

0189

**BOX:**

535

**FOLDER:**

4871

**DESCRIPTION:**

Waldron, Robert H

**DATE:**

09/18/93



4871

0190

Bail \$1000  
B.

Witnesses:

off Geller

Counsel,

Filed

day of

1893

Pleas,

THE PEOPLE

vs.

Robert H. Waldron

Assault in the Second Degree,  
(Resisting Arrest.)  
(Section 218, Penal Code.)

Conrad Sept 17/93

F. M. 29

DE LANCEY NICOLL,

Dist. Attorney,

A TRUE BILL.

W. Bloomingdale  
Foreman

Chr 13 Nov 17/93

(Jury) Acquitted

Part 1 Oct 25/93

0191

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss:  
OF NEW YORK, }

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

Question. What is your name?

Answer.

Robert H. Waldron

Question. How old are you?

Answer.

55 Years

Question. Where were you born?

Answer.

New York

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

Answer.

197 West 134 Street. 2 Years

Question. What is your business or profession?

Answer.

Real Estate

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 and  
demand a trial by jury.

Robert H. Waldron

Taken before me this

day of

189

Police Justice.

0 192

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

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, Aug 21 1893

W. F. Brady Police Justice.

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

Dated, Sept 17 1893

W. F. Brady Police Justice.

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

Dated, \_\_\_\_\_ 189

\_\_\_\_\_  
Police Justice.



0193

Aug. 31/1892.  
Sept 7 1892.

BAILED,

No. 1, by Sarah L. Schenck  
Residence 197 W. 134 Street.

No. 2, by Augusta Eichler  
Residence 686 E. 160 Street.

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

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

Police Court---

958 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
George Beller  
vs.  
Robert H. Maldron

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

Offense Viol. Sec 1240. b.  
Boasting and Offense &c

Dated, Aug 21 189 3

Grady Magistrate.

Beller Officer.

H. H. Cook Precinct.

Witnesses \_\_\_\_\_

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

Ch 213

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

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

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

\$ 5.00 to answer

Willard Aug 28 100.00

\$5.00 Aug 24 1.30 PM

" " Aug 25 10 AM

0194

1852

CITY AND COUNTY }  
OF NEW YORK, } ss.

POLICE COURT. 11 DISTRICT.

George Bell

of No. The 11<sup>th</sup> District Police Court Street, aged 1 years,  
occupation Police Officer being duly sworn, deposes and says

that on the 20 day of August 1893  
at the City of New York, in the County of New York, Robert H. Hallam

(murder) did unlawfully and willfully  
interfere with and obstruct deponent  
in the discharge of his duty under the  
following circumstances: That while deponent  
was executing a warrant for the arrest of one  
Samuel Smiley the said defendant who was in company  
with said Smiley seized hold of said Smiley and  
refused to let deponent take said Smiley off of a  
horse car in East 59<sup>th</sup> Street. The said defendant  
pushed deponent off said car. Deponent having  
shown to said Smiley the warrant for his arrest in the presence

Sworn to before me, this  
of 189

day

Police Justice.

0195

of the said defendant and also showing to  
said jury and said defendant his shield  
showing that he was a police officer and in the  
discharge of his duty

Shown to before me this  
21<sup>st</sup> day of August 1943 }

W. H. Brady, George Bell  
Police Justice

Police Court, District.

THE PEOPLE, Etc.,

ON THE COMPLAINT OF

vs.

Dated 189

Magistrate.

Officer.

Witness.

Disposition.

0 196

Sec. 192.

Seventh District Police Court.

(1861)

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before Thomas J. Grady a Police Justice  
of the City of New York, charging Robert H. Waldron Defendant, with  
the offense of resisting an officer

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

We, Robert H. Waldron Defendant, of No. 197  
West 134th Street, by occupation a Rail Station Broker  
and Sarah E. Se Cornette of No. 197 West 134th

Street, by occupation a \_\_\_\_\_ Surety, hereby jointly and severally undertake that  
the above named Robert H. Waldron Defendant,  
shall personally appear before the said Justice, at the 17th District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York the sum of \_\_\_\_\_  
Hundred Dollars.

Taken and acknowledged before me, this 21st

day of August 1893,

Robert H. Waldron

Sarah E. Se Cornette

Thomas J. Grady POLICE JUSTICE.

0197

CITY AND COUNTY }  
OF NEW YORK. } ss.

Sworn to before me, this 21st day of April, 1883  
at New York City  
Justice

Sarah E. Le Compte

the within named Bail and Surety, being duly sworn, says, that he is a resident and free holder within the said County and State, and is worth fifteen Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of lot 25 x 100 at No 124 West

127th Street New York City Value \$12000. Mortgage  
for \$4000.

Sarah E. Le Compte

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Undertaking to appear  
during the Examination.

vs.

Taken the ..... day of ..... 188

Justice.

0198

Sec. 151.

Police Court 44 District.

CITY AND COUNTY } ss. *In the name of the People of the State of New York; To the Sheriff of the County*  
OF NEW YORK, } *of New York, or any Marshal or Policeman of the City of New York:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police  
Justices for the City of New York, by *Mary O. Bruck*  
of No. *120 West 22* Street, that on the *23* day of *June*

188*8* At the City of New York, in the County of New York, the following article to wit:

*A quantity of furniture, bedding*  
*China ware and household property*  
of the value of *Two hundred and thirty four 50* Dollars,  
the property of *Complainant*  
w *to* taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and  
believe, by *D J Money*

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to  
answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said  
Sheriff, Marshals *and* Policemen, and every of you, to apprehend the body of the said Defendant  
and forthwith bring *him* before me, at the *44* DISTRICT POLICE COURT, in the said City, or in  
case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the  
said charge, and to be dealt with according to law.

Dated at the City of New York, this *18* day of *August* 188*8*

*Wm. H. Brady* POLICE JUSTICE.



0 199

ap 34. M. no 18 M. 135 H.

The within named

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

Dated 188

Police Justice.

No. 18  
135. H. 18

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated: Aug 18 1883

Magistrate

Peller Officer.

The Defendant, Daniel W. Moorey,  
taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

Peller Officer.

Dated Aug 20 1883

This Warrant may be executed on Sunday or at  
night.

Police Justice.

6.0  
5.45 and 1883



0200

509

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Robert N. Waldron*

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

*Robert N. Waldron*

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

The said

*Robert N. Waldron*

late of the City of New York, in the County of New York aforesaid, on the *twentieth*  
day of *August* in the year of our Lord one thousand eight hundred and  
ninety-*three*, at the City and County aforesaid, with force and arms, feloniously made an  
assault in and upon one *George Beller*

then and there being, a *Patrolman* of the Municipal Police of the City of  
New York, and as such *Patrolman* being then and there engaged in the lawful  
*apprehension* of *one Daniel Morley*,

and the said

*Robert N. Waldron*

him the said

*George Beller*

then and there feloniously did beat, strike, wound and otherwise illtreat, with intent then and there  
and thereby to prevent and resist the lawful *apprehension*  
of *the said Daniel Morley* 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.

DE LANCEY NICOLL,

*District Attorney.*

0201

**BOX:**

535

**FOLDER:**

4871

**DESCRIPTION:**

Wallace, John

**DATE:**

09/27/93



4871

0202

**BOX:**

535

**FOLDER:**

4871

**DESCRIPTION:**

Carberry, Michael

**DATE:**

09/27/93



4871

0203

Witnesses:

off. Foley

Subpoena offered  
+ court for  
gth

decho: I am fully satisfied that  
deft. Wallace had nothing to do  
with the larceny, & in view  
of the fact that he did not  
commit any violent act &  
as the officer informs me that  
he has a good character I  
think it very doubtful whether  
a conviction could be had and  
therefore recommend the discharge  
of the defendant Wallace on his  
own recognizance.  
Oct 3, 93

Counsel

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

John Wallace  
and

Michael Carberry

DE LANCEY NICOLL,

District Attorney.

Grand Larceny, 1st Degree.  
(From the Person.)  
[Sections 838, 842]

A TRUE BILL.

2 yrs 8 mo  
E. B. Birmingham

Foreman.

on recom. of Dist. Atty. deft.  
dischd. on his own recog. P.B. H.  
Oct 3, 93

0204

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT 3 DISTRICT.

CITY AND COUNTY }  
OF NEW YORK, } ss.

of the 11 Precinct Police, being duly sworn, deposes  
and says that Charles Brumett

(now here) is a material witness for the people against  
John Hallam and Michael Carberry charged  
with harboring fugitives As deponent has

cause to fear that the said Charles Brumett

will not appear in court to testify when wanted, deponent prays

that the said Charles Brumett be

committed to the House of Detention in default of bail for his

appearance.

John Foley

Sworn to before me, this 23  
day of April 1895

John J. O'Connell Police Justice.

0205

Police Court—

District.

1912

Affidavit—Larceny.

City and County { ss.  
of New York, }of No. 255 East 4<sup>th</sup> Street, aged 28 years,occupation Seaman being duly sworn,deposes and says, that on the 23 day of September 1893 at the City of NewYork, in the County of New York, was feloniously taken, stolen and carried away from the possession and  
person of deponent, in the night time, the following property, viz:

One silver watch with  
rolled-gold chain attached  
the whole being valued at  
two dollars \$2.00

the property of

Deponent

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

Carberry (both men being who were  
acting in concert for the reasons  
following to wit: On the hour of  
12.30. A.M. on said date as  
deponent was walking on  
Nathan Street having the said  
watch and chain in the vest  
which he then wore he was  
approached by John Wallace  
who asked deponent if he had  
any money, where said Wallace  
was talking to deponent the said  
Carberry grabbed said property from  
deponent's person and he and Wallace

Sworn to before me, this

189

day

Police Justice.

ran away. *Depository* is <sup>in</sup> formed  
 by Officer John Foley that he  
 found concealed on the  
 person of defendant Corbary  
 a watch and chain which *reflex*  
 and chain *deposits* has since  
 been and identified as being the  
 property which was stolen from  
 him.

