

03 17

**BOX:**

541

**FOLDER:**

4927

**DESCRIPTION:**

Vreeland, Thomas D.

**DATE:**

11/27/93



4927

03 18

Witnesses:

W. C. Stocking  
Theo. Eschbach  
Off Mulligan

Counsel,

Filed 27<sup>th</sup> day of Nov 1893

Pleads *Guilty*

THE PEOPLE

*in*  
*Baltimore*  
*County*  
Thomas D. Ireland

*Kidnapping*

[Sec. 211, Penal Code]

DE LANCEY NICOLL,

District Attorney.

*Wednesday*  
*Pr. 3*

A TRUE BILL.

Part 3 Dec 18. 93 BSCW.  
" " Dec 20. 93 BSCW.

*W. C. Stocking* Foreman.

Part 3. Dec. 18. 1893

Pleads Guilty  
S. P. 7 yrs - 22  
Dec 22/93

COURT OF GENERAL SESSIONS OF THE PEACE  
IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE

VS.

BRIEF FOR THE PEOPLE.

THOMAS D. VREELAND.

STATEMENT OF CASE:

The Defendant, Thomas D. Vreeland, is indicted for the crime of Kidnapping, in that on or about November 7th, 1893, he did take, entice away and detain one Theodore L. Eschbach, aged 15 years, from the City of Baltimore and State of Maryland, to No. 128 West 21st Street, in the City of New York, State of New York, with intent to conceal said boy from his parents.

WITNESSES:

Theodore L. Eschbach,  
William Francis Martin,  
Mrs. Herring,  
Patrick Crinnion,  
Michael J. Mulligan.

THEODORE L. ESCHBACH, aged 15 years, of 520 Wilson Street, Baltimore, Md., will testify: That he met the Defendant about three months ago in a school in Baltimore, where Defendant was a teacher. That Defendant frequently talked of New York to him and of what a good time they would have if they went there. That he also promised to see that he (Witness) would become a full fledged actor in a short time. That on November 6th, he left his home in Baltimore in company with the Defendant and another boy, named William Francis Martin, and arrived in New York late on the afternoon of the 7th. That up to the time of arrest, he, together with the other boy and Defendant, had been "seeing the sights" of the City, attending theatres etc. at Defendant's expense.

WILLIAM FRANCIS MARTIN, aged 16 years, of No. 1376 North Carey Street, Baltimore, Md., will corroborate the foregoing witness in all particulars.

MRS. HERRING, of 128 West 21st Street, will testify that the Defendant brought the boys to her house, stating: That they were his brothers; that he had taken them from Baltimore; that he, himself, was an actor, and that he intended to procure situations for them.

PATRICK CRINNION, an Officer of the 19th Precinct, will testify: That he arrested Eschbach and Martin at 128 West 21st Street, on a letter received at Police Headquarters on November 14, from Mrs. T. Martin of Baltimore, Md., in which she complained that son William was enticed away from home by the Defendant in company with

0320

IN THE COURT OF THE CITY AND COUNTY OF NEW YORK

CONFIDENTIAL

Theodore L. Eschbach. That Witness then returned to the house at 128 West 21st Street and arrested the Defendant in a room there which the Defendant acknowledged to have hired. That the Defendant also admitted to Witness that he at one time had been a Christian Brother, but severed that connection because he could not get along with the Superior. That subsequently he took a position in the Immaculate Conception School in Baltimore, where he met the children Eschbach and Martin. That both boys had a "craze" for going to New York. That he told them they could go along with him. That they agreed and he brought them. That he further stated he had no intention to injure the boys, and did not know he was doing wrong in taking them.

MARTIN J. MULLIGAN, an Officer of THE N. Y. S. P. C. C., has had charge of the case in court.



0321

**N. Y. GENERAL SESSIONS**

**THE PEOPLE**

**AGAINST**

THOMAS D. VREELAND.

PENAL CODE, §

**BRIEF FOR THE PEOPLE.**

0322

District Police Court.

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

*Martin J. Mulhgan*  
of Number *997* *Journe* *being duly sworn,*  
*he has just reason to believe and does believe that*  
deposes and says, that on the *7* day of *Nov*, 18*93* at the  
City of New York, in the County of New York, *one Thomas S. Ireland*  
(now here) did willfully and unlawfully  
lead, take, entice away and detain,  
*one Theodore L. Eschbach* (now here)  
a male child actually and apparently  
under the age of sixteen years to wit of  
the age of *fifteen* years, with intent  
to keep said child from its parents  
from the following facts, said  
*Thomas S. Ireland* did lead, take, and  
entice away and detain said *Theodore L. Eschbach*  
from the City of Baltimore in the State of  
Maryland, into the State of New York,  
City of New York, to wit, at *128 West*  
*21st St.* in said City of New York, in  
violation of section 21 of the Penal  
Code of the State of New  
York.

