

0000

**BOX:**

469

**FOLDER:**

4297

**DESCRIPTION:**

Meredith, Arthur

**DATE:**

02/19/92



4297

Witnesses:

*Wm. H. [Signature]*  
*Officer [Signature]*

*248*

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

Burglary in the Third Degree.  
[Section 498, Penal Code.]

THE PEOPLE

vs.

*Arthur Meredith*

*18*  
*John M. [Signature]*  
*Foreman*

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*[Signature]*  
*[Signature]* Foreman.  
*[Signature]*  
*[Signature]*  
*Pen 24ys. PBM*

0010

Police Court— 3 District.City and County { ss.:  
of New York,of No. 200 Chrystie Street, aged 27 years,  
occupation Keep Restaurant being duly sworndeposes 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  
and which was occupied by deponent as a dwelling  
~~and in which there was at the time a human being, by name~~attempted to be  
were BURGLARIOUSLY entered by means of forcibly opening the  
door leading into said apartmenton the 15<sup>th</sup> 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 and the aforesaid property taken, stolen and carried away by~~  
attempted to be with the intent aforesaidArthur Meredithfor 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  
Suborn to before me this  
16<sup>th</sup> day of February 1892  
Charles N. [illegible] its Police Officer  
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 M. Regan*  
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 1890,  
*Margaret X Regan*  
witness

*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. *Trimmer*

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 February 1917*  
*Charles J. Hunter*

Police Justice.

00 13

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*

*Am* ~~guilty~~ thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *100* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, *Feb 16* 189*7* *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.,  
IN THE COMPLAINT OF

*Edmund May*  
*200 10th St*  
*Arthur Meredith*

*Alfred*  
*Burglar*

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Dated, *Feb 16* 1892

*Taintor* Magistrate.

*Flay* Officer.

*11* Precinct.

Witnesses *Margaret Ryan*

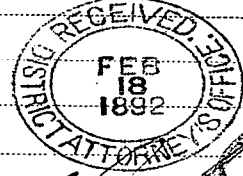
No. *200 10th St* Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

\$ *1000* to answer



*OK*  
*att 3*  
*Burg*  
*5th*

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

00 15

462

**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 17<sup>th</sup> 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*

there situate, feloniously and burglariously <sup>attempt to</sup> 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

00 17

POOR QUALITY  
ORIGINAL

Witnesses :

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

*Wm. J. Edwards*  
Counsel,  
Filed *24* day of *July* 189*2*  
Pleads, *Not guilty*

23 *Carol*  
33 *tailor*  
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.

*Wm. J. Edwards*  
Foreman.  
*Paul E. T. ...*  
*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-



0020

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.

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, } ss:

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  
from the possession of deponent, in the day time, the following property, viz:

A quantity of roasted Yarn of the  
value of one hundred and  
twenty five dollars

the property of Althman J. Cammen 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 feloniously taken, stolen and carried away by Joseph Meyer (unpresent)

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

of January 1892  
at New York  
Police Justice.

0023

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty*  
*Joseph Meyer*

Taken before me this

day of

*19*  
*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 19 18 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.

0025

Police Court---

73 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Timothy A. Gallagher*  
*vs.*  
*Joseph Meyer*

*Offence*  
*Sec 1000*  
*Attorney*

2  
3  
4

Dated 19 92

*Duffy* Magistrate.  
*John Walsh* Officer.  
6 Precinct.

Witnesses

No. Street.

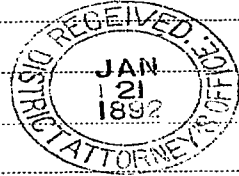
No. Street.

No. Street.

\$ 5.00 to answer

*Committed*

*92*



BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

0026

505

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  
attempting 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 <sup>attempt to</sup> 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:

Counsel,

Filed

day of

1892

Pleads

*Not guilty*

THE PEOPLE

vs.

*A*

*Charles Miller*

Grand Larceny,  
(From the Person)  
[Sections 528, 584,  
Penal Code.]

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*Wm. L. Larrum*

Foreman.

*July 5/92*

*Charles J. [unclear]*

*Ben [unclear] RBM.*

0029

(1865)

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 21<sup>st</sup> day of January 1892 at the City of NewYork, 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 leather pocket book  
containing six + 50¢ or dollar gold  
and several 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  
time of 11 o'clock A M said  
date. deponent was in the vestibule  
of the German Catholic Church of  
the Immaculate Conception in East  
150<sup>th</sup> Street. near Elton 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.

Police District

deponent saw this defendant near her  
and called to her husband Anton  
Kootz 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 22<sup>nd</sup> day of Jan 1892 } Theresa Kootz

C. W. Meade  
Police Justice

0031

(1335)

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 May 1894

*John J. [Signature]*  
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.....