Given to before me } C. Bennett  
 This 28<sup>th</sup> day of September }  
 1893 }  
 John P. Woodhull

Police Justice



0207

Sec. 198—200.

3 District Police Court.

1883

City and County of New York, ss:

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty*

*John Wallace*

Taken before me this

23

day of September

1883

*John W. [Signature]*  
Police Justice.

0208

Sec. 198—200.

3 District Police Court. 1582

City and County of New York, ss:

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

Question. What is your name?

Answer. *Michael Carberg*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *84 Rugg St. 20 years*

Question. What is your business or profession?

Answer. *Driver*

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

Answer. *I am not guilty*  
*Michael Carberg*

Taken before me this

day of

*September*

1893

*John W. Anderson*  
Police Justice.

0209

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

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

Dated, *Sept 23* 189 *John A. Morris* Police Justice.

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

Dated,.....189.....Police Justice.

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

Dated,.....189.....Police Justice.

0210

Police Court,

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Charles Bennett*  
HOUSE OF DETENTION CASE,  
*John Wallace*  
*Michael Barbary*

Offense

BAILED,

No. 1, by.....

Residence.....Street.

No. 2, by.....

Residence.....Street.

No. 3, by.....

Residence.....Street.

No. 4, by.....

Residence.....Street.

Dated,

*Sept 23* 1893

*Worke* Magistrate.

*Foley* Officer.

*14* Precinct.

Witnessed *officer also*

No. *Gordon Kiernan* Street.

*Complainant committed*

No. *to House of Detention* Street.

*in default of \$100 Bail*

No. .... Street.

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

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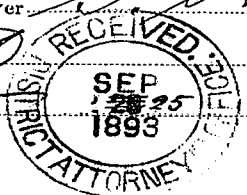
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*Ch 313*

0211

504

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against  
*John Wallace*  
and  
*Michael Carberry*

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

*John Wallace and Michael Carberry*  
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

*John Wallace and Michael Carberry, both*  
late of the City of New York, in the County of New York aforesaid, on the *twenty-third*  
day of *September*, in the year of our Lord one thousand eight hundred and  
ninety-*three*, in the *right* time of the said day, at the City and County aforesaid,  
with force and arms,

*one watch of the value*  
*of seven dollars and one chain*  
*of the value of three dollars*

of the goods, chattels and personal property of one *Charles Bennett*  
on the person of the said *Charles Bennett*  
then and there being found, from the person of the said *Charles Bennett*  
then and there feloniously did steal, take and carry away, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York  
and their dignity.

*De Laurey Nicoll,*  
*District Attorney*

02 12

**BOX:**

535

**FOLDER:**

4871

**DESCRIPTION:**

Walsh, Patrick

**DATE:**

09/22/93



4871

02 13

Witnesses:

*N. J. Walsh*

Counsel,

Filed,

day of

1893

Pleads,

THE PEOPLE

vs.

*P.*

*Patrick Walsh.*

*Oct 27 93*

*Lead assault 3 days.  
Pen 3 mos. R.B.M.*

DE LANCEY NICOLE,

District Attorney.

Assault in the Second Degree.  
(Section 218, Penal Code.)

A TRUE BILL.

*E. W. Bloomingdale*

*Nov 1893*

Foreman.



0214

Police Court— 5 District.City and County } ss.:  
of New York, }

of No. 104 E 102nd Street, aged 43 years,  
 occupation Dry goods being duly sworn  
 deposes and says, that on the 10th day of September 1893 at the City of New  
 York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Patrick  
Walsh (now here) who wilfully  
 and maliciously struck deponent  
 a violent ~~unwarranted~~ blow on the head  
 with a heavy iron bottle he then and  
 there held in his hand cutting deponent's  
 head severely.  
 Deponent further says that such assault  
 was committed with ~~intent~~

with the felonious intent to ~~take the life of deponent~~, or to do him grievous bodily harm; and without  
 any justification on the part of the said assailant

Wherefore this deponent prays that he said assailant may be ~~apprehended~~ and bound to answer  
 for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 17 day } William J. Walsh  
 of September 1893 }

W. J. Walsh Police Justice.

02 15

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }*Patrick Walsh*

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

Question. What is your name?

Answer.

*Patrick Walsh*

Question. How old are you?

Answer.

*21 years old.*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*104 E 102 St - 1 year*

Question. What is your business or profession?

Answer.

*Nothing at present.*

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

Answer.

*I am guilty*  
*Patrick J. Walsh*

Taken before me this

day of

*Sept 17*  
1893

Police Justice.

02 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.....

Alfred Dink  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 500 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Sept 17 1893 G. E. Dunning Police Justice.

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

Dated.....189..... Police Justice.

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

Dated.....189..... Police Justice.

0217

~~W~~ P 226 973  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Wm J. Walsh  
104 E 102  
Patrick Walsh

Office  
Cassault  
"Gelang"

BAILED,

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

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

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

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

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

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

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

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

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

Dated Sept 17 1890

Lincoln Magistrate.

Moffett Officer.

2 A Precinct.

Witnesses \_\_\_\_\_

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

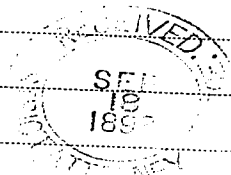
No. \_\_\_\_\_ Street.

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

\$ 1000 to answer

Ch 253

JS  
Cly  
Anst



02 18

1893

CITY AND COUNTY }  
OF NEW YORK, } ss.

POLICE COURT, 5 DISTRICT.

of No. 28<sup>th</sup> Precinct Police Street, aged \_\_\_\_\_ years,  
occupation Police Officer being duly sworn, deposes and says  
that on the 10<sup>th</sup> day of September 1893

at the City of New York, in the County of New York, deponent arrested  
Patrick Walsh. (now here) on  
Complaint of William J. Walsh. of  
No 104 & 102<sup>nd</sup> St. who charged  
the defendant with having assaulted  
him by striking him on the head  
with an iron kettle. injuring him  
so severely that he is now confined  
to his home and unable to appear in  
Court. Wherefore deponent prays the  
said defendant may be held to  
await result of such injuries.  
Hugh Moffett,

Sworn to before me, this

of 11<sup>th</sup> day

1893

John J. Murphy Police Justice.

02 19

226.

Police Court, *SV* District.

THE PEOPLE, Etc.,

ON THE COMPLAINT OF

*Patrick Walsh* vs.

AFFIDAVIT.

*Adm*

Dated *Sept 11* 189 *3*

*Linus* Magistrate.

*Moffet* Officer.  
*DS*

Witness,

Disposition,

*500*

*Ex Sept 13/93 9 am*  
*Ex " 15/93 2 PM*  
*" " 17/93 9 am*

0220

DR G. E. O. KELLY.  
1692 Lexington Ave.

OFFICE HOURS:  
UNTILL 10 A. M.  
12-2 & 5-7:30 P. M.

New York, Sept 15 1893

"To whom it may concern"

This is  
to certify that Wm J. Walsh  
of 104 E. 102 St. is  
physically unable to appear  
in court to-day

Resp. Submitted

G. E. O. Kelly M.D.



0221

Dr. G. E. O. KELLY  
1702 Lexington Ave.

OFFICE HOURS:

UNTIL 10 A. M.  
12-2 & 5-7:30 P. M.

New York, Sept. 13 1893

"To whom it may concern"

This is to certify  
that Wm J. Walsh of 104 E. 102 St.  
is physically incapacitated from  
appearing in court to-day

Respectfully Submitted

G. E. O. Kelly M.D.

0222

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Patrick Walsh*

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

*Patrick Walsh*

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

The said

*Patrick Walsh*

late of the City and County of New York, on the

*fourth*

day of

*September*  
ninety-*three* -

in the year of our Lord one thousand eight hundred and

, at the City and County aforesaid, in and upon one

*William J. Walsh*

in the peace of the said People then and there being, feloniously did wilfully and wrongfully did make an assault ; and the said

*Patrick Walsh*

with a certain

*kettle*

which

*he*

the said

*Patrick Walsh*

in *his* right hand — then and there had and held. the same being then and there a weapon and an instrument likely to produce grievous bodily harm, *him*, the said *William J. Walsh* — then and there feloniously did wilfully and wrongfully strike, beat, *cut*, — bruise and wound, 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.

0223

SECOND COUNT—

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

*Patrick Walsh*

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

The said

*Patrick Walsh*

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,  
at the City and County aforesaid, in and upon the said

*William J. Walsh*

in the peace of the said People then and there being, feloniously  
did wilfully and wrongfully make another assault; and the said *Patrick Walsh*  
the said *William J. Walsh*  
with a certain *kettle*

which

*he*

the said

*Patrick Walsh*

in

*his*

right hand then and there had and held, in and upon the

*head*

of

*him*

the said

*William J. Walsh*

then and there feloniously did wilfully and wrongfully strike, beat,

*cut*

bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully  
and wrongfully inflict grievous bodily harm upon the said *William J. Walsh*

to the great damage of the said

*William J. Walsh*

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

DE LANCEY NICOLL, *District Attorney.*

0224

**BOX:**

535

**FOLDER:**

4871

**DESCRIPTION:**

Wares, John

**DATE:**

09/18/93



4871

0225

Witnesses:

*Wm. C. Nicholas*

Counsel,

Filed *18* day of *Sept* 189*3*

Pleas,

THE PEOPLE

vs.

*John Wares*

Grand Larceny, *first* Degree.  
(From the Person.)  
[Sections 638, 650 Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Wm. C. Nicholas*  
*Oct 3/93*

Foreman.

*Wm. C. Nicholas*  
Cath. Protec.  
*P.B.M.*

0226

1912

Police Court—

District.

Affidavit—Larceny.