Wherefore the complainant prays that the said

*Thomas S. Ireland*  
may be ~~apprehended, arrested and~~ dealt with according to law.

Sworn to before me, this  
day of *Nov*

*16*  
18*93*

*Martin J. Mulhgan*

*[Signature]*  
Police Justice

name of child - *Jr (?)*  
name of parents.

0323

CITY AND COUNTY }  
OF NEW YORK, } ss.

1877.

Theodore L. Eschbach  
aged fifteen years, occupation School Boy of No. 524 Wilson St Baltimore Street, being duly sworn, deposes and  
Maryland says, that he has heard read the foregoing affidavit of Martin J. Mulhgan  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this

day of

16th  
Nov 1897

Theo L. Eschbach

[Signature]  
Police Justice

0324

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, } ss.

District Police Court.

*Thomas D. Greeland*

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 *Thomas D. Greeland*

Question. How old are you?

Answer *24 years*

Question. Where were you born?

Answer *N.Y.*

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

Answer *No permanent residence*

Question. What is your business or profession?

Answer *Teacher*

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**Thomas Greeland,*

Taken before me this  
day of *March* 189*3*

Police Justice.

0325

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 ten Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.  
Dated Nov 16 1893 Stephen 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.



0326

213 -

1224

Police Court--- District.

THE PEOPLE &c.,  
ON THE COMPLAINT OF

*Martin J. Mulligan*  
*Thomas D. Freeland*

*Edna*  
Offense

2  
3  
4

Dated *Apr 16* 189*8*

*Hoga* Magistrate.  
*Mulligan* Officer.  
*N.P.C.C.* Precinct.

Witnesses *Ther. L. Beckbach*

No. *570* Street.

*Mr. De*  
No. *128* Street.



No. Street.

\$ *1000* to answer

*Conu*

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0327

(455)

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Thomas D. Ireland

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

of the crime of Kidnapping, —

committed as follows:

The said Thomas D. Ireland, —

late of the City of New York, in the County of New York aforesaid, on the  
seventh day of November, in the year of our Lord one thousand  
eight hundred and ninety-three, — at the City and County aforesaid,  
unlawfully did willfully lead, take,  
entice away and detain one Theodore  
S. Eschbach, a child under the age of  
sixteen years, to wit: of the age of  
fifteen years, with intent to keep  
and conceal the said Theodore S. Eschbach  
from Francis Eschbach and Josephine  
Eschbach, his parents, who then had  
the lawful care and control of the said  
Theodore S. Eschbach, 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 do  
this Indictment further accuse the  
said Thomas D. Ireland, of the same  
crime of Kidnapping, committed as  
follows:

The said Thomas D. Ireland, late  
of the City and County aforesaid, on  
the seventh day of November, in the  
year of our Lord one thousand eight  
hundred and ninety three, at the City  
of Baltimore in the State of Maryland,  
willfully  
did seduce, entice and by force  
unlawfully take and carry away one  
Theodore D. Eschbach as and from  
the said City of Baltimore, and  
afterwards to wit: on the day and in  
the year aforesaid, at the City and  
County of New York, aforesaid, did  
feloniously and willfully detain, have  
and keep the said Theodore D. Eschbach  
within this State, to wit: in the said  
City and County of New York; against  
the form of the Statute in such  
case made and provided, and against

0329

The peace of the People of the State  
of New York, and their dignity  
DeBancroft Hall,  
District Attorney

0330

**BOX:**

541

**FOLDER:**

4928

**DESCRIPTION:**

Dougherty, Daniel

**DATE:**

11/17/93



4928

0331

**BOX:**

541

**FOLDER:**

4928

**DESCRIPTION:**

Wall, John J

**DATE:**

11/17/93



4928

0332

**BOX:**

541

**FOLDER:**

4928

**DESCRIPTION:**

McKeon, Patrick

**DATE:**

11/17/93



4928

0333

Witnesses:

Off Ward,

Counsel,

Filed

Pleads,

~~Indefinite~~  
17 day of Nov 1893  
Guilty to  
THE PEOPLE

vs.

John J. Wall,  
Daniel Dougherty  
and  
Patrick McKeon

Robbery,  
(Sections 224 and 225 Penal Code.)  
Degree.

DE LANCEY NICOLL,

District Attorney.

~~Indefinite~~

A TRUE BILL.

Part I. to Dec 20

Foreman.  
Dec 11/93

Indefinite

Police Court—Tenth District.

