

0000

BOX:

469

FOLDER:

4297

DESCRIPTION:

Meredith, Arthur

DATE:

02/19/92



4297

248

Counsel, *19* day of *July* 1892
Filed
Pleads,

Burglary in the Third Degree.
[Section 488, Penal Code.]

THE PEOPLE

vs.

Arthur Meredith

DE LANCEY NICOLL,
District Attorney.

Arthur Meredith

A TRUE BILL.

Henry S. ...
Foreman.

July 13, 1892

Frank A. ...

Pen 248, P.B.M.

Witnesses:

William ...
John ...

Police Court - 3 District.

City and County of New York, ss.:

Edmund Wolf of No. 200 Chrystie Street, aged 27 years, occupation Keep Restaurant being duly sworn

deposes and says, that the premises No 200 Chrystie Street, 17 Ward in the City and County aforesaid the said being a dwelling house, the apartments on the fourth floor of which was occupied by deponent as a dwelling and in which there was at the time a man being by name

attempted to be were BURGLARIOUSLY entered by means of forcibly opening the door leading into said apartment

on the 15th day of February 1892 in the day time, and the following property feloniously taken, stolen, and carried away, viz:

with intent to commit some crime

the property of

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid BURGLARY was committed with the intent aforesaid and the aforesaid property taken, stolen and carried away by

Arthur Meredith

for the reasons following, to wit: that said apartment were securely locked and fastened and a large quantity of personal property was therein. Deponent is informed by Margaret Ryan (now here) that she saw the defendant at the door leading to said apartment with an instrument known as a jimmy and attempting to forcibly open said door.

Subscribed before me this 16th day of February 1892

Edmund Wolf

0011

CITY AND COUNTY }
OF NEW YORK, } ss.

Margaret Regan
aged *52* years, occupation *Keep house* of No. *200*
Chrystie Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit (of *Edmund Wolf*)
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this *16* day of *February* 189*7*,
Margaret X Regan
her
wife

Charles N. Linton
Police Justice.

0012

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

Arthur Meredith 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. *Arthur Meredith*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *420 West 66 St; 5 years*

Question. What is your business or profession?

Answer. *Student*

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*

Arthur Meredith

Taken before me this

16

day of *September* 1937

Charles J. ...

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

Defendant

~~guilty~~ thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *500* 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 16* 189 *Charles K. Smith* Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

001

192

Police Court, 3 District.

THE PEOPLE, &c.,
BY THE COMPLAINT OF

Edmund May
200 10th St
Arthur Meredith

Althrop
Burglar

2
3
4

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated, *Feb 16* 1892
Taunton Magistrate.

Floy Officer.
11 Precinct.

Witnesses *Margaret Ryan*
10 1/2 Bean St
No. *200 Chippewat* Street.

No. Street.

No. Street.

\$ *1000* to answer *1903*



OK
ATTN 3
Burglar
5/11

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

THE PEOPLE OF THE STATE OF NEW YORK
against
Arthur Meredith

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

Arthur Meredith
of attempting to commit the crime
of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows :

The said *Arthur Meredith*

late of the *17th* Ward of the City of New York, in the County of New York aforesaid, on the *fifteenth* day of *February* in the year of our Lord one thousand eight hundred and ninety-*two*, with force and arms, in the *day*-time of the same day, at the Ward, City and County aforesaid, the dwelling house of one

Edmund Wolf
attempt to
there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent the goods, chattels and personal property of the said *Edmund Wolf* in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

De Lancy McCall
District Attorney

00 16

BOX:

469

FOLDER:

4297

DESCRIPTION:

Meyer, Joseph

DATE:

02/01/92



4297

0017

POOR QUALITY ORIGINAL

Witnesses:

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

Counsel,

Filed

day of

1892

Pleads,

A. J. Edmunds
23
33

THE PEOPLE

vs.

Joseph Meyer

Attorney at Law
Grand Larceny, Second Degree,
(Sections 523, 531, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Ray S. ...
Foreman.

Part 3. ...
Pleads guilty ...
Pen one ...

COURT OF GENERAL SESSIONS, PART III.

----- x
The People of the State of New York, :

against

J o s e p h M e y e r .

: Before
: Hon. Rufus B. Cowing,
: and a Jury.
:
:
:----- x

Indictment filed February 1, 1892.

Indicted for attempt at grand larceny in the
second degree.

New York, February 8, 1892.

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

For the People,

Asst. District-Attorney Henry D. McDona;

For the Defendant,

Mr. Mark Alter.

TIMOTHY A. HOLIHAN, a witness for the People, sworn, testified:

I live at 32 Carleton Avenue, Brooklyn. I am
employed by the firm of A. J. Cameron & Company, No. 85
Walker Street in the wholesale woollen business. I saw
this defendant between half past three and four o'clock
on the afternoon of the 18th. of January in the hallway of
No. 85 Walker Street. He had a chisel in his hand and
he was prying off the lid of a case containing worsted
goods. The value of that case was between \$100 and \$125.
I caught hold of him by the arm and I made a remark to

2.

him, saying: "Well, I caught you" and he said yes. He wanted to know if I couldn't let him go this time and I told him no; that I must bring him upstairs. He said I needn't grab him so hard by the arm. I brought him upstairs to my employer and he sent for an officer. The defendant spoke good English to me. The chisel was handed by me to the officer, who came after about ten minutes. There was another man with him who got away.

Cross-examination:

I am a porter in that establishment. I had never seen the defendant before the day of his arrest. This case was in the main hall about eight feet in my doorway. I am positive that he had a chisel in his hand and that he was engaged, when I caught him, in prying open the lid of the case.

JOHN WELCH, a witness for the People, sworn, testified:

I am a police officer attached to the Sixth Precinct. I arrested this defendant on the 18th. day of January at No. 85 Walker Street in this city. The complainant told me that he found him prying open a case in the hallway. I went in and looked at the case and I saw it had the marks of the chisel upon it. The chisel which I now produce was handed to me by the complainant.

DEFENSE :

JOSE PH MYER, the defendant, sworn, testified:

I live at No. 33 Canal Street. I am a tailor by trade but have not been able to procure any work late-

3.

ly. On this Monday in question I went to work in that neighborhood to go to the auction rooms to buy small job lots which I sell in small stores. There had been auctions held in this place and I was waiting in the hallway when the complainant came down and grabbed hold of me and had me arrested. I didn't attempt to open the case of woollen goods which was in the hallway. I had the chisel in my hand but was doing nothing with it whatever.

The prisoner pleads guilty to an attempt at grand larceny in the second degree.

1001 6000 BELLY 10000 1000

Indictment filed Feb. 1, 1892.

COURT OF GENERAL SESSIONS.

Part III.

THE PEOPLE &c.

against

JOSEPH MEYER.

Abstract of testimony on

trial, New York Feb. 8th

1892.

0021

0022

Police Court 1st District.

Affidavit—Larceny.

City and County }
of New York, } #:

Timothy A Hallahan

of No. 85 Walker Street, aged 32 years,
occupation Porter being duly sworn,

deposes and says, that on the 18 day of January 1892 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
attempted to be
from the possession of deponent, in the day time, the following property, viz:

A quantity of woolsted yarn of the
value of one hundred and
twenty five dollars

the property of Althman J. Cameron and co-partners
in the care and charge of deponent
and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloni-
attempted to be
ously taken, stolen and carried away by Joseph Meyer (now present)

from the fact that deponent caught
said defendant in the act of
forcing open a wooden case with
a chisel then and there held
in his hand, said case being
in the hallway of No 85 Walker Street
and contained the aforesaid described property

Timothy A Hallahan

Sworn to before me, this 19 day

[Signature]
Police Justice.

0023

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Joseph Meyer 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.

Joseph Meyer

Question. How old are you?

Answer.

23 years

Question. Where were you born?

Answer.

Russia

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

Answer.

33 Canal St

Three mos

Question. What is your business or profession?

Answer.

Taylor

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

Joseph Meyer

Taken before me this

day of

19
[Signature]
Police Justice

0024

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

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 March 21 1907 [Signature] Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0025

73

Police Court--- 1st District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

Timothy A. Galgahan
vs
Joseph Meyer

Offence
Lawrence Callahan
February

2
3
4

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

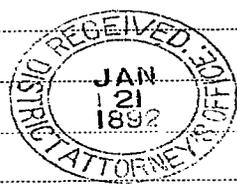
Dated 19 1892

Duffy Magistrate.
John Walsh Officer.
6 Precinct.

Witnesses
No. Street.

No. Street.

No. Street.
\$ 500 to answer *G. S.*



Committed
9/21

0026

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph Meyer

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

Joseph Meyer attempted to commit the crime of of the CRIME OF GRAND LARCENY IN THE Second DEGREE, committed as follows:

The said

Joseph Meyer

late of the City of New York, in the County of New York aforesaid, on the 18th day of January in the year of our Lord one thousand eight hundred and ninety two, at the City and County aforesaid, with force and arms,

a quantity of warped yarn, (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of one hundred and twenty-five dollars

of the goods, chattels and personal property of one

Alpin J. Cameron

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

De Lancey Nicoll District Attorney

0027

BOX:

469

FOLDER:

4297

DESCRIPTION:

Miller, Charles

DATE:

02/01/92



4297

0028

Witnesses:

A J R

Counsel,

Filed

Day of

1892

Plend

Charles Miller

THE PEOPLE

vs.

Charles Miller

Grand Larceny, (From the Person),
[Sections 529, 537, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

Paul I. DeLoach

A TRUE BILL.

Wm. L. Garrison

Foreman.

July 5/92

Charles Miller

Ben. A. Pope P. M.

Police Court 5 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 49 Third Avenue Street, aged 38 years,
occupation House wife being duly sworn,

deposes and says, that on the 21st day of January 1892 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession and
of deponent, in the Day time, the following property, viz:

Person

One leather pocket book
containing six + 50/100 dollar gold
and lawful money of the United
States.

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 Charles Miller (name)

from the fact that at about the
hour of 11 o'clock A M said
date. deponent was in the vestibule
of the German Catholic Church of
the Immaculate Conception in East
150th Street - near Elm Avenue. after
having attended the funeral of
deponent's mother. and at that time
deponent had said pocket book in
the pocket of deponent's dress.
deponent felt a pull or tug at
said pocket. deponent then felt
in said pocket and discovered
that her pocket book was missing.

Subscribed before me this
1892

Police Justice

deponent saw this defendant near her
 and called to her husband Anton
 Koontz to catch the defendant which
 he did. and while deponents husband
 and other men had hold of this defendant.
 deponent saw this defendant take
 his, the defendant's hand from his
 the defendant's coat pocket and
 saw him drop said pocket book
 from his hand on the floor of said
 vestibule. and that deponent then
 recovered said pocket book.
 Wherefore deponent charges this
 defendant with feloniously taking
 stealing and carrying away said
 pocket book from the person of deponent.

Sworn to before me }
 this 22nd day of Jan 1892 } Theresa Koontz

C. W. Mead

Police Justice

0031

(1895)

Sec. 198-200.

District Police Court

CITY AND COUNTY OF NEW YORK, ss.

Charles Miller

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.

Charles Miller

Question. How old are you?

Answer.

24 years old

Question. Where were you born?

Answer.

Jersey City

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

Answer.

Jersey City 8 mos

Question. What is your business or profession?

Answer.

Painter

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

Answer.

I am not guilty

Charles Miller

Taken before me this *24* day of *July* 189*4*
W. J. ...
Police Justice.

0032

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.....

Alfred Smith

Fifteen 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 *June 26* 18*99* *John S. Kelly* Police Justice.

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

Dated.....18..... Police Justice.

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

Dated.....18..... Police Justice.

1500 Base 4
Jan. 26. 29, no

Police Court--- 5 District

THE PEOPLE, &c.
ON THE COMPLAINT OF

Theresa Kovach
Off. 9th - 3rd ave
Charles Miller

Offense Larceny from the person

2
3
4

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated Jan 22 1892

Meade Magistrate.

Michael Johnson Officer.

33 Precinct.

Witnesses Anton Kovach

No. 49. 3rd ave Street

Geo J. Hoffman

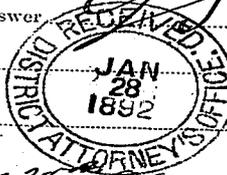
No. 2891. 3rd ave Street

Wm Baumbach

No. 709. E 14th St. Street.

