

0317

BOX:

541

FOLDER:

4927

DESCRIPTION:

Vreeland, Thomas D.

DATE:

11/27/93



4927

03 18

Witnesses:

W. C. Stocking
Theo. Eschbach
Off Mulligan

ordered
N. A. Cleburne 3

Counsel,

Filed *27th* day of *Nov* 1893

Pleas *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. Mulligan Foreman.

Part 3 Dec. 18. 1893

Pleas Guilty
S. P. 7 ms - 108 M
Dec 22 1893

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

COURT OF GENERAL SESSIONS OF THE JUDGE

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.

of Number 997 Journe Ave being duly sworn,
he has just reason to believe and does believe that
deposes and says, that on the 7 day of Nov, 1893 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. Gachbach (now here)
a male child actually and apparently
under the age of sixteen yrs to wit of
the age of fifteen yrs, with intent
to keep said child from its parents
from the following facts, said
Thomas S. Ireland did lead, take, and
entice ^{and detain away} said Theodore L. Gachbach
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 211 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

16th
1893

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

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

16th

Theo L. Eschbach

day of

Nov

1897

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

Question. What is your name?

Answer. *Thomas 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

189

Police Justice.

16 93
[Signature]

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 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 bond

Dated Nov 16 1893 [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.

0326

213 - 1224

Police Court --- 755 District.

THE PEOPLE &c.,
ON THE COMPLAINT OF

Martin J. Mulligan
Thomas D. Ireland

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.

Washington

No. *128* Street.



No. *1000* 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

Thomas D. Ireland

of the crime of *kidnaping*,

committed as follows:

The said *Thomas D. Ireland*,

late of the City of New York, in the County of New York aforesaid, on the *seventeenth* day of *November*, in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid,

deliberately did unlawfully lead, take, entice away and detain one Theodore S. Reichbach, a child under the age of sixteen years, to wit: of the age of fifteen years, with intent to conceal and remove the said Theodore S. Reichbach from Francis Reichbach and Josephine Reichbach, his parents, who then had the lawful care and control of the said Theodore S. Reichbach, against the form of the Statute in such case

made and granted, 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 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,
 did unlawfully, wilfully,
 feloniously, enter and by force
 unlawfully take and carry away one
 Theodore S. 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 wilfully detain
 and keep the said Theodore S. Eschbach
 within this State, to wit: in the said
 City and County of New York; against
 the form of the Statute in and
 case made and provided, and against

0329

The ~~case of the People of the State~~
of New York, and their dignity
S. Sawyer Hill,
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

17 day of Nov

189

Pleads,

Guilty to

THE PEOPLE

vs.

John J. Wall,
Daniel Dougherty
and
Patrick McKeon

Robbery, Degree,
(Sections 284 and 22 of Penal Code.)

DE LANCEY NICOLL,

District Attorney.

~~John J. Wall~~

A TRUE BILL.

Part I. to Dec 20/93

Foreman.

Dec 11/93
Acquitted

0334

Police Court Tenth District.

CITY AND COUNTY }
OF NEW YORK, } ss

Alexander Paris
of No. 336 West 53 Street, Aged 49 Years
Occupation Coachman

being duly sworn, deposes and says, that on the
11th day of November 1893, 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 de-
ponent 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 ²⁵/₁₀₀ Dollars

of the value of _____
the property of deponent DOLLARS,

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 work
upon deponent's person and said defendants
came up to deponent and said Hall seized hold
of deponent's wrists and held deponent and
the said Dougherty and McKern and said other
person not yet arrested inserted their hands in
deponent's clothing and ~~had~~ stole and took
therefrom said property and then when

Sworn to before me this

188

Police Justice

0335

defendant resisted, said defendants
shook defendant and ran 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
by Officer John Ward of the 22nd
Precinct Paris 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.

Sworn to before me this 11th day of November 1888
[Signature]
Police Justice.

Alexander Paris
Mark

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1888
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1888
There being no sufficient cause to believe the within named
guilty of the offence mentioned, I order he to be discharged.
Dated 1888
Police Justice.

Police Court, District, _____
THE PEOPLE, &c.,
on the complaint of _____
1 _____
2 _____
3 _____
4 _____
Dated _____ 1888
Magistrate, _____
Officer, _____
Clerk, _____
Witnesses, _____
No. _____ street, _____
No. _____ Street, _____
No. _____ Street, _____
\$ _____ to answer General Sessions.

