

0384

**BOX:**

331

**FOLDER:**

3136

**DESCRIPTION:**

Wilson, Frank

**DATE:**

11/16/88



3136

0385

**BOX:**

331

**FOLDER:**

3136

**DESCRIPTION:**

King, Frank

**DATE:**

11/16/88



3136

0386

POOR QUALITY ORIGINAL

120-  
BUW 18/89  
ad 8/89

Witnesses:

Chas. Rye

Wm. Proby

24/89

Counsel,  
Filed 16 day of 1888

Pleads, *vs.* *Abigail*

Grand Larceny, Second Degree  
(From the Person.)  
[Sections 528, 531, 532 Penal Code]

THE PEOPLE  
vs.

*Frank Wilson*

*and*

*Frank King*

JOHN R. FELLOWS,  
District Attorney

Pr Dec 21/88

No 2 records of 24/89

Wm. Free

A TRUE BILL

Noted

Print 2

Not

Forfeited February 6/89

March 13/89

John

Wm. Proby

Budget

Attending

T T

0387

Court of General Sessions

The People vs  
against  
Frank Wilson

City and County of New York ss:

Max Boskey otherwise Frank  
Wilson being duly sworn, says:  
I am 22 years of age. I was  
born in Warsaw, Poland. I came  
to this County when I was about  
two years old and was educated  
in the Public Schools of this  
City. At the age of fourteen years  
I began to earn my own living  
at peddling notions, in a basket.

I helped in this way to sup-  
port myself and my mother in  
rearing her family.

At about 18 years of age I  
became a clerk for my brother,  
but yet continued to trade on  
my own account, now and  
then.

About two years ago I began  
to attend races and then for  
the first time got into any  
kind indifferent company.

0300

I thus made the acquaintance of bad people. I did not know at that time that they were thieves. The offense I committed was the first one I had ever attempted to steal anything. I was then under the influence of liquor, and was persuaded to do as I did by my companions.

I did it more in a spirit of drunken bravado, than with any intention of stealing, indeed I was not in a condition to know what I was really doing. I have determined, if mercifully released to go to California to one of my brothers, who is a merchant there, and I will never again touch liquor, and try to be a good man and an honorable merchant

Sworn to before  
me this 15<sup>th</sup> day  
of March 1889,

Max Bosley

Frank O'Byrne

County of West

City & County

of New York

0389

The People

vs

Frank Wilson

City and County of New York ss.

Engene H. Collins being duly sworn deposes & says I live at No 289 Henry St in the City. I a Detective attached to Superintendent Murray's Office I have known the Defendant who name is Matt Peckley for about seven years. I have had large opportunities of seeing him, and have traded with <sup>her</sup> her. She has some so good a character, and in her dealings is such a manly and upright young fellow that his present trouble is a great surprise to me. I never heard a word against until now.

Sworn to before me this

16th day of March 1888

Engene H. Collins

Robert Byrne  
Notary Public  
N.Y.C.

0390

State of New Jersey  
Hudson County J.S.S.

Before me a Notary Public for state  
of New Jersey, personally appeared  
Julius Jarecki, <sup>Justice of the Peace of said county</sup> to me personally known  
upon oath according to law, doth  
depose and say that he is acquainted  
with Max Boskey, known with an alias  
as Frank Wilson, and have had dealing  
with him for the past seven or eight  
years, and have found him to be upright  
and honest in all his dealing, and have  
never heard anything to the contrary  
against him.

Julius Jarecki  
Sworn and subscribed before me this  
13<sup>th</sup> day of March 1889 -

Albert Jourmand  
Notary Public  
New Jersey

Court of General Session

The People vs }  
                  against }  
Frank Wilson }

City and County of New York, S.D.  
Chas E. M. McQuinn being  
duly sworn, says: that he  
is a Sergeant of Police <sup>of Jersey City</sup> residing  
at No. 566 Jersey Avenue, Jersey City,  
New Jersey.

I have known the defendant  
for the past (7) <sup>years</sup> years and can  
safely testify that he has always  
borne a good character and I have  
had dealings with him purchasing  
clothing and jewelry and have  
always found him to be  
honest and trustworthy.

I have never heard a word  
against him.

Sworn to before  
me this 15 day of  
March 1889  
Adolphus W. Marten  
Justice of the Peace.  
in & for Hudson County  
N.J.

Chas. E. McQuinn  
Sergt of Police

0392

In de Staatse Bibliotheek

0393

The People

vs  
David Nelson

David Cohen being duly sworn says I live  
at 53 East Broadway. I am a Manufacturer of  
clothing. I am sworn as a juror at the Court  
of the Soul Sessions Part I. I have known the  
Defendant since he was a child. I know all his  
people. They are highly respectable people. The  
Defendant has always borne a good character and  
I never heard one word to his discredit up to  
this time; save the charge made against him.

I know his father in San Francisco and I am  
quite sure from his character that if the Defen-  
-dant were permitted to go to him that he would  
become an honorable man and merchant.

I do hereby depose

15th day of March 1889

David Nelson

Carrier of seeds

City of County

of New York

David Cohen

0394

Court of General Sessions  
of the People vs }  
vs }  
Frank Wilson }

City and County of New York Es.  
John Flannelly being  
duly sworn says: That  
he is a police officer,  
of Jersey City, New Jersey,  
and that he has been  
acquainted with the above  
named defendant for past (10)  
Ten years, having business  
dealing with said defendant  
for the same period of  
time, and have always  
found him to be honest  
and upright in all  
transactions. I have  
never heard any thing  
that has formed the least  
doubt in my mind as to  
his honesty & integrity, &c.

Yesterday I was informed  
that the above was being  
prosecuted in the above  
matter. Notwithstanding

0395

the above change. I would  
willing to have further  
business dealings with  
the said Frank Wilson  
sworn to before  
this 14th day of } John Hamelly  
March 1889 }  
Frank O'Dyne  
County of ...  
City of ...  
of New York

0396

Court of General  
Sessions.

The People vs  
against

Frank Wilson

Additional Affidavit  
Affidavits vs

0397

John O'Byrne.  
Robert O'Byrne.

New York,

March 19 1889

The People  
King & Nelson

The defendant King was in the House of Reformatory  
Subsequently he served two years in Sing Sing.  
He was (then) after his release arrested in  
Walthampton Connecticut, and served one and half years.  
He was also arrested at Bridgeport. The above  
information comes to me from sources I am  
quite sure are reliable. The defendant Nelson  
has heretofore borne an unblemished character.

J. W. O'Byrne  
Atty for Nelson

0398

The People  
against  
Frank Wilson }

To

The Hon Henry A. Alderdice

Sir:

I beg leave to withdraw the letter I wrote you about the above named defendant. I am quite sure from what I have heard of him and his family that the offense he is accused of is his first one. I join with his mother in asking you to suspend sentence on him. I am satisfied from investigation that the rumors that I have heard regarding his so-called "influences" did not emanate from him, but were set on foot by some enemy to prejudice the Court against him.

I am,

New York, Mar. 20, 1887

With great respects

Mrs John Muller

0399

The People

21

Frank Wilson

City and County of New York ss.