CITY AND COUNTY } ss  
OF NEW YORK,

Alexander Paris  
of No. 336 West 53 Street, Aged 49 Years  
Occupation Coachman being duly sworn, deposes and says, that on the  
11 day of November 1883, at the \_\_\_\_\_ Ward of the City of New York,

in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the following property, viz:

One Flask containing some Whiskey  
of the value of Twenty - five Cents and  
Good and lawful money of the United States  
consisting of one Bill of the denomination of Five  
Dollars and one Bill of the denomination of One Dollar  
and all of the value of Six <sup>25</sup>/<sub>100</sub> Dollars

of the value of \_\_\_\_\_ 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 force and violence as aforesaid by

John Hall, Daniel Dougherty and Patrick McKern  
(all men here) and while acting in concert  
with their accomplices, to wit: that at about  
the hour of 3 A.M. on the aforesaid day deponent  
was on 10 Avenue in said City and said property  
was in the pockets of the clothes then and then worn  
upon deponent's person and said defendants  
came up to deponent and said Hall seized hold  
of deponent's wrists and held deponent and  
said Dougherty and McKern and said other  
person not yet arrested inserted their hands in  
deponent's clothing and stole and took  
therefrom said property and then when

Sworn to before me this

day of \_\_\_\_\_ 1883

Police Justice.



0335

defendant resisted, said defendants  
involved defendant and man away  
and defendant followed them and  
caused their arrest and defendant  
did not lose sight of said defendants  
from the time when they attempted to  
escape until they were arrested  
that on officer John Ward of the 22<sup>nd</sup>  
Precinct Police who found the flask of  
Whiskey in said Hall's possession and  
said money in said Dougherty's  
possession.

Defendant therefore charges said  
defendants with having committed  
said Robbery and asks that they may  
be dealt with as the Law directs.

Stuart to Vantage, 11/18

07 *W. J. ...*  
*...*  
*...* Police Justice.

Alexander <sup>Wesley</sup> Parris  
Marsh

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named \_\_\_\_\_ guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of \_\_\_\_\_ Hundred Dollars \_\_\_\_\_ and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

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

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

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

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

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

Police Justice.

Police Court, \_\_\_\_\_ District.

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

*Offence—ROBBERY.*

1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_

***Dated***

188

*Magistrate.*

**Officer.**

Clerk,

**Witnesses,**

No.

street,

Yo.

**Street.**

To

Street.

.....to answer General Sessions.

0336

CITY AND COUNTY }  
OF NEW YORK, } ss.

1921

aged 30 years, occupation Police Officer of No. 22-Recruit Police Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Alexander Paris and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 11 day  
of November 1893

John Ward

James H. Burke

Police Justice.

0337

Sec. 193—200.

CITY AND COUNTY OF NEW YORK, ss.

4 District Police Court.

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

Question. What is your name?

Answer. John Hall

Question. How old are you?

Answer. 24 years

Question. Where were you born?

Answer. New York

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

Answer. N<sup>o</sup> 520 West 49<sup>th</sup> Street New York 3 years

Question. What is your business or profession?

Answer. Driver

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

Answer. I am not guilty  
John J. Hall

Taken before this day of April 1933  
Police Justice

0338

Sec. 193-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

L District Police Court.

Quinn Dougherty 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. Quinn Dougherty

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. New York

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

Answer. No 255 West 62 Street and about 2 years

Question. What is your business or profession?

Answer. Ironsmith

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.  
Quinn Dougherty

Taken before me this  
day of April 1897  
James M. Burke  
Police Justice.

0339

Sec. 193-200.

4<sup>2</sup>  
District Police Court.CITY AND COUNTY } ss.  
OF NEW YORK.

*Patrick McKeon* 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. *Patrick McKeon*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *825 - 10 Avenue and about 2 months*

Question. What is your business or profession?

Answer. *Stapleman*

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**Patrick McKeon*

Taken before me this

day of

1893

*James W. McKeon*

Police Justice

0340

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

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

Dated Nov 17 189 3 James M. Burke Police Justice.

I 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 offence within mentioned. I order h to be discharged.

Dated \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice



0341

BAILED,

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

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

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

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

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

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

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

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

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Alvin Harris  
John Hall  
Barrett Dymghart  
Patrick McGowan

Office

Dated Nov 11 1893

Barrett Magistrate.

John Hall Officer.

22 Precinct.

Witnesses Officer 22 Precinct.  
No. Call Officer Street.

No. Street.

No. Street.

