0443

BOX:
110

FOLDER:
1176

DESCRIPTION:
Nathan, Benjamin

DATE:
08/03/83

1176

140 628

Day of Trial,

Counsel,

Filed 3 day of Aug 1883

Pleads

THE PEOPLE

vs.

B

Benjamin Nathan

Keeping Gambling Establishment, etc.

(Section 343, Penal Code.)

JOHN McKEON,

District Attorney.

A True Bill.

S. W. Comstock

Foreman.

0445

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Benjamin Nathan

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

Benjamin Nathan

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

The said Benjamin Nathan

late of the Fifteenth Ward of the City of New York in the County of New York aforesaid, on the first day of August in the year of our Lord one thousand eight hundred and eighty-three, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep a room in a certain building there situate, to be used for gambling purposes, to wit: to be used for the purpose of therein conducting a certain gambling game commonly called playing lottery policy where money and property was dependent upon the result, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT.

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

Benjamin Nathan

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

The said Benjamin Nathan

late of the Fifteenth Ward of the City of New York in the County of New York aforesaid, afterwards, to wit: on the said first day of August, in the year of our Lord one thousand eight hundred and eighty-three, at the Ward, City and County aforesaid, unlawfully did keep a room in a certain building there situate, to be used for the purpose of therein selling and offering to sell what are commonly called Lottery Policies, and divers writings, papers, and documents in the nature of bets, wagers and insurances upon the drawing or drawn numbers of certain public or private lotteries, and of therein endorsing and using books and other documents for the purpose of enabling divers persons to sell and offer to sell lottery policies and other such writings, papers, and documents, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

0446

THIRD COUNT.

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

Benjamin Nathan

of the CRIME OF KNOWINGLY PERMITTING A room TO BE USED FOR GAMBLING PURPOSES, committed as follows:

The said Benjamin Nathan

late of the Fifteenth Ward of the City of New York in the County of New York aforesaid, afterwards, to wit: on the said first day of August, in the year of our Lord one thousand eight hundred and eighty-three, being then and there the owner of a certain room in a certain building there situate, known as number Eight hundred and thirty eight Broadway in the said Ward, City and County, at the Ward, City and County aforesaid, with force and arms, unlawfully did knowingly permit the said room to be used for gambling by divers common gamblers whose names are to the Grand Jury aforesaid unknown, whom in the said room the said Benjamin Nathan did then and there knowingly permit to engage as players in a certain gambling game commonly called playing lottery policy where money and property was dependent upon the result, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT.

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

Benjamin Nathan

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

The said Benjamin Nathan

late of the Fifteenth Ward of the City of New York in the County of New York aforesaid, afterwards, to wit: on the first day of August, in the year of our Lord one thousand eight hundred and eighty-three, being then and there the owner of a certain room in a certain building there situate, known as number Eight hundred and thirty eight Broadway in the said City and County, with force and arms, at the Ward, City and County aforesaid, unlawfully did knowingly permit the said room to be used by divers common gamblers whose names are to the Grand Jury aforesaid unknown for the purpose of therein selling and offering to sell what are commonly called Lottery Policies, and divers writings, papers and documents, in the nature of bets, wagers and insurances upon the drawing or drawn numbers of certain public or private lotteries, and for therein endorsing and using books and other documents for the purpose of enabling divers persons to sell and offer to sell lottery policies and other such writings, papers and documents, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN McKEON,
District Attorney.

In the Matter
of
Benjamin Nathan.

Witness:—
Chas. Heidelberg
Cor. Office.

0448

City and County of New-York, SS.:

