintenthal and have known her for
upwards of 5 years last past. To my
knowledge the said defendant is a
person of unexceptionably good character

During the greater part of the time I
have known her I have boarded with
her and will continue to do so. I knew
the prosecutrix and have known her
for the last 3 years past during which
time she was in the employ of Mrs.
Lintenthal in the capacity of servant
To my knowledge and within my observation

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Mrs. Luitenthal always treated her with marked kindness feeling and humanity. I remember Alexander M^r. Sullivan he was a fellow boarder in the house of Mrs. Luitenthal. I had heard from mere rumour in the house that the complainant was pregnant and sick with child by said M^r. Sullivan and he, some 6 months ago left the house and went to parts unknown. I remember the complainant leaving defendants employment. She left about the latter end of April last, as I understood to go into a lying in institution. Mrs. Luitenthal had made enquiries of me as to a suitable place for complainant to go to inasmuch as she was poor and without means and I myself instituted enquiries and furnished Mrs. Luitenthal with information. I never saw anything more of the complainant until about the first week in August when she came back. She was sick, without means and to my knowledge Mrs. Luitenthal took her in and was devoted in her attention to restore her to health. She remained in Mrs. Luitenthal's house until Sunday the 8th day of

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November 1883. I never heard her complain about M^{rs}. Liskenthal but to the contrary I have always heard her speak of her in the kindest strain and she had good reason to be grateful in view of the kindness that had been displayed towards her by M^{rs}. Liskenthal. I never saw the child and I never heard complainant even mention or refer to it but I know that long prior to complainant leaving the house in the month of April last that M^{rs}. Liskenthal was anxious, and so expressed herself to me, to find the whereabouts of M^{rs}. Liskenthal so that he might be legally saddled with the responsibility of the support of his child. And lastly I say that from my knowledge, long association, and acquaintance with the defendant I regard her as a person incapable of committing a crime or a wrong.

Sworn to before me . John Bromberg
this 17th day of Nov. 1883
Maurice L. Marks
Notary Public
N.Y.C.

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Court of General Sessions for the City and
County of New York

The People v.
- against -
Rachael Lintenthal

City and County of New York S.S.

Annie Maltby being duly sworn
deposes and says

I reside at 68 Park Avenue Brooklyn
and am wife of William G. Maltby. I
know Mrs. Lintenthal the defendant and
have known her since the 30th September
1864. My husband and myself boarded in
the house with her at 148 Mulberry Street
and continued there up to the 20th day
of May last. I know Mrs. Lintenthal's
reputation. I say that it is good. I regard
her as a very kind, indulgent, charitable
and worthy woman. I know the complainant
Annie Simon. She was a servant in Mrs.
Lintenthal's employ. I knew that she
was pregnant for she frequently came
into my room and on such occasions would
speak as to her condition and also refer to
Alexander M^r. Sullivan whom she stated
to me was the father of her then unborn
child. I knew M^r. Sullivan as being a

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boarder in Mr. Luitenthal's house. After he left there which was in the month of April last I, in company with Mr. Luitenthal went to the Western Union Telegraphing Company to institute inquiries as to his whereabouts the object of Mr. Luitenthal being to make Mr. Sullivan do something towards assisting the complainant in her then delicate state long prior to complainant's leaving Mr. Luitenthal's house to go into the Lying in institution she asked me on several occasions whether, in case she gave birth to a living child, I would take it from her and bring it up as she had no means of her own to bring up or support it. I frequently called her attention to the fact that as she expected soon to become a mother it was her duty to make some preparation in the shape of making necessary infants' clothes but complainant simply laughed the matter off and as I understand took no measures to have same done. To my knowledge Mr. Luitenthal acted more like a mother than a mistress to the complainant and took to heart the forlorn condition in which the girl was placed by the action of said Mr. Sullivan

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I have only just recently been advised of the present charge preferred against Mr. Smithenthal and I say that my own knowledge of the defendant and also of the complainant I am satisfied the same is false and untrue. Upon the occasion of going to the Western Union Telegraph Company to ascertain the whereabouts of said Mr. Mullan so that complainant might be advised of same, I personally visited the office of the said Company and instituted inquiry and ascertained that said Mr. Mullan had left their employment some few weeks previous to my calling as aforesaid. Upon my return to defendant's house I saw the complainant and informed her that Mr. Smithenthal and myself had been to the Western Union Telegraph Company to inquire for Mr. Mullan and that we had been informed he had left. She then replied "What am I to do?". I told her I did not know. She then said "Well I don't care what becomes of the baby if I can't make its father support it."

Subscribed and sworn to before me this
 Annie Maltby
 Mark

Sworn to before me this

17th day of November 1885

Philip Benjamin
 Notary Public
 N.Y.C.

Court of General Sessions for the City and
County of New York

The People v.
- against -
Rachael Lintenthal

City and County of New York ss.

William G. Maerby being duly sworn
deposes and says

That he resides at 68 Park Avenue
Brooklyn and is a Needle Agent in the
employ of The London Needle Company

That he has heard read the affidavit of
his wife Annie Maerby sworn to herein
this 17th day of November 1885 and
knows the contents thereof and says that
the same is true to his own knowledge
both in substance and in fact and
that upon complainant requesting
deponents wife to assume the guardian
ship and custody of the said infant
child deponent informed her that he
would not permit his wife to have anything
to do with such child. And lastly deponent
says that from his knowledge and
observation of the defendant Mrs.
Lintenthal he regards her as an
honorable worthy humane person.

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and one incapable of depriving a mother
of her child in the way alleged by
complainant in her charge against
said defendant

Sworn to before me this 17th day of Nov^r. 1885

Philip Dwyer

Notary Public

W. J. Co

Court of General Sessions for the City and
County of New York

The People &
against
Rachael Lintenthal

City and County of New York ss.

Charles Richter being duly sworn
deposes and says

That I reside at 173 Mulberry Street
in the City and County of New York and
am a battery man engaged in the Postal
Telegraph Company in the City of New
York. I have known the defendant Rachael
Lintenthal for upwards of a year past
my acquaintance with her was due to
my association and companionship with
her son. I know her reputation and I
say that it is excellent in my judgment.
About 3 months ago Mrs. Lintenthal
asked me if I worked near the Western
^{Telegraph Company} Union, I told her yes, and at her request
I went over there to see the Superintendent
of the linemen and to enquire after Mr.
Alexander McMillan. I had been
advised by Mr. Lintenthal's son
Abraham that Mr. McMillan had got their
servant in the family way and that the

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reason for ascertaining Mr. Sullivan's whereabouts was for the purpose of furnishing the girl with a clue, and I prosecuted those inquiries with this view but notwithstanding my efforts I wholly failed. The Superintendent of Construction Mr. Hal. Brown informed me that Mr. Sullivan had left the employ of the Company some three weeks before my inquiry. The information as to Mr. Sullivan's whereabouts, I sought out wholly at the instance of Mrs. Linsenthal and her son who were much put out at the delicate condition in which Mr. Sullivan had left their servant after betraying her.

Sworn to before me this
17th day of Nov^r 1883. Chas. A. Richter
Montague L. Marks
Notary Public
W. Co.

0774

Court of General Sessions for the City and
County of New York

The People *vs*
against
Michael Driskenthal

City and County of New York ss.

State lawlor being duly sworn
deposes and says

I reside at 148 Mulberry Street in
the City and County of New York and am
in the employ of Dinkelspiel & Swartz
Buckton manufacturers, corner of Canal and
Elm Streets in the City of New York. I have
boarded with the defendant since April
of this year. I know the complainant and
remember her returning to Mr. Driskenthal's
house after her confinement. I saw when
she came that she was in a delicate state
of health and I saw that Mr. Driskenthal
was very kind to her during the time the
complainant was in the house. I never
heard the complainant say anything
about her child. I had heard from others
in the house that she had had a child
but I never had any conversation with
her on the subject and am positive that

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she never in my presence mentioned anything about such child, nor did she ever in my presence make any complaint of the conduct of Mrs. Smiththal towards her in any respect. The complainant left the house last Sunday week as I assumed from having missed her from the house. The intimation I had that the complainant had any fault to find with Mrs. Smiththal was yesterday only. I regard Mrs. Smiththal from what I have seen of her as being a kind motherly and humane woman.

Sworn to before me
this 17th day of Nov: 1883

Mark Labor

Philip Benjamin
Notary Public
N.Y.C.

Court of General Sessions for the City
and County of New York

The People &
against
Rachael Lindenthal

City and County of New York ss.

Mary Guggenheimer being duly
sworn deposes and says

That I reside at 419 E. 86th Street
New York City and am the wife of
Samuel Guggenheimer. I know M^{rs}.
Lindenthal the defendant and have known
her for upwards of 30 years last past
I know her reputation I say that she
is an excellent worthy kind and
industrious woman. Towards the latter
end of the month of July this year
M^{rs}. Lindenthal called upon me and
asked if I would take in board the
infant child of her servant girl Chinnie.
I told her I could not. M^{rs}. Lindenthal
then asked me if I could recommend
her some one who would take the
child in board and I told her that I
knew nobody. And lastly I say
that from my long personal knowledge
of the defendant Rachael Lindenthal

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I am satisfied that she is incapable
of doing a wrong or committing a
crime

Sworn to before me
this 20th day of Nov.
1883

Wm. J. Gifford

James H. H. H.

Notary Public King Co.

Cert. filed in 1883.

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

The People vs
against
Rachel Lindenthal

City and County of New York's ROBERT
BEHEIM being duly sworn deposes
and says I reside at no 97 Chrystie
Street in the City and County of New York
and am a Cigar Manufacturer I have
known Mrs Lindenthal for upwards
of twenty five years last past I know
her reputation I say that she is a
person of irreproachable character
charitable worthy and humane - of
my own knowledge and from my
personal observation Mrs Lindenthal
acted more like a mother to the
Complainant than a mistress - When
Alexander Mc Millan, whom I knew,
left Mrs Lindenthal's house, I was
advised of the circumstance and
Mrs Lindenthal told me of the
condition in which he had left the
Complainant and begged me
assist her in searching for his

0779

whereabouts as she (husband's daughter) was anxious to enforce her husband's doing right by the Complainant whom he had wronged.

Sworn to before me this
17th day of November 1885.

James M. Newman

Notary Public

Act. filed in my Co.

Louis Behm

0780

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

The People vs
against
Rachel Rindenthal.

City and County of New York's George Rothmann
being duly sworn deposes and says
I reside at number 171st Avenue
in the City and County of New York and am
Vice President of the German Exchange
Bank in the City of New York I have
personally well known the defendant
Rachel Rindenthal for the last twenty six
years past, she is a person of excellent
reputation and a worthy good kind
and humane person I cheerfully
testify to my high appreciation of her
character.

Sworn before me this
20th day of November 1895.

Montague L. Ward
Notary Public
N.Y.C.

Geo Rothmann

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

The People &

against

Rachel Hindenthal

City and County of New York vs. C. E. Minell
being duly sworn deposes and says
I reside at number 2 First Avenue
in the City and County of New York and
am a Druggist. I know Rachael
Hindenthal the Defendant and
have been personally well acquainted
with her for upwards of twenty
years last past she is a woman
of excellent character and her
honesty, integrity and sense of
humanity is undoubted I know
of my own knowledge that
some 18 1/2 years ago a poor deserted
infant child was brought to her and
she adopted him as her son, since
which time he has lived with her as
her son and is now 19 years of age
that some 9 or 10 years ago he met
with an accident that crippled
him for life and during his
sickness Mrs Hindenthal nursed

0782

and attended him lovingly and kindly
and with all the care and attention
that a devoted mother would bestow
on her own child

Sworn to before me this
20th day of November 1885

Montague R. Marks

Notary Public
N.Y.C.

