

0306

BOX:

134

FOLDER:

1391

DESCRIPTION:

Wertheimer, Jacob

DATE:

03/21/84



1391

0307

W. J. O'Connell
Counsel
Filed 21 day of March 1884
Pleas
stands mute

THE PEOPLE
vs.
Jacob Wertheimer

Dist. Ct. N.Y.
MAR 31 1884
PETER B. OLNEY,
JOHN McKEON,
District Attorney
demanded disallowed
by Court - April 18 1884
A TRUE BILL. March 26 1884

on recon. April 21 1884
indict. dis. B.M.
Paul J. 1884
Dec 15 1884
M. W. in dis. 1884

Witnesses:
J. O. Stevens
Hugh Donnelly
W. W. Penney
W. J. Leonard
James Henry
Peter R. M. Murray
William C. ...
Richard A. Roden

Booked by
Arthur Miller
2031
Booked by
Frank H. Hamilton

122/124/126 and 128
H. H. ...
Booked by ...
Booked by ...
Booked by ...
Booked by ...

0308

People
+
Wetherman

The charge is of obtaining a signature to ^{a written} instrument by means of false pretences with intent to defraud the Crown, that is of getting Warden Finn to sign as correct a paper purporting to show the number of prisoners transported by the Sheriff as shown by the prison lists.

The objection is that the indictment does not declare that the Sheriff did ^{not} transport the number of prisoners set forth by Wetherman. Why signed it? The falsehood was ^{the statement} that the prison lists showed such a number & have been conveyed, ~~and that the~~
The signature to a statement that for many years
was conveyed was obtained

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by the false pretense
that the prisoners lists
so showed, whether
they were conveyed or
not is not involved
in this case. Pringle
Travis signature & a
statement of the number
conveyed was obtained
by the false pretense
of Westheimer that
the Prisoner list showed
that that number had
been conveyed.

03 10

COURT OF OVER AND TERMINER
of the City and County of New-York.

-----x
The People of the State of New-York :
- against - :
Jacob Wertheimer. :
-----x

The indictment sets forth that the Sheriff of the City and County of New-York was entitled to receive from the Mayor, Aldermen and Commonalty of the City of New-York \$1.75 for each prisoner conveyed from the City Prison to the criminal courts.

That Jacob Wertheimer was a clerk of the Sheriff, and as such clerk it was his duty at the end of each month to inspect the prison lists on file with the Warden of the Tombs and make a statement to the Sheriff of the number of prisoners appearing upon the said lists as having been conveyed from the City Prison to the Courts, for the conveyance of whom ^{the indictment alleges} the said Sheriff was entitled to be paid as aforesaid; the said statement was to be a statement of the number of prisoners so conveyed by the Sheriff, as appeared from said prison lists for the month on file with the Warden; and it was his duty to present the statement when so prepared to the Warden for his certificate as to the correctness of the statement.

The Warden signed a certificate as to the correctness of the statement for November.

The indictment alleges that this certificate was procured by means of certain false representations, to wit: that the defendant had examined the prison lists for November, that he had

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computed the number of prisoners appearing on said lists as conveyed by the Sheriff for each day of that month, and that the detailed statement exhibited by him to the Warden was a correct statement of the number of prisoners appearing on said lists; and the Warden was induced by means of these false pretences to certify to the correctness of the statement. The pretences laid are sufficiently negatived and alleged to be false.

It is said in support of the demurrer that there is no allegation that the Sheriff did not convey the number of prisoners given in the statement.

It is a sufficient answer to this objection to say that it is not necessary to negative any statement which is not laid as a pretence. It is not alleged in the indictment that Wertheimer made any pretence to the Warden that the "Sheriff had conveyed" the number of prisoners in the indictment named, but only that the prison lists showed that number of prisoners. The Warden signed the certificate, believing that it was a correct computation from the prison lists.

Had Wertheimer represented to the Warden that the Sheriff had conveyed the number of prisoners named in the lists it would of course have been proper to have negatived the allegation. He made no such pretence. The very object of obtaining the Warden's certificate was to find out for the information of the Sheriff how many he had conveyed, and the Warden certified to ^{*The Statement*} ~~that~~, and this was the only information that the Sheriff had. Consequently, Wertheimer could not properly be said to have made any allegation to the Warden as to the number conveyed. His pretences to him related wholly and entirely to what the prison lists contained and nothing more.

03 12

The crime alleged is defined in section 506 of the Penal Code as follows: "A person, who, with intent to cheat or defraud another, designedly, by color or aid of a false token or writing or other false pretence, obtains the signature of any person to a written instrument, is punishable, &c." The indictment alleges the intent to cheat or defraud, that the acts done were designedly done, and alleges certain specific false pretences, and negatives the false pretences made. It is not necessary to allege in the indictment the evidence or facts showing the intent to cheat or defraud the City. The use to be made of the instrument, and the use actually made, the fact that the Sheriff conveyed only the number of prisoners on the prison lists and no more, the fact that the instrument, when obtained, was sent to the Comptroller's office and made the ^sbasis of the audit of this false and fraudulent claim, and that the Sheriff thereby obtained money from the City treasury for transportation of prisoners largely in excess of the amount of money due him. All these are facts not necessary to be alleged in the indictment, but proper evidence on the trial to show the intent to cheat or defraud, and the motive of the crime.

This indictment is drawn in accordance with the precedent established in the case of Therasson vs. The People, reported in 20 Hun, page 57. The whole indictment in that case is set forth at page 56 to 60, with the opinion of Ingals, J., and in the foot note, pages 60 to 64, it is the opinion of your Honor, upon the demurrer to the indictment in that case, that it was good in form, and that form of indictment is what is called in question here by counsel for defendant. It is therefore fully established by precedent that the demurrer must be overruled.

The first ground of demurrer, which is, in substance, that the name of the crime is not sufficiently set forth in the

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indictment, I do not understand the counsel for the defendant seriously to urge. I can add little to what I said upon the oral argument in answer to that objection; but I call the attention of the Court to section 281 of the Code of Criminal Procedure, which provides that the indictment is sufficient if it can be understood therefrom, among other things, (sub-division 6) "that the act of the omission, charged as the crime, is plainly and concisely set forth."

It is alleged in the indictment that, "with intent to cheat and defraud the Mayor, &c.," the defendant, with force and arms, did falsely pretend and represent, and by such false pretence did obtain a signature to a written instrument.

Section 285, moreover, provides that "no indictment is insufficient by reason of any imperfection in matter of form which does not tend to the prejudice of the substantial rights of the defendant on the merits."

0314

Court of Oyer and Terminer

The People

against

Jacob Wertheimer

Copy
Memorandum

Peter B. Olney

District Attorney

03 15

THE COURT ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPŒNA

FOR A WITNESS TO ATTEND THE

COURT OF OYER AND TERMINER.

The People of the State of New York,

To *Joel O Stevens*

of *the Sheriff's Office* Street *232 West 48th St*

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you appear in your proper person, before the Court of Oyer and Terminer, to be holden in and for the City and County of New York, at the New County Court House, in the Park of the said City, on the day of *December* instant, at the hour of 10:30 in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Jacob Wertheimer

in a case of felony, whereof *he stands* indicted. And this you are not to omit under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. NOAH DAVIS, presiding Justice of the Supreme Court of the State of New York, at the City Hall in our said City, the First Monday of *Nov*, in the year of Our Lord 188*4*

DANIEL G. ROLLINS, District Attorney.

0316

Court of General Sessions.

THE PEOPLE

vs.

Jacob Wertheimer

City and County of New York, ss.:

Isaac H. Hunter being duly

sworn, deposes and says: I reside at No. 148 West 32^d Street, in the City of New York. I am a messenger in the office of the District Attorney of the City and County of New York. On the 13th day of December 1884, I called at 232 West 48th Street

the alleged residence of Joel O. Stevens

the complainant herein, to serve him with the annexed subpoena, and was informed by a woman who opened the door that Mr Stevens lived there but was out at the time, she went upstairs to ask Mrs Stevens and returned saying he was out. I said that I understood he was sick a bed, she replied that he is not sick a bed, he is out. On the 13th of Dec. 1884 I called at the Sheriff's Office in the New Court House, and was informed by the messenger that Mr Stevens was expected every moment, I waited about one hour and he did not arrive, I then went to his residence again 232 West 48th street and was informed by the same woman that he was out and could not say if he went to the Sheriff's Office or not. I then returned to the Sheriff's Office and was informed by the messenger that he must be sick as he had not come down.

Sworn to before me, this 13th day of December 1884 }
Rudolph L. Scharf
Commissioner of Deeds
N.Y. City & Co.

Isaac H. Hunter
Messenger

DANIEL G. ROLLINS
District Attorney of the City and County of New York

not be called on for trial, and no reason
District Attorney's Office a
any reason, you wish to withdraw the charges, or to
extended to the accused, state the same to the D
District Attorney will inquire, state the same to the D
If inconvenient for you to remain, and
state this early to the District
If ill, when served, and
District Attorney's Office

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COURT OF *General Sessions*

The People, &c.

vs.
Jacob Wertheimer

OFFENCE

PETER B. OLNEY,
District Attorney.

03 18

COURT OF GENERAL SESSIONS

-----X
The People, &c., :
-against- :
Jacob Wertheimer. :
-----X

City and County of New York, ss:

Please take notice that we will move this Honorable Court in Part 2 thereof before the Honorable James Fitzgerald on Tuesday, July 1st, 1890 at 11 A. M. or as soon thereafter as counsel can be heard for an order dismissing the indictment against the above named defendant upon the ground of the non-prosecution of this action on the part of the people.

Yours &c.,

Levy, Friend & House,

Of Counsel for Defendant.

Dated, New York, June 30, 1890.

To

Hon. John R. Fellows,

District Attorney.

0319

COURT OF GENERAL SESSIONS.

-----X
 The People, &c.,
 -against-
 Jacob Wartheimer.
 -----X

City and County of New York, ss:

EMANUEL M. FRIEND of said City being duly sworn deposes and says: I am one of the counsel for the above named defendant. The defendant was indicted by the Grand Inquest of this County in the year 1834 and was released upon bail that time. That since said time the defendant has been anxious and ready to proceed with the trial that no adjournment in this matter has been had at his request. That the defendant now holds a position in one of the departments of our city government. And this action remaining pending and undetermined causes him considerable annoyance. That by reason of the non-prosecution of the action on the part of the people until now; deponent asks that the indictment herein against the defendant be dismissed.

Sworn to before me this
 30th day of June 1890.

Wm E. Cook }
 Notary Public }
 Kip Co.
 Cert. filed in S. Co.

E. M. Friend

0320

COURT OF GENERAL SESSIONS.

City and County of New York.

The People, &c.,

-against-

Jacob Wertheimer.

AFFIDAVIT AND NOTICE.

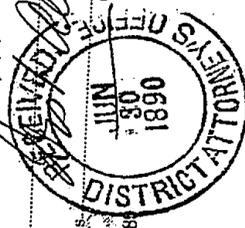
LEVY, FRIEND & HOUSE,

Defendants' Attorneys,

25 Chambers St., New York.

To Hon. J. R. Fellows

Due service of within
is hereby admitted, this
day of



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COURT OF OYER AND TERMINER
of the City and County of New-York.

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

- against -

Jacob Wertheimer. :
-----x

The indictment sets forth that the Sheriff of the City and County of New-York was entitled to receive from the Mayor, Aldermen and Commonalty of the City of New-York \$1.75 for each prisoner conveyed from the City Prison to the criminal courts.

That Jacob Wertheimer was a clerk of the Sheriff, and as such clerk it was his duty at the end of each month to inspect the prison lists on file with the Warden of the Tombs and make a statement to the Sheriff of the number of prisoners appearing upon the said lists as having been conveyed from the City Prison to the Courts, for the conveyance of whom ^{the indictment alleges} the said Sheriff was entitled to be paid as aforesaid; the said statement was to be a statement of the number of prisoners so conveyed by the Sheriff, as appeared from said prison lists for the month on file with the Warden; and it was his duty to present the statement when so prepared to the Warden for his certificate as to the correctness of the statement.

The Warden signed a certificate as to the correctness of the statement for November.

The indictment alleges that this certificate was procured by means of certain false representations, to wit: that the defendant had examined the prison lists for November, that he had

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computed the number of prisoners appearing on said lists as conveyed by the Sheriff for each day of that month, and that the detailed statement exhibited by him to the Warden was a correct statement of the number of prisoners appearing on said lists; and the Warden was induced by means of these false pretences to certify to the correctness of the statement. The pretences laid are sufficiently negated and alleged to be false.

It is said in support of the demurrer that there is no allegation that the Sheriff did not convey the number of prisoners given in the statement.

It is a sufficient answer to this objection to say that it is not necessary to negative any statement which is not laid as a pretence. It is not alleged in the indictment that Wertheimer made any pretence to the Warden that the "Sheriff had conveyed" the number of prisoners in the indictment named, but only that the prison lists showed that number of prisoners. The Warden signed the certificate, believing that it was a correct computation from the prison lists.

Had Wertheimer represented to the Warden that the Sheriff had conveyed the number of prisoners named in the lists it would of course have been proper to have negated the allegation. He made no such pretence. The very object of obtaining the Warden's certificate was to find out for the information of the Sheriff how many he had conveyed, and the Warden certified to ^{the statement} ~~that~~, and this was the only information that the Sheriff had. Consequently, Wertheimer could not properly be said to have made any allegation to the Warden as to the number conveyed. His pretences to him related wholly and entirely to what the prison lists contained and nothing more.

