

1005

BOX:

11

FOLDER:

146

DESCRIPTION:

Conroy, Thomas

DATE:

04/07/80



146

1006

BOX:

11

FOLDER:

146

DESCRIPTION:

Langton, Daniel

DATE:

04/07/80



146

1007

BOX:

11

FOLDER:

146

DESCRIPTION:

McGuire, Frank

DATE:

04/07/80



146

1000

BOX:

11

FOLDER:

146

DESCRIPTION:

Sullivan, James

DATE:

04/07/80



146

1009

BOX:

11

FOLDER:

146

DESCRIPTION:

Ward, James

DATE:

04/07/80



146

10 10

BOX:

11

FOLDER:

146

DESCRIPTION:

Ward, Thomas

DATE:

04/07/80



146

3A

Day of Trial,

Counsel,

Filed 7 day of April 1880
Plends

THE PEOPLE

vs. *18, 97, 10, 08, 2*
Thomas Ward 1
James Sullivan 2
Frank McGuire 2
Thomas Conroy 2
Samuel Langton 2
James Ward 2
(a lot of stolen goods)

BURGLARY—THIRD DEGREE AND
RECEIVING STOLEN GOODS.

BENJ. K. PHELPS,

District Attorney

(Mitt. J. McKenna, Secy.)
A True Bill.

Ned Taylor, Foreman.
(ad) Wm. D. 100
Make with J.
James W. 100

1012

City and County
of New York, ss.

Thomas P. Morrell

of No. 238 East 81st Street, being duly sworn,
deposes and says, that the premises ~~North East Corner 3rd Ave & 95th~~
Street, 12 Ward, in the City and County aforesaid, the said being a frame building
and which was occupied by ~~Thomas Pearson & Charles C Reed~~ as a Stable and Store house
were **BURGLARIOUSLY**
entered by means of forcibly removing one of the boards
in front of said building and entering therein
with intent to commit a crime
on the afternoon of the 26 day of March 1880 -
and the following property feloniously taken, stolen and carried away, viz:

a quantity of old Rope and Iron chains
together and in all of the value of
twenty-five dollars

the property of Thomas Pearson & Charles C Reed -
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 Thomas Ward & James Sullivan
and Frank McGuire & Thomas Conroy & Daniel Langton
and James Ward (all here present)
for the reasons following to wit: that since the commission
of said offense the said Thomas Ward acknowledged
and confessed to deponent and in open court that
he in company with said Sullivan, McGuire, Conroy
Langton and James Ward went to said premises on
said day - and that the said Thomas Ward removed
the board from in front of said premises and that
he did then and there in company with the other
defendants enter said building and feloniously
take steal and carry away said property -
and deponent fully identifies said property - which
property was subsequently found in the possession of one
Nicholas Smith a junk dealer
South Side of 95th Street West of 2nd Ave

Thomas Pearson and
29 day of March 1880 -
Chas. H. Morgan Clerk, District

1013

Police Court—Fifth District.

CITY AND COUNTY } ss.
OF NEW YORK,

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

Question. What is your name?

Answer. *Thomas Ward*

Question. How old are you?

Answer. *14 years of age*

Question. Where were you born?

Answer. *New York.*

Question. Where do you live?

Answer. *3^d Ave. bet 96th & 97th Streets.*

Question. What is your occupation?

Answer. *Umbrella Factory.*

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

Answer. *I went into the stable with Curroy and M^r Lewis. I did not take anything. After going into the stable and staying there a few minutes I went home. Daniel Langton was standing outside to catch if any body was coming. James Sullivan made Frank M^r Lewis go into the stable. I saw M^r Lewis go into the stable. This was in the afternoon of Friday last at about 3 o'clock. I went to the Court House.*

Taken before me this 29th day of May 1899 } *Thomas Ward*

A. L. Morgan
Police Justice

1014

Police Court—Fifth District.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *James Sullivan*

Question. How old are you?

Answer. *13 years.*

Question. Where were you born?

Answer. *New York.*

Question. Where do you live?

Answer. *95th Street and E. Avenue*

Question. What is your occupation?

Answer. *I do nothing.*

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

Answer. *I did not send M^r Lewis into the stable—James M^r Lewis bringing out the chain—James not guilty*

Taken before me, this

day of

29th
March 18*88*

James Sullivan.

B. J. Morgan.

Police Justice.

10 15

Police Court—Fifth District.

CITY AND COUNTY }
OF NEW YORK, } ss.

Frank McGuire being duly examined before the under-
signed, according to law, on the annexed charge; and being informed that he was at
liberty to answer, or not, all or any questions put to him, states as follows, viz:

Question. What is your name?

Answer. *Frank McGuire*

Question. How old are you?

Answer. *12 years of age*

Question. Where were you born?

Answer. *New York.*

Question. Where do you live?

Answer. *77th Street & 2^d Avenue.*

Question. What is your occupation?

Answer. *No nothing*

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

Answer. *I never Sullivan made me and
I was hard put in and got the stuff.
So me and ~~the~~ Ward went in &
brought some stuff and gave it to
Sullivan - and put it in a bag
~~and he went to Smith's~~
~~bag of~~ with it. It was a raw
and I was told by Thomas Curry -
that Sullivan - just twenty Police Justice. five
cents for it - I helped to take the rope
out of the stable which was sold
to Smith - and I got fifteen cents out
of it - every share - I went with Haley
and Rudford and Curry and Lington
at Smith's to sell the rope - Smith did
not ask us where we got the rope -
this was of small pieces - and each
got a chain -*

Frank McGuire

*John before me this
29 day of August 1880
Alfred McGuire
Police Justice*

1016

Police Court—Fifth District.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Thomas Conroy*

Question. How old are you?

Answer. *15 Years of age.*

Question. Where were you born?

Answer. *Ireland.*

Question. Where do you live?

Answer. *21 No. bet. 96th & 97th Streets*

Question. What is your occupation?

Answer. *Umbrella Making*

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

Answer. *I went in - and came right back - didn't take anything - got a punch in the eye - and went right home - Sam Hard punched me in the eye - I am not guilty -*

Taken before me, this

day of

March 29th 1880

R. L. Morgan *Thomas Conroy*

Police Justice.

1017

Police Court—Fifth District.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Daniel Langton*

Question. How old are you?

Answer. *14 years of age.*

Question. Where were you born?

Answer. *New York.*

Question. Where do you live?

Answer. *1846-2^d Avenue.*

Question. What is your occupation?

Answer. *Go to school.*

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

Answer. *I didn't go into the Stable. I went outside to watch to see if anyone was coming.*

Taken before me, this

day of

29th
March 18*88* *Daniel Langton*

R. J. Morgan — Police Justice.

1018

Police Court—Fifth District.

CITY AND COUNTY } ss.
OF NEW YORK,

James Ward being duly examined before the under-
signed, according to law, on the annexed charge; and being informed that he was at
liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live?

Answer.

Question. What is your occupation?

Answer.

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

Answer.

*I was in 3^d Avenue and I saw
a crowd of boys and I went over
to them. I saw told my brother was
with them. I chased him home.
I asked Larry why he brought my
brother there and he
said for fun. I then
struck him. I ran under the stable
and did I take any thing from
there. I did not get Smith's. The
man. I only went there to see if my
brother was there.*

Taken before me this

29 day of January 1889

James Ward

Police Justice

1019

POLICE COURT—FIFTH DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas P. Marshall
238 E. 81 St. New York

- 1 Thomas Marshall 135 E. 79 St.
2 James Sullivan 95 E. 72 St.
3 Frank McQuinn 97 E. 72 St.
4 Thomas Conway 96 E. 72 St.
5 Daniel Langton 184 E. 72 St.
6 James Marshall 96 E. 72 St.

Dated March 29th 1880

Morgan Magistrate.

Reasor Langton 23 Officers

unseen

Witnesses,
John Ross - (33 E. 72 St.)
Joseph Langton Police
Thomas Pearson
2 E. 84 St.

500 each to Mrs. G.S.



Received in Dist. Atty's Office.

BAILED.

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

Mr. J. P. Baer
340 E. 105 St.

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CITY AND COUNTY } ss.
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That Thomas Ward James Sullivan, Frank
McGuire Thomas Conway, Daniel Langton
and James Ward

late of the *Twelfth* Ward of the City of New York, in the County of
New York, aforesaid, on the *twenty sixth* day of *March* in the
year of our Lord one thousand eight hundred and ~~seventy~~ *eighty* with force and
arms, at the Ward, City and County aforesaid, the *stone house*, of

Charles C Reed

there situate, feloniously and burglariously, did break into and enter, the same being a
building in which divers goods, merchandise, and valuable things were then and there
kept for use, sale and deposit, to wit: the goods, chattels, and personal property here-
inafter described, with intent the said goods, chattels, and personal property of the said

Charles C Reed

then and there therein being, then and there feloniously and burglariously to steal, take
and carry away, and

Two hundred and fifty pounds of rope
of the value of ten cents each pound -
One hundred feet of rope of the value of
twenty five cents each foot -
One hundred feet of chain of the
value of twenty five cents each foot
Twelve hundred and fifty pounds of iron
of the value of two cents each pound

of the goods, chattels, and personal property of the said

Charles C Reed

so kept as aforesaid in the said *storehouse* then and there being, 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.

