

0760

BOX:

298

FOLDER:

2841

DESCRIPTION:

Walsh, William

DATE:

02/20/88



2841

POOR QUALITY ORIGINAL

0761

No 331

Witnesses:

Off. Sealach

Counsel,

Filed, 20 day of Feb'y 1888

Pleas, *Magill-188*

THE PEOPLE,

vs.

B

William Walsh

VIOLATION OF EXCISE LAW
(Keeping Open on Sunday.)
(Ill. Rev. Stat., 7th Edition, page 1889, Sec. 6)

JOHN F. FELLOWS,
RANDOLPH B. MARTINE,
District Attorney.

Transferred to the Court of Special Sessions for trial and final disposition.
Dated, *Feb'y 20, 1888*

A True

Wm. Madrup
Foreman.

POOR QUALITY
ORIGINAL

0762

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

Plaintiffs

against

William Walsh

Defendant.

The Grand Jury of the City and County of New York. by this indictment accuse the above named defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows :

The said defendant late of the City of New York, in the County of New York, aforesaid, on the *eighth* day of *January* in the year of our Lord one thousand eight hundred and eighty *eight* the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of, and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did open, and cause and procure, and suffer and permit, to be open, and to remain open ; 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.

0763

BOX:

298

FOLDER:

2841

DESCRIPTION:

Ward, Edward A.

DATE:

02/14/88



2841

POOR QUALITY
ORIGINAL

0764

Witnesses:

W. J. Clarke

No 231

Counsel,

Filed, 14 day of July 1888

Pleads, *Conspicuously*

THE PEOPLE,

vs.

VIOLATION OF EXCISE LAW
(Keeping Open on Sunday.)
(Ill. Rev. Stat. (7th Edition), Page 1889, Sec. 6)

B

Edward A. Ward

JOHN R. FELLOWS,
RA ~~RA~~PH. B. MARINE,

District Attorney.

A True Bill.

G. J. Kern

Foreman.

*January 17/89. 13
Complaint sent to Special Sessions.*

POOR QUALITY
ORIGINAL

0765

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
Plaintiffs

against

Edward A. Ward
Defendant.

The Grand Jury of the City and County of New York. by this indictment accuse the above named defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said defendant late of the City of New York, in the County of New York, aforesaid, on the *twenty-ninth* day of *January* in the year of our Lord one thousand eight hundred and eighty-*eight*, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of, and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did open, and cause and procure, and suffer and permit, to be open, and to remain open; 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.

0766

BOX:

298

FOLDER:

2841

DESCRIPTION:

Watson, John D.

DATE:

02/27/88



2841

POOR QUALITY
ORIGINAL

0767

Witnesses:

W. H. H. H.
W. H. H. H.

Daider May 3d 1888.
By Ernestine Schaffner
70 W. 50th Street

Counsel, *7*
Filed, *19* day of *Feb* 1888
Pleads, *Chargault*

THE PEOPLE,

vs.

John D. Watson

JAMES F. FLOWERS,

RANDOLPH B. MARTINE,

District Attorney.

March 13 11 PM - May 15 1888 -

A True Bill
by J. H. H. H.

G. H. H. H.

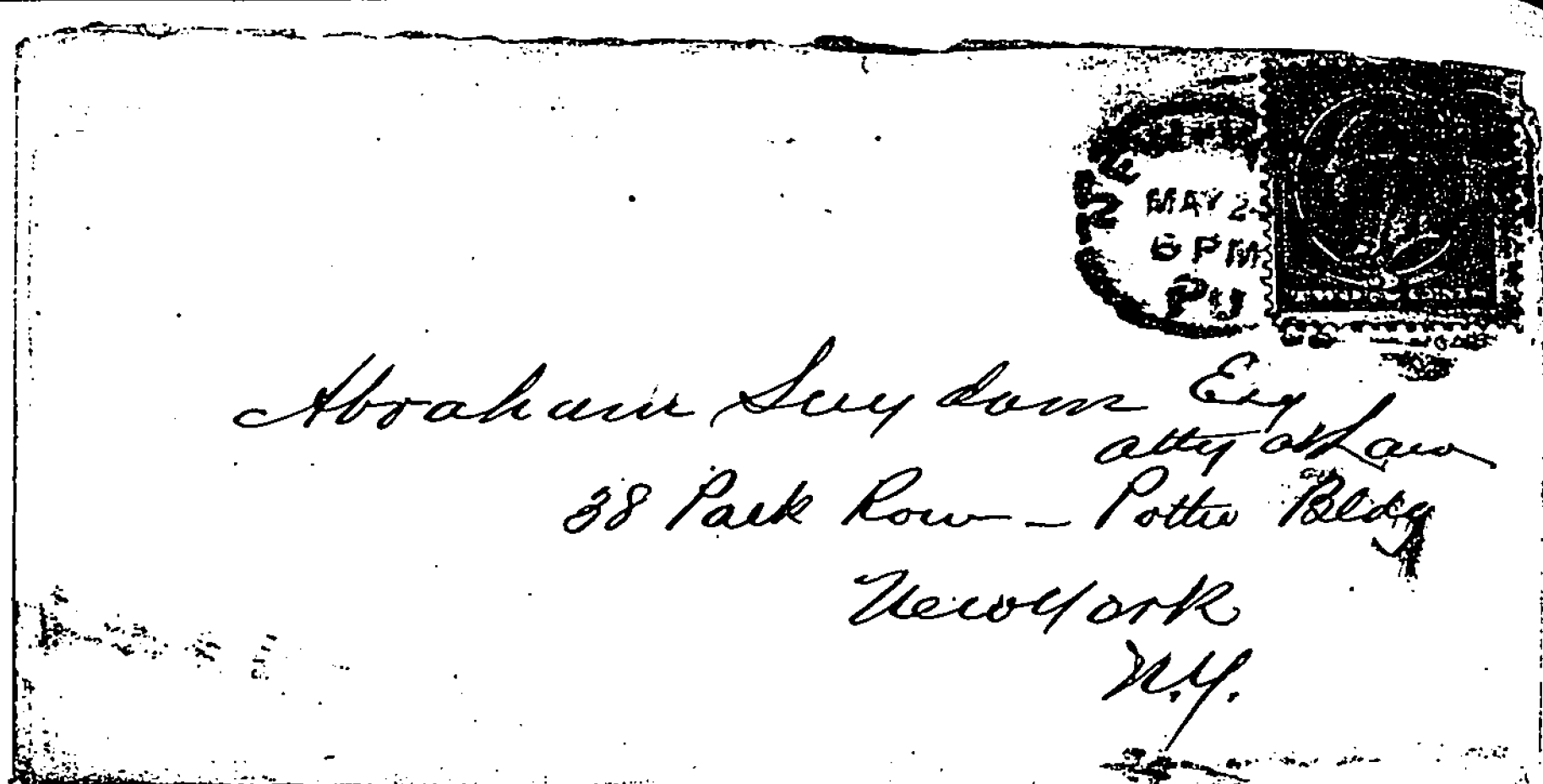
Foreman.

May 14th
Present by J. H. H. H.
Counting - J. H. H. H.

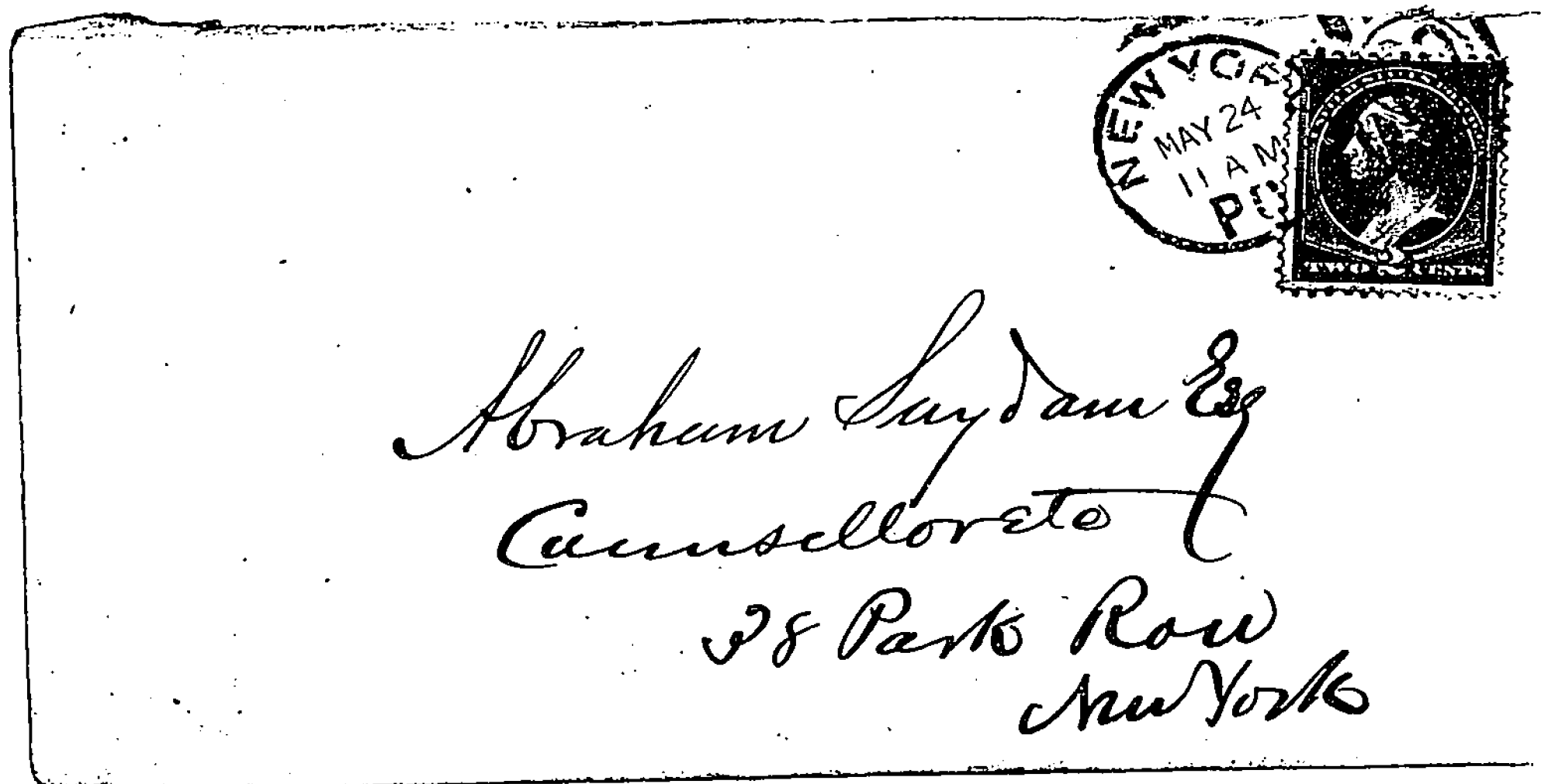
Grand Jurors second degree
Section 528 and 531, Penal Code.

POOR QUALITY
ORIGINAL

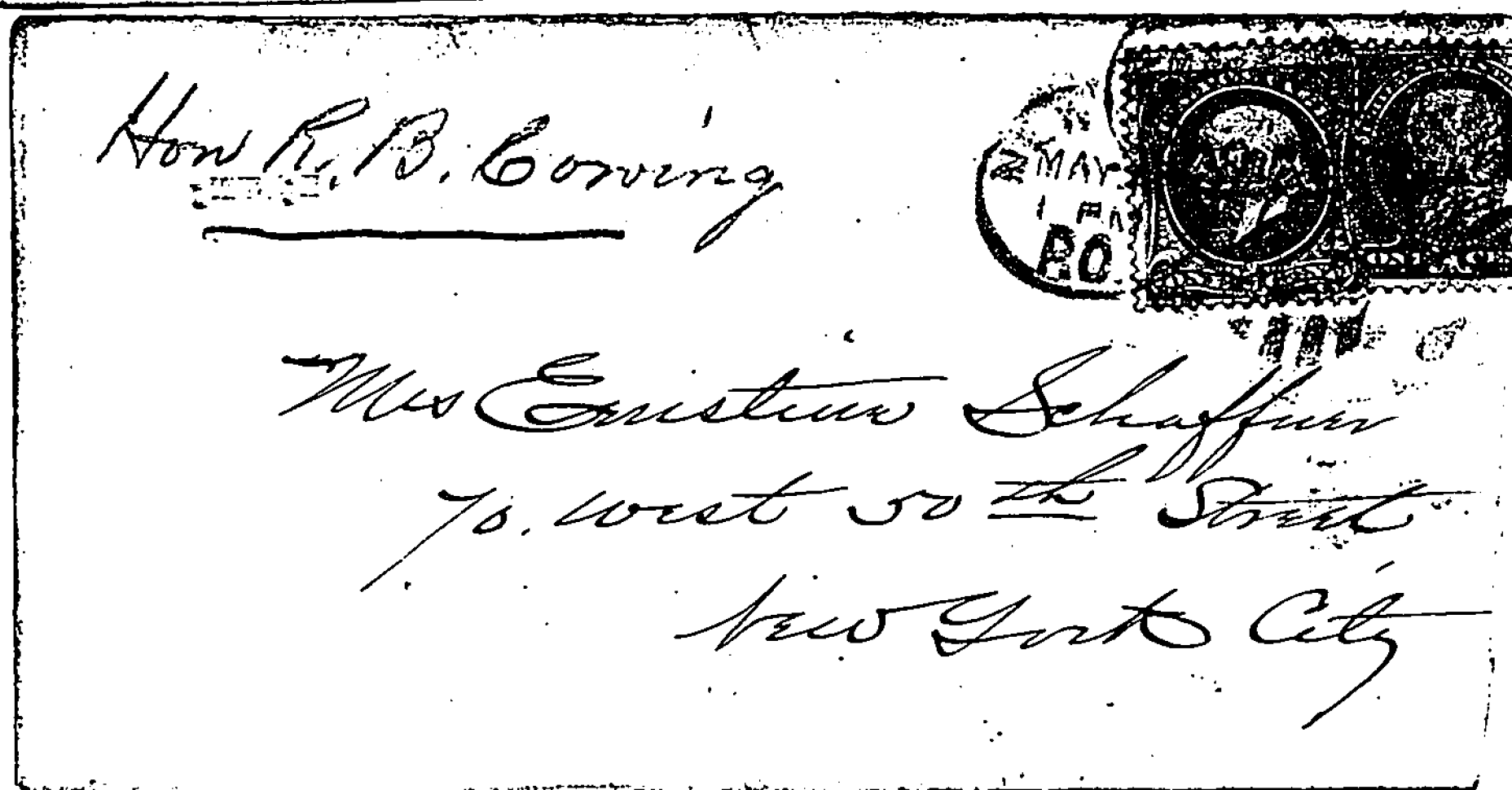
0768



Abraham Suydam Esq
att'y at Law
38 Park Row - Potter Bldg
New York
N.Y.



Abraham Suydam Esq
Counselor at Law
38 Park Row
New York



Hon R. B. Corning

Mrs Emeline Schaffner
70 West 50th Street
New York City

**POOR QUALITY
ORIGINAL**

0769

Court of General Sessions,
City and County of New York.

-----X
The People &c.

vs.

John D. Watson.
-----X

To John R. Fellows, Esq.,

District Attorney of the City and County of New York,

Dear Sir,

You will please take notice that the papers hereto annexed consist of copies of an order duly made and entered in the above-entitled action by the Court of General Sessions of the Peace in and for the City and County of New York on the 2nd day of May A. D. 1888, ordering a commission to be issued in this action, and of the interrogatories proposed by the defendant to be annexed to the said commission, when issued.

You will also please take notice that on Wednesday the 9th day of May A. D. 1888, at eleven o'clock in the forenoon, or as soon thereafter as counsel can be heard, in the Court of General Sessions of the Peace held in and for the City and County of New York at the City Hall in the City of New York, in Part One of the said Court, I shall present the said interrogatories of which a copy is hereto annexed to the Honorable Henry A. Gildersleeve, Judge of the said Court of General Sessions, for settlement and allowance.

Yours respectfully,

Abraham Suydam,

Of Counsel for Defendant.
No. 38 Park Row.
New York City.

POOR QUALITY
ORIGINAL

0770

At a Court of General Sessions of the Peace
held in and for the City and County of New
York at the Court House No. 32 Chambers
Street in the City of New York on Wednesday
the 2nd day of May A. D. 1888,

Present:

The Honorable Randolph B. Martine, one of the
Judges of the Court of General Sessions.

-----x
The People &c. :
vs. : Order for a Commission.
John D. Watson. :
-----x

On reading and filing the affibavit of Abraham Suydam,
verified this day and hereto annexed, and on reading the pa-
pers heretofore filed and the proceedings heretofore had in
this action, and on motion of Abraham Suydam, Esq., of coun-
sel for the defendant above-named,

I T I S O R D E R E D, that a commission be issued by
the Clerk of this Court under his hand and the seal of this
Court to Isaac L. Jordan, E. Potter Dustin and William Sims,
Esqrs., all of the City of Cincinnati in the State of Ohio,
who are hereby appointed Commissioners, and any one of whom
may act, authorizing them to take the testimony of Henry S.
Babcock, of the City of Cincinnati, upon interrogatories to
be settled as required by law and annexed to the said commis-
sion, to be read as evidence on behalf of the defendant upon
the trial of this action.

A N D I T I S F U R T H E R O R D E R E D, that The
People of The State of New York be and they are hereby per-

**POOR QUALITY
ORIGINAL**

0771

mitted to join in the said commission and to examine witnesses in support of the indictment, and that the trial of this action be stayed for a period of twenty days from the date of the said commission, in order that there may be reasonably sufficient time for its execution and return.

**POOR QUALITY
ORIGINAL**

0772

Interrogatories proposed by John D. Watson to be annexed to a commission ordered to be issued by a Court of General Sessions of the Peace held in and for the City and County of New York at the City Hall of the City of New York, by a certain order made and entered in the said Court on the 2nd day of May A. D. 1888, in a certain action therein depending in which The People of The State of New York are the plaintiffs and the said John D. Watson is the defendant.

The following interrogatories are to be addressed to the witness Henry S. Babcock.

First Interrogatory. State your name, your age, your place of residence and your occupation.

Second Interrogatory. Are you acquainted with John D. Watson, the defendant in this action, and if so, how long have you known him?

Third Interrogatory. State whether or not you executed the contract in writing of which a copy is hereto annexed, marked "Exhibit A"?

Fourth Interrogatory. If you answer the third interrogatory in the affirmative, state when you executed the said contract.

Fifth Interrogatory. If you answer the third interrogatory in the affirmative, state whether or not the said John D. Watson also executed the said contract, and if so, when he executed the same.

**POOR QUALITY
ORIGINAL**

0773

Sixth Interrogatory. If you answer the third interrogatory in the affirmative, state whether or not you executed the said contract in good faith and with the intent to comply with the provisions of the same.

Seventh Interrogatory. If you answer the third interrogatory in the affirmative, state whether or not, at or before the execution thereof, you told the said John D. Watson that you had the right to make the said contract and the power to convey the property mentioned in the same.

Eighth Interrogatory. If you answer the third interrogatory in the affirmative, state whether or not you received from the said John D. Watson the consideration for the said contract mentioned therein.

Ninth Interrogatory. State whether or not you signed the receipt of which a copy is hereto annexed, marked "Exhibit B"?

Tenth Interrogatory. If you answer the ninth interrogatory in the affirmative, state whether or not you received the money and other property mentioned in that receipt.

Eleventh Interrogatory. If you answer the third and ninth interrogatories in the affirmative, state whether or not the sale of real estate mentioned in the receipt "Exhibit B" is the same contract set forth in "Exhibit A"

Twelfth Interrogatory. State whether or not you signed

**POOR QUALITY
ORIGINAL**

0774

the writing of which a copy is hereto annexed, marked "First Indorsement on Exhibit A."

Thirteenth Interrogatory. If you answer the twelfth interrogatory in the affirmative, state whether or not the defendant, John D. Watson, signed the same writing mentioned in the twelfth interrogatory.

Fourteenth Interrogatory. State whether or not you signed the writing of which a copy is hereto annexed, marked "Second Indorsement on Exhibit A."

Fifteenth Interrogatory. If you answer the fourteenth interrogatory in the affirmative, state whether or not the defendant, John D. Watson, signed the same writing mentioned in the fourteenth interrogatory.

The foregoing interrogatories having been duly presented to me for settlement, two days notice of such settlement having been given to the District Attorney of the City and County of New York,

Now on motion of Abraham Suydam, Esq., of counsel for the defendant, John D. Watson,

IT IS ORDERED, that the foregoing interrogatories be and they hereby are settled and allowed and ordered to be annexed to the commission mentioned in the caption to the said interrogatories.

Dated this day of May A. D. 1888.

Judge of the Court of General Sessions.

**POOR QUALITY
ORIGINAL**

0775

Exhibit A.

