

0567

BOX:

378

FOLDER:

3536

DESCRIPTION:

Wagner, Peter

DATE:

12/16/89



3536

0568

BOX:

378

FOLDER:

3536

DESCRIPTION:

Wagner, Peter

DATE:

12/16/89



3536

0569

POOR QUALITY ORIGINAL

Costello

Counsel,
Filed *6/6 Dec 1899*
Pleas, *Myquilly*

Grand Larceny, *without* degree.
[Sections 528, 681, Penal Code].

THE PEOPLE

vs.

P

Peter Wagner

This defendant has been
declared insane by a
physician in a report to
~~George Stuyvesant~~ *W.A.*

JOHN R. FELLOWS,
District Attorney.

Jan 6/90
Spec. Acquittd on the
ground of Insanity
A True Bill *1/21/90*

John A. Davis

Foreman.

John H. Hudson River City
19th Dec 19 - Jan 21/90
117

Witnesses;

Charles Bruner
Ch Carlin

POOR QUALITY ORIGINAL

0570

Police Court - District

Attempt

Affidavit - Larceny.

City and County of New York, ss.

Charles Brunner of No. 31 Maiden Lane Street, aged 21 years, occupation Shipping clerk being duly sworn

deposes and says, that on the 3rd day of December 1889 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 day time, the following property, viz:

One accordion; one guitar, one cornet and a quantity of other smaller musical instruments all of the value of about One hundred dollars

the property of John H. Foote and in care 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 Peter Wagner (now here) for the reasons that all of said property was in a show case which was standing on the sidewalk in front of the doorway of said premises. Said case was locked with two pad locks which could be unlocked with the same key. Deponent saw the defendant insert a key other than the genuine one, into one of said pad locks and attempted to unlock the same.

Defendant had no right or authority to commit said act and deponent charges the defendant with attempting to steal said property.

CBrunner

Sworn to before me, this 4th day of December 1889 Police Justice.

POOR QUALITY ORIGINAL

0571

Sec. 193-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Peter Wagner 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. *Peter Wagner*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *Madison St & New Bowery 1 week*

Question. What is your business or profession?

Answer. *Printer*

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*

Peter Wagner.

Taken before me this *2nd*
day of *December* 1889

[Signature]
Police Justice.

0572

POOR QUALITY ORIGINAL

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles Sumner
31 Madison Lane
John Wagner

Offence Attempt
Grand Larceny

Dated

Dec 4 1889

Hogan Magistrate

Carlini Officer

Witnesses

No.

Street

No.

Street

No.

Street

\$ 500

to answer

E. J. Conroy



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 five Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Dec 4 1889

J. Hogan 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.

POOR QUALITY
ORIGINAL

0574

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Peter Wagner

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

Peter Wagner of the Crime of Attempting to
Commit of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed
as follows:

The said

Peter Wagner

late of the City of New York, in the County of New York aforesaid, on the *third*
day of *December* in the year of our Lord one thousand eight hundred and *eighty-*
nine, at the City and County aforesaid, with force and arms,

*one accordion of the value
of five dollars, one guitar of the
value of ten dollars, one cornet of
the value of twenty dollars, and
divers other musical instruments,
of a number and description to the
Grand Jury aforesaid unknown, of the
value of sixty dollars*

of the goods, chattels and personal property of one

John H. Foote

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.

attempt to
John R. Feltow,
District Attorney

0575

BOX:

378

FOLDER:

3536

DESCRIPTION:

Walsh, Richard

DATE:

12/10/89



3536

POOR QUALITY ORIGINAL

0576

M. Kelly
Counsel,
3 Temple Court

Filed *10* day of *Dec* 188*9*
Plends *Monday* 13

Madame Justice
(See 426, Code)

THE PEOPLE

vs.

B

Richard Walsh

Dec 16 1889

JOHN R. FELLOWS,
District Attorney.

A TRUE BILL. *J.R.F.*
John R. Fellows
Foreman.

Transferred to the Court of Special Sessions for trial and final disposition.
Part 2...*D.C. 13*...188*9*.

Witnesses:
Thomas Cram
Serg. Linden

POOR QUALITY ORIGINAL

0577

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Richard Walsh

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

Indictment accuse Richard Walsh

of the crime of wilfully obstructing, hindering and delaying the passage of a car lawfully running upon a railway, committed as follows:

The said Richard Walsh,

late of the City of New York, in the County of New York, aforesaid, on the twenty seventh day of November, in the year of our Lord one thousand eight hundred and eighty-nine, at the City and County aforesaid,

unlawfully did wilfully obstruct, hinder and delay the passage of a certain car of the Central Park, East and North River Rail Road Company, a corporation duly organized and existing under and by virtue of the laws of this State, then lawfully running upon the horse and street railway of the said corporation there, by then and there wilfully placing upon the track of the said railway, in front of the said car, a certain truck, and keeping the said truck upon the said track and in front of the said car for the space of twenty minutes, so that the said car could not run and pass upon the

**POOR QUALITY
ORIGINAL**

0578

said track for the said space of time; 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,

~~District attorney~~

0579

BOX:

378

FOLDER:

3536

DESCRIPTION:

Ward, Amy

DATE:

12/05/89



3536

POOR QUALITY ORIGINAL

0580

Witnesses;

Geo W Young

A. H. Clusman

Counsel,

Filed

5 day of Dec 1889

Pleads,

THE PEOPLE

vs. *R*

Amy Ward
(renew)

VIOLATION OF EXCISE LAW.

(Selling without license.)
[III, R. S. (7th Ed), page 1981, § 13, and
of 1888, Chap. 840, § 6].

JOHN R. FELLOWS,

District Attorney.

A True Bill. *343*

James H. Lewis

W. H. Coffey Foreman.

James Lewis

Price \$20. Penn

POOR QUALITY ORIGINAL

0581

Sec. 198-200.

5 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Amy Ward 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 ~~her~~, that the statement is designed to enable ~~her~~ if he see fit to answer the charge and explain the facts alleged against ~~her~~ that he is at liberty to waive making a statement, and that ~~her~~ waiver cannot be used against ~~her~~ on the trial.

Question. What is your name?

Answer. *Amy Ward*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *Brooklyn*

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

Answer. *149 West 63rd Street 2 years*

Question. What is your business or profession?

Answer. *Keep House*

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

Answer. *I am not guilty and demand an examination a trial by jury*

Amy Ward.

Taken before me this

day of *March* 1911

[Signature]
1884

Police Justice.

POOR QUALITY ORIGINAL

0582

BAILED,
 No. 1, by Henry A Kaufmann
 Residence 181 Broadway Street.
 No. 2, by _____
 Residence _____ Street.
 No. 3, by _____
 Residence _____ Street.
 No. 4, by _____
 Residence _____ Street.

Police Court... 2 District 1934

THE PEOPLE, Ac.,
 ON THE COMPLAINT OF

Henry Ward

Offence Dist Ex dno
Selling without a License

Date Nov 21 1889

Magistrate W. H. ...
 Officer Henry ...
 Precinct 100

Witnesses _____
 No. _____ Street.
 No. _____ Street.
 No. _____ Street.



See Report of N. Y. S. P. C. O.
 for information of the Court
 filed with these papers. If lost,
 notify the Society at once.

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 100 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Nov 21 1889 W. H. ... Police Justice.

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

Dated Nov 21 1889 W. H. ... 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 _____ 18 _____ Police Justice.

POOR QUALITY
ORIGINAL

0583

W. R.
District Attorney's Office.

PEOPLE

vs.

Aug. Ward
Selling liquor without license

Geo H Young
100 E. 73 St.

POOR QUALITY ORIGINAL

0584

Excise Violation—Selling Without License.

POLICE COURT- 5 DISTRICT.

City and County } ss.
of New York, }

of No. 100 East 73rd Street,

of the City of New York, being duly sworn, deposes and says, that on the 15 day

of November 188 9, in the City of New York, in the County of New York, at

No. 149 West 63rd Street,

Samy Ward (now here)

did then and THERESELL, CAUSE, suffer and permit to be sold, under his direction and authority, strong and spirituous liquors, wines, ale and beer, being intoxicating liquors, in quantities less than five gallons at a time, to be drunk in the house or premises aforesaid WITHOUT HAVING A PROPER LICENSE THEREFOR contrary to and in violation of the statute in such case made and provided

The said defendant did sell
Beer and Whisky to defendant in said
premises and did receive payments
for the same

WHEREFORE, deponent prays that said
may be arrested and dealt with according to law.

Sworn to before me, this 31 day
of November 188 9

W. J. Wells Police Justice.

Samy Ward

POOR QUALITY ORIGINAL

0585

Court of General Sessions of the Peace,
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
AGAINST

Amy Ward

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

(III. Revised Statutes, 7th edition, p. 1981 Section 13).