\$ 15.00 to answer

1500 Base 4



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 Miller

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

Charles Miller

of the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said

Charles Miller,

late of the City of New York, in the County of New York aforesaid, on the 21st day of January in the year of our Lord one thousand eight hundred and ninety-two, in the day-time of the said day, at the City and County aforesaid, with force and arms,

the sum of six dollars and fifty-eight cents in money, lawful money of the United States of America, (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of six dollars and fifty-eight cents, and one pocketbook of the value of fifty cents

of the goods, chattels and personal property of one Theresa Koontz on the person of the said Theresa Koontz then and there being found, from the person of the said Theresa Koontz 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.

Handwritten signature or mark.

SECOND COUNT—

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

Charles Miller

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

The said *Charles Miller*

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

the same goods, chattels and personal property described in the first count of this indictment

of the goods, chattels and personal property of one *Charles Miller*
Theresa Koontz

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

Theresa Koontz *Charles Miller*

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

Charles Miller

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

DE LANCEY NICOLL,
District Attorney.

0036

BOX:

469

FOLDER:

4297

DESCRIPTION:

Miller, Gus

DATE:

02/05/92



4297

0037

BOX:

469

FOLDER:

4297

DESCRIPTION:

Lang, Charles

DATE:

02/05/92



4297

0038

Witnesses:

Quadrif
Officer

Counsel,

Filed

day of

189

Pleads,

THE PEOPLE

vs.

Gus Muller

and

Charles Stang

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Ray L. Harman

Foreman.

Feb 11/92

Doob / Lead / Lang / Eley

01 - v. d. 2 yrs,

02 " " 3 yrs,

Feb 10/92 P.M. 10

Shannon
H. H. Home

Engslary in the Third Degree.
[Section 888, 506, 525, 532, 533
1907 Laws of the State of New York]

36

Police Court—6th District.

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

of No. 1253 Washington Street, aged 36 years,
occupation Grocer

Joseph W. Fegan
being duly sworn

deposes and says, that the premises No 1294 Washington Street,
in the City and County aforesaid, the said being a three story frame building

and which was occupied by deponent, as a grocery store
and in which there was at the time a human being, by name Mrs Keall

were BURGLARIOUSLY entered by means of forcibly breaking a pane
of glass out of the back window leading into
the store and forcibly opening the catch and
raising said window and entering therein with intent
to commit a crime
on the 19th day of January 1892 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

two cloth coats - together of the value
of eight dollars

The property of William A. Schappert in deponent's care & charge

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

Geo Miller and Charles Ling and John Guise
all then present

for the reasons following, to wit: that deponent recently looked & done
some business on said night, and since then deponent
was informed by Officer Michael Brady 34th Precinct Police
that he arrested said defendants who were committing
together and in each other company and who together
had the above described property in their possession -
which property deponent fully identifies -

Joseph W. Fegan

*deponent Joseph W. Fegan was sworn
22 days of January 1892
in presence of
Police Officer*

0040

CITY AND COUNTY }
OF NEW YORK, } ss.

Michael Brady -
aged 41 years, occupation Police Officer of No.
the 34th Avenue Police Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Joseph M. Fegan
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 22 } Michael Brady
day of Jan 1892 }

W. W. Meade
Police Justice.

0041

Sec. 198-200.

6th

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Gus Miller 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. *Gus Miller*

Question. How old are you?

Answer. *21 years -*

Question. Where were you born?

Answer. *Germany -*

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

Answer. *Am*

Question. What is your business or profession?

Answer. *Harmon maker*

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 the charge*

Gus Miller

Taken before me this

22

day of *January* 189*2*

George W. ...
Police Justice

0042

Sec. 198-200.

6th

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Charles Lutz 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 Lutz -

Question. How old are you?

Answer.

26 years -

Question. Where were you born?

Answer.

Germany -

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

Answer.

None -

Question. What is your business or profession?

Answer.

Farmer

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 the charge

Charles Lutz.

Taken before me this

22

day of *January*

1897

W. C. McLeod
Police Justice

0043

Sec. 198-200.

Cott

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

John Guise

Question. How old are you?

Answer.

22 years -

Question. Where were you born?

Answer.

Germany -

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

Answer.

Home

Question. What is your business or profession?

Answer.

Butcher

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

Answer.

I am not guilty of the charge

John Guise

Taken before me this

22

day of

January

1892

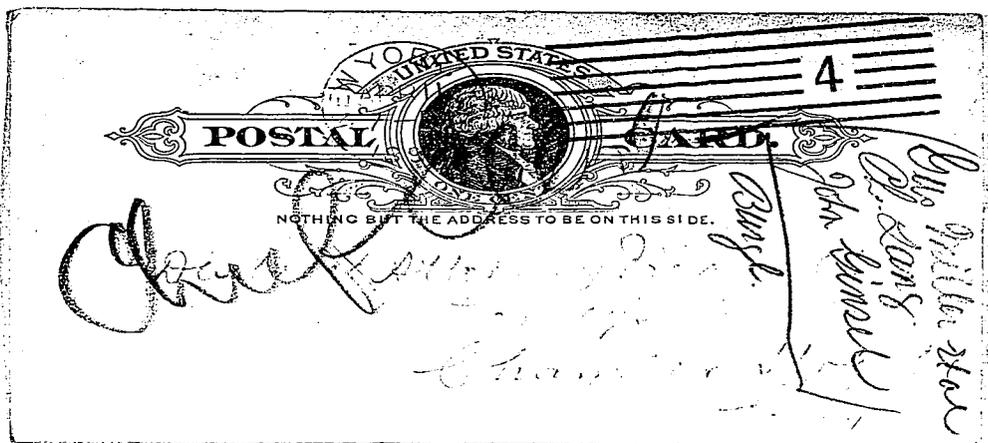
W. J. ...

Notary Public

0044

Cell 114
 4 Det. Old Prison House
 11 April 1922
 Dear Sir,
 I am writing to you in great
 favor on me if you would con-
 sider me to being my case to read
 and see what you can do for me
 not even get been called down for an
 dishonor. I am sure that you will
 make me a better man than I am
 now. I am
~~Yours truly~~
 Yours truly,
 [Signature]

0045



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 Alfred Smith

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

Dated Jan 22nd 1892 [Signature] Police Justice

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

Police Court--- 6th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph W. Regan
1253²³ Washington
Gus Miller
2. Charles King
3. John Ernest P.
4.

Offence -
Burglary

Dated January 22nd 1892
Meads Magistrate.

Michael Brady & Ann Mitchell Officers
Precinct.

Witnesses Louis R. ...
No. 3 ... Street.
William A. Schappert
No. 1277 Washington Street.

No. ...
\$ 1000 to answer.



M. J. Decker
R. P. Decker

There is no sufficient
legal evidence against
the defendant John
Ernest, the defendant
Gus Miller dismissed
the charges against
him but omitted to
evidence the dismissal
on these notes.

Defendant should
be discharged.

BILLED,
No. 1, by 13/92 J. ...

Residence ... Street.

No. 2, by

Residence ... Street.

No. 3, by

Residence ... Street.

No. 4, by

Residence ... Street.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Sus Miller and Charles Lang

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

Sus Miller and Charles Lang

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

The said *Sus Miller and Charles Lang, both*

late of the *23rd* Ward of the City of New York, in the County of New York aforesaid, on the *Nineteenth* day of *January* in the year of our Lord one thousand eight hundred and ninety *two* in the *night* time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the *street* of one

William A. Schappert

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit : with intent the goods, chattels and personal property of the said *William A. Schappert* in the said *street* then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

Gus Miller and Charles Lang

of the CRIME OF *Petit* LARCENY committed as follows:

The said

Gus Miller and Charles Lang

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

two coats of the value of four dollars each

of the goods, chattels and personal property of one

William A. Schappert

in the

store

of the said

William A. Schappert

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

THIRD COUNT:

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

Gus Miller and Charles Lang
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said Gus Miller and Charles Lang

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

two coats of the value of four dollars each

of the goods, chattels and personal property of

William W. Schappert

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

William W. Schappert

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

Gus Miller and Charles Lang
then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, 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.

DE LANCEY NICOLL,
District Attorney.

0051

BOX:

469

FOLDER:

4297

DESCRIPTION:

Miller, James

DATE:

02/23/92



4297

253. *W/11 R53*

Witnesses:

Thomas [unclear]
John McCuskey
John Crowley

Counsel,
Filed *13* day of *July* 1892
Pleads, *Guilty*

THE PEOPLE
vs.

B
James Miller

DeSancy, N. Roll
JOHN R. FELLOWS,

District Attorney.

Advertising Counterfeit Money, etc.
(Section 327, Penal Code.)

A TRUE BILL.

Part 3. Dec. 29. 1892 -
Bill discharged

John J. [unclear]
Foreman.

See indictment
within the [unclear]
Indictment [unclear]

The complainant
Prison was locked
up at the time
detention - the
prison was
not for [unclear]
since [unclear]
in [unclear]
the [unclear]
to [unclear]
the [unclear]
was [unclear]
the [unclear]
was [unclear]
ask that he
be discharged
recognition
is [unclear]
see 19th 92

~~*[Large block of crossed-out handwritten text]*~~

(2038)

0054

Sec. 198-200.

4

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK.

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

Question. What is your name?

Answer. *James Miller*

Question. How old are you?

Answer. *40 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *No 124 West 116 Street + about 1 year*

Question. What is your business or profession?

Answer. *Speculator*

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*

J Miller

Taken before me this
day of *May* 189*7*

Police Justice.

0055

Police Court 4 District.

City and County of New York } ss.

of Toronto Canada

occupation Blacksmith

that on the 1st month day of July 1891

York, in the County of New York,

Samuel Pico

Street, aged 20 years,

being duly sworn, deposes and says,

1891, at the City of New

York, in the County of New York, and at various other

times subsequently James Miller did utter or assist to utter, circulate, distribute a circular letter or hand bill, offering or purporting to advertise or offer for sale and furnish counterfeit paper money in violation of Section 527 of the Penal Code of the State of New York for the following reasons to wit: that about the month of July 1891 deponent

received the circular or letter with a copy of the circular or letter attached, and on two different occasions subsequently deponent received letters instructing deponent how to act and where to come in order to procure and receive counterfeit paper money and following the instructions of said letters deponent on

January 21, 1892, came to the Merchant's Hotel in the town of Newburgh, New York and there met said defendant.

Deponent did see then, at the request of said defendant ~~copy of the~~ the defendant on the same day to go to the City of New York at premises

and did give the said defendant the sum of one hundred and seventy dollars and said defendant did give to deponent therefor the receipt here to attached, and told deponent

That he, deponent, would have to procure
~~two~~ two hundred and seventy five
 Dollars more and that he, defendant,
 would then give deponent a
 amount of counterfeit paper money,
 in exchange, at the same time showing
 deponent a lot of such money.
 Deponent then returned to Canada and
 a few days afterwards received another
 letter of instructions requesting deponent
 to return to Newburgh with the balance
 of the money, and following the instructions
 of such letter deponent did again come to
 Newburgh and on January 30, 1892 did
 again meet said defendant for the purpose
 of receiving counterfeit paper money, which
 deponent and said defendant were appre-
 -hended and incarcerated before said
 defendant could deliver the counterfeit
 money to deponent.

Deponent therefore charges the said
 defendant with violation of the aforesaid
 Section 527 of the Penal Code and
 asks that he may be apprehended
 and dealt with as the law may
 direct.

Sworn to before me this
 2 day of February 1892

Samuel Price

John Ryan
 Police Justice

Police Court,

THE PEOPLE, &
 ON THE COMPLAINT OF

vs.

1
 2
 3
 4

Dated.

Witnesses,

No.

No.

No.

to answer

0057

good sense should tell you I can have no object in misrepresenting my goods and bringing you here on a fool's errand, and do not, because I am in this line of business, doubt my word or consider me otherwise than meaning you well, as you are not asked to invest a single dollar till you have seen, examined and thoroughly satisfied in every respect, and have the goods in your own possession. My terms are \$300 for \$3,000, \$450 for \$5,000, \$700 for \$10,000, and \$20,000 costs \$1,200. \$3,000 for \$300 is the very smallest amount I sell under any circumstances. I will give you the "State right" that is the sole privilege of handling the goods throughout your State, if you take 10,000 or more of my goods. My object in placing my smallest amount at \$300 is to keep out irresponsible parties as I want ~~none but~~ good reliable men to engage with me. Remember, I sell my goods so cheaply on the first deal in order to give my customer a fair start and build up a trade, on all after deals, which surely follow, I charge 25 cents on the dollar. I will not do a retail trade, as

0058

Sec. 192.

4 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before John J. Ryan a Police Justice of the City of New York, charging James Miller Defendant with the offence of

Advertising Counterfeit Money

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

We James Miller Defendant of No. 124
West 116 Street; by occupation a Speculator
and Michael J. Callahan of No. 39 Matt St
Street, by occupation a Signer Surety, hereby jointly and severally undertake that the above named James Miller Defendant shall personally appear before the said Justice, at the 4 District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York the sum of Ten Hundred Dollars.