Chas. E. Imnell

2 First Ave

New York City

0783

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

The People &c
against

Rachel Hindenthal

City and County of New York ss. Harry Walker
of said City being duly sworn deposes and
says I reside at 628 East Seventeenth
Street in the City and County of New York
and am a Collector in the employ of
Jordan and Moriarty Wholesale Furniture
Manufacturers of 167 to 173 Chatham Street
New York City I know the defendant
Rachel Hindenthal for the last 25
years past I know her reputation and
say that the same is beyond reproach
I esteem her as a worthy good humane
woman and one wholly incapable
in my judgment of committing any
wrong wrongfully or knowingly - This
opinion of the Defendant is shared in
by several other persons who are
Equally well acquainted with her

Sworn to before me this

18th day of November 1885

Montague L. Marks

Notary Public N.Y.C.

Harry Walker

0784

Court of General Sessions
for the City and County of New
York

The People &c.

Plaintiff

against

Rachael Lidensthal

Defendant

Affidavit

Samuel G. Barnard,

Attorney for Defendant

23 PARK ROW,
NEW YORK CITY.

To

Esq.

Attorney for

Due and timely service of a copy of the within

is hereby admitted.

Dated

188

Attorney for

0785

District Attorney's Office.
City & County of
New York.

The People &c
vs.
Rachel Lindenthal

After a careful examination
~~I have fully~~ The deft is charged
with the crime of Kidnapping under
Section 211 of the Penal Code. The
facts in this case appear to be that
Minnie Simon was delivered of a
female ~~child~~ bastard child. On
July 15, 1885 at the New York Infirmary
56 Livingston Place in this City. On July
27th ~~with the consent of the complainant~~
this child was delivered into the cus-
tody of one Johanna Kertenberger ~~for~~
who was employed by said complainant
to support and care for said child.
Hereafter said child was by direction
of its mother delivered to Mrs Amora
Silva. The deft Lindenthal acted
throughout ~~this under direction~~ this
matter and supervised and directed

0786

District Attorney's Office.
City & County of
New York.
therein
But the complainant was fully
consulted and assented to all
that was done down to the time of
the delivery of the child to Mrs Silva.
~~After Mrs Silva advised the~~

0787

W. Reid Gould, Law Blank Publisher and Stationer, 108 Nassau St., N. Y.

The People of the State of New York, TO
Daniel O. Reilly Esquire one of the Police
Justices of the City and County of New York

CERTIORARI
TO CERTIFY CAUSE OF
DETENTION.

WE Command you, That you certify fully and at large to *one of the*

GREETING :

Justices of our Supreme Court of the State of New
York for the First Judicial Department
at the Court House in the City of New York
on the 13th day of November 1885 at 2 o'clock
in the afternoon of said day
the day and cause of the imprisonment of

Rachael Ruthenthal

by you detained ; as is said, by whatsoever name the said

Rachael Ruthenthal

shall be called or charged ; and have you then this writ.

Witness, *John Noah Davis Chief Justice of the Supreme Court of*
the State of New York for the *First Judicial Department*
the *12th* day of *November* 1885

Samuel G. Barnard
Relator Attorney.

By the Court

Patrick Keenan
Clerk.

23 Park Row
New York City

0788

Ny. Supreme Court.

In the matter of the
imprisonment and
detention of Rachael
Smith

Thereby allow the
within writ of Certiorari

Dated this 12th November 1880

Wm. M. Smith
Justice Supreme Court.

0789

STENOGRAPHER'S MINUTES.

3 District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

Minnie Simon

vs.

Johanna Westerberger
Rebecca Lindenthal

BEFORE HON.

Daniel O'Reilly

POLICE JUSTICE,

Nov 11, 12 1885

APPEARANCES:

For the People,

For the Defence,

Mr. Bogart

Mr. Bernhardt 188

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Re-Cross.

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Rebecca Lindenthal

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W. G. Ormody

Official Stenographer.

0790

Third District Police Court

The People vs

Minnie Simon

Johanna Westenberg

Rebecca Lindenthal

Examination Before Justice O'Reilly
Nov 11 1885

Minnie Simon, the ~~def~~ complainant,
being cross examined, upon her
affidavit, by counsellor Bogert, de-
poses and says:-

Q. When were you confined with this
child?

A. On the 15th of July

Q. Is that a Lying in Institution in
Lynnston Place?

A. Yes, Sir.

Q. When did you go into that
institution?

A. I do not know the date it
was in April.

Q. Previous to going to the Lying-in
Institution where did you live?

A. With Mrs Lindenthal

Q. How long did you live with
her?

A. For three years

Q. In the capacity of domestic?

A. Yes, Sir

Q. Were you married?

0791

A No.

Q Have you ever been married?

A No.

Q Who was the father of this child?

A Alexander Mc Millen

Q Do you know anything about where he is?

A No I do not. He went from here he went to Boston

Q Was that before or after you were confined?

A Before I was confined.

Q Did Mrs Lindenthal visit you at the Lying in Institution before you were confined?

A Yes, Sir.

Q Quite often?

A She was there four times

Q Before you were sick?

A Before I was sick.

Q And you looked upon her at the time as your friend and benefactor?

A Yes, Sir, I thought so.

Q Was it understood between you that after you were confined you were to go back and live with her?

A Yes, she had told me, before the child was born, that when the child was born I should give the child away and come back

and work for her again.

Q Had you made a confidante of Mrs Lindenthal about your being pregnant before anyone else knew it - Was she the first one you told?

A Yes. The man had told me before I spoke to Mrs Lindenthal that he would take me out and pay my board. He told me I could take a room in the house and live there until we got married.

Q After you made a confidante of Mrs Lindenthal, and later her your condition, did she want you to get the man arrested?

A No.

Q Did you not say to Mrs. Lindenthal you would not have him arrested?

A She wanted me to take her room in her house and he did not want to, and that is the reason he went away.

Q Did you refuse to have him arrested at Mrs Lindenthal's suggestion?

A She did not say anything to me about getting him arrested at all.

3 Q Did you request Mrs Lindenthal

not to inform Mr. & Mrs. Millen, the father of the child, that you were in the fairly way for fear that Mr. Millen would leave?

A. I did not say anything to Mrs. Lindenthal, but he himself asked me if there was anybody in the house who knew my condition, I told him yes, and on that answer he left.

Q After you were confined did you send for Mrs. Lindenthal?

A Two weeks afterwards I did - when I wanted to go out.

Q What did you send for her for?

A. Because she left word she wanted to get me a place for the child.

Q Had the doctor told you that you were not able to nurse the child?

A. Yes.

Q What did you say to Mrs. Lindenthal?

A I asked her whether she had a place for the child.

Q And at your request did Mrs. Lindenthal bring Mrs. Westenberg there?

A I did not ask her in the note to do so, but she told me she

0794

would bring Mrs Westenberger

Q - Did she bring her

A - Yes.

Q - When Mrs Lindenthal and Mrs Westenberger called to see you at the hospital about nursing the child state exactly what transpired between Mrs Westenberger and you or between you and Mrs Lindenthal?

A - Mrs. Lindenthal had said that Mrs. Westenberger would take the child for ten dollars a month.

Q - That was in presence of Mrs. Westenberger

A - Mrs. Westenberger was down stairs

Q - Did she come up stairs?

A - After the nurse was done dressing the child Mrs Westenberger came up and took the child

Q - Did you see Mrs Lindenthal after that?

A - Yes.

Q - How soon after?

A - Four days after.

Q - What transpired then.

A - She told me the child was sick, I said "Why don't you bring the child up here; there are doctors enough here." She said "Oh give the child away" I said "No; I am not going to give the child away."

0795

Q When she told you that Mrs ^{Westenberger} Westcott gave the nurse the child what did you tell her to do? ^{Westenberger} Westcott

A - She said Mr Lindenthal went out for a woman in the morning

Q Was Mrs ^{Westenberger} Westcott looking for a nurse and could not get any?

A Yes. She said the only woman she could get wanted twelve dollars a month, and I said I would pay twelve dollars a month.

Q Did you tell Mr Lindenthal to give the child to the woman who wanted twelve dollars a month?

A Yes.

Q Did you go to the residence of Mrs Silva in Fifth Street with Mr Lindenthal?

A Yes Sir

Q Did you see that woman?

A Yes.

Q Did she say that she had taken your child?

A She said she had had it ^{two} ~~three~~ weeks.

Q - She took it from Mrs ^{Westenberger} Westcott?

A - Yes.

Q And she said she had adopted it out?

A Yes. She said she advertised in the paper and the child was

0796

- adopted out.
- Q You saw this woman in 2 of the street, and she told you she ^{had} ~~Westernberger~~ taken your child from the ~~Westernberger~~
- A Yes Sir
- Q And adopted it out after she had kept it two weeks and advertised?
- A Yes.
- Q And that woman was pointed out to you as the woman who had taken your child from the ~~Westernberger~~ Westernberger
- A Yes Sir.

Minnie Leimon

SWORN TO BEFORE ME

THIS 11 DAY OF Nov. 1885.

Samuel C. Smith
POLICE JUSTICE.

0797

Examination Continued Nov 12

Minnie Simon recalled and further cross-examined by Mr Bernard

Q - How long prior to your coming before Justice Reilly was it that you had seen your child?

A - I did not see the child at all after I delivered it to the defendant.

Q - The defendant is a woman of family is she not?

A - She has a son.

Q - You were in her employ three years?

A - Yes, Sir.

Q - She always acted kindly to you?

A - Yes, Sir.

Minnie Simon.

SWORN TO BEFORE ME

THIS 12 DAY OF Nov. 1885.

Samuel C. Reilly
POLICE JUSTICE.

- Hanna Silver being duly sworn deposes and says:- being examined by Mr Bogart, as a witness for the defendant:-
I live at 206 Avenue B. I know Mrs Lindenthal, the defendant, and Mrs Westenberger.

Q Did you receive a child from either of them?

A - Yes, from Mrs Lindenthal there - she gave me two five dollar bills - she

must not make me any trouble.

Q You say you did receive the child?

A - Yes

Q From this lady, the defendant, Mrs Ludenthal?

A Yes - I do not know any more - by God I do not know.

Q When you got the child was it understood that you was to keep the child? Keep it until the mother came?

A Oh no

Q - You did keep it?

A - I did: it was a pretty child; I kept it two weeks.

Q For which you received ten dollars?

A - Yes, I got ten dollars.

Q What did you do with the child?

A - It took sick; I went to the friends of the mother, she said "I tell you what you do - you advertise it"

Q What did you do?

A - I gave the child away to a lady - a fine lady - who she is I cannot tell.

Q Did you ever see the child after you gave it away?

A No sir - never in my life.

Q - By Justice O' Rully - To whom did you give this child?

A To a fine lady

Q Who was this fine lady?

A That I could not tell you

Q Who brought this fine lady to your house?

A She came of herself - she said she was sent.

Q Who sent her?

A I advertised in the paper to give away the child.

Q Who authorized you to advertise that you would give this woman's baby away?

A Nobody came to see the baby

Q You say you kept it two weeks?

A Yes, sir.