And the Jurors aforesaid, upon their oath aforesaid, do further present:

That the said

Thomas Ward, James Sullivan, Frank McQuire, Thomas Conroy, Daniel Langton and James Ward each

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

Two hundred and fifty pounds of rope of the value of ten cents each pound

One hundred feet of rope of the value of twenty five cents each foot

One hundred feet of chain of the value of twenty five cents each foot

Twelve hundred and fifty pounds of iron of the value of two cents each pound

of the goods, chattels and personal property of

Charles C Reed

by a certain person or persons, to the Jurors aforesaid unknown, then lately before feloniously stolen of the said

Charles C Reed

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

Thomas Ward, James Sullivan, Frank McQuire, Thomas Conroy, Daniel Langton and James Ward

then and there well knowing the said goods, chattels and personal property, to have been feloniously stolen), 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.

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~~CITY AND COUNTY~~
~~OF NEW YORK~~

aforesaid
And THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
~~in and for the body of the City and County of New York,~~
upon their Oath, *aforesaid* do further present

That Thomas Ward, James Sullivan, Frank
McGuire, Thomas Conroy, Daniel Langton
and James Ward each —

late of the *Twelfth* Ward of the City of New York, in the County of
New York, aforesaid, on the *twentieth* day of *March* in the
year of our Lord one thousand eight hundred and ~~seventy~~ *eighty* with force and
arms, at the Ward, City and County aforesaid, the *Storehouse* of

Thomas Pearson.

there situate, feloniously and burglariously, did break into and enter, the same being a
building in which divers goods, merchandise, and valuable things were then and there
kept for use, sale and deposit, to wit: the goods, chattels, and personal property here-
inafter described, with intent the said goods, chattels, and personal property of the said

Thomas Pearson —

then and there therein being, then and there feloniously and burglariously to steal, take
and carry away, and

Two hundred and fifty pounds of rope
of the value of ten cents each pound
One hundred feet of rope of the value
of twenty five cents each foot.
One hundred feet of Chain of the value
of twenty five cents each foot.
Two hundred and fifty pounds of iron
of the value of two cents each pound
of the goods, chattels, and personal property of the said

Thomas Pearson

so kept as aforesaid in the said *Store house* then and there being, 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.

And the Jurors aforesaid, upon their oath aforesaid, do further present:

That the said

*Thomas Wozz, James Sullivan,
Hank McKuire, Thomas Conroy, Daniel
Langton and James Wozz each*

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

*Two hundred and fifty pounds of rope
of the value of ten cents each pound*

*One hundred feet of rope of the value
of twenty five cents each foot*

*One hundred feet of chain of the
value of twenty five cents each foot*

*Twelve hundred and fifty pounds of
iron of the value of two cents each pound*

of the goods, chattels and personal property of

Thomas Pearson

by a certain person or persons, to the Jurors aforesaid unknown, then lately before feloniously stolen of the said

Thomas Pearson

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

*Thomas Wozz, James Sullivan Hank
McKuire Thomas Conroy, Daniel
Langton and James Wozz*

then and there well knowing the said goods, chattels and personal property, to have been feloniously stolen), 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.

BENJ. K. PHELPS, District Attorney.

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BOX:

11

FOLDER:

146

DESCRIPTION:

Washburne, Ernest A.

DATE:

04/21/80



146

John
84
Sent
base to Horse & H.
Muel

John
84
356 W 23

35

City of New York
County of New York

Filed 21 day of April 1880
Placed
Sup. Court 32

THE PEOPLE
vs
Amich 20/11.

B

Ernest A. Macdonald

March 20/11.

Discharge by Court

BENJ. K. PHELPS,

District Attorney.
The complainant has
gone to parts unknown
and there is no reason
to be heard by return
of the Court.
Horseman.

has surrendered
him - I think it
proper that he should
be discharged on his
own recognizance.

1025

 The People, &c.

-v-

Ernest A. Washburne

)
)
) False Pretences.
)
)

Quincey Van Hummel (Compt.) 19 W. 21 St.

I saw an advertisement in the New York Herald on the 14th of March, asking for a partner in a business that was paying \$100 a day profits, and to address "Stanhope, Herald Office." I wrote to Stanhope, and he replied to it, that if I would call at 212 Broadway, Washburne & Co., I would get the particulars. I went there and saw the defendant, and bookkeeper and porter. It was an office fitted up well, and there seemed to be a good many men going in and out. I told him I came to see about the advertisement. He said yes- and looked over some correspondence he had, and found my letter, and he said he was ready to show me the business. I asked him what kind of business he had, and he said it was patent medicine called Salicylica for Rheumatism. He exhibited a pamphlet, of which I have a copy here, showing how extensively it was advertised. I asked him what amount of business he was doing, and he said that his business ran last year over \$20,000 profits. I told him I liked the appearance of things and would come back the next day and he should be prepared to show me his books. I returned the next day, and he showed me a set of books which you have got here. They were all straight. I looked them over carefully. He represented that those books

contained the condition of his business. I told him I would come in the next day again. I went the third day and took my friend along - my friend was an expert bookkeeper - and he examined the books for me, and they showed that Washburne drew out of this business the preceding year up to January 1880, \$26,000. The accounts were from day to day. I asked my friend what he thought of it, and he said the books were perfectly straight and they showed a big business. My friend asked the bookkeeper if he kept the books and he said yes, in the presence of Washburne and me. We then asked Washburne where the liabilities were - we said the books didn't show any liabilities. He said, "I have no liabilities because my business is cash at the end of every thirty days. I am dealing with whole-sale drug houses about America, which are the best class of customers." I asked him expressly if he owed anything, and he said no he didn't owe a dollar in the world - and the books showed that. Then I asked him for references, and he gave me a number; and I told him I would return the next day, and to have the papers prepared and I would go into it. That was on Thursday - that was the fourth time. I told him I would come in on Friday and pay the money, but instead of doing so Friday, I told him I would not give him the money until the next Monday. The next Monday I returned there and paid him the \$2,000 in a check. I would not have paid him if he had not told me that he did not owe a dollar in the world. It made no difference what the reference was, if he had not told me that he did not owe a dollar. He

further represented that he was the owner of the trade mark specified in the indictment. After I paid him the money, we signed the articles of agreement. He then left the office, saying that he would go out and drum up trade. He went out and came back once in the afternoon. That day he got \$100 from Post Office orders -- at least he showed me what purported to be two Post Office orders for \$50 each. On Tuesday the 23rd I went there about ten o'clock, and soon after I came in Washburne came in, Then he disappeared and I did not see him after that until I had him arrested..

Then the bookkeeper went to work to discourage me. All the letters that came to the office that I saw were dunning letters - and they were shown me apparently to discourage me. On Wednesday he did not appear, dunning letters did however, but no orders. I asked the bookkeeper where he was and he said he was at Court, and had sent word that he would not be down. I finally had him arrested.

I heard the defendant make before the Magistrate the statement subscribed by him, and which was sent to the District Attorney's Office. I identify the books now here as the books shown me by the defendant. They were also identified by Washburne's bookkeeper.

There is a certificate of incorporation on file in the County Clerk's Office called the European Salicylic Medicine Co., the defendant being one of the incorporators and President of the Company dealing in this Salicylica.

1029

The People

vs

Ernest A. Mahoney

Witness

J. Van Hammel

1030



City & County of New York
District Attorney's Office

Ernest A Washburne

Marine May 3. 1880 ads Charles Wilkey, Charles W. Fran-
#154.37 haber, William Herrick &
Freeman De la Riva
Marine Apr 16/80 #146.43 all of a Courser
Publishing Co
Horatio C King att.
Same ✓ Mar 13/80 ads Doar to England. of
#90.26 a figure
Same ✓ Feb 10/80 ads F C Bowman att.
#53.57 Robt H Shannon
Same ✓ Nov 26/79 ads George E Hutchins &
John Cora Jr
#1101.02 M C Wilson att.
Same ✓ Feb 19. 1875 or 1879 #160.96 ads Jan W Pratt
Same ✓ Feb 12. 1879 #263.21 ads 4-23-80
Reddy & Fromme att.
-93 N. 1st St.

Robt H Shannon with Morrison & Wapen
can identify

Mr Reddy does identify him in their judgment
as he examined him before trial
Mr. Minor Hutchinson by Nathan & Ketchum
can identify Washburne & Hutchinson
found in no. 300 the

Everett D Barlow

as mentioned in previous

Mr H L Breagman 33 Park Place 7. Isles
 can identify

Washburne as man whom England
 got judgment agt - as he left
 made contract and on with
 left & served the same court
 away Monday

agreed to
 after 11

James
 - you know

7

1032

May
Mr Phillips

1880

Dear Sir
in the Washburn case
I understand Humbull
to state that he had
~~settled~~ with Washburn
and had got his money or
compromise with him
I want you to look for
that case yours

A. Victoria

1033

Police Court—First District.

CITY AND COUNTY }
OF NEW YORK, } ss.

Ernest A. Washburn being duly examined before the undersigned, according to law, on the annexed charge, and being informed that *an* he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

Ernest A. Washburn

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

New York

Question. Where do you live?

Answer.

New York

Question. What is your occupation?

Answer.

Patent Medicine business

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

Answer.

The representations which I made were strictly correct. It was merely a misconception of ideas. I never represented that I had no liabilities. I represented that he was not liable for any of my liabilities. This is a malicious matter. The reason I did not come to the office was because he threatened me. The orders I showed him were strictly bona fide. I have judgments against me and they are on record. He broke his part of the contract & never did any thing in performance of his agree-

Taken before me, this

day of

187

POLICE JUSTICE.

1034

went except the payment of the
morning.

Taken before me E. A. Washburne
This 27 day of March 1880
J. Mitchell
Police Justice

Daniel J.