City and County } ss.  
of New York,

of No. 55 Crosby Street, aged 40 years,

occupation Musician being duly sworn,

deposes and says, that on the 15th day of September 1897 at the City of New

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

Person of deponent, in right time, the following property, viz:

One double faced silver  
Watch and plated chain  
Being together of the value of  
Fifteen 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 John Stares (nowhere)

for the reasons following to wit  
about the hour of quarter of 10 P.M.  
on the aforesaid night deponent  
had said watch to which was  
attached said chain in the left  
hand lower vest pocket and said  
chain was attached to said vest,  
and while deponent was standing  
on the steps of the premises 51 Spring  
Street watching a parade said  
defendant came up to deponent  
from said steps and grabbed said  
watch and chain and ran away with  
the same; and deponent was informed

of  
the  
value  
of  
the  
property  
stolen  
1897

Police Justice

0227

By Matthew Shea a police officer  
of the 10th precinct I advise that he  
arrested Defendant and a defendant  
fully identifies as the person who  
took state and carried away said property  
and he charges him with the  
felony aforesaid.

Sworn to before me 1893 }  
this 13th day of September 3 } Chas A Ciaramello

Charles A. Ciaramello  
Justice



0228

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 28 years, occupation Police officer of No.

104 precinct Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of

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

Sworn to before me this,

day of September 1893

13th } Matthew Shea

James J. Connelley  
Police Justice.

0229

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer. *John Wares*

Question. How old are you?

Answer. *15 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *54 Nass Street 7 years*

Question. What is your business or profession?

Answer. *Dancer*

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 Wares*

Taken before me this

*16*  
*September 1893*

*Wm. J. Justice*  
Police Justice

0230

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.....

*Levendauk*  
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 it appearing that he is under the age of sixteen years, that he be committed to the custody of the New York Society for the Prevention of Cruelty to Children, until he give such bail.

Dated, *Sept 13* 189*3*

*Curran* Police Justice.

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

Dated,.....189

.....Police Justice.

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

Dated,.....189

.....Police Justice.

0231

174  
Police Court---

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Michael Horan*  
*John Ward*  
*Officer*

BAILED.

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Date

*Sept 13*

189

*Neave*

Magistrate.

*Shaw*

Officer.

*10*

Precinct.

Witnesses

*all officers*

No.

Street.

*Frank Nicholas*

No.

*51 Spring*

Street.

*James Falco*

No.

*297 4th Ave*

Street

\$

to answer

Com. to S. P. C. C.

*Can*

0232

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

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

Dated, *Sept 13* 189 *3*

*W. M. ...* Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_

Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_

Police Justice.

1881

0233

BAILED,

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

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

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

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

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

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

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

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

124  
Police Court---

970  
District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Michael A. Corawell

John Wares

2 \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

Dated, Sept 13 1893

Meade Magistrate.

Shen Officer.

10 Precinct.

Witnesses Call officer

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

Frank Nicholas

No. 51 Spring Street.

James Pallas

No. 297-4th Ave Street.

\$ 1000 to answer G. S.

Com

STATISTICAL

EX. 217

0234

Court of Sessions

The People

v

John Wares

REPORT OF THE NEW YORK SOCIETY FOR  
THE PREVENTION OF CRUELTY  
TO CHILDREN.No. 297 FOURTH AVENUE,  
(Corner East 23d Street.)

New York, Sept 18 1893

CASE NO. 75392 OFFICER Pallas  
DATE OF ARREST Sept 12th  
CHARGE Larceny from the PersonAGE OF CHILD 15 years  
RELIGION Catholic  
FATHER Patrick - dead 18 years  
MOTHER Lizzie  
RESIDENCE 54 W 4th St -

AN INVESTIGATION BY THE SOCIETY SHOWS THAT

Society has  
no record of the boy having been  
arrested before. His mother appears  
to be a respectable hardworking  
woman & has a fairly comfortable  
home,

All which is respectfully submitted,

Edw. J. Hallows Secretary  
To Dist Atty.



Count of

See Session

The People

v

John Wares

Dissect from  
the person

PENAL CODE, §

Report of the New York Society  
for the Prevention of Cruelty  
to Children.

ELBRIDGE T. GERRY,

President, &c.,

No. 297 Fourth Avenue,

Corner East 23d Street,

NEW YORK CITY.

0235

0236

504

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*John Wares*

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

*John Wares*  
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

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

*one watch of the  
value of twelve dollars  
and one chain of the  
value of three dollars*

of the goods, chattels and personal property of one *Michael A. Ciaramello*  
on the person of the said *Michael A. Ciaramello*  
then and there being found, from the person of the said *Michael A. Ciaramello*  
then and there feloniously did steal, take and carry away, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York  
and their dignity.

*De Lancy Nicoll,  
District Attorney*

0237

**BOX:**

535

**FOLDER:**

4871

**DESCRIPTION:**

Watson, William

**DATE:**

09/29/93



4871

0238

Witnesses:

*M. Gibson*  
*In Return*

Counsel,

Filed

day of

*Sept 3*

Pleas,

*Guilty*

THE PEOPLE

*40*  
*572 W. 39th St.*  
*Brooklyn*

vs.

*William Watson*

Grand Larceny, Second Degree.  
(From the Person.)  
(Section 205, 206, 207, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*E. W. Downing*

*Part 2 - Oct 5, 1893*

*Pleas Petit Larceny*

Foreman

*ch 325.*

*6 Mos Pen J.*

I believe that the larceny from the person cannot be established in this case. It is likely that the defendant found the property but converted it to his own use knowing it was complainant's. As the indictment is for larceny from the person, a single count a trial might result in his acquittal, though he has actually committed the crime - in another form. The value is not over \$25 - a plea of petty larceny should be received. J. O'Hara  
Oct 5/93 District Atty.

0239

CITY AND COUNTY }  
OF NEW YORK, } ss.

1877.

*Joseph Hearn*  
aged 23 years, occupation Salon Keeper of No. 499, 10, Avenue Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of Michael E. Egan  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this

day of

189

22 } *Joseph Hearn*  
Sept }  
3 }  
*[Signature]*  
Police Justice.

0240

Police Court

2 District.

Affidavit—Larceny.

City and County }  
of New York, } ss:

Michael Gilna

of No. 630 E 135<sup>th</sup>

Street, aged 29 years,

occupation Bartender

being duly sworn,

deposes and says, that on the 17<sup>th</sup> day of September 1893 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

One diamond scarf pin valued  
at about Fifty dollars  
\$50 <sup>00</sup>/<sub>100</sub>

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 William Watson

from the fact that deponent had said pin on his scarf that defendant was near him and that after defendant left deponent's company deponent missed said pin. Deponent is informed by Joseph Hearn that he received a found ticket from the defendant representing a scarf pin found the premises of D. D. Lavery at 594 9<sup>th</sup> Ave. this city and that deponent went to said found office and there identified the property pledged as the property of deponent.

Michael Gilna

Sworn to before me, this 17 day

of September

1893

Police Justice.

0241

Sec. 198—200.

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

*William Watson* 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 Watson*

Question. How old are you?

Answer.

*40 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*40 Avenue*

Question. What is your business or profession?

Answer.

*Driver*

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

Answer.

*I am not guilty*  
*John Watson*  
*Driver*

Taken before me this  
day of

188

Police Justice.



0242

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.....

*After due*  
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 *Sept 22 1893* *[Signature]* Police Justice.

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

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

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

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

0243

BAILED,

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

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

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

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

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

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

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

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

Police Court---

1021  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Michael Silva*  
*630 E. 135th St.*  
*William Watson*

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

Dated *Sept 27 1893*

*Wm* Magistrate.

*Curry & Hay* Officer.

*20.* Precinct.

Witnesses *Joseph Heum*

No. *441 10th Ave* Street.

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

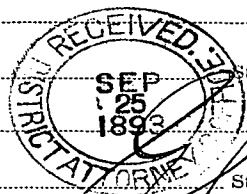
No. *57* Street.

§. \_\_\_\_\_ to answer.

\_\_\_\_\_

\_\_\_\_\_

*eto 325*



0244

504

**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 Watson*

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

*William Watson*

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

The said

*William Watson*

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

*one scarf-pin of the  
value of fifty dollars*

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

*Wm. Laucey Nicoll,  
District Attorney*

0245

**BOX:**

535

**FOLDER:**

4871

**DESCRIPTION:**

Weaver, Charles

**DATE:**

09/12/93



4871

0246

Witnesses:

B. Affler

Counsel,

Filed

day of

Sept. 1893

Pleads,

THE PEOPLE

vs.

Charles Weaver

48  
3000

DE LANCEY NICOLL,

District Attorney.

Grand Larceny, <sup>1st</sup> Degree.  
(From the Person.)  
[Sections 638, 639, Penal Code.]

A TRUE BILL.

E. D. Thompson

Foreman.

Pleads G. L. 1st Degree

No 112  
1st Pm Jy

0247

Police Court—3—District.

Affidavit—Larceny.

City and County of New York, ss.

*Benjamin Affolter*  
of New York, Street aged 38 years,  
occupation *carpenter*, being duly sworn,

deposes and says, that on the *3* day of *Sept* 189*3* at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession and

*person* of deponent, in the *night* time, the following property, viz:  
*One silver watch*  
*valued at twenty*  
*dollars*  
*\$20.00*

the property of *deponent*

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by *Charles H. Egan* (now known for the reasons following to wit: at the hour of three o'clock A.M. on said date as deponent was on Broome Street having the said watch in his pocket. The defendant asked deponent the time, when deponent turned over said watch, the defendant seized said watch and ran away with it. Deponent subsequently recovered said watch, which watch defendant had thrown into the street.

*Ben. Affolter*

Sworn to before me this *3* day of *Sept* 189*3*  
*John J. Egan*  
Police Justice.

0248

Sec. 198—200.

1882  
District Police Court.

City and County of New York, ss:

*Charles Pearson* 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

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

Police Justice.



0249

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

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

Dated, *Sept 3* 189

*John Ryan* Police Justice.

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

Dated, 189

Police Justice.

There being no sufficient cause to believe the within named

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

Dated, 189

Police Justice.

0250

Police Court,

District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Bryan*  
*Highpoint Ave*  
*W. West*  
*Charles Frank*

BAILED,

No. 1, by .....  
Residence ..... Street.

No. 2, by .....  
Residence ..... Street.

No. 3, by .....  
Residence ..... Street.

No. 4, by .....  
Residence ..... Street.