Article of Agreement, made and entered into the 13th day of January in the year one thousand eight hundred and eighty seven, between Henry S. Babcock, of Hudson County, State of New Jersey, party of the first part, and John D. Watson, of the City, County and State of New York, party of the second part, in manner following: The said party of the first part, in consideration of the exchange of property & one hundred dollars to him duly paid, the receipt whereof is hereby acknowledged, hereby agree to sell unto the said party of the second party all that certain piece, parcel or tract of land together with all the improvements thereon situate being and lying in the 16th ward City of New York and known as number three (334) hundred and thirty four west 22nd street, being 20x98 more or less, for the sum of thirteen (\$13400) thousand four hundred dollars which the said party of the second part hereby agrees to pay to the said party of the first part, as follows: Thirteen (\$13400) thousand three hundred dollars on the 15th day of May 1887.

And the said party of the first part, on receiving such payment at the time and in the manner above mentioned, shall, at his own proper costs and expense, execute, acknowledge and deliver to the said party of the second part, or to his assigns, a proper deed for the conveying and assuring to him or them the fee simple of the said premises, free from all incumbrances, which deed shall contain a general warranty and the usual full covenants.

And it is understood that the stipulations aforesaid are to apply to and bind the heirs, executors, administrators and assigns of the respective parties.

**POOR QUALITY
ORIGINAL**

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In Witness whereof, the parties to these presents have hereunto set their hands and seals the day and year first above written.

Sealed and delivered

Henry S. Babcock, (L. S.)

in the presence of

John D. Watson, (L. S.)

Frank Wands.

First Indorsement on Exhibit A.

This is to certify that we have mutually agreed to extend the closing of Title until the 15th day of August 1887.

Dated May 3rd 1887.

Henry S. Babcock.

Jno. D. Watson.

Second Indorsement on Exhibit A.

It is hereby mutually understood and agreed to extend the closing of title until the 15th day of October 1887.

Henry S. Babcock.

Jno. D. Watson.

Exhibit B.

New York, January 13th, 1887.

Received on account of Sale of Real Estate from John D. Watson one hundred dollars and four orders for upright pianos said pianos having \$125 each against them, to be paid on delivery at any time within one year from the 10th of December 1886, free of storage.

Henry S. Babcock.

POOR QUALITY
ORIGINAL

0777

Court of General Sessions.

The People &c.

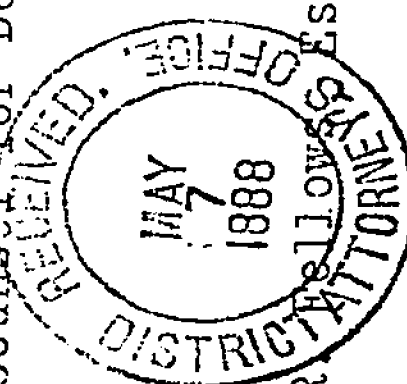
vs.

John D. Watson.

Notice of Settlement and Copy
of Order and Interrogatories.

A. SUYDAM,
Counselor at Law,
38 PARK ROW,
NEW YORK CITY.

Of Counsel for Defendant.



To John R. Bellows Esq.,

District Attorney &c.

ADB

**POOR QUALITY
ORIGINAL**

0778

VI.

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

November 25, 1890.

Sir:

Application for Executive clemency having been made on behalf
of John D. Watson who was convicted of grand larceny
in the county of New York and sentenced June 11, 1888,
to imprisonment in the Sing Sing Prison for the term of
four years, I am directed by the Governor
respectfully to request that, in pursuance of Section 695 of the Code
of Criminal Procedure, you will forward to him a concise statement
of the facts of the case, together with your opinion of the merits
of the application.

I inclose a statement of the case as made by Watson.
You will please return the paper with your report.

It is particularly requested that each letter of inquiry from
the Executive Chamber should be separately answered.

Very respectfully yours,

J. S. Williams.

Private Secretary.

Hon. John R. Fellows,

New York City.

**POOR QUALITY
ORIGINAL**

0779

Ans Dec. 16/90

POOR QUALITY
ORIGINAL

0780

People - v - Watson
Q. & 528 - \$ 130 - Fine - Full

Witnesses

William Hopper Camp
J. W. Croft - witness to execution
Harrison B Smith } Execution
~~Alfred H. Smith~~ }
Henry L. Sprague
County Jail -
at the execution

Want disaffirmance No 324
sent 22nd to B. F. Smith
deed and answer him
then to his brother
Also Will of B. F. Smith
and Letters Testamentary
to Harrison & Alfred
Execution

Done

TO THE CHIEF CLERK.

PLEASE SEND ME THE PAPERS IN THE CASE OF
PEOPLE

vs.

John D. Watson

Notify ^{Phil} Sgt. Reilly
if this man is
discharged District Attorney.

He is wanted on
a warrant

POOR QUALITY
ORIGINAL

0781

FORM No. 21.—GENERAL WARRANT.—Sec. 214 Criminal Code.

State of New York, } ss.
COUNTY OF KINGS,

In the Name of the People of the State of New York.

To ANY POLICEMAN OF THE CITY OF BROOKLYN:

INFORMATION upon oath, having been this day laid before me, that the crime of

has been committed, and accusing

thereof:

YOU ARE THEREFORE, commanded forthwith to arrest the above-named

and bring before me, at my Court Room, No. 854 GATES AVENUE, in said City of Brooklyn, or in case of my absence or inability to act, before the nearest or most accessible magistrate in said City.

Dated at the City of Brooklyn, this

day of

1887

POLICE JUSTICE OF THE CITY OF BROOKLYN.

POOR QUALITY
ORIGINAL

0782

State of New York,
County of Kings ss.
City of Brooklyn
James M. Kearney
of 136 Hull St
being duly sworn says he is acquainted with the hand-
writing of THOS. J. KENNA, the Police Justice who
issued the annexed Warrant, and that the signature to this
Warrant is in the handwriting of said Thomas J. Kenna.
Sworn to before me, this 22nd
day of October 1887

John J. [Signature]
POLICE JUSTICE.

This Warrant may be executed in the County of
Kings
John J. [Signature]
POLICE JUSTICE.
Oct 22 1887

James M. Kearney
136 Hull St
Brooklyn

Before THOMAS J. KENNA,
POLICE JUSTICE.

The People of the State of New York
of No. William B. Collins
against
J. D. [Signature]

WARRANT

And Commitment for Examination.

This Warrant may be served in the night time or Sunday
[Signature]
POLICE JUSTICE.

Arrested the defendant, and before the said
Justice, this _____ day of _____ 188

Officer.

(Sec. 193 Criminal Code.)

188

The within-named
having been brought before me under this
warrant, is hereby committed for examination
to the Sheriff of the County of Kings.

Police Justice.

POOR QUALITY
ORIGINAL

0783

At a Court of General Sessions of the Peace
held in and for the City and County of New
York at the Court House No. 32 Chambers
Street in the City of New York on Wednesday
the 2nd day of May A. D. 1888,

Present:

The Honorable Randolph B. Martine, one of the
Judges of the Court of General Sessions.

-----x
The People &c. :
vs. : Order for a Commission.
John D. Watson. :
-----x

On reading and filing the affidavit of Abraham Suydam,
verified this day and hereto annexed, and on reading the pa-
pers heretofore filed and the proceedings heretofore had in
this action, and on motion of Abraham Suydam, Esq., of coun-
sel for the defendant above-named,

I T I S O R D E R E D, that a commission be issued by
the Clerk of this Court under his hand and the seal of this
Court to Isaac L. Jordan, E. Potter Dustin and William Sims,
Esqrs., all of the City of Cincinnati in the State of Ohio,
who are hereby appointed Commissioners, and any one of whom
may act, authorizing them to take the testimony of Henry S.
Babcock, of the City of Cincinnati, upon interrogatories to
be settled as required by law and annexed to the said commis-
sion, to be read as evidence on behalf of the defendant upon
the trial of this action.

A N D I T I S F U R T H E R O R D E R E D, that The
People of The State of New York be and they are hereby per-

**POOR QUALITY
ORIGINAL**

0784

mitted to join in the said commission and to examine witnesses in support of the indictment, and that the trial of this action be stayed for a period of twenty days from the date of the said commission, in order that there may be reasonably sufficient time for its execution and return.

POOR QUALITY
ORIGINAL

0785

Court of General Sessions, City and County of New York.

-----X
The People &c.

vs.

John D. Watson.
-----X

:
: Affidavit.
:
:

City and County of New York, Ss:

Abraham Suydam, being duly
sworn, says as follows, to wit:

I am one of the counsel for the above-named defendant.
This action was commenced on the 27th day of February A. D. 1888, by an indictment for grand larceny in the second degree. The said indictment charges, in substance, that the defendant, on the 16th day of August A. D. 1887, falsely and fraudulently represented to the complainant that he, the defendant, was the owner of the premises No. 334 West 22nd Street in the City of New York, and had the right to sell the same, and did agree to sell the same to the complainant in this action, and did, by means of the said false representations, obtain from the said complainant the sum of four hundred dollars, with intent to defraud the complainant.

The defendant pleaded not guilty to the said indictment on the 28th day of February A. D. 1888, and an issue of fact has arisen upon the said plea of not guilty.

One Henry S. Babcock is a necessary and material witness for the defendant upon the trial of this action. The defendant can prove by the said Babcock that on the 13th day of January A. D. 1887 the said Henry S. Babcock, by a certain agreement in writing, duly executed, agreed to sell and convey to the defendant the same premises aforesaid, and received from

**POOR QUALITY
ORIGINAL**

0785

the defendant a considerable part of the consideration for such conveyance, and represented to the defendant that he, the said Babcock, was the owner of the said premises and had power to sell and convey the same, and that the said contract between the said Babcock and the defendant was in full force and effect at the time when the defendant had the transaction with the complainant in this action upon which the said charge of larceny is predicated.

The said Babcock, at the time when he made the said contract with the defendant, lived in the County of Hudson in the State of New Jersey, but since that time he has removed to the City of Cincinnati in the State of Ohio, where he now resides.

There is no other witness by whom the defendant can prove the same facts which he can prove by the said Babcock, and he cannot safely go to trial without the testimony of the said Babcock.

On two different occasions since this action has been pending, the defendant has brought the said Babcock from the City of Cincinnati to this city, at great expense, and has kept him here as long as possible, in the hope that the action might be tried while he was here. But the defendant was unable to get a trial while the said Babcock was here, and he had no means of compelling him to remain, because the trial was postponed, without the consent of the defendant, to a day not fixed, so that defendant could not cause a subpoena to be issued; and the defendant has had assurances from the said Babcock to the effect that he would come here again when he should be needed as a witness in this action.

On or about the 10th day of April last, the defendant

**POOR QUALITY
ORIGINAL**

0787

applied to this Court for a continuance of this action for the purpose of procuring the attendance of the said Babcock, and the action was accordingly continued until the next May term of this Court.

The said application was made in good faith by the defendant, in the belief that he could get the said Babcock to come here, and he had reason for that belief, for the said Babcock had previously twice come here for the purpose of giving his testimony.

The defendant, however, has, within a very few days, received word from the said Babcock that his, the said Babcock's, business is in such a condition that it will be impossible for him to come to this city for some time to come, and that he will not be able to be here during the next May term of this Court.

I make this affidavit, therefore, for the purpose of applying to this Court for a commission to take the testimony of the said Henry S. Babcock in the City of Cincinnati in the State of Ohio, to be read as evidence upon the trial of this action. No application for such a commission has heretofore been made.

Graham Sutherland

Subscribed and sworn to

before me this 2nd day

of May, A. D. 1888.

R. H. (Zoskerck)
Notary Public (32)
City of New York

POOR QUALITY
ORIGINAL

0788

7
Court of General Sessions.

The People &c.
vs.
John D. Watson.

Affidavit and Order.

Ambrose H. Purdy,
Of Counsel for Defendant,
No. 280 Broadway,
New York City.

*Written to agree
confer July 2
to 16th*

POOR QUALITY
ORIGINAL

0789

CONTRACT for Sale and Purchase of Real Estate.

PETER ECKLER, Stationer and Printer, 35 Fulton St., N. Y.

This Agreement.

Date.

made and entered into, the
16th day of August in the year one thousand
eight hundred and eighty-seven

Between

John D. Watson of the City of New York

Parties.

party of the first part, and
William Hopper of the City of New York

To Sell, and Consideration.

Witnesseth, That the said party of the first part, in consideration of the sum of
Thirteen Thousand & Nine Hundred (\$13,900) Dollars, to be duly paid
as hereinafter specified, hereby agrees to sell and convey unto the said party of the second part

All that certain lot, piece or parcel of land with
the dwelling house thereon, situate, lying and
being in the Sixteenth Ward of the City of
New York; and now known as number Three
hundred and thirty four (334) West Twenty
Second (22^d) Street of said City, size of
lot 20 x 100 being more or less

Premises.

To Buy.

And the said party of the second part hereby agrees to purchase of the said party of the
first part, the premises herein described, at the price before mentioned, and pay to the party
of the first part, the consideration therefor in the manner and at the times following, to wit:

\$400 - } Upon the execution of this Contract the
13500 } receipt of which is hereby acknowledged
in Cash when the Deed shall be
delivered as hereinafter stated

\$13900

POOR QUALITY
ORIGINAL

0790

Terms.
~~on the delivery of this Contract : (The payment and receipt whereof is hereby acknowledged.)~~
~~Dollars, on the delivery of the Deed, and~~
~~the balance with the Bond of the party of the second part, payable in~~
~~years, with Interest at per cent. per annum, payable semi-annually, secured by~~
~~a Mortgage on the same premises, containing the usual Tax, Assessment, Insurance and~~
~~twenty day Interest Clauses.~~

When.
Said Deed ~~and Mortgage~~ shall be dated on or before Sep 15th 1887
and be ready for delivery at the office of Joseph H. Cook
71 Madison on the 15th day of Sep 1887
at 12 o'clock, — M., and no further tender of the Deed shall be required
than that the same be ready for delivery at the said time and place.

Preparing Deed.
And the party of the first part, on receiving such payment at the time and place herein
provided, shall, at his own expense, have properly prepared, executed and acknowledged,
and deliver to the party of the second part, a Deed containing the usual full covenants con-
veying to him the fee simple of said premises free of all incumbrance.

Preparing Mortgage.
~~And the party of the first part shall cause to be properly prepared a Bond and purchase~~
~~money Mortgage in the usual form, and in accordance with the provisions of this contract,~~
~~and have them ready for execution at the time and place herein prescribed for the delivery of~~
~~the Deed and Mortgage.~~

Cost.
~~And the party of the second part shall pay the sum of~~ _____ dollars
~~for preparing and recording the said Bond and Mortgage.~~

Failure of Title. Failure to Take.
And if the party of the second part fails to complete the purchase as herein provided, this
contract may at the option of the party of the first part become void, and all consideration
paid on account thereof be forfeited.

Failure of Title.
And if the party of the first part be unable to convey the premises as herein set forth, in
consequence of a defect of title, he shall pay to the party of the second part any expense
may have incurred in examining the title not exceeding fifty dollars.

Recording.
~~And it is also agreed that in order to prevent any complication of the Title, this Contract~~
~~shall not be recorded, and if it should be recorded notwithstanding this prohibition, it may at~~
~~the option of the party of the first part become void and the consideration paid on account~~
~~thereof forfeited.~~

Brokerage.
And it is hereby agreed by the said party of the first part that he will pay unto
J. M. Cook the sum of one hundred (\$100.) Dollars,
on the signing of this contract, as commission on sale of property herein mentioned.

Attestation.
In Witness whereof, the parties hereto have signed their names to this agree-
ment in duplicate.

Witnesses
J. M. Cook

Signatures.
J. M. Cook

John D. Watson

William Hopper

POOR QUALITY
ORIGINAL

0791

The date of closing the within con-
tract of sale is hereby postponed
by mutual consent to Oct. 1st 1887 at 12 o'clock.
To be closed at the office of
Henry C. Sprague Esq No 46 Broad-
way
Sept 14/87 John D. Watson

POOR QUALITY
ORIGINAL

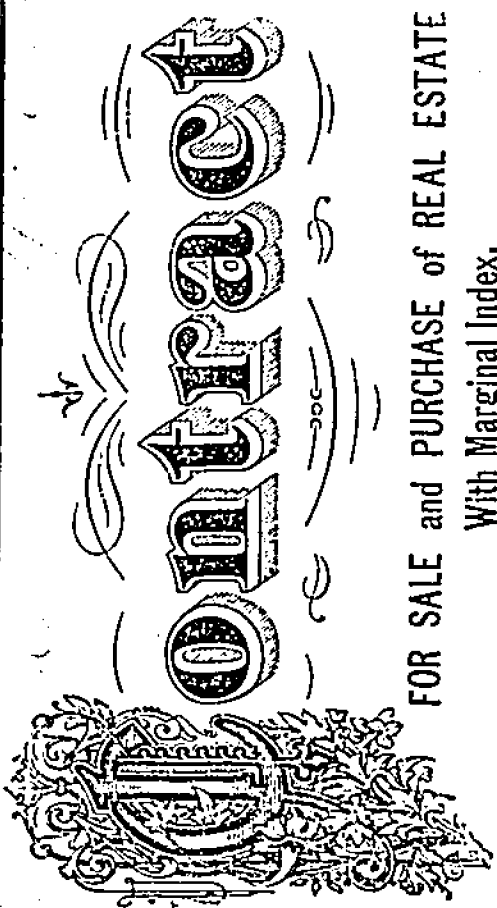
0792

Blank area for stamp or signature.

John D. Watson

— To —

William Hopper



FOR SALE and PURCHASE of REAL ESTATE:
With Marginal Index.

Plotted 18

Deed to be dated 18

Deed to be delivered 18

At

Contracts to sell the premises

Entered according to Act of Congress, in the year 1876, by PERCY ECKLER,
in the office of the Librarian of Congress, at Washington

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Q6 9 2 1

born at 2 1/2 3 years

POOR QUALITY
ORIGINAL

0793

COURT OF GENERAL SESSIONS,
City and County of New York.

-----X
The People :
v. :
John D. Watson, :
Indicted for Grand Larce- :
ny in the *2nd* degree. :
Indictment filed November: :
1887. :
-----X

Tried May 15th, 1888, before
the Hon. RUFUS B. COWING,
and a Jury.

A P P E A R A N C E S:

Assistant District Attorney Macdona, for the
People.

Messrs. Purdy and Suydam, for the Defense.

William Hopper, the complainant, testified that
he lived at 229 West Twenty-fifth Street, and was a
private watchman. He saw the defendant Watson on the
16th of August, 1887, in the Guernsey Building in Broad-
way. He was introduced to him by a real estate agent

**POOR QUALITY
ORIGINAL**

0794

2

named Cook. He became acquainted with Mr. Cook about two weeks before. Mr. Cook introduced the defendant to him, the complainant, as the owner of the house that he, the complainant, proposed to buy. Mr. Cook took up the articles of agreement, and he, the complainant, asked Mr. Watson if anybody had a claim on the property, and Mr. Watson said, "No, no one else has a claim on it. I am the right owner, and I have the right to give a title to the property." Watson also said that all real estate business was done through him and in his name. The conversation referred to the house No. 334 West Twenty-second Street. Watson also said that he had a house in Brooklyn that he would like the complainant to buy from him. He asked Watson how long he had owned the house in Twenty-second Street, and he told him, the complainant, that he had owned it from last fall. He said that they had lent Smith over \$13,000, and that they were about to foreclose on the property when Al. Smith came forward and made a full transfer to him. He, the complainant, then paid the defendant \$400. He paid him the \$400 upon the strength of the representation that he owned the property and as a part of the agreement between

**POOR QUALITY
ORIGINAL**

0795

3

them.

Under cross-examination, he testified that he went to Mr. Cook's office in response to an advertisement in relation to a house in West Nineteenth Street, and then the conversation turned to the house in Twenty-second Street. Cook said that he had had a house for sale in Twenty-second Street for about three months for Mr. Watson. He, the complainant, made an examination of the house and lot. It was occupied, but he did not ask the people who owned the property. Then Cook made an agreement with him to bring Watson and himself together. Cook represented that the property belonged to Watson and that Watson's father was President of the Columbia Bank. It was agreed between the complainant and Mr. Cook, that he, the complainant, should pay down \$400 to secure the bargain. He signed the contract of sale, and Watson signed it also. He paid the \$400 in eight fifty-dollar bills. He, the complainant, did not go to Mr. Purdy's office and say that he would withdraw the complaint if his \$400 was returned to him. A lady came to his house and asked him to say nothing about the case and she would give him the \$400. His counsel, Mr.

**POOR QUALITY
ORIGINAL**

0796

Sprague, had demanded the return of the \$400 from the defendant.