0336

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

John Ward
aged 30 years, occupation Police Officer of No. the 22nd Precinct 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.

4

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

John Wall

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 Wall*

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^o 520 West 49th Street about 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. Wall

Taken before this day of *April* 19*13*
[Signature]
Police Justice

0338

Sec. 193-200.

L

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Paul Dougherty 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. *Paul 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. *Ironmith*

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.*
Paul Dougherty

Taken before me this
day of *April* 189*7*
Charles J. Burke
Police Justice.

0339

Sec. 193-200.

4²

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. *No 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

[Signature]

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 1893 James G. 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

1211

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Alvin Purvis
John Trall
Darnell Dymghant
Patrick McKeen

Office
Purvis

BAILED,

No. 1, by _____
Residence _____ Street

No. 2, by _____
Residence _____ Street

No. 3, by _____
Residence _____ Street

No. 4, by _____
Residence _____ Street

Dated Nov 11 189 3

Broder Magistrate.

John Grand Officer.

Precinct.

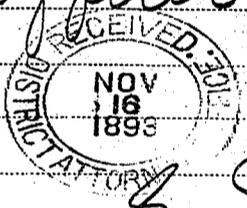
Witnesses Officer at 22 Precinct Street.

No. Call Officer Street.

No. Street.

No. Street.

* 2000 To answer H.S.
Ct. Gov. 19 AM.
H. 19 AM.
R. 19 AM.



0342

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

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

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

Wm. H. [unclear] 194

Counsel,

Filed

day of

189

Pleads,

THE PEOPLE

vs.

John V. Wallace

odd days

Dec. 13th 193 Part I.

DE LANCEY NICOLL,

District Attorney.

Part I Friday Dec. 1/93 20/3

Part I. Dec. 15th 193

A TRUE BILL.

True & correct

[Signature]

Foreman.

Elmira Rel.

Grand Larceny, 1st Deg
From the Person.
[Sections 528, 530, 550 Penal Code.]

0345

Police Court 4 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 317 East 27th Street, aged 39 years,
occupation Annual Painter being duly sworn,

deposes and says, that on the 18 day of November 1893 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession and

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

One triple 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, (born Aug 1874) 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. Louis & New York. That the said watch was in the former'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

Show to deponent this is the property of

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

Given before me this 19th day of November 1893
Albert J. J. J.

John L. L.

Police Justice

~~Albert J. J.~~

0347

Sec. 193-200

✓ District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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 - Horner St 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*7* *[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

1228

Police Court--- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF 3156

Albert Gundersen
John Wallace

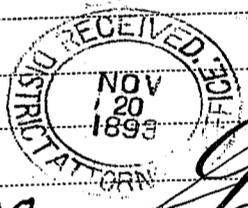
Offense *Barney*
Samuel P. Brown

BAILED,

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

3 _____
4 _____
Date *Nov 19* 189
Koch Magistrate.
Joseph Officer.
Thomas Sawyer Precinct.
Witnesses
No. *115 East 118* Street, *118*

No. _____ Street.
No. _____ Street.
\$ *1500* to answer



W
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

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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 West 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

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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? Sixteen; I have been working at it ever since. Were you ever charged with the commission of any crime in your life before? 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 evening, 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

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 defendant was committed to the Elmira Reformatory.

Handwritten notes:
John V. Wallace
#3
1893
T. J. McQuade
Samuel Hunter

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

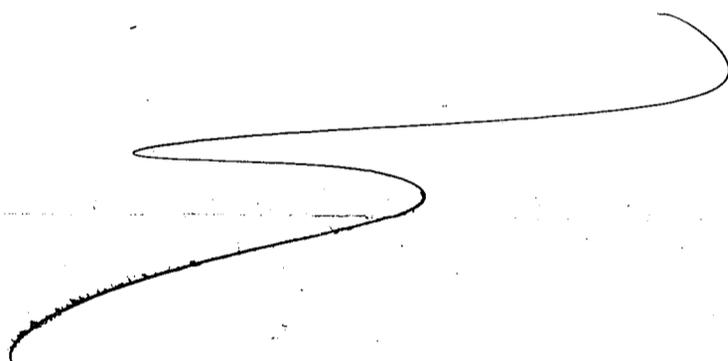
John V. Wallace
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

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.