Amy Ward
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS AND WINES WITHOUT A LICENSE, committed as follows:

The said

Amy Ward

late of the City of New York, in the County of New York aforesaid, on the *fifteenth* day of *November* in the year of our Lord one thousand eight hundred and eighty-*nine*, at the City and County aforesaid, certain strong and spirituous liquors, and certain wines, to wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in quantity less than five gallons at a time, to

George N. Young and to

certain *other* persons whose names are to the Grand Jury aforesaid unknown, without having a license therefor, as required by law, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

(Laws of 1883, chapter 340 section 5) SECOND COUNT—

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

Amy Ward
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, ALES, WINE AND BEER WITHOUT A LICENSE, to be drank upon the premises, committed as follows:

The said

Amy Ward

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, and at the premises there situate, known as number

one hundred and forty-nine West Sixty-third Street

certain strong and spirituous liquors, and certain ales, wines and beer, to wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell to

George N. Young and to

certain *other* persons whose names are to the Grand Jury aforesaid unknown, to be drank upon the premises aforesaid, without having a license therefor, as required by law, 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 G. Fellows
District Attorney

0586

BOX:

378

FOLDER:

3536

DESCRIPTION:

Ward, Amy

DATE:

12/05/89



3536

POOR QUALITY ORIGINAL

0587

Witness:

W. H. Young

H. H. Clueman

Counsel,

Filed

Plends,

J day of *Dec* 188*9*

THE PEOPLE

vs.

Amy Ward
(12 cases)

KEEPING A HOUSE OF IL FAME, ETC.
[Sections 322 and 385, Penal Code]

JOHN R. FELLOWS,

District Attorney.

A True Bill. 33

John T. Davis

Foreman.

Delearn Guilty

Guilty - Suspended

J. H. G.

POOR QUALITY ORIGINAL

0588

Sec. 198-200.

5 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Amy Ward*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *MS*

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

Answer. *149 West 83rd St*

Question. What is your business or profession?

Answer. *Housekeeper*

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 feel not guilty and if held demanded a trial by jury*

Amy Ward

Taken before me this *21* day of *March* 1933
W. J. [Signature]
Police Justice.

0589

POOR QUALITY ORIGINAL

BAILED,

No. 1, by *Mary A Kaufman*

Residence *181, Avery Street*

No. 2, by _____

Residence _____

No. 3, by _____

Residence _____

No. 4, by _____

Residence _____

Police Court---
District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George H. Young
Avery Ward

Officer *Stephen D. Dand...*
Hooper

Date *November 21 1889*

W. B. Beld
Magistrate.

James G. Officer

James G. Precinct

Witnesses

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____
to answer



See Report of N. F. S. P. C. O.
for information about defendant
filed with these papers. If lost,
notify the Society at once.

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 G.*

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

Dated *Nov 21 1889* *W. B. Beld* Police Justice.

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

Dated *Nov 21 1889* *W. B. Beld* 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 _____ 18 _____ Police Justice.

POOR QUALITY ORIGINAL

0590

Sec. 322, Penal Code.

5th District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

George H. Young

of No. 100 - East - 23rd Street, in said City, being duly sworn says that at the premises known as Number 149th West 63rd Street, in the City and County of New York, on the 15th day of November 1889 and on divers other days and times, between that day and the day of making this complaint

Jane Doe (which being a fictitious name, real name being unknown) did unlawfully keep and maintain and yet continue to keep and maintain a House of Prostitution & assignation - and did then, and on the said other days and times, there unlawfully procure and permit as well men as women of evil name and fame and of dishonest conversation to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution and lewdness, and then and on the said other days and times, unlawfully and wilfully did permit and yet continues to permit said men and women of evil name and fame there to be and remain drinking, dancing, fighting, disturbing the peace, whoring and misbehaving themselves, whereby the peace, comfort and decency of persons inhabiting and residing in the neighborhood, and there passing is habitually disturbed, in violation of the statute in such case made and provided.

Deponent therefore prays, that the said Jane Doe and all vile, disorderly and improper persons found upon the premises, occupied by said Jane Doe may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me, this 20th day of November 1889
H. A. Hilde
Police Justice.

Geo. H. Young

POOR QUALITY ORIGINAL

0591

Police Court— 5th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George H. Young

Jane Sue

AFFIDAVIT—Keeping Disorderly House, &c.

Dated Nov 20 1889

Welde Justice.

Young Officer.

S.P.C. Precinct.

WITNESSES :

POOR QUALITY ORIGINAL

0592

Sec. 151.

Police Court— 5th District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by George A. Young

of No. 100 East 23rd Street, that on the 15th day of November

1889, at the City of New York, in the County of New York, Jane Doe (*which being a fictitious name, real name being unknown*) did keep and maintain at the premises known as Number 149 West 63rd Street

Street, in said City, a House of Prostitution & Association and there unlawfully procure and permit as well men as women of evil name and fame, and of dishonest conversation to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution, and there unlawfully and wilfully did permit said men and women of evil name and fame there to be and remain drinking, dancing, fighting, disturbing the peace, whoring and misbehaving themselves whereby the peace, comfort, and decency of persons inhabiting and residing in the neighborhood and there passing is habitually disturbed in violation of the statute in such case made and provided.

THESE ARE, THEREFORE, in the name of the People of the State of New York, to Command you, the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the body of the said

Jane Doe - and all vile, disorderly and improper persons found upon the premises occupied by said Jane Doe

and forthwith bring them before me, at the 5th DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 20th day of November 1889

M. J. [Signature] POLICE JUSTICE.

POOR QUALITY ORIGINAL

0593

Police Court 5th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Geny A. Young

vs.

Jane-Love

WARRANT—Keeping Disorderly House, &c.

Dated Nov 20 1889

Welde Magistrate

Young Officer.

_____ Precinct.

The Defendant _____ taken, and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

_____ Officer.

Dated _____ 188

This Warrant may be executed on Sunday or at night.

W. A. Weld Police Justice.

Amy Ward
24. W. 149. W 63

Rose Williams
25. W. 344. W 48

Sadie Harris
27. W. 149. W 83

WARDEN and KEEPER of the City Prison of the City of New York.

having been brought before me under this Warrant, is committed for examination to the

188

Police Justice.

The within named

POOR QUALITY ORIGINAL

0594

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 5 DISTRICT.

of No. 100 East 43rd Street, aged 37 years, occupation Special Officer being duly sworn deposes and says that on the 20 day of September 1889 at the City of New York, in the County of New York he arrested

Amy Ward in premises 149 W 63rd St. and that said Ward is the person designated in the annexed warrant as Jane Doe.

[Signature]

Sworn to before me, this 21 day of September 1889

[Signature]
Police Justice.

POOR QUALITY
ORIGINAL

0595

x
District Attorney's Office.

PEOPLE

vs.

Amy. Ward
vs. Howell

Geo. H. Young
100 E 13 St

POOR QUALITY
ORIGINAL

0596



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

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

New York, Nov 26th 1889

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

*The People
against*

Amy Ward

Notice of Prosecution.

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

*Sir: This Society is interested in the prosecution of
the above defendant, and is familiar with the facts of the
case. It respectfully requests that before sending the papers
to the Grand Jury, fixing the day of trial, consenting to
any postponement thereof, or to any reduction of bail,
or final disposition of the charge, you will duly notify me as
its President and Counsel, so that I may confer with you
in regard thereto. This request is made pursuant to the
statute (Laws of 1875 Chapter 330, Section 3), and in
furtherance of the ends of Justice.*

I have the honor to remain, with great respect,

Elbridge T. Gerry,

President, &c.

**POOR QUALITY
ORIGINAL**

0597

N. Y. GENERAL SESSIONS.

Keeping Mrs. Howe
CRUELTY TO CHILDREN.

THE PEOPLE



NOTICE OF PROSECUTION

BY THE SOCIETY.

ELBRIDGE T. GERRY,
President, &c.

POOR QUALITY ORIGINAL

0598

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Amy Ward

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

Amy Ward

(Sec. 322, Penal Code.)

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL-FAME, committed as follows:

The said

Amy Ward

late of the *22nd* Ward of the City of New York, in the County of New York aforesaid, on the *fifteenth* day of *November* in the year of our Lord one thousand eight hundred and eighty*nine*, and on divers other days and times, as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

Amy Ward

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offences on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of and against good morals and good manners, 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

Amy Ward

(Section 385, Penal Code.)

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said

Amy Ward

late of the Ward, City and County aforesaid, afterwards, to wit: on the *fifteenth* day of *November* in the year of our Lord one thousand eight hundred

**POOR QUALITY
ORIGINAL**

0599

and eighty-*nine*, and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep and maintain a certain common, ill-governed house, and in *her* said house, for *her* own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, then and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common nuisance of the said citizens, 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 Grand Jury aforesaid, by this indictment, further accuse the said

Amy Ward

(Section 322
Penal Code.)

of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said

Amy Ward

late of the Ward, City and County aforesaid, afterwards, to wit: on the *fifteenth* day of *November* in the year of our Lord one thousand eight hundred and eighty-*nine*, and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for *her* own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in *her* said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, 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,

District Attorney.

0600

BOX:

378

FOLDER:

3536

DESCRIPTION:

Ward, John

DATE:

12/10/89



3536

POOR QUALITY ORIGINAL

0502

Police Court - 2 District.