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The crime alleged is defined in section 566 of the Penal Code as follows: "A person, who, with intent to cheat or defraud another, designedly, by color or aid of a false token or writing or other false pretence, obtains the signature of any person to a written instrument, is punishable, &c." The indictment alleges the intent to cheat or defraud, that the acts done were designedly done, and alleges certain specific false pretences, and negatives the false pretences made. It is not necessary to allege in the indictment the evidence or facts showing the intent to cheat or defraud the City. The use to be made of the instrument, and the use actually made, the fact that the Sheriff conveyed only the number of prisoners on the prison lists and no more, the fact that the instrument, when obtained, was sent to the Comptroller's office and made the basis of the audit of this false and fraudulent claim, and that the Sheriff thereby obtained money from the City treasury for transportation of prisoners largely in excess of the amount of money due him; All these are facts not necessary to be alleged in the indictment, but proper evidence on the trial to show the intent to cheat or defraud, and the motive of the crime.

This indictment is drawn in accordance with the precedent established in the case of Therasson vs. The People, reported in 20 Hun, page 55. The whole indictment in that case is set forth at page 56 to 60, with the opinion of Ingals, J., and in the foot note, pages 60 to 64, ~~It~~ is the opinion of your Honor, upon the demurrer to the indictment in that case, ^{the indictment} that it was good in form, *ye* and that form of indictment is what is called in question here by counsel for defendant. It is therefore fully established by precedent that the demurrer must be overruled.

The first ground of demurrer, which is, in substance, that the name of the crime is not sufficiently set forth in the

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indictment, I do not understand the counsel for the defendant seriously to urge. I can add little to what I said upon the oral argument in answer to that objection; but I call the attention of the Court to section 284 of the Code of Criminal Procedure, which provides that the indictment is sufficient if it can be understood therefrom, among other things, (sub-division 6) "that the act ~~or~~ ^{or} the omission, charged as the crime, is plainly and concisely set forth."

It is alleged in the indictment that, "with intent to cheat and defraud the Mayor, &c.," the defendant, with force and arms, did falsely pretend and represent, and by such false pretence did obtain a signature to a written instrument.

Section 285, moreover, provides that "no indictment is insufficient by reason of any imperfection in matter of form which does not tend to the prejudice of the substantial rights of the defendant on the merits."

0325

Court of Oyer and Terminer

The People

against

Jacob Wertheimer

Memorandum

Peter B. Shier

District Attorney

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Court of Oyer and Terminer,
of the City and County of New York

The People of the State of
New York
against
Jacob Wertheimer

The Grand Jury of the City and
County of New York, by this indictment
accuse Jacob Wertheimer of the Crime
of Obtaining a signature to a written
instrument by means of false pretenses,
committed as follows: — — — —

— — — — At all the times hereinafter
mentioned, and for a long time prior
thereto, the Sheriff of the County of
New York, by virtue of his said office,
was entitled to receive from the
Mayor, Aldermen and Commonalty
of the City of New York the sum of
one dollar and seventy five cents
for each prisoner conveyed by him
the said Sheriff, from the City Prison
of the City of New York, commonly
called The Tombs, to the Courts of
General Sessions of the Peace, and
Oyer and Terminer, in and for the
City and County of New York. — — — —

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--- And on the first day of December in the year of our Lord one thousand eight hundred and eighty three, and for a long time prior thereto, the said Jacob Wertheimer late of the First Ward of the City of New York, in the County of New York, aforesaid, was a clerk in the employ of the said Sheriff, and as such clerk of the said Sheriff it was the duty and custom of him the said Jacob Wertheimer to inspect the Prison Lists, to wit, the orders on file in the office of one James Timin, the Warden of the said City Prison, from the District Attorney of the City and County of New York for the delivery of prisoners to the said Courts of General Sessions and Oyer and Terminer, and for the conveying of which the said Sheriff was so as aforesaid entitled to receive the compensation aforesaid; and to compute the number of prisoners so conveyed as appeared by such Prison Lists; and from such inspection and computation it was the duty and custom of him the

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said Jacob Wertheimer, as such clerk of the said Sheriff to prepare at the end of each month a statement of the number of prisoners so conveyed by the said Sheriff as aforesaid, as appeared by such inspection of the said Prison Lists, so as aforesaid on file in the office of the said Warden; and to present such statement to the said James Fin Warden as aforesaid, for his certificate as to the correctness of the same. — — — — —

— — — — — And the said Jacob Wertheimer on the said first day of December, in the year last aforesaid, at the Ward, City and County aforesaid, with intent to cheat and defraud the Mayor, Aldermen and Commonalty of the City of New York, with force and arms, designedly, knowingly, wilfully and feloniously did falsely pretend and represent to the said James Fin so as aforesaid being then and there the Warden of the City Prison of the City of New York, commonly called The Tombs, as aforesaid: — — — — —

— — — — — That he the said Jacob Wertheimer

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had inspected the Prison Lists on file in the office of the said James Finn, Warden as aforesaid, containing the number and names of the prisoners conveyed by the said Sheriff to the said Courts of General Sessions and Oyer and Terminer during the month of November, in the year last aforesaid, and had made a computation of the number thereof, and that a certain statement and writing, which he the said Jacob Wertheimer then and there exhibited to and delivered to the said James Finn, Warden as aforesaid, and which said statement and writing is as follows, that is to say:

Number of Prisoners conveyed from the Tombs Prison to the Court of General Sessions during the month of November 1883

Nov 1	18	Nov 16	30
" 2	41	" 19	42
" 5	41	" 20	30
" 7	40	" 21	46
" 8	34	" 22	30
" 9	32	" 23	3
" 12	35	" 27	61
" 13	36	" 28	25
" 14	31	" 30	57
" 15	<u>30</u>		<u>662</u>
	305		

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Number of Prisoners conveyed	Nov 12	1	
from the Tombs prison to the	" 13	1	
Court of Oyer & Terminer during	" 16	1	
month of November 1883	" 19	1	
	" 20	1	
	" 28	8	13
			<u>Total 642</u>

was a true and correct statement of the number of prisoners so conveyed by the said Sheriff, as aforesaid, as by the said Prison Lists appeared and reported.

That such prison lists purporting and showed that there had been conveyed by the said Sheriff, and had been sent by the said Warden, from the said City Prison of the City of New York, to the Court of General Sessions of the Peace in and for the City and County of New York on the days following, the number of prisoners set opposite such dates, to wit: on the first day of November, in the year aforesaid, Eighteen; on the second day of said November, Forty-one; on the fifth day of said November, Forty-one; on the seventh day of

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said november, forty; on the Eighth day of said november, thirty-four; on the ninth day of said november thirty two: on the Tenth day of said november, thirty nine; on the Thirteenth day of said november thirty six; on the Fourteenth day of said november, thirty-one, on the Fifteenth day of said november, thirty; on the Sixteenth day of said november, thirty; on the Nineteenth day of said november forty-two; on the twentieth day of said november, thirty; on the twenty first day of said november, forty six; on the twenty second day of said november, thirty; on the twenty third day of said november, three; on the twenty seventh day of said november, sixty-one; on the twenty eighth day of said november, twenty five; and on the thirtieth day of said november, Fifty seven:—

— That such person lists further purported and showed, that there had been conveyed, by the said Sheriff, and had been sent

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by the said Warden, from the said City Prison of the City of New York, to the Court of Oyer and Terminer of the City and County of New York, on the days following, the number of prisoners set opposite such dates, to wit: on the twelfth day of November in the year aforesaid, one; on the thirteenth day of said November, one; on the sixteenth day of said November, one; on the nineteenth day of said November, one; on the twentieth day of said November, one; and on the twenty eighth day of said November, eight: ---
--- And the said James Finin, Warden as aforesaid, then and there believing the said false pretences and representations so made as aforesaid by the said Jacob Wertheimer, and being deceived thereby, was induced by reason of the false pretences and representations so made as aforesaid, to sign, and did then and there sign and deliver to the said Jacob Wertheimer a certain written instrument and certification, the same being then
oners set opposite such dates

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no affidavit containing the name
James Sims, Warden affidavit, and
an affidavit in the office of the warden
inspected the Union Station and
he the said James Warden had not
- Affidavit truth and in fact:

Henry.
Mayor of the City of New York
The Mayor, Aldermen and Com:
to cheat and defraud the said
affidavit, and with intent to
the same pretenses and representations
written instrument, by means of
the said James Warden, to the said
and obtain the money of the
then and there dishonestly receive
and the said James Warden did

Warden

James Sims

This is correct

James Sims is to say:
instrument and certification was
Sims, and which said written
to and exhibited to the said James
the said James Warden do
writing no affidavit by Sims
attested to the said statement and
and there written upon and

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said november, forty; on the Eighth day of said november, thirty-four; on the ninth day of said november thirty two; on the Tenth day of said november, thirty nine; on the Thirteenth day of said november thirty six; on the Fourteenth day of said november, thirty-one, on the Fifteenth day of said november, thirty; on the Sixteenth day of said november, thirty; on the Nineteenth day of said november forty-two; on the twentieth day of said november, thirty; on the twenty first day of said november, forty-six; on the twenty second day of said november, thirty; on the twenty third day of said november, three; on the twenty-seventh day of said november, sixty-one; on the twenty eighth day of said november, twenty-five; and on the thirtieth day of said november, fifty seven:—

— That such person lists further purported and showed, that there had been conveyed, by the said Sheriff, and had been sent

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By the said Warden, from the said City Prison of the City of New York, to the Court of Oyer and Terminer of the City and County of New York, on the days following, the number of prisoners set opposite such dates, to wit: on the twelfth day of November in the year aforesaid, one; on the thirteenth day of said November, one; on the sixteenth day of said November, one; on the nineteenth day of said November, one; on the twentieth day of said November, one; and on the twenty eighth day of said November, eight: ---
--- And the said James Trim, Warden as aforesaid, then and there believing the said false pretences and representations so made as aforesaid by the said Jacob Wertheimer, and being deceived thereby, was induced by reason of the false pretences and representations so made as aforesaid, to sign, and did then and there sign and deliver to the said Jacob Wertheimer a certain written instrument and certification, the same being then

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and there written upon and attached to the said statement and writing so as aforesaid by him the said Jacob Wertheimer delivered to and exhibited to the said James Finis, and which said written instrument and certification is as follows that is to say: -----

This is correct

James Finis

Warden

and the said Jacob Wertheimer did then and there designedly receive and obtain the signature of him the said James Finis Warden, as aforesaid, to the said written instrument, by means of the false pretences and representations aforesaid, and with intent feloniously to cheat and defraud the said Mayor, Aldermen and Commonalty of the City of New York, thereby. -----

----- Whereas it is true and in fact: he the said Jacob Wertheimer had not inspected the Prison Lists as aforesaid in the office of the said James Finis, Warden as aforesaid, and so as aforesaid containing the names

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of the prisoners so as aforesaid con-
veyed by the said Sheriff during the
month of November in the year last
aforesaid; and had not made a
computation of the number thereof:

— And whereas in truth and in
fact the said statement and writing
so as aforesaid by him the said
Jacob Wertheimer then and there
exhibited to and delivered to the
said James Finis, Warden as aforesaid,
was not a true and correct statement
of the number of prisoners so con-
veyed by the said Sheriff as aforesaid,
as appeared and purported
by the said Prison Lists. — — —

— And whereas in truth and in
fact such prison lists did not
purport and show that there had
been conveyed by the said Sheriff,
and had been sent by the said
Warden, from the said City Prison
of the City of New York, to the Court
of General Sessions of the Peace in
and for the City and County of
New York on the days in the
said month of November in the
year aforesaid, the number of pris-
oners set opposite such dates

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in the said statement and writings
and such prison lists did not
further show and purport that
there had been conveyed, by the
said Sheriff, and had been sent
by the said Warden, from the said
City Prison of the City of New York,
to the Court of Oyer and Terminer
of the City and County of New York,
on the said days in the said
month of November in the year
aforesaid the number of prisoners
set opposite such dates in the
said statement and writings.

And whereas in truth and
in fact, the pretences and repre:
sentations so as aforesaid made
by him the said Jacob Wertheimer
to the said James Fin, Warden as
aforesaid, was and were in all
respects then and there utterly
false and untrue, as he the said
Jacob Wertheimer then and
there well knew. — — — — —

— — — — — And so the Grand Jury aforesaid
do say: That he the said Jacob
Wertheimer, on the day and
in the year aforesaid, at the

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Ward, City and County aforesaid
by means of the false pretences
and representations aforesaid,
feloniously, falsely, knowingly
and wickedly did designedly
receive and obtain from the said
James Fin, Warden as aforesaid
his signature to the written
instrument aforesaid, with
intent to cheat and defraud
the said the Mayor, Aldermen
and Commonalty of the City of
New York, thereby 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.

Peter B. Orney,

District Attorney

0340

BOX:

134

FOLDER:

1391

DESCRIPTION:

White, James

DATE:

03/12/84



1391

0341

BOX:

134

FOLDER:

1391

DESCRIPTION:

Williams, Joseph

DATE:

03/12/84



1391

0342

Witnesses:

Herman Babby
Off Thos Scullin

188

Counsel,

Filed 12 day of March 1884

Pleads

W. J. Gandy (B)

THE PEOPLE
vs.
James White
and
Joseph Williams

Robbery in the 1st Degree
(Sections 224 and 228.)

PETER B. OLNEY,
JOHN McKEON,

Dist. Attorney
Robt. S. Dy.

A TRUE BILL.

Leuld. St. Mundy

Foreman.

S. P. Six years each.

Mar 18 84

W. J. Gandy

Mar. 26 1884

11 28

Apr 2 1884

0343

Sec. 198-200

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Joseph Williams

Question. How old are you?

Answer.

20 years

Question. Where were you born?

Answer.

N.Y. City

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

Answer.

445 Washington St. 2 months

Question. What is your business or profession?

Answer.

Labourer

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

Answer.

*I am not guilty & demand
no examination*

Joseph Williams

Taken before me this *20th*
day of *March* 188*8*
Charles J. ...
Police Justice.

0344

Sec. 198-200

32 District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

James White 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. *James White*

Question. How old are you?

Answer. *27 Years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *185 Thompson Street*

Question. What is your business or profession?