\* To answer

Ex. Gov. 1893

Nov 16 1893

Nov 16 1893

Nov 16 1893

Nov 16 1893



0342

482

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*John J. Wall*  
*Daniel Dougherty and*  
*Patrick McKeon*

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

*John J. Wall, Daniel Dougherty and Patrick McKeon*  
of the CRIME OF ROBBERY in the *first* degree, committed as follows:

The said *John J. Wall, Daniel Dougherty and Patrick McKeon*, all late of the City of New York, in the County of New York aforesaid, on the *eleventh* day of *November* in the year of our Lord one thousand eight hundred and ninety-*three*, in the *right* time of the said day, at the City and County aforesaid, with force and arms, in and upon one *Alexander Paris* in the peace of the said People then and there being, feloniously did make an assault; and

*one* promissory note for the payment of money of the kind commonly called United States Treasury Notes, of the denomination and value of *five* dollar *5*; *one* promissory note for the payment of money of the kind commonly called Bank Notes, of the denomination and value of *five* dollar *5*; *one* United States Gold Certificate, of the denomination and value of *five* dollar *5*; *one* United States Silver Certificate, of the denomination and value of *five* dollar *5*;

*one* promissory note for the payment of money of the kind commonly called United States Treasury Notes, of the denomination and value of *one* dollar *1*; *one* promissory note for the payment of money of the kind commonly called Bank Notes, of the denomination and value of *one* dollar *1*; *one* United States Gold Certificate, of the denomination and value of *one* dollar *1*; *one* United States Silver Certificate, of the denomination and value of *one* dollar *1*;

and *one* flask of whiskey of the value of *twenty-five cents* of the goods, chattels and personal property of the said *Alexander Paris* from the person of the said *Alexander Paris* against the will and by violence to the person of the said *Alexander Paris* then and there violently and feloniously did rob, steal, take and carry away, the said *John J. Wall, Daniel Dougherty and Patrick McKeon* and each of them, being then and there aided by an accomplice actually present, to wit: Each by the other, and by a certain other person 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.

*Wm. Lancy Nicoll,*  
*District Attorney*

0343

**BOX:**

541

**FOLDER:**

4928

**DESCRIPTION:**

Wallace, John V.

**DATE:**

11/21/93



4928

0344

Witnesses:

*Off Jose*

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

*John V. Wallace*

*odd days*

*Dec. 13<sup>th</sup> 1903 Part I.*

DE LANCEY NICOLL,

District Attorney.

*Part I. Friday Dec. 1/93 2/93*

*Part I. Dec. 1/93*

A TRUE BILL.

*True & correct*

*John V. Wallace*

Foreman.

*Elmira Re.*

Grand Larceny, 1<sup>st</sup> Deg.  
From the Person.  
[Sections 528, 530, 531 Penal Code.]

0345

Police Court—

District.

1912

Affidavit—Larceny.

City and County } ss.  
of New York, }

of No.

occupation

Street, aged 39 years.

deposes and says, that on the

day of

being duly sworn,

York, in the County of New York, was feloniously taken, stolen and carried away from the possession and

of deponent, in night time, the following property, viz:

One double case gold watch of the  
value of twenty five dollars  
\$25.00

the property of

Deponent

and that this deponent  
has a probable cause to suspect, and does suspect that the said property was feloniously taken, stolen  
and carried away by John Wallace, Brown Ave.

for the following reasons, That  
at about the hour of 11:30 O'clock  
PM on said date, Deponent was  
sitting down in the saloon to St  
Levinson Kneuer. That the said  
watch was in the latter's left hand  
pocket of deponent's vest and attached  
to the vest by a chain. That deponent  
met the defendant in the said saloon  
That after being in the defendant's  
company deponent missed the watch  
That deponent caused the defendant's  
arrest and when arrested the  
defendant had the watch in his  
possession and dropped the

match on the stick. Therefore the  
 present says that the defendant be  
 dealt with as the law directs

Given before me this 3 Albert Luskewitz  
 19<sup>th</sup> day of November 1893

Chas. Lusk

Police Justice

~~Albert Luskewitz~~

0347

Sec. 193-200

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

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

Question. What is your name?

Answer. John Wallace

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. New York City

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

Answer. 6379 - H Avenue 3 mos

Question. What is your business or profession?

Answer. Plumber

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. Wallace

Taken before me this

day of

189

Police Justice



0348

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 Paul*

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 *Nov 19* 189*3* *James A. [Signature]* Police Justice.

I 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 offence within mentioned. I order h to be discharged.

Dated \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice



0349

Police Court--- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Albert Gurderey*  
*John Wallace*

*Offense*  
*Grand Juror*

BAILED,

No. 1, by

Residence Street

No. 2, by

Residence Street

No. 3, by

Residence Street

No. 4, by

Residence Street

*Nov 19*  
*Koch*  
Date 189

Magistrate.

Officer.

Precinct.