Charles Heidelberg, of said City, being duly sworn, deposes and says: That he is a Detective Sergeant attached to the Central Office in said City; that he is informed by one Wiliam Schmidt that he saw ~~certain parties sell two lottery tickets~~ Benjamin Nathan Sitting at his desk, at No. 838 Broadway, in said City, and saw the said Nathan sell two Louisana lottery tickets on or about the 27 day of July 1883 and receive for the same the sum of two dollars in United States currency; that deponent, on said informaion, went before Justice Gardner,, at the Second District Court, and applied for a warrant for the arrest of the said Na_than, which was granted, and that on the afternoon of the first day of August, 1883, at about four o'clock, deponent went to No. 838 Broadway, rang the bell and asked for Mr. B. Nathan, who stood at the head of the stairs, and deponent asked him if he was B. Nathan and the said Nathan replied tha he was, that he resided there and that that was his place; that deponent told him that he had a warrant for his arrest and the said Nathan said "All Right", and the deponent further told him that he wanted to look through his desk; that the said Nathan opened all his drawers in his own desk and that deponent saw a little table standing in the rear part of the floor and deponent found a printed lottery slip and also a book in lead pencil corresponding to all the numbers on the slip, together with the drawings of the Louisana and little Havana lottery, hereunto annexed.

Sworn to before me, this :
3rd day of August, 1883. :

Hugh Donnelly
Notary Public, N. Y. Co.

Chas Heidelberg

0449

BOX:
110

FOLDER:
1176

DESCRIPTION:
Neagle, Michael

DATE:
08/10/83

1176

0450

BOX:
110

FOLDER:
1176

DESCRIPTION:
Horrigan, William

DATE:
08/10/83

1176

59

Day of Trial

Counsel Loch

Filed 10 day of Aug 1883

Pleads Not guilty

THE PEOPLE

vs.

1 Michael Meagher P

2 William Horrigan P

BURGLARY—Third Degree, and Receiving Stolen Goods, §§498, 506, 528, 532

JOHN McKEON,

District Attorney.

A True Bill.

Foreman.

On Recommendation of apt'd atty Vincent

FS

0452

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Michael Neagle and William Donnigan

The Grand Jury of the City and County of New York, by this indictment, accuse Michael Neagle and William Donnigan of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said Michael Neagle and William Donnigan late of the Fourth Ward of the City of New York, in the County of New York, aforesaid, on the 29th day of July in the year of our Lord one thousand eight hundred and eighty three with force and arms, at the Ward, City and County aforesaid, the Booth of Alberto Domenico 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 hereinafter described, with intent the said goods, chattels, and personal property of the said Alberto Domenico then and there being, then and there feloniously and burglariously to steal, take and carry away, and three pounds of candy of the value of twenty five cents each pound, and six drinking glasses of the value of five cents each

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

so kept as aforesaid in the said Booth then and there being found, then and there feloniously did steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

John McKean
District Attorney

0453

BAILED,

No. 1, by _____ Residence _____ Street.

No. 2, by _____ Residence _____ Street.

No. 3, by _____ Residence _____ Street.

No. 4, by _____ Residence _____ Street,

Police Court— 1 — District.

THE PEOPLE, &c., ON THE COMPLAINT OF

Patrick Gaffney

vs.

1. Michael Magle

2. William Horrigan

3. _____

4. _____

Offence Burglary

Dated July 30 1883

Magistrate. Officer. Precinct.

Witnesses Calvin Smith

No. _____ Street.

No. _____ Street,

No. _____ to answer _____ Street,

RECEIVED, DISTRICT ATTORNEY'S OFFICE, AUG 2 1883

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Michael Magle and William Horrigan guilty thereof, I order that each be held to answer the same and be admitted to bail in the sum of Three Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until they give such bail.

Dated July 30 188 3 Solon B. Smith *Police Justice.*

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

Dated _____ 188 _____ *Police Justice.*

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

Dated _____ 188 _____ *Police Justice.*

0454

Sec. 198—200.

1st District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question What is your name?

Answer. William Horrigan

Question. How old are you?

Answer. 17 Years

Question. Where were you born?

Answer. This City

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

Answer. 87 Frankfort St. two years

Question. What is your business or profession?

Answer. Newsboy

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

Answer. I am not guilty I was asleep and was awakened by the big fellows to have some candy

his
William X Horrigan
mark

Taken before me this 1st day of *Feb* 188 8

Robert B. Roosevelt
Police Justice.

0455

Sec. 198—200.

1st District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question What is your name?

Answer. Michael Nagle

Question. How old are you?

Answer. 17 Years

Question. Where were you born?

Answer. This City

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

Answer. 13 Union St Brooklyn

Question. What is your business or profession?