Q And for that you got five dollars a week?

A Yes, sir. The child took sick and I could not keep it longer.

Q Did Mrs Lindenthal, the defendant, authorize you to give this baby away?

A Yes; she said "you don't get money from the mother; she has not got a home; she could not support it"

Q Who paid for the advertisement in the paper?

A I paid myself

Q Who gave you the money to pay for it?

0800

A - It was my own money.

Q Did Mrs Lindenthal tell you to advertise?

A No; she did not. I never saw Mrs Lindenthal again after she gave me the child - she went out of my house and I never saw her again, once.

SWORN TO BEFORE ME

THIS 13 DAY OF NOV., 1885.

Samuel C. McNeill
POLICE JUSTICE.

James Albrow

Rebecca Lindenthal the defendant, being duly sworn and examined by the Juror, in her own behalf. Deposes and says:-

The complainant came to my house to live as a domestic three years ago last June. She was a very good girl in my house. After two years, I believe, she became intimate with Aleck Mc Millan a boarder in my house. When I noticed it I said "Minnie, don't go out with Aleck - Aleck is not a marrying man" I knew that, because he has been four years in my house. Minnie did not mind me and she went on out with Aleck. Finally some of my boarders said "Mrs Lindenthal, can't you see that Minnie is what she should

0801

not be " I said it could not be so, as Minnie was a nice respectable girl. I questioned her one day and she denied it to me. Afterwards she said "Mrs Lindenthal we are going to get married - me and Aleck" I said I hope it is all right. " Then Minnie said to me "I am in the family way with Aleck" I said "Minnie I am very sorry to hear that - I thought you was a nice upright girl," and would not go so far as that. " Then she said to me that Aleck spoke to her about wanting her to take a furnished room. I said "Minnie you have been very far with Aleck, but don't go with him unless you get married; don't take a furnished room" I did not mean any harm. I said "Don't go with him unless he takes you as his lawful wife. " Well; after she told me her condition Aleck did ^{not} come down to the table; he hated to see anybody. Then I said "What is the matter that Aleck don't come to the table any more." Then, soon after, one day an expressman came to the house: My husband was at the door.

0802

The expressman said he had come to take a trunk away. I said "My God; what trunk; there is no trunk to be taken away." Well we went down to supper and Aleck was up in his room. While we were down stairs Aleck ran down with his trunk and out of the house. My husband just saw him going out. He came to me and said "Aleck has gone off." I said "Aleck; Great God, what is the matter." I knew Minnie was in trouble and but for her I would have had him stopped. She said "Mr. Lindenthal; don't say anything to Aleck." But for that I would have had him arrested. She insisted that I should say nothing to him. After that she said she would have to leave the house. I said "Minnie you have no friends; where will you go?" I was afraid she would go down herself in the river. I said "Where are you going?" She said she did not know. Then I said "You remain here and we will do the best we can; stay right here in the house and after your confinement I will see what we will do." Minnie

0803

she had not much to say. Then I went inquiring for some place for her to go. I went to a place in Second Avenue; but they told me there that it was not possible for them to take a single girl in that way. Then I went and found the house in Livingston Place and Minnie went there. She was in there until she was confined - three or four months. It did not cost her a cent. Then before she was confined, and it was near time to close the institution I went up there and I said "This is too bad for you to transfer Minnie; please to try and find a place for her" so they did. I left word so that when she should be delivered of the child she should let us know. So when the child was born she did let me know and I went up there and saw her. and they said the mother and child was doing well. Then I went up to see her again. Afterwards I went up thinking to take Minnie and the baby away. When I got up there they told me the child was to go but that Minnie was not able to go: she was not strong. So I said "I know a nurse for the

child: I have been looking around"
 so I went home and requested
 Mrs Westernberger to take the
 child and Mrs Westernberger said
 she would try it. so when we
 went up there Mrs Westernberger
 took the child from the nurse's
 arms. I did not handle the
 child at all. Then after Mrs
 Westernberger put the child home
 she found that it made her so
 much trouble that she could not
 keep it. She could not stand it.
 she said Minnie would have to
 get somebody else. Then I went
 to the institution and saw Minnie,
 I said "Minnie, Mrs Westernberger
 is not able to keep the child; what
 will we do?" She said "The child
 must be taken care of until I come
 out." That was right. Well;
 this lady here (Mrs Silver) was
 recommended. she came to the
 house and took it from Mrs
 Westernberger Mrs Westernberger
 gave her the child in her arms,
 and I gave her twenty five
 dollars. I never handled the
 child.

Mrs Silver (interrupting) No - I swear to it
 she did not give me twenty five
 dollars - I swear to it.

0805

Q- (to the witness, Mrs Lindenthal) Did you tell Mrs. Silver that she should keep the child?

A I told her she should keep the child until we saw further.

Q- she was to get a nurse for the money paid?

A Yes, sir.

Q Have you ever seen Mrs Silver since until you were arrested?

A No, sir.

Q Have you ever seen the child since?

A No sir, I have not.

Q Did you think that the child was to be given away or adopted out?

A No sir: I was not licensed to give the child away at all.

SWORN TO BEFORE ME

THIS 12 DAY OF Nov. 1885.

James V. McNeill
POLICE JUSTICE.

Margaret Lindenthal

John Brangan, being duly sworn before and says: being examined by Mr Bernard, as a witness for the defendant:-

I am an officer of the 14th Precinct Police; I know the defendant Mrs Lindenthal. I have known her five years.

0806

Justice O. Reilly - Do you know anything about this case?

A No sir.

By Mr. Bernard

Q Do you know her reputation?

A Yes, Sir.

Q Is it good or bad?

A Good sir.

Q Have you boarded in her house?

A Yes; going on four years.

Q Do you know the complainant?

A Yes; she was in the custody of the defendant. I have seen her in the house frequently.

Q - How recently before these proceedings were instituted?

A Up to about last week.

Q Did she make any complaint?

A She made no complaint.

Q Do you know that the defendant Mr. Lindenthal is a lady of family?

A Yes, Sir.

Q She is a good kind humane woman is she not?

A - Yes, Sir.

By Justice O. Reilly

Q - Do you know whether the complainant went there repeatedly

0007

to inquire about her child of Mrs
Lindenthal?

John B. Carrigorn

A. W. Smith

SWORN TO BEFORE ME

THIS 12 DAY OF Nov. 1885.

Samuel O'Reilly
POLICE JUSTICE.

Mr Bogart - It is admitted that the com-
plainant made the defendant's house her
home from the time she left the hospital
until a few days since.

Justice O'Reilly. She went to work for this
woman to pay her for money she advanced
for the maintenance of the child.

Counsel for defence moves for the discharge
of the defendant on the ground that the
complaint and the evidence taken in
support of it does not establish any
offense within the meaning of the statute.

Justice O'Reilly - Motion denied.

Counsel for defence moves for the discharge of
the defendant on the ground that the
child referred to in the complaint is a
bastard child; the putative mother being
without means, and having, in order to
maintain the child, given possession of
the child to Mrs Lindenthal, so that
Mrs Lindenthal had a perfect right to
make further disposition of it.

Justice O'Reilly - Motion denied.

Mr Bernard - Exception.

3 District Police Court.

Clunie Ann

vs.
Johanna Westervelt
Rebecca Linderthal

STENOGRAPHER'S TRANSCRIPT.

Nov 12 1889

BEFORE HON.

Daniel O'Reilly

Police Justice.

W. J. Crandall

Official Stenographer.

6080

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

3

Minnie Benson
of No. 102 Avenue C
says that on the 27 day of July 1885
Sworn, being duly sworn, deposes and

at the City of New York, in the County of New York, *Reuben A. Benson*
1885

Gertrude Westenberg (both now free) came
to the New York Infirmary No 5 Livingston
Place in said City where ^{child} *deposited* was
delivered of a female ^{child} in the previous

15th day of July 1885. *Deposant* says that
on the said 27th day of July as appeared
the said *deposants* came to said New
York Infirmary where was delivered of
said child and both the same from the
said *deposant* agreeing to pay ten
dollars for the support and maintenance

of said child. *Deposant* says that the said
the sum of \$26.00 in all to said *Reuben*
industrial for the maintenance and support
of said child at three times. *Deposant*
says that the said *deposants*

separately since August 4, 1885 for said
child and they agreed to give it to
him and have total contradictory stories
about the whereabouts of said child
and have agreed to return the same
to *deposant* its legal mother

Minerva Benson
Minerva *deposant* charge said
deposants with unlawfully and feloniously
obstructing and concealing the said
child to wit *Gertrude Benson* aged 4
months from the legal custody of
the mother of *deposant* its mother

Sworn to before me this
11th day of November 1885
Samuel C. Smith, Police Justice

08 10

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

POLICE COURT, 3rd DISTRICT.

Johanna Westenberg

of No. *148 Mulberry* Street, being duly sworn, deposes and says,

that on the *27* day of *July* 188*5*

at the City of New York, in the County of New York, *she went to the New York*

Infirmary at the request of Rachel Lindenthal
obtained the child described in the annexed
affidavit and complaint from said Rachel Lindenthal
she said deponent agreeing to pay \$10 a month
for the care of said child. That deponent took said
child to her home and kept the same for four days
when the child became sick. Deponent's husband
would not permit her said deponent to keep
and care for the same any longer. Deponent says
that she notified said Rachel Lindenthal
of the fact and requested her to procure some

RECORDED

INDEXED

Police Justice.

08 11

Sum to be given this
10th of November 1855
David C. Kelly Police Justice

one to take said child. Dependent says that in the evening of the day that she informed said Rachel Lundenthal to procure some one else to take care of said child she said Rachel Lundenthal returned in company with a woman whose name is unknown and told dependent to give said unknown woman said child which she said dependent did and she thereafter took the same away.

Josephine Lundenthal

POLICE COURT—DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated 188

Magistrate.

Officer.

Witness,

Disposition

08 12

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY
OF NEW YORK, { ss

Johanna Wustemberger being duly examined before the undersigned, according to law, on the annexed charge: and being informed that it is *h^{er}* 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. *Johanna Wustemberger*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *148 Mulberry St one year*

Question. What is your business or profession?

Answer. *House Keeper*

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. *Mrs Lindenthal came to me and said that the child had to be taken from Complainant because the doctor had so ordered and I agreed to take care of the child for Mrs Lindenthal for the sum of \$10 a month. I had the child 4 days and it became sick and my husband would not permit me to keep it longer. I notified Mrs Lindenthal of the fact and on the evening of the day my husband spoke to me Mrs Lindenthal returned with a woman and told me that said woman would take the child. I gave it to the woman at the request of Mrs Lindenthal and she took the same away. I don't know the woman's name that received the child.*

Johanna Wustemberger

Taken before me this *11*

day of *December* 188*8*

Samuel W. Kelly

Police Justice.

08 13

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, { ss

Rachel Lundenthal being duly examined before the undersigned, according to law, on the annexed charge: and being informed that it is *h Er* 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. *Rachel Lundenthal*

Question. How old are you?

Answer. *50 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *148 Mulberry St 6 years*

Question. What is your business or profession?

Answer. *House Keeper*

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 *Bispa Lundenthal**

Taken before me this

day of

1885

Samuel C. Kelly Police Justice.

08 14

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 Rachel Linderthal

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 20 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated Nov 12 1885

Sam'l C. Kelly 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 Johanna Wustemberger
_____ guilty of the offence within mentioned, I order She to be discharged.