Harri Bosley being duly sworn says I am the brother of the defendant Frank Wilson; whose real name is Matt Bosley. I reside at No 185 Henry St, and I am a general Merchant dealing in Dry Goods &c. My brother is about 22 years of age, and is the son of a Widow Lady, with whom he has always lived. My brother has been in my employment as clerk and Salesman up to the time of his arrest, upon the charge for which he is now indicted. Up to that arrest my brother had always borne a high character for integrity - in fact he had charge of large sums of money very frequently belonging to my business, and occasionally to others - and in no one instance has he failed to account for every cent entrusted to his care. I know of my own knowledge that he has never - been arrested or charged with any criminal offence previous to the one now unfortunately made. One of his brothers Charles Bosley is a Merchant in San Francisco, and is now, and has been for some time most anxious to have the defendant so out there, and associate himself in business with him in that city. If my brother is permitted to go there, by the grace of the Court, I will see that he

0400

Leaves this city, and forthwith proceed to San Francisco.  
Your report further shows that the Mother of  
Your Applicant, and of the Person, is a Hebrew Lady  
now nearly sixty years of age, and that the shame  
and disgrace of a judgment being entered upon a  
conviction, and her sons sentence to a State Prison  
would Your Applicant fears will be. Your Applicant  
Mother has seven living children all of whom up  
to Mrs. Hunt have borne high characters for  
integrity, industry, sobriety, and good citizenship.  
Your Applicant again avers that his brother (the  
Defendant) shall at once leave this State and go  
to California, if permitted to do so.

Done & before me this 11th day } Harris Baskey  
of March 1858 }  
Robert O. Paine  
Notary Public  
N. Y. Co.

0401

City and County of New York ss

I James Borley being sworn says I am the  
Mother of the Defendant. He has always  
been a good and obedient son, & I have  
beared a very large family all of whom  
are honest industrious people. The Defendant  
was never charged with the slightest offense  
up to this time

Sworn to before me this  
11<sup>th</sup> day of March 1889

James Borley  
Mark

Julius D. Eisenstein Witness  
Clerk of Deeds  
N.Y. County

Harris Borley



The People  
 against  
 Frank Wilson }

City and County of New York ss.

William E. Hogan, being duly sworn,  
 says: I have known the defendant,  
 whose true name is Max Rakky, for  
 about twelve years, during which  
 time, I have dealt frequently with  
 him. He was in the dry goods business.  
 During all my business relations  
 with him, I have always found  
 him strictly honest. I have always  
 considered him, a person of excellent  
 character and reputation. I have  
 such faith in his honesty that I  
 would loan him any amount he  
 might desire. His reputation is above  
 reproach.

Sworn to before me)

March 8, 1889.

Robert O'Rourke

Notary Public  
 N. Y. Co.

W. E. Hogan

The People

Frank Nelson

City and County of New York ss

I, <sup>Sworn says</sup> Julius de Eisenstein being ~~that~~ <sup>I am a Manufacturer</sup> ~~of~~ <sup>of</sup> ~~Shirts~~ <sup>of Shirts</sup> at No 57 East Broadway. I have seen the  
 Defendant <sup>I have frequently known as a firm</sup> ~~since~~ <sup>in</sup> ~~or~~ <sup>for</sup> ~~eight~~ <sup>many</sup> ~~years.~~ <sup>years.</sup> I know very many  
 people who know him, and I have seen large efforts  
 = <sup>and has been</sup> ~~in~~ <sup>in</sup> ~~the~~ <sup>in</sup> ~~direction~~ <sup>in</sup> ~~of~~ <sup>in</sup> ~~becoming~~ <sup>in</sup> ~~acquainted~~ <sup>in</sup> ~~with~~ <sup>in</sup> ~~his~~ <sup>in</sup> ~~character.~~ <sup>in</sup> ~~He~~  
 is for many years Clerk, and buyer for his brother  
 Morris Borley, a Dry Goods Merchant. I never  
 heard a word against his character for honesty and  
 fair dealing. I would trust him for any amount he  
 fairly receives. I am convinced that he is well  
 known and respected every where.

Done & before me this 5th day  
 of March 1889 }  
 Frank O'Dryme } Julius D Eisenstein  
 Carrier of Seeds }  
 City & County }  
 of New York }

The People  
 vs  
 Frank Nelson

County and County of New York ss

Abraham Alexander being duly sworn says & swears  
 to 30 Putges. I am engaged in the furniture  
 business 107 and 109 Broadway. I have seen  
 the Defendant, since Chulabron, he has during all  
 of that as boy and man, borne a just and character  
 for honesty and fair dealing. I never heard a word  
 against <sup>him</sup>, although I know very many people who  
 know him. He is engaged with his brother in  
 some capacity, and occasionally trades in his own  
 account. I have trusted him with and then several  
 hundred dollars and always found him a prompt pay  
 I esteem him to be a young man of very good character

Sworn to before me this 5th day of

Month 1859 -

Abraham Alexander

Frank O'Syngue  
 Carrier of news  
 City & County  
 of New York

0406

The People

Frank Nelson

City and County of New York ss

Harris Elias being duly sworn, says I live at No 65 East Broadway - I am in the clothing business. I have the debt, whose name is Mat Botley, since he was a little boy; from that time to this, I have never heard one word against his character for honesty. I have <sup>had</sup> dealings with himself and his brother and always found them most and honorable men, I would have no hesitation in trusting the defendant in any commercial capacity, and would employ him if he were out of prison

1889

1889

Sworn to before me this 5th day of March 1889

Harris Elias  
Court of Records  
City & County  
of New York

0407

The People  
vs  
against  
Frank Wilson

City and County of New York, ss.,  
Henry Wittkowitzki  
being duly sworn, says: That  
he is a dealer in imported and  
domestic dry goods at No 92  
Division Street, New York City,  
where he has been in business  
about seventeen years.

That he has known the  
defendant for about ten years  
last past, he being a customer  
of your deponents during that  
period. That said defendant,  
whose true name is Max Boskey,  
in all his business dealings  
with deponent has been strictly  
honest in his dealings and  
paid his bills promptly.

That deponent has never  
heard, except in this instance,  
anything detrimental to said  
defendant's reputation, and have  
never heard any person

0408

Speak ill of him.  
That defendant has such  
faith in defendant's honesty,  
that he would willingly  
trust him as one of his  
employees, and even  
engage him as an employee.

Sworn to before  
me March 8th 1889. *Henry J. [Signature]*

Robert O'Byrne,  
Notary Public,  
N.Y. Co.

0409

Count of General  
Sessions

The People *vs*  
against  
Frank Wilson

Affidavits  
*vs*

0410

Police Court

District.

Affidavit—Larceny.

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

Charles Rowland

of No. 145 West 43<sup>rd</sup> Street, aged 36 years,

occupation Provisioner being duly sworn

deposes and says, that on the 27 day of October 1888 at the City of New

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

from of deponent, in the daytime, the following property viz :

One gold watch  
valued at Sixty 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 Frank Wilson and

Frank King (both now here)  
who were acting in concert for  
the reasons following, to wit:

for the above date as deponent  
was standing in a crowd on  
Broadway viewing the said  
watch which was attached  
a chain the said watch being  
in the left pocket of the  
over then worn by deponent  
as a portion of his bodily clothing  
when he felt a tug at said  
watch. Deponent says that the  
said Wilson was standing

Subscribed before me this 27th day of October 1888

Police Justice

0411

near him and that he saw the said Wilson hand the said watch to said King which watch was afterwards recovered by Officer Charles Roxbury who found the same at the feet of said King.

Sworn to before me  
This 28<sup>th</sup> day of April 1888  
[Signature]

Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
of the City of New York, until he give such bail.  
Dated 1888  
Police Justice

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

Police Court, District, Offence—LARCENY.  
THE PEOPLE, etc., on the complaint of  
1  
2  
3  
4  
Dated 1888  
Magistrate  
Officer  
Clerk  
Witness, No. Street, No. Street, No. Street, \$ to answer Sessions.

04 12

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Charles Roxbury*

aged *25* years, occupation *Police Officer* of No.

*2nd Precinct* Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Charles Rox Jr*

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

Sworn to before me, this *28*  
day of *October* 183 *4*

*Charles Roxbury*

*James C. Kelly*  
Police Justice

0413

Sec. 108-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

*Frank Wilson*

Question. How old are you?