The examination
of the defendant shows
that the representations
given to by the com-
plaining witness ^{that}
were not true, and
they were known to
be untrue when they
were made. Taking
the complaints and
examination together
there seems to be suf-
ficient to show the
guilt. The apper-
tation for his dis-
charge must be denied.

Police Court—First District.

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

Quincy Van Hummell
 of No. 210 Broadway Street,
 being duly sworn, deposes and says, that on the 22
 day of March 1880, at the City and County of
 New York, Earnest A. Washburn (now
 here and knowingly and feloniously
 obtain from deponent good and lawful
 Money to the amount of two thousand dollars
 \$2000 by the means of false and
 fraudulent representations to wit
 that said Washburn advertised for a
 partner in the New York Herald News-
 paper setting forth that he was doing
 a business of one hundred dollars a day
 and required a partner with \$3500
 cash to take charge of the business
 and give him Washburn an opportunity to
 travel and extend the business he was
 then engaged in viz the sale of medicine
 for the cure of Rheumatism. That
 deponent was informed by said Washburn
 that he was perfectly solvent, having
 no debts or liabilities and produced
 his books and submitted them to the
 inspection of deponent. That deponent
 did not find upon said books anything
 showing said Washburn to be in debt
 and believing and relying wholly upon
 the representations made by said
 Washburn gave to him the above named
 amount. That since that time
 deponent has seen a book which he
 is informed is the genuine book and
 which was not shown to deponent at said time
 that upon the last named book

appears debts and liabilities to the amount of forty thousand dollars or more which indebtedness was not shown to defendant at the time of entering the partnership but was purposely concealed from him to encourage defendant to pay said money and become a partner —

That said Washburn did falsely and fraudulently pretend and represent to defendant that he was perfectly solvent free and clear of all debts and liabilities in his business transactions. which was of the amount daily framed within well knowing the same to be false and deceptive and with the intent and purpose of cheating and defrauding defendant as this defendant believes and charges —

Quincy Van Hurnell

sworn to before me this
27 day of May 1881
J. H. [Signature]
Sheriff

Raymond L. Covert of No 5 Wayne Street Jersey City being duly sworn says, I am a bookkeeper in the employ of Ernest A. Washburn the prisoner. I have been in his employ at No 212 Broadway New York since about December 1878. I am familiar with

1037

his mode of transacting business and with the state of his accounts in the same. On about the 22nd of March 1880 I estimate his liabilities for advertising alone in said business at \$40,000.

I kept the books of the concern and the entries of orders and payments were made by me upon the dictation of Washburne. The orders and payments never passed through my hands. Washburne received all the mails, and he would come to me and say "you can enter 'up today's' business; such 'and such a firm as much' and such and such a firm as much". The bills in the book now produced in court are valid outstanding liabilities and amount to about \$40,000.

From before
me this 27 day of March 1880

J. H. Keith
Notary Public

Raymond L. Covert

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COUNSEL FOR COMPLAINANT.

Name
Address

COUNSEL FOR DEFENDANT.

Name
Address

Police Court—First District.

THE PEOPLE, & Co.,

OF THE COMPANY OF

James H. Harned
244 Broadway, New York
Can. July 19, 1880
James H. Harned



Dated *March 27* 18*80*
W. H. Smith Magistrate.
Conroy & Childs Officer.
Also Atty. General Clerk.
Witnesses *Raymond Corbett*
House of Detention
in default of \$500 bail
comp. fees by Purvis & Moberg
4 North Ave

5700 to answer
Conroy Securing

Received in Dist. Atty's Office,
A true Bill
N. S. Taylor Foreman

BAILED.

No. 1 by

Residence

No. 2 by

Residence

No. 3 by

Residence

No. 4 by

Residence

No. 5 by

Residence

No. 6 by

Residence

-----)
The People, &c.)
)
)
Ernest A. Washburne)
-----)

R a y m o n d L. C o v e r t, 5 Wayne St., Jersey City.

At the time of the transaction between John Von Hummell and Washburne, I was in the employ of Washburne, and had been for about one year. I knew that he had been in the habit of putting advertisements in newspapers similar to the one that Von Hummell answered. The only way I knew he put that in was his handing me answers to advertisements - he did so twice prior to Von Hummell's. He would hand me a form to copy and send as an answer to letters. The form was to the effect, that the business averaged so much a day, and to please call and investigate. My position was bookkeeper, and I had charge of the general advertisements. He would come in and say to me, "I have received such and such orders", and I would enter them on the sales book and would post them from the sales. The goods I supposed were shipped from the factory, those that were kept at the office were for cash sales. I would enter the orders on the books from his dictation. Sometimes I would see the orders and sometimes I would not. These were cash sales, 50 per cent. discount for net cash. I would post every night. Then as to receiving payment for the goods, he would say "Such and such was paid to me today" and I would post that from the Ledger into the Cash Book. He would give a list of the expenses and those I would enter in the books. I never handled a dollar of his in my life. He kept an account of money he owed. When those bills came in I would post them

in the bill book. That is the way it continued up to this transaction with the Doctor. I remember writing at the request of Washburne to Hummell to call there in regard to an advertisement that had been inserted in the Herald. I remember Hummell calling there. I do not remember hearing any conversation between Hummell and Washburne. I never spoke a word to Hummell until Washburne told me he was a partner. The books that the District Attorney has are the regular books that I kept. I do not know whether those books represent the actual or fictitious state of that business. I do not know anything about the transactions specified in them -- I know that some of the orders specified in that book are genuine. The rest of the orders I made there were made from his dictation. I presumed that they were all genuine transactions, and I presume so still. I made most of the entries in those books -- he made some. I do not know whether the entries he made represented genuine transactions. The orders always came to the Post Office Box, and were brought to me by him. He gave instructions at the Post Office that letters should be given to no one except to himself. The biggest portion of the orders I never saw. His manufactory was at 149 Fulton Street in this City. His father has a paint shop there on the second floor, and Washburne had a portion of it. He had a brother there, but I don't know whether he was engaged about his brother's or father's business. The goods were put up at 1545 Broadway, The European Salicylic Medicine Co., and received in Fulton St. One Bagot was Treasurer of the Company, and Decker was Secretary. Bagot resigned, and I was appointed in his place. I had ten shares of the par value of \$100, which cost me \$10 each. I do not know whether they had any

actual value or not. This company was organized in November 1878. I do not know what constituted their property. They owned the Salycilic Trade ^mark and the right to manufacture the medicine. I believe that Washburne owned the trade mark, and for a number of shares of stock he gave it to the company. Mr. Decker resided in Brooklyn. I never saw Bagot. The last meeting was held last December. They were held every three months. Washburne, Decker and myself would attend these meetings—no one else. Washburne took charge of the advertisements—he was the agent of the Company. We did our advertising directly with the papers. The bills came to Washburne & Co., and were turned over to me and I posted them in the books. Washburne said he paid them, but I don't know. He gave me the money, and I always paid the Telegram bills. I paid the Herald bills—he gave me the money. I think I paid for Harper's Weekly. When I paid those, I made the entries the same as the others. He often told me to make entries of bills that he discharged. He kept a small book of transactions, and every night he would say "I paid such and such bills" and I would enter them upon the books. The aggregate of these bills for advertising was about \$60,000. There were a great many bills that would not have been due for three months. I can tell by looking at the books which of those bills had become due before Von Hummell went in there were not marked paid. There were bills coming due all the time. Washburne never spoke to me about his transaction with Von Hummell. I asked him what Von Hummell was coming in for and he said to advertise the medicine. Von Hummell asked me if

Washburne had any liability and I told him yes; he asked how much, and I said about \$60,000. I made an approximate estimate from the books — and I think he owes that still. There is nothing else that I recollect saying to Von Hummell. Washburne said he would like to get some one in to help him push the advertising. I think he had a party there before by the name of Halyon. That was some time last Winter. There was another man there by the name of Williams or Blossom, but I do not know what interest he had in the business. Washburne paid me \$20 a week. I would not give anything for the trade mark and the right to manufacture that medicine. I do not know whether Washburne owes anything than those advertising bills. I heard him say at the Court that there were judgments against him — and I think I heard him say so previous to that time. I know of an advertising agent in Nassau St. who had a judgment against him — got it in January of this year — I heard the man say so in the office. I have seen papers in civil proceedings served upon Washburne in the office — probably eight or nine within the last year. The books profess to show the condition of the business, and they show the business was a profitable business, leaving out the amount due for advertising. I always had an idea it was, and I believe so today. I could not tell what they were making every day — the books represent \$100 a day. I have heard him tell advertising agents that he had no money. — He never indicated to me in any way that he wanted to get Von Hummell out of the business. Washburne told me that he told Von Hummell that he owed the advertising bills. I closed my last books up January 1880, and commenced another year. At that time the books showed \$36,300 cash. I have not seen Washburne since his arrest. There has been no disposition of the trade mark.

1043

The People
vs
Ernest A. Frohman

=

Statement of
Curtis Raymond L.

People
 Washburne 7/27

The following are payments that were em-
 paid & get him at time he made the false
 representations

Washburne vs Isaac W England & George Marnie
 Ct Mch 13/80 \$90.26 JCB Bowman atty
 7 Buttrick St

Mr H. B. Bragman Frank Leslie's publishing
 house 55 Park Place can identify Edg
 as deft in this suit as he made the
 contract with him and thereon and
 served him with the sum money copy copy.

ads Robt H Shannon Marnie Ct Feb 10/80
 \$53.57 Morrison & Netjen attys
 346 Broadway
 said Shannon atty, Nov 24/80
 Broadway can identify as
 to this judgment.

ads George E Hutchinson & John Corry Jr
 Marnie Ct Nov 26/79 \$201.92
 McEluor atty
 209 Broadway
 Mr McEluor & Hutchinson (114
 Nassau St can identify as to
 this judgment and Hutchinson
 can say, also, that deft owed him
 \$300 additional at time rep-
 resentations made

ads James W Pratt Marnie Ct \$160.96
 Everett B Barlow atty
 206 Broadway
 Barlow can identify as to this

ads Lem Baldwin Marnie Ct July 12/79
 \$263.21 Remyt Sporne
 atty
 93 Nassau St

1045

Ready to identify as to this pedg-
ment.