Henry L. Sprague testified that he was a practising lawyer in the City of New York, and that he was counsel for the complainant. The complainant had called at his office in August, 1887. He, the witness, was away from the city, and the complainant again called about the first of September, 1887, and the complainant asked him to examine the title of the house 334 West Twenty-second Street and handed him, the witness, the contract of sale. Mr. Watson came to his, the witness's office on the second or third of September. He, the witness, said to Mr. Watson, "Here is a contract to sell the property at 334 West Twenty-second Street, and I want the abstract in order to examine the title," and Watson said, "I have no abstract with me, but I will send you one." He then said to Mr. Watson, "Mr. Watson, who gave you the deed to the property?" and Mr. Watson said, "I got it from Mr. Smith--Alfred H. Smith." He, the witness, said, "I know Mr. Smith, and I want to get hold of the deed and search back if you don't give me the abstract," and Watson said, "He didn't exactly give me a

**POOR QUALITY
ORIGINAL**

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5

deed. We foreclosed a mortgage." He, the witness, said, "Then he gave you a mortgage ?" and Watson said, "Yes, Mr. Alfred H. Smith gave me the mortgage." He, the witness, said, "Did he borrow any money from you ?" and Watson said, "Yes," and he, the witness, said, "When was it foreclosed, because I will have to look at the proceedings." Watson said, "It was not foreclosed exactly." He, the witness, said, "How did you get possession ?" Watson said Mr. Smith had borrowed about \$13,000 from him from time to time and had finally given him the right to this property, and told him that he might have it instead of foreclosing the mortgage, to save the expense. He, the witness, said, "Mr. Watson, I can't believe that story, because I know Mr. Smith and his circumstances, and I know that he is not borrowing money. I examined the title adjacent to this lot only a few weeks ago, and I know that the family are lending money, if anything. How did he happen to borrow \$13,000 from you ?" He said that Mr. Smith, although a trustee of the estate, was not using the funds properly, and was borrowing money from him to make up deficiencies in the accounts and had given him the property to save a

**POOR QUALITY
ORIGINAL**

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foreclosure and suit. Then he said that he had no deed, and he made the excuse that he had taken it under a foreclosure. Then he said that there was no foreclosure proceeding but that he took the property. When he, the witness, said that that was not possible, and that there must be some record of the transfer of the property, and that he did not see how he could look upon him, Watson, as the owner, Watson said that he could prove his right to it. He, the witness, then asked the defendant to call with him upon Mr. Charles H. Woodberry, Mr. Smith's lawyer, in Pine Street, and the same conversation was repeated there. He was asked decidedly if he was the owner of the property by him, the witness, and Watson said, "Yes, I got it from Mr. Alfred H. Smith." He asked Watson to describe Mr. Smith, and he described Mr. Smith as having side whiskers. He could not describe Mr. Smith. Then he, the witness, said, "Mr. Watson, you have done a very serious thing, you have got money under false pretenses, and you had better hand it over right here." He turned around indignantly and said, "I own the property." Then he went away. In the afternoon he came to the witness's office and asked him, the wit-

**POOR QUALITY
ORIGINAL**

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7

ness, if he thought that he had a right to sell that property. He, the witness, told Watson that he did not think he had, because he could not show any deed or any foreclosure proceeding, and Watson said, "I will show it to you if it costs me \$10,000. I will show it to you to-morrow morning at half past ten o'clock, and give a deed to Mr. Hopper." That was the last he saw of the defendant until he saw him in Broadway and caused his arrest.

Alfred H. Smith testified that he lived at 504 Fifth Avenue, and was in business at 182 Broadway as an importer of diamonds. On the 16th day of August, 1887, he was the owner of the premises at 334 West Twenty-second Street as the executor of his father's estate. He produced a copy of his father's will and a deed for the property. His father died in May, 1886, in possession of the property in question.

John W. Cook testified that he was a real estate agent. That he was present at the conversation testified to by the complainant as having occurred between the complainant and defendant in his office in the Guernsey Building in Broadway. He saw Mr. Hopper pay

**POOR QUALITY
ORIGINAL**

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the defendant \$400. He heard Watson tell Hopper that he owned the premises in question. Under cross-examination witness testified that the defendant paid him his commission of \$100 at the time. He brought the defendant and the complainant together in his capacity of real estate broker. He told Mr. Hopper that Watson was the owner of the property, on the strength of Watson's representations to him.

For the Defense, John D. Watson testified that he lived at the International Hotel in the City of New York. He was a engineer and contractor by trade. His first contract was performed about seventeen years ago when he built the second division of the Portland and Ogdensburg Railroad, part in Maine and part in New Hampshire, and next was in Ohio. He owned some real estate in Brooklyn. He knew a man by the name of Henry S. Babcock. He was introduced on the 10th of January, 1887, to this man by a man named Haight, whom he believed to be a real estate dealer. He received a contract of sale from Babcock on the 13th day of January, which he produced in evidence. He believed that under this contract of sale he had the right to control the property

**POOR QUALITY
ORIGINAL**

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at 334 West Twenty-second Street. When Mr. Cook had drawn the agreement of sale between Mr. Hopper and himself in the usual form he said, "You control this property?" or "You own this property?" He did not remember any such conversation as Mr. Sprague had detailed. He told Mr. Sprague that he had them he thought among his papers at Vineland, New Jersey, where he had been working in the gas works. He looked for the papers and did not find them, and therefore he did not send them to Mr. Sprague. He then informed Mr. Sprague that he could not find them, and Mr. Sprague demanded the return of the \$400. He had never claimed to own the property in question. On cross-examination he testified that he did not know where Babcock or Haight were, and did not know at any time where they lived or had their offices.

Frank Wands testified that he had witnessed the contract of sale put in evidence by the defendant. He knew Babcock, but he did not know Watson. He was going casually through the hall of the building and was called in to witness the paper. He knew Babcock slightly, and merely witnessed it. He was not there over five minutes. Under cross-examination he testified that

**POOR QUALITY
ORIGINAL**

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he could not tell precisely the time when he witnessed the agreement of sale, but that it was about a year before, when he had an office opposite Babcock at 40-42 Broadway. He, the witness, was employed by a Mr. Muir, a stockbroker and real estate agent and contractor. He, the witness, was not in the real estate business then, but had been a real estate man and contractor. He was called in Babcock's office at 35 Broadway. He thought that the office was on the second floor, in the office, he thought, of some telephone company. There was no lawyer there. He knew Babcock only by sight, or very slightly.

POOR QUALITY
ORIGINAL

0003

The People

vs

John D. Watson

— " —

Grand Juror - 2nd Degree

— " — Feb. 1888

Indictment filed, Oct. 1887

— " — (11)

Pres. May 15th, '88

POOR QUALITY
ORIGINAL

0004

Fol.1 Court of General Sessions, City and County of New York.

-----X
The People &c. :
vs. : Affidavit on Motion for a New Trial.
John D. Watson. :
-----X

City and County of New York, Ss:

Abraham Suydam, being duly
sworn, says as follows, to wit: "

I am an attorney and counsellor at law, and am of coun-
2 sel for the defendant above-named.

Ambrose F. Purdy, Esq., was of counsel for the defendant
before I came into the case, and I was retained by the defend-
ant at the suggestion and by the advice of Mr. Purdy, as I am
informed and believe. After the case had been set down for
trial on the 14th day of May instant, it was agreed by Mr.
Purdy and myself, with the consent of the defendant, that I
should personally conduct the defence at the trial, and I ac-
cordingly made due preparation for the trial and expected to
try the case, while Mr. Purdy, as I am informed and believe,
3 made no preparation for the trial and did not expect to take
any part therein.

On Monday the 14th day of May instant, the day which had
been set for the trial of this case, I was actually engaged
in the trial of the case of The People vs. Sweeney, which had
been commenced in Part ^{Three} ~~Two~~ of this Court on the previous Fri-
day. Immediately after the conclusion of that case, the case
of The People vs. Mack was moved for trial also in Part Three
of this Court. I was of counsel for the defendant in that
case also, and asked for a continuance upon the ground that

**POOR QUALITY
ORIGINAL**

0005

Fol.4 the above-entitled case of The People vs. Watson was peremp-
torily set down for trial on that day. My said application
for a continuance was denied by Recorder Smyth, who was pre-
siding in Part Three of this Court, upon the ground that the
trial of this case, of The People vs. Watson, had not been
actually commenced, and I was therefore not actually engaged.
The trial of The case of The People vs. Mack was therefore
commenced and had been for some little time in progress when
an officer of this Court came to me with verbal summons from
Judge Cowing, who was presiding in Part Two of this Court, to
5 appear before him immediately. I thereupon obtained leave
from Recorder Smyth to absent myself from his Court for a
few moments, and went into Part Two of this Court, where I
found that this case, of The People vs. Watson had been moved
for trial. I thereupon made an application for a continu-
ance, upon affidavits which were duly filed. The said appli-
cation was denied, and I then informed Judge Cowing, who was
then presiding in Part Two of this Court, of the facts above
set forth in this affidavit, and that I was then actually en-
gaged in the trial of the case of The People vs. Mack, in
6 Part Three of this Court. Judge Cowing thereupon ordered
the Jury to be sworn in this case, in order that the case
might be actually on trial, and adjourned the trial until the
next day, in order to give me an opportunity to finish the
trial of the case of The People vs. Mack, and I was directed
by Judge Cowing to come into his Court on the following day
immediately upon finishing the trial of the Mack case.

I then returned to Part Three and proceeded with the tri-
al of the Mack case, but, although I used every effort in my
power to expedite the trial, I was unable to bring it to a

**POOR QUALITY
ORIGINAL**

0005

Fol.7 close on that day. The People were unable to produce a witness whose testimony the Court deemed material, and although I offered to admit the fact which it was claimed that such witness would prove, the Court refused to accept my admission and adjourned the case to the following day, in order that the said witness might be produced. This adjournment was taken about four o'clock in the afternoon.

Upon the following day, the 15th day of May instant, the trial of the Mack case was resumed in Part Three. When all the evidence was in, I asked leave to submit the case without
8 argument, but this request was refused by the learned Recorder, upon the ground that the evidence was conflicting, and that it was a proper case for argument before the jury. I accordingly summed up the case for the defendant as briefly as was consistent with a due respect for the direction of the Court, and immediately upon the closing of my argument asked and obtained leave to depart from the Court, without waiting to hear the summing up of the District Attorney or the charge of the Court. I then immediately proceeded to Part ^{Two} ~~Three~~ of
this Court, and when I reached there I found that the trial
9 of the above entitled case of The People vs. Watson had been proceeded with in my absence and without my knowledge or consent, and was nearly completed. The evidence for The People was ~~xxxxx~~ all in and the evidence for the defendant was nearly all in. The only part which I was able to take in the trial was, to listen to the charge of the Court, to take some exceptions thereto, and to ask for some instructions; and it was impossible for me to intelligently frame my requests for instructions, for the reason that I had not heard the evidence

The special and express purpose and reason for which I

**POOR QUALITY
ORIGINAL**

0007

Fol.10 was retained and requested to try this case was, that I might hear the evidence, and make such objections and take such exceptions thereto as I deemed advisable, and that I might ask ^{such} for suitable instructions, properly framed according to the evidence in the case, as I should consider necessary for the protection of the rights of the defendant. And the said purpose and object were wholly defeated by the action of the Court in proceeding with the trial of the case in my absence.

On the said ~~14~~ 15th day of May instant, there were numerous other cases on the day calendar of Part Two of this Court
11 some of which, as I am informed and believe, were ready for trial and might have been tried while I was engaged in Part Three, so that the time of the Court and of the jurors in attendance need not have been wasted. And I verily believe that the action of the Court in forcing the defendant to proceed with the trial of this case in my absence and without my consent was wholly unnecessary, and that it injuriously prejudiced and affected the substantial rights of this defendant.

Subscribed and sworn to
before me this 21st day

Abraham S. [Signature]

12 of May, A. D. 1888.

*W. C. Cox
Notary Public
N. H. Co*

POOR QUALITY
ORIGINAL

0000

Fol.1 Court of General Sessions, City and County of New York.

-----X
The People &c. :
vs. : Affidavit on Motion for a New Trial.
John D. Watson. :
-----X

City and County of New York, Ss:

Ambrose H. Purdy, being duly
sworn, says as follows, to wit:

I am an attorney and counsellor at law, and am of coun-
2 sel for the defendant above-named.

About the first of May instant Abraham Suydam, Esq., was
retained as counsel for the defendant, in accordance with my
advice. It was agreed between the defendant and myself that
Mr. Suydam should personally conduct the defence, and I re-
quested him so to do, and he agreed thereto, and, as I am in-
formed and believe, he made all necessary and suitable prepar-
ation for trying the case. I myself made no preparation
whatever to try the case, not expecting to take part in the
trial, and when the trial was forced on I was wholly unpre-
3 pared to conduct the defence. I had not made myself famili-
ar with the facts in the case, nor had I examined the ques-
tions of law likely to arise as closely and carefully as I
should have done if I had expected to take part in the trial.

I had handed over to Mr. Suydam the papers of the defend-
ant relating to the matters involved in this action, and he
had at my request examined the witnesses for the defendant,
and, as I am informed and believe, was thoroughly and well
prepared to try the case.

The special purpose and object for which Mr. Suydam was

**POOR QUALITY
ORIGINAL**

0009

Fol.4 that he might hear the evidence, and make such objections and take such exceptions thereto as he should think proper, and ask for such instructions properly applicable to the condition of the evidence as he should think necessary for the protection of the rights of the defendant. This purpose and object was wholly defeated by the action of the Court in forcing the trial to proceed in his absence.

In addition to the object above stated, another reason for retaining Mr. Suydam was, that my other professional engagements were so numerous and pressing that I was wholly unable to give the necessary time to the preparation of the case for trial. And after Mr. Suydam had been retained and had agreed to try the case, I gave no further attention to its preparation for trial.

I was not present in Court when the jury was impannelled and sworn, and did not know that that had been done until I was informed of it on the following day. I appeared in Court on the 15th day of May instant, not for the purpose of trying the case, but only to remind the Court that the case had been adjourned till Mr. Suydam should finish the trial of another case in which he was then engaged, and to inform the Court that such engagement still continued, and to see that the trial was not proceeded with until Mr. Suydam could be present. And when the District Attorney moved that the trial proceed I did remind the Court of the circumstances under which the jury had been impannelled, and did inform the Court that Mr. Suydam was still actually engaged in the same case in which he was engaged when the jury was sworn, and opposed the motion to proceed with the trial of this case, and asked that the trial might be postponed until Mr. Suydam could be

**POOR QUALITY
ORIGINAL**

00 10

Fol.7 be present. The Court nevertheless ordered the trial to proceed without waiting for Mr. Suydam to finish the trial in which he was then actually engaged in another part of this Court. This order was made against my objection and protest and I verily believe that the substantial rights of the defendant were thereby prejudiced and injuriously affected.

Subscribed and sworn to

before me this 21st day

of May, A. D. 1888.

W. C. Cooper
Notary Public
Rich. Co.

POOR QUALITY
ORIGINAL

0011

Fol.1 Court of General Sessions, City and County of New York.

-----X
The People &c. :
vs. : Affidavit on Motion for a New Trial.
John D. Watson. :
-----X

City and County of New York, Ss:

John D. Watson, being duly
sworn, says as follows, to wit:

I am the defendant in this action. About the first of
2 May instant, by the advice of Ambrose H. Purdy, Esq., who had
theretofore acted as my counsel, I retained Abraham Suydam,
Esq., as counsel for me in this action, and with the consent
and approval of Mr. Purdy I requested Mr. Suydam to personal-
ly conduct my defence.

On the Thursday, Friday and Saturday preceding the day
set for the trial of this case I called on Mr. Suydam at his
office and consulted with him fully and in detail as to my de-
fence, stated fully to him the facts in the case, brought the
witnesses for the defence to his office, where he examined
3 them thoroughly, gave him papers relating to the transactions
involved, and gave him all the assistance in my power towards
the preparation of the case for trial. I did not, during
this time, have any consultation with Mr. Purdy, nor did he,
so far as I am informed, make any preparation to try the case

I fully expected and desired that Mr. Suydam would try
the case, and the trial was had in his absence without my
consent and against my objection.

Subscribed and sworn to before me
this 21st day of May, A. D. 1888.

John D. Watson

**POOR QUALITY
ORIGINAL**

08 12

Court of General Sessions.

The People &c.

vs.

John D. Watson.

Affidavits on Motion for a New
Trial.

A. SUYDAM,
Counselor at Law,
33 PARK ROW,
NEW YORK CITY.

Of Counsel for Defendant.

POOR QUALITY
ORIGINAL

0013

Fol.1 Court of General Sessions, City and County of New York.

-----x
The People &c. :

vs. :

John D. Watson. :

: Affidavit on Motion for a New Trial.
-----x

City and County of New York, Ss:

Abraham, being duly sworn,

says as follows, to wit:

I am an attorney and counsellor at law, and am of counsel
2 for the defendant above-named.

I was present at a part of the trial of this action, and
heard a part of the argument of Assistant District Attorney
McDona to the jury.

In the course of his address Mr. McDona argued to the
jury that the claim of the defendant, that he had in good
faith made a contract with Henry S. Babcock for the purchase
of certain real estate, and had in good faith agreed to con-
vey or cause to be conveyed the same real estate to the com-
plainant herein, could not be well founded, for the reason
3 that the defendant's financial condition and standing were
not such as to warrant the belief that he would be likely to
have any such transactions in real estate. And in support
of this argument, he read to the jury, from the indorsements
on the papers filed in this action and from the original com-
plaint before a Police Justice, the dates when the defendant
was first arrested upon the complaint of the complainant in
this action, and when he gave bail to answer to the indict-
ment in this action, and stated to the jury that the defend-
ant had been confined in prison, through his inability to

POOR QUALITY
ORIGINAL

08 14

The People of the State of New York

County of New York

Fol. 4 give bail, from the month of October 1887 to the Month of May 1888. He also stated the amount of bail required, one thousand and dollars. No evidence had been given at the trial tending to show the facts thus stated to the jury by Mr. McDona.

Mr. Purdy, who is also of counsel for the defendant, at once interrupted Mr. McDona, and protested ~~xx k~~ against his statements to the jury, and asked the stenographer to take down the words. The Court, however, refused to permit the stenographer to take down Mr. McDona's words, to which ~~xxxxxx~~ refusal Mr. Purdy excepted. ~~And kke xxxxx kkkkkk xxxkkkk~~

5 And Mr. McDona then proceeded with his argument.

Subscribed and sworn to *Abraham Suydam.*

before me this ^{2^d} ~~25th~~ day of

June
~~May~~ A. D. 1888. *Wm C O'Connell*
Notary Public
425 Co

**POOR QUALITY
ORIGINAL**

00 15

Court of General Sessions.

The People &c.,

vs.

John D. Watson.

Affidavit.

A. SUYDAM,
Counselor at Law,
38 PARK ROW,
NEW YORK CITY.

Of Counsel for Defendant.

People

us: E. H. S.

John D. Watson

Wm. Hopper

Wm. Hopper Complainant will swear:

First got information of the property, No. 334 W. 22nd St through one Louis R. E. Ayl who resides at No. 447 Washington Street N.Y. who told me he had said premises in hands for sale about three months, this was about two weeks before contract of sale was made (Contract made Aug. 16/07) Louis said John D. Watson the defendant had put the property in his hands, and that he Watson was the owner, that Watson's father was president of the Louisiana Bank Cor. 42nd St & 5th Avenue, that Watson did the outside business of the bank, especially the Real Estate business. A few days before Aug 16/07 I went to look at the premises mentioned, then on the 16th of the month I met Watson at his office on top floor of the Sunway Building 160 Broadway. Was introduced

to him by look, He Watson then
and told me in presence of
look that he was the owner of
said premises, and was prepared
to give a clear title to the
premises mentioned and would
sell it to me for \$13,900. I agreed
to the price, the Contract of Sale
was drawn and signed by
Watson and I, and I paid him
\$400. The deposit required
and mentioned in said Contract.
Watson promised to cause me the
Abstract of Title, but after several
demands has not done so.
I then made an investigation
and found that he had never
owned said premises, nor
had any interest in same, but
that it was owned by the Estate
of B. F. Smith, ^{deceased} Alfred H. Smith
Executor, and that the property
had been in the family of said
Smith for fifty years.

Alfred H. Smith once said
that he is the Executor of the

POOR QUALITY
ORIGINAL

08 18

Estate of B.F. Smith decd, which
estate owns the premises No 384
West 22nd Street N.Y. and have own-
ed it for about fifty years continuous-
ly and that said Watson the
defendant, does not nor ever
did own said property or have
any interest in it whatever.
That he never gave Watson any
authority whatever over the
property, nor did I ever see
or hear of him until about
1861/87

POOR QUALITY
ORIGINAL

08 19

People
vs: E. J. S.

John D. Watson

After an examination
of evidence
in this case I am
of the opinion that
a conviction can
be had

W.D.