City and County } ss.:
of New York,

of No. 328 10th Avenue Street, aged 46 years,
Maurice Tracey

occupation. Special Officer being duly sworn

deposes and says, that freight-car no 8439 lying at the foot
of King Street in the City and County aforesaid the said being a Car for the transportation
of freight

and which was occupied by deponent as a

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

was broken and were BURGLARIOUSLY entered by means of forcibly removing the
seal on the door of said car.

on the 24th day of November 1889 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

Twenty six bellies of pork
of the value of forty five dollars.

the property of in the care and custody of deponent as
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
Special Officer for the New York Central & Hudson River RR.

BURGLARY was committed and the aforesaid property taken, stolen and carried away by
John Ward - (now here) and two other
men now under indictment for this burglary

for the reasons following, to wit: that deponent is informed
by Officer William Brown of the 5th
Precinct Police, that at the hour of
10:15 o'clock P.M. said date, he
saw this defendant in company with
one James Heine, now under indictment
on Washington Street, and at that time this
defendant had a bag in his possession which
he dropped when he saw the officer

POOR QUALITY ORIGINAL

0603

and made his escape. and when he the officer examined the bag which the defendant dropped he discovered that it contained four balls of pork. he the officer then examined said freight car and found that it had been broken open and that said property had been stolen there from.

Deponent further says that he has since seen the pork which was in the defendants bag. and that it is similar in size and appearance to the pork which was left in said car after said twenty six balls had been taken there from. Wherefore deponent charges the said defendant and said two other men now under indictment with being together and acting in concert with each other and unlawfully entering said car as aforesaid and feloniously taking, stealing and carrying away said property.

Sworn to before me }
this 3 day of Dec 1889 }
Police Justice.

Dated 1889
M. J. [Signature]

There being no sufficient cause to believe the within named

Dated 1889

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

Dated 1889

of the City of New York, until he give such bail.

Hundred Dollars and be committed to the Warden and Keeper of the City Prison guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

committed, and that there is sufficient cause to believe the within named

It appearing to me by the within depositions and statements that the crime herein mentioned has been

Police Court, District, Offence—BURGLARY. THE PEOPLE, &c., on the complaint of 1. 2. 3. 4. Dated 1889 Magistrate. Officer. Clerk. Witness. No. Street. No. Street. No. Street. \$ to answer General Sessions.

POOR QUALITY
ORIGINAL

0604

CITY AND COUNTY }
OF NEW YORK, } ss.

William Brown
aged _____ years, occupation Police Officer of No. 8th Precinct Police Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Maurice Tracy
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 3^d
day of December 1887

William Brown

J. Henry Ford
Police Justice.

POOR QUALITY ORIGINAL

0605

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

2 District Police Court

John Ward 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 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 Ward*

Question. How old are you?

Answer. *19 years old*

Question. Where were you born?

Answer. *England*

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

Answer. *504 Washington St. 2 years*

Question. What is your business or profession?

Answer. *Lungshoreman.*

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

Answer.

I am not guilty

John Ward

Taken before me this

Day of

1889

Police Justice

0505

POOR QUALITY ORIGINAL

Geo. B. Brewer,
326 - 10th Ave.,
Manhattan, N.Y.
John Bernhardt,
826 - 10th Ave.

BAILED,
No. 1, by _____
Residence _____
No. 2, by _____
Residence _____
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____

Police Court...
District...

THE PEOPLE, Ac.,
ON THE COMPLAINT OF

Maurice Tracy
326-10th Ave.
John Ward

Offence Burglary

Dated Dec 3 1888

John Ward
Magistrate
Cora Brown
Officer

Witnesses
Cora Brown
St Paul Street

No. _____
John Ward
505th Ave
Street

No. 537
13777
to answer

Open for witnesses
Edmund A. Baker,
11 Precinct,

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

Wesley

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 200 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 Dec 3 1888 John Ward Police Justice.

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

Dated _____ 18 _____ 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 _____ 18 _____ Police Justice.

POOR QUALITY ORIGINAL

0607

Ex Pacm 5
ca 828
 10 " 5
ca 832
 13 " " 5
ca 831
 10 " " 5
ca 827
 24700 37
 L.P. 38 *W. E. R. Co.*
 1 box contains 3 *flitch*

Form 318. 202. *P. 44*
 N. Y. C. & H. R. R.R. CO. *18*
 33d St. Station, N. Y., *18*
 From *Chgo 1/19 CB 1/20*
 Car *8659 7nd 7*
 W. E. *1087 Red*
 8439 Delivered
 To *Yuma*
John Sinclair

POOR QUALITY
ORIGINAL

0508

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 Ward

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

John Ward

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

The said *John Ward*,

late of the *Eighth* Ward of the City of New York, in the County of New York, aforesaid, on the *twenty fourth* day of *November*, in the year of our Lord one thousand eight hundred and *eighty - nine*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: *the railway car of one a certain corporation known as the New York Central and Hudson River Rail Road Company,*

feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent, the goods, chattels and personal property of the said *corporation,*

in the said *railway car*, 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.

POOR QUALITY
ORIGINAL

0509

SECOND COUNT—

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

John Ward
of the CRIME OF *Grand* LARCENY in the first degree, committed as follows:

The said John Ward,

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

twenty six belles of pork of the value
of two dollars each *belly,*

of the goods, chattels and personal property, of ~~one~~ *a certain corporation known*
as the New York Central & Hudson River Rail Road Company,
in the railway car of the said *corporation*

there ~~situate,~~ then and there being found, *from the railway car* 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.

**POOR QUALITY
ORIGINAL**

05 10

THIRD COUNT—

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

_____ *John Ward* _____
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *John Ward*, _____

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

*twenty six bellies of pork of the value of
two dollars each belly,* _____

of the goods, chattels and personal property of ~~one~~ *a certain corporation known
as the New York Central and Hudson River Rail Road Company,
by one James Hines and by certain other _____
by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously
stolen, taken and carried away from the said corporation*

_____ unlawfully and unjustly, did feloniously receive and have; the said *John Ward* _____

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

JOHN R. FELLOWS,
District Attorney.

0511

BOX:

378

FOLDER:

3536

DESCRIPTION:

Wetzel, Daniel

DATE:

12/19/89



3536

06 12

BOX:

378

FOLDER:

3536

DESCRIPTION:

Wetzel, Daniel

DATE:

12/19/89



3536

POOR QUALITY ORIGINAL

06 13

164.

W. R. Winters

Counsel,

Filed

19 day of Dec 1889

Pleas,

Chattel

THE PEOPLE

vs.

Daniel Wetzel

Burglary in the third degree.
City of Albany, New York.
[Section 498, 506, 528, 532 & 550.]

JOHN R. FELLOWS,

District Attorney.

A True Bill. 1647

John Jenkins

Jan'y 190

Foreman.

Wm. R. J. Jones

Wm. J. P. H.

Witnesses;

John Jenkins

Wm. R. J. Jones

*Both had been at
last one being
for burglary*

POOR QUALITY ORIGINAL

0514

Police Court— 4 District.

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

of No. 239 West 46th Ellen Jenkins Street, aged 40 years,
occupation Housekeeper being duly sworn

deposes and says, that the premises No. 239 West 46th Street, 22nd Ward
in the City and County aforesaid the said being a Brick building

and which was occupied by deponent as a Dwelling
and in which there was at the time ^{as} human being, by name

were **BURGLARIOUSLY** entered by means of forcibly opening a
door leading from the hallway of
said premises to deponents apartments

on the 11th day of December 1889 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

One Gold Breastpin of the value
of Ten Dollars

the property of deponent
and deponent further says, that she has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away by
Daniel David Wetzel (now hsm)

for the reasons following, to wit: that at or about the
hour of One P.M. on said date deponent
securely fastened and left said premises
that at or about the hour of 5 o'clock P.M.
deponent returned and discovered that said
premises had been burglariously entered
as aforesaid and the said property
taken, stolen and carried away. Deponent
further says that she caught the said

POOR QUALITY ORIGINAL

0515

Metzel in the hallway of said grounds with said property in his possession deponent therefore pray that the said defendant may be held to answer the same

Sworn to before me, this 12th day of December 1889

Edmund Jenkins

H. T. M... Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 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. I have admitted the above named to bail to answer by the undertaking hereto annexed. There being no sufficient cause to believe the within named guilty of the offence within mentioned, I order he to be discharged. Dated 1889 Police Justice.

Police Court, District, Offence—BURGLARY. THE PEOPLE, &c., on the complaint of 1. 2. 3. 4. Date 1889 Magistrate. Officer. Clerk. Witness, No. Street, No. Street, No. Street, \$ to answer General Sessions.

POOR QUALITY ORIGINAL

05 16

Sec. 198-200.

14 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

David Metzger

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. *David Metzger*

Question. How old are you?

Answer. *23 Years*

Question. Where were you born?

Answer. *New York*

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

Answer. *140 West 41 St 3 Years*

Question. What is your business or profession?

Answer. *Furniture worker.*

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*

David Metzger.