People

Washburne

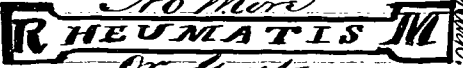
False pretences

Each of judgments
and left at court
of prosecution &
in fact as to con-
tention

City and County of New York S.S.

The Jurors of the People
of the State of New York, in and for the
body of the City and County of New York,
Upon their Oath present:

That Ernest A. Washburne, late of
the First Ward of the City of New York,
in the County of New York, aforesaid, on
the twenty second day of March in the
year of our Lord One thousand eight
hundred and Eighty at the Ward, City
and County aforesaid, with force and
arms, on the day and year last
aforesaid, with intent feloniously to
cheat and defraud Quincy Van Hummell
of said City and County, did then and
there feloniously unlawfully, knowingly,
and designably, falsely pretend and
represent to the said Quincy Van
Hummell that he the said Ernest
A. Washburne was the owner and
proprietor of a certain trade mark in
substance and to the effect as follows viz

" No More
Trade  "
Or Gout
acute or Chronic
Salicylica
Sure Cure "

That he the said Ernest A. Washburne was

then and then a person of great wealth and responsibility. That he said Ernest A. Washburn was then and then doing a business in the sale of a certain Medicine known as Salicylic acid for the cure of Rheumatism the profits of which business were at least one hundred dollars per day. That he said Ernest A. Washburn was perfectly solvent and pecuniarily responsible owing no debts and having no pecuniary liabilities. That he said Quincy Van Hummell would pay to him the said Ernest A. Washburn the sum of Two thousand dollars he the said Ernest A. Washburn would transfer to said Quincy Van Hummell the one half interest in the use of the Trade Mark of said and other articles used by said Ernest A. Washburn and a one half interest in said business.

And the said Quincy Van Hummell then and then believing the said false pretenses and representations so made as aforesaid by the said Ernest A. Washburn and being deceived thereby was induced by reason of the false pretenses and representations so made as aforesaid to deliver, and did then and then deliver to said Ernest A. Washburn a certain paper—

made as aforesaid to deliver, and did then and there deliver to said Ernest A. Washburne a certain paper

writing commonly called a Bank check in substance and to the effect following,
 "It^{ms} 72201. New York Mch 22nd 1880

National Bank of Commerce
 Pay to the order of R. Van Hummell.
 Two Thousand \$ ——— Dollars
 \$2000⁰⁰ for pro Mountz Brothers
 W^m H. Hollister"

which said check was a good and genuine order for the payment of the sum of two thousand dollars, and of the value of two thousand dollars and upon the back of which check or order the said Quincy Van Hummell duly endorsed his name and upon which check or order the said Ernest A. Washburne did then and there obtain the sum of two thousand dollars of the proper moneys, valuable things, goods, chattels, personal property and effects of the said Quincy Van Hummell and the said Ernest A. Washburne did then and there designedly receive and obtain the said two thousand dollars of the said Quincy Van Hummell of the moneys, valuable things, goods, chattels, personal property and effects of the said Quincy Van Hummell by means of the false pretenses and representations aforesaid and with intent feloniously to

cheat and defraud the said Lunnicy Jan New-
-mell. Whereas in truth and in
fact, the said Ernest A. Washburne was
not then and there the owner and propri-
etor of a certain trade mark in substance
and to the effect as follows viz.

" *To Have*
[R] *Or* *Acute or Chronic*
RHEUMATISM *Mark*
Salicylic Acid
Sure Cure. "

but on the contrary thereof said Ernest A. Wash-
burne had therefore transferred all his
right title and interest in the aforesaid trade
mark to a certain incorporated Company duly
organized under the laws of the State of
New York under the name of The Europe-
-an Salicylic Acid Medicine Company.

And whereas in truth and in fact he
said Ernest A. Washburne was not then
and there a person of great wealth and
responsibility, but on the contrary thereof
he said Ernest A. Washburne then and
there was wholly insolvent and irrespon-
sible.

And Whereas in truth and
in fact he said Ernest A. Washburne was
not then and there doing a business in
the sale of a certain Medicine known as
Salicylic Acid for the cure of Rheumatism the foregoing

The sale of a certain Medicine known as Salicylic acid for the cure of Rheumatism the profits

of which business were at least one hundred dollars per day, but on the contrary the profits of said business were of no value.

And Whereas in truth and in fact he the said Ernest A. Washburn was not perfectly solvent and pecuniarily responsible owing no debts and having no pecuniary liabilities, but in truth and in fact he said Ernest A. Washburn was then and there wholly insolvent and pecuniarily irresponsible and was owing a large amount of debts and having then and there very large pecuniary liabilities.

And Whereas in truth and in fact the said Ernest A. Washburn did on said twenty second day of March in the year aforesaid owe to various persons large sums of Money amounting to at least forty thousand dollars over and above all his assets.

And Whereas in truth and in fact the pretenses and representations so made as aforesaid by the said Ernest A. Washburn to the said Quincy Jan Hummel was and were in all respects utterly false and untrue to wit, On the day and year aforesaid at the Ward, City and County aforesaid.

And whereas in fact and in truth, the said Ernest A. Washburne well knew the said pretenses and representations so by him made as aforesaid to the said Quincy Van Hummell to be utterly false and untrue at the time of making the same.

And so the Jurors aforesaid upon their oath aforesaid, do say, that the said Ernest A. Washburne by means of the false pretenses and representations aforesaid, on the day and year last aforesaid, at the Ward, City and County aforesaid, feloniously, unlawfully, falsely, knowingly and designedly did receive and obtain from the said Quincy Van Hummell by the means and in the manner aforesaid the sum of two thousand dollars of the proper moneys, valuable things, goods, chattels, personal property and effects of the said Quincy Van Hummell with intent feloniously to cheat and defraud him of the same, against the form of the Statutes in such case made and provided and against the peace of the People of the State of New York and their dignity.

1052

BOX:

11

FOLDER:

146

DESCRIPTION:

Watkins, Lizzie

DATE:

04/08/80



146

78

Golden

Counsel,

Filed *day of October 1888*

Pleads *Ind. Exh. 19*

Larceny, and Receiving Stolen Goods.

THE PEOPLE

vs.

Lizzie Watkins
(2 Cues)

BENJ. K. PHELPS,

District Attorney.

April 29. 1888.

Accepted

A True Bill.

W. S. Taylor Foreman.

Filed with finding

1053

1054

78

Golden

Counsel,

Filed

day of *April* 188*8*

Pleas

Not Guilty 191

THE PEOPLE

vs.

Lizzie Watkins
(2 cases)

Larceny, and Receiving Stolen Goods.

BENJ. K. PHELPS,

District Attorney.

April 29. 1888.
Accepted

A True Bill.

W. S. Taylor Foreman.

W. S. Taylor

1055

STATE OF NEW YORK, FORM 89 1/2
CITY AND COUNTY OF NEW YORK, SS. POLICE COURT—SECOND DISTRICT.

Amelia Smith
of No. *105 West 72* Street being duly sworn, deposes
and says, that on the *1st* day of *March*, 18*90*

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

the following property, to wit: *One Velvet*

Coat

of the value of *Twenty* Dollars,
the property of *deponent, being*
her separate property

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by *Lizzie Watkins*
(now here) from the fact
that deponent is
informed by *Ellen*
Flayd that *subseq-*
-quent to the larceny
of said *Coat* she
saw the same in
the possession of
the person of the
said *Lizzie Watkins*

Amelia Smith

Sworn to before me, this
March 18
90
day
Michael J. Smith
Police Justice.

1056

City & County
of New York ss

Ella Floyd of
No 272, 1277 Broadway
being duly sworn says
she has never seen the
forfeiting affidavit &
the facts therein set forth
are information of this
deponent are true
of her own knowledge
Given to before Ella Floyd
this 31st day of
March 1880
M. J. Blount
Police Justice

1057

Apr 1st - 1880

City & County
of New York

Complainant ~~James~~
and Cross Ex -

The last time I saw
the property was
about the last of
February or the 1st
of March - The
girl left my
Employment March 11th
& the Sunday follow-
ing I received the
Clock. The same
day I employed her
the 14th of Feb.
I purchased the
clock last winter -
paid \$60 for it -
& have worn it a
dozen or more
times. It was a
dark blue velvet
clock lined with
dark blue silk
and if you had wanted
to sell this clock

1058

what would it ~~have~~
~~been~~ ~~been~~ have
been the market
value

Ans I don't know

Re direct

I valued you the
cloak at a first -
fifty dollars -
it had no unex-
cept ordinary value
& I fixed the value
at what it cost
& I would not
replace it - for
\$60 -

Now I have not
had occasion to
price the animal
since I lost it -

From to before Amelia Smith
was the day of
about 1880

Mercus Otterburg
Polen Just

1059

3.

