

0763

**BOX:**

296

**FOLDER:**

2820

**DESCRIPTION:**

Irving, Edward

**DATE:**

02/14/88



2820

0764

**BOX:**

296

**FOLDER:**

2820

**DESCRIPTION:**

Winters, Ellsworth

**DATE:**

02/14/88



2820

POOR QUALITY  
ORIGINAL

0765

p 200

Counsel,  
Filed, 14 day of July 1888  
Pleads, Chazandly 117

THE PEOPLE

vs.

PETIT LARCENY.

[Sections 528, 532. Penal Code.]

Edward Irving

vs.

Ellsworth Winters  
(2 cases)

JOHN R. FELLOWS,

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Glyferson  
Foreman.  
July 21/88  
Chas. 2 Flower Gundy  
per bond

Witnesses:  
J. J. Newman  
J. J. Newman  
Capt. Stephen  
24 Precinct



POOR QUALITY  
ORIGINAL

0766

Police Court— 6 District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

Amos Ablett

of No. 219 West 18<sup>th</sup> Street, New York City, aged 20 years,  
occupation Waiter being duly sworn

deposes and says, that on the 4<sup>th</sup> day of January 1888 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the night time, the following property viz: One black, diagonal cloth coat and vest of the value together of eighteen dollars and one silk handkerchief of the value of One dollar and Fifty cents, the all of the value of Nineteen dollars and Fifty cents

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 Edward Irving and Edward Winters, also Ellsworth Winters, both now here, from the following facts: Deponent left said property in a bed room on said premises on said day and said Irving and Winters called to engage a furnished room and after they left said property was missing. Deponent is informed by officer Michael Brady of the 34<sup>th</sup> Precinct Police that on the fifth day February 1888 he found in the possession of said Winters and on his person while he was in the company of said Irving the said silk handkerchief which deponent has identified as the one addressed as aforesaid

Amos Ablett

Sworn to before me, this 9 day of February 1888  
of [Signature]  
Police Justice.

POOR QUALITY  
ORIGINAL

0767

CITY AND COUNTY }  
OF NEW YORK, } ss.

Michael Brady  
aged 38 years, occupation police man of No.  
100 36 Precinct Street, being duly sworn deposes and

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

Sworn to before me, this 9<sup>th</sup>  
day of February 1888

Michael Brady

[Signature]

Police Justice.

POOR QUALITY  
ORIGINAL

0768

Sec. 198-200.

6<sup>th</sup>

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Eleventh Winters*

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

Question. What is your name?

Answer. *Eleventh Winters*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *Peekskill N.Y.*

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

Answer. *No home*

Question. What is your business or profession?

Answer. *Painter*

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

Answer. *I am not guilty*

*Eleventh Winters*

Taken before me this

day of

1887

Police Justice.



POOR QUALITY  
ORIGINAL

0769

Sec. 198-200.

6

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

*Edward Irving*

Question. How old are you?

Answer.

*29 years*

Question. Where were you born?

Answer.

*Yonkers N.Y.*

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

Answer.

*No home*

Question. What is your business or profession?

Answer.

*Bookkeeper*

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

Answer.

*I am not guilty*

*E. Irving*

Taken before me this

day of

1885

Police Justice.

POOR QUALITY  
ORIGINAL

0770

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 \_\_\_\_\_  
No. 7, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 8, by \_\_\_\_\_  
Residence \_\_\_\_\_

Police Court-- 6 District. 250

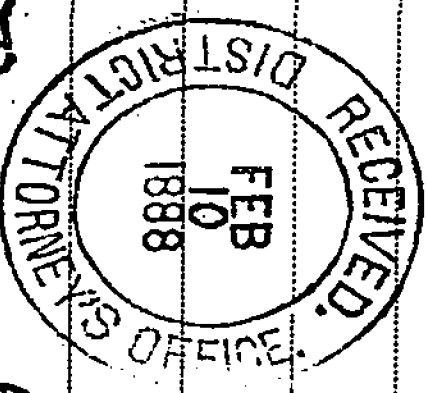
THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James Abbott  
279 St. 18  
1 Edward Irving  
2 Elsworth Winters  
3 also Edward Winters  
4  
5  
6  
7  
8  
Offence Larceny  
Misdemeanor

Dated February 9, 1888

Magistrate.  
Michael Brady  
Officer.