2 .....  
3 .....  
4 .....

Dated *Sept 11* 189  
..... Magistrate.  
..... Officer.  
..... Precinct.

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

No. .... Street.

No. .... Street.

*to answer*



*010712*

942  
*from 1000*

**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 Weaver*

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

*Charles Weaver*  
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

*Charles Weaver*  
late of the City of New York, in the County of New York aforesaid, on the *fourth*  
day of *September* in the year of our Lord one thousand *eight* hundred and  
ninety-*three*, in the *right* time of the said day, at the City and County aforesaid,  
with force and arms,

*one watch of the value of  
twenty dollars*

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

*Al Laucey Nicoll,  
District Attorney.*

0252

**BOX:**

535

**FOLDER:**

4871

**DESCRIPTION:**

Weeks, Francis

**DATE:**

09/12/93



4871

0253

Witnesses :

*Sidney Harris*

Counsel,

Filed *12* day of *Sept* 189*3*

Pleads,

THE PEOPLE

vs.

*Francis H. Weeks*

DE LANCEY NICOLL,

District Attorney.

*May 21/1900.*  
*Indictment Dismissed*  
*on motion DeLacey WNF*  
A TRUE BILL.

*E. W. Bloomington*  
Foreman.

*Recommendation for Dismissal*  
*Evans. DeLacey WNF*  
*PT I*  
*April 20th 1900*

123

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Francis M. Wheeler*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Francis M. Wheeler*  
of the CRIME OF *Grand* LARCENY, in *the first degree*, committed  
as follows:

The said *Francis M. Wheeler*, —

late of the City of New York, in the County of New York aforesaid, on the *twentieth* day of *January*, in the year of our Lord one thousand eight hundred and *ninety-eight* - *nine*, at the City and County aforesaid, being then and there the agent  
of  
*Attorney and Trustee of one Clarence S. B. Fish*, —

and as such agent, *Attorney and Trustee* then and there having in his possession, custody and control certain goods, chattels and personal property of the said

— *Clarence S. B. Fish*, —

the true owner thereof, to wit: *Two first mortgage bonds of the Danville, New Albany and Chicago Railroad Company of the denomination and value of one thousand dollars each, (a more particular description thereof, is to the Grand Jury aforesaid unknown) and divers other bonds, and divers valuable securities, indentures of mortgage, evidence of debt and of contract, valuable things, and articles of value of money, a more particular description thereof is to the Grand Jury aforesaid unknown, of the value of revenue, two thousand and three hundred dollars*, —

the said *Francis M. Wheeler*, — afterwards, to wit:  
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,  
did feloniously appropriate the said *goods, chattels and personal property*, —

to his own use, with intent to deprive and defraud the said *Clarence S. B. Fish* —

of the same, and of the use and benefit thereof; and the same goods, chattels and personal property of the said *Clarence S. B. Fish*, —

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

DE LANCEY NICOLL,  
District Attorney.

P1 April 25 1900

0255

Witnesses:

*Charadi Davis*

Gomisei.

Filed, 12 - day of

1893

Pleads,

THE PEOPLE

vs.

P

*Francis H. Weeks*

*1008/93*  
*Pls. Guilty*

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*By [Signature]*

Foreman.

*10 Apr 25 1900*

(Sections 528 and 530 of the Penal Code.)  
LARCENY,  
(MISAPPROPRIATION.)



0256

The defendant herein was indicted on the 12th day of September, 1893, upon four (4) other indictments charging him with the Crime of Grand Larceny in the First Degree. Upon the 8th day of November, 1893, he plead guilty upon one indictment and was sentenced by Recorder Smyth to a term of Ten (10) years in State Prison. By reference to a letter filed herewith under date of April 20th, 1900, from former Recorder Smyth, which is made a part of this recommendation, the learned Recorder says: "I did take into consideration the fact that there were five indictments pending against him when I sentenced him to ten years imprisonment upon one of the five indictments deeming the sentence passed a sufficient punishment for the several offences with which he was charged." In view therefore of the foregoing I am compelled in the interest of justice to recommend the dismissal of the within indictment.

Respectfully,

*Robert J. Townsend*

Part I,

April 25th, 1900.

**TORN  
PAGE(S)**

0257

Form 24-14

**District Attorney,**

**COUNTY OF NEW YORK**

July 15<sup>th</sup> 1918.

PEOPLE  
vs

x

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{5

Indictment

filed

Francis A. Weeks Sept 12 1893

CLERK OF THE COURT OF  
GENERAL SESSIONS:

Please send to this office  
the following original papers:

Indictment, complaint &c.  
~~Cerener's~~ inquisition.  
Original exhibits.  
~~Stenographer's~~ Minutes  
of trial.

Respectfully yours,

*Edward Swann*  
District Attorney  
Chief Clerk.

0258

513

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Francis H. Wheeler*

The Grand Jury of the City and County of New York, by this indictment, accuse  
— *Francis H. Wheeler* —  
of the CRIME OF *Grand* LARCENY, in the *first* degree, committed  
as follows:

The said *Francis H. Wheeler*, —

late of the City of New York, in the County of New York aforesaid, on the *first*  
day of *June*, — in the year of our Lord one thousand eight hundred and  
ninety- *one*, at the City and County aforesaid, being then and there the agent  
and trustee of one *Isabel von Linden*, —

and as such agent and trustee then and there having in his  
possession, custody and control certain goods, chattels and personal property of the said

— *Isabel von Linden*, —

the true owner thereof, to wit: *the sum of one hundred*  
*and sixty thousand dollars in money, lawful*  
*money of the United States of America, and*  
*of the value of one hundred and sixty*  
*thousand dollars, and divers securities, bonds,*  
*written obligations, evidences of debt and of contract,*  
*and other valuable things, (a more particular*  
*description whereof is to be found upon aforesaid*  
*indictment) of the value of one hundred and*  
*sixty thousand dollars, —*  
the said *Francis H. Wheeler*, — afterwards, to wit:

on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,  
did feloniously appropriate the said goods, chattels and  
personal property —

to his own use, with intent to deprive and defraud the said *Isabel von Linden* —

of the same, and of the use and benefit thereof; and the same goods, chattels and personal  
property of the said *Isabel von Linden*, —

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

DE LANCEY NICOLL,  
District Attorney.

0259

Witnesses:

Alfred I. Taylor

Counsel.

Filed, 12<sup>th</sup> day of Sept 1893

Pleads,

THE PEOPLE

vs.

Francis H. Weeks

Grand Larceny, 1<sup>st</sup> degree  
(MISAPPROPRIATION.)  
(Sections 528 and 530 of the Penal Code.)

DE LANCEY NICOLL,

District Attorney.

May 21/1900  
Indictment dismissed  
on motion with atty. J. W. F.

A TRUE BILL.

E. W. Bloomington

Foreman.

Recommendation for Dismissal

Encl.

Robert Emmet

A. W. F.

PHI

April 25<sup>th</sup> 1900.


117

0260

1.

The defendant herein was indicted on the 12th day of September, 1893, upon four (4) other indictments charging him with the Crime of Grand Larceny in the First Degree. Upon the 8th day of November, 1893, he plead guilty upon one indictment and was sentenced by Recorder Smyth to a term of Ten (10) years in State Prison. By reference to a letter filed herewith under date of April 20th, 1900, from former Recorder Smyth, which is made a part of this recommendation, the learned Recorder says: "I did take into consideration the fact that there were five indictments pending against him when I sentenced him to ten years imprisonment upon one of the five indictments deeming the sentence passed a sufficient punishment for the several offences with which he was charged." In view therefore of the foregoing I am compelled in the interest of justice to recommend the dismissal of the within indictment.

Respectfully,



Assistant District Attorney.

Part I,

April 25th, 1900.

0261

(455)

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Francis H. Weeks,

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

indictment accuse Francis H. Weeks,

of the crime of Grand Larceny in the  
first degree.

committed as follows:

The said Francis H. Weeks,

late of the City of New York, in the County of New York aforesaid, on the

fifteenth day of June, in the year of our Lord one thousand

eight hundred and ninety-one, at the City and County aforesaid,

being then and there a person acting  
as trustee, to wit: Francis H. Weeks, then  
duly appointed as such trustee by  
the last will and testament of John  
Robertson Bristed, deceased, and  
as such trustee then and there  
having in his possession and custody  
by virtue of his said appointment, the  
sum of two hundred and seventy  
two thousand dollars in money,  
lawful money of the United States

of America and of the value of two  
 hundred and seventy two thousand  
 dollars, and divers goods, things in  
 action, securities, evidences of debt  
 and of property, and other valuable  
 things, and the proceeds thereof, a  
 more particular description whereof  
 is to the Grand Jury aforesaid  
 unknown, and can not now be  
 given, of the value of two hundred  
 and seventy two thousand dollars,  
 which said money, goods, things in  
 action, securities, evidences of debt and  
 of property, valuable things and  
 proceeds, by the said Francis H.  
 Weeks was made and by virtue  
 of the provisions of the said will  
 required to hold as such trustee for  
 the benefit of Cecile Bridget Griffiths  
 one of the beneficiaries in the said  
 will named, during her life time, to  
 receive the income thereof and pay  
 over the same to the said Cecile  
 Bridget Griffiths during her life  
 time, and after her death to pay  
 over the same to her issue, and in  
 default of issue to William Ellery  
 Seagrich and Edith Brewster Lane



or in the event of the decease of either  
 to his or her children, the the  
 said Francis H. Meeks did then  
 and there feloniously appropriate  
 the said money, goods, things in  
 action, securities, evidences of debt  
 and or moveable, valuable things and  
 proceeds to his own use, 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 security,  
 De Lancey M. Hall  
 District Attorney.

0264

Witnesses:

J. Kuepberry Curtis

Counsel,

Filed

12<sup>th</sup> day of Sept 1893

Pleads,

THE PEOPLE

vs.

P

Francis H. Weeks

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

E. Bloomingdale

Foreman.

May 21/1900  
Indictment is moved.  
on motion of the Atty.  
W. F.

Recommenced for  
Deannee E. E. E.  
At 10:00 a.m. 1900.