Dated Nov 12th 1885

Sam'l C. Kelly Police Justice.

08 15

Bail herein was this
day reduced to 1000 \$
Nov-1885 *[Signature]*

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court 3

1239
District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Minnie Simon

102 Ave C.

1. *Rachel Lindenthal*

2. *Johanna Westenberg*

3. _____

4. _____

Offence Kidnapping

Dated *Nov 11* 1885

Daniel O. Reilly Magistrate

Weiss Officer.

Court Squad Precinct.

J.P.C. to child 100 E 23rd St

Witnesses *Johanna Westenberg*

No. *148* *Mullberry* Street.

\$2000 for E Nov 12, 1885

2 1/2 P.M. Street,

No. *1* Street,

\$ 2000 to answer *Q S*

No 2 Discharged on E

Nov 11, 1885 J.C.R.

08 16

District Attorney's Office
City & County of
New York

188

My Dear "Chief"

Would it be too
much to ask that
you would kindly
make the endorsement
on the Lindhal
abduction case this
P.M. — The Counsel
has deposited the
Bail and is anxious
to recover it before
the Chamberlain's office
closes today
R. H. Cullen

0817

Office of SAMUEL G. BARNARD.

Counsellor at Law,

NOTARY AND COMMISSIONER,

23 PARK ROW.

New York, 27th November 1885

Hon Randolph B. Martine
District Attorney New York County.

My Dear Sir. The People v Rudenthal
Indictment Kidnapping

Upon the occasion of my seeing you some 10 days ago upon the return of the Habeas Corpus herein You invited me to call your attention of the above case to your notice as soon as I had disposed of the writ. The matter came up before Judge Andrews in Supreme Court Chambers and after argument in which you were represented by you Mr Davis & also by Mr Gerry Judge Andrews reduced the Bail from \$2000 to \$1000 (the figures I requested him to fix the Bail at) Since said reduction, in view of my honest & bona fide belief in the unqualified innocence of my client a worthy good old lady of excellent and unimpeachable character, I have diligently and assiduously set myself to work to collate evidence in my client's behalf which I take great pleasure in submitting to you for your perusal and consideration, trusting that a fair and just judgment at your hands (which I feel assured you will afford us) will prompt you in recommending

08 18

2

Office of SAMUEL G. BARNARD.

Counsellor at Law,

NOTARY AND COMMISSIONER,

23 PARK ROW.

New York, 188

a disbandment of the intended prosecution of my client
I would not thus trespass on your invaluable time
were it not for the fact that my client is now seriously
sick brought about by the excitement of the present charge
and in view of the fact that she suffers from heart disease
I should not be surprised to hear of her sudden dissolution

Might I venture therefore to solicit your kind
attention to my appeal and either consent to a nolle
-pross (if you acquiesce in my view that my poor client
is more sinned against than sinning) or on the
other hand if you feel that stern justice demands
that my client should suffer the ordeal of trial that
then in that case that you will fix the earliest possible
day for same, so that I may personally be relieved
from the consequences of my much acknowledged
clients misfortune. - An early answer will oblige

I have the honor to subscribe myself

Your Obedient Servant

Samuel G. Barnard.

0019

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Rachel Sindenhal

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

Rachel Sindenhal

of the CRIME OF Kidnapping, —

committed as follows:

The said Rachel Sindenhal, —

late of the South Ward of the City of New York, in the County of New York aforesaid, on the fourth day of August, — in the year of our Lord one thousand eight hundred and eighty-five, at the Ward, City and County aforesaid, with force and arms, in and upon one Frederick Simon, a child under the age of twelve years, to wit: of the age of about three years, feloniously did make an assault, and the said child feloniously and illegally did then and there detain, with intent to keep and conceal it from one William Simon, its parent and mother; against the form of the Statute in such case made and provided, and against the peace and dignity of the said People.

Randolph M. Moline,

District Attorney.

0820

BOX:

196

FOLDER:

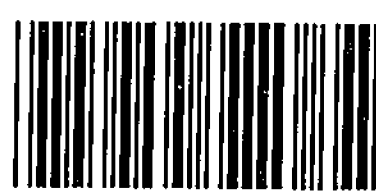
1973

DESCRIPTION:

Little, Fredericks

DATE:

11/30/85



1973

Witnesses:
 M. P. Thompson
 A. G. G. G. G.
 J. J. Kemp

Day of *Monday* 188*7*

with, Dec 21

THE PEOPLE

f

(Sections 217 and 218, Penal Code).

2322 2323 2324 2325 2326 2327 2328 2329 2330 2331 2332 2333 2334 2335 2336 2337 2338 2339 2340 2341 2342 2343 2344 2345 2346 2347 2348 2349 2350 2351 2352 2353 2354 2355 2356 2357 2358 2359 2360 2361 2362 2363 2364 2365 2366 2367 2368 2369 2370 2371 2372 2373 2374 2375 2376 2377 2378 2379 2380 2381 2382 2383 2384 2385 2386 2387 2388 2389 2390 2391 2392 2393 2394 2395 2396 2397 2398 2399 2400 2401 2402 2403 2404 2405 2406 2407 2408 2409 2410 2411 2412 2413 2414 2415 2416 2417 2418 2419 2420 2421 2422 2423 2424 2425 2426 2427 2428 2429 2430 2431 2432 2433 2434 2435 2436 2437 2438 2439 2440 2441 2442 2443 2444 2445 2446 2447 2448 2449 2450 2451 2452 2453 2454 2455 2456 2457 2458 2459 2460 2461 2462 2463 2464 2465 2466 2467 2468 2469 2470 2471 2472 2473 2474 2475 2476 2477 2478 2479 2480 2481 2482 2483 2484 2485 2486 2487 2488 2489 2490 2491 2492 2493 2494 2495 2496 2497 2498 2499 2500 2501 2502 2503 2504 2505 2506 2507 2508 2509 2510 2511 2512 2513 2514 2515 2516 2517 2518 2519 2520 2521 2522 2523 2524 2525 2526 2527 2528 2529 2530 2531 2532 2533 2534 2535 2536 2537 2538 2539 2540 2541 2542 2543 2544 2545 2546 2547 2548 2549 2550 2551 2552 2553 2554 2555 2556 2557 2558 2559 2560 2561 2562 2563 2564 2565 2566 2567 2568 2569 2570 2571 2572 2573 2574 2575 2576 2577 2578 2579 2580 2581 2582 2583 2584 2585 2586 2587 2588 2589 2590 2591 2592 2593 2594 2595 2596 2597 2598 2599 2600 2601 2602 2603 2604 2605 2606 2607 2608 2609 2610 2611 2612 2613 2614 2615 2616 2617 2618 2619 2620 2621 2622 2623 2624 2625 2626 2627 2628 2629 2630 2631 2632 2633 2634 2635 2636 2637 2638 2639 2640 2641 2642 2643 2644 2645 2646 2647 2648 2649 2650 2651 2652 2653 2654 2655 2656 2657 2658 2659 2660 2661 2662 2663 2664 2665 2666 2667 2668 2669 2670 2671 2672 2673 2674 2675 2676 2677 2678 2679 2680 2681 2682 2683 2684 2685 2686 2687 2688 2689 2690 2691 2692 2693 2694 2695 2696 2697 2698 2699 2700 2701 2702 2703 2704 2705 2706 2707 2708 2709 2710 2711 2712 2713 2714 2715 2716 2717 2718 2719 2720 2721 2722 2723 2724 2725 2726 2727 2728 2729 2730 2731 2732 2733 2734 2735 2736 2737 2738 2739 2740 2741 2742 2743 2744 2745 2746 2747 2748 2749 2750 2751 2752 2753 2754 2755 2756 2757 2758 2759 2760 2761 2762 2763 2764 2765 2766 2767 2768 2769 2770 2771 2772 2773 2774 2775 2776 2777 2778 2779 2780 2781 2782 2783 2784 2785 2786 2787 2788 2789 2790 2791 2792 2793 2794 2795 2796 2797 2798 2799 2800 2801 2802 2803 2804 2805 2806 2807 2808 2809 2810 2811 2812 2813 2814 2815 2816 2817 2818 2819 2820 2821 2822 2823 2824 2825 2826 2827 2828 2829 2830 2831 2832 2833 2834 2835 2836 2837 2838 2839 2840 2841 2842 2843 2844 2845 2846 2847 2848 2849 2850 2851 2852 2853 2854 2855 2856 2857 2858 2859 2860 2861 2862 2863 2864 2865 2866 2867 2868 2869 2870 2871 2872 2873 2874 2875 2876 2877 2878 2879 2880 2881 2882 2883 2884 2885 2886 2887 2888 2889 2890 2891 2892 2893 2894 2895 2896 2897 2898 2899 2900 2901 2902 2903 2904 2905 2906 2907 2908 2909 2910 2911 2912 2913 2914 2915 2916 2917 2918 2919 2920 2921 2922 2923 2924 2925 2926 2927 2928 2929 2930 2931 2932 2933 2934 2935 2936 2937 2938 2939 2940 2941 2942 2943 2944 2945 2946 2947 2948 2949 2950 2951 2952 2953 2954 2955 2956 2957 2958 2959 2960 2961 2962 2963 2964 2965 2966 2967 2968 2969 2970 2971 2972 2973 2974 2975 2976 2977 2978 2979 2980 2981 2982 2983 2984 2985 2986 2987 2988 2989 2990 2991 2992 2993 2994 2995 2996 2997 2998 2999 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015 3016 3017 3018 3019 3020 3021 3022 3023 3024 3025 3026 3027 3028 3029 3030 3031 3032 3033 3034 3035 3036 3037 3038 3039 3040 3041 3042 3043 3044 3045 3046 3047 3048 3049 3050 3051 3052 3053 3054 3055 3056 3057 3058 3059 3060 3061 3062 3063 3064 3065 3066 3067 3068 3069 3070 3071 3072 3073 3074 3075 3076 3077 3078 3079 3080 3081 3082 3083 3084 3085 3086 3087 3088 3089 3090 3091 3092 3093 3094 3095 3096 3097 3098 3099 3100 3101 3102 3103 3104 3105 3106 3107 3108 3109 3110 3111 3112 3113 3114 3115 3116 3117 3118 3119 3120 3121 3122 3123 3124 3125 3126 3127 3128 3129 3130 3131 3132 3133 3134 3135 3136 3137 3138 3139 3140

Dear Mr

Med. & Co. v. Co. v. Co.

Assault / Intimidation

RANDOLPH B. MARTINE,

District Attorney.

Ge. 1.76 Dr. Jörn auf d. B.

S. C. Ann. year

A True Bill.

Catharine

The Grand Jury
 from the West and the
 Case & the

0021

0822

Police Court—2—District.CITY AND COUNTY
OF NEW YORK, } ss.of No. 10 East 135 Street,deponent being duly sworn, deposes and says, that
on Monday the 8th day of Novemberin the year 1888 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Frederick Little, now
here, in the following
manner, on the above date
deponent, while employed
at the "Nickelodeon Cottage"
456 Sixth Avenue; the said
Frederick Little went into
the said premises and while
in a partial state of intox-
ication asked for a drink,
and being refused went out;
when the deponent came back
and was put out by deponent,
and while deponent turned
to go into his place, the deponent
drew a knife and plunged the
blade of the same into deponent's
right side, cutting and dangerously
wounding the deponent.

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.