Witnesses  
James Abbott  
No. 219 West 18th  
Street.



No. \_\_\_\_\_  
Street.  
No. 1000  
TO ANSWER  
g.s.

No 1 Com

No 2 Com

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 Edward Irving and Elsworth Winters 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, each and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated February 9 1888 [Signature] Police Justice.

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

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.



POOR QUALITY  
ORIGINAL

0771

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Edward Irving and  
Wesley Winters

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

Edward Irving and Wesley Winters

of the CRIME OF PETIT LARCENY, committed as follows:

The said Edward Irving and Wesley  
Winters, both —

late of the First Ward of the City of New York, in the County of New York aforesaid, on the  
fourth day of January, in the year of our Lord  
one thousand eight hundred and eighty-eight, at the City and County aforesaid,  
with force and arms,

one coat of the value of  
thirteen dollars, one vest of the value  
of five dollars, and one handkerchief  
of the value of one dollar,

of the goods, chattels and personal property of one Amos Abbott, —

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

John R. Kellogg,  
District Attorney

0772

**BOX:**

**296**

**FOLDER:**

**2820**

**DESCRIPTION:**

**Irving, Edward**

**DATE:**

**02/14/88**



2820

0773

**BOX:**

296

**FOLDER:**

2820

**DESCRIPTION:**

Winters, Ellsworth

**DATE:**

02/14/88



2820



POOR QUALITY  
ORIGINAL

0774

No 199  
Facts & Evidence  
132 Oct 20/88

Counsel,  
Filed 14 day of Feb 1888  
Pleads *Christy*

Forger in the Second Degree.  
(Sections 511 and 521, Penal Code.)

THE PEOPLE

*Edward Irving*

*Ellsworth Winters*  
(2 cases)

JOHN R. FELLOWS,  
RANDEPH B. MARTINE,

*Feb 28/88* District Attorney.

*No. 21. Student twenty dismissed*

A True Bill.

*G. W. Winters*

*Feb 21/88* *Christy* *man*  
*W. H. C. Plante, Quincy*

*See memo SP. 542.*

*James Abbott*

*James Abbott*

*James Abbott*

*James Abbott*

*I am an acquaintance of the  
I am of opinion that there is  
not sufficient evidence to convict  
the defendant Winters and I  
therefore recommend that  
the indictment against him  
be dismissed*

*Feb 28/88* *John C. Colgate*  
*Attorney*

*James Winters* *Blair*  
*6 1/2 per cent. 12-14*  
*Edward P. Winters*

POOR QUALITY  
ORIGINAL

0775

Police Court Sixth District  
City and County of New York

Affidavit - Forgery

James J. Newman of No 217  
Gay Street Brooklyn, doing business at the  
store of Thurber Whyland and Company at No  
116 Reade street in the City of New York, aged  
22 years, occupation clerk, being duly sworn,  
deposes and says that on the 16<sup>th</sup> day of January 1888  
at said store of Thurber Whyland and Company  
Edward Irving, now here, did <sup>belongingly pass and utter</sup> pay over and  
deliver to defendant in payment for a bill of goods  
sold to him by defendant the check hereto annexed  
marked exhibit A purporting to be signed  
by S. W. Underhill, Executor, which <sup>check or</sup> instrument  
in writing by which a pecuniary obligation was  
purported to be created, was false, fraudulent and  
forged. Defendant accepted said pretended check from  
said Irving, deducted ~~from~~ from the amount  
thereof the sum of Thirty three  $\frac{34}{100}$  Dollars, the  
amount of the bill for goods bought by said Irving  
and handed to said Irving the balance of Fifty  
three dollars and sixty two cents. Said Irving  
represented himself to defendant to be one Edward  
A. Percy and the said false check was drawn to the order of Edward  
A. Percy and was so endorsed. Defendant is  
informed by Stephen W. Underhill of Sing  
Sing New York that the signature on said check  
is an imitation of his signature as Executor and  
that he has an account at the First National  
Bank of Sing Sing upon which bank said check,  
which is false fraudulent and forged purports to be  
drawn

James J. Newman

Sworn to before me this  
9th day of February 1888  
Police Justice

POOR QUALITY  
ORIGINAL

0776

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 50 years, occupation Stephen W. Underhill  
Manufacturer and Executive of the  
Cotton Landing, New York Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of James J. Newman  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 9<sup>th</sup>

day of February 1888

S W Underhill  
Police Justice.