Taken before me this

day of

1886

J. M. ...
Police Justice.

POOR QUALITY ORIGINAL

0617

BAILED,

No. 1, by _____
Residence _____ Street _____

No. 2, by _____
Residence _____ Street _____

No. 3, by _____
Residence _____ Street _____

No. 4, by _____
Residence _____ Street _____

164 Rice Street 1889
Police Court District 1

THE PEOPLE, &c.
ON THE COMPLAINT OF

1. *Alvin Thompson*
239 West 46 St
2. *David Webster*
3. _____
4. _____
Offence *Burglary*

Dated *December 12* 1889
W. J. Mahon Magistrate

Boyle Officer
Boyle Precinct

Witnesses *William F. Boyle*
No. _____ Street _____
Appear on the

W. J. Mahon RECEIVED
No. _____ Street _____
\$ *1500* 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 *Alvin Thompson*

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 *December 12* 1889 *W. J. Mahon* 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.

POOR QUALITY
ORIGINAL

05 18

DR. MATTHEW D. FIELD,
115 EAST 40TH ST.

New York, Dec. 30th 1889

Hon. Henry A. Gildersleeve
Judge Court of General Sessions
Dear Sir:

At your re-
quest I have carefully
examined Daniel Metzger,
a prisoner at the city
prison, regarding his
sanity. It is my opin-
ion that he is sane
& capable of pleading and
that he has been perme-
rating insanity.

Respectfully Submitted

Matthew D. Field M.D.

POOR QUALITY
ORIGINAL

0619

59 West 35th St -
Dec 30th 1889 -

From - Samuel K. Goldwater -

to - Mrs. L. S.

I have the honor

to inform you that as directed

by you I have examined

Samuel K. Goldwater a prisoner

confined at the City Prison -

with regard to his mental

and physical condition -

I have seen him on several

different occasions and

have formed the opinion

that he is of sufficient sanity

I believe he can distinguish

right from wrong and is able

POOR QUALITY
ORIGINAL

0620

to advise his counsel with
regard to his defense of his
one - I think however that
he is a man of small mental
caliber and of a low order
of intellect -

Very Respectfully,
Alvin L. Smith

**POOR QUALITY
ORIGINAL**

0621



RECORDERS CHAMBERS

Mrs. Evans

POOR QUALITY
ORIGINAL

0622

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Daniel Wetzel

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

Daniel Wetzel
of the CRIME OF BURGLARY IN THE *Third* DEGREE, committed as follows:
The said *Daniel Wetzel*,

late of the *Twenty-second* Ward of the City of New York, in the County of New York
aforesaid, on the *seventh* day of *December*, in the year
of our Lord one thousand eight hundred and eighty-*nine*, with force and arms, about the
hour of *three* o'clock in the *day* time of the same day, at the Ward,
City and County aforesaid, the dwelling house of one *Ellen Gaudin*,

there situate, feloniously and burglariously did break into and enter, ~~there being then and there~~
~~some human being, to wit:~~

~~within the said dwelling house,~~ with intent to commit some crime therein, to wit: the goods
chattels and personal property of the said *Ellen Gaudin*,

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,

**POOR QUALITY
ORIGINAL**

0624

THIRD COUNT—

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

 David Wetzel

of the CRIME OF RECEIVING STOLEN GOODS, committed as follows :

The said *David Wetzel*

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

one breast pin of the value of

ten dollars,

of the goods, chattels and personal property of one *Eden Jenkins*

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

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

 David Wetzel

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

JOHN R. FELLOWS,
District Attorney.

0625

BOX:

378

FOLDER:

3536

DESCRIPTION:

Whitehurst, Robert

DATE:

12/16/89



3536

POOR QUALITY ORIGINAL

0626

Bail reduced to
\$1000. G.E.H.
Witnesses:
Jessie McAlpin
Sept. 1990

Counsel,
Filed
Pleads

16 Dec 1899

Grand Larceny, Second Degree

[Sections 628, 631, 632, Penal Code]

THE PEOPLE

vs.
W.H. B

Robert Whitcomb

Sec 19071
JOHN R. FELLOWS,
District Attorney.

Pr. day 17/90
Arrested & convicted G.I. boy. 41.

A True Bill.

John A. Jones
Foreman.

S.P. 2 yrd.
Aug 2/90

POOR QUALITY ORIGINAL

0627

Police Court 2 District. Affidavit—Larceny.

City and County }
of New York, } ss.: Jessie W. Alford

of No. 28 West 20th Street, aged 33 years,
occupation None being duly sworn

deposes and says, that on the 27th day of November 1889 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 day time, the following property, viz :

One pair of solitaire diamond
Ear rings, of the value of three
hundred and sixty dollars.

(\$360.00)

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 Robert Whitehurst (Name here) from the fact that at about the hour of 9 o'clock A.M. Sunday December 1st 1889, deponent missed said property from her room in the premises no 28 West 20th Street. Deponent is informed by Sergeant James Lynch of the 16th Precinct Police that at the hour of 2 o'clock P.M. November 27th 1889 he arrested this defendant on 8th Avenue at the corner of 20th Street on suspicion of having stolen a pair of solitaire diamond ear rings, which he the defendant furnished in the sergeants presence in

of
1889
Police Inspector

POOR QUALITY
ORIGINAL

0528

a pawn office on 8th Avenue near
the corner of 20th Street for the sum
of four dollars.

Deponent further says that she
has since seen the pair of
solitaire diamond earrings which
this defendant so purloined, and fully
and positively identifies said pair of
solitaire diamond earrings as her
property and as the property aforesaid.

Deponent is further informed by Mrs
Mary E. Merrin the landlady
of the premises no 28 West 20th
Street that the said defendant was
employed by her, and was in said
premises on the said 27th day of
November 1889.

Wherefore deponent charges
the said defendant with feloniously
taking, stealing and carrying away
said property from said premises!

Sworn to before me } Jessie McAlpine
this 6th day of Dec 1889.

J. Henry Bond

Police Justice

POOR QUALITY ORIGINAL

0629

CITY AND COUNTY } ss.
OF NEW YORK, }

aged James Lynch years, occupation Sergeant of Police of No. 10th Precinct Police Street, being duly sworn deposes and

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

Sworn to before me, this 6th day of Dec 1889 James Lynch

J. Murray Bond
Police Justice.

CITY AND COUNTY } ss.
OF NEW YORK, }

aged Mary E. Merwin years, occupation Keep home of No. 28 W. 20th Street, being duly sworn deposes and

says, that she has heard read the foregoing affidavit of Jessie M. Alpin and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 6 day of Dec 1889 Mary E. Merwin

J. Murray Bond
Police Justice.

POOR QUALITY ORIGINAL

0630

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

Robert Whitehurst 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.

Robert Whitehurst

Question. How old are you?

Answer.

37 years old

Question. Where were you born?

Answer.

North Carolina

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

Answer.

246 W 47th St. 2 1/2 years

Question. What is your business or profession?

Answer.

General Housecleaner

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 on or about the 27th day of November 1889 at about the hour of 4 o'clock P.M. I was at the corner of 6th Avenue and 23rd St. I found this box containing these ear rings on the sidewalk. The box was wrapped in tissue paper and had a rubber band around it. I picked up the box and went with it to a bar room on the corner of 24th St. and Sixth Ave and then opened the box and found what I supposed to be a pair of gold ear rings. I took the rings to a pawn shop and asked for two dollars. The man asked me if I did not want more and I said if they are

Taken before me this

day of *December* 188*9*

[Signature]

Police Justice

POOR QUALITY
ORIGINAL

0631

worth four dollars, give me five,
he gave me four dollars, and I
left the person who had been
arrested on the street. Robert Whitehurst

POOR QUALITY ORIGINAL

0532

6.11.11
1977
421
724
x

BAILED
No. 1, by Wm. H. Lewis
Residence 10th Ave, East side
No. 2, by Her. 207 & 208 Street
Residence _____
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____

Police Court
District
2195

THE PEOPLE, vs.,
ON THE COMPLAINT OF
James McAlhain
Robert W. Williams
Offence Larceny

Date Nov 6th 1889
Magistrate
James W. Ferguson

Witnesses
Bergant Van Dyke
Chas. Fred Peet
Precinct 16

No. 945
No. 2500
DISTR. ATTORNEY'S OFFICE
1889

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 Twenty Five Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Nov 6 18 J. J. Henry Police Justice.

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

Dated _____ 18 _____ 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 _____ 18 _____ Police Justice.

POOR QUALITY ORIGINAL

0633

COURT OF GENERAL SESSIONS.

-----X	
The People	:
	:
v.	:
Robert Whitehurst,	: Tried Jan.16/90 before the
	: Hon. Rufus B. Cowing and
Indictment filed Dec. 16/89;	: a Jury.
indicted for grand larceny in	:
the second degree.	:
-----X	

Assistant District Attorney Dawson for the People.
Messrs. Haire & Simms for the Defense.