Answer. *Shoe Maker*

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

Answer. *I am not guilty & demand an*
examination

his
James White
Mark

Taken before me this
day of *March* 188*8*
James White
Police Justice.

0345

Police Court *Jd* District.

CITY AND COUNTY }
OF NEW YORK, } ss

of No *64 1/2* *Herman Poley* Street, Aged *22* Years
Occupation *Daily* being duly sworn, deposes and says, that on the
Jd day of *March*, 189*7*, at the *15th* 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 Silver Watch of the value
of Six 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

*White, and Joseph Williams, both
(rowlers) who each seized hold
of deponent and held him, while
the unknown man, who is not
arrested, and who was in company
with said White and Williams, took
from deponents person the property
described above, and ran away.*

*That immediately after said
unknown man had snatched
deponents watch as aforesaid the
defendants herein, released deponent and
ran away. That deponent did not*

day of _____

Sworn to before me, this _____

188

Police Justice.

0346

lose sight of said Defendants
(who ran away the length of a
Block) until they were arrested
by Officer Thomas Deullion
of the 15th Precinct Police

Shown before me this } Hermann
3rd day of March 1887 } Busby
Andrew Smith } Police Justice

It appearing to me by the within depositions and statements that the crime herein mentioned has been committed and that there is sufficient cause to believe the within named
James H. White }
Robert Williams }
of the City of New York, until they give such bail.
Dated March 6th 1887 }
I have admitted the above named }
to bail to answer by the undertaking hereto annexed. }
Dated 1887 }
There being no sufficient cause to believe the within named }
guilty of the offence within mentioned, I order he to be discharged. }
Dated 1887 }
Police Justice.

1174
Police Court, 2d District
THE PEOPLE, &c.,
on the complaint of
Robert Weaver
64 1/2 Sullivan St.
1 James White
2 Joseph Williams
3
4
Dated March 3rd 1887
Magistrate
Wm. Deullion
Officer
15 Prec. Clerk
Witnesses
Elizabeth Egan
No. 64 1/2 Sullivan St.
George Williams
No. 27 Sullivan St.
Weld in 1000 Cash
No. To Answer General Sessions
Frank Mendenhall
No. 300 Bleecker St.
to answer General Sessions.
Cor. March 5th 1887.
\$ 2000 Cash
M. M. C. Mendenhall

0347

CITY AND COUNTY } ss.
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That *John Canary and John
Reilly each*

late of the *eightth* Ward of the City of New York, in the County of New York,
aforesaid, on the *second* day of *August* in the year of our Lord one
thousand eight hundred and eighty *one* with force and arms, at the Ward,
City and County aforesaid, the *store* of

Joseph Levy there situate, feloniously and
burglariously, did break into and enter, the same being a building in which divers
goods, merchandise, and valuable things were then and there kept for use, sale and
deposit, to wit: the goods, chattels, and personal property hereinafter described, with
intent the said goods, chattels, and personal property of the said

Joseph Levy then and there being, then and there
feloniously and burglariously to steal, take and carry away, and

*four watches of the value of five
dollars each*

*nine chairs of the value of one
dollar and fifty cents each*

*twenty four rings of the value of
one dollar each*

of the goods, chattels, and personal property of the said *Joseph Levy*

so kept as aforesaid in the said *store* then and there being, 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.

0348

And the Jurors aforesaid, upon their oath aforesaid, do further present

THAT the said

*John Canary and
John Reilly each*

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

*Four watches of the value of five
dollars each*

*Nine chairs of the value of one
dollar and fifty cents each
twenty four rings of the value
of one dollar each*

of the goods, chattels and personal property of

Joseph Levy

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen ~~of the said~~ *taken and carried away*

from the said Joseph Levy

unlawfully, unjustly, ~~and for the sake of wicked gain,~~ did feloniously receive and have (the said

*John Canary and John
Reilly*

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

David S. Rollin
BENJ. K. PHILLIPS, District Attorney.

0349

Day of Trial

Counsel,

Filed 11 day of August 1881

Pleads Not guilty (w)

THE PEOPLE

vs.

John Canady
John² Reilly

BURGLARY—Third Degree, and
[Receiving Stolen Goods.]

David S. Miller
DENG. K. PHELPS,

aug. 16-1881 District Attorney.
No. 2. Tried and acquitted

A True Bill.

David K. Phelps

Aug 15. 1881 Foreman

M. S. Phelps
Wm. S. Phelps - Foreman
Wm. S. Phelps - Foreman

0350

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

James White
and

Joseph Williams

The Grand Jury of the City and County of New York, by this indictment, accuse, James White and Joseph Williams of the CRIME OF ROBBERY IN THE First DEGREE, committed as follows:

The said James White and Joseph Williams

late of the First Ward of the City of New York, in the County of New York aforesaid, on the Second day of March in the year of our Lord one thousand eight hundred and eighty-four, at the Ward, City and County aforesaid, with force and arms, in and upon one Herman Bisely in the peace of the said People then and there being, feloniously did make an assault

(each of them the said James White and Joseph Williams being then and there aided by an accomplice actually present) and one watch of the value of six dollars

of the goods, chattels and personal property of the said Herman Bisely from the person of said Herman Bisely and against the will and by violence to the person of the said Herman Bisely then and there violently and feloniously did rob, 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,

PETER B. OLNEY,
JOHN McKEON, District Attorney.

0351

BOX:

134

FOLDER:

1391

DESCRIPTION:

Willenbrock, John

DATE:

03/07/84



1391

Witnesses:
Lay's office
This is first office
Walt D. ...
New ...
...

68.

Day of Trial,
Counsel, *Alger*
Filed *7* day of *March* 188*4*
Pleads *Not guilty*

THE PEOPLE
vs. **B**
John Willenbrock

Violation of Excise Law.
Selling without License.
[U.S. (73d) 1981 212]

Postmaster
PETER B. OLNEY,
JOHN MCKEON,
District Attorney.

A TRUE BILL.

Charles H. ...
George ... Foreman.
Head ...
Wm ...
paid

0352

0353

Sec. 198-200

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

John Willenbrook

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 Willenbrook*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *37 Madison St. 9 months*

Question. What is your business or profession?

Answer. *Clerk*

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

Answer. *I am not guilty.*
John Willenbrook

Taken before me this *11* day of *February* 188*8*
Samuel Bond
Police Justice.

0354

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 John Willenbrock

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

Dated 10 Decr 188 4 J. Murray Bond Police Justice.

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

Dated February 10 188 4 J. Murray Bond Police Justice.

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

Dated _____ 188 _____ Police Justice.

0355

Police Court 18th 109th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William Hogan

1 John Willembroek

2 _____

3 _____

4 _____

Offense Violation
Alc. Law

Dated 10 Feby 1884

J Henry Ford Magistrate.

Hogan Officer.

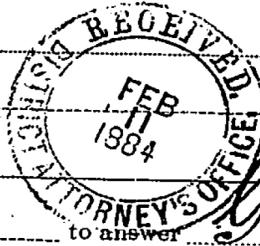
H Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street,

No. 100 Street,



Bailed

BAILED

No. 1, by John Schmauckberg

Residence 28 New Chauler Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.



0356

EXCISE VIOLATION—WITHOUT LICENSE.

Police Court— 13 District.

CITY AND COUNTY }
OF NEW YORK, } ss.

Policeman of the 4th Precinct Police

William Hogan, aged 30 years

of the City of New York, being duly sworn, deposes and says, that on the 9th day

of February 1884, in the City of New York, in the County of New York, at

No. 37 Madison Street

John Willenbrock (now here)
did then and there sell, and caused, suffered and permitted to be sold, under his direction and authority, strong and spirituous liquors, wines, ale and beer, being intoxicating liquors, in quantities less than five gallons at a time, to be drunk in the house or premises aforesaid without having a proper license therefor contrary to and in violation of law.

deponent saw a man standing in front of the bar in said premises drinking whiskey

WHEREFORE, deponent prays that said John Willenbrock may be ~~arrested and~~ dealt with according to law.

Sworn to before me, this 10 day of February 1884

William Hogan

J. Henry Bond POLICE JUSTICE

0357

Court of General Sessions of the Peace

OF THE CITY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

John Willenbrock

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

of the CRIME of *Selling Spirituous Liquors without a License*, committed as follows:

The said *John Willenbrock*

late of the *First* Ward of the City of New York, in the County of New York aforesaid, on the *ninth* day of *February* in the year of our Lord one thousand eight hundred and eighty *four*, at the Ward, City and County aforesaid, certain strong and spirituous liquors, and certain wines, to wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one time, to

~~and to~~ certain ~~other~~ persons whose names are to the Grand Jury aforesaid unknown, without having a license therefor, as required by law, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

PETER B. OLNEY,

~~JOHN MCKEON~~ District Attorney.

0358

BOX:

134

FOLDER:

1391

DESCRIPTION:

Williams, Jessie

DATE:

03/18/84



1391

0359

BOX:

134

FOLDER:

1391

DESCRIPTION:

Ash, Gertrude

DATE:

03/18/84



1391

0360

New Report. Caruth
29 New 580

1884
May of March
Lands North West 1/4

THE PEOPLE
vs.
Jesse Williams
and
Gertrude S. O'Neil

PETER B. OLNEY,
JOHN MCKEON,
Chas. M. District Attorney
John C. Conner, Counselor
A True Bill. Perjury 1874
Cult of Knowledge
Part 2. April 1874
Jury convicted both 1874

No 2 Per 18 1/2 yrs

1876 m.d.
F.F.
Powers and Mack in Grand Jury

0361

Sec. 198-200

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Jessie Williams 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. *Jessie Williams*

Question. How old are you?

Answer. *20 years of age*

Question. Where were you born?

Answer. *Ulster Co. New York*

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

Answer. *96 St. 100 Ave. over a year*

Question. What is your business or profession?

Answer. *Coachman*

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 was admitted to the home of Mr. Hoane on Wednesday evening, the 5th inst. of the month of June when I visited Gertrude Ash whom I visit. I remained in her bed room up to the time I was found under the bed by the officers. She came up with a piece of hot water to take a bath and shortly after her bath and she went down and came up and said the home was robbed and that Miss Harry had been tied. She then told me to go under the bed as she did not want it known I was in the home.*

Jessie Williams

Taken before me this 10th day of March 1888
Jessie Williams
Police Justice

0362

Sec. 198-200

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Gertrude Ash*

Question. How old are you?

Answer. *18 years of age*

Question. Where were you born?

Answer. *Philadelphia*

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

Answer. *49 West 32nd St. About 5 months*

Question. What is your business or profession?

Answer. *Home Servant.*

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*

Gertrude S Ash

Taken before me this *10th*
day of *March* 188 *8*
M. J. ...
Police Justice.

0363

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

Jessie Williams and Gertrude Ash
guilty thereof, I order that ^{each} he be held to answer the same and ^{they} 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 they give such bail.

Dated *March 10th* 188 *J. M. Patterson* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0364

Witnesses

Capt. Alex Williams

Geo. H. Sloan

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

142
Police Court

2

1179
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Maggie Harvey
44 W. 32 St.

Fessie Williams
Bertrude Ash

Offence *Bludgeoning and Robbery*

3

4

Dated

March 10

1884

O Patterson

Magistrate.

John Donlop

Officer.

P. J. Dev

29

Precinct.

Witnesses

Capt. Williams and

Officer James K. Price

John Donlop, 29 Precinct

Geo. H. Sloan 49 West 30

Sarah C. Sloan 49 W. 32

Susan Whiting 49 West 30

\$ 2000. to answer Gen. Sessions.

each. Committed

MAR 13 1885
DISTRICT OFFICE

0365

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 36 years, occupation James K. Pucci
Police Officer of No. 29
West Pucci Street, being duly sworn deposes and

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

Sworn to before me, this 10
day of March 1888 } James K. Pucci

[Signature]
Police Justice.

0366

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 30 years, occupation George H. Sloane
Merchant of No.

49 West 32nd Street, being duly sworn deposes and

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

Sworn to before me, this 11th
day of March 1888 } Geo H Sloane

H. W. Patterson
Police Justice.

0367

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 26 years, occupation Housekeeper of No. 49 West 32nd Street, being duly sworn deposes and says, that she has heard read the foregoing affidavit of Maggie Harvey and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 11th day of March 1888 } Sarah C. Hoane

J. M. Patterson
Police Justice.

0368

District Attorney's Office,

CITY AND COUNTY OF NEW YORK.

29

April 3 1894

CAPTAIN OR OFFICER IN COMMAND.

Dear Sir:

I desire to see Officer *Arndt*
Arndt attached to your command in
March 1884 in relation to the case of
Jessie Williams
sentenced April 5-1884 to 14
years and ~~months~~ imprisonment by
Recorder *Smith*

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

Yours truly,

HENRY W. UNGER,

Deputy Assistant and Secretary to the District Attorney.