Answer.

*22 years.*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*130 East Broadway - 7 months*

Question. What is your business or profession?

Answer.

*Agent.*

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

Answer.

*I am not guilty  
and waive further exam-  
ination*  
*Frank Wilson*

Taken before me this

*30th*

Day of *October* 188*8*

*Samuel J. ...*

Police Justice.

0414

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

*Frank King*

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

Question. What is your name?

Answer.

*Frank King.*

Question. How old are you?

Answer.

*19 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*140 Christie Street 1 year.*

Question. What is your business or profession?

Answer.

*Bar-tender*

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

Answer.

*I am not guilty and wish  
further examination. Frank King*

Taken before me this

day of *October* 188*7*

*J. M. Patterson*

Police Justice.

0415

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 *fifteen* 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 *Apr 30* 188 *J. M. Platterson* Police Justice.

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

*Defendant*

Dated *Apr 30* 188 *J. M. Platterson* Police Justice.

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

Dated..... 188..... Police Justice.

0416

Police Court---

1719 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Charles Row*  
*1445<sup>th</sup> West 43<sup>d</sup>*  
*Frank Wilson*  
*Frank King*

*Officer*  
*from the yard*

Bond renewed Jan. 22/89  
same bondsman

BAILED,

No. 1, by *Harris Bentley*  
Residence *185 Henry* Street.

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

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

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

Dated *Nov 25* 188

*Reilly* Magistrate.

*Rowley* Officer.

Precinct.

Witnesses *Call officer*  
*\$1000 for & Oct 30/11. 2 P.M.*

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

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

\$ *1500* to answer *G.S.*

No. 2 *Comd/2*

No 1 Bailed *9/2*  
*Memor 1*



The defendants' Counsel's  
demanded Examinations  
The Justice presiding in this  
Court will hear and determine  
this case by reason of my  
absence  
*David C. Bentley*  
Police Justice

0417

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*Frank Wilson and*  
*Frank King*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Frank Wilson and Frank King*  
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said *Frank Wilson and Frank King*, both

late of the City of New York, in the County of New York aforesaid, on the *twenty seventh*  
day of *October* in the year of our Lord one thousand eight hundred and  
*eighty eight*, in the *day* - time of the said day, at the City and County  
aforesaid, with force and arms,

*one watch of the value of sixty*  
*dollars*

of the goods, chattels and personal property of one *Charles Rohe, the younger*  
on the person of the said *Charles Rohe, the younger*  
then and there being found, from the person of the said *Charles Rohe, the younger*  
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.

0418

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said  
*Frank Wilson and Frank King*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Frank Wilson and Frank King*, both

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

*one watch of the value of  
sixty dollars*

of the goods, chattels and personal property of one

*Charles Rohe, the younger*

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

*Charles Rohe, the younger*

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

*Frank  
Wilson and Frank King*  
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.

JOHN R. FELLOWS,  
District Attorney.

0419

**BOX:**

331

**FOLDER:**

3136

**DESCRIPTION:**

Wilson, Frank

**DATE:**

11/22/88



3136

0420

Witnesses:

*P. Curran*  
*H. Woodman*

226

Counsel,  
Filed *22* day of *Nov* 188*8*  
Pleads,

THE PEOPLE  
vs.  
*Frank Wilson*  
*vs.*  
*Henry*

*Burglary in the THIRD DEGREE*  
*(Section 498, 506, 526, 527, 528, 529)*

JOHN R. FELLOWS,  
District Attorney.

A True Bill

*Wm. M. M. M.*  
Foreman.

*Nov. 23/88.*  
*Henry Woodman*  
*S. P. 2 yds 4 mo*  
*P. M.*

0421

Police Court— District.

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

of No. 472 Pearl Street, aged 65 years,

occupation Labourer being duly sworn

deposes and says, that the premises No 472 Pearl Street,

in the City and County aforesaid, the said being a five story brick

building, a room and bed-room on the 3<sup>rd</sup>

floor which was occupied by deponent as a dwelling

and in which there was at the time a human being, by name

were **BURGLARIOUSLY** entered by means of forcibly opening

a window leading into a room

in said premises

on the 12<sup>th</sup> day of November 1888 in the day time, and the

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

A pocket book containing gold

and lawful money of the United

States of the amount and value of

seventy <sup>35</sup> dollars and two watches

valued at two dollars and one

clock valued at one dollar the

whole being valued at 70 <sup>25</sup> dollars

the property of Deponent

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

**BURGLARY** was committed and the aforesaid property taken, stolen, and carried away by

for the reasons following, to wit: Francis Wilson (now known

for the reasons following to wit: at

about the hour of two o'clock P.M.

on said date deponent closed the

doors and windows of said premises

and having found the said windows

opened and the said property

missing is informed by Mary

Glenn here present that she Glenn

0422

saw the said defendant coming  
out of defendant's premises through  
the said window. Defendant is further  
informed by Officer Thomas  
Dorrican (then present) that he  
had seen found the said  
property in the possession  
of the defendant, he (defendant)  
having the both overcoat on  
his person, the said clock and  
said pocket-book being in  
the pockets of said overcoat.

Sworn to before me.  
this 12<sup>th</sup> day of November 1888  
John Dutton, Police Justice  
St. Patrick's, Curry  
Mans.

Police Court District.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

Burglary Degree.

vs.

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

0423

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 26 years, occupation Police Officer of No. 6 West 121st Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Patrick Curry

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

Sworn to before me this 12 day of November 1886 } Thomas. D. Dowdican

J. M. Plattman  
Police Justice.

0424

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Mary Glenn*

aged 30 years, occupation Housekeeper of No.

472 Pearl Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Patrick Curry

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

Sworn to before me, this 12  
day of November 1888

*Mary Glenn*  
Marrin

*John P. Patterson*  
Police Justice.

0425

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Frank Wilson*

Question. How old are you?

Answer. *23 years of age*

Question. Where were you born?

Answer. *United States*

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

Answer. *135 Henry Street, 4 months*

Question. What is your business or profession?

Answer. *Printer*

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

Answer. *I am not guilty. That is  
all I can say.  
Frank Wilson*

Taken before me this *19th*  
day of *November* 188*8*  
*W. M. Pittman*  
Police Justice.

0426

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 Frank Wilson

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

Dated November 1888 J. J. [Signature] Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

0427

✓ 226, # 1789  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Patrick Curry  
47 & vs. Pearl St  
Stuart Wilson

Offence *Burglary*  
and *Larceny*

2  
3  
4

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated *November 21* 188*8*

*Patterson* Magistrate.

*Donadicum* Officer.

*6* Precinct.

Witnesses *Mrs J Donadicum*

No. *6<sup>th</sup> Precinct Police* Street.

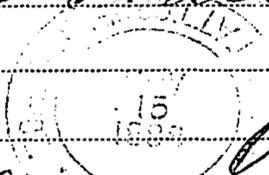
*Mary Glenn*

No. *1172 Pearl* Street.

No. .... Street.

\$ *1500* to answer *G. S.*

*Conrad*



*Conrad*  
*12/21/88*  
*PR*  
*Rem*

0428

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
*against*

*Frank Wilson*

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

*Frank Wilson*

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

The said

*Frank Wilson*

late of the *5th* Ward of the City of New York, in the County of New York  
aforesaid, on the *twelfth* day of *November* in the year of our Lord one  
thousand eight hundred and eighty-*eight*, with force and arms, in the  
*day* time of the same day, at the Ward, City and County aforesaid, the  
dwelling house of one *Patrick Curry*

there situate, feloniously and burglariously did break into and enter, with intent to  
commit some crime therein, to wit: with intent, the goods, chattels and personal property  
of the said *Patrick Curry*

in the said dwelling house then and there being, then and  
there feloniously and burglariously to steal, take and carry away, against the form of  
the Statute in such case made and provided, and against the peace of the People of the  
State of New York, and their dignity.