July 11/38

Wm. Whipple
Alfred R. Smith

POOR QUALITY
ORIGINAL

0020

C O U R T O F S E S S I O N S . P A R T II,

#####

PEOPLE OF THE STATE OF NEW YORK,

vs

J o h n D . W a t s o n .

#####

CITY AND COUNTY OF NEW YORK. ss.

J o h n D . W a t s o n , being duly sworn, deposes and says:

That he is the Defendant in the above entitled action. That he cannot safely proceed to Trial at this time owing to the absence of witnesses whose testimony is of vital importance in the pending action.

That this is an indictment against Deponent for obtaining money on false pretences arising out of a Contract entered into by Deponent and Complainant for sale of Real Estate, on which a certain payment was made by Complainant and to recover which from Deponent this prosecution was instituted by Complainant, and Deponent will prove the said Agreement on his trial if allowed so to do.

That Henry S. Babcock who resides in this City, is one of said witnesses and is at present absent from the State, and in the State of Ohio, as the deponent is informed and believes.

That Deponent expects to prove the said written Contract for purchase of real estate entered into by and between Deponent and William Hopper, the Complainant, and also a certain other written Contract dated the 13th day of

POOR QUALITY
ORIGINAL

0021

2

January, 1887, by and between Deponent and said Henry S. Babcock, and who was present at the execution and delivery of said Contracts.

Deponent further states that one L. N. Gould, now a resident of Cumberland County, New Jersey, is a material witness; the said Gould having as Deponent is informed and believes, drawn said contract dated 13th of January, 1887.

That the above named witnesses have at two different times visited New York City to appear at the trial of the above named action at the deponent's expense, and that on both occasions Deponent was ready for trial, and that it is but just and necessary to the deponent's defence that a day should be set for the case to be tried; and the deponent prays that twenty days be given him to procure the attendance of the above named witnesses.

Sworn to before me, this

10th day of ^{April} ~~February~~, 1888.

:
:
: John D. Watson

James J. Hall
Deputy Clerk
Court of Civil Sessions

POOR QUALITY
ORIGINAL

0022

COURT OF SESSIONS.

PEOPLE,

vs

JOHN D. WATSON,

AFFIDAVIT of Defendant for ex-
tension of Twenty days to pro-
cure witnesses.

Filed and 10/17.

*Part 2 - 10/17
Advised to
May 7 1917
J. H. D.*

POOR QUALITY
ORIGINAL

0023

W. H. P.

W. H. P.

The Court mutually consent and agree that said case
be adjourned to Nov. 7 - 1887 2 PM at Essex MS-Ct.
before Mr Justice Gorman.
W. H. P. Nov 1 1887

Henry L. Sprague
Wm. M. Kean Martine
atty. for def.

POOR QUALITY
ORIGINAL

0024

CITY AND COUNTY
OF NEW YORK, ss.

POLICE COURT, 2nd DISTRICT.

Alfred St. Smith

of No. 48 West 40 Street, aged 49 years,

occupation Importer being duly sworn deposes and says,

that on the 16th day of August 1887

at the City of New York, in the County of New York, he was and is now

one of the Executors of the Estate of B. F. Smith
and that at that time premises known as
No. 334 West 22nd Street, was a part of
said Estate. Deponent did not
authorize John W. Watson (now dead)
to sell said property and if he did
represent that deponent gave such
authorization his statements are false
and untrue. Deponent never saw
said Watson, never saw him and never
spoke to him. Alfred St. Smith

Sworn to before me, this
of September 1887

28 day

Police Justice.

CITY AND COUNTY
OF NEW YORK, ss.

POLICE COURT, 3rd DISTRICT.

Harrison B. Smith

of No. 25, E. 44 Street, aged 46 years,

occupation Merchant being duly sworn deposes and says,

that on the 16th day of August 1887

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

the premises No. 334 West 22nd
Street New York City belongs to the estate
of B. F. Smith and that I am one
of the executors and trustees of said
estate. And that the defendant John
W. Watson is not the owner of said
premises and that he has no interest
in said premises, and that I never
authorized him to sell said premises.

Harrison B. Smith

Sworn to before me, this
of September 1887

28 day

Police Justice.

POOR QUALITY
ORIGINAL

0025

Police Court—

2 District.

Affidavit—Larceny.

City and County } ss.
of New York, }

of No. 262 West 26 Street, aged 55 years,

occupation Private Watchman being duly sworn

deposes and says, that on the 16th day of August 1887 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 :

Good and Lawful money of the United States to the amount and of the value of four hundred dollars (\$400.00)

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 John D. Watson

from the fact that the said defendant represented to deponent that he was the owner of the premises No 534 West 23rd Street New York City and that he was empowered to give full title to said property and agreed to sell said house and lot to deponent for the sum of thirteen thousand nine hundred dollars. Deponent believing and relying solely upon such representations so made to him by the aforesaid defendant agreed to purchase said house from the said defendant and gave him the aforesaid sum of four hundred dollars on the above mentioned date, as a deposit on said

And deponent further says that he has reason to believe and does believe that all of the representations made to him by the aforesaid defendant are wholly false and untrue. From the fact that deponent is informed by Henry L. Sprague of No 146 Broadway that the aforesaid defendant admitted and confessed to him the said Henry L. Sprague that he the said defendant did not own the premises No 334 West 22nd Street New York City and that said premises belonged to the Estate of B. F. Smith.

Wherefore deponent charges the aforesaid John D. Watson with feloniously obtaining possession of the aforesaid sum of money with the intent to cheat and defraud by color or aid of false and fraudulent representations and prays he may be apprehended and dealt with according to Law.

Sworn to before me } William H. Hopper
this 9th day of Sept 1887 }

John H. Hopper
Police Justice

POOR QUALITY
ORIGINAL

0827

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 36 years, occupation Henry L. Sprague
Lawyer of No.

146 Broadway Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of William Hopper

and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this

day of Sept

1889

John J. Evman
Police Justice.

Henry L. Sprague

POOR QUALITY
ORIGINAL

0828

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss.

2 District Police Court.

John D. Watson 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. John D. Watson

Question. How old are you?

Answer. 39 years old

Question. Where were you born?

Answer. United States

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

Answer. Woodbury New Jersey

Question. What is your business or profession?

Answer. Contractor

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 D. Watson

Taken before me this
day of April

1887

Police Justice.

POOR QUALITY
ORIGINAL

0027

Sec. 151.

2
District Police Court.

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 any Marshal or Policeman of the City of New York:

Whereas, Complaint on oath, has been made before the undersigned, one of the Police Justices in and for the said City, by William Hopper

of No. 262 West 26 Street, that on the 16th day of August

1887 at the City of New York, in the County of New York, the following article to wit:

Good and lawful money of
the united states to the amount and

of the value of Four hundred Dollars,

the property of Complainant

was taken, stolen, and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by John D. Watson

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

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 every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 2 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 9 day of September 1887
Alfred H. Brown POLICE JUSTICE.

1636
146 1340
POLICE COURT, DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William Hopper

vs.

John D. Watson

Warrant-Larceny.

Dated September 9 1887

John D. Watson Magistrate

Alfred H. Brown Officer

The Defendant John D. Watson

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

Alfred H. Brown Officer

Dated September 16 1887

This Warrant may be executed on Sunday or at night.

Alfred H. Brown Police Justice.

REMARKS.

Time of Arrest, 3:40 P.M.

Native of Irish

Age, 38

Sex Male

Complexion, _____

Color Dark

Profession, Bookkeeper

Married _____

Single, Yes

Read, Yes

Write, Yes

Alfred H. Brown

POOR QUALITY
ORIGINAL

00830

STENOGRAPHER'S MINUTES.

2nd District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

Hopper

vs.

Watson

BEFORE HON.

John J. Conman

POLICE JUSTICE,

Oct 21st 188*7*

APPEARANCES:

For the People,

For the Defence,

188

INDEX.

WITNESSES.

Direct Ex.

Cross Ex.

Re-Direct.

Re-Cross.

William Hopper
A. L. Smith
R. Smith
Dr. Wagner
Cook

1 *2*
2
1
3 *5*
5 *4*

M. J. Treacy

Official Stenographer.

Oct 28th, 1884
Second District Police
Court New York, German
Presiding
William Hopper }
John D. Watson }

Q William Hopper, being duly
sworn, deposes and says;
You entered into a
Contract with the
Defendant for the pur-
-chase of the Premier No
234 West 23rd St?

Q Yes Sir.
And the contract now
produced is the one
executed between you
(Exhibit A)

Q Yes Sir.
Did you on the 15th day
of Sept 1884 offer or tender
a certain sum of money
to the Defendant?

(2)

Q

No Sir
Or at any time since
did you offer to pay
a certain sum of money
(\$13,500) and ask and
demand a Deed for
the premises mentioned
in this contract?

A

No Sir.
Sworn to before me
this 28th day of Oct 1884

Police Justice

Harrison D. Smith, age
44 years, a merchant, and
now living at 75 E. 44 St,
Counsel for Defendant
said that he had no
question to ask this
witness

Alfred Smith 48 West 40 St
Not questioned.

(3)

A. L. Sprague of 330 N.
43rd St.

Q

You have sworn
that the information
filed here is true of
your own knowledge?

Q

Yes Sir.
Were you present at the
interview between Hopper
and Watson when the
bargain was made?

Q

No Sir.
How can you swear to
facts then?

A

I have made
an affidavit, I was then
hundred miles away,
Mr. Watson told me
that he was the owner
and after, he said he
was not the owner.

Q

You have not knowledge
as to what representations
he made?

A

No.

(X)

Q

When did you come into the business?

A

On about the 4th of Sept, on my return from the Country, I found a request on my desk from Mr Hopper to examine the title.

Q

You do not know in whom the title is?

A

I know where the title was. I believe it is in the Estate of E. Smith, Watson came to my office to see about the abstract.

Q

There is an allegation that Watson admitted to you, that he did not own the premises?

A

That was about the 4th or 8th of Sept, he said he was in position to give title. I ask that the defendant be held for the Grand Jury.

Court.

On Tuesday at two o'clock, I will be here and continue the examination, I understand that the man has some papers in a safe at some where in

(5)

New Jersey, The Counsel
says these papers will
prove, or go to show his
Client's innocence, and I
think he should have an
opportunity to procure that
paper. If nothing is
presented different from
what it is now, he will
grant the Counsel's Motion,
This adjournment is only
to procure this documentary
evidence

J. W. Cook of 747 Washington
St, in the real estate business,
Age 48 years.

Q

Is that your
signature to Exhibit A?
Yes Sir.

Q

Were you present when
that was executed?

Q

Yes Sir.
State the circumstance?
I executed for both,
Mr Watson gave me the
property to sell and told
me he had absolute right
to sell, before the paper
was signed. Did you see
him take money?

Q

(6)

Q He took four hundred (\$400) dollars as earnest money and he claimed to be the owner, and able to give title.

Cross Examination

Q You say he claimed to be the owner?

A He said so, and that he had the right to sell the property, and that the property was in his name.

Q Did he say the property was in his name?

A He said he had the right to sell the property.

Court Q Did he say he owned the property?

A He said he was the owner and had right and title to it.

Q Did you regard him as principal or broker?

A I regarded him as Principal.

Q (Counsel) Is that the letter you received from

(7)

Q Watson? (Ex. D)
A Yes Sir.
Q Was this letter (Ex. C)
received from Watson?
A Yes Sir.

I swore before me
this 28th day of Oct 1884
Police Justice

Counsel for Complainant, I think
your Honor, that we have
shown sufficient; that the
Defendant, is guilty there
is no doubt, He told this
witness he owned the property
and then took the money
and he is guilty, therefore
of Grand Larceny.
Counsel for Defendant - This man
has rights, and if we have
time we will prove his
innocence.

Court The further hearing
is set down for Tuesday
next at 9 o'clock

Police Court, 2^d District
Before Hon. J. W. Gorman

The People &c. vs. rel.
William Hopper

= vs =

John D. Watson
ccccc =

I. - The defendant moves to strike out the affidavits of the Messrs. Smith, on the ground that they are incompetent to prove title (to the property mentioned) in the deceased Smiths and do not prove it. Motion denied - *off receipt*

Title to real property must be proved by the best evidence, to wit; by the instruments of conveyance or by the record thereof. - The Smiths' affidavits prove nothing - They undertake to swear this property into the estate of the Smith family; but they produce no competent evidence. Now these affidavits were made behind the defendant's back, when he was not present and we are entitled now to have them stricken out and disregarded.

In partition, the Court requires proof to be made of title, ^{and} that by the production of the instruments and muniments of title.

Even in foreclosure, by which title is made, the Bond ^{of} Mortgage must be produced by way of evidence

Defendant submits that there is nothing in them which the Court can consider. They do not even say that they are in possession of the premises, or of a Deed of the same or of the rents, issues ^{of} profits thereof.

They should be stricken out

II. - The discharge of the defendant is moved, on the ground that the Information was made ^{and} filed prematurely - in that it was made ^{and} filed on the day of September 1887, prior to the time limited ^{and} fixed in the Contract for the delivery of a Deed.

Hopper, the relator, was not entitled to a Deed until the 15th day of September 1887. - Until there was a failure to carry out the Contract ^{and} deliver a Deed, as per the terms of the Contract, Hopper had suffered no wrong.

Until a wrong has been done to or suffered by one at the hands of another no offence against the peace ^{and} dignity of the People has been done, no crime has been committed.

It nowhere appears in evidence that the defendant would not or could not carry out its Contract ^{and} deliver a Deed on the 15th day of September 1887 or since. - It nowhere is shown, that if the information had not been thus prematurely made ^{and} filed the defendant could not have delivered a good and sufficient Deed on the 15th day of September 1887.

This Court cannot assume that defendant would not or could not complete his Contract. - It must be clearly proven. -

Nothing can be taken by intendment or presumption against the defendant; on the contrary everything not proven must be presumed in his favor.

It is submitted that the defendant should be discharged on this ground.

Motion Denied - Exception

III. - Defendant moves to be discharged on the further ground that by the Contract "Time is not made of the essence of the Contract" ^{and} that there is nothing in the evidence to show that even to this

day there has been a violation of or a failure or refusal by the defendant to complete the Contract. The Contract contains covenants to be performed by the defendant upon the performance of certain other covenants which Hopper agrees to perform. The performance of the covenants by the defendant to be done and performed are conditioned expressly upon the performance by Hopper of his covenants.

Until there has been a violation of the Contract or failure to perform, no one is entitled to complain, no offense committed.

On the contrary it is not even alleged that the defendant has failed or refused to perform.

It is not even alleged or shown that Hopper has performed or has been ready or willing to perform or attempted to perform the covenants in the Contract by him agreed to be done ^{and} performed.

It is not even alleged or shown that he is willing now or later to perform or that he is or will be able to perform.

On this further ground defendant is entitled to be discharged.

Motion Denied Exceptio

IV. ~ Defendant moves to be discharged on the further ground, that by the terms of the Contract, Hopper was to pay to the defendant, on the 15th day of September 1887, a sum of money in the Contract mentioned ^{and} that no offer or tender to pay that sum of money was ever at any time made, and until such tender ^{and} a demand for a Deed is made Hopper is not entitled to a Deed.

Until such tender ^{and} demand, the defendant can in no sense be said to have failed or refused to perform his covenants. Until such tender Hopper is entitled to nothing from the defendant.

Even to enable Hopper to recover ~~the \$400.~~ in a civil action the \$400. which he says he paid defendant it is an absolute condition precedent that a tender ^{and} demand be made.

Hopper swears that he made neither tender or demand at any time. ~~Until~~ Until such tender Hopper can in no sense claim to have been damaged. He is himself in default - he is himself the violator of his covenants.

On this ground the defendant should be discharged.

Motion Denied Exception

V. - Defendant moves to be discharged on the ground, that the People have wholly failed to establish larceny in any degree -

The defendant, on the People's own showing was paid \$400. - by the relator voluntarily - upon the defendant's agreeing in writing to perform certain covenants conditioned expressly however upon the performance of certain other covenants by the relator.

As between the relator & the defendant, the defendant, from the time of the execution of the contract, was not ^{is not} under any legal obligation to the relator until he performs or offers to perform the covenants in the Contract by him to be done ^{is performed}.

It is nowhere alleged that or shown or pretended that Hopper has performed or offered to perform or that he has been or is willing or able to perform or that he will be.

It is not alleged or proved that the defendant has not performed or that he will not or cannot perform the covenants in the Contract on his part -

As matter of fact & law, the defendant, from the date of the Contract up to the present time; has not been ^{is not} legally bound to do anything, except to await a performance by Hopper ^{is then} and not until then to perform on his part.

The defendant was lawfully in possession of the money ^{and} there has been no larceny actual or constructive; not even a case

of false pretence is made out.

On this ground, defendant should be discharged.

Motion Denied. - Exceptio

VI. - Defendant moves to be discharged, on the ground, that at best, if any offence is here shown, giving the testimony the most liberal & unwarranted construction, the offence is not larceny.

Let us see what there is of this Information, just what it amounts to

We have already insisted that the affidavits of the Messrs. Smith are incompetent & that they prove nothing as against the defendant. True, they swear to what they are asked to swear to by Hopper's Counsel; but they prove nothing save that they are Executors of one of the numerous and famous Smith families, who in the usual course of nature has gone to other realms. But they do not produce a parchment, a muniment of title, a writing of any kind. If title to realty could be made in this way, by the simple making of an oath, the Smith family might want and readily possess ^{themselves of} the earth.

So that we come down to the Information itself made by Hopper & sought to be bolstered up by the affidavit of his Counsel.

Hopper's information is rather an ingenious thing in its way; but then too, it is disingenuous.

It contains the "suggeris-falsi" and is pervaded with the "suppressio-veri". It glibly rolls off the words "feloniously taken, stolen" &c. & then proceeds to set out that defendant represented to him that he was the owner of the premises in question & that he was empowered to give full title to the same & agreed to sell to Hopper for \$13,900. - & he "believing" &c. paid \$400. down as a deposit.

On cross examination however Hopper declines to swear that the defendant represented that he owned the premises; but says, he said he had authority. Mr. Cook who was present at the only interview between defendant & Hopper swears to the same thing, that defendant did not say he was the owner; but that he had authority.

Hopper is careful to suppress all mention of the written contract [&] of his neglect [&] failure to perform, lest the magistrate might hesitate to allow Hopper to use him [&] the process of this Court as a collection agency [&] thrust the defendant into jail to secure money damages, when not entitled thereto.

That's all there is of the information, save that Hopper says he believes defendant's representations are false because his Counsel told him "defendant had admitted that he, defendant, did not own the premises"

But Hopper swears on his cross-examination not that the defendant said he owned them, simply that he had authority [&] no more. That disposes of Hopper [&] his Counsel.

Now what is left? Simply two letters written long before Hopper ever saw the defendant [&] which ^{were not objected to} this clearly inadmissible as being "res inter alios" ^{in this case} that they prove nothing here or against the defendant.

Defendant maintains [&] insists that upon every ground before urged ~~that~~ he is entitled to be discharged [&] respectfully renews his motion.

VII. — Defendant moves to be discharged on the ground that no larceny is proven; that if any offense is shown it is but a misdemeanor

and not a felony.

By the Statute crimes are made of two kinds; misdemeanor^{and} felony.

Section 130. of the Penal Code provides:

" A person who buys or sells, or in any manner procures or takes, or
" makes any covenant or promise to convey any grant or title, real or
" pretended, to any lands or tenements, unless the grantor thereof, or
" the person making such covenant or promise has been in possession,
" or ^{and} those by whom he claims have been in possession of the
" same, or of the reversion ^{and} remainder thereof, or have taken the
" rents ^{and} profits thereof for the space of one year before such covenant
" or promise made, is guilty of a misdemeanor"

The charge here is grand larceny -

This information must fall. With it must fall the
warrant ^{and} the defendant should be discharged.

W^m H. Kern Duntine
of Counsel for defendant

Motion denied
Excepter

W. L. Crosby
Stenographer

POOR QUALITY
ORIGINAL

0845

Police Court - Second District
Refugee Hotel, Sw. Corner

The People vs. ex. ad. William
Hopper

1882

John S. Watson

Brief

Wm. W. H. H. H. H.
of Counsel for Deft.

0046

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.....

Dated 17th Dec 1887 1887 J. H. M. J. M. Police Justice.

Dated 188..... *Police Justice.*

Dated.....188.....*Police Justice.*

0047

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.....

Dated Nov 4 1889 J. M. Egan Police Justice.

Dated _____ 188 _____ *Police Justice.*

Dated.....188.....*Police Justice.*

POOR QUALITY
ORIGINAL

0040

1879 Court for &
District Court, 2d
District.

NY 1131
1846
Police Court, 2
District.

Adm on motion of
Sept. 8 Sept. 10 at
2 1/2 P.M.

Adm on motion
of Sept. 10 at
2 1/2 P.M.