*Defendant*

*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*92* *John S. Keef* 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.

003

1500 Base  
Jan. 26. 2 P.M.

106

Police Court--- 5 District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Theresa Kromb  
Off 9-3 are  
Charles Muller

Offense  
from the person

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 Kromb

No. 49. 3. are Street

Geo J. Hoffman

No. 2891. 3. are Street

Wm Baumbach

No. 709. 814 9th Street.

\$ 1500 to answer

Chm



1500 Feb 2nd 1892

**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 *31st* 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.

*AB*

## 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

*Charles Miller*  
*Theresa Koontz*  
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:

*Read for  
Officer*

Counsel,

Filed

Pleads,

THE PEOPLE

vs. P

*Geo Muller*

*and P*

*Charles Kang*

De LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Ray S. Lerman*

Foreman.

*Feb 11/92*

*Read / Read / Read / Read*

*No. 1 - S.D. 2 yrs.*

*No. 2 - " 3 yrs.*

*Feb 10/92 P.M. 10*

[Section 885, 506, 525, 532, 533]  
Burglary in the Third Degree.

0039

Police Court—6th District.City and County } ss.:  
of New York,of No. 1253 Washington avenue Street, aged 36 years,  
occupation Grocer being duly sworndeposes and says, that the premises No 1294 Washington avenue Street,  
in the City and County aforesaid, the said being a three story frame buildingand which was occupied by deponent, as a grocery store  
and in which there was at the time a human being, by name Mrs. Hallwere 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 dollarsThe 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 Smith  
are now present

for the reasons following, to wit:

that deponent recently looked & found  
same person on same night, and since then deponent  
was informed by Officer Michael Brady 34th Precinct Police  
that he arrested same defendants who were committing  
together and in each other company and who together  
have the above described property in their possession -  
which property deponent fully identifies -Joseph W. Segarsdeponent is sworn in this  
22 day of January 1892

Police Court

0040

CITY AND COUNTY }  
OF NEW YORK, } ss.

Michael Brady -  
aged 41 years, occupation Police Officer of ~~No.~~  
the 34<sup>th</sup> Precinct 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.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

*New York*

Question. What is your business or profession?

Answer.

*Hammer 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* 1892

*J. C. McCreary*

Police Justice

0042

Sec. 198—200.

6<sup>th</sup>

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Charles Ling* 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 Ling*

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.

*Home*

Question. What is your business or profession?

Answer.

*Farm*

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 Ling*

Taken before me this

*22*day of *January* 1892*W. C. McLeod*  
Police Justice

0043

Sec. 198—200.

Other

**District Police Court.**

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

*Question.* What is your name?

*Answer.*

Question. How old are you?

*Answer.*

*Question.* Where were you born?

*Answer.*

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

*Answer.*

*Question.* What is your business or profession?

*Answer.*

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

*Answer.*

Taken before me this

22

day of ~~stopping~~

1892

James 1892  
D. W. C. Abbott

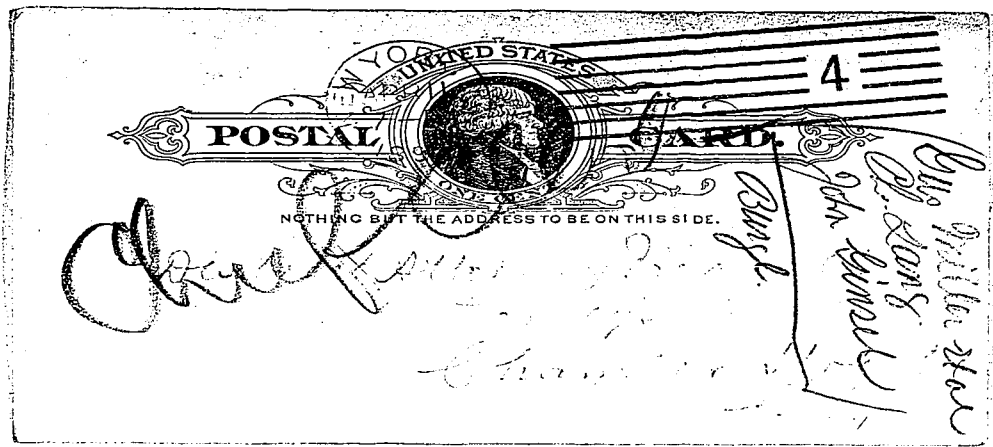
Office Justice



0044

Cell 114 - 4 Div. Old Prison Farm  
11 April 42

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

Dated Jan 22<sup>nd</sup> 1892 W. W. M. J. 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.

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

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Joseph N. Tegan  
1253 Washington  
Sus Miller  
2. Charles Ling  
3. John Ernest P.  
4.