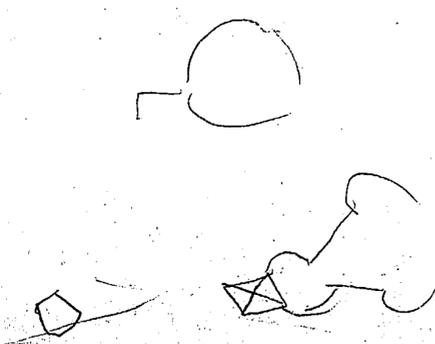
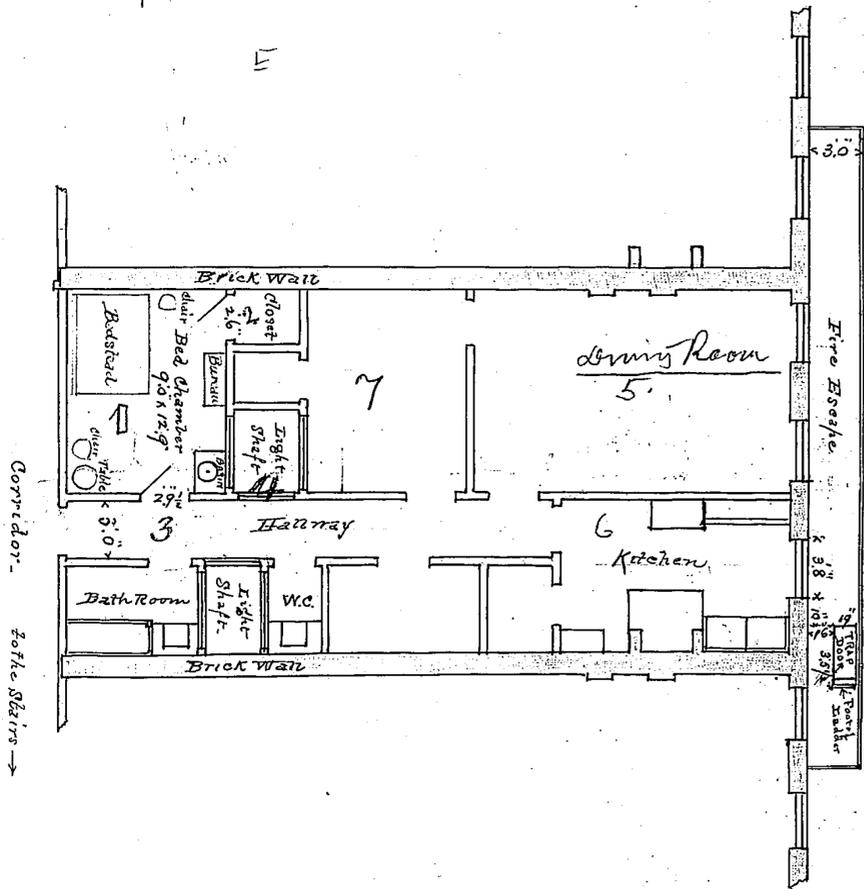
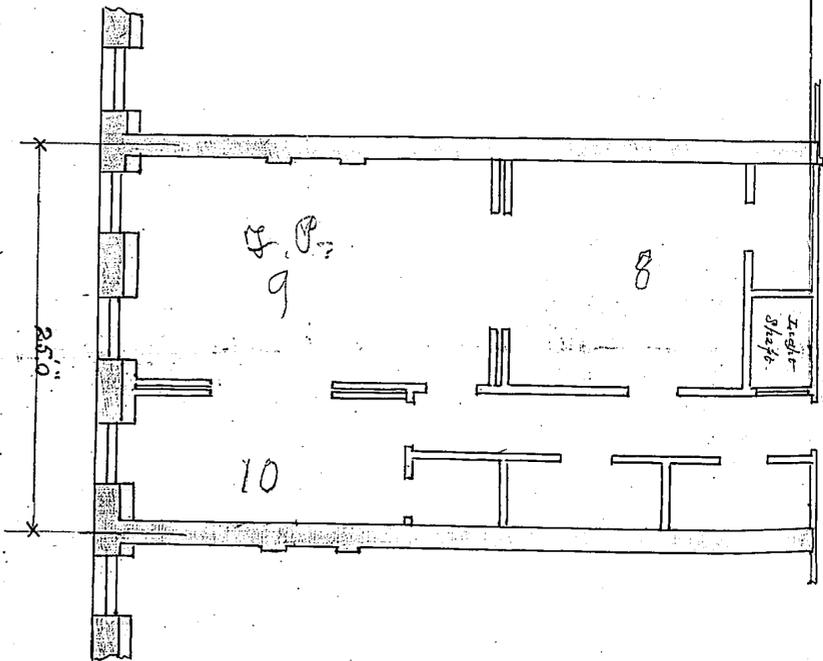
0369

Blaine Building
N.E. Cor. Broadway,
& 32nd Street NY.

Plan of Middle Flat - 2nd, 3rd & 4th Stories.

Scale - 1/8 inch to 1 Foot.

James Howard, Architect
1267 Broadway NY.



0370

STATE OF NEW YORK
CITY AND COUNTY OF NEW YORK

POLICE COURT—2^d DISTRICT.

Maggie Harvey, aged 19 years,
of No. 49 West 32^d Street, being duly sworn, deposes and

says that on the eighth day of March 1884

at the City of New York, in the County of New York, a few minutes after

10 o'clock P. M. deponent had just re-
turned to bed in a room on the
fourth floor of said premises. That
said floor is a flat occupied by
George H. Sloane, deponent's brother
in law, and is situated in the
21st Ward of said City. That a
child of said George H. Sloane, aged
2 1/2 years, lay in the same bed
with deponent. That deponent had
been only a moment in bed when
the door of a closet in said room
opened and Jessie Williams,
otherwise Frank Williams, now here,
stepped out of said closet. That
he advanced to deponent's bed
and struck deponent on the face
and then seized deponent by the
throat. That he told deponent to
pat the baby and quiet it or
he would kill her. That he
then pulled deponent from the
bed and threw deponent on the
floor and tied deponent's hands
with a cord and taking a
handkerchief from the bureau
thrust it into deponent's mouth
and tied a napkin over
deponent's mouth. That he

0371

Then assisted deponent to her feet
 and thrust deponent out of the
 room into the hall and actual
 deponent when Mr. Sloane was
 and when the keys of the front
 were kept. That Mr. Sloane and
 his wife were then absent
 from home, and deponent told
 said deponent that Mr. Sloane
 was down stairs and held the
 keys. That he then threw deponent
 back into the bed room where
 deponent became unconscious.
 That deponent was thereafter informed
 by Mr. Sloane, that he and his
 wife, deponent's sister, returned home
 about half past 10 o'clock P. M. on
 said day and found deponent lying
 unconscious on the floor. That
 he, said Sloane, further informs
 deponent that the drawers and
 closets of the dining room and
 two bed rooms were open and
 searched and silver ware and
 a real skin bag, two silk
 dresses and other property taken,
 stolen and carried away therefrom.

Police Court, District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

AFRIDA VIT.

vs.

Dated 188

Magistrate.

Officer.

Witness.

Disposition.

0372

2
That said property was the property
of deponent, and said Mr. Sloane,
said was in the care and
charge of deponent and was
of the value of six hundred
dollars. That deponent is
further informed by said Mr.
Sloane that the dining
room window facing the
fire escape was open and
the sash were lying on
the fire escape and the
red skin bag was lying at
the window in the dining
room, together with the two
pill dresses. That deponent
is further informed by said
Mr. Sloane that officers
Price, Donlap and Captain
Williams came to the home
and that the deponent's sister
Williams, now there, was by
them found concealed under
the bed of the servants room
on the floor above. That
said fire escape led from
the dining room to the said
servants room. That said

0373

Defendant was in the habit
of visiting the servant in
Mrs. Hoopes employment
her name being Gertrude
Ash, here present. That the
child of said Mrs. Hoopes
knew said defendant and
when defendant became
conscious and said defendant
was brought into defendant's
presence said child ~~was~~
was asked by Capt. Williams
"who struck Aunt Maggie"
and the child replied "Frank"
pointing at the same time
at the defendant. That defendant
identifies said defendant by
the tone of his voice, size
and clothing as being the
person who assaulted defendant
in the manner aforesaid.
That defendant is further informed
by Officer Price, here present,
that said Gertrude Ash
admitted to him, said officer,
that she, Gertrude, let
said defendant into said
premises, and that when

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he was found concealed under
the bed in said Gertude's
room and was ordered to
come out, he said "I did
not do that" and further
said "Gertude told me to
hide, that there were thieves
in the house." That a pair
of rubber shoes of deponent
was in the closet where
said deponent, Williams,
was concealed and from
which he came out and
assaulted deponent, and said
shoes were found broken
at the heels and in the
bed room of said Gertude
where said deponent was
concealed. That the towel
and napkin which the
deponent found some
deponents gave were given
to said Gertude for her room
by Mrs. Swann as she
informs deponent. That Officer
further informs deponent that
the trap door of the fire
escape, which is three feet

Prin

0375

of the windows of said Gertrude's room, had been opened and the ice round the same thawed so as to admit the door to be opened, and that said Gertrude had been seen going to her room with a pail full of hot water at about the hour of 9 o'clock 40 minutes P. M. of said day, and that a pail containing a small quantity of warm water and a cloth was found in the bed room of said Gertrude at her residence

That dependent thereon believes and charges that said Jessie Williams did at, or about, the time aforesaid unlawfully break and enter said premises by collusion with said Gertrude who admitted him to said premises and into dependent said room, and that after aforesaid dependent in the manner aforesaid has

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stole and carried away said
property and escaped out of
said dining room window
and climbed up the fire
escape into the room of
said Gertrude and was
by her concealed therein
and that she in conjunction
with said Williams did
plan and carry out the
burglary and robbery aforesaid.

sworn to before me this }
10th day of March 1884 }
Maggie Harvey
W. D. Patterson

Police Justice

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The People
Gertrude L. Ash
Jointly indicted with Jesse Williams for burglary
in the first degree, robbery in the first degree and
grand larceny in the first degree.

Court of General Sessions Part I
Before Judge Cowing. May 1. 1884.
Asst. Dist. Atty. Vincent for the people.
Mr. Wm. F. Howe for the defendant.

A jury was empannelled and sworn.
Maggie Harvey, sworn and examined, tes-
tified.

On the 5th of March last I resided with my
brother-in-law and sister corner of Thirty
Second St. and Broadway; they occupy the
fifth story of what is known as the "Sloane
flats." I know Gertrude Ash since last Nov.
I have known Jesse Williams four or
five months by seeing him come into
the kitchen and call on Gertrude Ash;
she was in the employ of my brother as a
domestic. On the evening of the 5th of March
we had dinner about 20 minutes past
six; there were at the table Mr. & Mrs. Sloane,
the baby and myself; the baby was two
years and a half old. It was the night of
Barnum's procession and my sister in-
formed Gertrude Ash that she could go to
see the procession. Mr. Sloane said as it
was raining he did not think it would
pass and that we would not go out, to

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allow the girl to go if she wanted to. Mr & Mrs. Sloan said they would go out and spend the evening with friends. Gertrude Ash seemed very anxious to know whether they were going out; she came to my sister and asked her if she was going out? She said, yes; she then asked her if she was positive the procession would go by? She said, no; she then came to me and asked me the same question; she then went at a different time to ask Mr. Sloan. He told her, no, that he was not positive, but that she should go if she wanted to; she said she would not go. My sister and brother left the house about a quarter to eight. I was sitting in the dining room; adjoining that was a room between that and my room which was called the spare room; there came my room which was occupied that night by me; there was a hallway running between which led out into the main hall or corridor; then the kitchen was on the other side of the hallway. During this time the baby was in the kitchen playing with another girl who had been recently a washwoman for my sister; the washwoman stayed until about 8 1/2 o'clock; the woman went out into the main hall with Gertrude

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she sent the baby back to me in the dining room; she was absent but a short time and returned to the dining room - she did not come into the dining room, she went into the kitchen. I sent the girl out with a note and she returned in a few minutes, then took the baby and went out. I did not know where she went to, but afterwards I found out that she had gone up stairs. I supposed she had gone to the front to make the bed as usual; she was absent about half an hour. I remained in the dining room reading; she came down with the child, left the child with me and made the bed in front - the apartment on the other side of the main corridor, the sleeping apartment of my sister and brother; she was away half an hour on that errand. That would be almost ten o'clock. In the mean time I had put my little niece to bed in the room I occupied; she was not quite asleep. I then went back in the dining room to finish what I was reading and sat with my back to the corridor. Gertrude Ash then started to go up stairs. I could hear her pass, but I did not see her as I did not pay any attention; she then went out and I started to my room.

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to go to bed. It just struck ten when I was in my room. The baby was not quite asleep, she was restless. When I got in my room I immediately undressed without turning up the gas and administered some medicine to my little niece and got in bed. I was just in about five minutes when I heard a noise. I turned my head, I had my back towards my closet. I saw an object coming to me. In a glance I saw it was a man and I knew that he had a hat. His face was dark and I could judge from his size; he then came to me and struck me in the face, then put his hand around my throat, thrust my head into the pillow and told me to put the baby to make it keep quiet, and that if I did not he would kill her; he gave me time to pat the child and she became quiet; he then dragged me from the bed and threw me on the floor, face downward; he then tied my hands and gagged me behind my back and he threw himself over my head in such a way that I could make no outcry; he then gagged me; he stood me up and took me to the door of my room and tried to force

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me to tell if Mr. Swan had come back, he then made me tell him where the keys were. I told him I did not have them. He asked me where were the things kept, the money? I told him, I did not know. He then threw me back on the floor and I became unconscious. That man was Jesse Williams; he was there the same week Wednesday; he generally came once a week and he and Gertrude Ash usually sat in the kitchen. I frequently heard Jesse talk with her and frequently seen them also. Williams that evening wore a Derby hat and he had dark clothes. There was no other person visible in my room before retiring to bed. The clothes closet in which I kept my clothing was about three feet from the bed. I had in the closet my seal skin sackage, two or three silk dresses and three or four cloth suits. There was a fur sackage in the room back adjoining mine. Counsel for the defendant admitted that either burglary or robbery was committed by Jesse Williams. When I returned to consciousness, my sister and several ladies in the room, I did not know at the time who released me from the condition in

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which I was left by Williams, but I learned afterwards it was my sister Cross. Examined the defendant had been in my brother-in-law's employment six or seven months. There was no opposition on the part of Mr. Sloan to this colored man, Jesse Williams coming to visit her; he was looked upon as a part of lover of Gertrude; her sleeping room was located on the floor immediately overhead and that floor was used as the servants' quarters. I have not recovered yet from the effects of the terrible ordeal I went through with. Sarah C. Sloane sworn. I am the sister of the last witness. I remember leaving my home with my husband on the night of the 8th of March and returned home about 20 minutes of eleven. The doorway leading into the hall of the main corridor I found locked. My husband unlocked the door which lead into the hallway that led to our suite of rooms I passed in first. My foot struck something in the hallway. I asked Mr. Sloan what is that? He stooped down and picked it up and said: "It is a muff." I said, "How singular!" and hurried forward to the dining room. I noticed