POOR QUALITY  
ORIGINAL

0777

Sec. 198-200.

6 <sup>5</sup>/<sub>2</sub>

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Edward Irving*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *Yorktown N.Y.*

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

Answer. *No home.*

Question. What is your business or profession?

Answer. *Bookkeeper*

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

Answer. *I am not guilty*

*Ed Irving*

Taken before me this

9 <sup>5</sup>/<sub>2</sub>

day of

1888

Police Justice.

POOR QUALITY  
ORIGINAL

0778

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

Police Court-- 6<sup>th</sup> District. 250

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James G. Newman  
1 Edward Irving  
2 Edward Irving  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
Offence Fugery

Dated February 9<sup>th</sup> 1888

Deputy Magistrate.

Michael Brady Officer.

34<sup>th</sup> Precinct.

Witnesses William H. Harker

No. 116 Beacie Street.

Sain ofice

No. 116 Beacie Street.

No. 116 Beacie Street.

No. 116 Beacie Street.

No. 116 Beacie Street.

Com

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 Edward

Irving  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Twenty 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 February 9<sup>th</sup> 1888

P. H. Deefey Police Justice.

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

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

Court of General Sessions

The People vs  
John W. Brown and  
Robert

City and County of New York, ss:

George W. Stephens

being duly sworn says:

I am Counsel for the defendants  
in this action who are jointly  
indicted for forgery in the second  
degree.

The father of the defendant Foster  
who resides at the village of New  
York is a necessary witness for the  
defense without the benefit  
whose testimony as I truly believe  
the defendant can not safely  
go to trial, as they expect to prove  
by him that at the time of the  
making and uttering of the alleged  
false check charged in the indictment  
the defendant Foster was at home  
at New York, that the said father is now  
confined to his home by sickness, and is unable to appear in court.  
This counsel was first on the stand  
last Friday when as I am informed



POOR QUALITY  
ORIGINAL

0780

the district attorney was not ready  
proceed with the trial and the  
trial was adjourned at his instance  
until notified this morning I  
had supposed that the case would  
be further postponed and I am  
personally unprepared to proceed  
with the trial

known  
to-day

to be before this  
February 1888

Geo. Stephens

J. H. Dudley

Commissioner of Deeds  
N. H. County

POOR QUALITY  
ORIGINAL

0781

Wm. General James  
of the Regt.

The People's

vs.

James Foster

James Forey

Attendant for defendant

First Stephens  
of Counsel.

132 Cassans

N.Y.

N.Y.

0782

## Precinct No. \_\_\_\_\_

New York, \_\_\_\_\_ 18

He is wanted on Staten Island, for Horse Stealing. And boats are wanted in Bergen Co. N.J. for 6 Burglaries committed on 6 Depots, on the New Jersey, and New York R.R. on the 2<sup>d</sup> of Feby. 1888. And at White Plains for Burglary at Scarsdale Depot New York and Harlem R.R. Feb 4<sup>th</sup> 1888.

They are also charged with robbing the M. E. Church, and Public School at Spring Valley, Rockledge Ex. H. and ~~Croton Landing~~ Croton Landing Westchester Co.

Elsworth Winter. Alias Elsworth Foster.  
is Connected with Irving in every thing  
except the Horse Stealing in Staten Island.



POOR QUALITY  
ORIGINAL

0783

District Attorney's Office,

PEOPLE  
vs.

Edward Irving

Ellsworth Printers

On bail being offered  
or motion made for  
a reduction great care  
should be exercised and  
it is important that  
in either event I should  
be notified.

Sheloff

Call Jas. J. Newman  
at Thurbers  
as to identification of Irving

POOR QUALITY  
ORIGINAL

0784

District Attorney's Office,

PEOPLE

vs.