Offence -  
Burglary

Dated January 22<sup>nd</sup> 1892  
Meade Magistrate.

Michael Brady & Ann Michell Officers  
Precinct.

Witnesses Louis R. Schappert  
No. Officer 3 Precinct.

William A. Schappert  
No. 1277 Washington Street.

No. 1009 to answer.



Am P. R. Perry

There is no sufficient  
legal evidence against  
the defendant John  
Ernest, the defendant  
being fully dismissed  
the charges against  
him but omitted to  
evidence the dismissal  
on these notes.  
The defendant should  
be discharged.  
BAILLED,  
Jan 13/92 J. P. [Signature]

No. 1, by \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_ Street.

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_ Street.

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_ Street.

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

*Eus Miller and Charles Lang*

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

*Eus Miller and Charles Lang*

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

The said

*Eus Miller and Charles Lang, both*

late of the *23<sup>rd</sup>* 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 *store* 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 *store*  
 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 A. Schappert* —

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

— *William A. 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.*

005 1

**BOX:**

469

**FOLDER:**

4297

**DESCRIPTION:**

Miller, James

**DATE:**

02/23/92



4297



[illegible]

Witnesses:  
 Anna Price  
 J. McCloskey  
 J. Cronley

1. ~~Let the conference~~  
 2. ~~be of more than ordinary~~  
 3. ~~importance~~  
 4. ~~and~~  
 5. ~~the~~  
 6. ~~conference~~  
 7. ~~be~~  
 8. ~~of~~  
 9. ~~more~~  
 10. ~~than~~  
 11. ~~ordinary~~  
 12. ~~importance~~  
 13. ~~and~~  
 14. ~~the~~  
 15. ~~conference~~  
 16. ~~be~~  
 17. ~~of~~  
 18. ~~more~~  
 19. ~~than~~  
 20. ~~ordinary~~  
 21. ~~importance~~  
 22. ~~and~~  
 23. ~~the~~  
 24. ~~conference~~  
 25. ~~be~~  
 26. ~~of~~  
 27. ~~more~~  
 28. ~~than~~  
 29. ~~ordinary~~  
 30. ~~importance~~  
 31. ~~and~~  
 32. ~~the~~  
 33. ~~conference~~  
 34. ~~be~~  
 35. ~~of~~  
 36. ~~more~~  
 37. ~~than~~  
 38. ~~ordinary~~  
 39. ~~importance~~  
 40. ~~and~~  
 41. ~~the~~  
 42. ~~conference~~  
 43. ~~be~~  
 44. ~~of~~  
 45. ~~more~~  
 46. ~~than~~  
 47. ~~ordinary~~  
 48. ~~importance~~  
 49. ~~and~~  
 50. ~~the~~  
 51. ~~conference~~  
 52. ~~be~~  
 53. ~~of~~  
 54. ~~more~~  
 55. ~~than~~  
 56. ~~ordinary~~  
 57. ~~importance~~  
 58. ~~and~~  
 59. ~~the~~  
 60. ~~conference~~  
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 62. ~~of~~  
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 64. ~~than~~  
 65. ~~ordinary~~  
 66. ~~importance~~  
 67. ~~and~~  
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 83. ~~ordinary~~  
 84. ~~importance~~  
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 86. ~~the~~  
 87. ~~conference~~  
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 91. ~~than~~  
 92. ~~ordinary~~  
 93. ~~importance~~  
 94. ~~and~~  
 95. ~~the~~  
 96. ~~conference~~  
 97. ~~be~~  
 98. ~~of~~  
 99. ~~more~~  
 100. ~~than~~  
 101. ~~ordinary~~  
 102. ~~importance~~  
 103. ~~and~~  
 104. ~~the~~  
 105. ~~conference~~  
 106. ~~be~~  
 107. ~~of~~  
 108. ~~more~~  
 109. ~~than~~  
 110. ~~ordinary~~  
 111. ~~importance~~  
 112. ~~and~~  
 113. ~~the~~  
 114. ~~conference~~  
 115. ~~be~~  
 116. ~~of~~  
 117. ~~more~~  
 118. ~~than~~  
 119. ~~ordinary~~  
 120. ~~importance~~  
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 147. ~~importance~~  
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 153. ~~more~~  
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 156. ~~importance~~  
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 159. ~~conference~~  
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 162. ~~more~~  
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 165. ~~importance~~  
 166. ~~and~~  
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 168. ~~conference~~  
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 172. ~~than~~  
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 174. ~~importance~~  
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 217. ~~than~~  
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 219. ~~importance~~  
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 257. ~~the~~  
 258. ~~conference~~  
 259. ~~be~~  
 260. ~~of~~  
 261. ~~more~~  
 262. ~~than~~  
 2

Counsel, *CB*  
Filed *AB* day of *Dec* 1892  
Pleads, *1892*

U.S.