Guy & Company
 of New York & Co.
 Elm 7' long & of no
 1277 Broadway being
 re-called says in
 Crown & I have known this
 Dept. about one week
 have spoken to him
 & seen her three or
 four times, I have
 worked for Mrs. Smith
 off & on about four
 months, it is now
 nearly a year
 since I left the
 Comptroller's Office
 The fact ^{that} I saw
 the Clerk, ^{in the} ~~was~~ nearly
 a year ago, I never
 noticed whether I
 ever saw, I don't
 like that one.
 I saw the defendant
 have the Clerk, and
 her at Mt. Olivet Church
 in 37th St. between
 7th & 8th Avenue, two
 Sundays ago, in the night
 time. I saw directly

1060

.4.

behind her, I had never
spoken to her, then,
but knew that she
had lived with
Mrs Smith. I knew
the Clonk because I
caught hold of it -
& felt - ~~off~~ it - I heard
the Compliment
had lost, things &
a Clonk. The second
Tuesday after I saw
her in Church I saw
her in Dr Gray's office.

It was 3 weeks
ago last Sunday
that I saw her first
in church with
the Clonk and
Redirect. Mrs Smith
aroused the Clonk
when I went to
live with her, I
saw the Clonk every
day for the
4 months in which
I lived with the
Compliment. I
knew Mrs Smith

5.

had ~~not~~ lost - the
 clock & noticed it
 particularly
 Mrs. Did Mrs. Smith wear
 the clock nearly
 every day

Mrs. The word it - when
 she went out - &
 went out every day
 when it was
 present - her
 Ellen Lloyd
 work

From Boston in
 Jan 1st day of April
 1880
 Maria Lloyd
 Mrs. Smith

6;

City & County
of New York

Eliza Watkins in
dependence being
called & sworn says
I did not steal
the Clock. I was
sick in my house
three Sunday's ago
The same Sunday
the police man was
sent. I have not
been to Church in
a month
Grand. I worked for
Mrs Smith I left
her there weeks ago
today. It was
the Sunday after
I left her that
the policeman was
sent. I never saw
the Clock referred
to in the Complaint.
I was the Chambermaid
in Mrs Smith's house
I did not carry
the Keys of the room.

7.

I have never brought
 a dress down stairs
 to Mrs. Smith, she
 never said any up
 then to any knowledge
 of me. I can never appreciate
 before in my life
 how ~~valuable~~ any
 we are, the any ~~large~~ Walker is
 of April 18th mark
 Mrs. O. O. O. O. O.
 Police Justice

My Family
 of memory with J. J.

Annex South of me
 127 West 32nd St
 being duly sworn says
 I have known the
 defendant for about
 six years. I remem-
 ber - three weeks
 ago when a police
 man was shot on
 a Sunday & saw
 her that day, she
 was sick in bed
 all day long. She

8..

I went to Mount Olive Church in the Evening the dependant was not there, The Church was crowded, I never saw her have a velvet cloak, when I came home from Church, I did not see Eliza. I did not go to her apartment never - Anna Smith

From Lebanon in
 Jan. 1st day of Dec 1890
 Mrs. M. M. M. M.
 M. M. M. M.
 M. M. M. M.

1065

Police Court—Second District.

CITY AND COUNTY
OF NEW YORK, 1892

Ozga Watkins being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him, states as follows, viz.:

Question.—What is your name?

Answer.—

Ozga Watkins

Question.—How old are you?

Answer.—

22 years

Question.—Where were you born?

Answer.—

Richmond Va

Question.—Where do you live?

Answer.—

127. W 32^d St

Question.—What is your occupation?

Answer.—

Chamber Man

Question.—Have you anything to say, and if so, what—relative to the charge

here preferred against you?

Answer.—

*I am not guilty
Ozga Watkins
witness*

Taken before me, this

1892
day of *March*
1892
at *New York*
Police Justice.

1066

Form 864.

POLICE COURT—SECOND DISTRICT.

THE PEOPLE, & C.,
ON THE COMPLAINT OF

Amelia Smith
105 W 22nd St
vs.
Lizzie Watkins

Affidavit—Larceny.

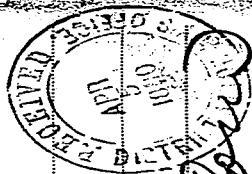
DATED *March 31st* 1880

Ottobong MAGISTRATE.

James J. J. J. OFFICER

WITNESS: *Ellen Floyd*

1247 Broadway



\$ *100* TO ANS.

BAILED BY

No. STREET.

Ex April 11
20m

1067

CITY AND COUNTY } ss.
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present :

That

Lizzie Watkins

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

One cloak of the value of sixty
Dollars

of the goods, chattels, and personal property of one

Amelia Smith

then and
there being found, 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.

1068

And the Jurors aforesaid, upon their oath aforesaid, do further present
That the said

Lizzie Watkins

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

One cloak of the value of sixty dollars

of the goods, chattels, and personal property of the said

Amelia Smith

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously
stolen of the said

Amelia Smith

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

Lizzie Watkins

then and there well knowing the said goods, chattels, and personal property, to have been feloniously
stolen.) 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.

BENJAMIN K. PHELPS, District Attorney.

1069

BOX:

11

FOLDER:

146

DESCRIPTION:

Watkins, Lizzie

DATE:

04/08/80



146

1070

BOX:

11

FOLDER:

146

DESCRIPTION:

Young, Josephine

DATE:

04/08/80



146

4.9
J. H. H. H.

Counsel,
Filed day of April 1878.
Pleads *Not Guilty*

Larceny, and Receiving Stolen Goods.

THE PEOPLE

vs.

I
Lizzie Watkins
Josephine Young

BENJ. K. PHELPS,

District Attorney.

A True Bill.

W. J. Taylor
Foreman.
April 23. 1878.

Find & Acquitted.

1072

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } SS.

FORM 89½

POLICE COURT—SECOND DISTRICT.

of No. 105 West 22nd Street being duly sworn, deposes
and says, that on the 1st day of March 1880
at the City of New York, in the County of New York, was feloniously taken, stolen and carried
away, from the possession of deponent,

the following property, to wit:

A quantity of
Hat trimmings
consisting of pieces
of velvet, feathers
lace & strings, and
here shown

all of the value of

the property of

Five Dollars,
deponent, being
her separate property

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

Raymond McKim
and Josephine Young
(both now present) from
the fact that depon-
ent is informed by
officer James Cumming
that on the 30th day
of March 1880, he went
to premises No 127 West
82nd Street (near home)
& as the apartments
occupied by the said
Josephine he found
the said property

Subscribed to before me this
day of
Police Justice

1073

which she the said
Josephine claimed as
her own property, and
deponent had fully
identified the same
deponent further
says that the said
Lizzie had been in
the Company of herself
at the time of the
said Larceny and
that at the time
of her arrest she
resided in the
premises No 127 West
32^d Street with the
said Josephine

Sworn to before me
this 9th day of
March 1880
Amelia Smith
Morton McClellan
Police Justice

1074

Form 10.

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

of James Cunningham
the 25th Precinct Police Street, being duly sworn, deposes and says,
that on the _____ day of _____ 187____ at the City of
New York, in the County of New York,

That he has heard read the foregoing
affidavit and the facts stated
therein on information of deponent,
are true of deponent's own knowledge

James Cunningham

Sworn before me, this

31st day

1880,

of March
1880,
Police Justice.

McGowan
Attorney
at Law

1075

Form 894
POLICE COURT—SECOND DISTRICT.

Affidavit—Larceny.

THE PEOPLE, & c.,
ON THE COMPLAINT OF

Amelia Smith
105 W. 22nd St.

Lizzie Watkins
Josephine Young

DATED *March 31st*, 188*8*

Ottobong MAGISTRATE

Cunningham / 25

WITNESS: *Joe Cunningham*
25-11-1888



Joe TO ANS. *Edw. Kelly*

BAILED BY.....

No. STREET.

April 1/88
2 P.M.

1076

CITY AND COUNTY } ss.
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present :

That

*Lizzie Watkins and Josephine
Young each*

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

*One yard of velvet of the value of
one dollar*

*One yard of lace of the value of one
dollar*

*One yard of Fringe of the value of
one dollar*

*One pound of feathers of the value
of two dollars*

of the goods, chattels, and personal property of one

Aurelia Smith

then and
there being found, 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.

And the Jurors aforesaid, upon their oath aforesaid, do further present
That the said

*Lizzie Watkins and Josephine
Young each*

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

*One yard of velvet of the value of
one dollar*

*One yard of lace of the value of
one dollar*

*One yard of fringe of the value of
one dollar*

*One pound of feathers of the value
of two dollars*

of the goods, chattels, and personal property of the said *Amelia Smith*

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously
stolen of the said

Amelia Smith

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

Lizzie Watkins and Josephine Young
then and there well knowing the said goods, chattels, and personal property, to have been feloniously
stolen,) 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.

BENJAMIN K. PHELPS, District Attorney.

1078

BOX:

11

FOLDER:

146

DESCRIPTION:

Weier, Henry

DATE:

04/28/80



146

1079

267

Counsel,

Filed 28 day of April 1880

Pleas

THE PEOPLE

vs.

P

Henry Weaver

Burglary—First Degree, and
Grand Larceny

BENJ. K. PHELPS,
District Attorney.

A True Bill.

N. S. Taylor
Foreman.

April 24 1880.

Verdict of Guilty should specify of which count.