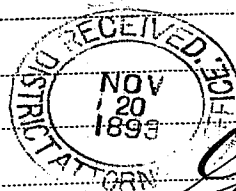
Witnesses

No. *115 East 118* Street, *118*

No. Street.

No. Street.

\$ *1500* to answer



*Am*

*Person*

THE PEOPLE,

COURT OF GENERAL SESSIONS, PART 1.

vs.

BEFORE JUDGE MARTINE.

JOHN V. WALLACE.

Friday, December 15, 1893.

Indictment for Grand Larceny, in the First Degree.

A Jury was ampannelled and sworn.

ALBERT YERKOWITZ, sworn and examined, testified:

I live at 315 East 27th street, and am an animal trainer.

Do you recollect the night of the 18th of November? Yes.

What did you have with you on that night? I had my gold

watch, in the left side pocket of my vest, connected with a

chain. The watch now shown me is my watch. I had that watch

four years, and I paid \$25. for it, at a store in Bridgeport,

Connecticut. What time was it you were in the saloon? It

was between 8 and 9 o'clock at night, at 81 Lexington avenue,

near 26th street. Do you know who keeps the saloon? I do

not know his name; I went in there with this young man, the

defendant; he wanted me to go and have a drink. I said no,

I didn't care for a drink; I was first in No. 17 Lexington

avenue. I went go out of there, and he followed me out;

he said he wanted to have a drink; he said, "Come on, and

we will have a drink." I said no, I didn't care for a drink.

So he pulled a roll of bills out and he said, "I have lots

of money." I said, "I don't care for your money." He said,

"Come on and have a cigar." I said, "I can have a cigar;"

and so we went in. I took a cigar and struck a match and

lit it, and he pulled a roll of bills out and shoved them

in my face, when I was lighting the cigar. He said I can

have the money. I said, "I don't care for your money; give

it to your brother and sister and mother; I don't want to

have your money." All at once, I heard something drop, while he was standing near me, right close to me, at the bar. I said, "You dropped something," and he directly started to walk away. I looked down and saw this ring lying on the floor, and picked it up. I couldn't catch him any more; he ran out of the saloon. I halloed out; I felt right away for my watch, and it was not there. He was asking me, before I missed my watch, what time was it. Did you show him your watch then, and look at the time? Yes, I pulled the watch out and looked at the time, and put it back in the pocket. Then you say you heard this noise? Yes. You picked up this ring, which was part of your watch; was it? Yes, and the chain was hanging down. You know Mr. Sanger (pointing to him); he was in the saloon? Yes, where I was standing. Then you went to look for a police officer? Yes, I found a police officer, and I asked Mr. Sanger to watch that the defendant should not run out. The policeman came back with me in the saloon, and I found the defendant standing in the same place. How long was that after you missed your watch, and after you had seen the defendant go out? About half an hour. Did you go anywhere in the meantime? I went home and changed my clothes and came back. Why did you do that? They were telling me to go to the police station and report it; I said, "I am a stranger here." You went and you found a police officer and you came back and you saw the defendant in the saloon? Yes. What did you say to him, or he to you? Nothing at all. What did the officer say to him? The officer sent me into the saloon, to see if he was in there; I ran quick in the saloon, and the officer followed me up; I found the defendant standing by the bar, in the same place. What did you say

to him? Nothing. What did the officer say to him? The officer took him out of the saloon. Then the officer and you went down to the station house; did you? Yes. Did you see your watch again when you got to the station house? In the station house, the officer pulled the watch out of his pocket; he got the watch in the street, when the defendant threw it away; he didn't give it to me; he left it in the station house. You saw the officer with the watch, and that is the watch you identified? Yes. Did you have any talk with the defendant, in the station house, or he with you; did you hear him say anything? Nothing at all.

#### CROSS EXAMINATION:

What were you doing all day of the day in question? I was home to 6 o'clock, and then came out of the house; I went down to Lexington avenue and 26th street; it is a saloon, and that is where I met the defendant; it is the down-town corner on the East side. It was a quarter past 6 when I saw the defendant there; I can't tell exactly how long he remained in my company. I was sober; I am always sober. I think I remained with him about an hour; my watch was stolen between 7 and 8 o'clock. I was as sober as I am now. Did you write your name to that paper; is that your signature (examination papers shown)? Yes, I wrote that. Was the complaint read to you before you signed it? Yes. Do you remember having stated, before the Police Magistrate, that it was half-past 11 o'clock at night that you sat down to the table, and that your watch was in your pocket? No; that is the time when I found him in the saloon with my watch. Were you sitting down there in the saloon? No; I just came in, and I found him standing by the bar; I missed my watch right by the bar; I was five minutes in the saloon, may be, when