9

James M. Mc

*Bedding, 11 coll.*  
**JOHN D. FELLOWS**

*District Attorney.*

# A TRUE BILL

with J. N. 22-19-1841

~~Bill~~ Bill Disenward

Cam. Warren.  
Foreman.

See comment

within the type.

Prodr. Second

The complainant  
Paine was locked  
up in the House of  
Detention - he was  
beaten at & then  
left for prison -  
-Kumara. Paine's re-  
-lease is a waste  
of money - Detentions  
Sergeant Campbell  
Wm. Ewing says we  
are that the Complain-  
-ant was so injured  
to return to prison  
The purpose is that  
the Prisoner  
was taken & as there is  
no possibility of the con-  
-viction being tried - I  
ask that the defendant  
be discharged on his own  
recognizance - she is dictat-  
ed by what a year old  
see 19th 92 G.L.S.  
W.E.A.

0053

0054

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*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

1892

Police Justice.

0055

Police Court 4<sup>th</sup> District.City and County } ss.  
of New York.of ~~the~~ Toronto Canadaoccupation ~~Blacksmith~~that on the ~~first~~ month day of ~~July~~

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

Samuel Rice  
Street, aged 20 years,

being duly sworn, deposes and says,

1891, at the City of New

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~~ 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 ~~as~~ then, at the request of said defendant ~~came to the~~ on the same day 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 hundred and seventy-five dollars more and that he, defendant, would then give deponent a quantity 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 apprehended 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 H. Ryan  
Police Justice

Police Court,

THE PEOPLE, &c

ON THE COMPLAINT OF

22.

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

Adverting 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 West St  
Street, by occupation a Squire 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 200  
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*  
*Jan*  
*1881*  
*Police Justice*

*Michael Callahan*  
the within named Bail and Surety being duly sworn, says that he is a resident and *free*  
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 or less.* *M. J. Callahan*

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Underlying to appear*  
*during the Examination.*

vs.

Taken the ..... day of ..... 18

Justice.



0060

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 1892 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

day of Feb 1892

Michael Callahan

J. Miller

John J. Ryan

Police Justice.

0061

City and County of New York, ss:

Sworn to before me this  
day of  
1891  
Police Justice.

the within-named Bail and Surety, being duly sworn, says, that he is a resident and  
holder within the said County and State, and is worth Twenty free 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  
Street New York City and is of the full  
value of Two thousand Dollars

M. Callahan

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Underwriting to Answer.

Taken the day of 1891

Justice.

Filed day of 1891

0062

1  
Received from Mr. Q  
The sum of One Thousand  
Twenty dollars on account  
of Gas

0063

CITY AND COUNTY } ss.  
OF NEW YORK,POLICE COURT, 4 DISTRICT.Michael Crowleyof 300 Mulberry Street, aged \_\_\_\_\_ years,  
occupation Sergeant Detective being duly sworn deposes and says,  
that on the \_\_\_\_\_ day of \_\_\_\_\_ 188at 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 March 188

188

John P. Ryan  
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 1st day of July  
 1887 in the City of New York, in the County of New York,

*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 1887

Samuel Price POLICE JUSTICE.

0065

The within named

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

Dated \_\_\_\_\_ 188

Police Justice

County of Orange } ss.:  
City of Newburgh

Michael Crowley

Being duly sworn says that he resides in the  
City of Newburgh; that the  
name of James G. 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.

Michael Crowley

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

L. M. J. M. O. O. S. R.

Recorder City of Newburgh

This warrant may be executed in the  
County of Orange

Dated at Newburgh, this  
2 day of February, 1892

Michael Crowley

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 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 18 John Ryan Police Justice.

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

Dated Feb 3. 8' 1892 John Ryan Police Justice.

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

Dated 18 John Ryan Police Justice.

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

## BAILED,

No. 1, by Michael J. Kucharski  
Residence 39 West Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

N 253 B.O. 158  
Police Court--- District.

THE PEOPLE, &amp;c.,

ON THE COMPLAINT OF

HOUSE OF DETENTION

James Miller

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Dated July 3 1888

Ryan Magistrate.

Connelly & McCloskey Officer.

C.O. Precinct.

Witnesses \_\_\_\_\_

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

\$ 1000 to answer G.S.

Paula  
1000 E. Feb 14 10am  
" " " 8 9PM

Admission  
Offence  
County Jail 9m



0068

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,*

## SECOND COUNT.

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

James Miller  
of the crime of uttering, publishing, circulating and distributing \_\_\_\_\_ 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 and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, did feloniously utter, publish, circulate and distribute, by then and there sending, and causing and procuring to be sent, to Samuel Price and to \_\_\_\_\_ divers other persons whose names are to the Grand Jury aforesaid unknown, 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 say:

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

THIRD COUNT.