Subscribed before me, this 20 day of
November 1888

W. J. May

POLICE JUSTICE.

Alexander Arment

0823

New York Hospital,

West Fifteenth Street,

New York, Nov. 12th 1885

To whom it may concern:—

This certifies that the condition of Alexander Ament is very satisfactory. Should no further complication arise he will be able to leave the Hospital within a very few days—

J. A. Manning M.D.
House Surgeon—

0824

New York Hospital,

West Fifteenth Street,

New York, Nov. 9th 1885

To whom it may concern:—

This certifies that
Alexander Bennett is
now a patient in this
Hospital, suffering from
a stab wound of chest.
His condition is very seri-
ous though not at the
present critical.

Fullam M.D.
House Surgeon

0825

CITY AND COUNTY
OF NEW YORK, ss.

POLICE COURT, 2 DISTRICT.

of No. the 29th Precinct Street, aged 38 years,
occupation Policeman being duly sworn deposes and says

that on the 5 day of November 1888
at the City of New York, in the County of New York, he arrested
Frederick Little (now here) for
the reason that during a dispute
or altercation between, the said
Little and Alexander Ciment; the
said Little drew a knife and
cut and stabbed in the right
breast the said Alexander Ciment,
who is now unable to be present,
wherefore deponent prays that
the said Little be held to answer
the result of the injury thus

Sworn to before me this

188

day

Police Justice.

0826

Police Court, 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Frederick Little

AFFIDAVIT.

Dated

188

Nov 9

Magistrate.

Rempe

Officer.

Witness,

Disposition,

Committed In
Nov 12 noon 9-20
Am. 3 0 m.
Paid in Examination
\$ 1000. Nov 20, 9.30, 1885

inflection.

Henry D. Lupton
one this day of Nov 1885
city clerk

John H. Hume
Police Justice

0827

Sec. 198-200

CITY AND COUNTY
OF NEW YORK, ss

2 District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty and
demand an examination
Fred Little*

Taken before me this

day of

1885

Police Justice

0028

New York Nov 2nd 1885
Second District Police Court
Hon. M. J. Power Presiding

Alexander Mearns

A. W. Little

Cross Examination.

Alexander Mearns being duly
sworn, deposes and says,

Ques Do you reside on the
premises?

Ans No Sir.

Ques You were doing business?

Ans We were not doing
business, we were in the
Billiard room. I got there
at 12 o'clock and sent for
lunch; the defendant brought
my breakfast on a tray.
He left it, and came
back in half an hour.
He came back three times.
We had some words.

7

0829

(2)

There was no one with him
at that time. He came
in and said there was
a spoon missing off
the tray. I said I knew
nothing about it. He
said he wanted the
spoon, as he would
have to pay for it.
I took him by the arm
and put him out. I
used no violence. I did
not strike him. I
shoved him out of the
door. I may have shoved
him out with my foot,
he came back with
another waiter. He began
to talk, I told him to
get out, as he never saw
I started to go in, he had
a knife in his hand. I
had a Billiard Cue in
my hand and tried to
prevent him from striking

0830

3

Q me, I did not see him
take the knife.

Ans

Will you swear
that you did not strike
him, or advance to strike
him?

Ans

I will, positively
swear in. I struck, or him,
but, did not strike him
I hit for him when I
saw him coming with the
knife. When the man call-
ed to me, He struck me
and cut me with the
knife, I had not been
drinking that morning

Shown before me
this 20th day of Nov 1885
upover

Alexander Arment

Police Justice

3

0031

H
Frank Henning, living
at Louisville Ken, Age 32,
business, Broker, being
only sworn Depose and
says. I was in there at
half past three, Sunday
afternoon. This defendant
came in and made
a throw about a spoon.
He said if it was not
found he would have
to pay for it, and he
would have to have it.
He wanted a drink also,
and the complainant told
him he could not have
it; He told him he
would have to get out
and took him by the
arm and put him
out; he came back
again and said
he did not allow
any one to kick him
out; the defendant
H

0832

I
said you "Buck son
of a Bitch, I'll fix you";
As I looked up I saw
the defendant, brand
a knife, and I shouted,
and said I would get a
doctor. I was about 15
feet from them. I saw
the knife on the bar; the
first I saw, the knife
was in his hand. There
was a man named
Thompson there, he was
with the complainant

I sworn before me
this 20th day of Nov 1885

Frank Keosauqua

Justice

I-

0833

Police Court

7304 District.

THE PEOPLE, &c,
ON THE COMPLAINT OF

Alexander R. R. R.
10 East 15th St.
Frederick Little

2
3
4

Officer: Alexander R. R. R.

Dated: Nov 20 1885

Magistrate.

Officer.

Precinct.

Witnesses: Frank Newman

No. 13 Broadway 28th St.

St. J. Thompson

No. 28th St. 13 Broadway

No. 100 to answer

Dr. F. A. Manning

259 N. 7th St. Brooklyn

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

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

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

Dated Nov 20 1885

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

Dated Nov 20 1885

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

Dated Nov 20 1885

Police Justice.

188

Dated

0034

The People

vs.

Frederick Little.

Court of General Sessions, Part I.

Before Judge Gildersleeve.

Indictment for assault in the first degree.

Thursday, December 10-1907

Alexander Ament sworn and examined.

I was at

the Knickerbocker Cottage on Sixth Avenue in this city on Sunday, the 3th of November about twelve o'clock, I am employed there, it is a place of resort and rooms are let for political meetings and clubs, I saw the prisoner there at half past twelve in the afternoon; between one and two o'clock he stabbed me in the right breast; the knife entered here, pointing to a hole in his vest, the knife that he used was a knife that is employed to bone turkeys with, the blade is about five inches long with a sharp point; the defendant was not employed at the cottage, he brought my breakfast over to me from the Paisley House. I was laid up for a week at the New York Hospital. He brought me my breakfast and I paid him the check; as he started out he said, I want a whiskey cocktail, I went back to the pool room where some friends of mine were playing pool and this waiter (the prisoner) came back in the house again and says, there is a spoon missing on that tray. I says I guess not, I will go in the room and see, I left the billiard room and went in the front part of the house and I looked on the floor, I said, there must be a mistake, I see no spoon here; he says, you can't give me nothing like that, I want my spoon, I says there is no use of your talking, go on and get out of here and don't be annoying me. He said he would be God damned that he would not go out without the spoon. I led him and shoved him out in

I

0035

the street , he gets away and he comes back the third time, I was back in the room playing pool with some friends of mine and another waiter came in to explain to the prisoner that the spoon had been found on the tray over at a hotel. The prisoner here spoke up, I have been God damned badly treated and I will not let any Irish son of a bitch treat me that way. I said go on and get out of here, I went out in front of him as far as from here to the door and opened the door and said, you go on out of here, I don't want you to annoy me any more. There are two folding doors, I started to shut the door, I turned around to come back in the room and a gentleman named Frank Newsom said, look out, I turned around to look, the defendant had this knife and he stabbed at me, I had a billiard cue in my hand and tried to knock the knife but he got it into me; as soon as he did he ran, Mr Newsom and Mr Thompson were in there at the time.

Cross Examined. I guess it was twenty minutes or half an hour after he came back the first time I refused to give him the cocktail and he went out, I guess he came back in five or ten minutes after and staid not over two or three minutes, I put him out and he came back again in five or ten minutes, another waiter named Mitchell came in a couple of minutes before the defendant I am sure Mitchell said the spoon was found in the hotel. I did not tell the defendant that Mitchell told me the spoon had been found, I do not know of my own knowledge that the spoon was found, Mr Nevsum and Mr Thompson were in the bar-room. I did not hit the defendant with the billiard stick but I struck at him; the knife belongs to

0836

me and was kept behind the bar. The prisoner took the knife off the oyster counter or I suppose he did for it was left there. The defendant did not ask for a glass of whiskey, I was stabbed in the front part of the room by the door that leads out into the street, it was between the storm door and the vestibule door, I did not strike the defendant in the bar-room or near the vestibule door but when the man called my attention to look around and when I saw the defendant running at me and started to jab me in the back I hit at him with the cue, I did not strike him with the butt end of it. I have been employed at the Knickerbocker Cottage since the first of September, I have been in New York three years, I have worked at 1127 Broadway and in the Pennsylvania Club at Long Branch. I do not know what the prisoner did with the knife after he struck me. The stick got broke from trying to protect myself from him cutting me.

Frank Nevson sworn. I was at the Knickerbocker Cottage when the complainant received this injury, I went in there I suppose a quarter past twelve and the complainant, Mr Thompson and myself went back to play a game of pool. While we were there my attention was attracted into the saloon, the billiard room is a little back, I heard some loud talking and heard the defendant say there was a spoon missing and he came back after it. The complainant went back into the little room where he ate his breakfast and said, I will look under the table; he came back and said he could not find it he guessed he was mistaken; the defendant said, he didn't want anything

0037

like that, the spoon was missing, he would have to have it as it was charged to him and he didn't want to go away until he got it. The complainant told him that he would have to go out and caught hold of him by the arm. The defendant said he would not go until he got the spoon, the complainant pushed him out of the door and he went off, I suppose it was about ten minutes when he came back again, I believe the other waiter came in first, I believe they both came in about together, he said the spoon had been found and it was all right, I believe Mitchell was his name; they talked for a little while and the defendant said he had been badly treated, he did not want to go out of there until he had satisfaction, he wanted the spoon. The complainant caught hold of him and pushed him and probably hit him, I don't know for certain whether he did or not, he caught him by the arm and in the meantime I came out of the pool room and walked over to the stove, there are two swinging doors, I saw the defendant go for the complainant with the knife, I hollered out to look out and the complainant hit him with the billiard cue, he struck out and the cue caught over the transom somewhere. When I first saw the knife in the prisoner's hand the complainant was not facing him, the complainant had one door standing this way (showing) and he had his left hand in the door and the billiard cue leaning on the floor, the prisoner was in front of him and he turned as he went out of the last door and pulled the knife; after the blow was struck I did not see what became of the knife, it was all over in a second and he ran away, I saw blood on the complainant, I hollered for him to go down stairs and told him to put a wet handkerchief and

0030

stop the blood. Mitchell went to the drug store and I went up to Dr McFarland's in 26th Street, he was out and I took him to the New York Hospital. I did not see the complainant strike at the defendant with the cue before he was struck with the knife, he struck with the cue and it caught on the transom and broke the cue, he stabbed the complainant and went down the steps. I heard the defendant say, you Irish son of a bitch come outside and I will fix you.

William H. Thompson sworn. I was present at the Knickerbocker Cottage on Sunday, the 3th of last month, I did not see the prisoner stab the complainant, I was there when the waiter came in with the tray of provisions and when he came back about the spoon, I was playing pool with the complainant and with Mr Newsum. The complainant looked around for the spoon and the defendant became abusive and insulting when the complainant said, you get out of here I want no sase from you; shortly after the prisoner and another waiter came back in the house and I heard the prisoner say, you God damned Irish son of a bitch come outside and I will fix you. They then got near the door and the complainant took hold of him by the hand and told him to go out. Then Mr Newsum made some remark, look out, and as he said so I moved back and the complainant came in and said, he has cut me, Mr Newsum said to me, you go and follow the prisoner and I will go for a doctor, I followed the prisoner and he got across the street I beckoned to the officer and he ran into another part of the building and came out of another door. When I came back I saw

0039

the knife lying in the gutter and the officer took it.

Cross Examined. I did not go to the police Court in this case.