FAILED

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

The undersigned hereby
certifies that the within
return contains the
true and correct
copy of the
original of the
same as the same
is on file in the
office of the
Police Justice.

THE PEOPLE, &c
OF THE COUNTY OF
NEW YORK, in and for
the City of New York,
vs.
William H. Hopper
Defendant.
Offence: Larceny
of Money.

Dated

Residence

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

No. 7, by

Residence

No. 8, by

Residence

No. 9, by

Residence

No. 10, by

Residence

No. 11, by

Residence

No. 12, by

Residence

No. 13, by

Residence

No. 14, by

Residence

No. 15, by

Residence

No. 16, by

Residence

No. 17, by

Residence

No. 18, by

Residence

No. 19, by

Residence

No. 20, by

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No. 21, by

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No. 22, by

Residence

No. 23, by

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No. 24, by

Residence

No. 25, by

Residence

No. 26, by

Residence

No. 27, by

Residence

No. 28, by

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No. 29, by

Residence

No. 30, by

Residence

No. 31, by

Residence

No. 32, by

Residence

No. 33, by

Residence

No. 34, by

Residence

No. 35, by

Residence

No. 36, by

Residence

No. 37, by

Residence

No. 38, by

Residence

No. 39, by

Residence

No. 40, by

Residence

No. 41, by

Residence

No. 42, by

Residence

No. 43, by

Residence

No. 44, by

Residence

No. 45, by

Residence

No. 46, by

Residence

No. 47, by

Residence

No. 48, by

Residence

No. 49, by

Residence

No. 50, by

Residence

No. 51, by

Residence

No. 52, by

Residence

No. 53, by

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No. 54, by

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No. 56, by

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No. 58, by

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No. 63, by

Residence

No. 64, by

Residence

No. 65, by

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No. 66, by

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No. 67, by

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No. 68, by

Residence

No. 69, by

Residence

No. 70, by

Residence

No. 71, by

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No. 72, by

Residence

No. 73, by

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No. 74, by

Residence

No. 75, by

Residence

No. 76, by

Residence

No. 77, by

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No. 78, by

Residence

No. 79, by

Residence

No. 80, by

Residence

No. 81, by

Residence

No. 82, by

Residence

No. 83, by

Residence

No. 84, by

Residence

No. 85, by

Residence

No. 86, by

Residence

No. 87, by

Residence

No. 88, by

Residence

No. 89, by

Residence

No. 90, by

Residence

No. 91, by

Residence

No. 92, by

Residence

No. 93, by

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No. 94, by

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No. 95, by

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No. 96, by

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No. 97, by

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No. 98, by

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No. 99, by

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No. 100, by

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No. 101, by

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No. 102, by

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No. 103, by

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No. 104, by

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No. 105, by

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No. 106, by

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No. 107, by

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No. 108, by

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No. 109, by

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No. 110, by

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No. 111, by

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No. 112, by

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No. 114, by

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No. 119, by

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No. 120, by

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No. 140, by

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No. 143, by

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No. 144, by

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No. 145, by

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No. 146, by

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No. 147, by

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No. 148, by

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No. 149, by

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No. 150, by

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No. 151, by

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No. 152, by

Residence

No. 153, by

Residence

No. 154, by

Residence

No. 155, by

Residence

**POOR QUALITY
ORIGINAL**

0049

City and County of New York ss.

Gunning S. Bedford, one of the Assistant District Attorneys of the City of New York, being duly sworn, deposes and says on information and belief, that on the 11th day of April the case of John D. Watson was on the calendar of the General Sessions before his Honor Judge Cowing. The People were represented by Assistant District Attorney Dawson and were ready to proceed to trial, the witnesses for the People being present. Mr. Ambrose H. Purdy, counsel for the defendant Watson, asked for the case to go over for some time on the ground of a witness not being present, one Babcock. After hearing counsel Judge Cowing set the case down peremptorily to be tried on May the 7th. Mr. Purdy then and there in open court said and expressly stipulated that the case would be tried on that day, to wit, the 7th of May, whether Babcock was present or not. With that understanding Judge Cowing ordered that the case be tried on the 7th of May.

Deponent further says that on the second day of May he was prosecuting cases before Judge Martine, of the Court of General Sessions; that at the opening of the court of said day Mr. Suydam handed an affidavit and an order for a commission to issue to take the testimony of said Babcock, who was living in Cincinnati, Ohio, and asking at the same time for a stay of twenty days pending the commission. Judge Martine very properly told deponent that he, deponent, had better examine into the

POOR QUALITY
ORIGINAL

0050

case before consenting to the commission; ^gdeponent took the papers. On the 3d day of May, the day following, the April term of the Court of General Sessions was adjourned by Judge Martine. After the adjournment of said Court ^gdeponent, on investigating the case, found that the case had been peremptorily set down by his honor Judge Cowing on the 7th of May, and that Mr. Purdy had expressly stipulated to try the case with or without Babcock as already stated.

On the 7th of May the District Attorney's Office, in pursuance of Judge Cowing's peremptory order, put the case on the Calendar for trial. Mr. Suydam stated to Judge Cowing that an order for a commission to take the testimony of the said Babcock had issued and a stay of twenty days granted by Judge Martine. This was ^{an} error and not the fact; but upon Mr. Suydam's statement and motion that the case be taken off the Calendar Judge Cowing granted the motion. Judge Cowing then said in granting the motion a stay having been granted he would not disturb it.

On May 9th ^gdeponent appeared in the Court of General Sessions before His Honor Judge Cowing and fully stated all the aforesaid facts, and asked that his Honor Judge Cowing now fix a day for the case to be peremptorily tried, whereupon Mr. Suydam desired to be heard upon the motion for a commission. Judge Cowing said that there was no such motion before him, no papers having been presented to him. Judge Cowing thereupon said to

**POOR QUALITY
ORIGINAL**

0051

Assistant District Attorney Bedford, "What is your motion?"

The Assistant District Attorney then answered, "My motion is to fix a day peremptorily to carry out your Honor's original mandate," at the same time stating that I preferred counsel for the defendant to name a day, to show that I did not wish to put him to any inconvenience.

Mr. Suydam thereupon declined to fix any day. Judge

Cowing thereupon said: "Mr. Bedford, fix a day". Deponent

then suggested the 14th of May. Judge Cowing then said that the case would be peremptorily tried on that day.

Sworn to before me this

day of May, 1888.

POOR QUALITY
ORIGINAL

0052

Court of General Sessions

THE PEOPLE OF THE STATE OF
NEW YORK,

against

John D. Watson

*Affidavit of Kenneth A. Bedford
Asst. Dist. Atty. &c*

JOHN R. FELLOWS,

DISTRICT ATTORNEY,

No. 32 CHAMBERS STREET,
NEW YORK CITY.

POOR QUALITY
ORIGINAL

0853

City Prison
May 23^d 88

Dear Madam

Will you pardon
me for again forcing my trou-
bles upon you. It does seem
selfish in me a great healthy
fellow to ask a lady to act for
me in any way. Yet I am
as helpless as a child all my
people eight hundred miles away
no one that I can fully rely upon.
I am heart sick. I have written
to Henry L. Springer Mr Hoppers
former lawyer. I also sent a friend
to him asking him to come to me
and arrange a settlement of the
Hopper Case. He refused to
come. I then wrote Mr Hopper
asking him to call. He has not
as yet replied. I have by this
mail written Mr W. C. Coit to

POOR QUALITY
ORIGINAL

0854

interest him. and how his
see Mr. Lapper -

I must settle this claim at
once how am I to do so with
my hands tied as they are
I must know on what basis
they will settle. as when I offered
to pay \$400 5 months ago they
after agreeing to take that amount
raised the amount to \$500 as
you know.

Will you please see Judge Cowen
and state the case as you have
known it from the first. and
ask him ~~some~~ to suggest some
way to meet the emergency -
I don't think that Judge Cowen
would do me a wrong knowing-
ly. he must and shall know
that I am not the bad man
he thought me on the day of
my trial. I am and will
show him that I have lived

an honest life and filled
responsible positions among
- get my fellow man.

Samuel Eddy Esq 145 Broadway
can tell him that I have handled
hundreds of thousands of dollars
of money in the construction
of Railroads especially of
one that Mr Eddy was
President of And not one
dollar was misappropriated
by me. I also refer to Col
B.C. Enright of C.C. Dodge & Co
15 Courtlandt St City Mr Enright
has known me since 1878. and
can give full particulars of my life
and will no doubt. The above
named gentlemen can name a
score or more of well known gentlemen
who can testify as to my character
M.H. Johnston of the Herald.

E.B. Reack. formerly of the Telegraph
Co & Captain of the Railway mail since

POOR QUALITY
ORIGINAL

0855

Maj John Van Sumer.
Gen of Mass &
Fulton St Baymond & Co

Office 146 Broadway.
J. L. Butman, Contractor. Intrin-
sical Hotel. 17 Park Row.
J. M. Fairchild 17 Park Row.
Fairchild & Keith. and

many more. on the other hand
I defy any man to show that
I ever wronged them or that I
owe them money and will not
pay. or that I was ever engaged
in questionable business transac-
tions. Could I have a mis trial
I would show this to Judge
Cowens entire satisfaction
Again I ask pardon for
thus trespassing upon your
valuable time. Show me some
thing in which I may be of
service to you please.

Truly Yours
J. D. Watson

POOR QUALITY
ORIGINAL

0056

LAW OFFICES OF
JORDAN, HODGES & DIX,
160 BROADWAY,
NEW YORK.

Abraham Suydam Esq.
Counsellor at Law
38 Park Row
New York City.

EDWARD JORDAN.

THORNDIKE D. HODGES.

WARREN R. DIX.

LAW OFFICES OF
JORDAN, HODGES & DIX,
160 BROADWAY,
(GUERNSEY BUILDING.)

ENTRANCE ROOM 34.

NEW YORK, May 24 1888

Abraham Suydam Esq.
38 Park Row, New York City.

Dear Sir

Your favor of the 23d. inst.
received. I have known Mr. John D.
Watson well & favorably for a year or so
past, and am surprised and grieved
to learn of his misfortune. He is a
remarkably pleasant well informed gentleman.
He has a very wide acquaintance with
public men. In business, he carried enterprise
to and over the verge of recklessness, -
making promises, whose fulfillment
depended solely on promises made to him.
But I cannot believe that he has done
anything with criminal intent.
Yrs truly T. D. Hodges.

POOR QUALITY
ORIGINAL

0057

LAW OFFICES OF
JORDAN, HODGES & DIX,
160 BROADWAY,
NEW YORK.

Abraham Suydam Esq.
Counsellor at Law
38 Park Row
New York City.

EDWARD JORDAN.

THORNDIKE D. HODGES.

WARREN R. DIX.

LAW OFFICES OF
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public men. In business, he carried enterprise
to and over the verge of recklessness, -
making promises, whose fulfillment
depended solely on promises made to him.
But I cannot believe that he has done
anything with criminal intent.
Yrs truly J. D. Hodges.

POOR QUALITY
ORIGINAL

0050

GRAND JURY ROOM.

PEOPLE

vs.

Watson John D
found guilty -
verdict 4 years
prison
Deft represented
he owned the
to admit that
he was the
owner of store
334 west 22nd St
& was authorized
employee to give

GRAND JURY ROOM.

PEOPLE

vs.

full title to
said Prop. or
agreed to sell
S² house for
lot to defendant
for \$13.900 -
Deft phoning
there representative
from prison
as defendant
and there
representative

GRAND JURY ROOM.

PEOPLE

vs.

were false &
prisoners
admitted they
were false &
one Henry L
Sprague 3334
146-B-7-

POOR QUALITY
ORIGINAL

0859

ANDREW J. ENSIGN,
ATTORNEY AND COUNSELLOR AT LAW,
GUERNSEY BUILDING,
160 AND 162 BROADWAY,
ROOMS 34 AND 35.

Abraham Suydam Esq. New York, May 24th 1888.

Dear Sir,

Your note received and I am much surprised to learn of the trial and conviction in the Court of General Sessions of this City of John D. Watson. I know nothing of the particulars of the trial or of what he was accused and convicted.

I have known Mr Watson for the past two years. I have had no business transactions with him other than dealings he has had with some of my clients and in all those relations he has acted uprightly and honestly and my clients never complained of his doings, but ever spoke of him commendatory. I understood he is well connected. His manner has always been pleasant and courteous. I cannot believe he would knowingly commit an offence which would brand him as a felon. There must be some mistake in this. I am well aware that a man may become unfortunate and fall

POOR QUALITY
ORIGINAL

0060

into hard lines and malicious enemies
may wickedly bring to bear influences which
will send their victim to perdition. I
trust you can so press this Case to the
Court so that Mr Watson may not through
prejudice be unjustly convicted. That he may
have been imprudent in the transaction,
whatever it is on which conviction has been
had, it is possible, but that he has deliber-
ately and intentionally committed a
crime I do not believe. I make this as-
sertion of my belief of his good intentions
solely on what I have seen of him during
the past two years.

I most earnestly trust that the Court
will grant Mr Watson the amplest
opportunities to present his defence -

Yours truly
J. M. Crossin

POOR QUALITY
ORIGINAL

0861

New York May 24 - 1888

Abraham Suydam Esq

38 Park Row, City

Pattee Building

Sir

Understanding that you are counsel for Col John D Watson, I beg to write you in his behalf. If I knew Judge Cowing I would call on him personally to urge the utmost consideration and leniency in the case. But I may be permitted to say to you, that I have known Col Watson for several years and have never known of any dishonorable or illegal act by him - I have always found him a gentleman in manner and conduct, and he has always had my confidence -

I hope you may be able to so present the case that the Judge will be able, in consideration of previous good conduct, to view it in the most favorable light.

Respectfully

H C Patson

POOR QUALITY
ORIGINAL

0062

15 CORTLANDT STREET

NEW YORK,

May 26th 1888

A. Suydam Esq
Counsellor at Law.
Potter Building N.Y.

Dear Sir.

I have been informed that you are striving to procure a new trial for Col John D. Watson who was recently convicted in Judge Corning's Court. I know nothing whatever about the merits of his case, but I will give you the following facts concerning Col. Watson, to be used if you think necessary in your argument before His Honor Judge Corning.

I went to Cincinnati in 1871 in the interest of Gen. John P. Fremont in the construction of a Railroad and tunnel in that neighborhood. While engaged there I met Col. Watson in 1877. He was then as I understood largely interested in some railroad enterprises in Southern Ohio, and handled considerable money entrusted to him by persons who were interested in the same enterprises, and he accounted faithfully for every dollar entrusted to his care. His character

POOR QUALITY
ORIGINAL

0063

for integrity was above reproach, and I never heard the slightest imputation upon his honor.

Since my return to this City, three years ago I have frequently met him, and have known him to be engaged in several transactions in connection with prominent men of the highest character and standing. His integrity and reputation from the time when I first made his acquaintance until the present has been more than ordinarily good, and it seems impossible for me to believe that he can have committed the crime with which he is charged. I feel sure there must be some mistake, and I most earnestly trust that you will be able to secure for him a new trial and make his innocence appear. I have been since my return from the West with Gen. L. L. Dodge and Col. H. D. Faulkner 15. Portland St. this City.

Yours truly

L. L. Wright.

POOR QUALITY
ORIGINAL

0064

J. VAN BRIMMER & CO.

INTERNATIONAL HOTEL,

ON THE EUROPEAN PLAN,

17 AND 19 PARK ROW.

New York, May 26th 1888

Hon Rufus B. Corring
Dear Sir

In the case of John D.
Watson, I wish to say I
have been acquainted with
him for the last (44) four
years. I heard a portion
of the trial and listened
to your very fair charge to
the jury - rather severe, but
certainly just - I write simply
asking in your sentence you
make be as lenient as you
can consistently with justice
I will refer you to H. J.
Allen proprietor of Astor

POOR QUALITY
ORIGINAL

0065

House. Albert S. Rice
47 Broadway, President
of Gainesville R. Road
and Marvella W. Cooper
an intimate personal friend
of ~~both~~ late President
Arthur

Truly Yours
John F. Augustus

POOR QUALITY
ORIGINAL

0066

[ESTABLISHED IN 1852.]

S. EDDY & CO.,
Real Estate and Loan Brokers,
145 BROADWAY, ROOMS 17 & 18.

New York, May 26 1888

My dear Sir

In answer to
yours of the 23rd inst. I would say,
I have known Mr. D. Watson more
or less intimately in a business way for
5 to 8 years, and have never thought
him capable of doing anything intention-
ally wrong to anyone. He is naturally
impulsive and somewhat reckless, too
much drive too much energy for
his judgment, and needs guiding,
but I do not consider him intention-
ally dishonest or a falsifier.

Very truly
Yours,
S. Eddy

POOR QUALITY
ORIGINAL

0067

IF NOT NOT DELIVERED IN 10 DAYS, RETURN TO
S. EDDY & CO.,
REAL ESTATE AND LOAN BROKERS,
No. 145 BROADWAY, NEW YORK.

A. Snydam Esq
Peter Bui, Esq
Hartford, Conn.

A. Snydam Esq
Addressed

0060

A. Sargent
Peter Paul, Jr.
Hedy, May

A. Lydam Esq
Addressed

POOR QUALITY
ORIGINAL

0069

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 D. Watson

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

of the CRIME OF

committed as follows:

The said

John D. Watson

late of the ~~Third~~ Ward of the City of New York, in the County of New York aforesaid, on
the sixteenth day of August in the year of our Lord one
thousand eight hundred and eighty-seven, at the Ward, City and County aforesaid,

with force and arms, with intent to deprive
and defraud one William Hopper of
the proper moneys, goods, chattels and per-
sonal property hereinafter mentioned, and
of the use and benefit thereof, and to
appropriate the same to his own use,
did then and there feloniously, fraudulently
and falsely pretend and represent to the
said William Hopper

That he the said John D. Watson was
then the absolute and full owner of all
that certain lot, piece or parcel of land,
with the dwelling house thereon, situate, ly-
ing and being in the Sixteenth Ward of the
said City, and known as number three hundred
and thirty four West Twenty-second Street, and
was then able and authorized to sell and con-
vey the same without any restrictions, what-
soever and to confer a free absolute and clear
title to the same.

And the said William Hopper then and

there believing the false and fraudulent pretenses and representations aforesaid, and being deceived thereby, was induced by reason thereof to, and did then and there enter into, make, execute and deliver, a contract for the purchase of the above-described premises of the said John D. Watson for the consideration and at the agreed price of thirteen thousand and nine hundred dollars, ^{and did demand there} and to give and deliver to the said John D. Watson then and there upon the execution of the said contract the sum of four hundred dollars in money, lawful money of the United States, and of the value of four hundred dollars of the proper moneys, goods, chattels and personal property of the said William Hopper, as a portion of the above-mentioned consideration.

And the said John D. Watson did then and there feloniously receive and obtain the said sum of four hundred dollars in money, of the proper moneys, goods, chattels and personal property of the said William Hopper, from his possession, by color and by aid of the said false and fraudulent pretenses and representations, with intent to deprive and defraud the said William Hopper of the same, and of the use and benefit thereof, and to appropriate the same to his own use.

Whereas in truth and in fact, the said John D. Watson was not then the absolute and full owner of the said lot, piece or parcel of land with the dwelling-house thereon herein above described, and had no right, title or interest whatsoever in the same, and the said John D. Watson was not then able nor authorized in any way to sell or convey the same, either with or without restrictions, nor to confer a free, absolute

and clear, or any title whatever to the same.

And Whereas, in truth and in fact, the pretences and representations so made as aforesaid by the said John D. Watson, to the said William Stopper was and were then and there in all respects utterly false and untrue, as he the said John D. Watson, at the time of making the same then and there well knew.

And so the Grand Jury aforesaid do say: That the said John D. Watson, on the day and year first aforesaid, at the ^{County} City and County aforesaid, in the manner and form aforesaid, and by the means aforesaid, with force and arms, the said proper moneys, goods, chattels and personal property of the said William Stopper then and there feloniously did steal, against the form of the Statute in such case made and provided, and against the peace and dignity of the said People.

John R. Fellows,
District Attorney.

0072

BOX:

298

FOLDER:

2841

DESCRIPTION:

Webb, Henry

DATE:

02/09/88



2841

POOR QUALITY ORIGINAL

0073

Witnesses:

a. Schatz
Wm. Day
off. Heidelberg

The examination of the complainant herein has prompts my satisfaction that the act complained of herein was not committed by the defendant, but by his employees without his consent or connivance, and that the people will not be able to prove any criminal intent or act on the part of the defendant.

The complainant has executed a withdrawal which is annexed hereto. The defendant herein should be dismissed.
Witnesses
Attest
March 15 1889
Edward G. Moore

I approve of the foregoing recommendation
March 15 1889
Defendant

Counsel,
Filed, day of Feb 1889
Pleads Chicago (Ill.)

THE PEOPLE,
vs.