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, <sup>and</sup> 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:

*W. C. Carter*  
*Wm. C. Carter*

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 this  
indictment be dismissed

*Franklin G. Jones*  
March 4/92  
Asst. Dist. Atty.

Counsel

Filed, day of July 1892

Pleas,

THE PEOPLE

vs.

*B*  
Peter Mirabella

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Wm. C. Carter*  
March 4/92  
Foreman.  
On record of Dist. Atty.  
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 *30<sup>th</sup>*  
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 \$3000  
R.B.M.

Witnesses:

James Mitchell  
Wheeler Stewart  
Walter Handker  
Eugene Motoney  
Officer Robinson  
Officer Mulachky

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  
defendants discharge upon  
their own recognizance.  
June 17/92

Vernon H. Davis  
A.S.T.

Counsel,

Filed

day of

1892

Pleads,

THE PEOPLE

vs.

Ella Montgomery

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Lang D. Gernung  
Foreman.

on record of Dist.  
Ctly. Sept. 1892

on her own Recog  
June 17/92 R.B.M.

0077

## STENOGRAPHER'S MINUTES

H District Police Court.

THE PEOPLE, &amp;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 G. Levy

Jan 20 - 1892

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George Ziegler  
Official Stenographer.

0078

DISTRICT POLICE COURT.

THE PEOPLE  
ON COMPLAINT OF

*James Mitchell*  
*agst.*  
*Elle Montgomery*

Examination had

*Jan 20* *th* *1912*

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

*Lizzie Maloney*

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

Dated

*Jan 20* *th* *1912*

*George Zieger*  
Stenographer.

Police Justice.

4<sup>th</sup> District  
Police Court

James Mitchell  
- vs -  
Ella Montgomery

Before Hon.  
Edward Hogan,  
Justice.

N.Y. Jan. 20/92  
Elinor 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 28<sup>th</sup>  
of last December.  
What occurred on the  
morning of the 28<sup>th</sup> of  
December in that house?  
A fire was a fire occurred  
on the fourth floor. I

2

lived on the 3<sup>d</sup> 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 shirt  
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?

A Yes - 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 ~~scraped~~ scraped at the door, 'hollering' fire.

Q Then you rushed 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 "Judas Christ who is trying to



burn me 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 & we were  
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 live 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 room 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 113 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  
28<sup>th</sup>. 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?

10

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 Has 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. Leary:

Q Did you notice how  
this defendant was

11

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

Deia Stuart, called  
 for the People, now  
 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 Mrs Mont-  
 gomery until last Sat-  
 urday a week ago.  
 Q. Were you on the  
 28<sup>th</sup> of December at night  
 at the time of this fire?  
 A. I was in bed in the

12

front room of Mrs  
Montgomery's home 239  
East 38 St. My baby  
was with me. He was  
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 were  
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 48 St

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 he was in 48<sup>th</sup> St

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

A No.

Q You have been living  
with her for some time?

10

A Yes.

Q Did you live with her  
at 322 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  
answer that this is  
his handkerchief? (Showing  
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

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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, ~~no~~ <sup>no</sup> 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.  
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 in the morning  
of December 28<sup>th</sup> last  
with premises 139  
East 38<sup>th</sup> St.

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

21

I tell me 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 21<sup>st</sup> Precinct.  
On the night of this  
five, December 28<sup>th</sup>, my  
post was 38<sup>th</sup> St. from  
Park Avenue to Fifth  
Avenue, north and that  
side of 38<sup>th</sup> 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 wainscoting on the third floor, at the foot of the stairs. That is all I know about it.

Henry Meyer, called for  
People, sworn, testified as 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. Mrs 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 closet.

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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 28<sup>th</sup> of last December  
I was living with Mrs  
Montgomery at 229 East  
38<sup>th</sup> 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 tray on desk) I  
 never looked in the closets.  
 I don't know what are  
 in the closets. I had  
 my own trunk. My  
 trunk is not increased.

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 38<sup>th</sup>. I am 39 years old. On the night of December 28<sup>th</sup> last I was asleep in that house. I occupy rooms on the third floor. I was awakened up by the flames striking the bedroom window.

28

my wife wake 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 recognize 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 defendant came down. Nobody 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.

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

A No.

Allen Circuman, 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 28<sup>th</sup> 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. Leary:

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

A I can't tell, I

31

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

32

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 & underwear 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 yesterday 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 this morning

35

you never saw before?  
 A I never seen it.  
 Q Are you positive of that?  
 A I can swear to it.  
 Handkerchief offered in  
 evidence & marked  
 Defts Ex "A" of this  
 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 Were 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, somewhat

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.  
Q 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 "Jeane 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

210

my husband.  
By Mr. Levy:

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

41

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 Avenue 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. Stuart 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?