0429

SECOND COUNT—

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

*Frank Wilson*

of the CRIME OF *Petit* LARCENY, committed as follows:

The said

*Frank Wilson*

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

*one pocket book of the value of twenty-five cents, the sum of seventeen dollars and twenty-five cents in money, lawful money of the United States, and of the value of seventeen dollars and twenty five cents, two overcoats of the value of one dollar each, and one clock of the value of one dollar*

of the goods, chattels, and personal property of one

*Patrick Curry*

in the dwelling house of the said

*Patrick Curry*

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

0430

THIRD COUNT.

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

Frank Wilson

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

The said Frank Wilson,

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

one pocket-book of the value of twenty-five cents, the sum of seventeen dollars and twenty-five cents in money, lawful money of the United States, and of the value of seventeen dollars and twenty-five cents, two overcoats of the value of one dollar each, and one clock of the value of one dollar of the goods, chattels and personal property of Patrick Curry

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

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

Frank Wilson

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

JOHN R. FELLOWS,  
District Attorney.

0431

**BOX:**

331

**FOLDER:**

3136

**DESCRIPTION:**

Wilson, James

**DATE:**

11/02/88



3136

0432

Witnesses:

*James Wilson*

*John R. Fellows*

526.

Counsel,

Filed

2

day of

*Nov*

188

*X*

Pleads,

*Guilty*

THE PEOPLE

vs.

*James Wilson*

Grand Larceny ~~second~~ degree. [Sections 528, 531, 550, Penna Code].

JOHN R. FELLOWS,

*7 1/2 hrs 9/88 District Attorney.*

*Pleas S. L. 2dy*

**A TRUE BILL.**

*John R. Fellows* Foreman.

*S.P. & you Bond.*

0433

Police Court— /sv District.

Affidavit—Larceny.

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

Frederick Koopmann

of No. 238 E 46

Street, aged 37 years,

occupation... Druggist

being duly sworn

deposes and says, that on the 25 day of October 1888 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 living horse with harness and wagon attached <sup>and one wooden horse blanked</sup> all of the value of Two hundred <sup>and</sup> fifty dollars

\$250

the property of Max Jacoby in the care and charge of deponent

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

from the fact that deponent found said property in the possession of said deponent in Greenwich Street in said City

F. Koopmann

Sworn to before me, this 25th day of October 1888

Sam'l C. Kelly

Police Justice.

0434

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss

District Police Court.

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

Question What is your name?

Answer

James Wilson

Question How old are you?

Answer

23 years

Question Where were you born?

Answer

U. S.

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

Answer

U. S.

Question What is your business or profession?

Answer

Labwer

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  
James Wilson

Taken before me this

day of OCTOBER 188

Police Justice.

0435

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

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

Dated OCTOBER 26 1888 James C. Smith Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

0436

526  
1692  
Police Court--- 1s District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Frederick Blochmann  
238 East 46 St  
James Wilson

Offence Larceny  
A. Wilson

Dated OCTOBER 26 1888

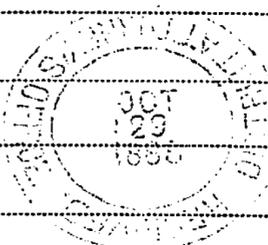
D. O. Reilly Magistrate.  
Dunn & Handy Officer.  
511 Precinct.

Witnesses Call of names  
No. Street.

No. Street.

No. Street.

\$ 10000 to answer G. Spr  
Committed



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

0437

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*James Widson*

The Grand Jury of the City and County of New York, by this indictment, accuse *James Widson* —

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

The said *James Widson*,

late of the City of New York, in the County of New York aforesaid, on the *25<sup>th</sup>* day of *October*, in the year of our Lord one thousand eight hundred and eighty-*eight*, at the City and County aforesaid, with force and arms,

*one frame of the value of one hundred dollars, one wagon of the value of one hundred dollars, one set of harness of the value of forty dollars and one barrel of the value of ten dollars,*

of the goods, chattels and personal property of one *Max Gandy*

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.

0438

SECOND COUNT—

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

*James Wilson* —

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said *James Wilson*,

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

*one horse of the value of one hundred dollars, one barrel of the value of ten dollars, one set of harness of the value of forty dollars and one wagon of the value of one hundred dollars,*

of the goods, chattels and personal property of one *Max Jacoby*

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

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

*James Wilson*

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.

JOHN R. FELLOWS,  
District Attorney.

0439

**BOX:**

331

**FOLDER:**

3136

**DESCRIPTION:**

Wilson, John

**DATE:**

11/28/88



3136



0441

Police Court— 4 District.

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

of No. 110 East 24th Street, aged 35 years,  
occupation Tailor being duly sworn

deposes and says, that the premises No. aforesaid Street, 18 Ward  
in the City and County aforesaid the said being a three story brick  
building  
and which was occupied by deponent as a dwelling  
and in which there was at the time no human being, ~~by name~~

were BURGLARIOUSLY entered by means of forcibly opening the  
front hall door and entering  
therein with intent to commit  
a felony

on the 18 day of November 1888 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

a quantity of ladies jewelry  
of the value of One hundred  
and fifty dollars (\$150.00)

the property of Mary H. Downing  
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
BURGLARY was committed and the aforesaid property taken, stolen and carried away by

John Wilson (now here), and another  
person not yet arrested.

for the reasons following, to wit: That said property was  
located in the 2<sup>d</sup> floor back room  
of said premises, that at about 6  
o'clock P.M. of above date deponent  
securely locked and fastened the  
said door leading into said premises  
and was absent from said premises  
for about one hour and when he  
again returned at about 7 o'clock

0442

by discovered said defendant now here and another person not yet arrested and unknown to deponent in the hallway in said premises acting in concert together and having in their possession a plush covered box containing said property. Said unknown person made his escape through the basement and deponent caused the arrest of defendant Wilson now here. Wherefore deponent prays that said Wilson now here be held to answer and be dealt with as the law directs.

Subscribed before me this 19th day of Apr 1888 Lawrence Pastable  
Police Justice

Dated 1888 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 1888 Police Justice

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

Dated 1888 Police Justice

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

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

Police Court, District

THE PEOPLE, &c.,  
on the complaint of

vs.

Offence—BURGLARY.

1  
2  
3  
4

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses.

No. Street.

No. Street.

No. Street.

\$ to answer General Sessions.

0443

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer. *John Wilson*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *No. 124 East 127th St. 9 months*

Question. What is your business or profession?

Answer. *Plumber*

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

Answer.

*I am not guilty of being in the house with intent to Commit Robbery*  
*John Wilson*

Taken before me this

day of

188

Police Justice.

0444

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 Wilson*

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

Dated *Nov 19* 188..... *J. White* Police Justice.

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

Dated.....188..... Police Justice.

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

Dated.....188..... Police Justice.

0445

324. 1819  
Police Court--- District.

THE PEOPLE, &c.,  
IN THE COMPLAINT OF

Lawrence Pastalle  
110 East 24th  
John Wilson

Offence  
Burglary

1  
2  
3  
4

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Dated Nov 19 1888  
White Magistrate.  
Johnston Officer.  
18 Precinct.

Witnesses Mary H Downing  
No. 110 East 24th Street.  
No. \_\_\_\_\_ Street.  
No. \_\_\_\_\_ Street.



No. \_\_\_\_\_ Street.  
\$ 157.11 to answer  
G. S. [Signature]

0446

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 Wilson.