Answer. Bootblack

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

Answer. I did not break into the place it was two big fellows who did that

Michael Nagle

Taken before me this 9th *day of* July 188 8

John R. Connell *Police Justice.*

0456

CITY AND COUNTY
OF NEW YORK, } ss.

John F. Gilligan

aged 23 years, occupation Police Officer of ~~No.~~
the 4th Precinct ~~Street,~~ being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Oberto Domenico
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this
day of July 188 9

John F. Gilligan

Solon B. Smith

Police Justice.

0457

Police Court— 1st —District.

City and County of New York, } ss.:

Alberto Domenico

of No. 74 Baxter Street, aged 22 years,

occupation Peddler being duly sworn

deposes and says, that the premises No 1 Beekman Street,

in the City and County aforesaid, the said being a booth or inclosure

for the sale of fruit and candies

and which was occupied by deponent as a booth

and in which there was at the time no human being, ~~by means~~

were BURGLARIOUSLY entered by means of forcibly opening the outer door of said booth with false keys

on the 29th day of July 1883 in the night time, and the following ~~property~~ feloniously taken, stolen, and carried away, viz:

A quantity of candies of the value of about Seventy Cents and six drinking glasses of the value of thirty cents collectively of the value of one dollar.

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 Michael Nagle and William Horrigan both now present

for the reasons following, to wit: That about 2 o'clock P.M. deponent locked and fastened said door and on the morning following deponent found that it had been forced open and the above described property taken & stolen ~~therefrom~~ from said booth and deponent is now informed by Officer Galligan that he saw the first named defendant have his head and shoulders through the open door & the other outside waiting and acting as a look out both having candies in their possession Alberto Domenico

Sworn to before me this 30th day of July 1883 Thos. Ronan Police Justice

0458

BOX:
110

FOLDER:
1176

DESCRIPTION:
Newman, James

DATE:
08/07/83

1176

Money taken
H's. recovered
N. evidence
of former
conviction

7/

Counsel,

Filed 7 day of August 1883

Pleads

THE PEOPLE

vs.

James Newman

Grand Larceny, Second degree.
(§ 528 and 531)

190 Prisoner

JOHN McKEON,

District Attorney.

A True Bill.

John Hayes Rhoades

Aug 7/83.

Foreman

Pleads G

1 yr Pen

POOR QUALITY ORIGINAL

0459

0460

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
James Newman

The Grand Jury of the City and County of New York, by this indictment accuse James Newman of the crime of GRAND LARCENY, in the second degree, committed as follows:

The said James Newman late of the First Ward of the City of New York, in the County of New York, aforesaid, on the eleventh day of July in the year of our Lord one thousand eight hundred and eighty-three at the Ward, City and County aforesaid, with force and arms, three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one thousand dollars, and of the value of one thousand dollars each: three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five hundred dollars, and of the value of five hundred dollars each: twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one hundred dollars, and of the value of one hundred dollars each: thirty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of fifty dollars, and of the value of fifty dollars each: fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each: sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each: eighty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each: ninety promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of three dollars, and of the value of three dollars each: one hundred promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each: one hundred and twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one hundred dollars: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of fifty dollars: two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars each: three promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of three dollars each: fifteen promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars each: thirty promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar each: bank bills of banks to the jurors aforesaid unknown, and of a number and denomination to the jurors aforesaid unknown, of the value of one thousand dollars. Two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each: three gold coins (of the kind usually known as eagles), of the value of ten dollars each: six gold coins (of the kind usually known as half eagles), of the value of five dollars each: fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each: ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each: thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each: gold coin of the denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of one thousand dollars. Sixty silver coins (of the kind usually known as dollars), of the value of one dollar each: sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each: one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each: three hundred silver coins (of the kind usually called dimes), of the value of ten cents each: six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each: one thousand silver coins (of the kind known as three cent pieces), of the value of three cents each: silver coin of a denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of fifty dollars. Three thousand coins (of the kind known as cents), of the value of one cent each: five hundred coins (of the kind known as two cents), of the value of two cents each.

$80.-

of the goods, chattels, and personal property of one William Zorthanian 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.

JOHN McKEON, District Attorney

0461

Police Court 3 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William Jackson

vs.

1 James Newman

2

3

4

Offence Grand Larceny

BAILED,

No 1, by _____ Residence _____ Street.