Taken and acknowledged before me, this 4 day of February 1892
John Ryan POLICE JUSTICE. J. Miller
M. J. Callahan

0059

CITY AND COUNTY }
OF NEW YORK, } ss.

Sworn before me, this
day of
Justice
1881

Michael Callahan

the within named Bail and Surety being duly sworn, says that he is a resident and holder within the said County and State, and is worth *Twenty* Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of *Some lots of ground*

situate on S. E. Corner 185th
& Amsterdam Avenue, N.Y. City
worth Five thousand dollars
four clear. M. J. Callahan

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Undertaking to appear
during the Examination.

vs.

Taken the day of 18

Justice.

0050

Sec. 568.

S. District Police Court.

Undertaking to Answer.

CITY AND COUNTY } ss:
OF NEW YORK, }

An order having been made on the *8* day of *February* 189*2* by

John J. Ryan
James Miller

Police Justice of the City of New York, that

be held to answer upon a charge of

Advertising Counterfeit Money

upon which he has been duly admitted to bail in the sum of *Two* Hundred Dollars.

WE, *James Miller* Defendant of No. *124*

Mott 116 Street, Occupation *Speculator*; and

Michael J. Callahan of No. *39 Mott* Street,

Occupation *Liquor* Surety, hereby undertake jointly and severally

that the above-named *James Miller* shall appear and answer the charge

above-mentioned, in whatever Court it may be prosecuted; and shall at all times render h *self* amenable

to the orders and process of the Court; and if convicted, shall appear for judgment, and render h *self* in

execution thereof; or if he fail to perform either of these conditions, that we will pay to the People of

the State of New York the sum of *Two* Hundred Dollars.

Taken and acknowledged before me this *8* day of *Feb* 189*2* *Hubert A. Han*

J. Miller

John J. Ryan Police Justice.

0061

City and County of New York, ss:

Sworn to before me this
day of *Sept* 1891
John H. [Signature]
Justice

Michael J. Callahan

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

exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities,

and that his property consists of *four lot of ground situated on S. E. Cor 185 Street and Amsterdam Avenue New York City and is of the full value of two thousand dollars*

M. Callahan

THE PEOPLE, &c.,
ON THE COMPLAINT OF
vs.
Undertaking to Answer.

Taken the day of 1891
Justice.
Filed day of 1891

0062

Payable to the order of
The sum of One Thousand
Twenty dollars on account
of balance

0063

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 4 DISTRICT.

Michael Crowley

of 300 Mulberry Street, aged _____ years,
occupation Sergeant Detective being duly sworn deposes and says,
that on the _____ day of _____ 188

at the City of New York, in the County of New York, Samuel Price
is a material witness in a certain
complaint against James Miller
and deponent has good reason to
believe that said Price will not appear
to testify when required deponent
therefore asks that said Price may
be committed to the House of
detention until he shall thence
be delivered by due course of Law

Michael Crowley

Sworn to before me, this _____ day

of _____ 188

_____ day

Police Justice.

0064

Sec. 151.

Police Court 4 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 Samuel Price
of Toronto, Canada Street, that on the 11th day of July
1887 at the City of New York, in the County of New York,

the Miller did utter or assist to
utter, circulate, distribute a circular
letter or hand bill, offering or purporting
to advertise or offer for sale and purchase
counterfeit paper money in violation
of Section 527 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 4 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 2 day of February 1888

Samuel Price POLICE JUSTICE.

0065

County of Orange } ss.:
City of Newburgh }

Resident: Crowley

Being duly sworn says that he resides in the
City of Newburgh; that the
name of James Ryan
signed to the within warrant of arrest is the
handwriting of James G. Ryan,
who is Recorder of the City of Newburgh,
in the County of Orange, by whom the above
warrant was issued.

Officer James G. Ryan

Sworn to before me this }
2 day of July 1892. }

L. M. J. M. (070212)

Recorder City of Newburgh

This warrant may be executed in the
County of Orange

Dated at Newburgh, this
2 day of July, 1892

Officer James G. Ryan

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

The within named

Police Justice

0066

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

John 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 18 John Ryan Police Justice.

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

Dated July 5 18 92 John Ryan Police Justice.

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

Dated 18 Police Justice.

N 253 B.O. 158

Police Court--- District.

Complainant Bailed
by Paul Salvine
164 Park Row
or 271 Wm St.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
James Miller
HOUSE OF DETENTION
Admission
Sanitary Jail 9000

BAILED,
No. 1, by *Michael J. Madahan*
Residence *39 West* Street.

Dated *July 3* 188*8*
Ryan Magistrate.

No. 2, by _____
Residence _____ Street.

Connelly & McCloskey Officer.
C.O. Precinct.

No. 3, by _____
Residence _____ Street.

Witnesses _____
No. _____ Street.

No. 4, by _____
Residence _____ Street.

No. _____ Street.
No. _____ Street.

No. _____ Street.
\$ *1000* to answer *G.S.*

Pauline
1000 E. Feb 14 10am
" " " 8 9/10/11

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 Miller

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this

indictment, accuse James Miller

of the crime of printing _____ letters, writings, circulars & papers _____ purporting to advertise and offer for sale and distribution counterfeit paper money, and purporting to give information, directly, where, how, of whom and by what means, counterfeit paper money could be procured and had, committed as follows:

The said James Miller,

late of the City of New York, in the County of New York, aforesaid, on the twenty-first day of January, in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, did feloniously print divers certain letters, writings, circulars & papers _____ purporting to advertise and offer for sale and distribution counterfeit paper money, and purporting to give information, directly, where, how, of whom and by what means, counterfeit paper money could be procured and had, a more

particular description of which said letters, writings, circulars & papers _____ is as follows, that is to say:

is to the Grand Jury aforesaid unknown, and can not now be given,

[Redacted area consisting of horizontal dotted lines crossed out by a diagonal line]

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

THIRD COUNT.

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

James Miller
of the crime of aiding, assisting and abetting in a scheme and device purporting to offer for sale and distribution counterfeit paper money, committed as follows :

The said James Miller,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did feloniously aid, assist and abet in a certain scheme and device, purporting to offer for sale and distribution counterfeit paper money (a more particular description of which said scheme and device is to the Grand Jury aforesaid

unknown), by then and there sending and causing to be sent, and aiding and abetting in the sending, to *one Samuel Price, and to divers other* persons whose names are to the Grand Jury aforesaid unknown, divers letters, writings, circulars, ^{and} papers, *_____* pamphlets, hand-bills, and other written and printed matter purporting to advertise and offer for sale and to furnish, procure and distribute counterfeit paper money, and purporting to give information, directly and indirectly, where, how, of whom and by what means, counterfeit paper money could be procured and had, *also by then and there directly representing to the said Samuel Price that he the said James Miller had counterfeit paper money for sale, and then and there thereby inducing the said Samuel Price to agree to purchase from him a quantity thereof and to give and deliver to him the said James Miller the sum of one hundred and seventy dollars, as part payment of the purchase price thereof, upon an understanding and agreement that the said counterfeit paper money should be delivered to the said Samuel Price upon the payment by him to the said James Miller of the further sum of two hundred and twenty five dollars,*

and in, and by divers other ways and means, and in divers other manners 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.

De Lancey McCall,
District Attorney:

FOURTH COUNT.

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

of the crime of using a fictitious, false and assumed name and address, and name and address other than *_____* own right, proper and lawful name, in violation of section five hundred and twenty-seven of the Penal Code of the State of New York, committed as follows:

The said

_____ late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, in and for executing, operating, promoting, carrying on, and in the aiding, assisting and abetting in the promoting, operating, carrying on and executing of a certain scheme and device to defraud, by use and means of papers, writings, letters, circulars, and written and printed matters concerning the offering for sale and distribution of counterfeit paper money (a more particular description of which said scheme and device to defraud is to the Grand Jury aforesaid unknown and cannot be given), did feloniously use a certain fictitious, false and assumed name and address, and name and

0072

BOX:

469

FOLDER:

4297

DESCRIPTION:

Mirabella, Peter

DATE:

02/12/92



4297

0073

Witnesses:

A. W. Chantre
John Cunningham

*From a careful examination
and inquiry into all the
facts herein and knowing
the history of the case
I am of opinion that
more than sufficient
doubt exists as to the guilt
of this deft, and believing
that no convictions
can be obtained on the
evidence, I therefore
recommend that the
indictment be dismissed*

Frankhope Jones
Dist. Ct. City
March 4/92

W. J. Strand
Counsel,
Filed, July 2 189
Pleads, *Magdy*

THE PEOPLE

VS.
RECEIVING STOLEN GOODS.
(Section 550, Penal Code.)

P
Peter Mirabella

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Ray J. Harring
March 4/92
indict. dis. P.B.M.J.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Peter Mirabella

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

Peter Mirabella

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

The said *Peter Mirabella*

late of the City of New York, in the County of New York aforesaid, on the *30th* day of *December* in the year of our Lord one thousand eight hundred and ninety-*one*; at the City and County aforesaid, with force and arms,

seventy-six bunches of bananas of the value of one dollar each bunch

of the goods, chattels and personal property of one *George W. Richardson* by one *John F. Newman*, and by a certain other person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said *George W. Richardson*

unlawfully and unjustly did feloniously receive and have; the said

Peter Mirabella

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

DE LANCEY NICOLL,
District Attorney.

0075

BOX:

469

FOLDER:

4297

DESCRIPTION:

Montgomery, Ella

DATE:

02/12/92



4297

Subscribed at \$500
R.B.M.

Witnesses:

James Mitchell
Abner Stewart
Joseph Handlen
Ezra Montgomery
Officer Robinson
Officer Mulvaney

In my opinion the evidence
in this case is insufficient
to secure a conviction -
In this opinion the Fire Marshal
concurs.
I therefore recommend the
defendant's discharge upon
the usual recognizance.
June 17/92

Vernon H. Davis
Aust.

Counsel,

Filed

day of

1892

Pleads, *Guilty*

THE PEOPLE

vs.

Ella Montgomery

Arson in the [Section 48, Penal Code.]
Degree.

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Lang D. Erwin
Foreman.

in accorn of Dist.
Atty dept clerk
on her own recogn
June 17/92 R.B.M.

STENOGRAPHER'S MINUTES

H District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

James Mitchell
vs.
Ella Montgomery

BEFORE HON.

Edward Hogan
POLICE JUSTICE,

Jan 20 - 1892

APPEARANCES:

For the People,
For the Defence, Elias J. Levy
Jan 20 - 1892

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George Dwyer
Official Stenographer.

0078

DISTRICT POLICE COURT.

THE PEOPLE
ON COMPLAINT OF

James Mitchell
agst.
Elle Montgomery

Examination had *Jan 20* 1952
Before *Edward D. Hogan* Police Justice.

I, *George Zieger* Stenographer of the *4* District Police Court, do hereby certify that the within testimony in the above case is a true and correct copy of the original Stenographer's notes of the testimony of

Sizzie Maloney

as taken by me on the above examination before said Justice.

Dated *Jan 23* 1952

George Zieger
Stenographer.

Police Justice.

4th District
Police Court

James Mitchell
- vs -
Ella Montgomery

Before Hon.
Edward Hogan,
Justice

N.Y. Jan. 20/92

Elmer G. Levy, appears for
defendant.

Lizzie Moloney, called
for the People, sworn,
testified as follows:

By Mr Mitchell:

I am twenty eight
years old. I am married
I have one child. I live
at 237 East 38 Street.
I lived there on the 28th
of last December.
What occurred on the
morning of the 28th of
December in that house?
A fire was a fire occurred
on the fourth floor. I

0080

2

lived on the 3^d floor, now,
I did this fire occur on
the hallway of your
floor?

A Yes, sir, a short distance
from the foot of the
stairs. I saw the fire
burning.

I did you see what was
burning?

A Yes, sir.

I do you recognize this
(showing witness piece of
cloth) as the material
that was burning?

A Yes, sir.

I did you smell it at
the time?

A Yes, sir.

I Was there any oil on it?

A There was.

I did you see the defend-
ant at that time?

A At the time we were
putting out the fire

3

she was looking over the banisters from the floor above. She came down just about when the fire was put out.

Q Did anybody else come down?

A Nobody else.

Q Before you were called out, had you heard any movement in the house?

A About two o'clock there were footsteps over head. Q Did you say anything to Mrs Montgomery at the time she came down stairs?

A No sir, she spoke herself. She said "Oh, Jesus Christ who is trying to set fire to us" or "who is trying to burn us up"

Q Did you notice how she was dressed?

Ans, sir, she had her stock-
ings on and night gown
over a dark skirt
underneath.