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

John Wilson

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

The said John Wilson

late of the eighteenth Ward of the City of New York, in the County of New York aforesaid, on the eighteenth day of November in the year of our Lord one thousand eight hundred and eighty-eight, with force and arms, in the night time of the same day, at the Ward, City and County aforesaid, the dwelling house of one Lawrence Bastable

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit, with intent, the goods, chattels and personal property of the said Lawrence Bastable and one Mary D. Downing

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

0447

SECOND COUNT—

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

*John Wilson*

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

The said

*John Wilson,*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, in the *night* time of said day, with force and arms, *divers articles of jewelery,* of a number, kind and description to the *Grand Jury aforesaid unknown,* of the value of *one hundred and fifty dollars,*

of the goods, chattels, and personal property of one *Mary H. Downing*

in the dwelling house of ~~the said~~ *one Lawrence Postable,*

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

0448

THIRD COUNT.

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

*John Wilson*

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

The said *John Wilson*

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

*divers articles of jewelry, of a number, kind and description to the Grand Jury aforesaid unknown, of the value of one hundred and fifty dollars,*

of the goods, chattels and personal property of *one Mary Mc. Downing,*

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

unlawfully and unjustly, did feloniously receive and have; (the said *John Wilson*

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

JOHN R. FELLOWS,

District Attorney.

0449

**BOX:**

331

**FOLDER:**

3136

**DESCRIPTION:**

Wilson, Thomas

**DATE:**

11/14/88



3136

0450

**BOX:**

331

**FOLDER:**

3136

**DESCRIPTION:**

Covert, James

**DATE:**

11/14/88



3136

0451

**BOX:**

331

**FOLDER:**

3136

**DESCRIPTION:**

Williams, John J.

**DATE:**

11/14/88



3136

0452

**BOX:**

331

**FOLDER:**

3136

**DESCRIPTION:**

Brandt, Charles

**DATE:**

11/14/88



3136

0453

**BOX:**

331

**FOLDER:**

3136

**DESCRIPTION:**

Aikens, John

**DATE:**

11/14/88



3136

0454

88-

*HWA*

Counsel, \_\_\_\_\_  
Filed, *14* day of *Nov* 188*8*  
Pleads, *Not guilty*

POOL SELLING, ETC.  
[Section 891, Penal Code.]

THE PEOPLE  
vs.

*Thomas Wilson*  
*James Covert*  
*John J. Williams*  
*Charles Brandt*  
*John Atkins*

JOHN R. FELLOWS,  
RANDOLPH S. MARTINE,

*No. 11 Fine of 200*  
*No. 1, 2, 3 Fine of 50 each*  
A True Bill.

*Wad Wacey*

*Foreman*  
*Part III December 2/88*

*All Plead Guilty.*

Witnesses:

*Arthur Smoot*

0455

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

Auctioneer

of 150 Nassau Street, New York City, being duly sworn, deposes and says, that he is more than twenty-one years of age, and is employed as Chief agent of The New York Society for the Suppression of Vice, that he has just cause to believe, is informed and verily does believe, that Reginald B. Levin, John J. Williams, John Wilkens otherwise whose right name is John Levin, Charles Braudt, James Coverts, & Thomas Wilson are present whose real name unknown but who can be identified by

did, at the city of New York County of New York and State of New York, on or about the 9th day of October 1888, unlawfully keep and occupy a room, shed, tenement, tent, booth, building, or a part thereof, and a place, upon public or private grounds, with books, apparatus and paraphernalia, for the purpose of recording or registering bets or wagers, or of selling pools, and did then and there record or register bets or wagers, or sell pools upon the result of a certain trial or contest of skill, speed or power of endurance of beasts, to wit horses, ~~then and there~~ ~~about to be run in a certain race, upon a certain race course, known as the~~

Jerome Park

at the of in the State of New York, and further being the owner, lessee, or occupant of said room, shed, tenement, tent, booth, building or part thereof, the said Reginald B. Levin, John J. Williams, John Wilkens otherwise known as John Levin, Charles Braudt, James Coverts, and Thomas Wilson, aforesaid did knowingly permit the same to be used and occupied for the purposes hereinbefore mentioned, and therein did keep, exhibit and employ, certain and divers device, or apparatus, for the purpose of recording or registering bets or wagers, and for selling pools, as hereinbefore set forth, and did further become the custodian or depositary for hire or reward, of certain money, property, and thing of value, stated, wagered or pledged upon said result of said trial or contest of skill, speed or power of endurance, between horses, as is more particularly set forth aforesaid.

Deponent further says, that he has just cause to believe, is informed and verily does believe, his information being based upon personal observation, and from the statements of J. J. Daly, J. W. Hilliard and from personal observation and examination of said premises 3 Barclay street

0456

that the said Ronald B. Lewis, John J. Williams, John Arthur, otherwise known as John Lewis, Charles Braudt, James Coverts, and Thomas Wilson aforesaid ~~now~~ <sup>did</sup> have in their possession, at, in and upon certain premises occupied by them situate and known as 3 Barclay street in the city County and State aforesaid, with intent to use the same as a means to commit a public ~~crime~~ <sup>offence</sup>, divers and sundry device and apparatus, paraphernalia, papers, books and instruments, for the purpose of recording or registering bets or wagers, and of selling pools, as aforesaid, and contrary to the provisions of Chapter Nine of the Penal Code of the State of New York. Wherefore deponent prays that warrants and search warrants may be issued, and the said persons named aforesaid may be arrested, their unlawful matters searched for, seized, and taken possession of, and all dealt with according to law.

Anthony Burt

Subscribed and sworn to before me this

10<sup>th</sup> day of October 1888

J. M. [Signature]

Police Justice.

CITY OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_ ss.

\_\_\_\_\_ being further sworn deposes and says, that on the \_\_\_\_\_ day of \_\_\_\_\_ 188\_\_\_\_, he personally visited the premises occupied by the said \_\_\_\_\_

\_\_\_\_\_ aforesaid, situate and known as Number \_\_\_\_\_

\_\_\_\_\_ aforesaid, and had conversation and dealings with \_\_\_\_\_ in substance as follows, to wit :

Deponent

0457

THE PEOPLE,

ON COMPLAINT OF

*Anthony Foretrot*

AGAINST

*Reginald C. Levin*

*John J. Wilson*

*Golda Wilkins alias John Levin*

*Charles Brandt*

*James Covert*

*Thomas Wilson*

*Violation of Sec. 351, P. C.  
Offence, Pool Gambling.*

Subscribed and sworn to before me this }  
day of \_\_\_\_\_ 188 }

*Police Justice.*

Affidavit of Complaint.

WITNESSES :

0458

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name.

Answer.

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.

*John J. Williams*

Taken before me this  
day of *Sept* 188*4*  
*John J. Williams*  
Police Justice.

0459

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name.

Answer. *Charles Brand.*

Question. How old are you?

Answer. *32 years*

Question. Where were you born?

Answer. *New York.*

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

Answer. *19 West 21 - 1 mo*

Question. What is your business or profession?

Answer. *None.*

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

Answer. *I am not guilty*  
*Charles Brand*

Taken before me this

day of *October* 188*8*

*J. M. Brewster*  
Police Justice.

0460

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name.

Answer.

*James Covert.*

Question. How old are you?

Answer.

*34 years.*

Question. Where were you born?

Answer.

*Pennsylvania*

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

Answer.

*834 Broadway, 7 months.*

Question. What is your business or profession?

Answer.

*Clerk*

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

Answer.

*I am not guilty.  
James Covert*

Taken before me this

day of *October* 188*8*

*W. M. Sullivan*

Police Justice.