Edward Irving

Ellsworth Winters

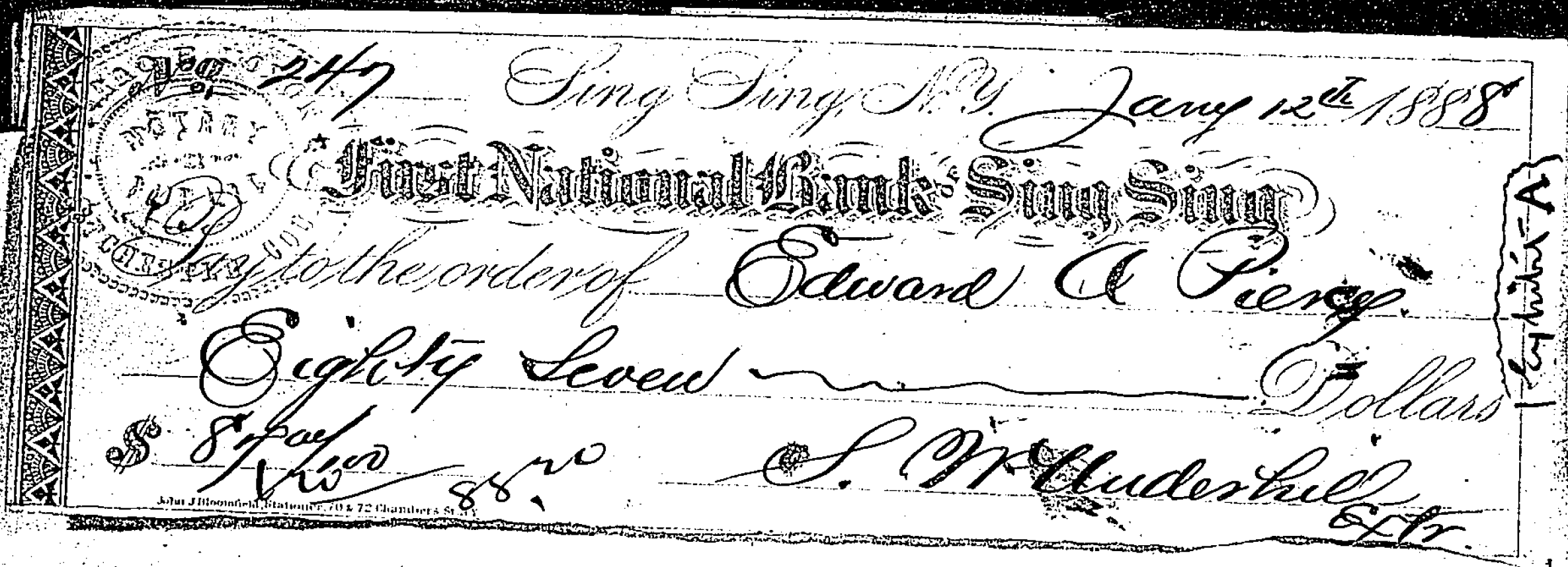
On bail being offered  
or motion made for  
a reduction great care  
should be exercised and  
it is important that  
in either event I should  
be notified.