Q You said nothing to her?
A Only she asked that
question and we told
her we didn't know
who it was.

Q Any body else come
down stairs?

Ans, sir

Q You didn't see any body
else at that time?

Ans, sir.

Cross Examination

By Mr. Leary:

Q Are you on friendly
terms with this defend-
ant?

Ans - sir. I never had an
angry word up to last
Saturday.

Q On the night of the

5

Q Now what time did you go to bed?

A About nine o'clock

Q Were you in bed at the time of the fire?

A Yes, sir.

Q What first attracted your attention?

A The little girl in front ~~scrapped~~ at the door, 'hollering' fire.

Q Then you pushed out in the hallway?

A Yes, sir.

Q You saw Mrs Montgomery come down the stairs?

A No, sir, looking over the banister.

Q It was just the time the fire was burning?

A No sir, ~~she~~ was overhead when the fire was burning.

Q And she exclaimed "Great Christ who is trying to

burned up" or words
to that effect?

A Yes, sir.

Q You say she had a night
shirt on?

A Yes, sir.

Q And a dark skirt
underneath that?

A Yes, sir.

Q Was her night dress closed?

A Yes, sir.

Q How could you see what
she had underneath?

A Coming down stairs.

Q Have you excited at
the time?

A Not exactly, I was
excited when she was
looking over the banister.

Q Was that the time
you looked under her
clothing to see if she
had a dark skirt on?

A No, sir, when the fire
was over.

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Q Then you paid particular attention to what she had on under her night dress?

A We were standing right by her.

Q You didn't see her set fire to that house?

A No, sir.

Q You don't know anything about these rags do you?

A No, sir: never saw them before.

Q When did you hear the footsteps overhead?

A About two o'clock.

Q How do you know it was two o'clock?

A The clock struck two o'clock.

Q Was there so much noise that it awakened you?

A A heavy footstep.

Q You say there was a defendant here overhead?

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A she lives in the front part.

Q You live in the rear part?

A Yes, sir.

Q Who occupies the rear rooms over your head?

A A lady, her husband and a baby.

Q You are not prepared to swear that it was not the lady and her husband in the back room walking?

A No, sir; the walking was in the hallway.

Q You don't know whether it was this man or his wife walking in the hallway?

A No, sir.

Mr. McNaughton,
called for the People,
sworn, testified as
follows:

By Mr. Mitchell:

I am 43 years old.
I am married and I live
with my husband - I
have four children. I
live in the house where
this fire occurred. I
was in the building on
the night of December
28th. I was awakened
by the neighbors and I
came out.

Q Did you see what was
burning?

A No. When I came out
they were examining
those rags. I saw the
red one in the hand
of the officer.

Q Did you perceive any
smell and if so, what?

0088

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A I perceived the smell
of kerosene oil
Q Did you see the def-
endant?

A Yes, I saw her sitting on
the foot of the stairs
Q Did you see anybody
from the floors above?

A No, sir.

Q Did she say anything
in your presence?

A I heard "Jesus Christ"

Q Was it her voice?

A I don't know her voice

Q Did you hear any move-
ments in the hallway
prior to the alarm?

A No, I was awakened
out of a deep sleep
by the lady rapping
at my door.

Cross Examination

By Mr. Levy:

Q Did you notice how
this defendant was

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attired?
 A no, Sir. I was rather
 excited,
 Do you recognize these
 pages as belonging to
 anybody in that house?
 A No.

Deia Stewart, called
 for the People, was
 testified as follows;
 By Mr Mitchell:

I am married. My
 husband is dead. I
 have one child. It is
 living with me. We were
 living with Mr Mont-
 gomery until last Sat-
 urday a week ago.
 Q. Were you on the
 25th of December at night,
 at the time of this fire?
 A. I was in bed in the

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front room of Mrs
Montgomery's home 239
East 38 St. My baby
was with me. The nurse
asleep in bed.

Q Was there any one else
sleeping in that bed with
you?

A Nobody but myself.

Q How did you first become
aware that there was a
fire in the house?

A I heard a noise,
and I thought it was
on the street, and shortly
after Mrs Montgomery
wakened me up, and said
there was a fire down
stairs. I asked her if
it was out and she
said 'yes'. There was
pieces burning, the same
as a dress I wore.

Q Do you recognize this
material as part of the

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dress you had worn?
(Showing witness piece
of old dress)

A Yes, sir.

Q Had you done anything
with that dress since
you were in those rooms?

A Yes, I took the skirt
off and made over
another dress.

Q What became of this
dress?

A I don't know. I left
it in her house and I
saw pieces in the closet
of Mrs Montgomery's kitchen.

Q When did you last see
it in the closet?

A The night of the fire.

Q Did you look in the
closet the following
morning?

A I went out in the
kitchen but I didn't
notice.

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Q Was it in the closet
the next morning?
A Not that I seen.

Q Do you recognize this
piece of silk?

A Yes, sir. This silk
handkerchief belonged to
Mr Montgomery. I seen it
when she lived in 48th

Q How do you know it
so well?

A I have worn that hand-
kerchief a few times.
I recognize it as the
silk handkerchief Mr
Montgomery had.

Q When did you see it
last?

A When she was in 48th

Q Have you ever had any
trouble with Mrs Mont-
gomery?

A No.

Q You have been living
with her for some time?

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A Yes

Q Did you live with her
at 323 East 54 St?

A Yes

Q Then she moved to 237
East 38 St?

A I lived with her there.

Q That is the other portion
of the dress (showing
witness part of dress)?
That was a fire?

A Yes.

Q Was there anybody else
moving around in this
house?

A I didn't hear anybody -
Mrs Montgomery was talking
to somebody; I don't
know who it was.

Cross Examination

By Mr. Leary:

Q You are married?

A Yes. My husband is
dead over a year. He
died in Keyport, N.J.

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Q Is your name McGuire
or is it Stewart?

A My name is Stewart,
my maiden name is
McGuire.

Q Did you ever have
anybody come to see
you that you pretended
was your husband?

A No.

Q On the night of the
fire you say you were
sound asleep and the
first you knew was when
Mrs Montgomery woke
you up?

A Yes, sir; and she told
me there was a fire
in the house.

Q And that it had been
put out?

A Yes, sir.

Q That handkerchief that
you identified as being
Mrs Montgomery's late

husband's, will you
swear that this is
his handkerchief? (Show
Red piece of handkerchief)
A Yes, sir.

Q Did you ever see a
red silk handkerchief
similar to that, that
looked like that?

A I never did; not in
her house

Q Did you ever see one
in any place?

A No, I didn't

Q Will you show the
Judge anything on this
piece of silk that is
peculiar and which en-
ables you to identify this
as being the same silk
handkerchief that you
saw?

A I can tell it because
there was a kind of
dark border on it

Q Do you see any border
on it now?

A I can tell the kind
that was on it.

Q Notwithstanding it is
all burned off?

A There was a brown
border on it.

Q Will you show the
Judge anything peculiar
about this piece of
silk?

A I don't know anything
peculiar about it.

Q And notwithstanding there
is no mark, ~~with~~ ^{no} border
and burnt as it is now,
you are willing to swear
it is Mr Montgomery's
handkerchief?

A Yes, sir.

Q Positively?

A Yes, sir.

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By Mr Mitchell:

Q Had you any property in those rooms that was insured?

A No, sir.

Q Had you your child's life insured?

A No, sir, Mrs Montgomery had the child's life insured.

Q Why did she have that baby's life insured?

A She liked the baby and she had him since he was two months old.

Q With your consent?

A I didn't know the child was insured until quite a while after.

She told me and I didn't object to it then.

Mr Mitchell offers in Evidence Policy of Insurance

Depts Counsel objects

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to its admission on
 the ground that it is
 not in the name of
 the defendant.
 Obj. overruled. Ex.
 Masked People Ex.
 of this date

Jacob Frank, called
 for People, sworn,
 testified as follows:
 By Mr Mitchell:

I am Assistant
 Fire Marshall of the
 City of New York.
 I did go on the morning
 of December 28th last
 visit premises 139
 East 38th St.

Q Did
 A I did.
 Q Did you examine
 these premises?
 A I did.

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~~21~~

I tell us what you found?
a On the third floor I
found evidences of fire.
I found the oil cloth
burnt and found the
base of the wall of the
building blistered and
burnt and I found
traces of kerosene oil
leading south of the building
towards the front and up
the stairs leading to the
fourth floor, and when I
went to the Station
House I was handed
some material by the
Sergeant at the Desk,
Q Was the Realty charred?
A Yes, blistered, charred
and blistered.

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Albert M. Roberson, called
for the People, sworn,
testified as follows:
By the Court:

I am a Police Officer
attached to the 21st Precinct.
On the night of this
five, December 28th, my
post was 38th St. from
Park Avenue to Fifth
Avenue, north and that
side of 38th St. About
quarter past two I was
called by the housekeeper,
I went in there. She had
some burnt rags on a
dust pan that she
had swept up. I
recognize these rags (Point
to rags on desk) as the
rags I took to the
Station House. These
rags were handed to
me by the housekeeper.
I don't know where she

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got them. I examined
 the building and saw
 where the oil cloth was
 burnt along the hall
 and also the wiring
 on the third floor, at the
 foot of the stairs.
 That is all I know
 about it.

Henry Meyer, called for
 People, sworn, his
 report is follows;
 By Mr Mitchell:

I am seventeen years
 old. I work in the
 milk business. I
 live at 411 Seventh
 Avenue. On the 28th
 of December last I
 was living at 207 East
 38th, fourth floor, with
 Mrs Montgomery. I got
 in that night about

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seven o'clock. I went to
bed about ten o'clock.
I didn't hear anything
about the fire in that
house until the morning.
I was not awakened
that night. I didn't
hear any alarm in the
house. Mrs Montgomery
told me about the fire
at six o'clock in the
morning. Mr Stewart,
myself and another
young fellow were in
her rooms that night.
I slept on the sofa in
the kitchen. I never
went in the closet of
Mrs Montgomery. I never
saw these rags. I
didn't have any clothes
in the closets.

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Diedrich Stolle, called
for the People, now,
testified as follows;
By Mr Mitchell:

I am 30 years old. I
work in a grocery. On
the 28th of last December
I was living with Mrs
Montgomery at 229 East
38th St. I went to bed
that night between
nine & ten. I slept in
the middle room. Nobody
else slept in that room
with me. That night
I heard somebody say there
was a fire in the house
and at the same time
they said it had gone
out. I don't know
whether they were in the
kitchen or front room.
I recognized Mrs Mont-
gomery's voice as far as
I could say, but I

No

couldn't swear to it. I did not get up. I was not out of bed that night at all. I was asleep. I am a sound sleeper. I don't remember ever seeing any of these things (Pointing to ~~gray~~ ~~black~~) I never looked in the closets. I don't know what was in the closets. I had my own trunk. My trunk is not incensed.

James L. Taylor, called
for People, sworn,
testified as follows;
By Mr Mitchell.

I live at Dobbs
Ferry, N.Y. I am 28
years old. I am an
Insurance Agent.
(Policy of Insurance shown to
witness) I have seen

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that Policy before. It was made out in the name of John Montgomery. I never knew who John Montgomery was. I do not know the defendant. I seen her twice but I couldn't recognize her again.

Joseph L Handlair, called for People, sworn, testified as follows through Interpreter Morris Duklauer:

By Mr Mitchell:

I live at 237 East 38th. I am 39 years old. On the night of December 28th last I was asleep in that home. I occupy rooms on the third floor. I was awakened up by the flames striking the bedroom window.

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my wife woke me up.
 As soon as she woke
 me up I went out in
 the hall and tried to
 put out the fire. I
 was the first one to get
 to the fire. I recog-
 nize this material. (showing
 witness material on desk) I
 saw it the first time
 in the hall and I tried
 to put it out. I
 smelled it and it smelled
 like kerosene. Then it
 was put out the def-
 endant came down. No-
 body else came down,
 I sent for Mrs Corcoran
 the housekeeper and she
 came up. I gave her
 the rags.

Cross Examination

By Mr. Lee

Q You didn't see this woman
 set fire to these things?

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A No.

Q You don't know who set
fire to those things, do
you?

A No.

Allen Curran, called
for the People, sworn,
testified as follows;

By Mr Mitchell:

I live at 237 East
38 St. I am 52 years
old. I am the house-
keeper of that house.
I was in that house on
the night of the fire,
December 28th last. I
was in bed. I first
heard of the fire when
Mr Stanley's little girl
came down and woke me
up. I went up and
looked at the fire
and then came down

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and rapped on the side-
walk with a stick for
a policeman. He answered
me with a whistle and I
came in and got a whistle
and blew it and he ap-
peared and when he
came I took him up-
stairs. He stood and
looked at the fire and
I picked up the
pieces and put them
in a newspaper. I
recognize these as the
pieces I picked up
and rolled them up in
a newspaper. This is
the officer (Roberson) I
gave them to

Cross Examination

By Mr. Lee:

Q Have you the first to
pick up this burnt
material?