John Kemp sworn and examined. I am an officer of the 29th precinct and was on duty on Sunday, the 8th of last month, my attention was called to an occurrence in the vicinity of Knickerbocker Cottage in the neighborhood of half past two I was standing at the corner of 27th Street, I saw the defendant come out of the cottage, he picked up something on the top part of the stoop and then came down again and was in the act of crossing over when Mr Thompson came down and he said, arrest that man. He went into the saloon of the Paisley House in one door and out of another, I and the crowd ran after him as far as 29th Street, he went down toward 7th Avenue and a couple of citizens tried to trip him up and one citizen hit him with an umbrella and he fell and before he got up I was there to arrest him; he was bleeding from a slight wound on the side of his head, I took him back to the cottage and had him identified, I could not say whether there was any blood on the knife or not. The prisoner said he had been kicked and clubbed and that he did it in self defense, I told him he was charged with stabbing this man.

Cross Examined. I could not say what it was that he stooped down to pick up whether it was a handkerchief or a napkin; there was blood on his shirt bosom, when I first saw this defendant there was no blood running down his face, I saw the citizen strike at him with the umbrella, he fell and when he got up I saw the blood.

0040

Frederick Little sworn and examined. I live 226 Sullivan Street and am married, on the 3th of November I was employed at the Paisley House corner of 23th Street and Sixth Avenue for nearly two months as waiter. About twelve o'clock on that day I was sent with some breakfast to the Knickerbocker Cottage. I went over and asked the bar-keeper if the breakfast was for him and he told me yes, I sat it ~~on~~ on the table and handed him a check and he paid me and I walked out; half an hour later I went back for the tray. I went over to the house and the boy commenced to count the dishes on the tray and he found I was short a teaspoon. I went back and the complainant and another man was playing pool, I told him there was a teaspoon short; he said God damn you there is none here. I said, you must not find fault with me. Mitchell afterwards told me he found it and we started over together to tell him. The complainant said, I told you to go out of here, God damn you I will break you on the head with a cue he ran at me to hit me, he struck at me and I grabbed this knife, I ran to the door and as I ran against the side of the door he struck me on the head with the billiard cue and grabbed me by the collar of the coat. I says, don't you hit me, he said, you son of a bitch, I will kill you, and I took the knife and punched him that way. He struck me twice in the head with the cue before I used the knife. He ran behind me and struck me. As soon as I cut him he stepped back through the swinging doors, there was not a soul in the other door but me and him, I dropped a towel out of my hand and wiped my face, when I got to the street a young man halloed, stop that man, he stabbed a man,

0041

there was two men standing there and both halloed, kill the nigger. I ran down Sixth Avenue to 29th Street and when I got midways the block a man tripped me, I did not fall and another man struck me with an umbrella and I tripped. I heard a voice saying, stop, I looked and it was an officer. He said, what did you cut that man for. The blood I had on my shirt came from my face when I was running, the officer asked me what did I cut that man for and I said he swore he would kill me with a billiard cue, I only cut him once to get away from him. The officer took me back to the Knickerbocker Cottage, I had the knife in my hand about three seconds before I cut him. The mark is nearly healed up on my head where he hit me. There was a teaspoonful of blood run out the wound when I was in the Tombs.

Cross Examined. I was not running when I picked up the knife, he was in front of me and I was standing to the left-hand side of Mitchell; when the complainant ran me against the counter I picked the knife up and ran from him, then I was ahead of him, he overtook me in the vestibule and hit me in the head and took hold of me with one hand, he broke the billiard cue in half, he hit me with one part of it and the other part hit under the door; the blood that I have shown came from the wound in the head. The blood was running from me when the officer saw me in 29th Street. When I went down from the steps onto the street the blood was running from the wound so that any person who saw me could see that I was wounded.

0042

William Mitchell sworn. I am a waiter at the Paisley House and remember the 8th of November last, I heard the complainant's testimony, I went over to the Knickerbocker Cottage about the spoon and saw the complainant and two or three gentlemen playing billiards, I told the complainant that the spoon had been found. The defendant had told me that he went over about the spoon and was kicked out and abused by the complainant who said that he did not want him to come to the house again and if he did he would break his head. They were at the door and I remained behind with the rest of the gentlemen that was in company with the complainant and the first thing I knew I heard a blow at the side door, the cue struck something and broke in two or three pieces; in a second the complainant turned around and said, I am hurt, I followed him to the bar, he tore open his shirt and there was a deep wound in his breast; the first thing was to send for a doctor; with that I went out. The defendant was at the outside door when the blow was struck, I could not say whether he was outside or inside the door, there were two swinging doors that are closed all the time. I have known the defendant about three months and as far as I know he has always been peaceable, I did not see the defendant pick up the knife.

Frederick C. Sarrington sworn. I reside at 103 West 29th Street and saw the defendant running in 29th St. on the 8th of last month, I hit him over the head with the umbrella, he fell down and the blood spurted.

The Jury rendered a verdict of guilty of assault in the second degree.

0043

Testimony in the
case of
Frederick Little
filed Nov. 1883.

0844

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 Little

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

Frederick Little

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

The said *Frederick Little*,

late of the City of New York, in the County of New York aforesaid, on the
Eight day of *November*, in the year of our Lord
one thousand eight hundred and eighty *Two*, with force of arms, at the City and
County aforesaid, in and upon the body of one *Alexander Oment*,
in the peace of the said People then and there being, feloniously did make an assault
and *in* the said *Alexander*,
with a certain *knife*

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

with intent *in* the said *Alexander*
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

Frederick Little

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

The said *Frederick Little*,

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 one *Alexander Oment*,
in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make an assault, and *in* the said *Alexander*,

with a certain *knife*

which *he* the said *Frederick Little*
in *his* right hand then and there had and held, the same being an
instrument likely to produce grievous bodily harm, then and
there feloniously did wilfully and wrongfully beat, strike, stab, cut 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.

0845

THIRD COUNT--

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

The said *Frederick Little*,

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 one *Alexander Oment*,

in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make an assault, and *him* the said *Alexander*,

in and upon the *right side and chest* of *him* the
said *Alexander*, did then and there
feloniously, wilfully and wrongfully strike, beat, *stab, cut*, bruise and wound,
and did thereby then and there feloniously, wilfully and wrongfully inflict
upon *him* the said *Alexander*,
grievous bodily harm, to the great damage of the said *Alexander*,
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.

RANDOLPH B. MARTINE,

District Attorney.

0846

BOX:

196

FOLDER:

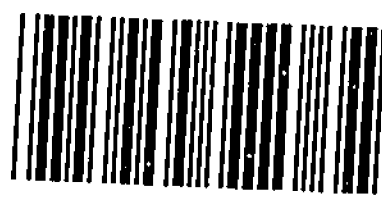
1973

DESCRIPTION:

Lodge, John

DATE:

11/11/85



1973

0847

Witnesses:

John C. [Signature]
[Signature]

J. A.

Counsel,
Filed *11* day of *Nov*

188*7*

Pleads *Not guilty*

THE PEOPLE

vs.

F.

John Dodge

W. [Signature]
1st [Signature]

Robbery, (MONEY)
(Secs. 224 and 225, Penal Code.)
degree.

RANDOLPH B. MARTINE,

For [Signature] District Attorney.

Pro. [Signature] Assel [Signature]

A True Bill.

Foreman.

J. C. [Signature]
[Signature]
[Signature]

0848

Police Court-- First District.

CITY AND COUNTY }
OF NEW YORK, } ss

of No 43 Spring Street, Aged 32 Years

Occupation Carpenter being duly sworn, deposes and says, that on the

8th day of November 1885 at the 14th Ward of the City of New York,

in the County of New York, attempted to be feloniously taken, stolen, and carried away, from the person of de-

ponent by force and violence, without his consent and against his will, the following property, viz:

Good and lawful of the United States
Consisting of Bank bills of the amount
and

of the value of Twenty DOLLARS,

the property of John Maxwell

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

John Lodge (now here and another man
not now arrested) for the following reasons
to wit: that on or about the hour of one o'clock
A.M. on the above described date, deponent
was walking along Mott Street between Broome
and Spring Streets the said defendant and
said other man not now arrested met
deponent and the said defendant seized
hold of deponent by the vest and forced
deponent's head back with his arm and
said other man not now arrested caught
hold of deponent by the legs and they
threw deponent down on the ground

Sworn to before me, this

day of

188

Police Justice

0049

and said other man held deponent down
on the ground by the legs while the said
defendant rifled deponent pockets and
deponent positively identifies said defendant
as the person that first seized hold of him
deponent

Sworn to before me
this 9th day of November 1875

Henry Murray Potter Justice

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

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

Dated 188 .

I have admitted the above named

to bail to answer by the undertaking hereunto annexed.

Dated 188 .

There being no sufficient cause to believe the within named

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

Dated 188 .

Police Justice.

Police Court, _____ District,

*THE PEOPLE, &c.,
on the complaint of*

Offence—ROBBERY.

23.

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

Dated,

155

Magistrate.

Officer.

Clerk.

Witness,

No.

street.

No.

Street,

240.

Street,

.....to answer General Sessions.

0850

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss

151 District Police Court.

John Lodge 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

I am not guilty

John Lodge

Taken before me this

day of

188

Police Justice.

0851

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

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

Dated Nov 9th 1885 Henry Murray 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.

0852

Police Court

1224
First District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John Maxwell
43 Spring

John Lodge

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

188

Magistrate

Officer.

14 Precinct.

Witnesses

No.

Street.

No.

Street,

No.

Street,

\$

500 -

to answer

John

0853

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 Sadag

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

attempt of John Sadag
of the crime of ROBBERY IN THE *First* DEGREE, committed as follows:
The said *John Sadag*.

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *nineteenth* day of *November*, in the year of our Lord one thousand eight hundred and eighty-*five*, in the *right* time of the said day, at the Ward, City and County aforesaid, with force and arms, in and upon one *John Maxwell*, in the peace of the said People then and there being, feloniously did make an assault, and *one* promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars; *two* 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 the denomination of ten dollars, and of the value of ten dollars *each*; *four* 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 the denomination of five dollars, and of the value of five dollars *each*; *ten* 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 the denomination of two dollars, and of the value of two dollars *each*; *twenty* 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 the denomination of one dollar, and of the value of one dollar *each*; *one* promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars; *two* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars *each*; *four* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars *each* and divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of *ten* dollars.

of the goods, chattels and personal property of the said *John Maxwell*, from the person of the said *John Maxwell*, against the will, and by violence to the person of the said *John Maxwell*, then and there violently and feloniously did rob, steal, take and carry away, *(The said John Sadag being then and there aided by an accomplice actually present, whose name is to the Grand Jury aforesaid unknown)* against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

RANDOLPH B. MARTINE,

District Attorney.

0854

BOX:

196

FOLDER:

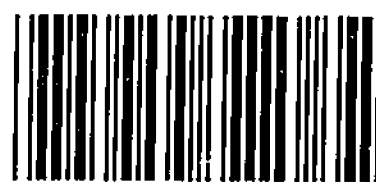
1973

DESCRIPTION:

Lommel, Lawrence

DATE:

11/12/85



1973

0855

Witnessed

[Signature]
[Signature]
[Signature]

120

[Signature]

Counsel,

Filed

day of

Nov

1888

Pleads

[Signature]

THE PEOPLE

vs.

B

Sanderson
for

vs.