0461

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

10<sup>th</sup> District Police Court.

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

Question. What is your name.

Answer. *Thomas Wilson.*

Question. How old are you?

Answer. *Thirty years.*

Question. Where were you born?

Answer. *New Jersey.*

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

Answer. *Long Island City. 3 years*

Question. What is your business or profession?

Answer. *None*

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

Answer. *I am not guilty.*  
*Thomas Wilson*

Taken before me this

day of *October* 188*8*

*A. M. Williamson*  
Police Justice.

0462

Sec. 198-200.

District Police Court.

CITY AND COUNTY )  
OF NEW YORK, ) ss.

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

Question. What is your name.

Answer.

*John Aikens*

Question. How old are you?

Answer.

*21 years.*

Question. Where were you born?

Answer.

*Brooklyn*

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

Answer.

*233 West 3rd / year*

Question. What is your business or profession?

Answer.

*Broker.*

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 Aikens*

Taken before me this

day of *October* 188*8*

*John Aikens*  
Police Justice.

0463

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.....

*Dejundaw*

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, *Five* and be committed to the Warden and Keeper of the City Prison, of the City of New York, until *he* give such bail.

Dated *October 11* 188 *J. M. Patterson* Police Justice.

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

Dated *October 11* 188 *J. M. Patterson* Police Justice.

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

Dated..... 188..... Police Justice.

0464

Police Court--- 1661 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Anthony Comstock*  
*Thomas Wilson*  
*James Lloyd*  
*John J. Williams*  
*Charles Brown*  
*John Williams*

*Henry*  
offence

BAILED,

No. 1, by *Matthew Baird*  
Residence *807-Lex-Ave Street.*

No. 2, by *Matthew Baird*  
Residence *707-Lex-Ave Street.*

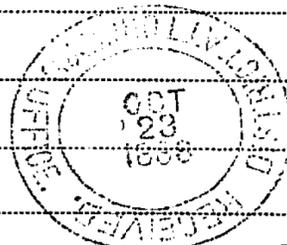
No. 3, by *Henry Kussmeyer*  
Residence *148-Greenwich Street.*

No. 4, by *Henry Kussmeyer*  
Residence *148-Greenwich Street*

\* 5 by *Matthew Baird*  
*807-Lex Ave*

Dated *Dec 10th* 188  
*Patterson* Magistrate.  
*Cooper* Officer.  
*P. S.* Precinct.

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



No. .... Street.  
\$ *500* each to answer *G. S.*  
*Bailed*

0465

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Thomas Wilson, James  
Robert, John J. Williams,  
Charles Brandt and John Adams*

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

*Thomas Wilson, James Robert,  
John J. Williams, Charles Brandt  
and John Adams*

of a Misdemeanor, committed as follows:

The said *Thomas Wilson, James  
Robert, John J. Williams, Charles  
Brandt and John Adams, all*

late of the *Third* Ward of the City of New York, in the County of New York aforesaid, on the *ninth* day of *October*, in the year of our Lord one thousand eight hundred and eighty-*eight*, at the Ward, City and County aforesaid, did unlawfully keep a certain *room* in a certain *building* there situate, for the purpose of therein recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed and power of endurance of beasts, to wit, horses; against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

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

*Thomas Wilson, James Robert,  
John J. Williams, Charles Brandt  
and John Adams, all*

of a Misdemeanor, committed as follows

The said *Thomas Wilson, James Robert,  
John J. Williams, Charles Brandt  
and John Adams, all*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, being then and there the *premises* of certain *room* in a certain *building* there situate, with force and arms did unlawfully and knowingly permit the said *room* to be used and occupied for the purpose of therein recording and registering bets and wagers, and of selling pools upon the result of trials and contests of speed and power of endurance of beasts, to wit, horses; against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

**Third Count,** And the Grand Jury aforesaid, by this indictment further accuse the said *Thomas Wilson, James Rownt, John J. Williams, Charles Brandt and John Adams, Jr.* of a Misdemeanor, committed as follows:

The said *Thomas Wilson, James Rownt, John J. Williams, Charles Brandt and John Adams, Jr.* late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, being then and there the *premises* of a certain *room* in a certain *building* there situate, with force and arms, did unlawfully therein keep, exhibit and employ divers devices and apparatus (a more particular description whereof is to the Grand Jury aforesaid unknown) for the purpose of recording and registering bets and wagers, and selling pools upon the result of trials and contests of speed and power of endurance of beasts, to wit, horses; 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.

*John A. Fellows,*  
*District Attorney*

0467

**BOX:**

331

**FOLDER:**

3136

**DESCRIPTION:**

Winnes, Martin

**DATE:**

11/12/88



3136



0469

POOR QUALITY ORIGINAL

Police Court— 1st District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

No 6 Eganville St. Herman Feilcond.  
of No. 1st Avenue, Inttenberger house 33 Street, aged 33 years,  
occupation Fore being duly sworn

deposes and says, that on the 2nd day of November 1888 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession and

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

Gold and lawful money  
of the United States of the  
value of Forty seven 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 Martin Finnes (not here)

for the reasons following, to wit:  
on the said date deponent had the said money in the pockets of the clothes then worn by him as his bodily clothing and is informed by Officer Cosgrove here present that he Cosgrove saw the defend and searching deponents pockets and found thirty one dollars concealed in his (deponents) hat. The said deponent after being informed of his rights admits to having taken the sum of thirty dollars from deponent.

Herman Feilcond

Sworn to before me, this 2nd day of November 1888  
J. J. Williams  
Police Justice.

0470

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 30 years, occupation Patrick Casgrove of No. Police Officer  
Second Avenue Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Martin Thomas  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 2nd  
day of November 1883 } Patrick B. Casgrove

J. B. [Signature]  
Police Justice.

0471

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss

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

Question. What is your name?

Answer

*Martin Winnes.*

Question. How old are you?

Answer

*29 years.*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*152 Greenwich St. New York 18.*

Question. What is your business or profession?

Answer

*F Farmer.*

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.  
Martin Winnes.*

Taken before me this 2nd  
day of November 1886.

Police Justice.

*[Signature]*

0472

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.....

*Referendum*  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 10 Hundred Dollars,.....and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Nov 2nd 188 *J. H. Smith* Police Justice.

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

Dated.....188 ..... Police Justice.

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

Dated.....188 ..... Police Justice.

0473

Police Court--- 1733 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Herman Hylant*  
*Greenwich*  
*Martin Hines*  
2  
3  
4  
Officer *Sam*

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated *Nov 2nd* 188

*Hilbert* Magistrate.

*Cosgrove* Officer.

2 Precinct.

Witnesses *Call the officer*

No. .... Street.

No. .... Street.

No. .... Street.

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

*Comd*



*982*  
*Henry*  
*Mary*

0474

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Martin Winnes

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

Martin Winnes

of the crime of GRAND LARCENY IN THE second DEGREE, committed as follows:

The said Martin Winnes

late of the City of New York, in the County of New York, aforesaid, on the second day of November in the year of our Lord one thousand eight hundred and eighty-eight at the City and County aforesaid, with force and arms, in the day time of the same day, two promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of twenty dollars, and of the value of twenty dollars each; four promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of ten dollars, and of the value of ten dollars each; nine promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of five dollars, and of the value of five dollars each; twenty-three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of two dollars, and of the value of two dollars each; forty-seven promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury notes), of the denomination of one dollar, and of the value of one dollar each; two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars each; four promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each; nine promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each; two United States Silver Certificates of the

#47.