A I can't tell, I

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fire was out when I got there.

Q How many people were around this material when you came up?

A There was Mr. Haulin, Mr. & Mrs. Moloney & Mr. McNaughton.

Q Were these things lying on the floor at the time?

A The red thing I picked up; the other was in parties hands examining it.

Q They were not a fire at that time?

A No, sir.

Q You don't know if any person dropped these things on the floor or not?

A No, sir.

Q You don't know that they were put there by these

defendant?
 A No, sir.

Mrs Stewart, recalled
 by the defense, tes-
 tified as follows.

By Mr Levy:

Q How long have you lived
 with this defendant?
 A A year.

Q And you are familiar with
 all her articles of cloth-
 ing & undergarments as
 well as she is herself?

A Yes, sir.

Q Do you know whether
 she had more than one
 red silk handkerchief?
 A I never seen more than
 one

Q You had seen her white
 silk handkerchiefs?
 A Yes

Q And you are sure she
only had one red
handkerchief?

A Never seen more than one.

Q And if there were more
than one you would
have seen that?

A Yes, sir.

Q You are sure of that?

A Yes, sir.

Q And as you said yester-
day you are positive
this is the handkerchief
that belonged to her
husband that was found
at that fire?

A Yes, sir.

Q And which you had worn?

A Yes, sir.

Q Did you ever wear
this handkerchief? (Showing
witness red handkerchief)

A No, sir, never.

Q You are sure of that?

A Yes, sir.

Q Can you tell the difference between that handkerchief and this when it is burnt?

A I know this handkerchief had some flowers on which it has now (Burnt Handkerchief.)

Q Has not this handkerchief flowers on it?

A Yes, but they are different

Q What difference is there?

A This has large flowers; the other has what you call dots.

By the Court:

Q The red handkerchief which you say you had worn which belonged to the defendant, how many times did you wear it?

A Three or four times.

Q You say the handkerchief shown you the ~~same~~

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you never saw before?
 Q I never seen it.
 I are you positive of that?
 Q I can swear to it.
 Handkerchief offered in
 evidence & marked
 Defts Ex "A" of the
 date.

Defts Counsel moves
 for the discharge of
 the defendant.
 Motion denied, Ex.

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Ella Montgomery, the
defendant, sworn, tes-
tified as follows:

By Mr. Levy:

Q What do you do for a
living?

A I keep house myself; I
work at washing and
ironing.

Q Have you ever arrested
before for any offense
whatever?

A No, sir.

Q You are a widow?

A Yes, sir.

Q And reside where?

A 344 East 36 St

Q Did you reside at 237

East 36 St last Decem-
ber, the night of the fire?

A Yes, sir.

Q What first attracted your
attention?

A I heard a noise in
the hall, coming

stamping down in the hall - that woke me up. I looked down then and asked what was the matter and they told me there was a fire and I ran downstairs. The fire was then out.

Q Were you in your stocking feet at the time?

A I was in my bare feet. Undressed?

A Undressed in my night-gown.

Q And you jumped out of bed when you heard the noise and came down to the head of the stairs?

A Yes, sir.

Q Did you make the remark "Jesus Christ who is going to burn me up" or something to that effect?

A Yes, sir.

Q And when it was all over you went upstairs?

A Yes, sir.

Q Can you recognize this? (showing witness burnt piece of silk)

A No, sir - I only had one handkerchief in the house,

Q Do you know anything about this piece of goods? (Showing witness black piece of dress)

A Yes, sir, Delia Stewart wore a dress of it.

Q Look at this handkerchief, Defendant's Ex. "A", is that your property?

A Yes, sir.

Q Who did this belong to?

A To my husband.

Q Did you ever loan it to Delia Stewart?

A I never loaned it to her; I loaned a white one,

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Q Did she ever wear the red one?

A I never seen it on her.
Q And is this the only red handkerchief you own?
A The only one that was ever in my house.

Q Did you set fire to those materials, or attempt to set fire to anything in that house?
A No, sir.

Q You swear that positively?
A Yes, sir. If I was dying I would swear it.

By the Court:

Q You have heard Mrs Stewart?
A Yes, sir.

Q She said she wore this burnt handkerchief and that it belonged to you?
A She never wore it.

Q Did you ever see this Policy of Insurance?

A No, sir, that belongs to

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my husband.

By Mr. Leary:

Q Did you live at 303
East 48 St?

A Yes, sir.

Q When did you live there?

A I must have lived there
in September of last year.

Q Where did you move to
then?

A 323 East 54 St

Q How long did you live
there?

A Until the 28th of October.

Q And from there where did
you go to?

A 237 East 38 St

Q Do you know whether the
interest in the property
at 303 East 48 St was
transferred to the prop-
erty in your name?

A Yes, sir, The Insurance
man came in collecting
life insurance and he

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transferred it:

Q With whom did he talk about it?

A He asked me if I transferred the Policy and he said you have a right to have it done. He took the Policy with him and he brought it back after my husband was dead - the day after he was dead. I was then living in 54 St.

Q Was the Policy transferred to the property that was in 38 St?

A Yes, sir.

Q Were you a party to that transfer with the Insurance Agent?

A No, sir. I sent the Policy to Mr Taylor's in 58 St & Thad Moore and he said he couldn't give that Policy for \$300

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and he kept the Policy
there for some time. The
transfer was made while
my husband was living.

By the Court:

Q Your counsel asked one of
the witnesses - one of the
witnesses testified you had
a night gown on covering
some dark garment when
you came down stairs?
A I was in my bare feet.
She is mistaken about
it

Q When you came down
stairs who did you leave
in your apartments?

A I left Mrs. Street and
the baby and two other
young men.

Q And you saw them before
you came down?

A Yes, they were asleep.

Q And did you see them
when you came back?

0121

H3,

A Yes, sir.

Q How they sleep when you came back?

A I know nothing whether they were or not.

Q Did you talk with any one when you returned?

A Only with Delia Stewart.

Q What was the conversation?

A She asked me what was the noise downstairs and I told her there was a fire and that it was out.

Q The men have testified they were asleep?

A They may be asleep;

I didn't disturb them.

Q They were in the room

before you came down

and after you returned?

A Yes, sir.

Q Before you moved to B8 W was there a fire in any building in which you re-

244

sided!

A In ~~the~~ 8th.

Q When was that fire?

A It was in January, I think of last year.

Q What people were in the habit of going to your house just about the 28th of December?

A There was only Mrs Moloney. She used to come in two or three times a day.

By Mr. Levy:

Q This portion of the dress (black material) whereabouts was that in your apartments, if it was there?

A It was near the lounge in the kitchen.

Q Exposed to everybody?

A Yes, sir, lying on the lounge. Part of it I threw out that I made a floor cloth out of.

415

By Mr Mitchell:

Q Where was it in your kitchen?

A Right by the wash tub.

Q Was there not a portion of this material on the floor of your closet in your kitchen?

A There was for some time. That was the piece I made a floor cloth of.

By the Court:

Q What did you burn in your room for the purpose of giving light?

A Kerosene oil.

Q You didn't burn gas?

A No.

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James Mitchell, called
for defense, sworn,
testified as follows:

By Mr. Levy:

Q By the direction of the
Court you went to this
defendant's house?

A Yes, sir.

Q And while she was in
prison here?

A Yes, sir.

Q And did you find some
person in charge of her
rooms?

A I went with the woman
who was staying with
her and who opened the
door for me.

Q Directly from this
Court?

A Directly from this
Court?

Q And did she look for
this Exhibit, defend-
ant's Exhibit "A"?

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I

Q. I looked for the Exhibit in company with the detective. And where did you find it?

A. Lying on the top of some material that was in a tray of an open trunk.

Q. And placed where she described it?

A. I didn't hear where she described it. I understood it was in a trunk.

Q. Did she tell you that was the only red handkerchief she had?

A. She told me nothing. I didn't you hear her tell the Judge that the only red handkerchief she owned was on the top part of a trunk?

Q. I heard the defendant state it was in a

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trunk. I found it on
top of a tray in a
trunk.

Q And you brought it here
and it has been in
your possession ever since?
A It was brought here, I
showed it to you and to
the Court and it has
been in my possession
ever since.

By the Court.

Q That handkerchief was
not identified by Mrs
Stewart as the one she
said she wore?

A. She said she never
saw it before until
it was called to her
attention in Court.

Diidrich Stolle, re-
called by the defense.

By Mr. Levy:

Q Do you remember seeing a
red handkerchief with the
defendant?

A Yes, sir.

Q Will you look at this
handkerchief (Def. Ex. A) - did
you ever see that before?

A Yes, sir. I saw Mrs. Mont-
gomery wear it.

Q How often did you see
her wear it?

A I know it only for
the last three months.

Q Did she wear it while
Mrs. Stewart was in the
house?

A I saw her have it on
when she went out
with Mrs. Stewart to
the store. That was a
month or six weeks
ago.

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Q You were in her company
at the time the defendant
had it on?

A Yes, sir.

Catherine Lynch, called
for the defense,
sworn, testified as
follows;

By Mr. Levy

Q Where do you live?

A I live with Mrs Mont-
gomery at 344 East
36 St

Q Did you live with her
in the house where the
fire was?

A I did. I only lived a
few days. Mrs Stewart
left a few days after I
went there.

Q Were you in the habit
of going to Mrs Montgomery's
house?

A Yes, sir.

Q How often in the week did you go to her house?

A Three or four times a week, and sometimes every day.

Q Look at this handkerchief, Dept. Ex "A" - did you ever see that before?

A Yes, sir.

Q Where did you see it?

A I saw it around Mrs Montgomery's neck. When she was going out she would put it around her neck.

Q Do you know who I mean by Mrs Stewart?

A Yes, sir.

Q Was she in the house when Mrs Montgomery would have this around her neck?

A She was in the house, at the time she used to go out to work.

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Q Has she there at any time when Mae Montgomery had this around her neck?

A I don't remember that.

Q You went directly with Mr Mitchell to the home?

A Yes.

Q And he found it in these premises, didn't he?

A I gave it to him out of the trunk.

Cross Examination

By Mr Mitchell:-

Q When I went to the room that trunk was it locked?

A Yes, sir.

Q Did you unlock it?

A Yes, sir.

Q Did you unlock the trunk?

A No, sir, the trunk was open.

Q How did you know which

trunk that handkerchief
was in?

A She told me before we
went out at the gate of
the Court.

Q Did you see the hand-
kerchief when it was
put in the trunk?

A No, sir.

Q You don't know who
put it there?

A That I can't tell.

Q Who has been living in
these rooms since you
moved to 344 East 36th?

A Nobody, but me there.

Mrs Montgomery, Mr Stole
& myself.

Q After Mrs Montgomery was
arrested who slept in
those rooms?

A My own self; nobody else.

Q Didn't this young man
sleep in those rooms
after his arrest?

54

A No, sir.

Q Has he ever in those rooms after she was arrested?

A He slept one night.

By Mr. Levy

Q And that is all?

A Yes.

Robert W. Naughton, called for the People, sworn, testified as follows:

By Mr. Mitchell:

I am a driver for Adams Express. I am 36 years old. I live at 237 East 38 St, third floor. I was in bed on the night of the fire, December 28th last. I was woken up by the People next door. My wife woke first and she woke me. I ran

55

to the back door and
seen the flames. My
wife ran to the faucet
and turned on the water.

I ran to the front
window to see if I
could see any person
running around the corner
or out the front door.

When I seen no person
I came back. By
that time some party
ran downstairs and told
the housekeeper and she
came up and seen it
and she went back down-
stairs and called for an
officer. Mrs Moloney was
smothering the flame. I
was standing in the door
and noticed Mrs Montgomery
coming downstairs. She
came within two or three
steps of the floor and
sat down.

Q Now was she dressed?
 A She had on a white night dress and white stockings. I seen nothing but the night dress and white stockings. Aftur she sat down she doubled over her night dress.

Cross Examination

By Mr Levy:

Q You say you had a full view of Mrs Montgomery at the time she was on the stairs?

A Yes, sir.

Q And if she had a night dress on with a dark dress underneath, showing below the night dress, you would have seen it?

A If it was below the night dress I would have seen it.

57

Q Did you notice her from the time she came down on the stairs until she left?

A Yes, sir.

Q And you looked so close so to see what she had on her feet?

A As she was going back upstairs I saw her stockings.