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the gas was turned on and I saw the room in a disordered condition; the side board had been rifled, the service had been taken off, the drawers were out on the floor and articles of clothing were scattered around and the window leading to the fire escape was opened. I said to Mr. Sloane, "Run quick to Maggie and the baby." I hurried passed him and pushed the door open leading into my sisters room. I saw her lying on the floor with her face completely covered with a towel which I took off, it was tied in the back; she was partly on her side. I said to Mr. Sloan "go quick for help." He passed out and I dragged her toward the bed and succeeded in getting only her head and shoulders on the bed and the janitor arrived. Her hands were tied behind her back. There was something tied around her face which proved to be a napkin and in her mouth was a handkerchief. Her arms were tied behind her back with a stout cord and sunk quite deep into the flesh; she was unconscious. (Showing witness a cord) I have seen that before. That was taken from around her hands by the janitor in my presence. I think I saw that cord before

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It was tied around a box that came from Macey's. I untied it in the kitchen, it was around a box that contained Princess cake that I bought there on Friday evening the 7th of March. (Handkerchief shown) That is the handkerchief the Janitor took from her mouth; it belongs to my sister Miss Harvey (cloth shown) I have seen that cloth before. It was tied around my sister's mouth. I had given this among other pieces to Gertrude Ash the Friday before; they were taken to her room. (Towel shown) This is one of the towels I allow for use in the servant's room that was the towel I took from around my sister's head on the night of the 8th of March. I had in the house three of that particular pattern and three of another. They were only used by the servants. I told Gertrude that evening that she could go out to see the procession; it was after six; she said she did not care to go then she asked me if I was going to take the baby out to see it. I had made some arrangements to go round in Thirty Fourth St. with the baby to the house of a friend to see it in case it passed. The night was stormy and Mr. Hoare said it would not pass. We then concluded to go out to visit a friend, Mr.

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Sloane and myself, leaving my sister at home with the baby. When I left the house there was a washerwoman there who was washing for me, in the kitchen with Gertrude, a colored woman. I remember Officer Price being there and seeing a pair of rubbers that he had. I have never given to Gertrude Ask a pair of rubbers that belonged to me. On the 8th of March I had a pair of rubbers which I had been in the habit of wearing; the rubbers the officer had were mine. I saw Gertrude that night in the kitchen, probably half an hour after I found my sister in the condition I have described; it would be about 1/4 past eleven. I reached home about 20 minutes to eleven; she was sitting in the kitchen; the janitor was standing in the door way; she had on her usual clothing and shoes (Rubbers shown) those rubbers belong to me (A piece of linen shown) that was among the pieces that I gave to Gertrude a week before; it was part of an old table cloth; the pieces were afterwards taken out of her room. That was the piece that was tied around my sister's face. So that this particular piece of linen as a table cloth and as a bib for your baby had been in use in your family for a long

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while Cross Examined I don't know whether the man was ever in her room or not. After I returned home I went into the dining room and saw property belonging to my sister - a seal skin coat, a beaver trimmed coat, a satin dress and one belonging to myself. The seal skin sackage was under the window, the dresses were piled on the sofa in the dining room, and the silver was found outside the window; it was in a pillow case on the platform of the fire escape; it was a plain pillow case that was in use in Gertrude's room. It appeared to be perfectly clean.

James K. Price sworn. I am a detective in the 29th precinct. I remember the night of the 7th of March. I went to these premises and reached there about 5 minutes past eleven the fourth floor, Mr. Sloane's apartments. I found Mr. & Mrs. Sloane, Miss Harvey, the Janitor, Officer Dunlop and a uniformed officer of the precinct. I went into the room where Miss Harvey was found gagged and where she was lying in bed. Mrs. Sloane took me into the dining room adjoining. (Diagram of the rooms shown to witness, which he explained to the jury) This was a very stormy night; it was raining

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freezing and snowing at times. When I reached the dining room I found that the sideboard had been swept of the silver. The drawers were yet left open as they had been found. There are two windows leading from the dining room out on to the fire escape how far away from the platform of the fire escape was the ladder leading to the upper story? Thirteen feet by measurement. That ladder led up to the balcony in front of the sleeping apartments of the servants on the fifth floor. I went to the trap door and when I went out on the fire escape attached to the fifth floor of the Sloane flats I found that it was all covered with ice about the thickness of about 2 1/2 or three inches. I could not open it. I then started to go up the ladder and got up near the top; it was very slippery. I slipped and came back on the fire escape. Mrs. Sloane was standing by the window. I told her I did not want to risk going up there. I asked to get on the upper fire escape through the room. Mr. Sloane, the janitor and some other person there took me out through the hall and up on to the upper floor through the main hall. They opened the door and as I stepped inside there was a bed in that

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room, the head of the bed was towards the door and the foot was towards the window. My recollection is there was a light carried in there. ^{My} I thought I saw something and some one exclaimed, "There is a man under the bed." I saw the colored man Jesse Williams, I put a pair of nippers on and pulled him out. As I pulled him out Mr. Sloane exclaimed immediately, "My 'Frank' is that you?" He made some reply. I thought he said, 'yes'. I said to Mr. Sloane, do you know this man? He said, 'yes'. Says I, "Whose room is that?" He said, "It is my servant's room." "Where is that servant girl?" "She is about the building." "Secure that girl, I want to speak to her." He would not come out from under the bed until the lady who was in the room went out of the room. The man in uniform came in and I turned him over to him. My impression is I went to the window. Capt. Williams and Dunlop was down in the yard making a search around the bottom of the fire escape. I called to the Captain and told him I found a man under the bed. The Janitor brought the (prisoner) servant girl into the room and Capt. Williams came up with them. Jesse

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Williams was crouched under the bed with his feet towards the foot of the bed. He had his shirt, drawers, stockings, collar and necktie on; he had his pants and shoes and vest and coat off. They were lying on a chair at the foot of the bed. There is a window leading from the room of Gertrude Ash out to the balcony of the fire escape. I examined the trap on the upper fire escape and found it comparatively clear of ice; it was frozen over but very thin. I got the janitor to strike a light and examined all around the trap. I found where the ice was broken around the hinges and at the end of the trap where the slats joined I found it was all comparatively clear of ice, but there was new ice formed and it was closed down. After taking the prisoners down stairs and after some examination made there by the Captain as to the identification of this man I took the prisoners to the station house. I then returned to the room in company with Mr. Sloan and made an examination of the room. I found that pair of rubbers there; they were in the same condition I now find them. They were subsequently identified by Mrs.

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Sloane as her property. I found a pail with some water in it, between a quarter and half of an ordinary pail full. There was a rag in the pail. I made a thorough search of the room for a pistol because Miss Harvey told me she thought this man had a pistol. The water was blood warm, it was not clean and was it dirty water. At Mr. Sloane's request I examined a bureau drawer used by the servant for her things. I took those rags and that towel from there. I found a hat with a hat band inside. G. S. I believe were the initials, it was a Derby hat. There was two hats there. Frank C. Day sworn. I am the janitor of the Sloane flats. I remember the night of the 8th of March. I went to Gertrude Ash's room with officer Price. I tried the window leading out of the fire escape and examined the other windows on the rear, at least eight or nine of them, there are about twenty four in all. I found the windows I examined on the second and third floors frozen so they had to be forced open. The first time I saw Gertrude Ash that evening was between 7.15 and 7.20 in the kitchen. I had no conversation with her. It was about 8.45 when I saw her afterward.

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at the head of the first flight of stairs, leading from the main hall. I had no conversation with her. I heard her up there with another colored woman and two little girls, Mr. Sloane's little girl and another one. The colored woman went out and Gertrude returned up stairs with the child. About 15 or 20 minutes after she came down stairs and I asked her where she was going? She said she was going to the telegraph office; she went out and was gone five or ten minutes; she returned and stopped and spoke a few words. I do not just remember what they were and went directly up stairs again. I did not see her again until after the occurrence and I had the police officers in the house. I saw her in the main hall; she was not dressed as usual; she had on a wrapper. I could not notice anything else peculiar about her dress. I had a conversation with her in Mr. Sloane's kitchen about 11 1/2 or 1/4 to 12 o'clock in respect to Jesse Williams that same night. I asked her how long Frank had been up there, or Jesse at least, (we knew him by the name of Frank in the house) She said he had been up there since two o'clock. I told her that that could not be because I was in

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the servants hallway on the fifth floor from half past one till three myself and I was sure that he did not go up that time. She turned to me and said, "he has been there since Wednesday night." I went out on the platform of the fire escape that night with detective Rice. I examined the opening. Jarvis K. Rice recalled I took the rubbers to the cell where Williams was confined and fitted them to his feet. These were the rubbers I took from Gertrude's room on the 8th. Susan Whiting sworn. I am employed by John P. Morris, who occupies the third floor of the Sloane flats. I remember the night of the 8th of March. I saw Gertrude Ash about 8 o'clock that evening and again about 25 minutes after on the upper stairs going up to the fifth floor; she rested a pail on the steps and she knelt on the other. I asked her where she got the hat? She said it was an old hat Mrs. Sloane had given her; it has Mrs. Sloane's initial in it G. H. S. I asked her what she was going to do with the water? She says, "to take a bath." I went on up stairs and left her there on the steps. She went in her room. I did not see any more of her until the alarm was given. Cross examined. She was all dressed when

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I saw her with the pail of water. When I next saw her it was ten minutes after Mr. Sloane had given the alarm; she came to the head of the steps where three of us girls were and she asked what was that noise in the hall? I told her something the matter in her flat and to go and see. She said, "No, I won't, if they want me they can ring the bell."

This closed the case for the people. Gertrude L. Ash, sworn and examined in her own behalf. I am 18 years old, was born in Philadelphia. I remember my mother and my sister. I was a baby when I came to New York. I worked a year for Mrs. Rowe of Morrisania; then I went to Mrs. Pypres in Forty Second St. and Park Ave., he had a flour mill in Harlem. I only lived there two or three months; they went away in the summer and they did not take me with them; then I worked for Mrs. Wilkins at Melrose or Tremont for four months; afterwards I came to the city and worked in a little fancy store on Seventh Avenue between Twenty Sixth and Twenty Seventh Sts Mrs. Merin child's. I was only there three or four weeks; then I went to Mrs. Sloane's. I would have been there five months on the

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20th of March I became acquainted with Jesse Williams at my sister's house, Ellen Treadwell, she is in Court and she lives at 306 Seventh Avenue; she takes in washing. Jesse used to come and see me at Mrs. Sloane's; he came once a week. I was very fond of him, I used to let him sleep with me in that house. Did he ever propose to you or tell you that he was going to rob that house of anything in it? No sir, he did not. Until that night and after the occurrence and the police came did you know or have any reason to believe that any wrong was going to be perpetrated there? No sir, I did not. That is true. I could not tell it any truer than what I am telling you now. There is nothing for me to keep back because my conscience is clear of that crime. I let Jesse Williams in when he came Wednesday evening; he has been there since Wednesday evening; he did not go out until the detective took him out Saturday night. He was found under my bed in his drawers with his pants off. I was the one that told him to hide under the bed to save my character because I did not want Mrs. Sloane to know that I would let him sleep there. I did not

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Know at the time he was down stairs and committed that robbery. Upon the young lady who was gagged was found a piece of table cloth which had been given you by Mrs. Sloan, do you know how Williams got it out of your room? No sir. I did not give it to him, but it was not locked up. I did not give Williams anything to aid him in that robbery. Williams could have gone out of that room without your knowing anything about it because you were up and down stairs? Yes sir, I was up and down stairs. That very night I was out in the street. Where Williams was at the time you were down in Mrs. Sloan's room attending to the baby or when you were out to the telegraph office, as they have told us, you went to, you cannot tell? No sir. You cannot tell during the time you were out he went down stairs into any room or not, can you? No sir. The telegraph office is only one block from where I lived. I had taken a pail of water up stairs to take my bath. I did not take it up for anything else. That was my custom. The first I knew of the robbery was when I

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was told about it by Mrs Sloane. I believed he was innocent. Is he the father of the child which you are carrying - why dont you answer; you said you had him in the room and slept with him? That was all the company that I ever went with. Now are you pregnant, why do you hesitate to answer that? I dont like to answer such a question. You slept with him there, didnt you? Yes sir.

You never slept with any other man had you? No sir, never. You were pure when you first slept with him were you not? Yes sir, I was. You are about to become a mother are you not? Yes sir.