my watch was stolen. You did not feel or see anybody take your watch? I did not feel it. Where did you next see the defendant; was it not on the other side of the street, in another saloon, that you met the defendant after that? Yes. Is it not a fact that this defendant was showing his watch to two musicians; that watch there? I don't know. When you entered and you charged this man with stealing your watch, wasn't he at the bar with two other men? Yes, he was drinking beer. Did he not have plenty of money? I do not know; he showed me that he had money, a roll of bills, he showed it to my face. I took a cigar. Do you know who keeps the saloon on the east side of Lexington avenue and 26th street? I don't know the name. I with with an officer, about half-past 11. Is it not a fact that you did not know that your watch was gone until you saw that ring, found that ring on the floor? I heard the ring drop on the floor; I was halloaing to him, I saw him drop it, and he ran out.

MORRIS SANGER, sworn and examined, testified:

Where do you live? 415 East 118th street. What is your business? Animal training. Were you in the saloon that night? Yes, sir, in 81 Lexington avenue, corner of 26th street; I guess it was about 6 o'clock when I was in there. I went out, and came back again about 8 o'clock; I can't exactly say how long I remained there, about two hours and a half. I saw the complainant in this case there; he was sitting down talking to me at the table, about half-past 10. At that time did you see the defendant, Wallace? Yes, he was sitting down there, too, at the same table; he pretended that he was drunk. He did not say anything to me. Did you hear him say anything to the complainant? No, I didn't,



at that time I turned my back; I just went away for two minutes, and I looked around and the both of them were gone out of the saloon. I saw the complainant again about twenty minutes or half an hour afterwards, and I had a talk with him. At the time you talked to him, did you see the defendant, Wallace? No. Did you see Wallace go in the saloon? Yes. How long after you had the conversation with the complainant did Wallace go in the saloon? About five minutes. Did you see where he went, whether he sat down or went to the bar? Yes, he sat over in the corner talking to two musicians; when the complainant came in, he sat alongside of me. Did you see the police officer come in? Yes. How long after that? I guess it was from fifteen minutes to half an hour. Did you see what he did? Yes, he took this man Wallace out; he was standing with the two musicians drinking; the officer came right over and took hold of him and fetched him outside. The complainant went out, and six or seven more and I went out. Where did you go? The policeman was going up to the station house, and, as he got to the other corner, then Wallace dropped the watch; I saw him do it, and he tried to run away and he couldn't, for the policeman held him. What did the policeman say to Wallace? Wallace said he bought that watch for \$5.; "You have got the wrong party." He was talking kind of out of the way. He says to the officer, "I am a brother of Bob Wallace, and I will get out of this in ten minutes." Then was he taken down to the station house? Yes; he told the Sergeant he bought the watch. The watch which the complainant identified as his watch? Yes. You saw the defendant drop it? Yes.

## CROSS EXAMINATION:

Where are you employed? At the Barnum & Bailey show; they travel all over the United States; at present, they are in Bridgeport, Connecticut. What are you doing down here? I am not doing anything here at present. What animals did you come down to train? We did not come down to train any animals; we broke up. My business is in New York; whatever we can do in winter, till we are called away. What business had you in New York city at the time of this affair? Nothing at all. How many days had you been here? We broke up on the 27th of October, and we reached New York I guess it was about the 29th or 30th of October. Then you were here from the 30th of October until the arrest, without doing anything? Yes; doing nothing. Where were you living? 415 East 118th street. Were you living with the complainant? No. You were out of employment for two months? A month and a half. Have you any income? No; only what we save during the year; I have been with Mr. Bailey during the last six months. Did you go into the saloon at Lexington avenue and 26th street with the complainant? Yes; I guess it was a little after 6 o'clock. Had you been drinking anything? Only one glass of beer all day; I remained there about two hours with the complainant; then I took a walk and came back again about 8 o'clock; I returned in about half an hour, and saw the complainant sitting at the table, and I sat down at the same table with him and remained there about two hours. Was the defendant with you during all that time? No, not during all that time; he was up and down to the bar; he was running all over the place. He was spending money pretty freely? I didn't see him spend any. Didn't he treat you and your friend six times? No; we didn't



need it. About 10 o'clock did he or you go away? I went away; both of them went away; I went away first. I had my back turned around, and I looked for them and they were gone, the complainant and the defendant. The defendant was intoxicated, or made believe he was; he appeared to have been drinking. When did you next see them? I seen my friend about half an hour afterwards, in the same place. Then you saw the defendant there again? The defendant came in, and these two musicians were in the store when he came in; they were sitting down first, and then they got up and drank at the bar. The officer came in and arrested him. The complainant picked them out; he said, "That man has my watch." You have been employed with Bailey & Barnum a couple of years training the animals? Yes. In the winter time you are not at work for them, but go back in the spring? We generally save up enough money in the summer time to live through the winter. You had only one drink of beer, you say, that day? One glass of lager beer.