Q You could have seen a dark dress underneath the white while she was going upstairs if she had one on?

A Yes, sir.

By the Court:

Q How long have you lived in that house?

A About ten months.

Q What floor did you live on?

A Third floor. The fire was between my door

58

and my neighbors in
the front hall.
By Mr. Leary

Q You are not willing to
swear that Mrs. Montgomery
set fire to those rags?
A No, sir.

Q You did hear her say
when she came down
"Jesus Christ, are you
going to burn us up"
or something of that kind?
A I heard her say "Christ"
what is that?

Q And she came to the
foot of the stairs
and she was undressed
except in her night
dress and stockings, as
far as you observed?
A Yes, sir.

Q She might have been
in her bare feet?

A No, sir; I think she had
stockings on.

Q You were excited at the time?
 A Yes.

By the Court:

Q If this lady had anything
 under her night dress
 would you be able to
 know it - I mean any
 heavy garment?

A I might have been able.
 I was working at the
 fire myself when she
 came down.

Q From what you saw you are
 satisfied she had on her
 night dress?

A Yes, air, and stockings.

Q You think that is all
 she had on?

A That is all I saw.

Depto Council moves to
 dismiss complaint on
 the ground that People
 have not made out a
 case.

Motion denied; Ex.

0138

83

District Police Court.

James Mitchell

vs.

Edh Montgomery

STENOGRAPHER'S TRANSCRIPT.

Jan 20th 1882

BEFORE HON.

Edward Bryan

Police Justice.



Official Stenographer.

Edh Montgomery

Police Court 5th District.

City and County } ss.
of New York. }

of No. 159 East 67th
occupation Fire Marshal

James Mitchell

Street, aged 52 years,

being duly sworn, deposes and says,
that on the 28th day of December 1891,

at the City of New York, in the County of New York, one Ella Montgomery, now present,

did, in violation of law made and provided in such case, ^{unlawfully} set fire to the house known as No. 237 East 38th Street, in the 18th Ward of the said City of New York, the same being a dwelling house in which there were at the time human beings, to wit: one Joseph Handlin and a Mrs Lizzie Molney and others; in that the said Ella Montgomery did saturate with kerosene ^{oil} certain cloth and a silk handkerchief or portion of silk handkerchief, and did spill kerosene oil on the floor of the hall of the 3rd floor of the above mentioned house, and did set fire to the said kerosene and cloths, thereby setting fire to said house; that the said Ella Montgomery was at the time insured in the Phoenix Insurance Company of the City of Brooklyn in the amount of \$1,000, which amount, as deponent believes, is largely in excess of the value of the property of the said Ella Montgomery contained in said house at the time of said fire, and which insurance, unless duly continued, would expire on the 22 day of January 1892.

Further, that the cloth and remnant of silk handkerchief were in fact known to have been the property of the said Ella Montgomery, and as to the other part, was known to have been in the rooms of the said Ella Montgomery on the evening of the night of the fire -

All of which is set forth on information and belief -

Sworn to before me }
This twentieth day }
of January 1892 }

James Mitchell

Police Justice

0140

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer. *Ella Montgomery*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *344 E 36th Street 4 days.*

Question. What is your business or profession?

Answer. *Keeps House.*

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

Answer.

I am not guilty.

Ella Montgomery

Taken before me this

20

day of *March*

1897

Police Justice

0141

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 *January 21st* 18*92* *[Signature]* Police Justice.

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

Dated *Jan'y 24th* 18*92* *[Signature]* 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..... 18..... Police Justice.

0142

At 10 A.M Jan 21st
At 2³⁰ / 10 m " 21st

83

Police Court--- 4 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Mitchell
159 E 7th St
Ella Montgomerie

1
2
3
4

Offence

BAILED,

No. 1, by Frederick Schreiner
Residence 952 B Ave

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated Jan 20th 1892

H. J. M. Magistrate.

M. M. Officer.

21 Precinct.

Witnesses Joseph Handlin

237 E 7th St

No. Mr. Lipton M. Street.

Mr. Robert M. Naughton

No. 257 E 7th St

Delia Street

509 West 5th St

No. Officer Robinson

\$ 500 to answer

Bailed

Court of Annual Sessions
The People

vs.
Ella Montgomery -

To H. Lacey Nicoll District Atty -

I am once please take notice that
upon the aforesaid affidavit and upon
all the papers in the case. a
motion will be made in Part III
of the Court of Annual Sessions. on the
27th day of May 1892 for an order
discharging at 11 o'clock A.M.
or as soon thereafter as counsel
can be heard for an order dischar-
ging the defendant upon her own
plea of insanity and for such other
& further relief as to the Court
may seem just.

Dated May 26th 1892

Purdy & W. H. Manso -
of counsel for deft.

Court of General Sessions
 of the Peace of the City &
 County of New York
 & the Pas. &c.

vs.
 Ella Montgomery
 City & County of New York; vs. P. M. King
 duly sworn deposes & says - That he
 is one of the counsel for defendant
 that the defendant stands indicted
 in the case above named - upon the
 crime of arson - that she has been
 confined without trial upon said charge
 for a period of four months - that no
 writs have been taken by the district
 attorney to bring said case to trial
 as defendant is informed & believes &
 defendant therefore asks for the dis-
 charge of defendant

Inworn to before me, P. M. King
 May 26th 1892 S
 Robert Walling Young -
 Com. of Court
 Westchester County

0145

The Post

P.S.

Ella Mackay

Alfred and S
Robbie of Durham

Andy Williams
of Durham



of J. P. & Mary Kendall
Dept. of the
New York Co.

0146

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 4 DISTRICT.

James Mitchell

of No. 159 East 67 Street, aged 52 years, occupation Fire-Marshal being duly sworn deposes and says that on the 28th day of December 1891 at the City of New York, in the County of New York he has reason

to believe that one Ella Montgomery then residing at No. 237 East 38th Street, in this city, did then and then attempt to set fire to the said premises No. 237 East 38th Street, on the morning of December 28th 1891 at about the hour of 2.30 A.M.

Wherefore deponent prays that said Ella Montgomery be remanded ~~for examination~~ to allow deponent to obtain further evidence which he believes he will be able to procure

James Mitchell

Sworn to before me, this

of January 1892

19 day

Police Justice

[Signature]

Police Court-- 4 District.

THE PEOPLE, & c.,
ON THE COMPLAINT OF

Jas. Mitchell
vs.
Ella Montgomerie

AFFIDAVIT.

Dated Jan'y 19 1892

Hogan Magistrate.

Mularney Officer.

Witness,

Disposition, Ex Jan'y 20th 1892

2 30 P.M.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Rebecca Montgomery

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

Rebecca Montgomery

of the CRIME OF ARSON IN THE *first* DEGREE, committed as follows :

The said *Rebecca Montgomery*

late of the *Eighteenth* Ward of the City of New York, in the County of New York aforesaid, on the *Twenty-fifth* day of *December*, in the year of our Lord one thousand eight hundred and ninety- *one*, at the Ward, City and County aforesaid, with force and arms, in the *night* time of the said day, a certain *dwelling house* of one *George Hamilton*, there situate, there being then and there within the said *dwelling house* some human being, feloniously, wilfully and maliciously did set on fire and burn, 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

Rebecca Montgomery

of the CRIME OF ARSON IN THE *first* DEGREE, committed as follows :

The said *Rebecca Montgomery*

late of the Ward, City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, in the *night* time of the said day, a certain *dwelling house* of one *George Hamilton*, there situate, there being then and there within the said *dwelling house* some human being, feloniously, wilfully and maliciously did set on fire and burn, 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.

DE LANCEY NICOLL,

District Attorney.

0149

BOX:

469

FOLDER:

4297

DESCRIPTION:

Morris, Max

DATE:

02/16/92



4297

0 150

BOX:

469

FOLDER:

4297

DESCRIPTION:

Welokofsky, Samuel

DATE:

02/16/92



4297

Witnesses

Andy Lander
Samuel Hirsch
Max Goldstein

Oct 9/94
Advised Gov. asst
Clemency - RBM

193
Met Lander
H. H. ...

Counsel,
Filed 16 (day of July) 1892

Plends,
THE PEOPLE

vs.
Max Morris
and

Samuel Welokofsky

Burglary in the Third Degree
Section 498, N.Y. Laws of 1880, as amended

De LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Max Morris
July 24/94
Foreman.

Spied & concealed
Ray Eley
Booth, S.P. 5 yrs. P.M. 26
July 26/94

0152

Police Court— 3 District.

City and County } ss.:
of New York,

Philip Sandler

of No. 123 Division Street, aged 38 years,
occupation Shoe dealer being duly sworn

deposes and says, that the premises No. 123 Division Street, 7th Ward

in the City and County aforesaid the said being a dwelling house, the
apartment on the second story of
and which was occupied by deponent as a dwelling

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

were **BURGLARIOUSLY** entered by means of forcibly breaking the
lock used in fastening the door
leading to said apartment

on the 8th day of February, 1889 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

One silk dress and a coat
valued Seventy five dollars

the property of deponent
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away by

Max Morris and Samuel Melokoff, both
(now here) and two other men not arrested

for the reasons following, to wit: that the door leading
to said apartment was securely
locked and fastened by means
of a pad lock and an additional
lock on the door and said property
was therein. Deponent hearing a noise
in the building went to said apartment
and found the pick eyes broken and
the place entered as aforesaid.

Deponent is informed by Sarah Nirsch (now dead) who occupies adjoining apartment to deponent that she heard a noise at the said door and upon an inspection saw the door open and one of said unknown men run out and ran up stairs and the defendant Wilowiskey came out of apartment and thereupon said Nirsch screamed and attracted the attention of others also deponent and the said defendants were arrested but the two unknown men escaped. That said property was missing and deponent charges the defendants now here and the two unknown men with acting in concert in the breaking entering said apartment and stealing said property.

Shewn before me
this 9th February 1892

J. H. Gandy

Philip Sandler

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 Twenty 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 _____ 1892
 I have admitted the above named _____ to bail to answer by the undertaking hereto annexed.
 Dated _____ 1892
 There being no sufficient cause to believe the within named _____ guilty of the offence mentioned, order is to be discharged.
 Dated _____ 1892
 Police Justice _____

Police Court, _____ District, _____

Office—BURGLARY.

THE PEOPLE, &c.,
on the complaint of _____

vs.

1 _____
 2 _____
 3 _____
 4 _____

Dated _____ 1892

Magistrate _____
 Officer _____
 Clerk _____

Witness, _____
 No. _____ Street, _____
 No. _____ Street, _____
 No. _____ Street, _____

§ _____ to answer General Sessions.

0 154

CITY AND COUNTY }
OF NEW YORK, } ss.

Sarah Horsh

aged *51* years, occupation *none* of No.

123 Division Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *Philip Sander*

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

Sworn to before me, this *9* day of *February* 189*0* by *Miss Sarah Horsh*

Wm. H. Brady
Police Justice.

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Max Morris 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. *Max Morris*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *Russia Poland*

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

Answer. *14 Orchard St. 8 months*

Question. What is your business or profession?

Answer. *Tailor*

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*
Max Morris
mark

Taken before me this *9*
day of *September* 1937
W. P. Brady Police Justice.

0156

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Samuel Milokofsky 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. *Samuel Milokofsky*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *Russia Poland*

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

Answer. *93 West 111 St. 4 years*

Question. What is your business or profession?

Answer. *Machine operator*

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*

Samuel X Milokofsky
Mark

Taken before me this

9

day of

Edmund J. Brady

Police Justice.

0157

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

Defendants

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

Dated *July 9* 188*9* *J. H. G. G. G.* 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.

163

Police Court--- District.

THE PEOPLE, &c.,
IN THE COMPLAINT OF

Philip Saudler
Max Morris
Samuel Meloshky

District
Offence

3
4

Dated *July 9* 189*2*

Grady Magistrate.
Brown Officer.

Witnesses *Sarah Hersh*

No. *123 Division* Street.

Max Goldstein

No. *John Whitworth* Street.

No. *7* Street.

\$ *2000* to and for



Buy 3 M
9 X 2

\$2000 by. Feb. 1892 28 M.