0475

denomination and value of twenty dollars *each*; *four* United States Silver Certificate *S* of the denomination and value of ten dollars *each*; *nine* United States Silver Certificate *S* of the denomination and value of five dollars *each*; *twenty three* United States Silver Certificate *S* of the denomination and value of two dollars *each*; *forty seven* United States Silver Certificate *S* of the denomination and value of one dollar *each*; *two* United States Gold Certificate *S* of the denomination and value of twenty dollars *each*; *four* United States Gold Certificate *S* of the denomination and value of ten dollars *each*; *nine* United States Gold Certificate *S* of the denomination and value of five dollars *each*; and divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of *thirty dollars*.

of the proper moneys, goods, chattels and personal property of one

*Kerman Heland*

*on the person of the said Kerman Heland* then and there being found, *from the person of the said Kerman Heland* 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.

JOHN R. FELLOWS,  
District Attorney.

0476

**BOX:**

331

**FOLDER:**

3136

**DESCRIPTION:**

Winslow, Joseph

**DATE:**

11/28/88



3136

0477

Witnesses:

Off Burke  
of Precinct  
of Cohen  
659 Lexington  
ave.

37  
J. W. Ca...  
Counsel,

Filed 28 day of Nov 1888

Pleads, *Not Guilty*

THE PEOPLE

ILLEGAL VOTING.  
[Laws of 1882, Chap. 210, § 1904.]

vs.

45  
53  
R.

Joseph Winslow

*Randolph B. Machine*  
RANDOLPH B. MACHINE,  
District Attorney.

Wch 15<sup>th</sup> Park 3

A True Bill.

*Edward M. Daley*

Part III March 15  
Foreman.

*Jacob Glowsky*  
141<sup>st</sup> Street  
March 17 1888

10

0478

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*George Winkler*

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

of a FELONY, committed as follows:

Heretofore, to wit: on Tuesday, the *twelfth* day of November, in the year of our Lord one thousand eight hundred and eighty *eight*, (the same being the Tuesday succeeding the first Monday in the said month of November), there was held a general election throughout the State of New York and in the said City and County of New York; and on the day and in the year aforesaid, and at the said election, the said *George Winkler*, late of the said City and County, at the City and County aforesaid, did personally appear before the Inspectors of Election of the *First* Election District of the *First* Assembly District of the said City and County, at a meeting of the said Inspectors of Election then being duly held at the duly designated polling place of the said Election District, and did then and there feloniously *knowingly, unlawfully and fraudulently vote in the said Election District, without having a lawful right to vote therein for the reason that the said George Winkler had on the said day offered to receive, and then and there expected to receive a sum of money (to the said George Winkler) as a compensation and reward for the giving of his vote at the said Election, and was then and there for such cause, wholly disqualified by the Constitution and laws of this State, from voting at the said Election;*

against the form of the statute in such case made and provided, and against the peace and dignity of the said People.

*Randolph B. Martine*  
**RANDOLPH B. MARTINE,**

District Attorney.

0479

**BOX:**

331

**FOLDER:**

3136

**DESCRIPTION:**

Winters, James

**DATE:**

11/12/88



3136

80-  
Jee

Counsel,  
Filed 12 day of Nov 1888  
Pleads, *Chiquity* 13

THE PEOPLE  
vs.  
*James Winters*  
[Sections 528, 530, — Penal Code].  
Grand Larceny, *1st* Degree.  
(From the Person.)

JOHN R. FELLOWS,  
District Attorney.

*12 Nov 21. 1888*  
*tried & convicted.*  
**A True Bill.**

*Wm Macclay*  
Foreman.

*Catho Co.*

Witnesses :

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

0481

Police Court— / District.

Affidavit—Larceny.

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

Alexander Emanuel

of No. 88 Cherry Street, aged 25 years,  
occupation Mariner being duly sworn

deposes and says, that on the 21<sup>st</sup> day of September 1888 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 the night time, the following property viz:

a draft on the Guinon Lines Steamship Company for the sum of seventy pounds Sterling money, and a passage ticket to Liverpool of the value of twenty dollars, and gold and currency money of the United States to the amount and value of forty dollars, said property being in all of its value of forty pounds and five dollars the property of deponent

and that this deponent

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

aged 43 years, from the fact that while deponent was walking on Cherry Street the said deponent approached deponent and asked him for a match. That while deponent was getting a match for the boy he snatched from the inside pocket of the coat then upon deponent's person a pocket book containing all of said property and ran away with the same in his possession

A Emanuel

Sworn to before me, this

21<sup>st</sup> day of September 1888

Samuel L. ... Police Justice

0482

Sec. 108-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *James Winters*

Question. How old are you?

Answer. *13 years of age*

Question. Where were you born?

Answer. *New York City*

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

Answer. *52 Oliver Street, 2 years*

Question. What is your business or profession?

Answer. *School Boy*

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

Answer. *I am not guilty. That is all*

*James Winters*

Taken before me this

day of *March* 188*8*

*Wm. J. O'Connell* Police Justice.

0483

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Two 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 November 4<sup>th</sup> 188 \_\_\_\_\_ John Pittman Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

0484

Police Court--- / 1732 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Alexander J. Mansuet  
88 ~~Cherry St~~  
503. 21. 25th St  
James Minter

Office of J. J. Conroy  
J. J. Conroy

2  
3  
4

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated November 14<sup>th</sup> 1888

Patterson Magistrate.

Marlin Nease Officer.

Witnesses Charles Gorman Precinct.

No. 100 ~~Cherry St~~ Street.

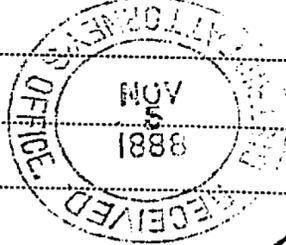
No. .... Street.

No. .... Street.

No. .... Street.

No. .... Street.

\$ 1000 to answer G. S. Conroy



0485

COURT OF GENERAL SESSIONS OF THE PEACE:

City and County of New York.

-----:

THE PEOPLE :

against :

JAMES WINTERS. :

Indicted for Grand Larceny in the :

second degree. :

Indictment filed, September, 1888. :

-----:

Before,  
Hon. Rufus B. Cowing,  
and a Jury.

Tried November 21st/888.

APPEARANCES:

Assistant District Attorney Goff, for the People,

Mr. J. S. Gill, for the Defence.

-----0000-----

ALEXANDER EMMANUEL, the complainant, testified that he had been in the City of New York since the 21st. day of September. He was a sailor. He lived at 88 Cherry Street. On the 21st. day of September, in the evening, between 10 and 11 o'clock he was in Cherry Street. He

0486

2.

left 88 Cherry Street to go to some friends. He met the defendant in Cherry Street, between Oliver and James Street. The defendant was alone. When he met the defendant he had a pocket book in his inside coat pocket. In the pocket book, were - a draft for £70 sterling; a ticket to Liverpool, for which he had paid \$20. He was to sail for Liverpool the next morning at 6 o'clock. He also had \$40 in the pocket book. The defendant came up from behind him, running. He came up on the complainant's left hand side. He asked him, the complainant, for a match, and he, the complainant unbuttoned his coat to get a match. The the defendant seized the pocket book and ran away. He had a good look at the face; he ran after the defendant. There were a lot of boys on the corner further down and he lost said defendant among them. He carried his matches in his vest pocket and had a match in his hand when the defendant grabbed the pocket book and ran. He reported his loss at the Oakes Street Police Station the same night. One night, about three weeks afterwards, he

0487

3.

saw the defendant in Oliver Street, and, as soon as he saw him, the complainant, the defendant ran away. He told Officer Keogh where he saw the defendant go and the Officer arrested him the following morning.