W. H. Spang, Secy.
State Reformatory, Leavenworth.

1080

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

Andrew Peters -

of No. South East Corner Boulevard & 101 Street, being duly sworn,
deposes and says, that the premises No. South East Corner Boulevard & 101 Street,
12 Ward, in the City and County aforesaid, the said being a dwelling house
and which was occupied by deponent as a place of abode

were **BURGLARIOUSLY**
entered by means of raising the Back Basement window
and entering same premises with intent to
commit a crime

on the morning of the 24 day of April 1880 at 10 o'clock a.m.
and the following property feloniously taken, stolen and carried away, viz: Household
furniture, silver and plate ware, and
wearing apparel together and in all of the
value of Three thousand dollars

the property of deponent's father Thomas M. Peters
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

Henry Meier (now here)

for the reasons following to wit: That at about the hour of
One o'clock A.M. on said day deponent
was awakened by the Burglar alarm
and upon going down stairs into the basement
deponent found the said Henry Meier - and
the said Henry Meier had no lawful right
or business in said basement - That said
Henry Meier immediately after his arrest acknowledged
and confessed to deponent that he entered
said premises through the basement window
as aforesaid -

And: Peters,

Subscribed and sworn to before me this
24 day of April 1880
John C. Peters and Peter's Justice

1081

Police Court—Fifth District.

CITY AND COUNTY }
OF NEW YORK, } ss.

Henry Meier — being duly examined before the under-
signed, according to law, on the annexed charge; and being informed that he was at
liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question. What is your name?

Answer. *Henry Meier*

Question. How old are you?

Answer. *20 years of age*

Question. Where were you born?

Answer. *Germany*

Question. Where do you live?

Answer. *No residence*

Question. What is your occupation?

Answer. *Clerk*

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

Answer. *I am guilty*

Taken before me, this *24th* } *Henry Meier*
day of *April* } 1880

George H. H. H.

Police Justice.

1082

POLICE COURT—FIFTH DISTRICT.

THE PEOPLE, &c.
ON THE COMPLAINT OF

Andrew Peters

S E Cor Richmond St 101st St

Harry Meier

BAILED.

No. 1, by.....

Residence,

No. 2, by.....

Residence,

No. 3, by.....

Residence,

No. 4, by.....

Residence,

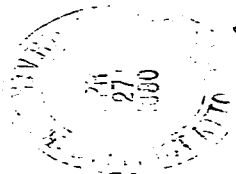
United April 24th 1880

Thommen Magistrate.

Haine 31 Officer.

— Clerk.

Witnesses.



\$ 1000 Am S.S.

Committed

Received in Dist. Att'y's Office.

CITY AND COUNTY } ss.
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

Henry Heier.

late of the *Twelfth* Ward of the City of New York, in the County of
New York, aforesaid,
on the *twenty seventh* day of *April* — in the year
of our Lord one thousand eight hundred and *seventy Eighty* —
with force and arms, about the hour of *one* o'clock in the *night* time
of the same day, at the Ward, City and County aforesaid, the Dwelling-house of

Andrew Peters —

there situate, feloniously and burglariously did break into and enter by means of
forcibly breaking open an outer window of said
dwelling house

whilst there was then and there some human being to wit, one *Andrew*
Peters — within the said dwelling-house he, the said

Henry Heier —

then and there intending to commit some crime therein, to wit, the goods, chattels, and
personal property of *Thomas M. Peters* —

— in the said dwelling-house 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.

~~And the jurors aforesaid, upon their oath aforesaid, do further present: That
afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County
aforesaid, about the hour of — o'clock in the — time of said day,
the said~~

~~late of the Ward, City, and County aforesaid,~~

~~of the goods, chattels, and personal property of~~

~~in the said dwelling-house of one,~~

~~, then and there being found~~

~~in the dwelling-house 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.~~

BENJ. K. PHELPS, District Attorney.

1084

BOX:

11

FOLDER:

146

DESCRIPTION:

Welden, John W.

DATE:

04/30/80



146

285

Mott.

Counsel,

Filed 30 day of April 1880

Pleads

THE PEOPLE

vs.

*93
gr.
gr. person*

I

John W. Wetmore

INDICTMENT.
P. Larceny from the person.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

H. L. Taylor

Foreman.

*Part No May 3. 1880
pleads at person
SP 18 month.*

1086

Form 112.

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

Police Court—First District.

of No. 99 Christie Emil Hoffman
 and says, that on the 23 day of April 1880
 at the City of New York, in the County of New York, was feloniously taken, stolen, and carried
 away from the possession of deponent, and from deponent's person

the following property, viz: one silver watch

of the value of five Dollars,
 the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property
 was feloniously taken, stolen, and carried away by John W. Welden

(now here) for the reason that deponent
 felt some person take the aforesaid watch
 from the pocket of vest then and there worn
 by deponent and saw said defendant
 have the aforesaid watch in his hand and
 attempting to take the same from the chain
 which was attached to said watch

Emil Hoffman

Sworn to, before me, this

of April 1880
J. McLaughlin
 Police Justice.

1087

Police Court—First District.

CITY AND COUNTY } ss.
OF NEW YORK, }

John W. Welden being duly examined before the under-
signed, according to law, on the annexed charge; and being informed that he was at
liberty to refuse to answer any question that may be put to him, states as follows,
viz:

Question. What is your name?

Answer.

Question. How old are you?

Answer,

Question. Where were you born?

Answer.

Question. Where do you live?

Answer

Question. What is your occupation?

Answer.

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

Answer.

*I saw the watch
hanging from his pocket
and I went to take it
and hand it to him.
I didn't mean to steal
it, and when he called
out thief I walked
away*

John Welden

Taken before me this

day of

18

Police Justice.

1088

COUNSEL FOR COMPLAINANT.

Name,
Address,

COUNSEL FOR DEFENDANT.

Name,
Address,

Police Court—First District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Emile Hoffman
99 Christie St.
John W. Welden

BAILED:

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

Dated

13 April 1880
John W. Welden

Magistrate.

Brooklyn
4 PM

Witnesses

CLERK

\$ *1000* to answer

at *5* Sessions

Received at Dist. Atty's office

John W. Welden

1089

CITY AND COUNTY } ss.
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

John W. Welden

late of the First Ward of the City of New York, in the County of New York, aforesaid,

on the *twenty third* day of *April* in the year of our Lord one
thousand eight hundred and eighty — at the Ward, City, and County aforesaid,
with force and arms,

One watch of the value of five dollars

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

BENJ. K. PHELPS, District Attorney.

1090

BOX:

11

FOLDER:

146

DESCRIPTION:

Wellington, Charles

DATE:

04/27/80



146

1091

257

Filed 27 day of April 1880
Pleads *Not Guilty (2P)*

THE PEOPLE

vs.

2
Charles Wellington

Felony Assault and Battery.

01
25 Bond
BENJ. K. PHELPS,

District Attorney.

Sen. J. M. S.
A True Bill. *FT*

H. S. Taylor

Foreman.

May 10 1880.

Trish & Connell of
Assault & Battery.
Len Jones

The People vs. Charles Wellington
 Court of General Sessions. Before Recorder Smythe. May 7, 1880.
 Indictment for felonious assault and battery.
 James McNamee, sworn and examined, testified. I live now with my sister since I got hurt; she lives 117 West Twenty sixth St.; her name is Mrs. Doyle. I charge the prisoner with assaulting me on the 20th of April. I was out late that night and I walked down the Bowery. I went in this beer saloon to have a glass of beer and just as I got to the bar he walked right in after me and somebody said, "Look out;" I turned around and he struck me in the hand. I put up my hand to save my head and I got it on top of the head. I got hit on the side of the head. Were you knocked senseless? Yes sir, it bursted an artery in my head, I was in the Chamber St. and Bellone hospital two days, and every day I have to go to get a battery put to it; there is no power in it; it is paralyzed, the same as if it were asleep. The saloon is No 15 Bowery where I got cut. A young man named Murray was with me; the prisoner was not employed there; he came in just as I stood at the bar. I had no words with him; he struck me in the hand, I made a grab for him and I got it on top of the head. Saturday night before that I went into

the restaurant where he was working, he went to shoot me. The 20th was Tuesday morning, and the "growl" I had with him was on the Saturday before. Cross Examined. The prisoner was cashier one night in the restaurant and the other cashier was quarreling with him. He said four of us were going to kill him; he had a pistol. I was a perfect stranger to them. The young lad that was with me said to him, "What are you accusing us for?" He did not know either one of them. He said we were going to strike him; we were paying our money at the bar for what we had to eat. I was not drunk that night, but my friend was; he was not using improper or indecent language. My partner and myself did not threaten to whip him; he had the pistol out of the drawer when we went outside of the door. The prisoner was not in 15 Bowery the night I went in there before me, but he followed me in. I don't know the number of the restaurant, but it is on the Bowery near Grand St. I am a book binder by trade. I was born in New York. I was assaulted about 20 minutes after one o'clock Tuesday morning. I was to a party that night, and I went into this place to get a glass of beer before going to bed. Christopher Brady sworn and examined.