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 distrust them.

Q They were in the room before you came down and after you returned?

A Yes, sir.

Q Before you moved to B & M was there a fire in any building in which you re-

244

sided!

A In 1888.

Q When was that fine?

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 28<sup>th</sup> of December?

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

By Mr. Leary:

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, sir.



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James Mitchell, called  
for defence, 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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1

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.

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1

Didrich 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 (Exhibit 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 Stuart  
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, Defts. 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 Was she there at any time when Mac Montgomery had this around his 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  
these rooms?

A My own self; nobody else.

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



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A nurse.

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

A He slept one night.

By Mr. Leary

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 28<sup>th</sup> last. I was woke up by the People next door. My wife woke first and she woke me. I ran

55

1

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.  
After 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.

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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 as 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

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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.

Deft's Counsel 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.

Ella Montgomery

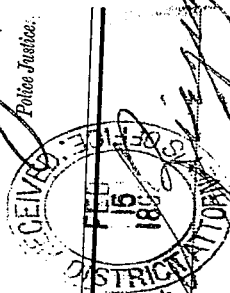
STENOGRAPHER'S TRANSCRIPT.

Jan 20<sup>th</sup> 1882

BEFORE HON.

Edward Hogan

Police Justice.



Official Stenographer.

0139

Police Court 5<sup>th</sup> District.City and County } ss.  
of New York.of No. 159 East 67<sup>th</sup>

occupation Fire Marshal

that on the 28<sup>th</sup>

day of December

1891

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

James Mitchell

Street, aged 52 years,

being duly sworn, deposes and says,

did, in violation of law made and provided in such case, <sup>willfully, feloniously</sup> set fire to the house known as No. 237 East 38<sup>th</sup> Street, in the 18<sup>th</sup> 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 <sup>oil</sup> certain cloth and a silk handkerchief or portion of silk handkerchief, and did spill kerosene oil on the floor of the hall of the 3<sup>rd</sup> 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

Deafau Police Justice



0140

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer. *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 36<sup>th</sup> Street 4 days.*

Question. What is your business or profession?

Answer. *Keep House.*

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

Answer.

*I am not guilty.**Ella Montgomery*

Taken before me this

*20*

day of

*May**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 June 21<sup>st</sup> 1892 Police Justice.

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

Dated July 24<sup>th</sup> 1892 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.

0142

Q 10 A.M Jan 21<sup>st</sup>  
 Q 2<sup>30</sup> / 10 m " 21<sup>st</sup>

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

*Frederick Schreiner*  
*952. 3 Ave*

Police Court---

4 District.

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

*James Mitchell*  
*159 E 47<sup>th</sup> St*  
*Ella Montgomerie*

1

2

3

4

Office

Dated

*Jan 20<sup>th</sup> 1892*

Magistrate.

Officer.

Precinct.

Witnesses

No.

No.

No.

\$

*Joseph Handlin*  
*237 E 105<sup>th</sup> St*  
*Mr. Lipton*  
*237 E 105<sup>th</sup> St*  
*Mr. Robert Naughton*  
*237 E 105<sup>th</sup> St*  
*Delia Brown*  
*529 West 54<sup>th</sup> St*  
*Officer Robinson*  
*21<sup>st</sup> Precinct*

to answer

*Bailed*

Count of Annual Sessions  
The People

vs.  
Ella Montgomery -

To H. Lacey Nicoll District Atty.  
I am once please take notice that  
upon the annexed affidavit and upon  
all the papers in the case. a  
motion will be made in Part III  
of the Count of Annual Sessions. on the  
27<sup>th</sup> 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 26<sup>th</sup> 1892

Purdy & W. C. Mann  
of counsel for deft.

Court of General Sessions  
of the Peace of the City &  
County of New York  
The People vs.

vs.  
Ella Montgomery  
City & County of New York; ss. Will Mann King  
duly sworn deposes & says - That he  
is one of the counsel for Defendant  
That the Defendant stands indicted  
in the Court 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  
steps 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 ss. Will Mann King  
May 26<sup>th</sup> 1892 S  
Robert Walling Ironing -  
Clerk of Court  
New York County

The Par

vs.

Ella Mackgung

Applicant & S  
Notice of Discharge

Curdy M. Claus

of discharge  
JUN 28 1891  
RECEIVED  
DEPARTMENT OF  
LABOR

Wm. J. P. & Son  
212 Broadway  
New York, N.Y.

0146

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 4 DISTRICT.