The defendant herein was indicted on the 12th day of September, 1893, upon four (4) other indictments charging him with the Crime of Grand Larceny in the First Degree. Upon the 8th day of November, 1893, he plead guilty upon one indictment and was sentenced by Recorder Smyth to a term of Ten (10) years in State Prison. By reference to a letter filed herewith under date of April 20th, 1900, from former Recorder Smyth, which is made a part of this recommendation, the learned Recorder says: "I did take into consideration the fact that there were five indictments pending against him when I sentenced him to ten years imprisonment upon one of the five indictments deeming the sentence passed a sufficient punishment for the several offences with which he was charged." In view therefore of the foregoing I am compelled in the interest of justice to recommend the dismissal of the within indictment.

Respectfully,



Assistant District Attorney.

Part I,

April 25th, 1900.

0266

The defendant herein was indicted on the 12th day of September, 1893, upon four (4) other indictments charging him with the Crime of Grand Larceny in the First Degree. Upon the 8th day of November, 1893, he plead guilty upon one indictment and was sentenced by Recorder Smyth to a term of Ten (10) years in State Prison. By reference to a letter filed herewith under date of April 20th, 1900, from former Recorder Smyth, which is made a part of this recommendation, the learned Recorder says: "I did take into consideration the fact that there were five indictments pending against him when I sentenced him to ten years imprisonment upon one of the five indictments deeming the sentence passed a sufficient punishment for the several offences with which he was charged." In ~~view~~ therefore of the foregoing I am compelled in the interest of justice to recommend the dismissal of the within indictment.

Respectfully

  
Assistant District Attorney.

Part I,

April 25th, 1900.

0267

Supreme Court,  
Judges Chambers,

New York, April 20<sup>th</sup> 1900,

My dear Sir: In answer to your  
inquiry as to the disposition made  
by me of the Case of France & Wells.  
I beg leave to inform you that I dis-  
cuss the Case in consideration of the fact,  
that there were four indictments pending  
against him. When I sentenced him  
to ten years imprisonment upon one  
of the four indictments. according to the  
Sentence passed, a sufficient warrant  
for the review appeared with which  
he was charged

Hon. A. B. Henderson  
Dist. Atty.

J. M. S. S. S.  
J. M. S. S. S.  
Late Recorder City of N.Y.

0268

H. W. Hastings

Form 162-23

2 22-2086-22-B

SUBPOENA (Duces Tecum) FOR A WITNESS TO ATTEND THE GRAND JURY

In the name of the People of the State of New York,

To Clerk of General Sessions  
of No. .... Street

*Pilly*  
*Hastings*

YOU ARE COMMANDED to appear before the Grand Jury of the County of New York, at the Grand Jury Room, in the third story of the Criminal Courts Building, on Centre Street, between Franklin and White Streets, in the Borough of Manhattan of The City of New York, on the 19th day of February, 1925, at the hour of 10:30 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against Francis H. Weeks and that you bring with you and produce, at the time and place aforesaid, a certain

Indicted 5 cases vs Francis H. Weeks

September 12, 1893

now in your custody, and all other deeds, evidences and writings which you have in your custody or power concerning the premises, and for a **Failure to Attend** you will be deemed guilty of a Criminal Contempt of Court, and liable to a **Fine of Two Hundred and Fifty Dollars and Imprisonment** for thirty days and to be prosecuted and punished for a misdemeanor.

Dated at the Borough aforesaid, in the County of New York, the first Monday of ....., 192.....

JOAB H. BANTON, District Attorney.

GRAND JURY

NOTICE—Witnesses subpoenaed to attend before the Grand Jury MUST TAKE ELEVATORS Nos. 5 and 6 on the White Street side of the Criminal Courts Building.

SEE DIRECTIONS ON OTHER SIDE.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Francis H. Weathers*

The Grand Jury of the City and County of New York, by this indictment, accuse  
of the CRIME OF *Francis H. Weathers.* ~~Grand~~ LARCENY, in the first degree, committed  
as follows:

The said

*Francis H. Weathers.*

late of the City of New York, in the County of New York aforesaid, on the ~~seventh~~  
day of ~~December~~, in the year of our Lord one thousand eight hundred and  
~~ninety-eight~~, at the City and County aforesaid, being then and there the agent,  
of

*Attorney and Trustee of one Clemence S.*

*B. Fish.*

and as such agent, attorney and Trustee then and there having in his  
possession, custody and control certain goods, chattels and personal property of the said

*Clemence S. B. Fish.*

the true owner thereof, to wit: *nine certain bonds and written*  
*obligations of the Delmar and Wilkesbarre*  
*Coal Company, of the denomination and*  
*value of one thousand dollars each, (a*  
*more particular description whereof is to the*  
*Grand Jury aforesaid unknown) and the*  
*sum of ten thousand, three hundred and sixty*  
*dollars in money, lawful money of the United*  
*States of America, and of the value of ten thousand*  
*three hundred and sixty dollars,*  
the said *Francis H. Weathers.* afterwards, to wit:

on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,  
did feloniously appropriate the said *goods, chattels and*  
*personal property*

to his own use, with intent to deprive and defraud the said *Clemence S.*  
*B. Fish.*

of the same, and of the use and benefit thereof; and the same goods, chattels and personal  
property of the said *Clemence S. B. Fish.*

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

DE LANCEY NICOLL,  
District Attorney.



Cherish Davis.

Counsel.

Filed, *12<sup>th</sup>* day of *Sept* 189*3*

# THE PEOPLE

**vs.**

Francis M. Weeks

DE LANCEY NICOLL.

May 21/90 District Attorney.  
Indictment dismissed  
on motion But ably  
AMF

## A TRUE BILL.

EW Bloomingdale

*Foreman:*

811

Recommendation for  
Dismissal - Enclosed also  
Letter from Dr. Recumbent  
pt I. *Wm. J. J. J.*  
April 25<sup>th</sup> 1900. A. J. J.

*Grand Larceny, 1st degree*  
(MISAPPROPRIATION.)  
(Sections 528 and 530 of the Penal Code.)

0270

0271

(455)

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Francis H. Weeks

The Grand Jury of the City and County of New York, by this indictment accuse Francis H. Weeks —

of the crime of

Grand Larceny in the first degree. —

committed as follows:

The said Francis H. Weeks. —

late of the City of New York, in the County of New York aforesaid, on the

sixth day of April, in the year of our Lord one thousand eight hundred and ninety-three, — at the City and County aforesaid,

being executor of the last will and Testament of Sidney S. Harris, deceased, duly appointed and then and there acting as such, did feloniously appropriate to his own use the sum of <sup>four</sup> ~~six~~ thousand dollars in money, lawful money of the United States of America and of the value of <sup>four</sup> ~~six~~ thousand dollars, then in his possession and custody by virtue of his appointment as such executor,

0272

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 -

Chauncey McGill

~~District Attorney~~

0273

**BOX:**

535

**FOLDER:**

4871

**DESCRIPTION:**

Weichelbaum, Mollie

**DATE:**

09/26/93



4871

0274

Witnesses

Rebecca Maryan

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

Mollie Weichelbaum

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Ed. Bouma  
 Paid B. February 26/94  
 \$25 Bail discharged  
 Foreman.

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

I am convinced that  
 the case cannot  
 be made out against  
 the defendant. I then  
 seems to exist only  
 an opportunity to  
 commit the offense  
 The complainant joins  
 in the request that  
 the defendant be allowed  
 to go upon her own  
 recognizance.

Robert Thomas,  
 July 26-94 D. Asst. Dist. Atty.

0275

Police Court—3—District.

1912

Affidavit—Larceny.

City and County {  
of New York, } ss.

Rebecca Meryash  
 of No. 96 Monroe Street, aged 27 years,  
 occupation Keephouse being duly sworn,  
 deposes and says, that on the 20<sup>th</sup> day of July 1893 at the City of New  
 York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
 of deponent, in the day time, the following property, viz:

Forty five dollars lawful  
money of the United States

the property of deponent

and that this deponent  
 has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen  
 and carried away by Mollie Weichelbaum now here

for the reasons that the defendant  
 was a servant in deponent's family  
 and had been engaged the week  
 previous and hired by the month.  
 That on said day deponent placed  
 said money in a closet in the room  
 in said premises in the presence of  
 the defendant and shortly thereafter  
 deponent left the room. When deponent  
 returned the defendant stated to deponent  
 that she must immediately leave the  
 service as she was sick and unable to  
 work although she did not appear to be  
 ill. That the defendant during deponent's

Sworn to before me, this  
 of \_\_\_\_\_ day  
 1893

Police Justice.

absence had packed her clothes, and then abruptly left deponent's household. That immediately after defendant left deponent looked for said money but it was missing. That by reason of the circumstance deponent charges the defendant with the stealing of said money.

Sworn to before me <sup>by</sup> Rebecca Mergash  
 the 24<sup>th</sup> July. 1893

John P. Oodis  
 Police Justice



0277

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.

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

Question. What is your name?

Answer.

*Mollie Werchelbaum*

Question. How old are you?

Answer.

*20 years*

Question. Where were you born?

Answer.

*Poland*

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

Answer.

*119 Broom St. 3 years*

Question. What is your business or profession?

Answer.

*Domestic*

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*

*Mollie Werchelbaum*  
*h<sup>e</sup>*

Taken before me this *24*  
day of *July* 1893

*John A. L. L.*  
Police Justice.

0278

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

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 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, July 24 1893

John McLoockis Police Justice.

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

Dated, July 24 1893

John McLoockis Police Justice.

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

Dated,..... 189

Police Justice.

0279

BAILED.

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court,

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Rebecca Maryash  
96 Monroe  
vs.  
Mollie Weichelt

2

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4

Dated,

189, 3

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$ 500 to answer

G. S.  
J. D. Bull  
No 798



0280

**New York General Sessions.**

PEOPLE ON MY COMPLAINT,  
VERSUS

MOLLIE WEICHELBAUM

*As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself.*

After making my complaint, I <sup>inquired</sup> from other tenants in the house, and found that others besides the Defendant had had access to my apartments on the day of the Larceny, and consequently could have taken the money. I have inquired from several reputable people as to the previous character of the Defendant, and they all speak very highly, of her honesty and faithfulness; so that in view of these facts and my being unable to swear to her having taken the money, and not wishing to convict an innocent person, I desire, with the permission of the court, to withdraw my charge.