J E S S I E Mc A L P I N E testified that on the 27th day of November, 1889, she lived at 28 West 20th Street. She owned a pair of diamond ear-rings valued at three hundred and sixty dollars. She had them in her possession in that house on that day. She missed them on the first of December, 1889. She next saw them in the Jefferson Market Police Court. She saw the defendant in the Jefferson Market Police Court. The diamonds were taken from her possession without her consent. She last wore the ear-rings on or about November 14th.

**POOR QUALITY
ORIGINAL**

0534

(2)

Then she replaced them in the box in which she kept them. She intended to wear them during that period, but she was too sick to go out. The diamonds were given to her on the 3d of June, 1886. They were a wedding present. They were enclosed in gold globes. She kept them in a small pinkish paste board box. There was the name of a Chicago jeweller on the box. The box was not purchased with the ear-rings, but she used the box to keep them in. The diamonds were in this box when she saw them in Jefferson Market. The diamonds were bought from Randall, Baremore & Billings, jewellers at 58 Nassau Street, in the City of New York. She, the complainant, was a married woman, and was married on June 3d, 1886. She was boarding at 28 West 20th Street with a Mrs. Merwin. She occupied a room on the third floor. When she saw the diamonds in the Jefferson Market Police Court they were in the possession of Detectives Carey and Logan. After she missed the diamonds she complained to Mrs. Merwin. Then the same week that she made the complaint she was summoned to the Jefferson Market Police Court. She had been informed that the defendant had worked in Mrs. Merwin's house, but she, the complainant, had never seen him there. She was in the habit of going out of the

**POOR QUALITY
ORIGINAL**

0635

(3)

house for her meals, and she was not accustomed to lock the door of her room when she went out for her meals. She kept the diamonds in her trunk. The trunk was usually locked and the key was kept in her pocket. She had not left her trunk unlocked to her knowledge. To her knowledge the defendant was never in her room. The chamberwork there was done by a colored girl named Irene, who was in the employ of Mrs. Merwin. She was in the employ of Mrs. Merwin on November 27th. She was not at the time of the trial in Mrs. Merwin's employ. She, the complainant, had since left Mrs. Merwin's house and moved to Brooklyn, in order to be nearer the physician who was treating her. She left Mrs. Merwin's house on January 4th, 1890.

Under Cross Examination she testified that she had worn the diamonds in the house passing in and out. She was not in the habit of wearing the diamonds daily. Irene was a colored girl. She may have left her diamonds upon her bureau, but never when she was out of the room. She identified the diamonds produced by the District Attorney as her own.

J A M E S H. W O R M A N testified that he recognized the diamond ear-rings in evidence as the prop-

**POOR QUALITY
ORIGINAL**

0536

(4)

erty of the complainant. He saw the diamonds before they were presented to the complainant. They were shown to him by Mrs. McAlpine's mother, who presented them to Mrs. McAlpine as a wedding present. He, the witness, was then a guest at the mother's house. He, the witness, estimated the value of the diamonds at that time to be fully five hundred dollars.

Under Cross Examination, the witness testified that he was the editor of Outing, a magazine. He had never dealt in diamonds, but he had handled a great many and bought a great many. He was not related to Mrs. McAlpine. He was a friend of Mrs. McAlpine, and represented her husband in his actions. He was a friend of the family. He saw the diamonds in Mrs. McAlpine's possession about a week before she lost them. He saw the diamonds in her ears. On Thanksgiving Day Mrs. McAlpine dined at his house, and he upbraided her for not wearing the diamonds as his guest. He saw them in her ears in his house in Fifth Avenue where she was a guest a week before Thanksgiving.

M A R Y E. M E R W I N testified that she lived at 28 West 20th Street. Mrs. McAlpine had been one of her boarders. The defendant had been employed

**POOR QUALITY
ORIGINAL**

0537

(5)

to attend to the furnace and the pump by the witness. She saw the defendant last on the morning of the day that he was arrested. He attended to the furnace and the pump that day--the 27th of November, 1889. It was the defendant's duty to visit the house every day. He had been employed for about a year.

Under Cross Examination she testified that she moved into the house on November first. Before that she lived at 207 West 46th Street. The defendant was in her employ in 46th Street also and his duties were the same as in No. 28 West 20th Street. The pump was at the top of the house, and it was necessary for the defendant to go through the hallways of the house up to the top of the house to see when the tank was full. The defendant was in her house on the morning of the day of his arrest, but did not return in the afternoon. She employed, besides the defendant, a chambermaid and a cook. The chambermaid's name was Irene Caulfield. Irene took care of the complainant's room. The complainant occupied a room, but got her meals outside of the house.

J O H N C. M O U N T testified that he was in business at 58 Nassau Street. He was connected with the firm of Randall, Baremore & Billings, dealers in diamonds

**POOR QUALITY
ORIGINAL**

0538

(6)

and precious stones. He identified the diamonds in evidence as having been sold by the firm. He recognized the mountings as having been made by the firm by their having the firm number on them. The diamonds in his judgment weighed about four carats, and were worth from ninety to a hundred dollars a carat. The firm manufactured its own settings. The firm kept a record of the jewelry that they sold.

S E R G E A N T J A M E S L Y N C H testified that he was on duty behind the desk in the Sixteenth Precinct police station on November 27th, 1889. At about two o'clock in the afternoon a young man who was employed by a pawn broker near the station house came in and asked for the detective of the precinct, Carey and Logan. There was no officer in the station house except Captain Grant and himself--the witness. Captain Grant gave him, the witness, permission to leave the desk, and he, the witness, went to the pawn broker's with the young man. He saw the defendant in the pawn broker's shop pawning the diamonds in evidence. He saw him pawn the diamonds and receive the money from the pawnbroker. He allowed the defendant to leave the store and followed him and arrested him. The defendant received from the

**POOR QUALITY
ORIGINAL**

0639

(7)

pawnbroker four dollars--two two-dollar bills. He asked for two dollars on the ear-rings, and the pawnbroker offered him four, and he took four. The diamonds were then enclosed in the gold globes. When he arrested the defendant he said, "Captain Grant wants to see you." The defendant said, "What does Captain Grant want to see me about?" and he, the witness, said, "You know." The defendant said, "What--about those diamonds?" He, the witness, said yes. The defendant said, "Why, I got them off my woman." He, the witness, said, "Who is your woman." The defendant said, "Sadie McNeil." He, the witness, asked who she was, and the defendant said, "She is a servant girl up in 945 Sixth Avenue--in a fast house." In the Police Court the defendant said that he found the ear-rings at the foot of the elevated railroad steps corner of Sixth Avenue and 23rd Street. He said that after he found them he went into a liquor store--to the water closet in the store--at 24th Street and Sixth Avenue, and examined the ear-rings there.

Under Cross Examination, the witness said that he was mistaken when he said that the defendant asked whether the Captain wished to see him about those diamonds.

**POOR QUALITY
ORIGINAL**

0540

(8)

The witness was confused. The defendant asked whether the captain wanted to see him about those ear-rings. At the time the ear-rings were pawned they had the appearance of plain gold ear-rings shaped like two gold balls. After the defendant was locked up Mrs. Merwin came to the station house, and asked to see Robert Whitehurst, and he asked her why she wished to see him, and she said that a lady friend of hers had been robbed of some diamonds.

S A D I E M c N I E L testified that she knew the defendant. She had never seen the diamonds until she saw them in the Sixteenth Precinct station house in the possession of Detective Logan. She did not give them to the defendant.

Under Cross Examination, she testified that she had known the defendant for some time. For about three years she lived at 945 Sixth Avenue.

D E T E C T I V E G E O R G E L O G A N testified that he conversed with the defendant in the Sixteenth Precinct station house after his arrest. The defendant told him that he had got the ear-rings from Sadie McNiel, who was his girl, to pawn. Then after he, the witness, had seen Sadie McNiel, the defendant

**POOR QUALITY
ORIGINAL**

0541

(9.)

said that he had found them. He took Sadie McNiel to the station house and confronted her with the defendant, and the defendant tried to induce Sadie McNiel to say that she had given the ear-rings to him to pawn, but she denied it. On the following morning he said, on the way to the Police Court, that he had found them at the foot of the elevated railway steps at Sixth Avenue and 23d Street.

Under Cross Examination, the witness testified that a Mrs. Wolf had come to the station house and claimed the diamonds as hers. Mrs. Wolf was told that if the diamonds belonged to her she would have to prove it.

For the Defense, CHARLES L. WHEELER testified that he resided at 144 West 30th Street, and had lived in the City of New York for six or seven years. He was acquainted with the defendant, Robert Whitehurst for about six months. He saw the defendant on the 27th of November, 1889, at the corner of Sixth Avenue and 23d Street. In crossing 23d Street on the southwest corner he saw the defendant stoop down and pick up a box. He asked the defendant what it was, and the defendant said it was a box, and the defendant looked into it, and it was a pair of ear-rings. They were plain, rough gold

**POOR QUALITY
ORIGINAL**

0542

(10)

ear-rings. He, the witness, paid no attention to it, because he was going down town at the time. There was pink cotton inside of the box, and there was paper around the box when the defendant picked it up. The defendant tore it off. The paper looked like tissue paper. It was a rainy day. He did not stop a minute after the box was found, because he had to go down to Cammeyer's at Sixth Avenue and 12th Street to buy a pair of shoes. He, the witness, was coming from 30th Street at the time that he met the defendant. He intended to go to Philadelphia, his former home.