Cross Examined. How far advanced with child are you? I do not know. On the trial of Williams I made a mistake when I said there was no one in the kitchen but me, and I did not think I went up stairs with the hat that time. I cannot remember anything else now that I swore to that was false. I told Williams to hide to save my character, it was not about the case. I swore on the former trial that I had taken up his meals to him, and that was true. I dont know what time I took him up his supper on

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the night he went out. I don't know what time it was, about 8 o'clock I think. I went up stairs and unlocked the door that Wednesday night about 8 o'clock. After I came down in the kitchen he went alone. When I unlocked the door I thought I put the key in my pocket. I had it in my pocket and brought it down. I guess I was in the kitchen about an hour. There was a colored girl came to see me and one of the white girls in the house. I think they left before 9 o'clock. I think they left before ten o'clock. After they went I went up stairs. I don't know what I brought Jesse to eat that night. I slept in the room with him all night and left him the next morning about six o'clock. I cannot recollect any time during the next day that I saw him; he was doing nothing. I did not notice how many times I saw him the third day Friday, nor do I remember how many times I saw him on Friday. I always had to get up at six o'clock every morning; they had breakfast at 8 o'clock; it took me till 10 o'clock to finish up the things. After ten o'clock I went to ironing and I would iron until it was time to get supper. At ten o'clock Mrs. Poane and her sister were in the house and they used the dining room. There was no clock

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in the kitchen but one in the dining room. I do not think Mrs. Sloane and her sister were there all the time I was ironing. I could not give you any idea what hour they went out. Mrs. Sloane previous to that Saturday night had not given me notice to quit her employment. The rubbers that were shown here have been in my room for two or three months. I do not know when it was, but I know she loaned them to me. There was a wash stand and two little tables in my room; there was no fire place there; there was no wash stand connected with the sewer. Jesse never said anything to me about this offence. I still believe he is not guilty of it. I don't know what time it was when Mr. and Mrs. Sloane went out, but they went out after dinner and they usually get dinner at half past six. Mrs. Sloane's washwoman and the baby and I went into the kitchen and Miss Marvey was in the dining room when Mr. and Mrs. Sloane went out. They went out before eight o'clock. The washwoman went away that night before ten o'clock. I went out into the hallway with her but did not go down stairs. When I returned Miss Marvey was in the dining room reading; she called me to take a letter to the telegraph office

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for her and I left her in charge of the baby. I went a block and a half and was back in a few minutes. I delivered my message, she asked me who let me in the front door and I told her Frank the janitor. She asked me did I think he would tell Mrs. Hoane I was out? I told her I did not know. She said if Mrs. Hoane asked me if I was out to tell her I was out an errand for myself. I gave her the change and went and drew water for my bath in the kitchen. I do not want to guess at the time because I am not sure of it. Susan Whiting came up behind me. All the time that Jesse was in that room I carried the key in my pocket. I thought I locked the door. Jesse was in the bed when I went into the room; he was lying in the bed covered; he was awake; he did not say anything to me at first. After I locked the door I spoke to him, but not before. I sat down on the bed and was talking about 15 or 20 minutes, but it was not anything important I was talking about. I cannot recollect a single thing that was said. I took my bath the best I could in the pail, I always used the pail; I undressed myself. I had only the light of a candle. I did not finish my bath. Jesse told me

0400

he heard a noise in the hall; he thought he heard the janitor say the house was on fire. I heard footsteps going through the hall. I went in the hall and asked the girls what was the matter? They said they did not know, but they thought there was something the matter down in our flats. I heard my bell and put on my petticoat and wrapper. I went down and Mrs. Sloane told me that robbers had been into the house and gagged and tied Miss Harvey. I went into her room and said to her, "It is a wonder they did not take your diamond earrings. She said the man took a handkerchief out of her box and put something out of a bottle on it and put it in her mouth. Afterwards the detectives came. I saw the things that Mrs. Sloane found on the fire escape. I was in the room with Jesse an hour before I heard the outcry and he was in the room all the time. The pillow case that was around the silver ware was not in my room. I cannot tell how the piece of linen cloth and the towel got out of my room into Miss Harvey's room. The piece of rag which was found bound around Miss Harvey had been in my room.

Susan Whiting recalled. It was 15 minutes of ten when I saw Gertrude on the stairs with the pail of water.

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Sarah C. Sloane recalled.

I never gave her those rubbers,
nor loaned them to her. If she used
them it was without my knowledge.

The jury rendered a verdict of
guilty of robbery.

She was sentenced to the penitentiary
for eighteen years and six
months.

0402

Testimony in the
case of
Gertrude Ash

filed
March
1884

0403

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Jessie Williams
and
Gertrude L. Ash

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

Jessie Williams and Gertrude L. Ash
of the CRIME OF Burglary in the first degree,

[Sec. 496
Sub 3]

committed as follows:

The said Jessie Williams and Gertrude L. Ash, each late of the Twenty first Ward of the City of New York in the County of New York, on the Eighth day of March in the year of our Lord one thousand eight hundred and eighty-four about the hour of ten o'clock in the night time of the said day, at the Ward, City and County aforesaid, with force and arms, the dwelling house of George H. Sloane there situate, feloniously and burglariously did break into and enter: [each of them, the said Jessie Williams and Gertrude L. Ash, being then and there assisted by a confederate actually present] whilst there was then and there some human being, to wit: one Maggie Marney, within the said dwelling house: with intent to commit some crime therein, to wit: with intent the goods, chattels and personal property of the said Maggie Marney, in the said dwelling house then and there being, then and there feloniously and burglariously to steal take and carry away: against the form of the Statute in such case made and provided and against the peace of the

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People of the State of New York
and their dignity.

and their dignity.

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Second COUNT. [Section 496-5 & 4]

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

Jessie Williams and Gertrude L. Ash
of the CRIME OF Burglary in the first degree, ---
committed as follows:

The said Jessie Williams and Gertrude L. Ash
late of the Twenty First Ward of the City of New York, in the County of New York, on the
Eighth --- day of March in the year of our Lord one thousand
eight hundred and eighty-~~four~~, at the Ward, City and County aforesaid, with force and arms,

about the hour of ten o'clock in the night
time of the said day, the dwelling house of
George M. Sloane, there situate, then and there
feloniously and burglariously did break into
and enter, whilst there was then and there
some human being, to wit: one Maggie Haney
within the said dwelling house, the said
Jessie Williams and Gertrude L. Ash then and
there intending to commit some crime therein
to wit: the goods, chattels and personal prop-
erty of the said Maggie Haney, in the
said dwelling house then and there being,
then and there feloniously and burglariously
to take steal and carry away, and twenty
knives of the value of one dollar and fifty
cents each, eighteen napkins of the value of
fifty cents each, one table cloth of the value
of one dollar and fifty cents, fifteen forks
of the value of one dollar and fifty cents
each, fifty two spoons of the value of seventy
five cents each, four silver saddles of the value

0406

of six dollars each, one silver napkin ring of the value of eight dollars, one silver knife rest of the value of one dollar and fifty cents, one silver knife of the value of four dollars, one silver fork of the value of four dollars, one silver spoon of the value of four dollars, one coffee pot of the value of fifteen dollars, one butter dish of the value of twelve dollars, one cream pot of the value of twelve dollars, one sugar bowl of the value of twelve dollars, one mug of the value of ten dollars, and one dress of the value of thirty five dollars, of the goods, chattels and personal property of the said George W. Sloane, and one seal skin racque of the value of three hundred and twenty five dollars, one muff of the value of fifty dollars, one dress of the value of fifty dollars and one coat of the value of forty dollars, of the goods, chattels and personal property of the said Maggie Stanley in the said dwelling house then and there being found, then and there feloniously did steal take and carry away: And the said Jessie Williams and Gertrude P. Ash, while engaged in the night time as aforesaid in committing the crime and larceny heretofore alleged, in the said dwelling house, in and upon her the said Maggie Stanley in the said dwelling house then and there being, feloniously did make an assault, and her the said Maggie Stanley did then and there feloniously strike, beat, bruise wound, and otherwise ill-treat; 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.

0407

Third COUNT.

[Sections 506, 224 and 228]

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

Jessie Williams and Gertrude S. Ash
of the CRIME OF Robbery in the first degree, — — —

committed as follows:

The said Jessie Williams and Gertrude S. Ash

late of the ~~Twenty-first~~ Ward of the City of New York, in the County of New York, on the

Eight — — — day of March in the year of our Lord one thousand

eight hundred and eighty-~~four~~, at the Ward, City and County aforesaid, with force and arms,

in the night time of the said day, the dwelling house of George H. Sloane there situate, feloniously and unlawfully did break into and enter, whilst there was then and there some human being, to wit: one Maggie Harvey, within the said dwelling house (each of them the said Jessie Williams and Gertrude S. Ash being then and there assisted by a confederate actually present) with intent to commit some crime therein to wit: with intent the goods, chattels and personal property of the said Maggie Harvey, in the said dwelling house then and there being then and there feloniously and unlawfully to steal take and carry away:

And the said Jessie Williams and Gertrude S. Ash, having so as aforesaid entered the dwelling house aforesaid, in manner and form aforesaid, afterwards to wit: on the day and in the year aforesaid, in and upon her the said Maggie Harvey, in the said dwelling house then and there being, then and there

0408

in the dwelling house aforesaid, feloniously did make an assault: (each of them, the said Jessie Williams and Gertrude S. Ash, being then and there aided by an accomplice actually present) and twenty knives of the value of one dollar and fifty cents each, eighteen napkins of the value of fifty cents each, one table cloth of the value of one dollar and fifty cents, fifteen forks of the value of one dollar and fifty cents each, fifty two spoons of the value of seventy five cents each, four silver tadders of the value of six dollars each, one silver nap: knitting of the value of eight dollars, one silver knife rest of the value of one dollar and fifty cents, one silver knife of the value of four dollars, one silver fork of the value of four dollars, one silver spoon of the value of four dollars, one coffee pot of the value of fifteen dollars, one butter dish of the value of twelve dollars, one sugar bowl of the value of twelve dollars, one mug of the value of ten dollars, one dress of the value of thirty five dollars, one other dress of the value of fifty dollars, one seal-skin sash of the value of three hundred and twenty five dollars, one muff of the value of fifty dollars, and one coat of the value of forty dollars, of the goods, chattels and personal property of the said Maggie Haney, in the presence of the said Maggie Haney, against the will, and by means of force and violence to the person of the said Maggie Haney, then and there, in the dwelling house aforesaid, violently and feloniously did rob, 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.

0409

Fourth COUNTY. [Sections 506, 224 and 228 & 3]

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

Jessie Williams and Gertrude S. Ash
of the CRIME OF Robbery in the first degree,
committed as follows:

The said Jessie Williams and Gertrude S. Ash
late of the Twenty-first Ward of the City of New York, in the County of New York, on the
Eighth day of March in the year of our Lord one thousand
eight hundred and eighty-four, at the Ward, City and County aforesaid, with force and arms,

in the night time of the said day, the dwelling house of George W. Sloane there situate feloniously and burglariously did break into and enter whilst there was then and there within the said dwelling house some human being, to wit: one Maggie Draney (each of them the said Jessie Williams and Gertrude S. Ash being then and there assisted by a confederate actually present) with intent to commit some crime therein, to wit: the goods, chattels and personal property of the said Maggie Draney in the said dwelling house then and there being then and there feloniously and burglariously to steal, take and carry away:

And the said Jessie Williams and Gertrude S. Ash, having so as aforesaid entered the dwelling house aforesaid, in the manner and form aforesaid, afterwards to wit: on the day and in the year aforesaid, in and upon the said Maggie

0410

Harvey in the said dwelling house then and there being then and there in the dwelling house aforesaid, feloniously did make an assault, and twenty knives of the value of one dollar and fifty cents each, eighteen napkins of the value of fifty cents each, one table cloth of the value of one dollar and fifty cents, fifteen forks of the value of one dollar and fifty cents each, fifty two spoons of the value of seventy five cents each, four silver saddles of the value of six dollars each, one silver napkin ring of the value of eight dollars, one silver knife rest of the value of one dollar and fifty cents, one silver knife of the value of four dollars, one silver fork of the value of four dollars, one silver spoon of the value of four dollars, one coffee pot of the value of fifteen dollars, one butter dish of the value of twelve dollars, one mug of the value of ten dollars, one sugar bowl of the value of twelve dollars, one dress of the value of thirty five dollars, one other dress of the value of fifty dollars, one seal-skin sash of the value of three hundred and twenty five dollars, one muff of the value of fifty dollars, and one coat of the value of forty dollars, of the goods chattels and personal property of the said Maggie Harvey, in the presence of the said Maggie Harvey, against her will and by means of force and violence to the person of her the said Maggie Harvey, then and there, in the dwelling house aforesaid, violently and feloniously did rob, steal, take and carry away: And the said Jennie Williams and Gertrude S. Ash, in order to accomplish the robbery heretofore set forth then and there feloniously did inflict grievous bodily harm upon her the said Maggie Harvey; 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.

0411

Eight COUNTY. [Sections 506-523-530]

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

Jessie Williams and Gertrude S. Ash
of the CRIME OF Grand Larceny in the first degree,
committed as follows:

The said Jessie Williams and Gertrude S. Ash
late of the Twenty First Ward of the City of New York, in the County of New York, on the
Eight day of March in the year of our Lord one thousand
eight hundred and eighty four, at the Ward, City and County aforesaid, with force and arms,

in the night time of the said day, twenty
knives of the value of one dollar and fifty cents
each, one other knife of the value of four dollars,
eighteen napkins of the value of fifty cents
each, one table cloth of the value of one dollar
and fifty cents each, fifteen forks of the value
of one dollar and fifty cents each, one other
fork of the value of four dollars, fifty two
spoons of the value of seventy five cents each
one other spoon of the value of four dollars,
four silver tadders of the value of six dollars
each, one silver napkin ring of the value of
eight dollars, one silver knife rest of the value
of one dollar and fifty cents, one coffee pot
of the value of fifteen dollars, one butter dish
of the value of twelve dollars, one cream pot
of the value of twelve dollars, one sugar bowl
of the value of twelve dollars, one mug of the
value of ten dollars, and one dress of the
value of thirty five dollars, of the goods,
articles and personal property of one George

04 12

of Mr. Sloane, and one seal skin sacque of the value of three hundred and twenty five dollars, one muff of the value of fifty dollars, one dress of the value of fifty dollars, and one coat of the value of forty dollars, of the goods, chattels and personal property of one Maggie Stanley, in the dwelling house of the said George W. Sloane then situate then and there being found, in the dwelling house aforesaid then and there feloniously did steal, take and carry away against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

Peter B. Olney,

District Attorney.

04 13

BOX:

134

FOLDER:

1391

DESCRIPTION:

Williamson, William

DATE:

03/21/84



1391

0414

Witness
offr. Linn

9/14

Day of Trial,
Counsel,
Filed *March* 188*4*
Plea (s) *Wholly (for)*

THE PEOPLE
vs.
William
William
to be
assaulted
(8-2-5)
Assault in the Second Degree.
(Resisting Arrests)

PETER B. OLNEY,
~~JOHN WICKSON~~
District Attorney.