Thurs off

Call Jas J. Newman  
at Humboldt  
as to identification of Irving

POOR QUALITY  
ORIGINAL

0785

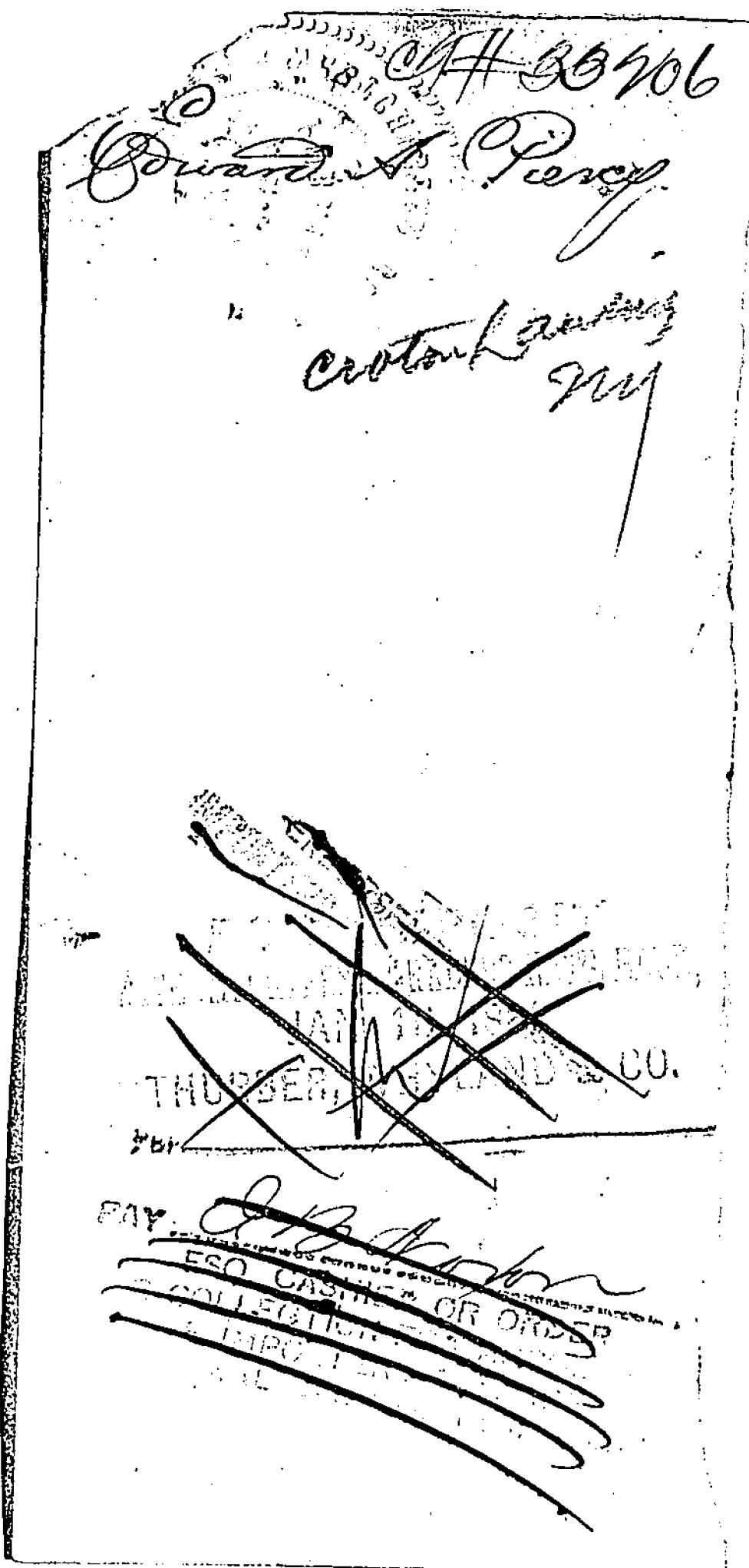




TORN PAGE

POOR QUALITY  
ORIGINAL

0786



POOR QUALITY  
ORIGINAL

0787

United States of America.

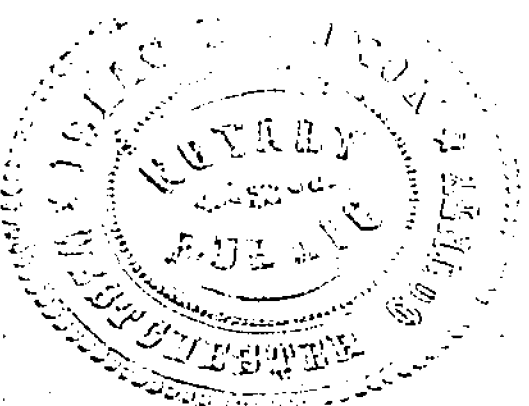
STATE OF NEW YORK, } ss.  
WESTCHESTER COUNTY.

On the 18<sup>th</sup> day of January  
in the year of our Lord one thousand eight hundred and eighty eight  
I, ISAAC B. NOXON, (by the authority of the State of New York,) a Notary Public, duly admitted and sworn, dwelling in the village of Sing Sing, county of Westchester, and State aforesaid, presented the Cheek of S. M. Quackenbush & Co. hereto annexed, dated Jan'y 12<sup>th</sup> 1888 payable after date, for the sum of Eighty seven Dollars to the Cashier of the First National Bank of Sing Sing, where the same is made payable, and payment thereof duly demanded, which was refused it being a forgery.

Whereupon, I, the said Notary, did Protest, and by these presents do publicly and solemnly protest, as well against the drawers and endorsers of the said Cheek as against all others whom it doth or may concern, for exchange, re-exchange, and all costs, damages, and interest already incurred, and to be incurred, by reason of the non-payment of the said Cheek.

Thus done and Protested in Sing Sing aforesaid, I have, in testimony thereof, subscribed my name and affixed hereto my official seal, on the day and year above written.