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

The People
 vs
 Max Morris
 Samuel Melokofsky

Court of General Sessions Part I
 Before Judge Hartine. February 21, 1892
 Indictment for burglary third degree
 Phillip Sandler, sworn and examined, testified:
 I live at 123 Division street and am a shoe
 dealer. My store is there and I live overhead; it
 is a double store and I live on the second
 floor, two rooms in the front. I remember the
 6th of February. I locked up my place that day with
 a lock and a padlock. The padlock was loose
 and they broke the screws of the lock. There
 is a door in the back but it has no con-
 nection with my house. I saw the defendants
 near ten o'clock in the morning. I saw
 them coming out of the front door of the hall-
 way. I was standing in the door of my
 store and I heard a halloo in the hall, "Stop
 thief." I saw them go in the door half an
 hour before that. I saw Morris after that
 run out from the hall of the front door. He
 did not have anything in his hand. After-
 wards I caught the other one in the hall;
 he wanted to run out; he ran down from
 the stairs. He says to me, "What for you catch
 me? Why dont you run for the other fellows?
 I aint the thief. Sarah Wisch said, 'Ma
 Sandler, dont let him go; that man was
 in your rooms.' Afterwards the officer
 came and arrested him. There were plenty

of clothes in the house. There was a silk dress and a coat in the bedroom, which I afterwards found upon examination were missing; they were worth seventy five dollars. The lock now shown me was the one which was on my door and which was broken. A boy told me something and I went to a saloon in Hester street. I opened the door and two fellows ran out. I saw Merris. As I opened the door he ran out and I ran after him. I followed him to Grand street near Allen. I kept him in sight all the while, the officer was on the other side and he caught him. I caught him by his neck and I made a charge against him to the officer. I told him he was the man was in 123 Division st. He said, "I am coming from work." This was twelve o'clock in the day. I am sure Merris is one of the men was in my place. I never saw him before. I turned him over to the officer
Cross examined. I have lived fourteen years at Division St. but I have only lived four years in these rooms. It is a large tenement house, five stories high and two families on each floor. There are three families living on the floor where I live: I am a married man. I saw Mr.

Wilkofski in the hall. I did not see him inside the room. I did not see Morris in my room on the day in question. I don't know what business Wilkofski had in the hall that day. Sarah Hirsch's father was running after him. Wilkofski said, "I am not a thief; run after the other." He was running and he said, "I am not a thief; run after the other one; he has been in the rooms."

Sarah Hirsch, sworn and examined, testified I live at 123 Division st., the same floor that Mr. Sandler lives on; we occupy the whole floor on the opposite side. I remember the morning of the 8th of February last. My father was going out to business. I heard him go towards our front room and he came back to me and said something. I had my door open; it is in an oblique position to Sandler's and I saw his door standing open. I saw a man run out of the complainant's room up stairs. I could not identify him and then Wilkofski came out to me. He asked me, "Where does Mrs. Levy live?" I said nothing to him, but I began to call to Mr. Sandler, "A thief." Wilkofski ran down stairs. My father was on the stairs ahead of him. I did not follow down. I looked over the banisters. He caught him, and he said in Hebrew, "I ain't the thief. Why didn't

you run after the other man?" The officer came and made the arrest. I halloed, "There is another one on the roof. I did not do anything more. I think I saw one of these men in the morning before that, the one who wore a light overcoat corresponding to the one on one of these prisoners (Morris) I do not positively identify him. When I came down stairs I saw three or four of them in the yard. This was about an hour before I saw these parties at this room. I heard some noise as if walking around on the floor we occupy a little previous to my father going out.

Cross Examined. My father is not here. It is not a fact that when I saw Wilkofski he was actually going down stairs. When the officer had Wilkofski I said to him, "you have got to tell me who these other men are, I won't let you go unless you do. I said, if you tell me who the other men are, we will try to release you." I said that was after the arrest. I have lived seventeen years in that building. It is not anything unusual to see four men in that building, and that is why I did not take notice of them. There was another man who came down and said to me, "Where does Mrs. Weinstein live?" That was about ten o'clock - about an hour before

I saw the men come out of the room. There was no one of the name of Weinstern living in the house. Then I saw Wolkofsky come out of that room Sandler was not around at the time. I did not hear my father say anything at all. If he said anything I would not be likely to hear it because I was frightened. Max Goldstein sworn and examined. I live at 123 Division St., the same house in which Sandler lives; my store is under his rooms. I remember the morning of the 8th of Feb. I saw the defendants at ten o'clock in the morning. I saw them standing by the gate going into the hallway. I went down. I came back and found them standing by the door again. I went out of my store from the back door and in fifteen minutes I found them standing in the yard the three of them. I went in the yard; they were looking at me from top to bottom. They looked at me and I looked at them. They were not there over three or four minutes. They returned to the front door and I went away and left them. I came back at half past eleven and I saw the lock was broken off Sandler's door. I did not see the men together after the door was broken. I never saw them again until I saw them in the police station and the Police Court.

I said to Wilkopski in the station house, you are a thief. He said, No. That is all the conversation I had. I saw Morris afterwards in the same station house. The Captain asked me in his presence if that is the thief? I told him, yes. I recognized them both in the station house as the men I had seen. When I said that Morris was one of the thieves he did not say anything.

Cross Examined. I understood you to say that at the station house when the Captain asked you if they were thieves you said, yes? Yes sir. When you made that statement upon what fact did you base that statement that either one of them was a thief, what knowledge did you have of the fact of either of them being a thief? Why I was standing by the door. Is that all? Yes sir the mere fact that they were standing around - this is a large Government building that you are living in five stories high? Yes sir Is it anything unusual in a large building like that to see three or four men standing around in a door or in the yard for a few minutes? It was not for a few minutes. That was what led me to make the statement in the Police Court that they were thieves.

John Whitworth, sworn and examined.
 I am connected with the Seventh Precinct and
 I made the arrest in this case of Wilkofski.
 I found him in the hallway of 123 Division St.
 about ten minutes of twelve o'clock I believe.
 I heard a noise and I went in. I found two
 people holding him; I asked what was the
 matter? They said, "a thief." I said, "Where did
 he break in? They said in Sandler's place.
 I asked him what he was doing there? He
 said he was looking for a job. He spoke
 in German to another party, and that was
 interpreted to me. I said, "Do you know any-
 body here? He said, "No, I do not know any-
 body in the house. I took him into custody.
 I took him up stairs and Sandler was
 in the room. I asked him what he missed?
 He looked and said, "There is a silk dress
 gone and a coat. I found upon investigation
 that the lock was broken; one of the eyes
 was broken, and it was hanging by the other.
 The other lock was not disturbed. I asked Miss
 Hirsch if he was the party that she had seen
 there, and she said yes. I took Wilkofski
 to the station house. He could not speak English.

Cross Examined: Goldstein, who testified here, was
 not one of the parties who was holding Wil-
 kofski when I entered the hallway. I under-
 stood him to say he was looking for a job.

James J. Cronin, sworn and examined, testified. I took charge of the defendant Morris when he came to the station house. He was taken from the 21st Precinct station house to our Precinct the Seventh, and then turned over to me. He was put under my control. I asked him who was with him in this burglary and he told me he did not know. I spoke English to him and he spoke very little English. He pretended not to understand me first. I searched him and found some keys on him and I found keys in his stocking - ten keys in all I found. I found one key in his stocking that long brass one. I took a pocketbook from him containing five pawn tickets and a German lottery ticket. The two chains now shown me as well as the penknife was also found on his person.

Cross Examined. Have you ever used any of these keys to see whether they would fit that door which was broken into? One of them, the small trunk key. I went to Morris' room and searched it. I am asking about this place on Division St. No. 123 whether you used any of these keys to see whether they would open that door which was broken into? No. You do not know whether it fits them or not? No sir. They are not skeletons

Cross Examined: I left the shop at about ten o'clock. I went to the labor bureau, it was probably a quarter past ten and it was about half past ten when I got to Division street. It did not take me long to look for a baster. I found out there was none there and I came down, it took me two or three minutes. I was all alone when I went to look for a baster. My wife was at home that morning, she did not go down there with me. When I came down the woman up stairs halloed, "Take this man; he must know something about it." I went to look for a man baster; a woman cannot baste. Ask him if he was looking for a man baster why he said to Miss Hish in the hall, "where is the Missis? When I came there the door was open and I knocked and I got no answer. That is the reason why I asked where the Missis is?" I asked her then if there was any baster living here? She said, "no, ^{there} is no baster living there," and I went down stairs. I only came up that one flight. Mr. Sander took hold of me and said, "Do you know where the other man is? I say," "no, I don't know nothing about it, I am a workman." I did not get in the room, I merely knocked at the door. I did not see anybody. I was not in the room at all.

And what Miss Kirsh says about his coming out of the room is not true? No, it is not true. There was not another man in the room that came out before he came out? I did not see another man. Mr. Sandler took me up stairs. Then I told him, I am looking for a fester, I dont know anything about it. I am a workman, you can take me to my boss I am working for. I said nothing to Mr. Sandler in the hall when he took hold of me. Ask him if he said any time that day, "I am not a thief; arrest the other fellow, he was in the room?" No. I did not say anything at all that time. When Mr. Sandler and Miss Kirsh says that he said it in German, they are telling something untrue, is that correct? That is not true. I came down stairs quietly. I told him I was a workman and I was working all the time. I was working at 104 Eldridge St. for two years steady and had the same fester. I had no trouble at all. Mr. Simon is the name of the man who keeps the labor bureau in Grand street. I never saw Mr. Goldstein, one of the witnesses here. I can prove by a hundred witnesses that I was at the labor bureau at a quarter past ten o'clock.

Keys - ordinary keys. The brass key now shown me is similar to what is known as a skeleton key. That is the one I found in his stocking. Did you make any examination knowing that he had a key of the kind which you have stated to find out whether that would fit the lock that was broken at this place 123 Division St? No sir. I happened to find a bunch of keys with a jimmy and they represented the lock similar to that. This door that was broken into you do not know whether any keys fitted it or not? No sir. I do not. After I arrested Morris I went to his rooms to make an examination of his effects. Did you find anything of these missing articles in question, the silk dress or the coat? No.

The Case for the Defence.

Samuel Melokofsky, sworn and examined.
I am married and have a wife and one child. I have been married three years and a half. My wife is in Court. I work as an operator on coats. It is necessary to have a "baster" do some work on coats before I can work as an operator. On the 5th of February 1892, the day I was arrested, I went to the Labor Bureau in Grand St. I had work but the baster did not come and I could not work that day; the boss sent me

after a baster, the boss's name is Marks. I waited till ten o'clock and the baster did not come, and the boss told me to go and get another baster. He did not tell me where to go. I went to the Labor Bureau in Grand St., and a presser there told me where to go, he told me to go to 121 or 123, one of those numbers in Division street and I would find a baster. I went there and I asked a pedlar who stood by the door whether he knew a baster lived there? He said, "No; you can go to the housekeeper on the first floor and she will tell you." That is how I came to be on the premises that day. I was never arrested before in my life. I was five years with the soldiers and I always attended to my duties. Did you break open that lock or open that door of this complainant on that day or at any time? No. Did you have anything whatever to do with it? I came up stairs and I seen the door a little way open. I knocked at the door and nobody answered. Then I went back and I asked the lady, "Where is the Missis?" She said, "There is no Missis here." Then I asked her if she knew where the "baster" lives. She said, "There is no baster," and I went down stairs.

May Margenstein sworn. I am acquainted with Klokofsky. I know him since he was a small boy in the old country. He worked for me as an operator on coats; he worked for me six months. Was he in your employ on the 8th of February 1892? Yes sir, Monday morning. He came in and asked me if I had work? I says, "yes" if you have got a baster come up, you can have work." It was necessary in his business to have a baster before he could work for me as an operator. He was there at seven o'clock in the morning sitting by the machine making ready buttons. He asked me if I had a baster? and I said, "no; get one and go to work." I sent him for a baster about nine o'clock; he went away. I don't know where he went. He worked six months for me and went away because the work stopped. The defendant is a man of good moral character. I don't know anything against his character and never have heard anything against him.

Cross examined. I have spoken to his wife; she is all right making an honest living. I never heard of him being in trouble before. I got work from the shops and I opened on Sunday. I went up to his house and I told him to come to work tomorrow morning. I told him the night before to get a baster.

Mary Morris, sworn and examined, testified
On the 8th of February I resided at 14 Orchard St.
with my father and mother. I am a single man
and am the sole support of them for six years.
I have worked as a tailor, I am a baster. On
the 8th of February between the hours of nine
and twelve I went to my boss. He did not have
any work. He said to me, "Come in the after-
noon and there will be work." I went around
Nester street in a saloon about nine o'clock.
I remained there three hours in Morris Gold-
stein's saloon 89 Nester street. I took a drink
and was playing cards with a man named
Lustick. On the 8th of February 1892 or at
any time on that day or at any time after-
wards up to the time of your arrest were you
ever at the premises 123 Division street? I
never was at that place. I went in this place
in Allen street near Grand St., the com-
plainant came up to me; he says, "You was
in Division St., in this number; I says,
I never was in my life there. I was walk-
ing very easy, I was going up to my
boss to see if he has work. The officer
was on the corner; he said, "Lock him up."
He took me up to the Clibridge street station;
afterwards he sent me down to the Madison
street station. He asked the woman, and

the woman said, that man was never in this block. I never was arrested before
 Cross Examined. I was working in Rector street for a couple of weeks. I was out of work a few days. I was working Friday night. I had been working steady right along before that. I was making sixteen dollars a week. I had \$5.45 the day I was arrested. I had the keys of the cellar, 14 Orchard street where I live and the water closet key; the key now shown me is the key of my trunk; the key now shown me is not mine. I gave the name of Max Morris in the station house; the name Goldberg was on the pawn ticket. I took the boss' name. The property I pawned was my own personal property.