Under Cross Examination, the witness testified that he had been a porter on the railroad--the Pennsylvania road. He had been a porter from September until November 25th. He quitted the employ of the company on that day because he had trouble in Chicago. He did not have on his uniform when he was laid off. Previous to that he was employed as a butler at 141 West 47th Street by a Mrs. Manson, who kept a boarding-house. He left her employ to get better wages. He went on the railroad when he left her, as a Pullman car porter. The defendant opened the box in the street and showed him the ear-rings

**POOR QUALITY
ORIGINAL**

0643

(11)

M A R Y E G A N testified that she lived at 945 Sixth Avenue, and was acquainted with the defendant. She had known him for about three years. He worked for her occasionally. She had found him honest while in her service.

Under Cross Examination, the witness testified that she was a married woman, and had never been engaged in any business.

POOR QUALITY
ORIGINAL

0644

319 West 18th Street

New York January 21st /96

To His Honor Judge Cowing,

I am pained to hear that Robert Whitcomb has been convicted of Grand Larceny. From a long acquaintance with him I am inclined to the belief that there is a mistake about it somewhere.

But be that as it may I wish to bear testimony to his hitherto good character, having known him over 10 years, and ask that your Honor give some consideration to that fact.

Very respectfully

Frank L. Smith M. D.

POOR QUALITY
ORIGINAL

0645

New York City,
Jan. 20th 1890.

Y^r Hon^r - I understand
that Robert Whitehurst,
Colonel, has been convicted
of Grand Larceny - I have
known much of him for
years - He has heretofore
been a good reputation for
honesty, sobriety and industry -
His eye during trial, with
crushing weight upon an
aged mother and an excellent
wife, the latter of whom, I
cannot speak too highly,
and who has been in his
service more or less for

POOR QUALITY
ORIGINAL

0646

many years - that he should
be punished for his wrongdoing
there is no doubt, but in view
of his previous good character,
that this is his first offence
and that his mother and
wife please so earnestly
for clemency, I pray you
will be alleviated in your
sentence as good and kind
and every wise permit -

I am very Respy:

Your Obedt Servant,
A. C. Brynter.

No. 7. Nassau St:
N. Y. City

POOR QUALITY
ORIGINAL

0647

New York, Jan'y 21st/90.

Your Honor.

If any thing I can
say to you in favor of
Robert Whitman, will com-
mend him to the indulgence
& mercy of the Court, I wish
cheerfully do so. I am told
that he is true, he has at
least been an honest man,
and I believe all this to
be true. That he should
suffer for what he has
done here can be no
doubt, but I would ask
you, if you feel so disposed,
to indulge him to a reason-

POOR QUALITY
ORIGINAL

0648

able talent. For the reasons
that I am told he has an
old mother upon whom
the weight of his affairs
heavily. I am sorry but
a full legal consideration &
justification for his actions
can cleanse him of his wrong.

I am very
& obediently

H. D. Boynton.
58.70 39th St.
New York City

POOR QUALITY
ORIGINAL

0649

T. S. P. MILLER, M. D.

OFFICE HOURS: { 8 TO 10 A. M.
1 TO 3 P. M.
7 TO 9 P. M.

150 W. 37th St.

NEW YORK

Jan 20th 1890

To whom it concerns.

This is to certify
that I have known Mr.
Robert Whitehurst of 246
West 47th St. for about
ten years, he has
always been an
honest man, as far
as I know - never
heard a word against
his character I would
trust him with any
amount of valuables.

Respectfully
T. S. P. Miller M.D.

POOR QUALITY
ORIGINAL

0650

OFFICE OF
James A. Bass, M. D.
131 WEST 30th STREET.
Bet. 6th and 7th Aves.

Member of the Medical Society, Consulting Physician to the Board of Root
and Herb Doctors, Examining Physician to the Home, Surgeon to
Veteran Guards, Proprietor of the Empire Botanic Depot.



New York _____ 18

To whom it may con-
cern this is to certify
that I have known
Mr. Robert Whitehurst
of 246 West 47th St. New
York City for six years
and have never known
or heard of a word spoken
against his character
and believe him to be
an honest, industrious
man.

Respectfully yours -
James A. Bass -
131 West 30th St. City -

POOR QUALITY
ORIGINAL

0651

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Robert Whitehurst

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

Robert Whitehurst

of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed
as follows :

The said Robert Whitehurst

late of the City of New York, in the County of New York aforesaid, on the *twenty-seventh*
day of *November* in the year of our Lord one thousand eight hundred and *eighty-*
nine, at the City and County aforesaid, with force and arms,

*two earrings of the value of
one hundred and eighty dollars
each*

of the goods, chattels and personal property of one

Jessie Mc Alpine

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.

**POOR QUALITY
ORIGINAL**

0652

SECOND COUNT—

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

Robert Whitehurst

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said

Robert Whitehurst

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,

*two earrings of the value
of one hundred and eighty dol-
lars each*

of the goods, chattels and personal property of one

Jessie McAlpine

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

Jessie McAlpine

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

Robert Whitehurst

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

JOHN R. FELLOWS,
District Attorney.

0653

BOX:

378

FOLDER:

3536

DESCRIPTION:

Wilson, Frank

DATE:

12/26/89



3536

POOR QUALITY ORIGINAL

0654

Counsel,
Filed 26 day of Dec 1889
Pleads,

THE PEOPLE
411 1st St. S.
341 1st St. S.
Frank Wilson
[Sections 528, 587 Penal Code]
(From the Person)
Grand Larceny, Second Degree.

JOHN R. FELLOWS,
District Attorney.
Pr Dec 26/89
Pleads guilty

A True Bill. 705.7
James H. Lewis

Foreman.
Wm. Lewis

Witnesses:
Maria H. Mulford
O. H. Deaney
App. let. Pro
Supt. Deaney
That he has
never seen
in New York

POOR QUALITY ORIGINAL

0655

Police Court 2 District. Affidavit—Larceny.

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

Maria W. Mulford

of No. 341 W. 22^d Street, aged 69 years,
occupation Keep house being duly sworn

deposes and says, that on the 10th day of December 1889 at the City of New York, in the County of New York, was feloniously attempted taken, stolen and carried away from the possession (and) of deponent, in the day time, the following property, viz:

One leather satchel, containing a purse, forty eight cents in gold and lawful money of the United States. One pair of spectacles and handkerchief. all of the value of five dollars.

the property of deponent

has a probable cause to suspect, and does suspect, that the said attempted to be property was feloniously taken, stolen, and carried away by Frank Wilson (Timber) from the fact that the said deponent caught hold of said satchel, and feloniously attempted to take and carry away said property from the person of deponent as deponent was in the act of leaving the premises no 23 Union Square. Wherefore deponent prays the said deponent may be held and dealt with according to law.

Maria W. Mulford

Sworn to before me, this 10 day of December 1889
G. W. Mulford
Police Justice.

POOR QUALITY ORIGINAL

0656

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Frank Milson 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~~ him; that the statement is designed to
enable ~~him~~ him if he see fit to answer the charge and explain the facts alleged against ~~him~~ him
that ~~he~~ he is at liberty to waive making a statement, and that ~~his~~ his waiver cannot be used
against ~~him~~ him on the trial.

Question. What is your name?

Answer. Frank Milson

Question. How old are you?

Answer. 21 years

Question. Where were you born?

Answer. New York

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

Answer. Denver Colorado 5 years

Question. What is your business or profession?

Answer. Poster

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 refuse to say anything
now
Frank Milson

Taken before me this 10
day of December 1889
John W. [Signature]
Police Justice.

POOR QUALITY ORIGINAL

0657

BAILED.

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

Police Court No. 2

District 1889

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Martha M. Woodford
341 West 100 St

1 Grand Juror

Offence

Dated Dec 10 1889

John Magistrate

Orin Nelson Officer

Paul Price Precinct

Witnesses All the Officers

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

\$ 1000 to answer



Handwritten signatures and notes at the bottom left.

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 Defendants

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 Dec 10 1889 John J. Henry Police Justice.

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

Dated _____ 18 _____ 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 _____ 18 _____ Police Justice.

POOR QUALITY
ORIGINAL

0658

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Frank Wilson

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

Frank Wilson
of attempting to commit the crime
of the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said

Frank Wilson

late of the City of New York, in the County of New York aforesaid, on the *twelfth*
day of *December* in the year of our Lord one thousand eight hundred and
eighty-*nine*, in the *day* time of the said day, at the City and County
aforesaid, with force and arms, *one silver coin of the kind called*
quarter dollars, of the value of twenty five
cents, three silver coins of the kind called
dimes, of the value of ten cents each, four
nickel coins of the kind called five cent
pieces of the value of five cents each
and eight coins of the kind called cents
of the value of one cent each, one satchel
of the value of two dollars, one pocketbook
of the value of fifty cents, one pair of
spectacles of the value of one dollar, and one
handkerchief of the value of fifty cents

of the goods, chattels and personal property of one *Maria W. Mulford*
on the person of the said *Maria W. Mulford*
then and there being found from the person of the said *Maria W. Mulford*
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 R. Fellows,
District Attorney.