Sworn to before me this

16th day of Jan'y 1894

*Wm H Bordenick*  
*Com of Deeds*  
*N.Y.C.*

*her*  
*Rebecca Maryash*  
*mark*

0281

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Mollie Weichelbaum

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

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

The said

Mollie Weichelbaum

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

the sum of forty-five dollars  
in money, lawful money of the  
United States of America, and  
of the value of forty-five dollars

of the goods, chattels and personal property of one

Rebecca Maryash

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

De Laurey McCall,  
District Attorney.

0282

**BOX:**

535

**FOLDER:**

4871

**DESCRIPTION:**

Weintraub, Abraham

**DATE:**

09/20/93



4871

0283

Witnesses:

Margaret Samachky

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

23  
calmish  
us.

Abraham Weintraub

Grand Larceny, the Person.  
[Sections 638, 639, 640, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

Part 3. October 1, 1893  
Tried and convicted

5 P. 14 years.

A TRUE BILL.

E. W. Bloomington

Foreman.

et al vs  
Part 2 - Oct. 6, 1893.  
Tried and jury disagree  
Part III - Oct 10/93 120th



0284

Court of General Sessions of the Peace. Part III.  
City and county of New York.

-----x		
The People	:	Before
vs.	:	Hon. Rufus G. Cowing
Abram Weintraub	:	and a jury.
-----x		

New York, October 12th, 1893 .

A P P E A R A N C E S.

Assistant District Attorney Macdona

For the People .

Mr. *C. E. LeBewer*

For the defence .

-----  
Indicted for grand larceny in the first degree .

Indictment filed *Sept. 20<sup>th</sup>* 1893

-----  
M A R G A R E T D U M A S K I called on the part of the  
People and duly sworn testified as follows :

I live at 79 Allen street, New York. On the night  
of September 2d saw Defendant on Grand street near  
Ludlow street about 9 o'clock in the evening . I was

walking along Grand street with a little child, my daughter behind me and another young lady her companion. When I felt a tug upon me I turned and just as I turned I saw the defendant with my pocket book in his hand. I turned to see what the tug was about and saw it in his hand. He stood still and didn't attempt to run away. I grabbed hold of him and holloed "My pocket book" and the officer came. The young lady who walked with my daughter behind me is not in court now. After we got in the station house we counted the money and found there was \$4.51. Didn't know exactly how much it was before that. The pocket book was of no value and that is the reason I carried it in my pocket

On cross examination witness testified as follows::

This is the same story I told on the previous trial and the jury then disagreed. I spoke German but didn't speak in German to defendant and didn't say anything to him. Defendant didn't say anything to me. My handkerchief was in my pocket where the pocket book was kept. As I turned after I felt the tug, the defendant was alongside of me with the pocket book in his hand. This defendant did not face me but was alongside of

0286

3

me and had the pocket book in his hand. He didn't hand the pocket book to me then; he held it tight in his hand. Then the officer came and took him. The defendant did not hand it to me but I grabbed for it. My handkerchief was in my pocket and he hadn't pulled it out. I left the house and never touched the pocket with the handkerchief and pocket book in it. The whole thing took about a couple of minutes; it didn't take hardly any time.

Miss LOUISE DAMASHKI being called for the people and duly sworn testified as follows :

I live at 79 Allen street and am the daughter of the last witness. On September 2 in the evening I was on Grand street walking with my mother and had my little sister. My friend was with me Miss Kemp. I saw the defendant there at that time. I saw him take his hand out of my mother's pocket and pull out the pocket book. Defendant was standing between us facing us. There was quite a crowd on Grand street, and there generally is on Saturday nights. I saw my mother turn around and grab him and heard her call "My pocket book" The officer came up and took it. My mother tried to

grab the pocket book and the officer came and took it; it all occurred at once. From the time I saw him take the pocket book until the officer arrived it was a few minutes .

On cross examination witness testified as follows :

My mother got hold of defendant's arm and tried to get the pocket book. She only had one hand on him when she grabbed . This is the same story I told at the last trial. There had been a fire somewhere in Grand street early in the evening. I suppose there were people there in consequence of the fire. People pressed against each other and were closely massed as it were . I was just a few steps behind my mother but not pressing her . I saw defendant take his hand out of my mother's pocket, and at the time I was looking right in front of me. My little sister was with me that night. The reason I was not by the side of my mother was there was too much of a crowd. This was at 9 o'clock in the evening .

A M E L I A      K E M P      called for the people and duly sworn testified as follows:

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I was on Grand street on the 2d of September at night in company with the last witness and her mother and little daughter. Saw defendant there and saw him take his hand out of complainant's pocket and she cried "My pocket book" and she grabbed him. When the officer came the pocket book was returned to complainant.

On cross examination witness testified as follows:

I speak German; didn't say anything to defendant in German, and he didn't say anything to me. I was not walking by the side of complainant but by the side of her daughter, the last witness. There was no people in between us two and the complainant. There was no room for anybody to get between us. There was a crowd there closely wedged in. I told the same story at the last trial, and I know the jury disagreed then.

A B R A M W E I N T R A U B called for the defence and being duly sworn testified as follows :

I was in this country six days previous to the 2d of September, 1893, when I was arrested. I talk English. I came from London where I lived for five months. I am a cabinet maker and came from Warsaw. Couldn't

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speak English and couldn't get work in London and so I came to America . Don't know what the complainant testified to. I was with Jimmie Kimrie with whom I lived, and begged him to take me to a place where some of my countrymen lived because I didn't know the streets yet. He came with me; and at 9 o'clock when the crime took place I had four persons with me. While we were going through the street, don't know the name of it, there was a fire and a big crowd. I stumbled with my foot against something, and when I stooped down and picked it up I saw it was a pocket book. Then I said to my four friends "Did you lose anything " They said "No, we didn't lose anything." At the same time a great crowd got around me, and I was separated from my four friends, and I walked about the distance from here to the wall, and then I saw complainant hollering. I said to her in German "Madam, may be you lost something" She didn't answer me and I held the pocket book in my hand, and showed it to her. When I showed it to her she grabbed me by the hand and held me . Then a police man came and took me away. I didn't seek to run away. I saw there was money in the pocket book; I

didn't count it. I saw the complainant clamoring for a pocket book and gave it to her. She got me by the arm and I was arrested. Never been arrested before. I don't know the streets or numbers of the streets in the city and don't know where to send for anybody.

The men I was with were countrymen of mine, knew them in Poland, but don't know where they live here; could find the place if I went to seek them. When I picked up the pocket book didn't have any intention to steal it, but held it in my hand openly, and walked through the street holding it in my hand. The words I used were in German, but mean "Please, madam, may be you lost something." Then I showed her the pocket book and she grabbed me.

Mrs. D U M A S K I recalled for the people, testified as follows :

Defendant did not say in German "Please, madam, may be you lost something ." I would have understood him if he did. Defendant said nothing in any language but stood right by my side. Couldn't swear that the



pocket book had got out of my pocket sometime before I felt the tug. Didn't feel the pocket book come out of my pocket. There was a crowd and couldn't walk through in a row together because I had a little child with me. There was a fire early in the evening. Grand street is alway crowded just like it was on the night in question.

JAMES J. KIERNAN called for the people and duly sworn testified as follows:

Am attached to the 11th precinct; have heard the explanation of the defendant as to how he came in possession of the pocket book. I took him to the station house, and had an interpreter there.

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THE PEOPLE,

COURT OF GENERAL SESSIONS, PART II.

vs.

BEFORE JUDGE FITZGERALD.

ABRAHAM WEINTRAUB.

Friday, October 6, 1893.

Indictment for GRAND LARCENY, in the FIRST DEGREE.

Assistant District Attorney O'Hare, for the People.

Mr. Berlinger, assigned, for the defence.

A Jury was empanelled and sworn.

MARGARET DAMACHKY, sworn, and examined by Mr. O'Hare,  
testified:

- Q What is your name? A. Margaret Damachky.
- Q Where do you live? A. 79 Allen street.
- Q Were you in Grand street on the night of the 2nd of September last? A. I was.
- Q About what time? A. About 9 o'clock.
- Q About 9 o'clock at night; did you see this defendant at any point in Grand street? A. Not before he was alongside of me.
- Q Did you see him? A. Yes, sir.
- Q Whereabouts in Grand street? A. Grand street, near Ludlow.
- Q On the up-town or down-town side of Grand street? A. On the up-town side.
- Q Please tell us who was with you when you saw this defendant? A. My daughter was with me, and another young lady, Miss Kemp, was walking right behind me, and I had a little child with me, eight years old, walking along with me.
- Q You had a skirt on you that evening? A. I did, with a pocket.
- Q On the right hand side? A. On the right hand side.

Q Did you have any property in that pocket?

A. Nothing else but a pocket-book and a handkerchief.

Q What was in that pocket-book?

A. Three dollars in

bills and some small change; probably a fifty-cent piece and other small change.

Q The money was found on the man in the station house, it was altogether \$4.51?

A. Yes, sir; and some papers.

Q As you were walking along, please tell us what happened?

A. As I was walking along, I had the child by the hand, and all of a sudden I felt a tug, and when I looked around he had the pocket-book in his hand.

Q Who had?

A. That young man there (the defendant).

Q You pocket-book?

A. My pocket-book.

Q You recognized it and identified it as your property?

A. Yes.

Q What did you do then?

A. Then I grabbed him, and grabbed it right from him, and the officer came, and when the officer came right up he says, "Come along, come along," and he took us to the station house.

Q At the time the officer made the arrest, did the defendant have the pocket-book in his hand?

A. Yes, sir; he had it in his hand.

Q Were you in the station house?

A. I was, and the

next morning we had to go down to Essex Market.