Nathan Lustig, sworn and examined. I know the defendant about a year. I was in his company on the 8th of February, in a saloon; it was on a Monday. I do not remember the date. I was on the corner of Ludlow and Rector sts. where all the bosses meet. There I expected to get a place. I don't remember the number; it is between Orchard and Allen st. I went into the saloon alone and met Morris there; it was 15 or 20 minutes past nine I ~~remember~~ ^{am} quite positive about that. I remained there with him until about dinner time and then we parted.

I am an operator on ladies jackets. I work for Silverstein in Brooklyn. for about a year and a half. I am married and have a wife and family.

Cross Examined. I first saw Morris $\frac{1}{2}$ or 20 minutes past nine o'clock; when I came to the saloon he was there already. Morris did not come in that saloon about eleven o'clock. I do not remember Mr. Sandler coming in. I was not there when he was taken out of that saloon. I went away at dinner at twelve o'clock. After I came out I went towards Allen st. and he went towards Orchard St.. Morris and I played pinackle together. I paid six cents for two drinks. I was not in the saloon the day before. I never had a drink with Morris before. Bennie Jacobs sworn. I am a tailor. I don't know Morris but I know Mitkofsky two years I never heard anything against his character. I know him to be a man of good character. Harry Jacobs sworn. I am a cap maker and have been three years. I know Morris three or four years and know him to be of good character.

The jury rendered a verdict of guilty of burglary in the third degree. The prisoners were remanded for sentence.

Testimony in the
Case of
Mary Morris and
Samuel Melchopky

filed for
1892

0176

VI.

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

August 30, 1894.

Sir:

Application for Executive clemency having been made on behalf of
Daniel Wellokofsky who was convicted of *Burglary 3d*
in the county of *New York* and sentenced *26 Feb. 1892*
to imprisonment in the *Sing Sing Prison* for the term of
five 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.

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,
District Attorney,
New York City.

0177

VI.

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

August 30, 1894.

Sir:

Application for Executive clemency having been made on behalf of
Samuel Wellokofsky who was convicted of *Burglary 3^d*
 in the county of *New York* and sentenced *26 Feb. 1892*
 to imprisonment in the *Sing Sing Prison* for the term of
five 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.

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. R. B. Martine
New York City.

0178

Sept. 21st 94
Sent for officer

Wetlock by

— 207

— 210

POOR QUALITY
ORIGINAL

0179

District Attorney's Office,

CITY AND COUNTY OF NEW YORK.

7
Sept 21 "1894

CAPTAIN OR OFFICER IN COMMAND.

Dear Sir:

I desire to see Officer Armin
attached to your command in
Feb. 1892 in relation to the case of
Max Morris & Samuel Melokofsky
sentenced Feb 26/92 to 5
years and months imprisonment by
Judge Mar

Please ask the officer to bring such inform-
ation in relation to the case, and as to the
previous record of the prisoner, as he may be
enabled to obtain.

Yours truly,

HENRY W. UNGER,

Deputy Assistant and Secretary to the District Attorney.

0180

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

THE PEOPLE OF THE STATE OF NEW YORK

against
Max Morris
and
Samuel Welokofsky

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

Max Morris and Samuel Welokofsky

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

The said *Max Morris and Samuel Welokofsky, both*

late of the *7th* Ward of the City of New York, in the County of New York aforesaid, on the *eighth* day of *February* in the year of our Lord one thousand eight hundred and ninety-*two*, with force and arms, in the *day*-time of the same day, at the Ward, City and County aforesaid, the dwelling house of one

Philip Sandler

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent the goods, chattels and personal property of the said *Philip Sandler* in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

Max Morris and Samuel Belokofsky

of the CRIME OF ~~Grand LARCENY in the second degree~~, committed as follows:

The said

Max Morris and Samuel Belokofsky, both

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

one dress of the value of fifty dollars, and one coat of the value of twenty-five dollars

[Large handwritten flourish]

of the goods, chattels and personal property of one

Philip Sandler

in the dwelling house of the said

Philip Sandler

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

*De Lancy Kroll,
District Attorney.*

0182

BOX:

469

FOLDER:

4297

DESCRIPTION:

Morris, Michael

DATE:

02/17/92



4297

Witnesses:

Karl Schmidt

216

Counsel,

Filed

17

day of

1892

Plends,

THE PEOPLE

vs.

Michael Morris

Grand Larceny, Second Degree, [Sections 229, 231, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

60-11-39
11-9-92

A TRUE BILL.

Samuel Harrison
Foreman.

John J. [unclear]

Pen 1 [unclear] P.S.M.

Police Court— 5 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 1704 Rate Schneiders
occupation Keep home Street, aged 32 years,
deposes and says, that on the 27 day of January, 1892 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 plush Sacque and
one overcoat, together of
the value of forty 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 Michael Morris

(now here) from the fact that the
said deponent had a room in
deponent's home and on said
date he left and after he
left deponent discovered that
said property was missing and
after this deponent's arrest he the
deponent admitted and confessed
in open court in the presence and
hearing of deponent and Officer
Edward Petall that he did
feloniously take steal and carry
away said property
wherefore deponent prays the said
deponent be held and dealt with
according to law. Rate Schneiders

Sworn to before me, this

of

[Signature]
1892

Police Justice

0185

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Michael Morris

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 sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *Michael Morris*

Question. How old are you?

Answer. *33 years old*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *No home*

Question. What is your business or profession?

Answer. *Labourer*

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

Michael Morris

Taken before me this

day of

189

John J. Kelly

Police Justice.

0186

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 May 12 - 1892 Police Justice.

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

Dated.....18..... Police Justice.

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

Dated.....18..... Police Justice.

178

Police Court--- 5 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Kate Schneiders
1704 2nd Avenue
Michael Morris

of the
Grand Jurors

2
3
4

Dated *July 12 - 1892*

Hilde Magistrate.

Purtell Officer.

27 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ *1000* to answer *G. S.*

leave

9/2



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

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Michael Morris

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

Michael Morris

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

The said Michael Morris,

late of the City of New York, in the County of New York aforesaid, on the *27th* day of *January* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with force and arms,

one sackage of the value of twenty dollars, and one ^{over-}coat of the value of twenty dollars

of the goods, chattels and personal property of one

Kate Schneiders

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.

De Lancey Nicoll
District Attorney

0189

BOX:

469

FOLDER:

4297

DESCRIPTION:

Morrison, Angus

DATE:

02/09/92



4297

Witnesses:

Counsel,
Filed
Pleads,

1892

THE PEOPLE

vs.

Angus Morrison

Grand Larceny, Second Degree,
[Sections 528, 529,
Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Ken Lanning
Foreman.

July 19, 1902
Hendrick J. Perry

Elmira Ref. - R.S.M.

0191

(1885)

Police Court 2 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

John Grant

of No. 177 West 12th Street, aged 25 years,

occupation Salesman being duly sworn,

deposes and says, that on the 30 day of January 1892 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:

Three suits of clothes, consisting of Three Coats, Three Vests, and Three pair of Pantalons, in all of the amount and value of Ninety dollars (90), a quantity of Linen Apparel of the value of Five dollars - in all of the amount and value of Ninety five dollars (95) and a trunk containing a quantity of clothes the value of which is unknown to deponent

the property of Deponent. and in deponent's care and custody

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

Angus Morrison (now here) from the following facts to wit: That the aforesaid property consisting of Three Coats, Three Vests and Three pair of Pantalons, and linen apparel were in a trunk in deponent's room, and said trunk containing said quantity of clothes which value is unknown to deponent, was in the hallway in front of deponent's room, and that about the hour of 7:45 o'clock A.M. deponent left said room leaving the defendant there, and said property in said trunk in said room, and said other trunk in said hallway and that deponent returned about the hour of 6 o'clock P.M. of the aforesaid date, and discovered the aforesaid property stolen, and said defendant missing

Sumner, to be sworn to by the deponent

Palmer, Justice

0192

and that deponent is informed by Harrison Remondillo
of No 77 West 12 Street that about the hour of
six o'clock P. M. of the aforesaid date he saw the
defendant give and hand to an expressman
the trunk which deponent had placed in the
hallway outside of his door and that the
defendant admitted and confessed in open
Court to deponent in presence of Officer William
Gonigle of the 15th Precinct Police, that he had
taken silver and carried away the aforesaid
property. Deponent therefore asks that the
defendant may be held to answer

Sworn to before me } John Grant
this 3 day of February 1892 }

Police Justice

0 193

CITY AND COUNTY }
OF NEW YORK, } ss.

Harrison Ramsdell

aged 22 years, occupation Keeper of No.

77 West 12 Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of John Grant

and that the facts stated therein on information of deponent are true of deponent's own

knowledge.

Sworn to before me, this 3 day of May 1890. *Harrison Ramsdell*

[Signature]
Police Justice.

0 194

CITY AND COUNTY }
OF NEW YORK, } ss.

William Gorrige

aged _____ years, occupation _____ of No. _____

15 Precinct Police Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *John Grant*

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

Sworn to before me, this *3* day of *May* 189*7*

William Gorrige

[Signature]

Police Justice.

0195

Sec. 198-200.

2

District Police Court

CITY AND COUNTY OF NEW YORK, ss

Angus Morrison

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. Angus Morrison

Question. How old are you?

Answer. 21 years -

Question. Where were you born?

Answer. Scotland

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

Answer. No 77 West 12 Street - 3 months

Question. What is your business or profession?

Answer. Clerk

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

Answer.

I am guilty
A. Morrison

Taken before me this
day of February
1892

Received Pawn tickets 25439. 4-7/18
13860 from Court of General Sessions
March 16th 1892

A. M. Grant

George J. ...

0 196

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 500 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 3 1892 [Signature] Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

Trunk at
84 E 10th St

Police Court--- District. 152

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Grant
77th 12th St
Angus Morrison

offense
Larceny
felony

2
3
4

Dated February 3 1892

Speier Magistrate.

Spuyler Officer.

15 Precinct.

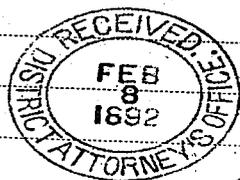
Witnesses

No. Street.

No. Street.

No. Street.

\$ 500 to answer



BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Angus Morrison

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

Angus Morrison

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

The said

Angus Morrison

late of the City of New York, in the County of New York aforesaid, on the 30th day of January in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, with force and arms,

three coats of the value of fifteen dollars each, three vests of the value of seven dollars each, three pair of trousers of the value of eight dollars each pair, divers other articles of clothing and wearing apparel, of a number and description to the Grand Jury aforesaid unknown, of the value of fifty dollars, and one trunk of the value of five dollars,

of the goods, chattels and personal property of one

John Grant

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.

De Laurey Nicoll, District Attorney

0199

BOX:

469

FOLDER:

4297

DESCRIPTION:

Mullen, Edward

DATE:

02/11/92



4297

0200

BOX:

469

FOLDER:

4297

DESCRIPTION:

Dalton, William

DATE:

02/11/92



4297

0201

BOX:

469

FOLDER:

4297

DESCRIPTION:

Danna, William

DATE:

02/11/92



4297

0202

77723868

Walter McBride

W. McBride

Alvin Kelley

on motion of the
McLaughlin &
Company that this
case be sent to
Special Agents
Feb 19th 1922
G. H.
A. D. C.

Counsel,

Filed

day of

1892

Pleads,

THE PEOPLE

vs.

Edward Muller
William Dalton
and
William Danna

Assault in the Third Degree.
(Section 219, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

[Signature]
Foreman

145
[Signature]

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Edward Muller
William Dalton and William Danna

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

Edward Muller, William Dalton and William Danna

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

The said Edward Muller, William Dalton and William Danna

late of the City of New York, in the County of New York aforesaid, on the Sixth day of February in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, in and upon the body of one

Matilda McBride in the peace of the said People; then and there being, with force and arms, unlawfully did make an assault, and her the said Matilda McBride did then and there unlawfully beat, wound and illtreat, 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.

DE LANCEY NICOLL,
District Attorney.