James Mitchell

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

believe that one Ella Montgomery then residing  
 at No. 237 East 38<sup>th</sup> Street, in this city, did then  
 and then attempt to set fire to the said premises  
 No. 237 East 38<sup>th</sup> Street, on the morning of  
 December 28<sup>th</sup> 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

Jas. Mitchell

Sworn to before me, this

19 day

of January 1892

Police Justice

0147

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 20<sup>th</sup> 1892  
2<sup>30</sup> 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 *Fifteenth* 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* - *house* of one *George Maloney*, 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* - *house* of one *George Maloney*, 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

0151

Witness  
Philip Landster  
Samuel Wink  
Max Goldstein  
Oct 2 - Oct 9/94  
Advised Gov. agst  
Clemency - RBM

193 Met. Quin  
H. H. H. H.

Counsel,  
Filed 16 (day of Feb) 1892

Pleads, *Pro se*  
THE PEOPLE  
vs.  
Max Morris  
and  
Samuel Winkowski  
Section 498, vs. 6, 1892

De LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*Max Morris*  
Foreign.

*Spied & concealed*  
Burg. Entry  
Both. S.P. 5 yds. P.M. 26  
Feb. 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 sworndeposes and says, that the premises No. 123 Division Street, 7<sup>th</sup> 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 apartmenton the 8<sup>th</sup> day of February, 1888 at the day time, and the  
following property feloniously taken, stolen, and carried away, viz:One silk dress and a coat  
valued Seventy five dollarsthe property of deponentand 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 byMax Morris and Samuel Melokoffsky both  
(now here) and two other men not arrestedfor 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 screen door broken and  
the place entered as aforesaid.

0153

Deponent is informed by Sarah Hersh  
(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 Hersh 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 9<sup>th</sup> February 1892

John H. Brady

Philip Sandler

Dated 1888  
guilty of the offence within mentioned, I order he to be discharged.  
Police Justice.

Dated 1888  
There being no sufficient cause to believe the within named  
Police Justice.

Dated 1888  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Police Justice.

Dated 1888  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars  
of the City of New York, until he give such bail.  
and be committed to the Warden and Keeper of the City Prison

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

Office—BURGLARY.

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

vs.

1  
2  
3  
4

Dated

1888

Magistrate.

Officer.

Clerk.

Witness.

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

0 154

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Sarah Hersh*  
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* } *Miss Sarah Hersh*

*Wm. A. Brady*

Police Justice.

0155

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

3 District Police Court.

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

day of

*John J. Brady*  
Police Justice.



0156

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

3 District Police Court.

*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.

*Russian Poland*

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

Answer.

*93 West 11th 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

*February 1934*

Police Justice.

0 157

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

*Defendant*

guilty thereof, I order that ~~he~~ be held to answer the same and ~~he~~ be admitted to bail in the sum of *Twenty* 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 *Feb 9* 188 *gr* *Thos. J. Gandy* 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.

\$2000 E. Feb. 15/92 3 P<sup>m</sup>.

The People  
 vs  
 Max Morris  
 Samuel Melokofsky

Court of General Sessions. Part I  
 Before Judge Martine. 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, 'The  
 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 after-  
 wards 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 Heister street. I opened the door and  
 two fellows ran out. I saw Morris. 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 who  
 was in 123 Division St. He said, "I am com-  
 ing from work." This was twelve o'clock in  
 the day. I am sure Morris is one of  
 the men who 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 ten-  
 ement 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 8<sup>th</sup> 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 in 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 8<sup>th</sup> 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 Wilkofsky.  
 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 Wilkofsky  
 to the station house. He could not speak English.

Cross Examined: Goldstein, who testified here, was  
 not one of the parties who was holding Wilk-  
 ofsky 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 21<sup>st</sup> 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, <sup>there</sup> 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 faster. 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 164 Eldridge St. for two years steady and had the same faster. 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 5<sup>th</sup> 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 Morgenstein 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 8<sup>th</sup> 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 8<sup>th</sup> 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  
 Hester street in a saloon about nine o'clock.  
 I remained there three hours in Morris Gold-  
 stein's saloon 89 Hester street. I took a drink  
 and was playing cards with a man named  
 Lustick. On the 8<sup>th</sup> 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 Rester 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.

Nathaniel 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 Rester 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~~ <sup>am</sup> 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.

0175

Testimony in the  
Case of  
Mary Morris and  
Samuel McWhorter

Filed for  
Mar

0176

VI.

STATE OF NEW YORK.  
Executive Chamber,  
ALBANY.

August 30, 1894.

Sir:

Application for Executive clemency having been made on behalf of  
*Danuel 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 state-  
ment 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.*

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<sup>d</sup>-  
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 state-  
ment 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. 21<sup>st</sup> 94  
Sent for officer

Welokely

— 207

— 207

---

POOR QUALITY  
ORIGINAL

0179

7  
District Attorney's Office,

CITY AND COUNTY OF NEW YORK.