# CROSS EXAMINATION.

By Mr. Berlinger:

Q Near what street on Grand street were you?

A. Near Ludlow.

Q What time?

A. About 9 o'clock at night.

Q A good many people on that block at that time?

A. There was; it was crowded; there was a crowd there.

Q Was there anything that attracted the crowd there, anything out of the way?

A. There had been a fire early in the evening, but we walked along on the street, through the crowd.

Q So the people pushed against one another and jostled one another in walking?

A. We had to push our way through.

Q It was not the first time you felt any tug at your apparel during the evening?

A. It was the first time I felt it on my pocket.

Q It was on the side where your pocket was? It was not the pocket particularly that was touched, it was that side of the person where the pocket was?

A. But he felt the touch, I felt his hand in my pocket.

Q You felt his hand in your pocket?

A. I did.

Q How did you discriminate between the feeling that you had experienced before and the feeling of the hand in the pocket; was it different?

A. Yes, sir; I should think it was. If anybody pushes against me, it is a different feeling than when he had the hand in my pocket.

Q. You do not mean he pushed so that you almost stumbled and fell, when you imagined his hand was in your pocket?

A. I think that is a different feeling, when I felt a hand in my pocket.

Q You can't say that his hand was in your pocket, can you? Now, just come down to the point; you can't swear it?

A. He had his hand in my pocket, for he had the pocket-book out of it.

Q Is that the reason you know he had the hand in your pocket, because he had the pocket-book in his hand?

A. Oh, I felt his hand in my pocket.

Q Is that the reason that you give for his having his hand in your pocket, because afterwards you saw the pocket-book in his hand?

A. I mean to say that is the reason, he had it in his hand, he got it out of my pocket.

Q Suppose you dropped your pocket-book, that would knock your reasoning power out?

A. But he did take it out of my pocket.

Q You had a child with you, you say?

A. I did.

Q How old was the child?

A. Eight years.

Q On what side?

A. She saw on the same side where the pocket-book was.

Q Did you have the child's hand in yours?

A. I did. She

was walking a little ways in front of me, not exactly along, like any child would.

Q He pushed her away?

A. She was ahead of me, of course.

Q. Didn't you break through the crowd and make room for the child, or was the child making room for you?

A. I couldn't exactly tell that -- the child was pushing away, the same as I was.

LOUISA DAMACHKY, sworn, and examined by Mr. O'Hare, testified:

Q You live with your mother, at 79 Allen street?

A. Yes, sir.

Q She is the last witness who was on the stand here?

A. Yes, sir.

Q Were you in Grand street, near Ludlow, on the night of the 2nd of September last, about 9 o'clock?

A. I was, about 9 o'clock.

Q There was with you your mother, a little girl, and your friend, Amelia Kemp?

A. Yes, sir.

Q Your mother was walking directly in front of you, you were about ten feet behind, was she?

A. Yes, sir.

Q Did you see this defendant there that night?

A. Yes, sir, we were a couple of steps behind him.

Q Was anybody between you and your mother?

A. Nobody between us.

Q Tell us what the defendant did?

A. We saw him

take his hand out of my mother's pocket, and have the pocket-book; I saw it.

Q You saw his hand in your mother's skirt pocket?

A. Yes, sir; he took out my mother's pocket-book.

Q You knew your mother's pocket-book; you had seen it before?

A. Yes, sir. My mother grabbed hold of him and tried to get the pocket-book, and the officer came up.

Q The officer came up while he had the pocket-book?

A. Yes, sir.

C R O S S   E X A M I N A T I O N, by Mr. Berlinger:

Q You called your mother's attention to the fact that the boy was taking the pocket-book?

A. She grabbed the

man; she turned around, at the same time, and tried to take the pocket-book; she felt the tug.

Q Did she turn around first, or did you call first?

A. She turned around just as we called.

Q The same time?

A. Yes, sir.

Q You cannot be mistaken about this?

A. No, sir, I can't.

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- Q There was a great crowd? A. There was a crowd, but we were directly behind.
- Q You were walking with another lady; were you?
- A. Yes, sir.
- Q It was all you could do, was it, to navigate, to get along, as you went through the crowd?
- A. Yes, sir, that was all.
- Q Did anybody get between you and your mother?
- A. There was nobody between us.
- Q How did you come to look down at that portion of the garment where the pocket was? A. We were walking directly behind; we could see.
- Q. Were you near the curbstone or towards the house?
- A. I was on the other side, nearer the house.
- Q Was the little girl with your mother? A. Yes, sir.
- Q Where was the man? A. The man was directly on the side by the house, on the right hand side of my mother.
- Q And the little girl was between him and your mother?
- A. Yes, sir.
- Q And between the man and your mother; is that right?
- A. Yes, sir.
- Q Did he reach over the little girl or behind her?
- A. He reached just behind her, on the side of her.
- Q Did you see him when he went to reach?
- A. Yes, sir.
- Q And didn't call your mother's attention to the fact?
- A. I didn't know that he was going into her pocket until he had the pocket-book; I had no idea; I thought he wanted to pass across.
- Q You thought he wanted to go across? A. Yes, sir.



Q AMELIA KEMP, sworn, and examined by Mr. O'Hare, testified:

Q You live at 79 Allen street? A. Yes, sir.

Q In the same house with the complainant and her daughter?  
A. Yes, sir.

Q On Saturday night, the 2nd of September last, at 9 o'clock or about that time, were you in Grand street, near Ludlow?  
A. Yes, sir.

Q Mrs. Damachky was there and her daughter, the last witness?  
A. Yes, sir.

Q Did you see this defendant that night?  
A. Yes, sir.

Q Will you please tell us what you saw him do?  
A. I seen him take the pocket-book out of Mr. Damachky's pocket.

Q What more did you see? A. I seen the officer take him to the station house.

Q Did you see Mrs. Damachky grab him?  
A. Yes, sir; she had the gentleman by the hand.

Q Did he have the pocket-book in his hand?  
A. Yes, sir.

Q You saw him put his hand down in Mr. Damachky's skirt pocket and draw out the pocket-book, and he had the pocket-book in his hand when Mrs. Damachky grasped him?  
A. Yes, sir.

C R O S S E X A M I N A T I O N, by Mr. Berlinger:

Q. You didn't see the pocket-book in his hand?  
A. Yes, sir; I saw him take it out of her pocket.

Q On which side of the lady were you walking, were you towards the house or towards the gutter? A. Towards the

gutter or curbstone.

Q What time of night was this? A. About 9 o'clock.

Q Did you hear the daughter of Mrs. Damachky testify here, a moment ago? A. I heard some.

Q In every part of it you corroborate her. It is correct, is it? A. Yes, sir.

Q Every word of it, because you talked it over amongst yourselves? A. No; I was right back of her, I seen it.

Q That part of the testimony that you heard, you agree with her? A. Yes, sir.

Q Because you talked it over? A. All I know is what I seen. I saw him take it out of the pocket.

Q Have you talked it over with the young lady? A. Yes, sir.

Q You both agreed on what you would say? A. Yes, sir.

Q What kind of a pocket-book was this? A. It was colored, brown and white.

JAMES J. KIERNAN, sworn, and examined by Mr. O'Hare, testified:

Q You are an officer in the 11th precinct, aren't you, of the Municipal Police force of this city?

A. Yes, sir.

Q You do special work? A. Yes, sir.

Q Did you arrest the defendant in Grand street, on the night of the 2nd of September last? A. Yes, sir.

Q On the complaint of Mrs. Damachky?

A. On the complaint of Mrs. Damachky.

Q You brought him to the station house?

0300

A. I brought him to the station house.

Q And the pocket-book was emptied there? A. Yes, sir.

Q And contained how much? A. \$4.51.

Q The money was returned to the lady?

A. To the lady; I have got the pocket-book here.

By the Court:

Q Where did you get the pocket-book, in the first instance, Officer?

A. The woman handed it to me. She said she took it from him, out of his hand. Through the interpreter, he-----

By Mr. O'Hare:

Q You brought him to the station house? A. Yes, sir.

Q Did you inform him of the charge that was made against him?

A. Yes, sir, through the interpreter.

Q Do you know the answer that he made?

A. He said that he was hard up, and he took it because he was hard up.

Q That was the answer, given through the interpreter?

A. Yes, sir.

Q You didn't understand it, personally? A. No, sir.

C R O S S E X A M I N A T I O N by Mr. Berlinger:

Q Officer where is the money -- you gave it to the lady?

A. Yes, sir.

Q She identified the money as being hers?

A. I couldn't identify the money as being hers.

Q Did she identify the money as her money?

A. Yes, sir.

Q Any marks on it?

A. She identified the pocket-book as hers.

Q And the money was inside of the pocket-book? A. Yes, sir.

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Q You gave her the money?

A. Yes, sir.

MARGARET DAMACHKY, recalled by Mr. O'Hare:

By Mr. O'Hare:

Q Will you please state what that pocket-book is? (Pocket-book shown)

A. That is my pocket-book.

Q That is your pocket-book that was taken that night by the defendant? It was placed in possession of the officer?

A. Yes, sir.

MR. O'HARE: That is the People's case.

ABRAHAM WEINTRAUB, THE DEFENDANT, sworn and examined, in his own behalf, through the Interpreter, testified:

By Mr. Berlinger:

Q How long have you been in this country, Weintraub?

A. Six days.

Q How long have you been in this country?

A. I am here since six days.

THE INTERPRETER: Now he says to-morrow it will be five weeks, six weeks.

Q Ask him how long he has been in this country?

A. Six days now, he says -- six weeks.

By the Court:

Q Now, put that question to him and get his answer; how long has he been in this country?

A. Five weeks I am here.

THE INTERPRETER: In prison, probably he means.

By Mr. Berlinger:

Q I will withdraw that question. Ask him how long he has been

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in prison?

A. Five weeks.

Q How long before he was locked up had he been in this country?

A. Six days.

Q When you were arrested on Grand street, did you have that pocket-book in your hand?

A. I had it in my hand.

Q Where did you get it?

A. I found it on the ground.

Q Did you put your hand in that lady's pocket and take that pocket-book out?