No. 2, by _____ Residence _____ Street.

No. 3, by _____ Residence _____ Street.

No. 4, by _____ Residence _____ Street.

Witnesses

No. _____ Street.

No. _____ Street.

No. _____ Street.

$ 1500 to answer Gen

Dated July 12 188 3

P. Ullmann Officer. Precinct.

P. Ullmann Magistrate.

RECEIVED DISTRICT ATTORNEY'S OFFICE 1883 JUL 18

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

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

Dated July 12 188 3 P. Ullmann *Police Justice.*

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

Dated _____ 188 . _____ *Police Justice.*

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

Dated _____ 188 . _____ *Police Justice.*

0462

Sec. 198—200

5 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. James Newman

Question. Hold old are you?

Answer. 22 years

Question. Where were you born?

Answer. New York City

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

Answer.

Question. What is your business or profession?

Answer. Waiter

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

Answer.

I know nothing about it.

James Newman

Taken before me this 5 *day of* January 188

Police Justice.

0463

5th District Police Court. Affidavit—Larceny.

CITY AND COUNTY OF NEW YORK, } ss

of No. 1681 1st Avenue Street, William Zachariasen, age 44 years, a Saloon Keeper,

being duly sworn, deposes and says, that on the 11th day of July 188 3.

at the City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent's money drawer in his Saloon —

the following property, viz:

United States Bank Notes and Silver Coin of the value of Eighty Eight Dollars, more or less,

Sworn before me this day of 188 POLICE JUSTICE.

the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by James Newman, now here, from the fact this deponent saw the said Newman behind the Counter in this deponent's store with the money drawer in his (Newman's) hand, and whose said money was at the time and when said Newman saw this deponent he put back said money drawer, ran from behind said counter and from said store: deponent followed

0464

said Newman and caught and arrested said Newman in 87th Street about one half block from this deponents store.

Deponent therefore charges the said Johnes Newman with having feloniously taken, stolen and carried away the property as above described.

Sworn to before me
July 12th 1883.
R. J. Morgan
Police Justice.

Wm Zacharias

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
vs.

AFFIDAVIT—Larceny.

Dated 188

..... Magistrate.

..... Officer.

WITNESSES:

DISPOSITION

0465

BOX:
110

FOLDER:
1176

DESCRIPTION:
Nicholson, John

DATE:
08/21/83

1176

178 W.F.K.

Day of Trial, 30 days

Counsel,

Filed, 21 day of Aug 188 3

Pleads Not guilty

THE PEOPLE

vs.

John Nicholson

Assault in the First Degree

[Penal Law 2179]

16 1/4

JOHN McKEON,

District Attorney.

A TRUE BILL.

Foreman.

Sept 17/83

Pleads Not guilty

Elmira Ref.

0467

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

John Nicholson

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

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

The said John Nicholson

late of the City of New York, in the County of New York, aforesaid, on the seventeenth day of August in the year of our Lord one thousand eight hundred and eighty three with force of arms, at the City and County aforesaid, in and upon the body of James Crawley in the peace of the said people then and there being, feloniously did make an assault and him the said James Crawley with a certain knife which the said John Nicholson

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 Crawley then and there feloniously and wilfully to kill, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT:

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

of the CRIME OF Assault in the Second Degree, committed as follows:

The said John Nicholson, late of the City and County aforesaid,

afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said James Crawley then and there being, feloniously did, willfully and wrongfully, make an assault and him the said James Crawley with a certain knife which the said John Nicholson

in his right hand then and there had and held, the same being an instrument likely to produce grievous bodily harm, feloniously did, willfully and wrongfully then and there beat, strike, stab, cut and wound

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

~~JOHN McKEON, District Attorney.~~

0468

Third ~~SECOND~~ COUNT :

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

John Nicholson

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

The said John Nicholson

late of the City and County of New York, afterwards to wit: on the thirteenth day of August in the year of our Lord one thousand eight hundred and eighty-three at the City and County aforesaid, with force and arms, in and upon one James Frawley

in the peace of the People of the State of New York then and there being, feloniously did willfully and wrongfully make an assault: and the said John Nicholson, him the said James Frawley with a certain knife which he ~~the said~~ in his right hand then and there had and held, in and upon the chest of him the said James Frawley then and there feloniously did willfully and wrongfully strike, beat, stab, cut, bruise and wound, thereby then and there willfully and wrongfully, feloniously inflicting upon the said James Frawley grievous bodily harm, to wit: thereby then and there cutting and wounding the chest of him the said James Frawley

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

JOHN McKEON, District Attorney.