Henry C. Webb

JOHN R. FELLOWS,
RANDOLPH B. MARTINE,

District Attorney.

22 Dec 1889

Indictment dismissed -
A True Bill.

G. J. Haven

Appt. & held 19th Feb. - 1889
Foreman

off. for Henry Jones Park 3 block
of 1st Street Park III
December 21 1889

Violation of Trade-marks Law
Section 364, sub. 2, Penal Code.

POOR QUALITY
ORIGINAL

0074

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

POLICE COURT, 11th DISTRICT.

Thomas Day

of No.

or about

that on the

10th

day of

January

188

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

Street, being duly sworn, deposes and says,

Henry C Webb

did unlawfully affix to articles of
Merchandise viz Bottles the genuine
trade mark or label of the firm of Thomas
McMullen & Co without the consent of
deponent or of said firm of McMullen & Co
of which firm deponent is a member
for the following reasons to wit; that
deponent is informed by Andrew Scharf
of no 1317 First Avenue that or about
said date said Scharf was in the employ
of said Webb and saw the said Webb
affix said trade marks or labels on
bottles which were sold by said Webb
as McMullens bottling of Passes Ale
and that he said Scharf while in the
employ of said Webb affixed such labels
or trade marks to other bottles by direction
of said Webb all of which is the violation
of Section 364 of the Penal Code of the
State of New York

wherefore deponent prays that the said
Webb may be apprehended and dealt
with as the law directs

Sworn to before me this
24th day of January 1887

Thomas Day

W. A. Fields

Police Justice

POOR QUALITY
ORIGINAL

0075

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 19 years, occupation Butler of No.

1317 First Avenue Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Thomas Day

and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this

day of

188

2nd January Andrew Scharf

H. A. Wells
Police Justice.

POOR QUALITY
ORIGINAL

0076

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

POLICE COURT, _____ DISTRICT.

Andrew Scharf

of No. 1317 1st Avenue N.Y.C. Street, being duly sworn, deposes and says,
that on the 10th day of January 1888

at the City of New York, in the County of New York, he was employed by

Henry C. Webb at No 33 Barclay Street
having been in his employ since October (3. 1887).
that during the whole period while deponent
was in the employ of said Henry C Webb
said Webb was in the habit of collecting
labels used by Thomas M. Mullen
and Co on their bottles of Pilsen Ale, and
said Webb used to dry said labels and
afterwards paste them on other bottles
which said Webb used to sell as M. Mullen's
bottling of Pilsen Ale.

that deponent was ordered by said Webb
to collect said labels, dry them and paste
them on other bottles and that while
deponent was in the employ of said Webb
at least five hundred labels of said
Thomas M. Mullen and Co were affixed
by deponent or by some other person in
the employ of said Webb, on bottles which
were hereafter sold by said Webb.

Sworn before me

this 28th day of January 1888

A. Scharf.

H. A. Belde

Police Justice

POOR QUALITY
ORIGINAL

0877

Sec. 198-200.

District Police Court.

CITY AND COUNTY { ss
OF NEW YORK,

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

Question. What is your name?

Answer.

Henry C. Webb

Question. How old are you?

Answer

43 years

Question. Where were you born?

Answer.

New York

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

Answer.

195 Presiding Street Brooklyn, N.Y.

Question. What is your business or profession?

Answer.

Wholesale liquor dealer

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 demand
a trial by jury*
Henry C. Webb

Taken before me this

day of *January* 188*4*

Police Justice.

POOR QUALITY
ORIGINAL

0078

Sec. 151.

Police Court 1st 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 Thomas Dwyer

of No. 14 Beaver Street, that on the 10th day of January

1888 at the City of New York, in the County of New York,

Stearns & Webb did unlawfully affix to articles of Merchandise viz: Bottles the genuine trade mark or label of the firm of J. M. Mullen & Co without consent of said firm all of which is in violation of Section 364 of the Penal Code of the State of New York

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

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 said Defendant and bring him forthwith before me, at the 1st 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 28 day of January 1888

J. M. Mullen POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0079

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-General.

Dated 188

Magistrate

Officer.

The Defendant

taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.

Officer.

Dated 188

This Warrant may be executed on Sunday or at
night.

M. A. Hilde Police Justice.

having been brought before me under this Warrant, is committed for examination to the
WARDEN and KEEPER of the City Prison of the City of New York.

Dated 188

Police Justice.

The within named

POOR QUALITY
ORIGINAL

00000

Arrested by J. J. Kelly
at New York City

BAILED
No. 1, by Frederick H. Kelly
Residence 219-18 Broadway St.
No. 2, by _____
Residence _____
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____

100 #1
188
Police Court District

THE PEOPLE, &c.,
ON THE COMPLAINT OF
James A. Kelly
44 Broadway St.
vs.
Henry C. Kelly
Offence Receiving Stolen Goods
Dated Jan 30 188

Witnesses
Quinn Kelly
No. 317 10th Avenue Street
Precinct C.C.
Magistrate
William Kelly
No. _____ Street

No. _____ Street
to answer
Dated Jan 30 188

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

Reframed
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 January 30 1888 _____ Police Justice.

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

Dated Feb 1 1888 _____ 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 _____ 1888 _____ Police Justice.

POOR QUALITY
ORIGINAL

0001

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

Henry C. Webb

To complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. The reasons for this petition are, that since the charge against the above defendant has been preferred, facts have come to my knowledge which have convinced me that the defendant had no knowledge of the use which in his establishment was made of complainant's labels; that they were evidently packed on defendant's bottles by his employees without his consent and connivance, and that as soon as he had ascertained the facts in his employees' conduct, he made such rules for his establishment, that a repeated use therein of complainant's labels cannot occur.

Edward Gross
Dep. Asst.

Thomas Day

POOR QUALITY
ORIGINAL

0002

Court of General Sessions

The People

vs.

Henry C. Webb

Withdrawal.

POOR QUALITY
ORIGINAL

00003

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Henry C. Webb

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

— Henry C. Webb of a Misdemeanor —
~~of the CRIME OF~~

committed as follows:

The said Henry C. Webb

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

with force and arms did unlawfully and
knowingly affix, and cause and procure to
be affixed to an article of merchandise, to
wit: a certain compound mixture and prepar-
ation to the Grand Jury aforesaid unknown
by them and there placing the same and caus-
ing and procuring the same to be placed upon
a certain bottle in and by which the said
compound mixture and preparation was then
and there enclosed and prepared for sale and
disposition, the genuine trade-mark of
Thomas Mc Mullen and Thomas Day, co-
partners in trade then and there carrying
on and conducting business in and by the
firm name and style of Thomas Mc Mullen
and company, the importers, bottlers and
sellers of a certain article of merchandise
called Bass and Company's Pale Ale without
the consent of the said Thomas Mc Mullen

POOR QUALITY
ORIGINAL

0004

and Thomas Day the said trade mark bearing ^{their} a label theretofore ^{and found} duly adopted by the said Thomas Mc Mullin and Thomas Day, by them used to indicate themselves as such Importers, bottlers and sellers of the said Bass and Company's Pale Ale, and by them usually affixed to and placed upon bottles in and by which the said Bass and Company's Pale Ale was enclosed and prepared for sale and disposition to denote that the same was so imported, bottled and sold by them, which said trade mark is as follows, that is to say:



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.

0005

BOX:

298

FOLDER:

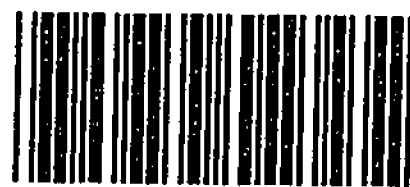
2841

DESCRIPTION:

Weinberg, Morris

DATE:

02/16/88



2841

0006

BOX:

298

FOLDER:

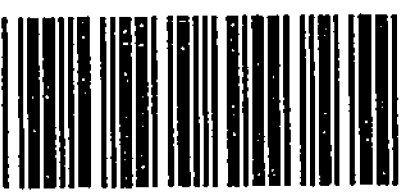
2841

DESCRIPTION:

Beeton, William

DATE:

02/16/88



2841

0007

BOX:

298

FOLDER:

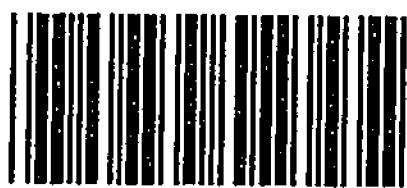
2841

DESCRIPTION:

Stein, Morris

DATE:

02/16/88



2841

POOR QUALITY
ORIGINAL

0000

Witnesses;

Wm. H. Conklin

I have examined
this case quite through
and am of the
opinion that the
indictment could
neither be sustain-
ed on the facts or
the law, and
which same was
found.

Henry H. Thomas
Dep't. Ass't District

Deconer in the above opinion
I recommend the dismissal of
this indictment.
See Pen. or Code, ch. 9, Law passed Feb'y 189.

Henry H. Thomas
Feb'y 1899

Counsel,

Filed

day of

1889

Pleas

Guilty (17) prob

THE PEOPLE

vs.

Morris Winberg
William Beeton
Morris Stein

GAMBLING HOUSE, &c.
[Sections 343 and 385, Penal Code]

JOHN R. FELLOWS,

District Attorney

A True Bill.

G. H. H. H.
Foreman.
Feb'y 1899
Mr. H. H. H.
H. H. H. H.
H. H. H. H.

POOR QUALITY
ORIGINAL

0000

STATE OF NEW YORK) POLICE COURT
City and County of New York.) ss:- 20 DISTRICT

THE PEOPLE OF THE STATE OF NEW YORK

against

MORRIS WEINBERG

~~JOHN DOE~~, and

~~RICHARD ROE~~

Wm Butler
G. Morris Stein

WILLIAM A. COCKEIN, of No.

190 4th St New York City Being duly sworn
deposes and says, That on the seventh day of February, 1888,
at the City of New York, in the County of New York
Morris Weinberg and John Doe and Richard Roe, whose ~~true~~
names are unknown to deponent, but who can be identified
by him, did keep a room at No. 69 New Street, in the City
of New York, to be used for gambling.

Deponent further says that in pursuance to instructions given him by Thomas Byrnes, Esq. an Inspector of Police in the City of New York, on the seventh day of February 1888, he went to said room at No. 69 New Street in said City, and found therein a large number of persons.;

Depoment further says that there were two blackboards affixed to the walls of said room; that affixed to the floor of said room between the two blackboards there was a telegraphic instrument commonly known as a "ticker;" that there was another of said "tickers" on the other side

**POOR QUALITY
ORIGINAL**

0090

of said room; that the said persons were engaged in looking at said "tickers" or at the blackboards, or in conversation on the subject of stocks.

And deponent further says that from time to time some person in the employ of said Weinberg placed upon said blackboard alleged quotations of stock as they appeared upon said telegraphic instrument commonly known as a ticker.

And deponent further says that having entered said room, and having observed said blackboards, at twenty five minutes past eleven o'clock on said day he signed a paper which pretended to be an order to buy five shares of an alleged stock called Reading at 65 3-8 or 65 1-2 net, the said 65 3-8 being the last quotation of said stock which appeared upon said blackboard.

Deponent further says that thereupon he handed said paper, together with Five Dollars in lawful money of the United States to the said Weinberg and received from a clerk of said Weinberg in return a paper of which the following is a copy:

H 6572

OFFICE OF MANHATTAN STOCK EXG.

69 New St., New York

February 7, 1888.

For value received Mr. Cocke in or order may call on us for 5 shares of Reading stock at 65 1-2 any time within 60 days from this date provided same is called for before the same has declined to 64 1-2 at the New

**POOR QUALITY
ORIGINAL**

0091

York Stock Exchange.

\$5

MANHATTAN STOCK EXCHANGE.

We solicit and will receive no business except with the understanding that the actual delivery of property ~~though~~ bought or sold on orders is in all cases contemplated and understood.

And deponent further says that subsequently, and at eleven o'clock and forty minutes of the same day, when said alleged stock known as Reading was quoted and recorded upon the blackboards as selling at 65 3-8 at the New York Stock Exchange, the deponent handed said writing to said Weinberg or to John Doe or Richard Roe who were assisting the said Weinberg in the transaction of said business, and received in return the sum of Three Dollars and seventy five cents.

And deponent further says that subsequently, and at one o'clock and thirty five minutes of the same day he signed a paper which pretended to be an order to buy five shares of an alleged stock called "Northwest" at 107 7/8 or 108 net, the said 107 7-8 being the last quotation of said stock which appeared upon said blackboard.

And deponent further says that thereupon he handed said paper together with five dollars in lawful money of the United States to said John Doe who was engaged in assisting said Weinberg in the transaction of said business, and received in return a paper of which the following is a copy:

**POOR QUALITY
ORIGINAL**

0092

H 6580

OFFICE OF MANHATTAN STOCK EXG.

69 New St. New York

February 7, 1888.

For value received Mr. Cockein or order
may call on us for five shares of N. W. stock at 108
any time within sixty days from this date provided the
same is called for before the price for same has declined
to 107 at the New York Stock Exchange.

\$5.

MANHATTAN STOCK EXCHANGE

We solicit and will receive no business except with
the understanding that the actual delivery of property
bought or sold on orders is in all cases contemplated and
understood.

And deponent further says that subsequently, and at
two o'clock and nine minutes of the same day, when said
alleged stock known as Northwest was quoted and recorded
upon the blackboard as selling at 108 1-8 at the New York
Stock Exchange, the deponent handed the said writing to
the agent of said Weinberg who ^{was} then and there assisting
the said Weinberg in the transaction of said business,
and received in return the sum of Five Dollars.

And deponent further says that during the time
when he was in said room he saw numbers of other persons
filling out similar papers, delivering the same either
to said Weinberg or to said John Doe or Richard Roe,
together with money, and receiving in return therefor papers
similar to those which the deponent received.

And deponent further says that he did not deliver

**POOR QUALITY
ORIGINAL**

0093

to the said Weinberg any stock nor receive any stock from him, nor was he asked for any stock by any person; nor did he see any stock delivered to or received by any of the persons engaged in the transactions similar to those in which the deponent engaged, but that the whole business then and there conducted by the said Weinberg, and the said John Doe and Richard Roe assisting him, was in receiving money and orders and closing the transactions according to the fluctuations of the market made for stocks by the New York Stock Exchange, as from time to time they appeared upon said blackboard.

And deponent further says that he had no intention to buy or sell any stock, and that he does not believe that the said Weinberg or said John Doe or Richard Roe had any intention to buy or sell any stock, but to settle differences on the fluctuations of the stock market as they appeared upon the said blackboard.

And deponent further says that as far as he was able to observe, the whole business carried on by said Weinberg and John Doe and Richard Roe assisting him was the settlement of differences upon orders to buy and sell stock according to the fluctuations of the market made for stock by the New York Stock Exchange, as from time to time the said fluctuations appeared upon said blackboards without any intention on the part of the persons so engaged to deliver or receive any stock.

**POOR QUALITY
ORIGINAL**

0094

WHEREFORE deponent charges that the said Weinberg and John Doe and Richard Roe assisting him, then and there kept said room for the purpose of making bets and wager contracts upon the fluctuations of stock as they appeared upon said blackboards ~~and~~ and for gambling, in violation of Section 343 of the Penal Code of the State of New York.

WHEREFORE deponent prays that a warrant may issue against said persons that they may be dealt with according to law.

SUBSCRIBED AND SWORN TO BEFORE ME THIS :

11th DAY OF FEBRUARY, 1888.

Wm. A. Coe

C. H. White
Police Justice

POOR QUALITY
ORIGINAL

00895

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss

District Police Court.

Thomas Winkley 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.

Thomas Winkley

Question. How old are you?

Answer.

34 years old

Question. Where were you born?

Answer.

New York

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

Answer.

Brooklyn I.D.

Question. What is your business or profession?

Answer.

Stock Broker

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)
I demand a trial by jury*
Thomas Winkley

Taken before me this

day of

188

Police Justice.

POOR QUALITY
ORIGINAL

0096

Sec. 198—200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK. } ss.

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

Question. What is your name?

Answer. *William Beeton*

Question. How old are you?

Answer. *2 years old*

Question. Where were you born?

Answer. *Rumania*

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

Answer. *Newark N.J.*

Question. What is your business or profession?

Answer. *Broker*

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

Answer.

*I am not guilty
I am on a trial
Wm Beeton*

Taken before me this

day of

1888

Police Justice.

POOR QUALITY
ORIGINAL

0897

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK.

2 District Police Court.

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

Question. What is your name?

Answer.

Morris Stein

Question. How old are you?

Answer.

27 years or

Question. Where were you born?

Answer,

Austria

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

Answer.

Newark N.J.

Question. What is your business or profession?

Answer,

Broker

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 I demand a trial by
M Stein

Taken before me this

day of

188

Police Justice.

POOR QUALITY
ORIGINAL

0098

Sec. 151.

Police Court _____ District.

CITY AND COUNTY } ss. *In the name of the People of the State of New York; To the Sheriff of the County*
OF NEW YORK, } *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 *William A. Cook*
of No. *190. 4 St. James St.* Street, that on the *9* day of *February*
188*8* at the City of New York, in the County of New York,

Morris Weinberg, John Doe and Richard Roe
did keep a room in premises
89 West Street to be used for
gambling, in violation of Section
343 of the Penal Code

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to
answer the said complaint.

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 said Defendant and bring *them*
forthwith before me, at the _____ 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 *11* day of *February* 188*8*

A. White 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.....

Dated July 12 1888 Wm. H. White Police Justice.

Dated May 12 1882 Wm. J. Hunt Police Justice.

Dated _____ 188 _____ *Police Justice.*

POOR QUALITY
ORIGINAL

0900

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

The People of the State of
New York

vs
Morris Weinberg

Take notice that the defendant
will move this Court on the 8th day of January
1889 at 11 o'clock A.M. ^{in Part 2 of this Court.} to dismiss indictment
against him or to set the same down for trial at
an early day

N.Y. January 4th 1889

Sarah M. Newcombe Carver

Defendant's Atty.

96 B'way

N.Y.

To

Hon John R. Fellows

District Attorney

POOR QUALITY
ORIGINAL

0901

COURT OF GENERAL SESSIONS OF THE PEACE

for the City and County of New York.

The People of the State of New York, "

--vs--

Morris Weinberg

City and County of New York, ss:-

Morris Weinberg being
duly sworn deposes and says that on or about the 16th
day of *February* 1932 the Grand Jury of the City and
County of New York found an indictment against this de-
ponent charging her with the crime of *Gambling*

That since that time the deponent has always been
ready to proceed to trial and has been waiting for the
District Attorney of said County to move for trial.

That the pendency of the said undried indict-
ment casts an unjust imputation on this deponent and
injures deponent in his business.

Deponent therefore asks that the said indict-
ment be dismissed or that she may be set down for trial
at an early day.

Sworn to before me this

day of December, 1931.

Wm C A Ryan

Notary Public, Kings Co

Certs filed in N.Y.C.

POOR QUALITY
ORIGINAL

0902

Will Mr. Hartman please
examine this case &

Allege - V. M. D.

John F. G.
Chief of General Session

The People of the State

of New York

vs -

Morris Haniberg

Affidavit & return
of motion

DONOHUE, NEWCOMBE & CARDOZO,

Att'ys for defendant.

SCHERMERHORN BUILDING,

No. 96 BROADWAY,

NEW YORK.

Due service of a copy of within is hereby admitted this
day of 188

John John R. Fellows

District Attorney

Notice of Entry.

The within is a copy of

this day duly entered and

filed herein in the office of the clerk of

of New York.

Dated N. Y.

188

Donohue, Newcombe & Cardozo,

Att'ys for

SCHERMERHORN BUILDING,

96 BROADWAY,

N. Y. CITY.

To

POOR QUALITY
ORIGINAL

0903

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Morris Weindberg,
William Beckon and
Morris Stein.

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

Morris Weindberg, William
Beckon and Morris Stein —

(Sec. 343,
Penal Code.)

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

The said Morris Weindberg, William
Beckon and Morris Stein, all —

late of the First Ward of the City of New York in the County of New York aforesaid, on the seventh day of February, in the year of our Lord one thousand eight hundred and eighty-eight, and on divers other days and times as well before as after, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep a certain room in a certain building, there situated, to be used for gambling, 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. (Sec. 343 Penal Code).

And the Grand Jury Aforesaid, by this indictment further accuse the said Morris Weindberg, William Beckon & Morris Stein of the CRIME OF KEEPING A ROOM TO BE USED FOR GAMBLING committed as follows:

The said Morris Weindberg, William Beckon
and Morris Stein, all —

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, and on said other days and times, 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, to wit: for the purpose of therein making, and causing and procuring suffering, and permitting to be made, bets and wagers upon the future market prices of stocks and valuable securities, and of commodities and other property, 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**

0904

THIRD COUNT. (Sec. 385 Penal Code).