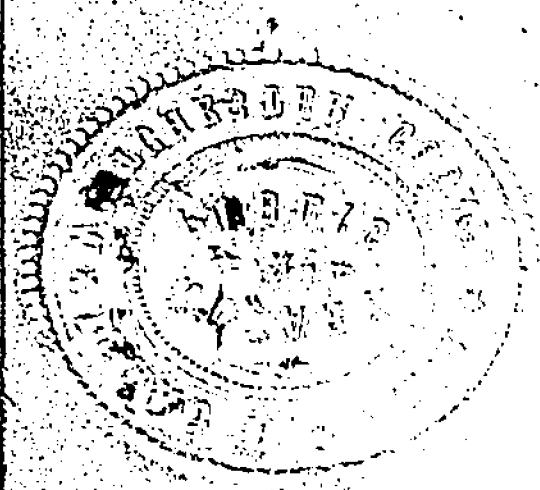
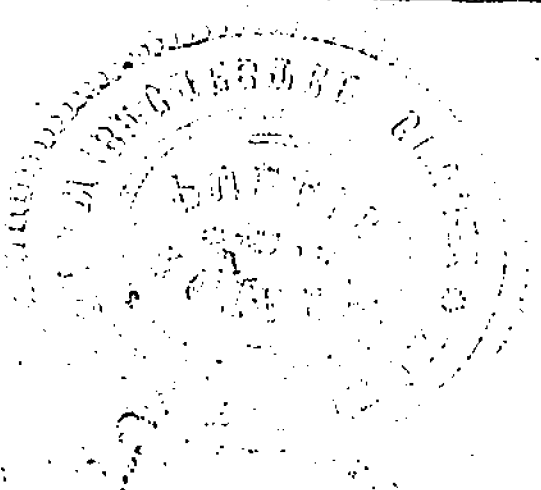
Isaac B. Noxon  
Notary Public.





POOR QUALITY  
ORIGINAL

0788

	
<p><i>Fargery</i></p>	
<p><b>First National Bank</b></p>	
<p>OF SING SING.</p>	
<p><i>S. M. Wyndham &amp; Co.</i></p>	
<p><i>FOR</i></p>	
<p><i>E. J. Townsend</i></p>	
<p><i>July 18 1888</i></p>	
<p>Sing Sing, N.Y.</p>	
<p>Protest for..... <i>87.</i></p>	
<p>Fees,..... 75 cts.</p>	
<p>Postage and Notices,..... <i>45</i></p>	
<p>Interest,..... <i>1.75</i></p>	
<p>ISAAC B. NOTON, Notary Public.</p>	
<p>"Democratic Register" Print, Sing Sing.</p>	



0789

OF THE CITY AND COUNTY OF NEW YORK.

*against*

Edward Irving and  
Fernando Winters

Edward Irving and Kenneth Winters

The said Edward Spring and Elsworth  
Winters, both -

which said forged *Paula Dineen* —  
is as follows, that is to say:

No. 244      Sing Sing N.Y. Jan'y 12<sup>th</sup> - 1888  
First National Bank of Sing Sing  
Pay to the order of Edward A. Pierce  
Eighty Seven \_\_\_\_\_ Dollars  
\$87.00      S.W. Underhill  
                     atty.

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

POOR QUALITY  
ORIGINAL

0790

SECOND COUNT:

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

*Edward Irving and Edmund Winters*

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

The said *Edward Irving and Edmund Winters, both* —

late of the City and County aforesaid, afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, having in *their* possession a certain forged instrument and writing, *to wit: an order for the*

*payment of money of the kind*  
*called Bank Cheques, —*

which said forged *Bank Cheque* —  
is as follows, that is to say:

*No. 247* *First National Bank of New York* *Jan 12<sup>th</sup> 1888*  
*Pay to the order of Edward A. Pierce*  
*Eighty seven ————— Dollars*  
*\$ 87.00* *S.W. Underhill*  
*per*

with force and arms, and with intent to defraud, the said forged *Bank Cheque*  
then and there did feloniously utter, dispose of and put off as true, *by* the said *Edward*  
*Irving and Edmund Winters* then and there well knowing the same to be  
forged, against the form of the Statute in such case made and provided, and against the peace  
of the People of the State of New York and their dignity.

JOHN R. FELLOWS.  
**RANDOLPH B. MARTINE,**

District Attorney.