0469

New York Hospital,

West Fifteenth Street,

New York, August 15 1883

This is to certify that James Frawley has been treated in this hospital during the last two days for stab wounds of the chest. No complications have developed & the wound is healing well. The patient wishes to leave the hospital & is therefore allowed to go—

signed

Robert Bowne
House Surgeon

0470

Form 10.

POLICE COURT—FIRST DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John Brown

vs

John Nicholson

Assault on James Crawley

AFFIDAVIT—Assaulted Mouth Nasal of my wife

Dated August 14 1883

White *Justice*

Brown 6th *Officer*

Com to await result of injuries

0471

Form 10

POLICE COURT—FIRST DISTRICT.

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

John Brook, 35, Police Officer 4th Precinct Police of No. ..... Street,

being duly sworn, deposes and says,

that on the 13 day of August 188 3 at the City of New York,

in the County of New York.

I arrested John Nicholson (Nowlers) on information of James Crawley & David Crawley charging him (Nicholson) with cutting and stabbing him said Crawley with a knife — That Deponent brought said Nicholson to the New York Hospital where said Crawley now lies, and said Nicholson was identified by said Crawley in deponents presence as the person who cut and stabbed him — That said Crawley is unable to appear in Court and Deponent prays said Nicholson be held to await the result of Crawleys injuries — John Brook

Sworn to, this 14 day of August 188

before me.

Police Justice.

0472

New York Hospital,

West Fifteenth Street,

New York, August 14th 1883

This is to certify that James Frawley was brought to this hospital on Monday 13th inst from the 6th Precct suffering from a stab wound of the chest penetrating. His condition this morning is good & he will probably be out of all danger in a day or two.

Signed

Robert Bonner
House Surgeon

0473

New York Hospital,

West Fifteenth Street,

New York, August 14th 1883

This is to certify that James Frawley was brought to this hospital on Monday 13th inst from the 6th Precct suffering from a stab wound of the chest penetrating. His condition this morning is good & he will probably be out of all danger in a day or two

Signed

Robert Bonner
House Surgeon

0474

Police Court 1 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

1 Hugo Schwarz
2 Jacob Hirt
3 Frank McAlpin

Offence Assault in the first degree.

BAILED,

No. 1, by _____ Residence _____ Street.

No. 2, by _____ Residence _____ Street.

No. 3, by _____ Residence _____ Street.

No. 4, by _____ Residence _____ Street.

Witnesses

No. _____ Street,

No. _____ Street.

Officer _____ Precinct.

Magistrate.

188

No. _____ Street.

No. _____ Street.

to answer

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

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

Dated August 15 188 _____ *Police Justice.*

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

Dated _____ 188 _____ *Police Justice.*

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

Dated _____ 188 _____ *Police Justice.*

0475

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question What is your name?

Answer. John Nicholson

Question. How old are you?

Answer. 70 years

Question. Where were you born?

Answer. New York

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

Answer. 164 Sayal — 6 Months

Question. What is your business or profession?

Answer. Porter Dry Goods

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

Answer. Not Guilty

John Nicholson

Taken before me this 9 *day of* May 188[illegible]

[illegible] *Police Justice.*

0476

Police Court 1st District.

CITY AND COUNTY OF NEW YORK, } ss.

James Hawley 21 yr. Bottler

of No. 115 Mott Street,

being duly sworn, deposes and says, that

on Monday the 13th day of August

in the year 1883 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by John Nicholson (Mowbre) who did cut and stab this Deponent in the chest with a knife, which he the said Nicholson then and there held in his hand

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

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

Sworn to before me, this 13 *day of* August 1883

James Hawley

Adrian H. Salmon POLICE JUSTICE.