I was going down the Bowery about 1/2 to one
 o'clock on the morning of Tuesday. There was
 a kind of brawl in front of 15 Bowery. I went
 up and I saw the prisoner standing outside
 the door without any hat on, apparently as if
 he was chucked out. I says, "That is the trouble
 'I want my hat'." With that the proprietor of the
 place opened the door. I said, "Have you got
 this young man's hat?" He said, "yes". I says,
 "Give it to him. He handed him his hat.
 Now, get away out of here," I said. He started
 to go up the Bowery. Then a man came out
 and told me there was ~~a~~ man inside
 hurt pretty bad. I went to try to find this
 man (the prisoner) and he had disappeared.
 I took the man that was hit with the stick
 to the station house. The doorman, me, and
 another policeman tried to stop the blood
 on his head; we could not stop it. We sent
 him to the Chamber St hospital. I went up
 stairs and got a stick and put it in
 my pocket and started in pursuit of this
 young man. I stayed out all the next day
 looking for him. I went over to the place
 where he is employed and I could not find
 him. I was looking for him the ~~that~~ day
 and the next night, and a couple of nights
 after I was going along the Bowery again

the restaurant where he was working, he went to shoot me. The 20th was Tuesday morning, and the "growl" I had with him was on the

when a woman and her daughter came running up Bayard St. and halloed out, "Mr. Brady there is the man that has stolen the watch." I arrested the prisoner corner of Bowers and Bell St. 1/4 past one o'clock at night. I did not get the stick. Cross Examined I did not see any of the affair; when I saw the complainant he was bleeding from a cut on the side of his head. His hand was paralyzed; the doctor told me he had to put a battery to it; he was standing up and two men were holding him; he was not able to stand, two of us had to take him to the house; he was very weak; we all as one as carried him. James McNamee sworn. The prisoner struck me with a cane. When I got struck in the hand first and put up my hand I saw the knot on the cane; the cane was as thin as my finger a chair cane like, black with a knot on it. Charles Wellington, sworn and examined in his own behalf testified. I am a clerk. I heard the statement of the complainant about my striking him with a cane. I had been working for Mr. Herring 132 Bowers; he discharged his cashier and put me in his place. I was in 15 Bowers on this night, and while in conversation with this former cashier's friend, the prisoner was in there

sitting down with another man, and they were talking pretty loud. I paid no attention to what they were talking about. He was under the influence of liquor. I was afraid he would take up a ketchup bottle and strike me. The man that was struck came up with his friend and stood at the bar and looked at me in the face. I never took much notice of him until this man says, "I have enough friends to pick you up and throw you out of the door. I have a friend, a cashier, who was here before you, and you got him discharged. I said, I did not. He said, 'you are a damned liar.' With that the man took up a bottle and said, 'I am a friend of his, God damn you, I will mark your skull.' I said, 'you will do nothing of the kind.' I went, he says. I says, 'No.' He ran up and picked up a ketchup bottle. I lifted the revolver up; it was not loaded, I had been cleaning it. Another thing, I says, 'there is ladies in the dining room.' He went out; two or three hours after that he came back; he and his friend were under the influence of liquor. He opened the door and said, 'God damn you, if I would only catch you outside I would paralyze you, I am going to give it to you. I will break your damned skull

He came for me again. Some man got
 hold of him; he shoved me one side, I made
 a crack with the cane, he and his friend
 knocked my hat off; two or three more came
 for me. Officer Brady came up and asked
 me what was the matter? I told him my hat
 was in there; he got it for me; he said, "Go
 on." I went up Bayard St. and went to Ed.
 Cross Examined. I had witnesses here this morn-
 ing to prove that the complainant made threats
 Max Dreyfus and a man named Dollenbender.
 I have another witness, Mr. Herring of the Bowery.
 I belong in Baltimore and have written for
 recommendations; the only man I worked for in
 New York is Mr. Herring. Max Dreyfus sworn
 I know McNamee by sight. I was in the saloon
 15 Bowery when the prisoner and the complain-
 ant had some quarrel together. I could not say
 who gave the first blow. The complainant was
 in the place first, and when the prisoner came
 in he (the complainant) said, "There is the gent-
 leman what is going to give it to him; there
 he is coming now; I will give it to him first.
 I did not see any blow struck by either one.
 Cross Examined. I was not working at this time.
 I went in to get a glass of beer. McNamee came
 in with some more parties; he was in about
 three quarters of an hour before the prisoner

I saw Wellington come in, he had a walking
 cane in his hand. I did not see any blow.
 I did not turn my back then, but there was
 so many in the crowd. I did not notice the
 cane in the air and I did not see anybody
 strike. Adam Herring, sworn and examined
testified. I keep a restaurant at 132 Bowery. I
 know the prisoner, he was in my employ some-
 thing less than three months I think. I could
 not tell the exact time. I did not know him
 before he came into my employ. Do you
 know what his character was for peace and
 quiet while he was with you? I never saw him
 get in any trouble only this time, it is the
 only time I saw him get into any trouble, and
 that was with this complainant. I do not know
McNamee Cross Examined. I guess he is
 pretty hot tempered in resenting an insult.
 He did not have occasion to resent a great
 many while he was with me, only once. I rem-
 ember he had a little disturbance with a
 man on the walk; he was carrying in coal,
 he was perfectly right; he did not draw a pistol
 that time. I never knew him to have one. This
 other man was a little intoxicated; they had
 a few blows. I separated them, they were pull-
 ing one another's hair. I was not present
 when McNamee, Murphy and Knapp were there.

Allen Krapp, sworn and examined, testified
 where do you live? No 5 Delancey St. What is
 your business? Eating saloon business, waiter.
 Were you in the saloon 15 Bowery? No sir;
 all I can tell you is the first offence. I was
 in Herring's saloon. I went in and had a
 cup of tea. I went to the bar and was talking
 to the prisoner when ^{this} ~~the~~ ^{unknown} party to me
 came up to the bar; he and the prisoner
 had a few words. I said, "These are not
 friends of yours." He said, "yes they are;"
 he drew a revolver; the prisoner said, "I
 will fix that party yet. Did Mr. McNamee do
 anything to him then? When he drew the
 revolver he picked up something on the
 oyster bar, I think it was a bottle, not
 till Wellington drew the revolver. I had
 a quarrel with Wellington; he was cashier
 for a couple of nights with a particular friend
 of mine; he ought not to be; my friend was
 off. I told him he had no business there; he
 said, "I will do as I have a mind to."
 Joseph Goss testified that he was carver
 for Mr. Herring and that he saw Wellington
 draw a pistol on Mr. McNamee. Miles
 Murphy swore that in the Essex Market the
 prisoner asked him if the complainant
 was going to prosecute him. I said, he ought.
 The prisoner said, "When I get out, I will 'crock'
 (meaning kill) you. The jury rendered a

1100

verdict of guilty with a recommendation
to mercy. He was sentenced to the pen-
itentiary for nine months.

1101

Testimony in the Court
of Charles Wellington
filed April 27.

Police Court—Third District.

CITY AND COUNTY OF NEW YORK.

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

Question.—What is your name?

Answer.—*Charles Wellington*

Question.—How old are you?

Answer.—*21 Years*

Question.—Where were you born?

Answer.—*N-Y*

Question.—Where do you live?

Answer.—*25 Bayard St.*

Question.—What is your occupation?

Answer.—*Clerk*

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

Answer.—*I am not guilty.*

Charles Wellington

Taken before me this
20 day of *April* 188*5*
John W. ...
 Justice

1103

Form 15

Police Court—Third District.

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

James McNamee

of No. 193 Mulberry

Street

on Sunday the 20

being duly sworn, deposes and says, that

in the year 1880 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Charles Wellington (nowhere)
 who did strike deponent
 two violent-blows, one ^{blow} on
 deponents head and one
 blow on deponents arm,
 with a cane the head of
 which was filled with some
 metal — thereby ~~cutting~~ wounding
 deponent — deponent was
 assaulted and beaten

with the felonious intent to take the life of deponent, or do him 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, &c., and be dealt with according to law.

Sworn before me this 22 day
 of April 1880

[Signature]
 Police Justice.

his
 James X McNamee
 Clerk

1104

Form 15.

Police Court—Third District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James W. Starnes

~~James W. Starnes~~
Served to Officer

Charles Wellington

Dated April 22-1880

Comette Magistrate.

Ernest 10th Officer.

WITNESSES:

Charles Day for
Selmon 132 Bowery
for
John Herring, Captain of 112 Bowery.

1000 to Am. G.S.

Card

Monday 22-1880

Allen Knapp.
5 Delaney St.
Joseph Goss
130 Bowery.
Adam Herring
Julius Murphy.
73 Spring

CITY AND COUNTY } ss.
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present :

That

Charles Wellington
late of the City of New York, in the County of New York, aforesaid, on the
twentieth day of *April* in the year of our Lord
one thousand eight hundred and *eighty* with force and arms, at the City and
County aforesaid, in and upon the body of *James McNamee*
in the peace of the said people then and there being, feloniously did make an assault
and *him* the said *James McNamee*
with a certain *cane* which the said

Charles Wellington
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 *him* the said *James McNamee*
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 Jurors aforesaid, upon their Oath aforesaid, do further present : That
afterwards, to wit, on the day and in the year aforesaid, at the City and County
aforesaid, the said *Charles Wellington*
with force and arms, in and upon the body of the said *James McNamee*
then and there being, wilfully and feloniously did make an
assault and *him* the said *James McNamee*
with a certain *cane* which the said

Charles Wellington in *his* right hand, then and there
had and held, the same being then and there a sharp, dangerous weapon, wilfully
and feloniously, and without justifiable and excusable cause, did then and there beat,
strike, stab, cut, and wound, with intent to then and there wilfully and feloniously
do bodily harm unto *him* the said *James McNamee*
against the form of the Statute in such case made and provided, and against the
peace of the People of the State of New York and their dignity.

THIRD COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present : That
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-
said, the said

Charles Wellington
with force and arms, in and upon the body of *James McNamee*
in the peace of the said people then and there being, feloniously, did make another
assault and *him* the said *James McNamee*
with a certain *cane*
which the said

Charles Wellington in *his* right
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,
and wound, the same being such means and force as was likely to produce the death
of *him* the said *James McNamee* with intent *him* the

said *James McNamee* 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.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said

Charles Wellington with force and arms, in and upon the body of the said *James McNamee* then and there being, wilfully and feloniously, did make another assault and *him* the said *James McNamee* with a certain *cane* which the said *Charles Wellington* in *his* right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously maim *him* the said *James McNamee* 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.