2196 New
Butcher

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

RANDOLPH B. MARTINE,

By *May 27/88* District Attorney.

Filed *1-27-88* *Assault* *2d* *128*

A True Bill.

Part 2

Witnessed *1-27-88* *May* *1888*

AMS

Foreman.

[Signature]
[Signature]
[Signature]

0856

State of New York
City & County of New York } ss

Adolph Adrian being duly sworn says that he resides at No. 2226 Second Ave. in the City of New York, and has been in the Barber business for more than ten years past. That he has known Lawrence Lommel, who has been convicted of assault in the third degree for about two years.

That the reputation of said Lommel among his neighbors for honesty, integrity and peaceableness is first class. That his character is above reproach, and that he is attentive to his business, and during the period which deponent has known him he has always conducted himself as a quiet and orderly citizen.

Sworn to before me this }
28th day of May 1886. }

Adolph Adrian

W. Egan Jr

Notary Public (1)

New York County

0857

State of New York }
City & County of New York }

Martin Breeden of said City being duly sworn says, that he has been a Grocer for twenty years and is now carrying on that business at the corner of Second Avenue and 114th Street in the City of New York.

Deponent further says that he knows Lawrence Lommel, who has been convicted of assault in the third degree, and that he has known him well for a year and a half, ever since said Lommel has been in the Butcher business on his own account. That said Lommel's character is very good, and he is known among his neighbors as a very quiet and inoffensive young man. That he is a hardworking, industrious man, giving great attention to his business.

Sworn to before me this }
26th day of May 1886 }

Martin Breeden

J. M. Egan
Notary Public of
New York County

0858

State of New York
 City & County of New York } ss

~~James~~ ^{Cyrus} H. Green of Number 2232 Second Avenue in said City being duly sworn says, that he is a whole-sale dealer in candy, and has been engaged in that business for a number of years past. That he is well acquainted with Lawrence Lommel who has been convicted of simple assault or assault in the third degree, and has known him for about two years last past. That said Lommel has kept a butcher shop near where deponent resides and deponent has had frequent occasion to see him. That said Lommel has during this time always borne a good reputation among his neighbors, and his character has been above reproach. Deponent further says that said Lommel has always been attentive to his business, and has always conducted himself as a quiet, peaceable and orderly citizen. And further deponent saith not.

Sworn to before me this }
 27th day of May 1886 }

Cyrus H. Green
 x

J. H. Hagan Jr
 Notary Public (1)
 New York County

0859

Sepler }
Lammell }
Appl or to
Ch.

0060

County of New York
City County of NY

Before Justices

The People
-H-

Smith, Kilbeth & Ford
Oct 20 1885

Loring Lounel

Edna J. McCoy, the Complainant being
duly sworn testified as follows:-

(By the Court-)

Q You reside 2238 Second Avenue? a Yes Sir

Q Do you know this defendant Loring Lounel?
a Yes Sir

Q What took place between you and him on the 24th of
July last?

a- I have a place of business at 2238 Second
Avenue I have a watering trough there. This
man has been in the habit of using my watering
trough, and I told him several times -

Q Come down to this day?

a- It was on the 24th. He did not seem to pay
any attention. I said to him, You still use that water-
trough? and he said "yes". He raised the pail
half full of water, and I caught the pail and
in the scuffle it broke. In the scuffle
the handle of the pail broke. He ran into
the store and came out with a butcher's

0061

Q I did not have anything to defend myself, and he raised it and cut me over the breast, since then I have been under the doctor's care

Q You had done nothing to cause him to do this?
A - No sir. I told him several times to stop using the trough, and he said he would use it when he liked

Cross Examined by Mr J. V. S. Oliver

Q What business are you in?

A - Liquor business

Q This trough was in front of your door?

A - Yes sir

Q Where does this man sleep?

A - Next door to me

Q On this day in question, is it not a fact that he went across the street and got a pint of beer?

A - I do not know, sir

Q Did you see him coming back?

A - I saw him at the watering trough

Q Did you see him coming across the street with a pitcher or can of beer?

A - No sir

Q Didn't you say to him "You are a fine man"?

0862

3.

A - No Sir

Q Did you have any quarrel at that particular minute with him?

A - Yes Sir, when he was using my trough

Q How far away from his butchers shop was he when you and he commenced to quarrel

A - He walked towards me with the pail and commenced to assault me with it

Q How far away from the butchers shop was he when the struggle commenced?

A - Right along side of my door

Q How far away from the trough was it?

A - The trough is at the curb He walked over to me

Q How wide is the sidewalk there?

A - I do not know, Sir

At this stage of the proceedings the Court transferred the case to the Court of General Sessions

0863

Caution Op. Session

The People

to

Learning Journal

001-20788

J. S. Feltz - Stenographer
101 Centre St. N.Y.

0864

Court of General Sessions

The People vs
against
Lawrence Lommel }

City & County of New York fs George Schaefer of N^o.
1612 Second Ave., N.Y. City, Butcher, being duly sworn
says that he has been well acquainted with Lawrence
Lommel for at least eight years past, and during
the whole of that time he has been a quiet, peaceable
and orderly citizen, never having quarrels or troubles
with any person. Since said Lommel has been in
business for himself, he has devoted his whole time
and attention to his business, and has been the principal
support of his widowed Mother.

Sworn to before me this }
day of May 1886 }

George Schaefer

Louis H. Geiges

Notary Public N^o 74 of N.Y. City

City & County of New York fs

Jacob Brown of said City being duly sworn
says, that he is a Policeman attached to the 28th
Precinct, in this City. That he has known Law-
rence Lommel for more than five years past

0865

and during the whole of that time has known him as a quiet, peaceable and industrious citizen, giving his whole time and attention to the business of his employer, when employed, and to his own business since he has been in business for himself.

Sworn to before me this }

31st day of May 1886 }

Jacob Brown.

Albert C. Lorey

Commissioner of deeds N.Y. City

City & County of New York

August Jacob a Ten Smith of No. 17th East 77th Street in the City of New York being duly sworn says, that he has known Lawrence Bonnell for about four years last past, and during all of that time he has known him to be a quiet, peaceable and industrious citizen, attending strictly to his business. That his reputation among his neighbors is of the very best.

Sworn to before me this }

31st day of May 1886 }

August Jacob.

August Jacob
Notary Public
N.Y.C. 25

0066

Leach }
Lonell }

0067

The heart rending ordeal I have gone through will ever be a lesson to me in all time to come and make me a wiser and better man -

I am grateful for your Honor's fairness, care and impartiality during the progress of my trial and pray you to believe me truthful and sincere in all I here write and with profound respect for your Honor let me be and subscribe myself
Your very Obedt Servant
Laurence C. Lomely

0068

City & County of New York &

George Schlenker a Butcher of No. 2026 Second Avenue in the said City, being duly sworn says, that for a period of four years Lawrence Lohmuel was in his employ and learned the trade of Butcher while with deponent. That during the whole of said time deponent found said Lohmuel to be a very excellent young man, taking good care of deponent's interests & giving strict attention to his business. That he was always a very quiet and peaceable young man, and it is a pleasure to deponent to bear witness to his excellent character. That he only left deponent to go into business for himself, and he is now living with and supporting his widowed Mother.

Sworn to before me this }
31st day of May 1886 }

George Schlenker.

Morton H. D. Foster

Commissioner of Deeds

for the City & County of New York

0869

City Prison
May 26/86

Hon F. Smyth
Recorder &c
Sir,

Confident your Honor will not deem me too presumptuous or importunate I beg to solicit your respectful attention and consideration to some matters of which you should be cognizant in the disposal of my case and for which I will neither be unmindful or oblivious.

The misfortune into which I have been plunged - unwittingly I solemnly assure your Honor, has caused me much torture of mind and anxiety for the future.

I have an aged mother - a widow for many years - and a younger brother whom to the best of my ability by honest industry, I have supported and should I be separated from them, they will be left in a helpless and destitute condition.

I am nearly 24 years of age, unmarried and reside with my mother at N^o 2196 Second Avenue in this City and I truly asseverate to your Honor

0870

that I have never transgressed the law nor have I ever been accused with the commission of any unlawful offense nor even before arrested.

Tried before your Honor and a jury on Tuesday last and adjudged guilty of Assault in the 3rd degree I supplicate your Honor's merciful consideration and pray you temper justice with mercy and if consistent that you suspend sentence and for it, you will have no cause for regret for I will so demean myself in all the future, as a peaceable, industrious, sober and honest man. Believe me that I sensibly feel my situation and humiliation and my poor mother does so suffer

I entertained no ill-will against the complainant and solely acted in self defence and none more laments the occurrence than myself.

So, I pray your Honor save me the everlasting disgrace of imprisonment in a prison as a convict and oh how truly grateful I will be and you will have the prayers and blessing of my good dear mother

0071

Court of General Sessions
 The People vs
 against
Lawrence Bonnel

City & County of New York

Anthony Feig, a Butcher, of N^o. 302 East 114th St.
 D. Jacobs a Butcher of N^o. Second Avenue, Louis
 Meyer a Butcher, of 2nd Ave. + 116th St., Henry Schmidt
 a Baker, of 2nd Ave. + 115th Street, August Hildebrandt
 Saloon keeper of 2nd Ave + 116th St., Julius Schnabala
 Shoe dealer of N^o. 2196 2nd Avenue, Patrick Allen of
 N^o. 337 East 110th Street a Building Contractor and
 Henry Brennaes a Real Estate Broker of N^o. 2254
 Second Avenue, being duly and severally sworn say,
 and each for himself saith, that he has known
 Lawrence Bonnel for a year and a half, last past.
 That during all of that time he has been known as a
 quiet, peaceable and orderly young man, paying strict
 attention to his business. That his reputation among
 his neighbors is of the very best and he is in all respects
 an exemplary young man.

Sworn to before me this }
 day of May 1886 }

Patrick Allen

0872

State of New York }
City & County of New York } SS

John Allen a contractor Residing at No
329 East 104th St. in the City of New York being
duly sworn deposes and says that he has
known Lawrence Lammell for the past
Three years and during all that time he has
known him as a quiet peaceable and
orderly young man paying strict attention
to his business that his Reputation among
his neighbors is of the very best and he
is in all respects an exemplary young
man

Sworn to before me John ^(his) Allen
this 31st day of May 1886 Mark

Morton H. C. Foster
Commissioner of Deeds
for the City & County of New York

0073

STENOGRAPHERS' MINUTES.

BEFORE

188

WITNESSES.

DIRECT.

CROSS.

RE-DIRECT.

RE-CROSS.

0874

1

Court of General Sessions Part 2.

T H E P E O P L E &c.

-against-

Lawrence Lommel, indicted for
assault in the Second Degree.

Tried ~~May~~ May 25th, 1886.

A P P E A R A N C E S.

Assistant District Attorney, John R. Fellows, for the people;
Mr. Van Cott, for the defence.

-----000-----

EDWARD J. McCOY, the complainant, being duly sworn,
testified that he was in the liquor business, and also a
collector for H. C. Ferris' ale brewery. On the 24th of
July, 1885, he was assaulted by the defendant, with a but-
cher's knife or ax. He was struck upon the chest. He
had been under the care of a physician ever since and had
had three hemorrhages. A considerable wound was inflicted
by the axe. It was about a quarter of an inch in depth,

0075

2

and about an inch in length. The assault was committed between 4, and 10 o'clock in the morning, at 115th^{Street} and Second Avenue, in front of his saloon. He, the complainant, had a water trough in front of the door. The defendant had a meat and fish-stand in front of his door. The defendant had had the use of the trough, but he told him not to use it, and the defendant said that he would use it whenever he wanted it. On the morning in question, the defendant was filling a pail at the trough, and the complainant said: "You still use that trough?" The defendant said, yes, and raised the pail to hit him accross the head. The handle of the pail broke, and the defendant ran up to his stand - rushed up to his stand, caught up the butcher cleaver and struck him, the complainant, upon the chest.