0659

BOX:

378

FOLDER:

3536

DESCRIPTION:

Wilson, Frederick

DATE:

12/10/89



3536

POOR QUALITY ORIGINAL

0560

L. Conant
Counsel,
Filed *10 Dec* 188*9*
Pleads *Not Guilty*

THE PEOPLE
vs *Conant*
231 St. 3rd
Frederick Wilson

John R. Bellows
~~RANDOLPH B. MARINE~~
District Attorney.

Arthur A. April 24/92

A True Bill. *J. A.*
John Wilson

John E. - April 24, 1892
Foreman.
Pleads Guilty as charged in
first count of indictment

22

Witnesses:
John Collins

John Wilson
John Collins

MS

POOR QUALITY ORIGINAL

0551

AFFIDAVIT—Keeping Lottery Office.

CITY AND COUNTY OF NEW YORK, } ss.

2nd District Police Court.

Eugene D. Collins

*of the Central office Police Court, being duly sworn deposes and says, that on the 26 day of November 1889, at premises No. 229 South 5th Avenue Street, in the City and County of New York, he saw there in charge of the place *Frederick Wilson* (now here) and that said place was openly, publicly, and unlawfully kept and maintained as an office or place for the vending or selling of instruments or papers known as "Lottery Tickets" or "Lottery Policies" *That said defendant paid to defendant for the sum of ten cents the here to annuity Lottery policy, a paper in writing and No. 10,35,40 a chance in the drawing of a Lottery, and defendant found the annuity bond in the possession of said defendant**

*Which defendant charges was in violation of the statute in such case made and provided, and prays that the said *Frederick Wilson* may be dealt with according to law.*

Sworn to before me, this 26 day of November 1889.

Eugene D. Collins

John J. Lawrence
Police Justice.

POOR QUALITY ORIGINAL

0552

Sec. 193-200.

2nd District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Frederick Wilson 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. Frederick Wilson

Question. How old are you?

Answer. 32 years

Question. Where were you born?

Answer. New York State

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

Answer. 229 South 5 Avenue 1 year

Question. What is your business or profession?

Answer. Clerk

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

Frederick Wilson

Taken before me this 26 day of March 1889
John J. Conner Police Justice.

POOR QUALITY ORIGINAL

0663

Sec. 193-200.

2nd District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Fredrick Wilson 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. Fredrick Wilson

Question. How old are you?

Answer. 32 years

Question. Where were you born?

Answer. New York State

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

Answer. 229 South 5 Avenue 1 year

Question. What is your business or profession?

Answer. Clerk

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

Fredrick Wilson

Taken before me this 26
day of November 1889
John J. ... Police Justice.

POOR QUALITY ORIGINAL

0564

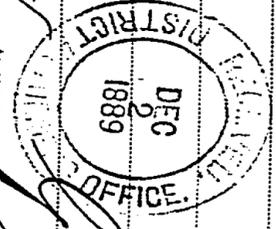
Handwritten notes: \$100 bail for E, J. H. M. M... 1889

BAILED No. 1, by J. H. M. M... Residence 95 W 9 St

Police Court... District 1762

THE PEOPLE, Ec., ON THE COMPLAINT OF Edward Collins vs. Fredrick M. Stein Offence: Viol. Lat. & Pa.

Dated Nov 26 1889 J. H. M. M. Magistrate



Witnesses: J. H. M. M. No. 1, by J. H. M. M. No. 2, by J. H. M. M. No. 3, by J. H. M. M. No. 4, by J. H. M. M.

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 Seven Hundred Dollars, and be committed to the Warden and keeper of the City Prison, of the City of New York, until he give such bail.

Dated Nov 26 1889 J. H. M. M. Police Justice.

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

Dated Nov 28 1889 J. H. M. M. Police Justice.

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

Dated 1889 Police Justice.

POOR QUALITY ORIGINAL

0665

Sec. 192.

2

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before John J. Gorman Esq a Police Justice
of the City of New York, charging Fredrick Wilson Defendant with
the offence of No Lottery Law

and he having been brought before said Justice for an examination of said charge, and it having been made to
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-
ing thereof having been adjourned,

We Fredrick Wilson Defendant of No. 229
Smith St Street by occupation a Clerk

and William Murray of No. 75 West 90th
Street, by occupation a Speculator Surety, hereby jointly and severally undertake that

the above named Fredrick Wilson Defendant
shall personally appear before the said Justice. at the 21 District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of Seven
Hundred Dollars.

Taken and acknowledged before me, this 21
day of Nov 1889

Fredrick Wilson
William Murray

[Signature] POLICE JUSTICE.

POOR QUALITY ORIGINAL

0666

CITY AND COUNTY }
OF NEW YORK, } ss.

Sworn to before me, this
day of
Nov
1881
Wm. H. M. Justice
District Police Justice.

the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth

William Murray

exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of *fourteen* Hundred Dollars, *house and lot of* land no 45 - West 90th Street. worth \$20,000 mortgaged for \$8,000

William Murray

District Police Court.

THE PEOPLE, & c.,
ON THE COMPLAINT OF

Undertaking to appear during the Examination.

188

day of

Justice

**POOR QUALITY
ORIGINAL**

0667

10.25.40/10

Court of General Sessions of the
Peace City & County of New York
Part 2

The People } Misdeameant
vs } on a
Frederick Wilson } plea of Guilty
City County & State of New York

Frederick Wilson being
duly sworn deposes and says that
he was arrested on Nov. 19. 1859 at
premises 229. North Fifth Avenue
charged with selling lottery tickets
That defendant was engaged
for four months prior to his
arrest in said business - That
four days after his arrest he
gave up the business of selling
writing and has not since
been engaged in said oc-
-cupation, - That he has
been employed as a cigar
Salesman and peddling books
and notions and is now engaged
as a Book Pedler on his
own account - That de-
-fendant served six years in the
U. S. Navy from 1860 to 1866
as Surgeons Steward, and
was honorably discharged from
the service - That defendant was
never arrested before charged

POOR QUALITY
ORIGINAL

0671

with the Commission of any
offense against the laws, and
has no intention ever again to
engage in any business which
may violate the laws

Sworn to before me this Frederick Wilson
21st day of April 1892
James W. Brinck
Commissioner of Seeds
N. H. Co.

Part of Gen. Seaman

Part 2

The People

Frederick Wilson

Affidavit

Apr 21 1892

POOR QUALITY
ORIGINAL

0672

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Frederick Wilson

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

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

The said

Frederick Wilson

late of the *Eighth* Ward of the City of New York in the County of New York aforesaid, on the *twenty-sixth* day of *November* in the year of our Lord one thousand eight hundred and eighty-*nine*, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep a certain 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 "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

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

The said

Frederick Wilson

late of the Ward, City and County aforesaid, afterward, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, unlawfully did keep a certain 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 and 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.

**POOR QUALITY
ORIGINAL**

0673

THIRD COUNT.

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

Frederick Wilson
of the CRIME OF SELLING TO ANOTHER WHAT IS COMMONLY KNOWN AS A
LOTTERY POLICY, committed as follows:

The said

Frederick Wilson

late of the Ward, City and County aforesaid, afterward, to wit: on the day and in the year
aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to
one

Eugene D. Collins

a certain paper, instrument and writing, commonly called a Lottery Policy, which said paper,
instrument and writing, called a Lottery Policy, is as follows, that is to say:

BN No 26

10-25-40 f 10

(a more particular description of which said instrument and writing so commonly called a
Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), 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

Frederick Wilson
of the CRIME OF SELLING A PAPER AND WRITING, IN THE NATURE OF A BET
AND WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said

Frederick Wilson

late of the Ward, City and County aforesaid, afterward, to wit: on the day and in the year
aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to
one

Eugene D. Collins

a certain paper and writing, in the nature of a bet and wager upon the drawn numbers of a
certain lottery, the same being a scheme for the distribution of property by chance among
persons who had paid or agreed to pay a valuable consideration for such chance (a more par-

**POOR QUALITY
ORIGINAL**

0674

ticular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper and writing is as follows, that is to say:

*BN No 26
10.25.40 f10
3*

(a more particular description of which said paper and writing is to the Grand Jury aforesaid unknown, and cannot now be given), 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,

FIFTH COUNT.

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

Frederick Wilson
of the CRIME OF SELLING A WRITING PAPER AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows:

The said

Frederick Wilson
late of the Ward, City and County aforesaid, afterward, to wit: On the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one

Eugene D. Collins
a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say:

*BN No 26
10.25.40 f10*

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

0675

BOX:

378

FOLDER:

3536

DESCRIPTION:

Wogan, George

DATE:

12/20/89



3536

POOR QUALITY ORIGINAL

0676

Counsel,
Filed *Lo* day of *Dec* 188*9*
Pleads,

Grand Larceny *1st* Degree.
(From the Person.)
[Sections 528, 580 Penal Code]

THE PEOPLE

vs.
R
George Wogan

Franklin
Franklin

JOHN R. FELLOWS,
District Attorney.

