

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

N 200

Counsel,
Filed, 14 day of July 1888
Pleads, Chazyville, W

THE PEOPLE vs.
Edward Irving
Ellsworth Winters
[Sections 528, 532. Penal Code.]
PETIT LARCENY.

JOHN R. FELLOWS,
R. ANTHONY B. MARLINE,
District Attorney.

A True Bill.

G. H. ... Foreman.
Ch. 2 ...
pen bond.

Witnesses:
J. J. Newman
Capt. ...
34 Precinct

POOR QUALITY ORIGINAL

0766

Police Court— 6 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Amos Ablett

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

deposes and says, that on the 4th 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, 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 34th 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
Police Justice

POOR QUALITY ORIGINAL

0767

CITY AND COUNTY }
OF NEW YORK, } ss.

Michael Brady

aged 38 years, occupation police man of No.

100 36th 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 9th
day of February 1888

Michael Brady

[Signature]

Police Justice.

POOR QUALITY ORIGINAL

0768

Sec. 198-200.

6th

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Elsworth Winters

.....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. *Elsworth Winters*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *Peeblesville 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*

Elsworth Winters

Taken before me this

day of

Sept

1884

[Signature]

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 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. *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

[Signature]
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 _____

Police Court-- 6th District. 257

THE PEOPLE, &c.,
ON THE COMPLAINT OF

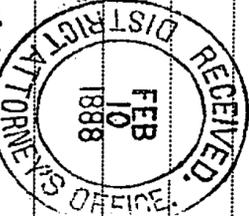
James Albert
 219 West 18th
 1 Edward Smith
 2 Elsworth Winters
 8 Miss Edward Winters
 4 _____
 Offence Jarceury
Misdemeanor

Dated February 9th 1888

Magistrate
Michael Brady
Precinct 34th

Witnesses
James Albert

No. 219 West 18th
Street



No. _____
Street _____
No. 1000
to answer
g.s.
Street

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
Smith 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 9th 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
Edmund Winters

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

Edward Irving and Edmund Winters

of the CRIME OF PETIT LARCENY, committed as follows:

The said Edward Irving and Edmund
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
Jacks v. Jackson

Counsel,
Filed 14 day of Feb'y 1888
Pleads Chyquilly 117

FORGERY IN THE SECOND DEGREE.
(Sections 511 and 521, Penal Code.)

THE PEOPLE
vs.
Edward Irving

vs.

Ellsworth Winters
(2 cases)

JOHN R. FELLOWS,
RANDEPH B. MARFINE,

Feb'y 27/88
District Attorney.
No. 21, Court Street, New York

A True Bill.

G. W. ...
Feb'y 21/88
K. H. ...
see memo. S. P. 54 v.

Witnesses:
James Abbott
Edwards
J. Brady

From an examination 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'y 28/88
John ...
Assistant

Permebraker
Blair
6 1/2 per cent
Edward ...

POOR QUALITY ORIGINAL

0775

Affidavit - Forgery

Police Court Sixth District
City and County of New York

James J. Newman of No 217
 Jay Street Brooklyn, doing business at the
 store of Thurber Whyland and Company at
 116 Reade street in the City of New York, aged
 22 years, occupation clerk, being duly sworn,
 deposes and says that on the 16th day of January 1888
 at said store of Thurber Whyland and Company
 Edward Irving, now here, did ^{belongingly pass and utter and} pay over and
 deliver to deponent in payment for a bill of goods
 sold to him by deponent the checks hereto annexed
 marked exhibit A purporting to be signed
 by S. W. Underhill, Executor, which ^{checks or} instrument
 in writing by which a pecuniary obligation was
 purported to be created, was false, fraudulent and
 forged, Deponent 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 deponent to be one ^{Edward} A. Percy
 and the said false check was drawn to the order of Edward
 A. Percy and was so endorsed. Deponent 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
 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 9th
day of February 1888 } S W Underhill

P. G. [Signature]
Police Justice.

POOR QUALITY ORIGINAL

0777

Sec. 198-200.

6 ^{1/2}

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Edward Irving 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. *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

day of

[Signature]
1888

Police Justice.

POOR QUALITY ORIGINAL

0778

BALIED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court-- 6th District. 250

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James G. Stemen

1 Edward Irving

2 Essemont & Williams

3

4

Offence. Forgery

Dated February 9th 1888

Magistrate.