Sept 26 1894

CAPTAIN OR OFFICER IN COMMAND.

Dear Sir:

I desire to see Officer Crumm  
attached to your command in  
A. C. 1892 in relation to the case of  
Max Morris & Samuel Melokofsky  
sentenced Sept 26 1892 to 5  
years and — months imprisonment by  
Judge War

Please ask the officer to bring such information 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.



**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 Velokofsky*

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

*Max Morris and Samuel Velokofsky*

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

The said *Max Morris and Samuel Velokofsky, both*

late of the *7th* Ward of the City of New York, in the County of New York aforesaid, on the  
*eightth* 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.

0181

SECOND COUNT—

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

*Max Morris and Samuel Welokofsky*  
of the CRIME OF ~~Grand LARCENY in the second degree~~, committed as follows:

The said

*Max Morris and Samuel Welokofsky, 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*

of the goods, chattels and personal property of one

in the dwelling house of the said

*Philip Sandler*  
*Philip Sandler*

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

*De Lancy Kcoll,*  
*District Attorney.*

0 182

**BOX:**

469

**FOLDER:**

4297

**DESCRIPTION:**

Morris, Michael

**DATE:**

02/17/92



4297

Witnesses:

*Karl Schneider*

Counsel,

Filed

Pleads,

17

day of

1892

THE PEOPLE

vs.

*Michael Morris*

Grand Larceny, Second Degree.  
[Sections 133, 134, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Sam. Harrison*  
Foreman.

*John D. ...*  
*Pen 1st, P.S.M.*

0184

(1865)

Police Court— District.

Affidavit—Larceny.

City and County } ss.  
of New York,

of No.

1704

occupation.

Keep home

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 Sack 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 Petrell 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. Ralte Schneiders

Sworn to before me, this

of

1892

Police Justice

0185

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, ss:

District Police Court.

*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.

0 186

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 -* 18*92* ..... *H. J. [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.

0 18 7

Police Court--- 5 District. 178

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Kate Schniders*  
*1704 2<sup>nd</sup> Avenue*  
*Michael Morris*

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

*Hand Larceny*  
*of*

Dated *Feb 12 - 1892*

*Wilde* Magistrate.

*Purtell* Officer.

*27* Precinct.

Witnesses \_\_\_\_\_

No. \_\_\_\_\_ Street.

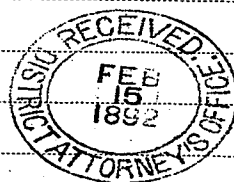
No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

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

*leave*

*922*



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 <sup>over-</sup>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

0190

Witnesses:

Counsel,

Filed

Pleads,

day of July

1892

THE PEOPLE

vs.

Angus Morrison

Second Degree.  
[Penal Code.]

Grand Larceny,  
[Sections 528, 529.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Wm. Harrison  
Foreman.

July 17/92  
Hendrick J. [unclear]

Elmira Ref. - R.B.M.

0191

(1865)

Police Court—

2

District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No.

77 West 12<sup>th</sup>

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

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 Conigle of the 15<sup>th</sup> 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

*[Signature]*  
Police Justice

0 193

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 22 years, occupation Harrison Ramsdill 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

day of May 1890.

Harrison Ramsdill  
Police Justice.

0 194

CITY AND COUNTY }  
OF NEW YORK, } ss.

*William Gorrige*  
aged \_\_\_\_\_ years, occupation *Police Officer* 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*0*, } *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 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. *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. 4-7/188*  
*13860 from Court of General Sessions*  
*March 16<sup>th</sup> 1892*

*John Grant*

For the Justice



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 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 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.

0197

Trunk at  
84 E 10<sup>th</sup> St

Police Court--- District. 152

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John Grant  
47 W 12<sup>th</sup> St  
Angus Morrison

officer  
Larcom  
Jelmy

2

3

4

Dated

February 3 1892

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

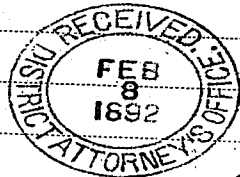
Street.

No.

Street.

\$

to answer



500  
Chap

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 30<sup>th</sup>  
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 un-  
known, 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

7772383:

William McBride  
Wm. McBride  
Alfred Kelley

on motion of Mr.  
McLoughlin &  
counsel that this  
case be sent to  
Special Agents  
Feb 19th 92  
G.H.  
AOK

Counsel,

Filed

day of

1892

Pleads,

THE PEOPLE

vs.

P  
Edward Muller  
B  
William Dalton  
and P  
William Danna

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*[Signature]*  
Foreman

Court of General Sessions of the Peace

491

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Edward Mullen*  
*William Dalton and William Danna*

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

— *Edward Mullen, William Dalton and William Danna* —

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

The said *Edward Mullen, 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.*