A True Bill.
Calvin Stumba
Foreman.
March 1884
Grand Jurors 3 day
City Prison 3 weeks.

0415

Sec. 192-200

CITY AND COUNTY OF NEW YORK } ss.

District Police Court.

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

Question. What is your name?

Answer. *William Williamson*

Question. How old are you?

Answer. *28 Years*

Question. Where were you born?

Answer. *Charleston*

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

Answer. *25 West 9 Months*

Question. What is your business or profession?

Answer. *Seaman*

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 saw the Officer Clubbing a man whom I did not know - I said to the Officer that was not right - and put my hand on his arm - I was arrested - and on my way to the Station House I was Clubbed by one of the Officers and my nose broken - I knew none of the parties and had no intention of rescuing a prisoner -*
William Williamson
Mark

Taken before me this
day of *Nov* 188*8*
William J. ...
Police Justice.

04 16

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 _____

_____ *Refer d. a. t. f.*
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *five*
Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York until he
give such bail.

Dated *March 18th* 188*4* *Andrew J. Gold* Police Justice.

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

Dated _____ 188 . _____ Police Justice.

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

Dated _____ 188 . _____ Police Justice.

0417

Police Court *Ed* 1190 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Daniel Lim

vs.
William Williamson

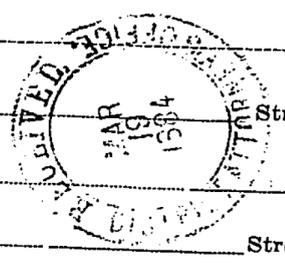
1 _____
2 _____
3 _____
4 _____

Dated *March 15th* 188
White Magistrate.
Lim Officer.
JH Precinct.

Offence - Felony

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

Witnesses _____
No. _____ Street.
No. _____ Street.



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

0418

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

POLICE COURT, 2d DISTRICT.

of No. 5th Precinct Police Street, being duly sworn, deposes and says,
that on the 11 day of March 1884,
at the City of New York, in the County of New York, One Hillman

Williamson did by force rescue from
Deponent's custody, one William Kennedy
who was a prisoner in the
lawful custody of Deponent as a
Police Officer upon a charge
of ~~felony~~ disorderly conduct that
said William Kennedy who was
rescued as aforesaid from Deponent's custody
has since been held on a charge of
felony, and Deponent therefore charges
said Kennedy with a felony as aforesaid
Daniel Linn

Sworn to before me, this
of March 1884
at New York
Police Justice.

0419

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

William Williamson

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

William Williamson

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

The said William Williamson

late of the City and County of New York, on the Seventeenth day of
March in the year of our Lord one thousand eight hundred
and eighty-~~four~~, at the City and County aforesaid, with force and arms feloniously
made an assault in and upon one Daniel Linn

then and there being a patrolman of the Municipal Police of the City
New York, and as such patrolman being then and there engaged in the lawful
apprehension of one William Kennedy
for disorderly conduct
and the said William Williamson, him, the said
Daniel Linn

then and there feloniously did beat, strike, wound and otherwise ill-treat, with intent
then and there to prevent and resist the lawful apprehension
of the said William Kennedy as aforesaid,
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.

PETER B. OLNEY,
~~JOHN McKEON,~~

District Attorney.

0420

BOX:

134

FOLDER:

1391

DESCRIPTION:

Wilson, Charles

DATE:

03/18/84



1391

0421

Witnesses:

Peter Nord Jr.

1884

Counsel,

Filed 18th day of March 1884

Pleas in No. 1 July 19.

Grand Larceny 2nd degree [Sections 628, 68 Penal Code].

THE PEOPLE

vs.

F

Charles Wilson

1884

PETER B. OLNEY,

District Attorney.

A True Bill.

Charles B. Miller Foreman.

March 25/84

Pleas P.P.

Levi Stone m.k.

March 27/84

0422

2^d

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY OF NEW YORK, } ss.

20 years

of No. 1329 Broadway Street, Bar Keeper,

Peter Nordfjeld

being duly sworn, deposes and says, that on the 15th day of March 1884

at the night time in the City of New York,

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

of deponent with intent to deprive the true owner thereof, the following property, viz :

One over Coat and one under Coat, together of the value of forty three dollars

Sworn before me this 15th day of March 1884
John Patterson
Police Justice.

the property of deponent and his father, Peter Nord

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Charles Wilson, now

here, from the fact that at about the hour of 8^{1/4} o'clock P. M. of said day, deponent detected the said deponent in the act of stealing and carrying away said property from the water closet in premises 1329 Broadway; and deponent found said property upon the person of said deponent who refused deponent when deponent demanded back his property.

Peter E. Paul

0423

Sec. 198-200

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Charles Wilson*

Question. How old are you?

Answer. *25 years of age*

Question. Where were you born?

Answer. *New York City*

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

Answer. *208 West 52nd St. about 4 months*

Question. What is your business or profession?

Answer. *Bookkeeper*

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 have nothing to say.*

Charles Wilson

Taken before me this *16th*
day of *March* 188*8*
A. J. [Signature]
Police Justice.

0424

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

Charles Wilson

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

Dated *March 16th* 188 *4 J M Patten* Police Justice.

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

Dated _____ 188 _____ Police Justice.

There being no sufficient cause to believe the within named

_____ guilty of the offence within mentioned, I order h to be discharged.

Dated _____ 188 _____ Police Justice.

0425

Police Court 2 District 1183

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Peter Nord Jr.
1329 Broadway
Charles Wilson

offence Larceny

2 _____
3 _____
4 _____

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *March 16* 188 *4*

Patterson Magistrate.

John Reinhardt Officer.

29 Precinct.

Witnesses *Patrick Norton*

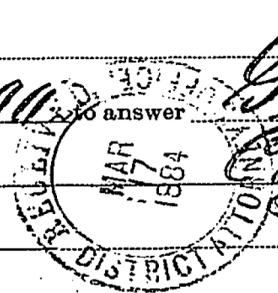
No. *93 Fifth Avenue* Street.

John Reinhardt

No. *29 Prec. Polici* Street,

No. _____ Street.

\$ *1000* no answer _____ Sessions.



Gen. Council

0426

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Charles Wilson

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

Charles Wilson

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

The said *Charles Wilson*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *fifteenth* day of *March* in the year of our Lord one thousand eight hundred and eighty-*four*, at the Ward, City and County aforesaid, with force and arms,

one overcoat of the value of thirty dollars, and one coat of the value of fifteen dollars,

of the goods, chattels and personal property of one

Peter nond the elder

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

Peter B. Olney
District Attorney

0427

BOX:

134

FOLDER:

1391

DESCRIPTION:

Wilson, Charles

DATE:

03/21/84



1391

0428

BOX:

134

FOLDER:

1391

DESCRIPTION:

McGuire, Charles

DATE:

03/21/84



1391

0429

BOX:

134

FOLDER:

1391

DESCRIPTION:

Doonan, Thomas

DATE:

03/21/84



1391

0430

205

Day of Trial,
Counsel,
Filed *21* day of *March* 188*4*
Pleads

11/14/84
THE PEOPLE
vs.
P
Charles Wilson
Charles M. Gundy
Thomas Doonan
BURGLAR - Third Degree, and
Receiving Stolen Goods.
(55498-506-528-532-550)

PETER B. OLNEY,
~~JOHN McKEON~~
District Attorney.

A True Bill.
Walter B. Krenkel
103 Clerk *24/84* Foreman.
Glenn D. P.
1 Penn. Juries with
3 House of Refuge

W. Andrew Sumner

0431

LYRIC HALL, 723 SIXTH AVE., N. Y.

Between 41st and 42nd Streets.

SAML. L. TERHUNE,
LESSEE AND CATERER,
337 WEST 11TH STREET.

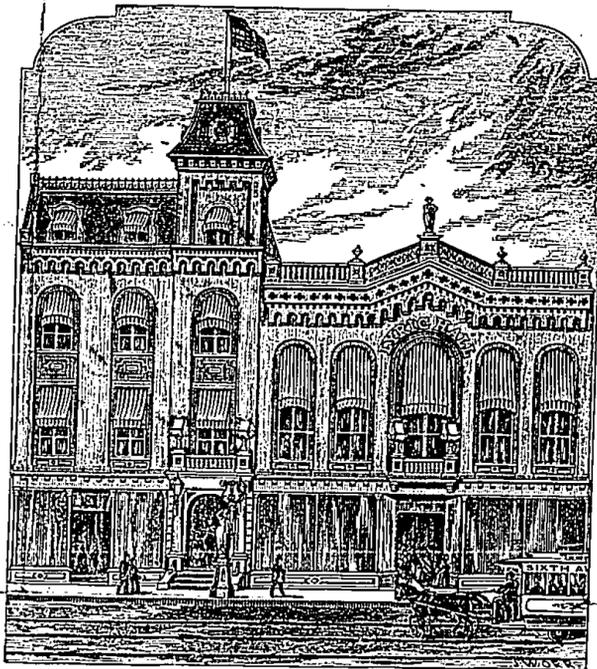
Weddings, Dinner
and Evening Parties Supplied
with every requisite

CHINA, GLASS AND SILVERWARE,

Linen, Crash, Canopy

—AND—

Chairs to Loan.



EDWD. J. ROBUS,
MANAGER,
723 SIXTH AVENUE.

The Best Ventilated
and Heated Hall in
THE CITY
for Balls, Weddings, Receptions
Banquets,

DINNER & EVENING

PARTIES,

CONCERTS, &c.

RULES & REGULATIONS.

- 1st—All Bar, Wine, Supper and Brushing privileges are reserved by the house; no party will be allowed to furnish a Committee Room or bring Wine, Liquors or Refreshments in any part of the building without a special agreement.
- 2nd—The L Room on the first floor is reserved by the house, but will be opened when it appears necessary to the management.
- 3rd—Supper will not be furnished to any party unless two-thirds of the number required (but in no case less than 25 couple) be guaranteed at least one week in advance of Ball or Party to be furnished, **and without further notice from us.** Any Committee, Party or Person, falling short of their guarantee must make good the deficiency on demand.
- 4th—The management reserve the right to have any objectionable person or party removed from the house, and will not allow ladies admitted to any Ball or Reception unaccompanied by a gentleman. No lady or ladies having been refused admission unaccompanied shall afterward return with an escort and be admitted. The enforcement of this rule by the Committee, Lodge, Society or Association then under engagement and in possession of the premises is imperative under penalty of the gas being turned down until the objectionable person or party is removed from the premises, and upon a refusal of the said Committee, Lodge, Society or Association to comply with this requirement, the house will be closed.
- 5th—The management will not rent for, nor allow to be put on the Stage, any exhibition of Song and Dance, Variety or Athletic business of any kind. Any Person, Lodge, Society or Association engaging the Hall for a Stage Entertainment must submit their Programme to the manager for approval before the curtain rises. A refusal to comply with this Rule forfeits all rights under their Contract, and all money paid as deposit.

0432

To your Honor

New York March 14th 184.

Dear Sir.

Mrs. Wilson the
bearer of this is the Mother of Charles Wilson, now
in your custody, as I understand from her charged
with some offence against honesty and good order.

I have known him several years, and have
often intrusted him with responsibilities which I should
not, had I suspected him in the least.

I cannot therefore
think him guilty of any crime. Your favorable con-
sideration of his case I think will only be justice
to the innocent.

I remain Yours Respectfully
Edward J. Robes.
Manager of Lyons Hall

0433

CITY AND COUNTY }
OF NEW YORK, } ss.

Andrew Brunner

aged 28 years, occupation Police Officer of No. the 22nd Precinct Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Lawrence Burke

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

Sworn to before me, this 4th day of March 1888 of Andrew Brunner

[Signature]
Police Justice.

0434

Police Court 4 District.

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

of No. 317 West 23rd Street, aged 49 years,

occupation Paper selling being clerkly born

deposes and says, that the premises known as the Barrett House in 10th Roadway
Washington in the City and County aforesaid, the said being a booth or place in
which goods & Merchandise were kept for sale & deposit
and which was occupied by deponent as booth for the sale of such
and in which there was at the time no human being, by means

were **BURGLARIOUSLY** entered by means of forcibly breaking
open the lock or outer fastening of
the door leading to said booth
or wooden building with intent to steal therein

on the 13th day of March 1884 in the night time, and the

following property feloniously taken, stolen, and carried away, viz:

Printed books and papers a certain
badge such as is used by a United States
Deputy Marshal - One Dollar in silver
Coins, One bed spread & one blanket -
all being of the value of about
five dollars, and various
articles representing property to the
amount of seven dollars

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen, and carried away by
Charles Wilson & Charles McGuire and
Thomas Doonan, all now present.

for the reasons following, to wit: That said door was
securely locked and fastened by deponent
about noon on said day and about
11 o'clock P.M. of the same day deponent
found that the place had been broken open
and the aforesaid property taken stolen & carried
away and deponent is now informed by Officer
Blumer 2^d Precinct that he found said property
which deponent identifies in a news stand occupied by
the defendant Wilson where all the defendants were at
the time of the arrest - Lawrence Burke

*14 days before arrest
before Justice*

0435

Sec. 198-200

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

Charles Wilson

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

Question. What is your name?

Answer. *Charles Wilson*

Question. How old are you?

Answer. *17 Years*

Question. Where were you born?

Answer. *This City*

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

Answer. *147 West 32 St & about 9 months*

Question. What is your business or profession?

Answer. *I sell papers*

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

Answer. *I am not guilty of the charge*
Charles Wilson

Taken before me this *14* day of *April* 188*8*
Wm. W. ...
Police Justice.