0477

BOX:
110

FOLDER:
1176

DESCRIPTION:
Nothacker, George

DATE:
08/23/83

1176

Counsel,

Filed 23 day of Aug 1883

Pleads Not guilty.

THE PEOPLE

vs.

George Northacker

Burglary, Second Degree, and Petit Larceny

(Sections 498, 500, 528, 53 Z, ~~and 569~~).

JOHN McKEON,

District Attorney.

A True Bill.

John Hamilton Rhoades

Sept 3/83 *Foreman*

Death Penalty 3 dey

House of Refuge

0479

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
George Nothacher

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

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

The said George Nothacher

late of the Twelfth Ward of the City of New York, in the County of New York aforesaid, on the eighth day of August in the year of our Lord one thousand eight hundred and eighty three with force and arms, about the hour of twelve o'clock in the night time of the same day, at the Ward, City and County aforesaid, the dwelling house of Michael E. Wise

there situate, feloniously and burglariously did break into and enter,

whilst there was then and there some human being, to wit, the said Michael E. Wise within the said dwelling house, the said George Nothacher then and there intending to commit some crime therein, to wit: the goods chattels and personal property of the said Michael E. Wise 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.

0480

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said George Northacker of the CRIME OF Petit LARCENY, committed as follows:

The said George Northacker late of the Ward, City and County aforesaid, afterwards, to wit; on the said Eighth day of August in the year of our Lord one thousand eight hundred and eighty-three, at the Ward, City and County aforesaid, in the night time of said day, with force and arms, two buckets of the value of seven dollars and fifty cents each, and divers coins of the United States of America of a number kind and denomination to the Grand Jury aforesaid unknown of the value of sixty cents

of the goods, chattels and personal property of one Michael E. Wise in the dwelling house of one Michael E. Wise there situate, 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.

John McKean
District attorney

0481

Police Court— 3rd ——— District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Michael White
Corner 31st St & 10th Ave
Charge Nothacker

Offence Burglary & Larceny

1 _____
2 _____
3 _____
4 _____

Dated August 11th 1883

Magistrate.

George Thrall Officer.

23rd Precinct.

Witnesses

No. _____ Street.

No. _____ Street.

No. _____ Street.

$ 1000 to answer Michael White

BAILED,

No 1, by _____ Residence _____ Street.

No. 2, by _____ Residence _____ Street.

No. 3, by _____ Residence _____ Street.

No. 4, by _____ Residence _____ Street.

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

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

Dated August 11th 1883. O. L. Morgan *Police Justice.*

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

Dated _____ 188 . _____ *Police Justice.*

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

Dated _____ 188 . _____ *Police Justice.*

0482

Sec. 198—200

5th District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. George Nothacker

Question. How old are you?

Answer. 16 years of age

Question. Where were you born?

Answer. New York

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

Answer. 228 East 106th 1 3 years.

Question. What is your business or profession?

Answer. Both Black

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

Answer. I am not guilty of the charge

George. Nothacker

Taken before me this 11th *day of* August 1883

[illegible] *Police Justice.*

0483

Police Court— 5th District.

City and County of New York, } ss.:

Michael E. Wise

of No. 311 East 106th Street, aged 43 years, occupation Butcher being duly sworn deposes and says, that the premises No 311 East 106th Street, in the City and County aforesaid, the said being a Four Story & Basement Brick Dwelling

and which was occupied in part by deponent as a Dwelling & place of abode and in which there was at the time human beings by name Luther J. Mell & Mary C. Wise

were BURGLARIOUSLY entered by means of forcibly opening the Fan light over the back Kitchen door on the 3rd floor of said house and entering therein with intent to commit a crime

on the 8th day of August 1883 in the night time, and the following property feloniously taken, stolen, and carried away, viz:

One pair of gold Bracelets of the value of Fifteen dollars & moneys of the issue of the United States government to the amount & value of Sixty cents, said property being in all of the value of Fifteen 60/100 dollars

the property of deponents

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

George Nothacker (now here)

for the reasons following, to wit: from the fact that deponents caught and detected the said George Nothacker in said house on said night, and that the doors leading to said room were securely locked & closed and deponents discovered & found that the fan lights had been forced open & the above described property removed.

Michael E. Wise

Sworn to before me August 11 1883 O. Gallagher Police Justice