-----000-----

Under cross examination the complainant testified, that he did not know whether he struck the defendant or not. He put up his hand to defend himself from the axe. The defendant was not knocked down. He had never had any conversation with the prisoner about his buying beer at the opposite saloon, and did not tell him that he was a fine neighbor for not helping his next door neighbor.

0876

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WILLIAM ROBINSON, of 334 West 40th Street, being
duly sworn, corroborated Mr. McCoy - -

-----000-----

HENRY PRAEGLE, being duly sworn, corroborated Mr.
McCoy.

-----000-----

Officer JAMES P. BENNETT, retired from the force,
testified that he had been thirty eight years on the Police
Force. On the 29th of July 1885 he was on active duty, in ~~the~~
the Fifth District Police Court. He received a warrant for
the arrest of the defendant, and arrested him.

-----000-----

For the defence, LAWRENCE C. LOMMEL, the defendant,
testified that he was a butcher and worked ^{at} 2236 Second
Avenue. On the 29th of July, about ten o'clock in the
morning, John C. COYne came into the store and paid 50 cents
that he had borrowed the day before and said: "Harry, here
is seven cents, get a pint of beer. He, the defendant,
went accross the street to get a pint of beer. When he
came back, McCoy was standing in his doorway, and he said:
You are a nice neighbor, getting your beer across the way.
A few minutes later he went to pack up some fish that had

0877

4

fallen from his stand and McCoy repeated his remark. He, the defendant, answered, "We must buy from those that patronize us." Then Mr. McCoy punched him in the mouth and knocked out three of his teeth and blackened his eye. Then Mr. McCoy and his brother ran over to hit him and there was an old butcher's cleaver^a lying on the stand, and he raised it up to defend himself. The first thing he knew, Mr. McCoy pushed against the cleaver^a. Mr. Coyne and his, the defendant's, partner ran out of the store, and he, the defendant, turned and went into the store. The defendant and his brother picked up the fish, and the knife on the fish stand and threw them at him. An officer came along and he, the defendant, said he wanted McCoy arrested. The officer said that he did not see the assault and would not arrest him. He, the defendant, went up to the Police Court in Harlem, and the clerk said that the Court was closed and to come back in the afternoon. When he got there at 2 o'clock he saw McCoy going out of the court room and the next morning he was arrested.

-----000-----

AUGUSTUS SCHAEFER, being duly sworn, testified that he was a butcher, and the partner of Mr. Lommell.

0078

5

He corroborated the defendant's statement.

-----000-----

JOHN P. GOYNE, insurance broker, also corroborated the defendant.

-----000-----

ELISHA FENN, a dentist, testified that he had known the defendant for about a year. On the night of 25th of July, 1885, the defendant called at his office to get some artificial teeth made. The defendant had been struck in the mouth and his artificial teeth had been knocked out. His upper mouth was cut and very much swollen and his left cheek and eye also swollen. The defendant's character was good.

-----000-----

0879

Indochina (Indochina) 12/12/12

Indochina (Indochina) 12/12/12

Indochina (Indochina) 12/12/12

STENOGRAPHERS' TRANSCRIPT.

1886

0880

Police Court—

5 District.

CITY AND COUNTY } ss.
OF NEW YORK,

of No. 2238. 7. Ave Edward J. Maly being duly sworn, deposes and says, that
occupation Merchant
on the 21 day of July 1888 at the City of New York,
in the County of New York,

he was violently ASSAULTED and BEATEN by Lorenz Lounell
who struck deponent a violent blow
on deponent's breast with a butcher's
knife held in the hands of said
Lounell.

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 the above assault, &c, and be dealt with according to law.

Sworn to before me, this

day of

188

Edward J. Maly
Police Justice.

0001

POLICE COURT

DISTRICT.

City and County of New York, ss.:

THE PEOPLE,

On Complaint of

For

Henry Lommel

Edward J. M. Coy.
Assault

After being informed of my rights under the law, I hereby waive a trial, by Jury, on this complaint, and demand a trial at the COURT OF SPECIAL SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated

1881

Andrew J. White

Police Justice.

Lawrence Lommel

0002

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss

5- District Police Court.

Lorenz Lommel

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 *Lorenz Lommel*

Question How old are you?

Answer *27 years -*

Question Where were you born?

Answer *New York -*

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

Answer *2196, 2nd Ave. 18 months*

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*

Lawrence Lommel

Taken before me this

25

day of

188

Police Justice.

0003

Sec. 151.

District Police Court.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by *Edward J. Wilson*
of No. *223* *2. Ave* Street, that on the *24* day of *July*
188 *at the City of New York, in the County of New York,*

he was violently **Assaulted** and **Beaten** by *Green Connell*

who struck complainant with a stone

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
Green
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring
forthwith before me, at the *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 *24* day of *July* 188 *8*

W. A. Bond
POLICE JUSTICE.

0004

POLICE COURT, DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-A. & B.

Dated 188

Magistrate.

Officer.

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

Officer.

Dated *July 25* 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,

0885

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 _____

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

Dated July 20 1881 Andrew J. White Police Justice.

I have admitted the above-named _____

Aspendant
to bail to answer by the undertaking hereto annexed.

Dated July 21 1881 Andrew J. White 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 _____ 1881 _____ Police Justice.

0006

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District.

Not Guilty.
THE PEOPLE, &c.,

ON THE COMPLAINT OF

Edmund M. Loy.
223 E. 22nd St.
New York

2

3

4

Dated

July 25 1881
White
Bennett
Magistrate
Officer.

Off. Bennett has been
retired & resides at Whitestone
Long Island

No. Wm Robertson 176 Blacker
Harry Gregor 410 W 42

No. Street,
New York

No. Street,
New York

\$ 500 to answer

Bailed

0007

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Lawrence Sammel

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

Lawrence Sammel -

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

The said *Lawrence Sammel*,

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

Edward J. McRae -

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

Sammel -

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

Lawrence Sammel -

in *his* right hand then and there had and held, the same being then and there an *instrument* likely to produce grievous bodily harm, *him*, the said *Edward J. McRae*, then and there feloniously did wilfully and wrongfully strike, beat, *cut*, - bruise and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

0000

SECOND COUNT:

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

Lawrence Sommel

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

The said *Lawrence Sommel*,

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 one *Edward J. McRory*

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault: and the said

Lawrence Sommel, him the said *Edward J. McRory*, with a certain *weapon* — which *he* the said *Lawrence Sommel*

in *his* — right hand then and there had and held, in and upon the *breast* of him the said *Edward J. McRory*.

of McRory — then and there feloniously did wilfully and wrongfully strike, beat, *cut*, — bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said *Edward J. McRory*, to the great damage of the said *Edward J. McRory*, 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.

RANDOLPH B. MARTINE,

District Attorney.

0009

BOX:

196

FOLDER:

1973

DESCRIPTION:

Lowery, Thomas

DATE:

11/25/85



1973

Witnesses:

Michael R. Ramey
Officer Ramey

276

Counsel,

Filed *20* day of *Nov* 188*8*

Pleads,

THE PEOPLE

427 *427*

R

Sharon Ramey

Sections 498506, 522, 523, 534
Exhibit
Exhibit in the Third Degree.

RANDOLPH B. MARTINE,

Pr Nov 27/88 District Attorney.

Pleas in Burg 3d.

A True Bill.

J. C. Carter
Foreman

2 yrs 6 mos

1

0090

0891

Police Court—2nd District.City and County } ss.:
of New York,

of No.

318 Bleecker
12.12.1887 312
Bleecker

Street, aged

31 years,

occupation

deposes and says, that the premises No

312 Bleecker

being duly sworn

in the City and County aforesaid, the said being a

1 Mary Brick

dwelling house

and which was occupied by deponent as a

a Married Man

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

were BURGLARIOUSLY entered by means of forcibly

through the front door of the house

on the

27

day of

November 1887

in the

City of New York, and the

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

Sum of money of the value of one dollar and thirty cents
 and the sum of five dollars and fifty cents
 (2.60 \$)

the property of

Deponent

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

John J. Conroy (nowhere)

for the reasons following, to wit:

At about four o'clock
 this morning Nov 27th, Officer
 Barragh arrested the said
 defendant with the said property
 in his unlawful possession,
 and took him to the Station House;
 at the hour of six o'clock, day
 and date as aforesaid; the deponent
 went to the Station House, to

0092

report the loss of his property;
having found the door of the
store leading to the hallway
of the said premises open, and
as the only means of entrance,
after the place was closed, was
through the fan light, over the
door, defendant believes that all
circumstances tend to implicate
the said Thomas Leary in
the aforesaid Burglary and entrance
of defendant's premises.

Edward D. Leary, one } Michael Leary.
his 22 Aug. 1881 }
J. H. H. } Police Justice

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Degree.

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

0893

CITY AND COUNTY
OF NEW YORK, } ss.

aged 36 years, occupation

Thomas Burling
Police Commissioner

of No.

the 4th Precinct

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

Michael Rimmer

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

Sworn to before me, this

day of

October 1883

Thomas Burling

J. Thompson

Police Justice.

0894

Sec. 198-200

CITY AND COUNTY OF NEW YORK, { ss

2 District Police Court.

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

Question What is your name?

Answer

Thomas Loney

Question. How old are you?

Answer

24 years of age

Question. Where were you born?

Answer.

United States

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

Answer.

1177 West 39th 18 years

Question What is your business or profession?

Answer.

Laborer

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

Answer.

I am not guilty

Thomas Loney

Taken before me this

day of

188

Police Justice.

0895

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 Robert L. Linn

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

Dated Nov 27 1885 J. J. Linn 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.

0896

Police Court *L* District. *128*

THE PEOPLE, &c.,
ON THE COMPLAINT OF

1
2
3
4

Dated

1885

Magistrate

Officer,

Precinct.

Witnesses

No.

Street.

No.

Street,

No.

Street.

\$1000 to answer

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Corn

0097

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Sawyer

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

Thomas Sawyer —

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

The said *Thomas Sawyer*

late of the *ninth* Ward of the City of New York, in the County of New York, aforesaid, on the *twenty-second* day of *November*, in the year of our Lord one thousand eight hundred and eighty-*three*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *shop* of one

Michael Berner, —

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

Michael Berner,

in the said *shop*, 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.

0098

SECOND COUNT—

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

Thomas Sawyer

of the CRIME OF *P.X.X* LARCENY, —

committed as follows :

The said *Thomas Sawyer*

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

*Two trunks of the value of one
dollar and thirty cents each.*

of the goods, chattels and personal property of one *Michael Banner*,

in the *shop* of the said *Michael Banner*. —

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

0099

THIRD COUNT—

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

Thomas Berner

of the Crime of CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *Thomas Berner*

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

*Two items of the value of
one dollar and thirty cents
each.*

of the goods, chattels and personal property of one *Michael Berner*

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

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

Thomas Berner

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

RANDOLPH B. MARTINE,

District Attorney.