And the Grand Jury Aforesaid, by this indictment, further accuses the said *Morris Weindera, William Becken & Morris Stein* of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said *Morris Weindera, William Becken and Morris Stein, all* late of the Ward, City and County, aforesaid, afterwards, to wit: on the day and in the year aforesaid, and on said other days and times, at the Ward, City and County aforesaid, with force and arms, a certain common gaming-house, there situate, for *their* lucre and gain, unlawfully and injuriously did keep and maintain; and in *their* said common gaming-house, then and on said other days and times, there unlawfully and injuriously did cause and procure divers idle and ill-disposed persons to be and remain, and the said idle and ill-disposed persons, on the day and in the year aforesaid, and on said other days and times, gambling together and making bets and wagers upon the future market prices of stocks and valuable securities, and of commodities and other property, in the common gaming-house aforesaid, there did unlawfully and injuriously procure, permit and suffer, and the said idle and ill-disposed persons, then, and on said other days and times, in the said common gaming-house aforesaid, by such procurement, permission and sufferance of the said *Morris Weindera, William Becken and Morris Stein*

there did gamble together and make divers such bets and wagers, for divers large and excessive sums of money, to the great annoyance, injury and damage of the comfort and repose of a great number of persons, good citizens of our said State, there inhabiting and 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 and dignity of the people of the State of New York.

JOHN R. FELLOWS,

District Attorney.

0905

BOX:

298

FOLDER:

2841

DESCRIPTION:

Weitman, Louis

DATE:

02/01/88



2841

POOR QUALITY
ORIGINAL

0906

Witnesses:

Officer Donnelly

526

Counsel, Nathan & Leary
Filed, day of Feb 1888
Pleads, Wm. Smith

THE PEOPLE,

vs.

B

Louis Westman

VIOLATION OF EXCISE LAW
(Keeping Open on Sunday.)
(Ill. Rev. Stat., 7th Edition, page 1889, Sec. 6)

JOHN R. FELLOWS,

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Edmond D. For.

Foreman.

P. 3. February 17/88
Complaint sent to Special Sessions.

POOR QUALITY
ORIGINAL

0907

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

Plaintiff's

against

Louis Weitzman
Defendant.

The Grand Jury of the City and County of New York, by this indictment accuse the above named defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said defendant late of the City of New York, in the County of New York, aforesaid, on the *twenty-second* day of *January* in the year of our Lord one thousand eight hundred and eighty-*eight*, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of, and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did open, and cause and procure, and suffer and permit, to be open, and to remain open; 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.

0909

BOX:

298

FOLDER:

2842

DESCRIPTION:

Werner, Louis

DATE:

02/21/88



2842

POOR QUALITY
ORIGINAL

0910

WITNESSES:

Off Collins

Counsel,

Filed 21 day of *Feb*

188

Pleads

Left very ill - off for

March 1st 1888
THE PEOPLE,

vs.

B

Louis Werner

Violation of Excise Law.

[III Rev. Stat. (7th Edition), page 1983, Sec. 21, and
(Selling on Sunday, etc.)
page 1989, Sec. 5.]

JOHN R. FELLOWS

RANDOLPH B. MARINE,

off for the Term
each
at \$100
District Attorney.
Very

A True Bill.

Wm. M. M. M.

Foreman,

Off Collins
Per the October 26th 1888
complaint sent to Special Sessions
Oct 26

POOR QUALITY
ORIGINAL

0911

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
Plaintiffs

against

Louis Herner
Defendant.

The Grand Jury of the City and County of New York, by this indictment, accuse the above named defendant of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows :

The said defendant, late of the City of New York, in the County of New York aforesaid, on the *eighth* day of *January* in the year of our Lord one thousand eight hundred and eighty-*eight* at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating 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 intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one

Eugene D. Collins

and to certain other persons whose names are to the Grand Jury aforesaid unknown, 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 defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows :

The said defendant, late of the City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, 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. Mellow
RANDOLPH B. MARTINE,

District Attorney.

09 12

BOX:

298

FOLDER:

2842

DESCRIPTION:

White, Frank

DATE:

02/01/88



2842

POOR QUALITY
ORIGINAL

0913

Witnesses:

Joseph
offenses

Counsel,

Filed

day of *July* 188*8*.

Pleads, *Not Guilty* (S)

THE PEOPLE

vs.

P

Frank White

James
Grand Larceny in the second degree.
(MONEY.)
(Sec. 528 and 529, Penal Code.)

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Edward C. R.

Foreman.

Part III February 7/88
Pleads - Petit Larceny
Pen. 11 mos. P.B.M.

POOR QUALITY
ORIGINAL

0914

Police Court

District

Affidavit—Larceny.

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

of No. 115 Columbia Street, aged 35 years,
occupation grocer being duly sworn

deposes and says, that on the 25 day of January 1888 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the night time, the following property viz:

Thirty five
Dollars in good and lawful
United States money & the
coin, of the sum and value
\$35.

the property of

Deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by Frank White (now here) and that this deponent
attempted to be

in the manner and for
the reasons following: to wit,
at about half past eleven
o'clock, on the night of said
date Jennie Rosenberg was in
the back room of the Grocery
Store No 115 Columbia St, New
York and there she saw said Frank
White leaning over the counter
in said store, and attempt
to steal said money; she gave
the alarm; the deponent ran out
and away, and was followed by
deponent, and held till the

Sworn to before me, this
day of
188

Police Justice.

POOR QUALITY
ORIGINAL

09 15

Officer came and made the
arrest, now therefore respondent
charges said Defendant with
attempting to take, steal and
carry away said property and
prays that he be dealt with as
the law in such cases provides
and directs

241 8012

Spoken before me
this 26th day of Jan 1888

J. K. Kithuth

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.
Dated 1888 Police Justice.
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1888 Police Justice.
There being no sufficient cause to believe the within named
guilty of the offence mentioned, I order he to be discharged.
Dated 1888 Police Justice.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

Offence—LARCENY.

vs.

1
2
3
4

Dated

1888

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

to answer

Sessions.

POOR QUALITY
ORIGINAL

0916

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 20 years, occupation Dressmaker of No.

115 Columbia Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Jos' E. D'Arcy

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this

day of June

188

J. H. Wickham

Police Justice.

Mark

Jennie Rosenberg

POOR QUALITY
ORIGINAL

0917

Sec. 198-100

CITY AND COUNTY
OF NEW YORK. } ss.

3 District Police Court.

Frank White 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* to 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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.

Frank White

Taken before me this

John

188

Police Justice.

POOR QUALITY
ORIGINAL

0918

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

James J. [illegible]
7115 Broadway
Grand Juror

Dated

188

Magistrate

Officer

Precinct

Witness

No. 113

Street

No.

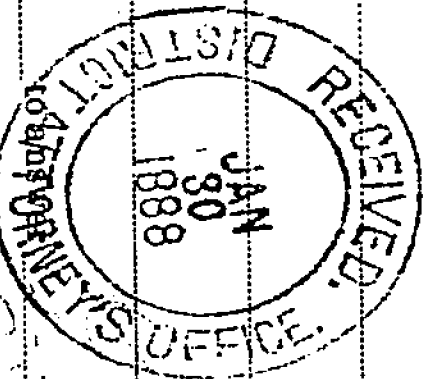
Street

No.

Street

\$

Street



It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named *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 *Jan 26* 188 *J. J. [illegible]* 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

0919

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 White

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

an attempt to commit

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

The said

Frank White

late of the City of New York, in the County of New York, aforesaid, on the *twenty fifth* day of *January* in the year of our Lord one thousand eight hundred and eighty-*eight*, at the City and County aforesaid, with force and arms, in the *night* time of the same day, *one* promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of twenty dollars, and of the value of twenty dollars ; *two* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of ten dollars, and of the value of ten dollars *each* ; *three* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of five dollars, and of the value of five dollars *each* ; *ten* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of two dollars, and of the value of two dollars *each* ; *five* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of one dollar, and of the value of one dollar *each* ; *one* promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars ; *one* promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars ; *one* promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars ; *one* United States Silver Certificate of the

**POOR QUALITY
ORIGINAL**

0920

denomination and value of twenty dollars ——— ; *two* United States Silver
Certificate of the denomination and value of ten dollars *each* ; *three* United
States Silver Certificate of the denomination and value of five dollars *each* ; *five*
United States Silver Certificate of the denomination and value of two dollars *each* ;
five United States Silver Certificate of the denomination and value of one dollar
each ; *one* United States Gold Certificate of the denomination and value of
twenty dollars. ——— ; *three* United States Gold Certificate of the denomination
and value of ten dollars *each* ; *one* United States Gold Certificate of the
denomination and value of five dollars ——— ; and divers coins, of a number, kind and
denomination to the Grand Jury aforesaid unknown, of the value of *thirty*
five dollars

of the proper moneys, goods, chattels and personal property of one

Isaac ———

then and there being

found, ——— *attempt to* ——— 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.

0921

BOX:

298

FOLDER:

2842

DESCRIPTION:

White, Katie

DATE:

02/29/88



2842

Witnesses:

James Smith

Counsel,

488
L.H.
Filed *29* day of *July* 188*8*
Pleads, *Wm. G. White*

THE PEOPLE

vs.

Wm. G. White
R
Katie White

Grand Larceny second degree. [Sections 528, 531, Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Glyfaven Foreman.

Part 3 March 6/88

Pleads - Petit Larceny

*budget to be referred
to per unit - House of
Good Shepherd & been
sent to H. F. G.*

POOR QUALITY
ORIGINAL

0922

POOR QUALITY
ORIGINAL

0923

Police Court—4 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 311 East 24 Street, aged 24 years,
occupation Housekeeper being duly sworn

deposes and says, that on the 17 day of November 1887 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 black cashmere skirt of the value
of One dollar in the pocket of which skirt
were twenty, lawn tickets, representing
a silver watch, suit of clothes, overcoat
two dresses, one suit of clothes, two quilts
two bed spreads, one child's cloak, two pair
of shoes, and other articles of wearing apparel
in all of the value of One Hundred
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 Katie White now here.

from the fact that deponent loaned said
defendant said skirt, which she was to return
in a half an hour. That the tickets aforesaid
were in the pocket of said skirt.

That defendant was not again seen by
deponent for three months.

That defendant admitted having the tickets
which she failed to return and give any
account for.

Minnie Smith

Sworn to before me, this 20 day

1888

Police Justice.

POOR QUALITY
ORIGINAL

0924

Sec. 198-200.

H District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Katie White

Question. How old are you?

Answer. 20 years.

Question. Where were you born?

Answer. N. Y. New York City.

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

Answer. 690-2 Avenue, one month.

Question. What is your business or profession?

Answer. Shirt Maker.

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

Answer. I have nothing to say.

Katie White

Taken before me this

20

1888

Police Justice.

POOR QUALITY
ORIGINAL

0925

BAILED,

No. 1, by

Residence

Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

No. 4, by

Residence

Street

133/
Police Court 4 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles Smith
311 E. 24 St

1 Kate White

2

3

4

Offence

Larceny
Felony

Dated

20 Feb 1888

188

Magistrate

Officer

Magistrate
Officer

Witnesses

No. 1

No. 2

Witnesses
No. 1
No. 2

Street

No. 3

Street

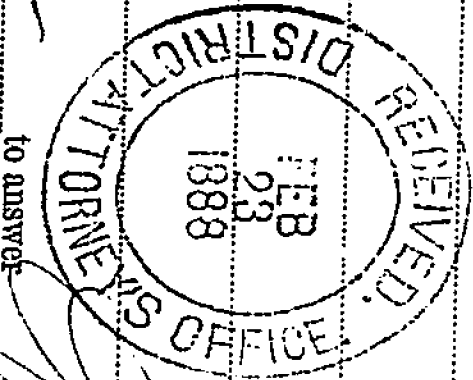
No. 4

Street

No. 5

Street

to answer



(Com)

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of \$1000 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 Feb 20th 1888 Police Justice.

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

Dated..... 1888 Police Justice.

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

Dated..... 1888 Police Justice.

POOR QUALITY
ORIGINAL

0926

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Katie White

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

Katie White —

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

The said *Katie White*,

late of the City of New York, in the County of New York aforesaid, on the *17th* day of *November*, in the year of our Lord one thousand eight hundred and eighty-*seven*, at the City and County aforesaid, with force and arms,

one kind of the value of one dollar, and twenty certain written instruments and evidences of contract of the kind commonly called pawn tickets, of the value of five dollars each.

of the goods, chattels and personal property of one *Amie Smith* —

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

John R. Hedges,
District Attorney

0927

BOX:

298

FOLDER:

2842

DESCRIPTION:

Whitney, George

DATE:

02/29/88



2842

Witnesses:

Mr. Darluette

.....
.....
.....
.....

No 498

Counsel,
Filed, *29* day of *Feb* 1886.
Pleads, *p*

THE PEOPLE

vs.
3/20/86
John B. Fellows

George Whitney

INJURY TO PROPERTY.
[Sec. 654, Penal Code.]

JOHN B. FELLOWS,

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Glystaven

Part 14 March 1/88
Foreman.

Pleads Guilty, as a
Pen. 6 mos. D.R.M.

POOR QUALITY
ORIGINAL

0928

POOR QUALITY
ORIGINAL

0929

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 1st DISTRICT.

of No. 25 Mulberry Street, aged 24 years,
occupation Saloon Keeper

being duly sworn deposes and says,
that on the 24 day of February 188

(at the City of New York, in the County of New York, George Whitney
nowhere) who did wilfully and maliciously
break two plates of glass in the front
window in the store of said premises by
throwing two stones at and breaking said glass
causing damage to the amount and
value Eighty dollars the property
of the defendant
Martina Bertucchi

Sworn to before me, this

of

188

day

Police Justice,

POOR QUALITY
ORIGINAL

0930

Sec. 198-200.

152 District Police Court.

CITY AND COUNTY
OF NEW YORK, ss

George Whitney 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.

George Whitney

Question. How old are you?

Answer.

37 years

Question. Where were you born?

Answer.

New York City

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

Answer.

256 Pearl & Weeks

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 Whitney

Taken before me this

day of

July

1888

Police Justice.

POOR QUALITY
ORIGINAL

0931

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

Police Court— 1st 348
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Matia Vertue
25 Madison
George Whitney

Offence The People
Alamy

Dated

Jan 11 188

Magistrate.

Officer.

Precinct.

Witnesses

No. _____

Street.

No. _____

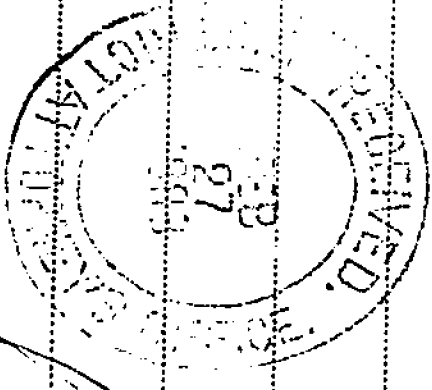
Street.

No. _____

Street.

\$ _____

to answer



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

Defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail on 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 Feb 24 188 Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

POOR QUALITY
ORIGINAL

0932

Court of General Sessions of the Peace

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

George Whitney

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

George Whitney —
of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* —
PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said *George Whitney*, —
late of the *First* Ward of the City of New York, in the County of New York
aforesaid, on the *24th* day of *February*, in the year
of our Lord one thousand eight hundred and eighty-eight, at the Ward, City and
County aforesaid, with force and arms, *Two boxes of guns,*

of the value of *Twenty dollars each*, —
of the goods, chattels and personal property of one *Martino Bertucci*
then and there being, then and there feloniously did unlawfully and wilfully *steal*
and destroy, —

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:

John R. H. H. H.
D. H. H. H.
~~And the Grand Jury aforesaid~~, by this indictment, further accuse the said
of the CRIME OF UNLAWFULLY AND WILFULLY
REAL PROPERTY OF ANOTHER, committed as follows:

The said
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year

0933

BOX:

298

FOLDER:

2842

DESCRIPTION:

Whittaker, Henry

DATE:

02/15/88



2842

0934

Off. Delanty

Part III, July 28 1889.

POOR QUALITY
ORIGINAL

0935

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

Plaintiff's

against

Henry L. Whittaker
Defendant.

The Grand Jury of the City and County of New York, by this indictment, accuse the above named defendant of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said defendant, late of the City of New York, in the County of New York aforesaid, on the *twelfth* day of *February* in the year of our Lord one thousand eight hundred and eighty-*eight* at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating 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 intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one

Samuel Doherty
and to certain other persons whose names are to the Grand Jury aforesaid unknown, 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 defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said defendant, late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, 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.

0936

BOX:

298

FOLDER:

2842

DESCRIPTION:

Williams, Charles

DATE:

02/01/88



2842

POOR QUALITY
ORIGINAL

0937

520

Witnesses:

Chin Lang

Counsel, *[Signature]*
Filed *1* day of *Feb* 188*8*,
Pleads *Not Guilty*

THE PEOPLE

vs. *B*

Charles Williams

VIOLATION OF EXCISE LAW.
[III, R. S., (7 Ed), page 1981, § 13, and Laws
of 1883, Chap. 340, § 6].

JOHN R. FELLOWS,
RANDOLPH B. MARTINE,

Pr Aug 7. 1888. District Attorney.

Transferred to Aug 20 for trial
A TRUE BILL by Court.

Edward L. M.

Foreman.

POOR QUALITY
ORIGINAL

0938

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Charles Williams

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

Charles Williams

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

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

The said

Charles Williams

late of the City of New York, in the County of New York aforesaid, on the *Twenty-seventh*
day of *January* — in the year of our Lord one thousand eight hundred and
eighty *eight* —, 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

one Adam Lang 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 1889,
chapter 340, sec-
tion 5.)

SECOND COUNT:

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

Charles Williams

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

Charles Williams

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 *thirty*

Bayard 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

one Adam Lang 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.

**POOR QUALITY
ORIGINAL**

0939

(Laws of 1888,
chapter 840, sec-
tion 5.)

THIRD COUNT:

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

Charles Williams

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

The said *Charles Williams*,

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 *thirty*

Bayard Street,

certain strong and spirituous liquors, and certain ales, wine 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 give away to,

certain 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 R. Fellows,
RANDOLPH B. MARTINE,

District Attorney.

0940

BOX:

298

FOLDER:

2842

DESCRIPTION:

Williams, Robert

DATE:

02/08/88



2842

POOR QUALITY ORIGINAL

0941

Witnesses:

Counsel,

Filed 8 day of Feb 1888

Pleads

THE PEOPLE

vs.

Robert Williams

alias

Charles Henderson
(2 cases)

Forgery in the Second Degree.
(Sections 611 and 621, Penal Code.)

JOHN R. FELLOWS.

~~RANDOLPH R. MARTINE,~~

District Attorney.

A True Bill.

G. H. Harn Foreman.

Feb 9/88

Pleads Guilty

S. P. 8 14 1888

POOR QUALITY
ORIGINAL

0942

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 Williams
otherwise called
Charles Henderson*

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

Robert Williams otherwise called Charles Henderson

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

The said *Robert Williams otherwise
called Charles Henderson* —

— late of the City of New York, in the County of New York aforesaid, on the
Friday day of *January*, in the year of our Lord
one thousand eight hundred and eighty-*eight* with force and arms, at the City and
County aforesaid, feloniously did forge, and cause and procure to be forged, and willingly act
and assist in the forging a certain instrument and writing,

which said forged *instrument and writing* —
is as follows, that is to say:

No. 672 New York, Jan 31st 1888

Messrs. Seligman & Co.

Please deliver to bearer

with bill 10 \$ 100.00

and oblige

S. Seligman & Co.

75 William St.,

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

POOR QUALITY
ORIGINAL

0943

SECOND COUNT:

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

Robert Williams otherwise called Charles Henderson

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

The said *Robert Williams otherwise called Charles Henderson*, —

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

which said forged *instrument and writing* —
is as follows, that is to say:

No. 672. New York, Jan 31st 1888

Messrs. Seligman & Co

Please deliver to bearer

with bill

10th Ind. Pol

and deliver

B. V. Smith & Co

S.

15 William St.

with force and arms, and with intent to defraud, the said forged *instrument and writing* then and there did feloniously utter, dispose of and put off as true, *the* the said *Robert Williams otherwise called Charles Henderson*, then and there well knowing the same to be forged, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS.

~~RANDOLPH B. MARTINE,~~

District Attorney.

POOR QUALITY
ORIGINAL

0944

Witnesses:

Counsel,

Filed

Pleads

1888

THE PEOPLE

vs.

Robert Williams

alias

Charles Henderson
(2 cases)

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

JOHN R. FELLOWS.

~~RAFAEL P. MARINE,~~

District Attorney.

A True Bill.

G. J. Farnum Foreman.

POOR QUALITY
ORIGINAL

0945

No. 672 New York, Jan. 31st 1888
Messrs. Lehm & Fink
Please deliver to bearer with bill
10th Ind. Pol

And oblige,
75 WILLIAM ST., B. Keith & Co.
S.