A True Bill. *1707*
John A. Lewis
Foreman.
Wm. J. Gray
Reformatory Colony

Witness:
Constant Beaton

POOR QUALITY ORIGINAL

0577

h

The People vs. Peter Wagner. } Court of General Sessions, Part I. Before Recorder Smyth.

Monday, January 6, 1890.

Indictment for attempt at grand larceny in the second degree.

Asst. Dist. Atty. Davis: It is admitted that on the 3rd day of December, 1889, in this city, that this Defendant attempted to commit the crime of grand larceny in the second degree in attempting to steal one accordion of the value of five dollars, one guitar of the value of ten dollars, one cornet of the value of twenty dollars and divers other musical instruments of the number and description to the Grand Jury unknown, valued at sixty dollars; and that these goods were the property of John H. Foote. Now the People rest their case.

Counsel for the Defence opened the case to the Jury, stating that his defence would be a plea of insanity in addition to not guilty. We do not claim at all that we did not commit the acts which constituted this offence -- as matter of fact we are not in a condition to know whether we did it or not at that time.

Allan Fitch sworn and examined by Counsel.

- Q. Dr. Fitch, you are a physician.
A I am.
Q. You are also I believe a commissioner in lunacy.
A. I am an examiner in lunacy for the Department of Charities and Corrections.
Q. Have you as such examiner made any examination of this Defendant at the bar.

**POOR QUALITY
ORIGINAL**

0678

A. I have.

Q. Will you please to state in a way better than I can prompt to the Jury what the result of that examination was.

A. Well, I have seen the man three or four times, the last two occasions were on the 27th and the 29th of December. I found him rather dull and stupid and listless and with every evidence of having masturbated to a considerable extent. He acknowledges that he has masturbated. He has very acute hallucinations of speaking and hearing, illusions of persecution together with those of self-importance. He imagines he hears God's voice speaking to him and that the Devil also talks to him and he is very incoherent and irrational. He says that the Devil is in his eyes and that God warns him of impending evil, and he is very incoherent, going from one subject to another without any connection. He in my opinion is a case of primary dementia.

Q. Now Doctor, from these results, those examinations, what in your opinion is his condition now mentally.

A. I think he is insane.

Q. Could you form a definite opinion, Doctor, as to his sanity from those examinations and say what it was on or about the 3rd of December last.

A. I should suppose that he was insane at that time, in nearly the same condition.

Q. Now Doctor, do you think that this man you have examined this Defendant, would be when put upon trial competent to instruct any attorney as to his defence.

A. No, I do not think he would be able to instruct his attorney.

Cross Examined by Mr. Davis.

- Q. Doctor, the Defendant is charged here with an attempt to commit the crime of grand larceny on the 3rd of December last and you have stated that in your opinion from the examination made you believe that on that day he also was insane.
- A. Yes sir, I think so.
- Q. What are the facts upon which you base that conclusion.
- A. Well, I base that opinion upon the fact that his physical condition is a very bad one and it could not have changed very much between this time and the 3rd of December, and this physical condition is one of the things I take in consideration in forming the diagnosis, consequently I believe he was insane at that time.
- Q. From your examination of him how long should you say this insanity had existed.
- A. I should say several months.
- Q. Several months.
- A. Yes sir. Primary dementia is a disease that changes rather rapidly, that is, rapidly speaking comparatively of the insane. You find a man going from a condition of great excitement or melancholia into one of great dementia in which he is so stupid he has to be led about. It is a disease in which there are more rapid changes than we find in some forms of insanity; so it is not possible to form an opinion positively as to how long this case has lasted but it has probably lasted several months.
- Q. On the 3rd of December from your examination of him you are of the opinion that he was not sane, that he was mentally irresponsible.

POOR QUALITY
ORIGINAL

0580

A. I do not think he was sane at that time.

By the Court. Q. In other words, Doctor, you believe from the result of your examination made of this man that on the 3rd of December, 1889, he was laboring under such a defect of reason as either not to know the nature and quality of the act he is charged with having committed or not knowing that the act itself was wrong.

A. I do not think he did, I do not think he could reason at all well at that time.

By Counsel. Q. Do you think he is susceptible of cure.

A. Well, there probably is always an impairment in the cure or so called cure, of cases of that kind. Primary delusions to get as well as any other class of insane that are so called cured. There is perhaps as much room for hope in that case as in any.

By the Court. Q. Has there been any improvement in this man's mental condition since the day of the occurrence or is it just the same.

A. I doubt if there has been, there was no improvement. at the different times of my examination; I saw him last on the 29th of December, I doubt whether there is any improvement between that time and the present.

Matthew D. Field sworn and examined by Counsel.

Q. Dr. Field, you are I believe a State Commissioner in Lunacy of this city, are you not.

A. No sir, I am an examiner in lunacy for the department of Charities and Correction of this city.

Q. Did you as such examiner examine this defendant at the bar.

A. I did, at the request of the Recorder, examine him.

POOR QUALITY
ORIGINAL

0581

Q. Recorder Smyth.

A. Yes sir.

Q. On what day was that Doctor, do you remember.

A. I think I saw him on the 20th, the 22nd, the 26th and the 30th, according to my notes, I saw him at the Tombs.

By the Court. Q. Did you make an examination for the purpose of ascertaining what his mental condition was, Doctor.

A. Yes sir.

Q. What was the result of your examination.

A. The man is insane and irresponsible.

Q. On the 3rd of December, 1889, was this man in your opinion mentally capable of knowing the nature and quality of the act with which he is charged and not knowing that the act itself was wrong.

A. I do not think he had that capacity at that time from these examinations.

Cross Examined by Mr. Davis.

Q. What is his present condition, Doctor.

A. His present condition is that --- well, he is going towards dementia. He varies from time to time, sometimes he is more exalted, one day he was very much depressed at his -----

Q. His dementia is progressive now.

A. There has been no material change since I saw him.

Q. Then his present condition is not such as to enable him to communicate a defence to this charge to his Counsel if he had one.

A. No sir, he is very incoherent in his ideas and expression

By the Court. Q. You have heard Dr. Fitch's testimony.

A. Yes sir.

POOR QUALITY ORIGINAL

0683

Testimony in the case

of Peter Wagner

filed Dec. 1889.

THIS IS ONE COPY OF THE ORIGINAL.

IT IS THE PROPERTY OF THE COURT AND IS TO BE KEPT IN THE COURT HOUSE.

IT IS TO BE RETURNED TO THE COURT HOUSE AT THE END OF THE TERM.

IT IS TO BE KEPT IN THE COURT HOUSE AT ALL TIMES.

IT IS TO BE KEPT IN THE COURT HOUSE AT ALL TIMES.

POOR QUALITY
ORIGINAL

0684

Gen Morgan
Age 17
Born May 4
Capt. Harrison
Res 41 Bowery
Single
Parents Dead

POOR QUALITY ORIGINAL

0685

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 3 DISTRICT.

Sworn to before me, this

of

David W. Bato of No. 117 Broadway Street, aged years,

occupation Police Officer being duly sworn deposes and says

that on the 10 day of December 1889

at the City of New York, in the County of New York Constant Beach

now here is a material witness for the People against George Hojan charged with carrying from the persons Plepender & others that said Beach will not appear when needed prays he may be committed to the House of Detention for witnesses.

David W. Bato

Handwritten signature of Police Justice

Police Justice

POOR QUALITY ORIGINAL

0585

Police Court— 3rd District.

Affidavit—Larceny.

City and County of New York, } 55.

of No. 35-Bowling Street, aged 47 years, occupation. Constance Beach being duly sworn

deposes and says, that on the 10 day of December 1897 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:

The silver watch with a portion of a plated chain the whole being valued at 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 George Hoffman

for the reasons following, to wit: on the said date as Deponent was in the hallway of 35-Bowling having the said property upon his person, this defendant grabbed said property and ran away with the same. The property was found in the possession of the defendant by Officer Burt (then present)

C. Ditch

Sworn to before me, this 10th day of December 1897, Police Justice.

POOR QUALITY ORIGINAL

0687

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

George Wozan 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 Wozan.

Question. How old are you?

Answer. 17 years.

Question. Where were you born?

Answer. New York

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

Answer. 1225 Broadway Brooklyn 16 years

Question. What is your business or profession?

Answer. Printer

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 guilty.

George Wozan

Taken before me this _____
1883
Police Justice.

POOR QUALITY
ORIGINAL

0689

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 Wogan

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

George Wogan
of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said

George Wogan

late of the City of New York, in the County of New York aforesaid, on the teenth
day of December in the year of our Lord one thousand eight hundred and
eighty nine, in the night - time of the said day, at the City and County
aforesaid, with force and arms,

one watch of the value
of four dollars, and one part of
a chain of the value of one
dollar

of the goods, chattels and personal property of one Constant Butech
on the person of the said Constant Butech
then and there being found, from the person of the said Constant Butech
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 R. Fellows,
District Attorney