A. I found it on the ground.

Q Did you put your hand in that lady's pocket?

A. No, God forbid.

Q Were you ever convicted of any crime in your life, in any country?

A. No, sir.

C R O S S   E X A M I N A T I O N By Mr. O'Hare.

Q Where did he live at the time of his arrest?

A. I can't know the street. I have an address (producing a piece of paper).

Q What is the name of the lady with whom he lived?

A. I don't know.

Q Did he bring any baggage there?

A. I had things with me there.

Q Who sent him there?

A. All my things I had there.

Q Who sent him there?

A. A friend in London gave me the address of the house.

Q You don't know the name of the land-lady?

A. I can't say the name of the lady.

Q Does he remember the name of the friend who sent him there?

A. Max Yeager.

Q Does he know the name of anybody there?

A. Simon Krier.

Q Who is he?

A. He lives in the same place where I

live.

Q What was he doing in Grand street this day or night -- at 9 o'clock in the night?

A. I was going to visit a friend, it was about 8 o'clock I remained there, sitting, for three hours, and I requested the friend to accompany me home; and while we were in the street there was a fire, and I was accompanied by two friends and two children of them whom I had visited; and we said, "Let us see the fire." And while I was there I felt something against my feet and picked it from the ground and asked my friend whether he probably had lost something. Then a crowd gathered and was pushing him, he says, and I saw a lady, there was a lady who was making that way (illustrating), and I asked her whether she had lost the pocket-book and kept this pocket-book that way (illustrating) in my hand, but she didn't understand what I said to her, and I couldn't understand what she said to me. She saw that pocket-book in my hand, and I gave it to the lady because she had nodded with the head, "yes." And so I delivered the pocket-book, and the lady said that I had stolen it.

Q Ask him what his trade is?

A. Carpenter.

Q Where did he work at it last?

A. I am here only six days, and I couldn't get work at it immediately.

Q Ask him where he worked last as a carpenter?

A. In London.

Q How long ago?

A. I worked about two weeks.

Q Let us see his hands. Do you mean to say you are a carpenter?

A. Yes, sir.

Q Ask him to show his hands to the jury.

(The witness did so.)

Q When did he last work as a carpenter?

A. Five months since.

Q What has he been doing for a living for five months?

A. I was with my sister, in London.

Q Did he have any means to live without work?

A. I worked only two weeks there.

Q In London?

A. In London; two weeks in an English factory.

Q Has he done any other work in all these five months?

A. I peddled fruit.

Q Where?

A. In London.

Q Ask him the name of the steamer he came over on?

A. I arrived in Philadelphia.

Q Ask him the name of the steamer?

A. The British Prince.

Q What time were you arrested?

A. At 9 o'clock.

Q You stayed at your friend's house from 6 to 9; is that correct -- about 9?

A. At 4 o'clock I went to my friend's.

MARGARET DAMACHKY, recalled, in rebuttal, by Mr. O'Hare:

Q Will you please say whether there was a hole in the pocket of the skirt that you wore that night, in which the pocket-book was?

A. No, sir; there was no hole in it.

BY MR. BERLINGER:

Q Did you examine your pocket?

A. Yes, sir, I have the skirt now. There is no hole in it, and there never was a hole in it.

Q Did you examine the pocket, to see whether there was a hole in it?

A. Yes, sir; I did.



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- Q There is no hole in the pocket? A. No.
- Q You are not prepared to say that your pocket-book could not have fallen out? A. No, it could not come out without a hole in it.
- Q You had other things in your pocket besides your pocket-book? A. A handkerchief.
- Q Nothingelse, no keys? A. No, nothing else; that is all I had.

The Jury DISAGREED.

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Testimony in the  
case of  
Abraham Weintraub

filed  
Sept. 1893

330

THE JURY DISAGREED.

Q. I see.

Q. NOW, WERE THERE NO BOOKS

BOOKS

Q. AND NO OTHER THINGS IN YOUR ROOM? NOTHING YOUR ROOM-  
MATE'S ROOM IN IT?

Q. NO, NOTHING ELSE.

Q. AND ARE YOU PREPARED TO SAY THAT YOUR ROOM-MATE'S ROOM WAS  
THERE IS NO NOTE IN THE ROOMS? A. NO.

0307

1912

Police Court—

District.

Affidavit—Larceny.

City and County of New York, } ss.

of No.

Street, aged

years,

occupation

being duly sworn,

deposes and says, that on the

day of

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at the City of New

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

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

One pocket-book con-  
taining gold and lawful  
money of the United States  
of the amount and value of  
Four <sup>51</sup>/<sub>100</sub> 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

Abraham Eisenberg  
(and how for the reasons following  
to wit: On the said date at the  
hour of nine o'clock P.M. as de-  
ponent was walking on Grand  
Street having the said pocket-  
book in the pocket of the coat  
which she then wore she felt  
a tug at said pocket and  
missed said pocket-book.  
Deponent seized hold of defendant  
and found the said pocket-book  
containing said money in his possession.

Margaret Damackhy

Sworn to before me this  
day of  
1912  
at New York City

Police Justice.

0308

Sec. 198—200.

3

1882

District Police Court.

City and County of New York, ss:

*Abraham Weintrant* 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.

*Abraham Weintrant*

Question. How old are you?

Answer.

*23 years.*

Question. Where were you born?

Answer.

*Russia Poland*

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

Answer.

*331 E. Houston St. 2 days*

Question. What is your business or profession?

Answer.

*Carpenter*

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*  
*Abraham Weintrant*  
*man*

Taken before me this

day of

1882

Police Justice.

0309

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

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

Dated, *Sept 3* 189 *John Ryan* Police Justice.

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

Dated,.....189.....Police Justice.

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

Dated,.....189.....Police Justice.

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Police Court,

928  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Margaret Damachky*  
*79 Allen*  
*John Kintraub*  
*offense, carrying gun*

BAILED,

No. 1, by.....

Residence.....Street.

No. 2, by.....

Residence.....Street.

No. 3, by.....

Residence.....Street.

No. 4, by.....

Residence.....Street.

Dated, *Sept 3* 189

*Reyn* Magistrate.

*Shuman* Officer.

*11* Precinct.

Witnesses *Louisa Damachky*

No. *79 Allen* Street.

*Amelia Kemp*

No. *79 Allen* Street.

No. Street.

\$1000 to answer

*et no*

*9/1*  
*pen*

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504

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Abraham Weintraub*

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

*Abraham Weintraub*

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

The said

*Abraham Weintraub*

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

*the sum of four dollars and fifty-one cents in money, lawful money of the United States of America, of the value of four dollars and fifty-one cents*

of the goods, chattels and personal property of one

on the person of the said

then and there being found, from the person of the said

then and there feloniously did steal, take and carry away,

such case made and provided, and against the peace of the People of the State of New York

and their dignity.

*Margaret Damachky*  
*Margaret Damachky*  
*Margaret Damachky*



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SECOND COUNT—

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

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

The said *Abraham Weintraub*

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

*the sum of four dollars and fifty one cents in money, lawful money of the United States of America, and of the value of four dollars and fifty-one cents*

of the goods, chattels and personal property of one

*Margaret Damachky*

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

*Margaret Damachky*

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

*Abraham Weintraub*

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

DE LANCEY NICOLL,

*District Attorney.*

03 13

**BOX:**

535

**FOLDER:**

4871

**DESCRIPTION:**

Weis, Joseph

**DATE:**

09/21/93



4871

03 14

Witnesses:

John Dan  
Lena Dan

Counsel,

Filed

day of

1893

Pleads,

35  
Richard

THE PEOPLE

vs.

Joseph Wess

Sept 21/93

Plead G. 2deg

DE LANCEY NICOLL,

District Attorney.

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

A TRUE BILL.

E. W. Bloomington  
Ch 250

Sept 21/93 Foreman.  
E. W. Bloomington B. 28

0315

Police Court

District.

Affidavit—Larceny.

City and County } ss:  
of New York,

of No.

2106

2nd Ave

Street, aged

39

years,

occupation

Stone cutter

being duly sworn,

deposes and says, that on the

3

day of

September

1893

at the City of New

York, in the County of New York,

was feloniously taken, stolen and carried away from the possession of deponent, in the

day

time, the following property, viz:

Good and lawful money  
of the United States to the  
amount and value of one  
hundred dollars.

the property of

deponent.

Sworn to before me, this

2

day

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

Joseph Weis (nowhere)  
who is deponent's cousin and who  
was living with deponent at said  
address. From the fact that on  
said date at about the hour of  
1/2 o'clock P.M. ~~the~~ the said defendant  
suddenly left deponent's house  
and shortly after he left, deponent  
discovered that said sum of money  
was missing, and as no person  
other than the said defendant could  
have taken said sum of money  
deponent charges him the said  
defendant with feloniously taking  
stealing and carrying away said  
sum of money. John Nau

of  
1893  
Police Justice.

0316

Sec. 198-200.

5

1882 District Police Court.

City and County of New York, ss:

*Joseph Weiss* 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 a charge against *him*, that the statement is designed to enable *him*, and 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*Joseph Weiss*

Taken before me this

day

189

Police Justice.

03 17

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 J. Smith*  
guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *500* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, *Sept 15* 189*3* *E. E. Dunning* Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

03 18

Police Court,

979 District.

THE PEOPLE &c.,  
ON THE COMPLAINT OF

1

2

3

4

Dated,

189

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$ 1000; to answer

Ok 250

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

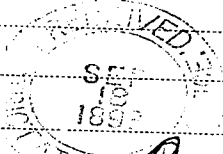
Residence

Street.

No. 4, by

Residence

Street.





0319

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph Weis

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

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

The said

Joseph Weis

late of the City of New York, in the County of New York aforesaid, on the third  
day of September in the year of our Lord, one thousand eight hundred and  
ninety-three, at the City and County aforesaid, with force and arms,

the sum of one hundred dollars  
in money lawful money of the  
United States of America, and  
of the value of one hundred  
dollars

of the goods, chattels and personal property of one

John Han

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

De Lancey Nicoll  
District Attorney