FRANK JOSE, sworn and examined, testified:

I am connected with the 21st precinct police, and arrested the defendant, Wallace, on the night of the 18th of November, at half-past 11 or a quarter to 12 at night. Prior to the arrest did you have a talk with the complainant? He came running after me; I was going up towards Third avenue and 27th street; I had a talk with him, and then I went back to the saloon; I sent him in ahead to see if the defendant was there, and I followed him right in and he pointed him out; there was about thirty men drinking at the bar; he said, "That is the man that stole my watch;" he went right up to him, and I arrested him. I took Wallace out; he said,

"I want to drink my beer." I said, "No, you can't have time to drink your beer; I am going to take you." I came across the street, and he slipped his hand into the side pocket, and I grabbed for it; the watch was in his hand, and he let it drop on the side-walk. Did you pick up the watch? Yes; and the watch now shown me is the watch. What did he say? Before he dropped the watch he said, "You are making a mistake; you will be putting yourself in a great hole." I said, "I will risk all that, as long as the complainant stated you took his watch." Did the defendant say anything further, do you recollect? He said that somebody slipped the watch in his pocket, and, after-wards, he explained in the station house he bought it for \$5.; one statement he made in the street, and the other in the station house.

#### CROSS EXAMINATION:

You remember just exactly what was said? Pretty nearly. Do you remember what the complainant said to you, "There is the man who stole my watch," or "There is the man who has my watch?" "There is the man that stole my watch." He stated before the sergeant at the desk that he bought the watch for \$5., and when he went down to the Police Court he said that he bought the watch for \$5.

(THE PEOPLE REST.)

#### THE CASE FOR THE DEFENCE.

JOHN V. WALLACE, THE DEFENDANT, sworn and examined:  
I am twenty-two years old, and my business is plumbing. I was last employed by Charles Whaland, 167th street and Third avenue, and before that I was employed by Mr. King, in John street; and before that I was up in Syracuse. The ward I have is of the Union Association of Buffalo, that I

am a member of. I was employed by Edward Joy, of Syracuse.  
 I have been off and on in Syracuse for two years, and I worked  
 for C. G. Hanchet, in Fayette street, Syracuse. This card  
 that I have here was issued in Buffalo, and it was sent to  
 me from Buffalo; I am in the Union, in good standing; that  
 card calls for June, July, and August, 1893. I worked for  
 Eubrad, in Spring street; I served mostly all my time with  
 Mr. Eubrad; I also worked for a man named Wessel. How  
 old were you when you went into the plumbing business? Six-  
 teen; I have been working at it ever since. Were you ever  
 charged with the commission of any crime in your life be-  
 fore? No; Mr. Eubrad knows me since I was a small boy.  
 Tell the Court and Jury where you were on this evening, and  
 how much money you had; the day of your arrest you had been  
 paid your week's wages? Yes; when I got home Saturday even-  
 ing, I had to go through 167th street; I didn't get home  
 until about 6 o'clock. I had to wash myself, change my  
 clothes and shave myself. I don't believe I left the house  
 before 7 o'clock, when these men claim they saw me a quarter  
 after 6. I went over to a restaurant in Fourth avenue and  
 I bought a meal ticket; I guess it must have been close on  
 to 8 when I got into this saloon. I had one or two drinks,  
 and these men were sitting at a table, the complainant and  
 his friend. We were playing a game of cards, and I got  
 stuck for the game, euchre. This man seen I had money, and  
 whether I asked him or he asked me I can't say positively,  
 but we went across the street into Kennedy's saloon. We  
 stayed in there and had one or two drinks, the complainant  
 and myself, and the man I bought this watch from was in the  
 saloon at the time; I seen him once or twice before. He  
 was standing alongside of this man, and I said to him, "What

will you have?" And he took a drink. I told this fellow, "I am going to leave you," as I expected to meet a friend of mine across the street. I went across the street and went down to John Brooke's place, corner of 23rd street and Third avenue; it is a saloon. I had one drink in there, and I asked Brooke if he had seen my friend around that night, and he said no. I walked up to the corner of 26th street and was standing on the corner. I guess I was there about five minutes when I was approached by this man that I was after treating in the saloon and left him with the man that accused me of taking the watch. He approached me about buying the watch. I says, "Let me see the watch." He showed it to me, and I took notice that the ring was off; he said, "It is my watch." I offered him \$5. and he took \$5. and the man stood there talking to me a couple of minutes, and he started down Third avenue. I stood there after the man went away, which I have often stood on the corner, and I met a woman that I have seen once or twice before; I was away about a quarter of an hour; it was where I knew these men hung out; I said to her, "Come on; we will go up to the saloon." If I was guilty of taking the watch, I would not go back to the saloon. I and the woman sat down there, and we had a couple of drinks; she bid me good-night, telling me she would go home a little early, before 12 o'clock. I went out into the bar-room. I was talking to these musicians, and out of curiosity I took the watch out of my pocket two or three times, and was showing it to the musicians, and told them I paid \$5. for the watch. While in conversation with these people, drinking at the bar, the policeman came in and arrested me. What about your dropping that watch on the street? I will tell you how that was -- when I got