Michael Brady Officer.

34 Precinct.

Witnesses William H. Harker

No. 116 Reade Street.

same office

No. 116 Reade Street.

No. 116 Reade Street.

No. 116 Reade Street.

No. 116 Reade 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 9th 1888 J. A. Deafey Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

Court of General Sessions

The People vs }
 } ^{vs}
 } Irving 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 Irving is a necessary witness for the defense without 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 Irving, New York, that the said father is now confined to his home by sickness, and that he could not appear in court 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 am
personally unprepared to proceed
with the trial

to be
Friday

to be before this
Friday, February 1888

Geo. Stephen

J. H. Dudley
Commissioner of Deeds
All County

POOR QUALITY ORIGINAL

0781

Mr. General James
of the Peace

The People vs.

vs.

Prisoners

James Forey

Affidavit for adjournment

of
James Forey

132 Nassau St

N.Y.
N.Y.

POOR QUALITY
ORIGINAL

0782

Police Department of the City of New York,

Precinct No. _____

New York, _____ 18

Washington Woodworth, Alias E. A. Pierce, Alias Edward Irving. — was sentenced at White Plains, by Justice Gifford, to 5 years in State Prison at Sing Sing for Burglary on Residence of Maurice S. Seudder, at Mt Vernon Sept. 30th 1879.

He is wanted on Staten Island, for Horse Stealing. And both 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 2nd of Feby, 1888. And at White Plains for Burglary at Seasedale Depot New York and Harlem R.R. Feb 4th 1888.

Passing Forged Cheque for \$41,000/100, on Lounsbury and Macbeth Sing Sing Village Dec. 10th 1887. In all of those Robberies there is positive evidence of their having committed them.

They are also charged with robbing the M. E. Church, and Public School, at Spring Valley, Rockland Co. N. Y. and ~~at~~
Croton Landing Westchester Co.

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

POOR QUALITY
ORIGINAL

0783

District Attorney's Office,

PEOPLE

vs.

Edward Irving

Ellsworth Trinters

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

Julio

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.

J. H. Hoff

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

POOR QUALITY ORIGINAL

0785

No. 247 Sing Sing, N.Y. Jan 12th 1888
First National Bank Sing Sing
Pay to the order of Edward A. Pierce
Eighty Seven Dollars
\$ 87.00
S. W. Underhill
Clerk

Edward A. Pierce

TORN PAGE

POOR QUALITY ORIGINAL

0786

OFF 98706
Edward A. Percy
Crotchley
M

~~THURBER, WELLS & CO.~~

BY ~~Edward A. Percy~~
ESQ. CASH OR ORDER
P.P.S.

POOR QUALITY ORIGINAL

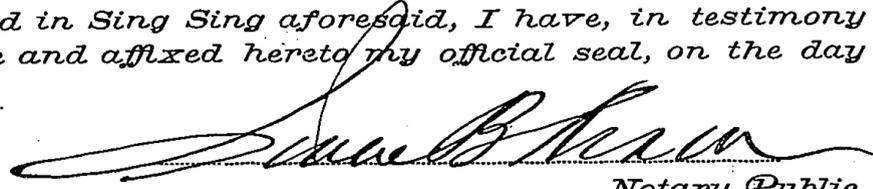
0787


 United States of America.
 STATE OF NEW YORK, } ss.
 WESTCHESTER COUNTY.

On the 18th 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 Check of S. M. Quackenbush Co. hereto annexed, dated Jan'y 12th 1888 payable after date, for the sum of Eighty seven 70/100 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 through 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 Check 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 Check.

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.


 Notary Public.



POOR QUALITY ORIGINAL

0788

Pay to the order of

First National Bank
OF SING SING.

Wm. Lydenhill Esq
FOR
E. J. Torrance Esq

Sing Sing, N.Y. *July 18 1888*

Protest for... *1.87.*

Fees,..... 75 cts.

Postage and Notices,..... *45*

Interest,..... *1.75*

ISAAC B. NOTON,
Notary Public.

"Democratic Register" Print, Sing Sing.

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 checks, —

which said forged *bank check* — is as follows, that is to say:

No. 247 *First National Bank of New York* *Jan 12th 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 check* 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.