0436

New York Monthly 1884
 The Editor, West Chester
 Wilkeson at 11 AM. M 52 June
 Mention for me for
 the year and half and
 of volume down him
 a good friend boy
 and he is all the
 about his mother
 the
 J. J. Mumford
 358 m 2

0437

New York March 9 1867
Miss Catherine Clark Charles
Wilson of 167 N 42 St
Worked for me for
two years and half and
I always found him
a good honest boy
and he is all that
support his mother
has
Ed Dumont M.D.
358 N 42

0438

Sec. 198-200

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Charles McGuire

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

Question. What is your name?

Answer. *Charles McGuire*

Question. How old are you?

Answer. *14 Years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *628 8th Avenue & about 3 years*

Question. What is your business or profession?

Answer. *Schoolboy*

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

Answer. *I am not guilty of the charge*

Charles McGuire

Taken before me this *17th* day of *March* 188*8*
Wm. W. ...
Police Justice.

0439

Sec. 198-200

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Thomas Doonan 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 Doonan

Question. How old are you?

Answer.

12 Years

Question. Where were you born?

Answer.

This City

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

Answer.

In West 3rd Street

Question. What is your business or profession?

Answer.

I sell papers

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

Answer.

*I am not guilty of the charge
The others put me on to stealing
milk but I was not in the
stealing out of the Complainant's
place*

*Thomas Doonan
mark*

Taken before me this

day of *March* 188*8*

Police Justice.

0440

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

Charles Wilson
Charles McGuire and Thomas Doonan

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

Dated *March 14* 188*4* *J. M. Murray* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0441

Bail jumped
at #300

FD

Police Court 1194 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Lawrence Burke
317 First Ave
Charles Wilson
Charles McGuire
Thomas Donovan

offense Burglary
Larceny

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by James M. Burke

Residence 274 West 38th Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated March 14 1884

Murray Magistrate.
Andrew Bremner Officer.

22 Precinct.

Witnesses Cell the officer

No. _____ Street.

No. _____ Street,

No. _____ Street.

\$ 3.00 to Special Sessions.



Om

0442

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Charles Wilson
Charles McQuire
Thomas Doonan

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

Charles Wilson, Charles McQuire and Thomas Doonan
of the CRIME OF BURGLARY IN THE THIRD DEGREE,

committed as follows:

The said *Charles Wilson, Charles McQuire and Thomas Doonan* late of the *22nd* Ward of the City of New York, in the County of New York, aforesaid, on the *thirteenth* day of *March* in the year of our Lord one thousand eight hundred and eighty *four* with force and arms, at the Ward, City and County aforesaid, the *Roosth* of _____

Lawrence Burke there situate, feloniously and burglariously, did break into and enter, the same being _____ a building in which divers goods, merchandise, and valuable things were then and there kept for use, sale and deposit, to wit: the goods, chattels, and personal property hereinafter described, with intent the said goods, chattels, and personal property of the said _____

Lawrence Burke then and there being, then and there feloniously and burglariously to steal, take and carry away, and

ten printed books of the value of twenty cents each one badge of the value of one dollar, three coins of a number kind and denomination to the Grand Jury aforesaid unknown to the value of one dollar one bed spread of the value of one dollar one blanket of the value of one dollar, and three written instruments and evidences of contract of the kind commonly called pawn tickets of the value of two dollars each

of the goods, chattels and personal property of the said _____

Lawrence Burke

so kept as aforesaid in the said *Roosth* then and there being found, then and there feloniously did steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

0443

And the Grand Jury aforesaid, by this indictment, further accuse the said *Charles Wilson, Charles Mc*
Guire and Thomas Doonan
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Charles Wilson, Charles*
McGuire and Thomas Doonan
late of the Ward, City, and County aforesaid, afterwards, to wit: on the day and in
the year aforesaid, with force and arms, at the Ward, City, and County aforesaid,
ten printed books of the value
of twenty cents each, one badge
of the value of one dollar, three
coins of a number kind and
denomination to the Grand
Jury aforesaid unknown of the
value of one dollar, one bed
spread of the value of one dollar
one blanket of the value of
one dollar, and three written
instruments and evidences of
contract of the kind common-
ly called pawn tickets of the
value of two dollars each

of the goods, chattels and personal property of *Laurence Burke*

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before
feloniously stolen of the said *Laurence Burke*

unlawfully and unjustly, did feloniously receive and have (the said *Charles*
Wilson, Charles Mc Guire
and Thomas Doonan —

then and there well knowing the said goods, chattels, and personal property to have
been feloniously stolen), against the form of the Statute in such case made and pro-
vided, and against the peace of the People of the State of New York, and their dignity.

PETER B. OLNEY,
~~JOHN McKEON,~~

District Attorney.

0444

BOX:

134

FOLDER:

1391

DESCRIPTION:

Woche, Marx

DATE:

03/31/84



1391

0445

Witnesses

283 Bill & dated ✓
287

Counsel,

Filed 31 day of March 1884
Pleads *Not guilty (able)*

Sections 229, 232, 550
Petit Larceny, and Receiving Stolen Goods.

THE PEOPLE

vs. **F**

Marx Woche

[*same*]

PETER B. OLNEY,

~~WHEELOCK~~ BECKHAM,

District Attorney.

A True Bill.

Leadb B. K. ...

Foreman.

April 24
Lead B. K.

Pen 3 months

0446

First District Police Court. Affidavit-Larceny.

CITY AND COUNTY OF NEW YORK, *Printed* *Paul Pfizenmayer* SS.

of *No. 1* *Corner Goerick and Third* Streets, being duly sworn, deposes and says, that on the *31* day of *December* 188*3*.

at the *premises* *Corner and Goerick Street* City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent *with intent to deprive the true owner of the use and benefit thereof* the following property, viz:

About one hundred ^{feet} *different* *brass rules of the value of twenty five dollars* *types and flourishes to the amount of about five dollars; in all of the value and amounting to thirty dollars* *($\$30^{00}$)*

Sworn before me this

25 day of *March* 188*4*
Police Justice,

the property of *William Wicka and August Roesler* *Co-partners, and doing business under the firm name of William Wicka Company and in care and charge of deponent* and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by *Max Wache (now here)*

from the fact that deponent is informed by Joseph Volkhardt of No 60 Henry street that on the 17th day of March 1884 said Wache brought to premises No 60 Henry street a quantity of brass Rules, types, and flourishes and offered the same for sale to said Volkhardt which said Volkhardt purchased from said Wache. That deponent has since seen said property and fully identifies the same as the property stolen from his possession.

Paul Pfizenmayer

0447

CITY AND COUNTY }
OF NEW YORK, } ss.

Joseph Volkhardt

aged 39 years, occupation Printer of No.

60 Henry Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Paul Fijonmayer

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

Sworn to before me, this 25 day of March 1884 } A Volkhardt

W J Van
Police Justice.

0448

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

West District Police Court.

Mary Woche 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. Mary Woche

Question. How old are you?

Answer. 27 years

Question. Where were you born?

Answer. Germany

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

Answer. 139 Orchard street, about one month and a half

Question. What is your business or profession?

Answer. Printer

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

Answer. I have nothing to say

M. Woche

Taken before me this

25

day of March 1884

Ed. Tracy

Police Justice.

0449

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 Max White

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

Dated March 25 1884 City of New York Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0450

247 ✓ 1208
Police Court - First District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Paul Fizenmayer
Printer vs. Goerck & Co.
1 Mary Wache
2 _____
3 _____
4 _____
Office Guard Garvey

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

Dated March 25 1884
Power _____ Magistrate.
Edward F. Brett Officer.
4 Precinct.

Mr. Browning
25 Vandewater St.
Witnesses
No. _____ Street.
Kochler
Goerck & Co.
No. _____ Street.

Adolph Volkhardt
60 Henry St.
\$ 500 to answer General
Leoni

0451

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Max Wache

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

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

The said *Max Wache*

late of the First Ward of the City of New York, in the County of New York aforesaid, on the ~~thirty first~~ day of ~~December~~ in the year of our Lord one thousand eight hundred and eighty-~~three~~

one hundred brass rules, of the value of twenty five cents each one hundred feet of brass rules, of the value of twenty five cents each foot, ten pounds of types of the value of fifty cents each pound, and one hundred articles used in printing and of the kind commonly called galvans, of the value of ten cents each

of the goods, chattels and personal property of one *William Wache*

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

0452

SECOND COUNT—

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

Max Wache

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

The said Max Wache

late of the First Ward of the City of New York, in the County of New York aforesaid, on the thirty first day of December in the year of our Lord one thousand eight hundred and eighty-~~three~~ at the Ward, City and County aforesaid, with force and arms, one hundred brass rules of the value of twenty five cents each, one hundred feet of brass rules of the value of twenty five cents each foot, ten pounds of types of the value of fifty cents each pound, and one hundred articles used in print: viz of the kind commonly called gallichers, of the value of ten cents each

of the goods, chattels and personal property of William Wiche

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

Wiche

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

Max Wache

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.

PETER B. OLNEY,

District Attorney.

0453

Witnesses :

243 [unclear]

283 [unclear]

Counsel,

Filed 31 day of March 1884

Pleas [unclear]

Grand Larceny 2nd degree
[Sections 628, 651, 550 Penal Code]

THE PEOPLE

vs. P

Max Woche

[2 cases]

PETER B. OLNEY,
District Attorney.

A True Bill.

[Signature]

Foreman.

Sealed on my [unclear] - April 2 - 1884

0454

2nd District Police Court.

Affidavit—Larceny.

CITY AND COUNTY OF NEW YORK } ss.

aged 43 years a Printer Henry Cheromy
of No. 25 Van Der Water Street,

being duly sworn, deposes and says, that on the 15 day of January 1884

at the premises No 25 Vandewater City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent with intent to deprive the type and lawful owner of the use and benefit thereof

the following property, viz :

Printing material consisting of cuts, dashes, borders, types and galley said property being in all of the value of twenty five 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 Mary Roche (now Len)

from the fact that deponent is informed by Adolph Valckhardt of No 60 Henry Street that on the 17 day of March 1884 the said Roche brought a quantity of printing material consisting of the above mentioned articles to premises No 60 Henry Street and offered the same for sale to said Valckhardt. That deponent has

Henry Cheromy
1884
Police Justice

0455

since I saw said property and fully
identifies the same as the property
stolen from his possession and
which is mentioned in the
within affidavit made by defendant

Sworn to before me } J. M. [unclear]
this 25 day of March 1884 }
of Iowa }
Police Justice

District Police Court.

THE PEOPLE, & C.,
ON THE COMPLAINT OF

AFFIDAVIT—Larceny.

vs.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0456

CITY AND COUNTY }
OF NEW YORK, } ss.

Adolph Volkhardt
Printer

aged 30 years, occupation _____ of No.

60 Henry Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Henry Cherny

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

Sworn to before me, this 25th
day of March 1884

A Volkhardt

Henry Cherny
Police Justice.

0457

POLICE COURT 1 DISTRICT.

City and County of New York, ss.:

THE PEOPLE,

vs.

Max Roche

On Complaint of

Henry Cherning

For

Peter Laracey

After being informed of my rights under the law, I hereby waive a trial, by Jury, on this complaint, and my right to make a statement in relation to it, and demand a trial at the COURT OF SPECIAL SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated March 25 1887.

Henry H. H.

Police Justice.

*directed to subsequent
gr with a complaint to
complaint to Grand Jury
to the General Session
Mit. Bow
O. J.*

0458

Sec. 198-200

2nd District Police Court.

CITY AND COUNTY
OF NEW YORK,

Max Roche

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

Question. What is your name?

Answer. Max Roche

Question. How old are you?

Answer. 27 years

Question. Where were you born?

Answer. Germany

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

Answer. 139 Orchard St and about 6 weeks

Question. What is your business or profession?

Answer. Printer

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

Answer. I am not guilty

Max Roche

Taken before me this 27th
day of March 1888
Ed. Brown
Police Justice.

0459

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 Max Roche

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

Dated March 25 1887 my own Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0460

282 ✓ 1208
Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry Cheromy
25 Van St. Water St.
Marx Roche

1 _____
2 _____
3 _____
4 _____

Dated March 25 1884
Power Magistrate.
Edward J. Burt Officer.
Precinct.

Witness Adolph Volkhardt
No. 100 Henry Street.

Mr. Keller
No. 100 Henry Street.

No. _____ Street.
\$ 500 to answer _____ Sessions.
Lent

Office
Petit Jury

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



0461

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Mary Wade

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

Mary Wade

of the CRIME OF PETIT LARCENY, committed as follows:

The said Mary Wade

late of the First Ward of the City of New York, in the County of New York aforesaid, on the 25th day of January in the year of our Lord one thousand eight hundred and eighty four at the Ward, City and County aforesaid, with force and arms,

ten articles used in printing of the kind commonly called cuts, of the value of fifty cents each, ten other articles used in printing of the kind commonly called borders of the value of twenty five cents each, ten other articles used in printing of the kind commonly called borders of the value of twenty cents each and one galley of the value of one dollar

of the goods, chattels and personal property of one Henry Sherman then and there being found, then and there unlawfully 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.

0462

SECOND COUNT.

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

Mary Wade

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

The said Mary Wade

late of the First Ward of the City of New York, in the County of New York aforesaid, on the 29th day of January in the year of our Lord one thousand eight hundred and eighty-four, at the Ward, City and County aforesaid, with force and arms

ten articles used in printing of the kind commonly called cuts of the value of fifty cents each, ten other articles used in printing of the kind commonly called dashes of the value of twenty five cents each, ten other articles used in printing of the kind commonly called borders of the value of twenty cents each, fifty pounds of type of the value of ten cents each pound, and one galley of the value of one dollar

of the goods, chattels and personal property of Henry Cheramy

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

Cheramy

unlawfully and unjustly did feloniously receive and have; he the said Mary

Wade

then and there well knowing the said goods, chattels and personal property to have been unlawfully 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.

PETER B. OLNEY,
~~WHEELER H. LEGGIAN~~, District Attorney.