across Lexington avenue and 26th street, right in front of Kennedy's saloon, I want to go into the saloon; I tried to get in there, to see if I could see the man I got the watch from, because I seen him in there the night before. He was a man about thirty or thirty-five years of age. I took the watch out of my pocket, and started into this saloon. My idea was to grab the man right there, and he grabbed my hand and he knocked the watch out of my hand onto the sidewalk. He seized your hand? Yes. In jerking it out, the watch fell on the ground? The watch fell out of my hand. You did not intend to drop it? No; I had no knowledge at that time that the watch was a stolen watch; I heard these men say so, but I didn't think for a moment that it was stolen; I bought it in good faith.

CROSS EXAMINATION:

Did you tell the officer that somebody slipped it in your pocket? No, I deny that; I never told him that anybody slipped it in my pocket; I told him I bought it. I did not tell the officer where I bought the watch; I just told him I bought it, and told the same thing in the station house. How many dollars did you have when you were arrested? I didn't have over a dollar and a half in my pocket when I was arrested; I spent \$5. for the watch; I gave the woman \$2. and I bought clothes and different things for myself; I had about \$10/ at home. After I got stuck playing the game of cards, I asked the complainant two or three times to drink with me. He says that you stood up at the bar drinking with him, or he smoking with you, when he heard something drop and he looked down and there was this ring; did that take place, do you recollect that? No, I don't remember anything about that; I don't know where this man lost his

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watch more than Adam; he claimed he lost it in Kennedy's saloon. I asked this man I bought the watch from about the ring, that the ring was not on it; he said it was all right, that he lost the ring off it; he didn't say where he lost the ring off it.

LOUIS J. EUBRARD, sworn and examined, testified:  
Where do you reside? I reside in Woodbridge, New Jersey, and I am a master plumber; I am in business at 74 Spring street, New York city. I have been in the plumbing business thirteen years. I know the defendant since he was a little boy. He was in my employ one time for nearly three years, as a helper; he began as a helper and he gradually learned the business. I used to send him out to collect bills, and he would bring the money back. I sent him to the bank different times, to deposit money, and I never heard anything against his character. I believe him to be thoroughly honest.

BY THE COURT: When did he work for you last, how long ago? About two years ago.

BY DISTRICT ATTORNEY: You do not know what he has been doing since, of your own knowledge, and do not know where he has been spending his nights? No.

The following card was put in evidence:

"Working Card. United Association of Journeymen Plumbers, Gas and Steam Fitters and Steam Fitters Helpers of the United States and Canada.

This card entitles the member to whom it was issued to all the benefits and privileges extended by the Constitution, and shall be recognized by all local



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unions of the United Association.

Patrick H. Gleason, President.

M. J. Conahan, Secretary of the U. S."

"Local Union No. 36, Buffalo, State of New  
York.

This is to certify that the bearer, Brother  
John V. Wallace, is a member in good standing for the  
months of June, July and August, 1893.

T. J. McQuade; Samuel Hunter."

The Jury rendered a verdict of Guilty of  
Grand Larceny in the First Degree, and the defend-  
ant was committed to the Elmira Reformatory.



**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*John V. Wallace*

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

*John V. Wallace*  
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:  
The said *John V. Wallace*

late of the City of New York, in the County of New York aforesaid, on the *eighteenth*  
day of *November* in the year of our Lord, one thousand eight hundred and  
ninety-*three*, in the *night* - time of the said day, at the City and County aforesaid,  
with force and arms,

*one watch of the  
value of twenty-five dollars*

of the goods, chattels and personal property of one *Albert Yurkewitz*  
on the person of the said *Albert Yurkewitz*  
then and there being found, from the person of the said *Albert Yurkewitz*  
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.

## SECOND COUNT—

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

*John V. Wallace*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

*John V. Wallace*

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,

*one watch of the value of  
twenty-five dollars*

of the goods, chattels and personal property of one

*Albert Yarkewitz*

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

*Albert Yarkewitz*

unlawfully and unjustly did feloniously receive and have; the said

*John V. Wallace*

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.*