BENJ. K. PHELPS, District Attorney.

25

Filed 27 day of April 1880
Pleeds *McNamee vs Wellington*

THE PEOPLE

vs.

Charles Wellington

2

Felonious Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

Wm. P. Mills
A True Bill.

H. S. Taylor

Foreman.

May 10 1880

Wm. P. Mills
Charles Wellington
vs
James McNamee

1107

BOX:

11

FOLDER:

146

DESCRIPTION:

Wellington, Charles

DATE:

04/27/80



146

25

Counsel,

Filed 27 day of April 1880

Pleas

Wm. G. Smith (2d)

THE PEOPLE

vs.

INDICTMENT.
Larceny from the person.

I

Charles Wellington

(2 cases)

BENJ. K. PHELPS,

District Attorney.

A True Bill.

N. S. Taylor

Foreman.

Carlson: May 3, 1880.

Jones & acquitted -

1108

Police Court—Third District.

CITY AND COUNTY
OF NEW YORK,*Charles Wellington*

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

Question.—What is your name?

Answer.—

Chas Wellington

Question.—How old are you?

Answer.—

W. S. 21 Years old.

Question.—Where were you born?

Answer.—

U. S.

Question.—Where do you live?

Answer.—

25 Bayard

Question.—What is your occupation?

Answer.—

Clerk

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

Answer.—

*I am not guilty—**Charles Wellington*

Subscribed before me, this
28th
day of
June
1880
Police Justice.

1110

301

DISTRICT POLICE COURT—

AFFIDAVIT—Larceny.

CITY AND COUNTY
OF NEW YORK, ss.

of No. 116 Hester Street.

Frank Lewis

being duly sworn, deposes and says, that on the 22d day of April 1880

at the _____ City of New York,
in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, and from deponent's person
the following property, viz.:

One Silver watch of the
Value of Eight Dollars

Sworn before me this 22d day of April 1880
John J. Sullivan
Notary Public
for the City and County of New York

the property of deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken,
from deponent's person Charles Wellington (now Rose)
stolen, and carried away by

as deponent is informed by
Mary King
Frank Lewis

City & County of New York ss
 Mary King residing at 116 Hester Street
 being sworn says that she keeps a Lager Beer Saloon at No 15 Christie Street that
 at about the hour of one o'clock on
 the morning of the 22nd April 1880 Frank
 Lewis was asleep in the rear of said
 Saloon there being no other person then
 in said room room said Lewis then had
 a watch and chain upon his person some
 few minutes thereafter Charles Wellington passed
 through said room towards the Water closet
 said Wellington then returned and left
 said Saloon, defendant then saw said
 Chain hanging from said Lewis vest
 with a silver ring attached to it
 sworn to before me the 22nd April 1880 Mary King

Police Justice

34

DISTRICT POLICE COURT.

THE PEOPLE vs.

ON THE COMPLAINT OF

Frank Lewis
 116 Hester St.

Charles Wellington

DAVID
 April 22 1880

SPRATT
 MAGISTRATE.

GRADY
 OFFICER

10th Prec

WITNESSES:

Mary King
 116 Hester St

DISPOSITION

500 Dollars

Good

1112

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present :

That *Charles Wellington*

late of the First Ward of the City of New York, in the County of New York, aforesaid,

on the *twenty second* day of *April* in the year of our Lord one
thousand eight hundred and eighty at the Ward, City, and County aforesaid,
with force and arms,

One watch of the value of eight dollars

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

BENJ. K. PHELPS, District Attorney.

1113

BOX:

11

FOLDER:

146

DESCRIPTION:

Wilbur, Charles

DATE:

04/19/80



146

1114

BOX:

11

FOLDER:

146

DESCRIPTION:

Whiting, Emma E.

DATE:

04/19/80



146

Pleads, *offering*

28.

Charles Wilbur
E. E. Whiting

BENJ. K. PHELPS,

Filed for April 23rd District Attorney.

100
No 1 pleads Bury 5.

A True Bill.

H. S. Taylor

Foreman,

2.4.2.9

T. U.
 April 20th 1881
 Mr. D. C. Smith & Co.

Police Office. Third District.

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

No. of 230 Chryslie Street, being duly sworn,

deposes and says, that the premises No. 230 Chryslie

Street, 17 Ward, in the City and County aforesaid, the said being a Brick Building
one room and one bed room on the second floor in the rear of house
and which was occupied by deponent as a dwelling

were **BURGLARIOUSLY**

entered by means forcible breaking the lock of a door
in the front room, and then the lock of a door
leading from the front door to the above described premises
on the afternoon of the 12th day of April 1880,
and the following property, feloniously taken, stolen and carried away, viz..

One Black Coat of the value of thirteen dollars
two pair of Pants of the value of twenty dollars
two Revolving Pistols of the value of fifteen dollars
Six pair of Ladies Stockings of the value of one ⁵⁰/₁₀₀ dollar
said property being in all of the value
of forty nine ⁵⁰/₁₀₀ dollars

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

Charles Wilbur and Emma Whitney
(both now here)

for the reasons following, to-wit: That deponent is informed
by officer John Wade of the 10th Prec
Police that he arrested the aforesaid
defendants with a portion of the
afore described property in their possession

Emilio Cordery

*Sworn to before me this
13th day of April 1880
J. M. Watson, Notary Public*

City & County }
of New York }^{ss}

John Wade of the 10th
Precinct Police being duly sworn deposes
and says that on the 12th day of April
1880 he arrested Charles Wilbur and
Emma Whitney on a second Avenue
Rail Road car then in the Bowery
and in their possession appeared found
a portion of the property described in
the written affidavit of Emily Cordaro
which property he Cordaro fully identifies as
the property taken stolen and carried away
from his possession

Sworn to before me this } John Wade
13th day of April 1880 }

J. M. Patterson J. Police Justice

1118

Police Court—Third District.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question.—What is your name?

Answer.—Charles Wilbur

Question.—How old are you?

Answer.—25 years

Question.—Where were you born?

Answer.—New York

Question.—Where do you live?

Answer.—10 1/2 St. & Br.

Question.—What is your occupation?

Answer.—Silvering Glass

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

Answer.—I am not guilty I bought the stuff

Chas. Wilbur

Being further Examined says when I went in to the car I placed the bundle on Engena Whitney and the revolver behind her back. she had nothing to do with the case at all

Chas. Wilbur

Taken before me, this
13 day of April 1890.
Police Justice
Samuel J. ...

1119

Police Court—Third District.

CITY AND COUNTY } ss.
OF NEW YORK.

Emma Whitney being duly examined before the under-
signed, according to law, on the annexed charge; and being informed that she was
at liberty to answer, or not, all or any questions put to her, states as follows, viz.:

Question.—What is your name?

Answer.—*Emma Whitney*

Question.—How old are you?

Answer.—*25 years*

Question.—Where were you born?

Answer.—*New York*

Question.—Where do you live?

Answer.—*10 First St.*

Question.—What is your occupation?

Answer.—*Shaw Keeper*

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

Answer.—*I am not guilty*

Emma E. Whitney

Taken before me, this

13

day of *April*

1880

Police Justice.

Samuel Patterson

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Form 115.

POLICE COURT--THIRD DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Offence, BURGLARY.

Emile Gardere
230 Chrysler St.

Charles P. Brown

Emma M. Brown

Dated April 13 1880

Patterson Magistrate.

Wade 10 Officer.

Clerk.

Witnesses, *Charles L. Lipe*

No. *231* *Chrysler St.* Street.

No. Street.

No. *1000* *Lochs* Street.

to answer committed.

Received in Dist. Atty's Office,

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That *Charles Hilburn and Emma E Whitney*
Each —

late of the *Seventeenth* Ward of the City of New York, in the County of
New York, aforesaid, on the *Twelfth* day of *April* — in the
year of our Lord one thousand eight hundred and ~~seventy~~ *Eighty* with force and
arms, about the hour of *Two* o'clock in the *day* time of the same day, at the
Ward, City and County aforesaid, the dwelling house of

Emelio Borders —
there situate, feloniously and burglariously did break into and enter ~~by means of forcibly~~

the said

Charles Hilburn and Emma E Whitney

then and there intending to commit some crime therein, to wit: the goods, chattels, and
personal property of

Emelio Borders —

in the said dwelling house 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.

And the jurors aforesaid, upon their oath aforesaid, do further present: That
afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County
aforesaid, the said

Charles Hilburn and Emma E Whitney
Each —

late of the Ward, City, and County aforesaid,

One coat of the value of thirteen dollars —
Two pairs of pantaloons of the value of ten dollars each —
Two pistols of the value of seven dollars and
fifty cents each —
Six pairs of stockings of the value of twenty five
cents each —

of the goods, chattels, and personal property of the said

Emelio Borders —

in the said dwelling house then and there being, 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.

BENJAMIN K. PHELPS, District Attorney.

And the Jurors aforesaid, upon their oath aforesaid, do further present

That the said

Charles Wilbur and Emma E. Whiting
each

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

One coat of the value of thirteen dollars

Two pair of pantaloons of the value of ten dollars each

Two pistols of the value of seven dollars and fifty cents each

Six pair of stockings of the value of twenty five cents each —

of the goods, chattels, and personal property of the said *Emilio Cordero*

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen of the said

Emilio Cordero

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said *Charles Wilbur and Emma E. Whiting* then and there well knowing the said goods, chattels, and personal property to have been feloniously stolen), 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.

BENJAMIN K. PHELPS, District Attorney.