POOR QUALITY
ORIGINAL

0946

Police Court—1st District.

Affidavit—Larceny.

City and County } ss.
of New York,

of No. 178 William Street, aged 45 years,
occupation Druggist being duly sworn

deposes and says, that on the 31st day of January 1888 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property viz :

Five pounds of Soda Potash
Being packages of the value of
Twenty eight Dollars

the property of John J. Quinn, a partner
in business and whose individual
names are Wm. J. Quinn H. Plant and
P. Eberhart.

has a probable cause to suspect, and does suspect, that the said property was ^{assumed to be} feloniously taken, stolen,
and carried away by Charles Henderson (now Lee)

for the reason, that on said day
said deponent came to the aforesaid
premises and presented the aforesaid
summed up by me as a partner
to be removed from B. Keith and Co. of
170 William Street, for the aforesaid
property, that within deponent was
causing the said property to be packed
up by deponent and one George H. Keith a member
of the firm of B. Keith & Co. entered
the said premises and was thereupon
shown said summed up by me as a partner
presented by said deponent

Sworn to before me this
1st day of
1888
Police Justice.

POOR QUALITY
ORIGINAL

0947

to defendant for the said property
and promised the same. A party
and further to the defendant that he
had no painted ~~under~~ ^{any} near sent
most ~~up~~ ^{like} ~~the~~ ^{the} ~~he~~ ^{he} had
never offered the property mentioned
therein. And that said Keith then
spoke to defendant and asked defendant
paid yes. Mr Keith I am wrong?
And ~~defendant~~ ^{defendant} was thereupon
arrested. Defendant therefore charges
said defendant with having attempted
to take ~~the~~ ^{the} away said
property.

Subscribed and sworn to before me
this 1st day of February 1888
W. H. Smith
J. G. Lowry
P. J. Smith

POOR QUALITY
ORIGINAL

0948

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 47 years, occupation Drugs of No.

45 West 12th Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of John C. Wright

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 1st

day of February 1888

Gro. H. Keith

J. J. Conner

Police Justice.

POOR QUALITY
ORIGINAL

09449

Sec. 198-200.

1st District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Charles Henderson 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.

Charles Henderson

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

United States

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

Answer.

Brooklyn

Question. What is your business or profession?

Answer.

Photographer

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

Answer.

I am guilty

Chas Henderson

Taken before me this 1st

day of February 1888

J. W. Smith
Police Justice.

0950

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

Dated February 1st 1888 Wm. V. Vines 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

0951

asked for. We may know
more about him in a
few days.

Yours Respectfully,
L. H. Kimball
for
Prison Society of N. Y.

Prison Association of New York,

CHARTERED 1846.

Theodore W. Dwight, LL.D., President.
Charlton T. Lewis, Chairman Executive Committee.
Cornelius B. Gold, Treasurer.
Eugene Smith, Secretary.
Wm. M. F. Round, Corresponding Secretary.

Office of Corresponding Secretary,

135 EAST 15th STREET,

New York, *Feb 7th 1888*

Hon. Rufus B. Cowing

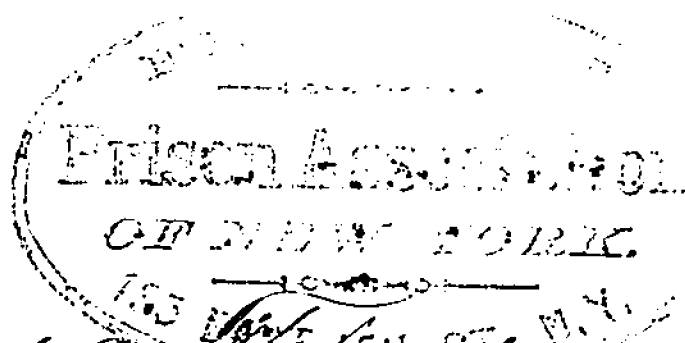
Dear Sir:-

Robert Williams
alias Chas. Henderson has
expressed a desire to reform
and asks this Association
to recommend that he
be sentenced to the
State Reformatory. Up to
this date we have been
unable to secure testimony
as to what he has been
doing for the past five
years - and consequently
we cannot at present
make the recommendation.

POOR QUALITY
ORIGINAL

0952

THEO. H. SOMMERS,
PHARMACIST,
580 ATLANTIC AVENUE,
Cor. Fourth Ave.,



Brooklyn, N. Y. 1888

Prison Association of New York
Gentlemen:— Your favor of
yesterday inquiring into the character
of Robert Williams received.

He entered my employ in Jersey
City in July 1880 (then about fifteen
years of age) and left when I
sold the business in 1882.

During the twenty one months
that he was in my employ he
was industrious and attentive to
business, and to the best of my
knowledge and belief, honest.

He comes of a good family and
is one of the last persons expected
to see in his present predicament.

If Justice can be satisfied by
sending him to the Reformatory

POOR QUALITY
ORIGINAL

0953

I say by all means give him a chance to become a useful member of society. I firmly believe if he is sent to State Prison among a lot of hardened criminals he will become reckless and one of them, and remain so for the rest of his days. If there is a chance for his reformation God knows there is no one who would rejoice in it more than myself. I think his evil doings are the result more of recklessness than evil heartedness. If he is bad at heart he certainly never showed it in his boyhood while in my employ.

Sincerely hoping that Justice may be tempered with Mercy and Charity

I am Respectfully Yours
Theodore J. Formers

P.S. He never was under arrest before to my knowledge.

**POOR QUALITY
ORIGINAL**

0954

New York.

Jan 14 1888

Received from TARRANT & CO.

in good order,

1 Package for Lumber

For

Holmes

POOR QUALITY
ORIGINAL

0955

Wm. J. Tarran & Co.

Please deliver to bearer.

1st Ind. Pot. paper 3.00 0.00
5 g ~~of~~ Morphia Sulph. P. W. 3.50 0.00

Oblige.
37⁴/₆ 22 Theo. N. Jones

Atlantic & 4th Aves.

Jan. 14th 88.

Bklyn.

(L & L)

POOR QUALITY
ORIGINAL

0957

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

POLICE COURT, 15th DISTRICT.

William C Allen
of No. 278 Greenwich Street, being duly sworn, deposes and says,
that on the 14th day of January 1888
at the City of New York, in the County of New York, Robert Williams

(now here) did feloniously make forge
and utter the annexed false, forged
and fraudulent instrument in writing
purporting to be an order on Messrs. Tarrant
& Co for one pound of Iodide of Potassium
and five ounces of Sulfate of Morphine and
said defendant did knowingly write
and forge to and upon said instrument
the name of Theo H Summers with the
intent to cheat and defraud deponent
for the following reasons to wit;

That on the above described date the
defendant presented said forged order to William
E Jordan Clerk employed by Tarrant & Co
at 278 Greenwich Street and said Jordan delivered the goods to
said defendant as deponent is informed
Deponent has since been informed by
Theodore H Summers of Atlantic and 4th Avenue
Brooklyn that said order is a forgery and
that he said Summers never authorized said
defendant to sign his name to any
order or instrument in writing and that he
said Summers did not sign said order
and that the name of Summers attached
thereto was written thereon without his knowledge
or consent and is a forgery
wherefore deponent prays that said defendant may
be dealt with according to law direct
Sworn to before me this 3rd day of February 1888
J. H. H. H.
Police Justice

POOR QUALITY
ORIGINAL

0958

CITY AND COUNTY }
OF NEW YORK, } ss.

William E Jordan

aged 17 years, occupation Clerk of No.

278 Greenwich Street, being duly sworn deposes and

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

Sworn to before me, this

day of

188

Wm E Jordan

J. Murphy
Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

Theodore H Summers

aged 41 years, occupation Manager of No.

Atlantic & 4th Avenue Street, being duly sworn deposes and

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

Sworn to before me, this

day of

188

Theodore H Summers

J. Murphy
Police Justice.

POOR QUALITY
ORIGINAL

0959

Sec. 198-200.

1st District Police Court.

CITY AND COUNTY
OF NEW YORK, ^{SS}

Robert Williams 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. Robert Williams

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. Tennessee

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

Answer. No home

Question. What is your business or profession?

Answer. Druggist & Photographer

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 of presenting the order
and receiving the goods

Robert Williams

Taken before me this

day of

188

Police Justice.

POOR QUALITY
ORIGINAL

0960

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

No. 25 B.O. 1st-209
Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William B. Allen
278 3d St.

Robert Williams
Albee

Charles Henderson
(2 rooms)

Offence _____

Dated Feb 2nd 188

Magistrate.

Officer.

Witnesses

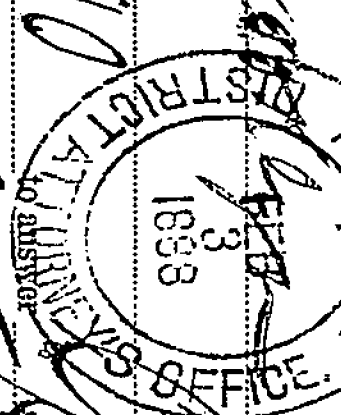
No. 278 3d St.

Charles Henderson

Robert Williams

No. 1000

Street.



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

Defendant
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of \$1000 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 Feb 2nd 188 Police Justice.

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

Dated _____ 188 Police Justice.

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

Dated _____ 188 Police Justice.

POOR QUALITY
ORIGINAL

0961

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 Williams
otherwise called
Charles Henderson

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

Robert Williams otherwise called Charles Henderson

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

The said Robert Williams, otherwise
called Charles Henderson, —

— late of the City of New York, in the County of New York aforesaid, on the
fourteenth day of January, in the year of our Lord
one thousand eight hundred and eighty-eight with force and arms, at the City and
County aforesaid, feloniously did forge, and cause and procure to be forged, and willingly act
and assist in the forging a certain instrument and writing,

which said forged instrument and writing —
is as follows, that is to say:

Messrs. Tarrant & Co

Please deliver to bearer

1st 1000 \$.

to or for Mr. Myrtia Sedgwick & W.

oblige

Wm. H. Summers

attends 24th Ave

Blindly

Jan 14th - 88

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

POOR QUALITY
ORIGINAL

0962

SECOND COUNT:

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

Robert Williams otherwise called Charles Henderson

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

The said *Robert Williams, otherwise*

called Charles Henderson —

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

which said forged instrument and writing —
is as follows, that is to say:

Mess. Samuel & Co

Please deliver to bearer.

1/4 Sod. Pst.

60¢ can. Memphis Sept. 9 x W

Oblique

Deeds St. Sommers

Atlantic W 4th Ave's

Oblique

Jan. 14th 88

with force and arms, and with intent to defraud, the said forged *instrument and writing*
then and there did feloniously utter, dispose of and put off as true, *the* the said *Robert*
Williams otherwise called Charles Henderson, then and there well knowing the same to be
forged, against the form of the Statute in such case made and provided, and against the peace
of the People of the State of New York and their dignity.

JOHN R. FELLOWS.

~~RANDOLPH B. MARTINE,~~

District Attorney.

0963

BOX:

298

FOLDER:

2842

DESCRIPTION:

Wilson, James

DATE:

02/29/88



2842

0964

BOX:

298

FOLDER:

2842

DESCRIPTION:

Doe, John

DATE:

02/29/88



2842

POOR QUALITY
ORIGINAL

0965

Witnesses:

E. Olsen

Off. Mallen

Counsel,

Filed *29* day of *Feb* 188*8*

Pleads *Not guilty. Check 5/19*

THE PEOPLE

vs.

James Wilson

and *NA*

John Doe

JOHN R. FELLOWS,

RA ~~EDOLPH B. MARLINE~~

Wm. S. P. H. H. District Attorney.

Pro Arch 8. 1888

A TRUE BILL. *Not pleads guilty*

Gly Haven

Foreman

S.P. Lyns 9 mo. RBM

Grand LARCENY, 2nd degree
(False pretenses).
[Sections 528 and 534, Penal Code].

POOR QUALITY
ORIGINAL

0966

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, DISTRICT.

of No.

occupation

that on the

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

James Maller
26 Street, aged *45* years,
Police Officer being duly sworn deposes and says,
26 day of *February* 188*8*
Einar Olsen
know him is a material witness
for the People against James
Olsen charged with grand
larceny and thinking he
will not appear as the
truth of some complaint
prayer he may be committed
to the House of Detention
for witnesses

James Maller

Sworn to before me, this

188

day

Police Justice,

POOR QUALITY
ORIGINAL

0967

| | | | |
|------------------------------------|----------|----|------|
| No. 1976 | New York | NY | 1888 |
| United States National Bank | | | |
| Pay to the order of | | | |
| H. S. McCrear | | | |
| The sum of Seven Hundred Dollars | | | |
| \$ 700.00 | | | |
| A. McFalt | | | |

Printed & Co. Stationers, Printing Office, N.Y.

POOR QUALITY
ORIGINAL

0968

Police Court— District.

Affidavit—Larceny.

City and County
of New York, ss.

Ernest Olsen
of No. *So President Street*, aged *23* years,
occupation *Seaman* being duly sworn
deposes and says, that on the *16th* day of *February* 188*8* 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 :

Gold and lawful money
of the United States of the
amount and value of
Fifty 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 *James Wilson (now here)*
and an unknown man or men for the reasons following:
He wit: on the date described
date the deponent was on one
of the boats of the Fall River
Line on Pier 28 North River when
the said unknown man entered
into conversation with deponent
and requested him to accompany
him to his hotel and help him
to carry his baggage to the boat.
Deponent went with the said un-
known man, leaving an unknown
lady, whom the said unknown man
introduced to deponent as his sister.

Sworn to before me this
188
Police Justice

0969

CORRECTION

0970

Police Court— District.

Affidavit—Larceny.

City and County } ss.
of New York,

of No. Se Presidium Street, aged 23 years,
occupation Seaman being duly sworn
deposes and says, that on the 16th day of February 1888 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property viz :

Good and lawful money
of the United States of the
amount and value of

Fifty 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 James H. H. (now here)

and an unknown man for or assist who
for the reasons following

He wit: on the above described
date the deponent was on one
of the boats of the Fall River
line on Pier 28 North River when
the said unknown man entered
into conversation with deponent
and requested him to accompany
him to his hotel and help him
to carry his baggage to the boat
Deponent went with the said un-
known man, leaving an unknown
lady, whom the said unknown man
introduced to deponent as his sister,

Sworn to before me, this

188

Police Justice

on the said train. After walking several blocks, the defendant Wilson came up to said unknown man and told him that his baggage and goods, and Porter was down on the train. The said unknown man then pretended to pay the said Wilson some money for his (Wilson's) trouble and taking a pocket book out of his pocket he exhibited a one thousand dollar bill and said it was the smallest money he had requested defendant to loan him fifty dollars until he went back to the train and he would get it from either his mother or sister and return it to him. Defendant took out the said money and placed it in said Wilson's hand. The said unknown man then gave defendant the unmarked bank check and told him to go back to the train and give the same to his (unknown man's) sister. Defendant went back to said train and failed to see the said unknown sister and the said unknown man failed to appear. Defendant believes that the unmarked check is worthless that the said defendant (Wilson) acted in concert with the said unknown man in taking, stealing and carrying away the aforesaid money by said fraudulent representation.

sworn to before me
 this 26th day of February 1888
 Einar Olsen
 My Power
 Police Judge

0972

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

1st District Police Court.

James 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty.
I demand an acquittal.
James Wilson*

Taken before me this

day of

188

Police Justice.

0973

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

Police Court 347
District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Allen
James Allen

Office

Dated *February 26* 188

Magistrate

Magistrate
Officer

Precinct

Witnesses

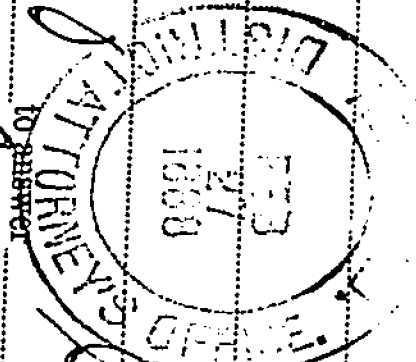
No. *James Allen*
Residence _____
Street _____

No. _____
Residence _____
Street _____

No. _____
Residence _____
Street _____

No. _____
Residence _____
Street _____

No. _____
Residence _____
Street _____



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

Refrain
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 *Feb 26* 188 *Weybner* 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.

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District Attorney's Office,
New York, Mar 6th 1888.

THE PEOPLE, &c.,
vs.
James Wilson

Mark & S Esq.,
Attorney and Counsellor at Law.

Dear Sir:

Please take notice that the
above-named defendant, for whom you are
Counsel, will be placed on the Calendar of
Part *7* Court of General Sessions,
for trial on *Mar 7*

Very respectfully,

JOHN R. FELLOWS,
District Attorney.

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STEPHEN G. BLAKE.

THOMAS J. SULLIVAN.

BLAKE & SULLIVAN,
Counsellors-at-Law,
73 CENTRE STREET.

New York, March 6, 1888
My dear Mr. Tappan

Notice was received at
our office in Case of
James Wilson on your
Calendar of today -

Kindly take our names
from the indictment as
we are not defendants
Counsel

Respectfully
Thomas Sullivan

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Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

against

James Wilson
and John Doe

The Grand Jury of the City and County of New York, by this Indictment, accuse *James Wilson and John Doe*, whose real name is *the Grand Jury* *James Wilson and John Doe* of the CRIME OF *Grand* LARCENY in the second degree, committed as follows:

The said *James Wilson and John Doe*, both

late of the City of New York, in the County of New York aforesaid; on the *16th* day of *February*, in the year of our Lord one thousand eight hundred and eighty-*eight*, at the City and County aforesaid, with force and arms, with intent to deprive and defraud *one Einar Olsen*

of the proper moneys, goods, chattels and personal property hereinafter mentioned, and of the use and benefit thereof, and to appropriate the same to *their* own use, did then and there feloniously, fraudulently and falsely pretend and represent to *the said* *Einar Olsen*,

That *the* *the* said *John Doe* was then about to sail for the City of Boston in the State of Massachusetts upon a certain steamer of the *Hall* *Quinn* line then lying and being at a certain wharf there situate known as Pier 24 North River, in company with his mother and sister (the said *Einar Olsen* having engaged passage to the same City of Boston on the said steamer)

That the said *James Wilson* had then brought the said *John Doe's* mother to the said wharf and had left her on board of said boat and had also delivered on board of said boat a quantity of baggage belonging to the said *John Doe* and his mother and sister; that the said *James Wilson* was then justly entitled to receive from the said *John Doe* his pay for having so transported and delivered the said baggage and for having brought the said *John Doe's* mother to the said wharf.

That the said *John Doe* then had with him a large amount of money, but none of small enough denomination to pay the amount necessary for such purpose, that he then had with him a bill of the denomination and value of one thousand dollars, and that he then desired in good faith to borrow of and from the said *Einar Olsen*

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the sum of fifty dollars to enable him to do and also for other purposes until he should be able to have the said bill changed.

By color and by aid of which said false and fraudulent pretenses and representations, the said James Wilson and John Doe did then and there feloniously obtain from the possession of the said Finar Olsen,

the sum of fifty dollars in money, lawful money of the United States, and of the value of fifty dollars,

of the proper moneys, goods, chattels and personal property of the said Finar

Olsen _____, with intent to deprive and defraud the said _____ Finar Olsen _____

of the same, and of the use and benefit thereof, and to appropriate the same to their own use.

Whereas, in truth and in fact, the said John Doe was not then about to sail for the said City of Boston upon the said steamer in company with his mother and sister, and the said James Wilson had not then brought the said John Doe's mother to the said wharft and had not kept her on board of the said boat, and had not also delivered on board of said boat a quantity of baggage or any baggage belonging to the said John Doe or his mother or sister; and the said James Wilson was not then justly entitled to receive from the said John Doe, any pay for having transported or delivered the said baggage or for having brought the said John Doe's mother to the said wharft.

and whereas in truth and in fact the said John Doe did not then have with him a large amount of money, and did not then have with him a bill of the denomination or value of one thousand dollars, and did not then desire in good faith to borrow the said sum of money of and from the said Finar Olsen to enable him to pay the said James Wilson or for any proper purpose until he should be able to have the said bill changed.

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And Whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said James Wilson and John Doe to the said Emory Olsen, was and were then and there in all respects utterly false and untrue, as they the said James Wilson and John Doe at the time of making the same then and there well knew.

And so the Grand Jury aforesaid do say: That the said James Wilson and John Doe, on the day and year first aforesaid, at the City and County aforesaid, in the manner and form aforesaid, and by the means aforesaid, with force and arms, the said proper moneys, goods, chattels and personal property of the said Emory Olsen,

then and there feloniously did STEAL, against the form of the Statute in such case made and provided, and against the peace and dignity of the said People.

JOHN R. FELLOWS.
~~RANDOLPH B. MARTINE,~~
District Attorney.