--- -0000-----

OFFICER MARTIN KEOGH, testified that he was attached to the Fourth Precinct Police. He arrested the defendant when the complainant pointed him out, at about 5.20 in the morning. The defendant was crossing the street from the house where he lived towards the grocery store on the corner. He had a pitcher in his hand.

CROSS-EXAMINATION. He didn't know how many boys lived in the house from which he saw the defendant come.

-----0000-----

FOR THE DEFENCE: James Winters testified that he lived at 52 Oliver Street. His father was dead and he lived with his mother. He never saw the complainant before his arrest and he did not steal his pocket book.. On the morning that he was arrested he was going to the

0488

4.

dairy to get milk for his mother. He went to school during the day and blacked boots in the afternoon and evening, and gave his earnings to his mother.

CROSS-EXAMINATION: The defendant testified that once before a woman charged him with stealing a pocket book; but he had proved that he was playing ball at that time and a ball was found in his pocket, and he was discharged. That was two years ago, when he was 11 years of age.

-----0000-----

CATHERINE WINTERS testified that she lived at 52 Oliver Street and was the mother of the defendant. He attended school regularly and she had never heard of his being dishonest. The boy who had stolen the complainant's pocket book was in prison in the Reformatory. His name was John Tighe. Tighe told her that he stole her pocket book. She went to see him to find out if her son had anything to do with the stealing of the pocket book. No one told her to go and see him, but she knew that he was among the boys and if there was anything

0489

5.

done, he knew about it. Her son and Tighe had been together in the street, but not at that time.

-----  
THOMAS WILD testified that he was an officer attached to the Sheriff's office. He had known the defendant from childhood and his reputation for honesty was very good.

-----0000-----

0490

Mr

The People

vs

James Waters

Before

Hon. Rufus B. Croning  
and a Jury

Indicted for Grand Larceny  
in the Second Degree

Indictment filed September 1888.

Filed, 21<sup>st</sup> November 1888.

5

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Winters

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

James Winters

of the CRIME OF GRAND LARCENY in the 2nd degree, committed as follows:

The said James Winters,

late of the City of New York, in the County of New York aforesaid, on the 21st day of September, in the year of our Lord one thousand eight hundred and eighty-eight, in the time of the said day, at the City and County aforesaid, with force and arms,

one written instrument to wit: an order for the payment of money of the said called draft, bearing an order for the payment of the sum of seventy pounds in lawful money of the United Kingdom of Great Britain and Ireland, (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of three hundred and fifty dollars, one ticket entitled and purporting to entitle the proprietor thereof to a passage upon a certain vessel from the said City of New York to the City of Liverpool in the Kingdom aforesaid (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of twenty dollars, and the sum of twenty dollars in money, lawful money of the United States and of the value of twenty dollars, and one receipt of the value of fifty cents of the goods, chattels and personal property of one Alexander Emanuel de Younger, on the person of the said Alexander Emanuel de Younger.

then and there being found, from the person of the said Alexander Emanuel de Younger, 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.

John A. Bellows, District Attorney

0492

**BOX:**

331

**FOLDER:**

3136

**DESCRIPTION:**

Wolf, David

**DATE:**

11/28/88



3136

0493

382  
H.A.A.

Counsel, Dr. [Signature]  
Filed [Signature] day of 188

Pleads, Not guilty

THE PEOPLE  
vs.  
David Wolf  
(2 cases)  
Committed on another indictment  
Jan 11, 89

[Section 528, and 581, Penal Code].  
(False Pretenses).  
LAWRENCE, AND

JOHN R. FELLOWS,  
District Attorney.

3 1

**A True Bill.**

[Signature]  
Foreman.

Witnesses:  
James J. Maloney.

0494

5th Avenue and 23d Street.

No. *149*

NEW YORK, *November* 188*8*

**SECOND NATIONAL BANK,**

Pay to *Thomas Ryan* or Bearer,

*One hundred and forty-nine* <sup>*85*</sup> *100* Dollars,

*Thomas Ryan*

*149 <sup>85</sup> / 100*

*Thomas Ryan*

*60*

0495

241 Third Ave  
*W. T. Paul*  
 Simon Loeb  
 New York  
 MURRAY & COMPANY  
*Henry Chapman*  
 Paul St.  
 214 Broad

0496

125 N. ST. & 4TH AVE NEW YORK	NEW YORK, Nov. 2 1888
	<b>MOUNT MORRIS BANK</b> NEW YORK CITY.
	PAY TO THE ORDER OF <i>Alpha Block</i> \$58 <sup>22</sup> / <sub>100</sub>
	<i>Fifty-Eight</i> <sup>22</sup> / <sub>100</sub> DOLLARS
	<i>Herman Stei</i>

Manufactured in New York City

0497

<i>Alfred Bloch</i>
FOR DEPOS. IN THE NATIONAL BANK OF THE CITY OF NEW YORK
<i>per deposit</i>
<i>W. J. [Signature]</i>

0498

No. ~~No~~ <sup>ap</sup> ~~10~~

Brooklyn, N. Y. November 7 1885

**FIRST NATIONAL BANK,**

Pay to the order of James H. Ryan

Ninety-seven <sup>83</sup>/<sub>100</sub> Dollars

\$97 <sup>83</sup>/<sub>100</sub>

Robert Carroll

FIRST NATIONAL BANK,  
BROOKLYN, N. Y.

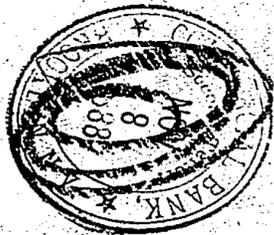
0499

*Ex 21*  
*J. J. Moore*

*Julius Wiener*

FOR DEPOSIT ONLY  
TO THE CREDIT OF  
BROADWAY BEEF CO.

*By J. J. Moore atty*



0500



No. \_\_\_\_\_ New York Dec. 11 1888

**National Broadway Bank**

Pay to the order of E. W. Rattle

One hundred and fifty Dollars

*E. W. Rattle*

\$150<sup>00</sup>/<sub>100</sub>

EDWIN J. BERL STATIONER, 4 PARK PLACE, N.Y.

0501

TELEPHONE, 344 MURRAY.

OFFICE OF  
**C. F. & E. C. SWIFT,**  
Receivers and Commission Merchants in  
**Swift's Chicago Dressed Beef,**  
No. 9 to 31 DEVOE AVENUE, Foot of Broad Ave.,  
West Washington Market,  
*New York,* 188

A detailed black and white illustration of a cow's head, facing left, with prominent horns. The illustration is rendered in a fine-line, engraved style.

0502

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 1<sup>st</sup> DISTRICT.

Thomas W. Robinson

of No. 111 West 126 Street, aged 45 years,

occupation Cashier being duly sworn deposes and says,

that on the \_\_\_\_\_ day of \_\_\_\_\_ 188

~~at the City of New York, in the County of New York,~~ he is Cashier of  
The Mount Morris Bank and that there is no  
depositor in said bank by the name of  
Hermin Steier nor has there ever been  
such a depositor in said bank and  
deponent does not know of such a person

~~Sworn to before me~~

Sworn to before me

This 22 day of November

Thos W Robinson

J M Patterson Police Justice

Sworn to before me, this \_\_\_\_\_ day of \_\_\_\_\_ 188

Police Justice,

0503

5877  
 3110  
 FROM  
 GEO. HOTCHKISS & CO.  
 7, 8, 9 & 10 VESEY PLACE, 362  
 West Washington Market  
 New York, Nov 3 1888

Sold to: *A. Block*  
 Lot: *Car. 177 & 4 Dr.*

*1. 2 chandel. 85*  
*42 5*

*10. 3 chandel. 397*  
*43 4*

Salesman: *2 Pills 200*  
*397.99*  
*6*  
*35.10 1588*  
*297*  
*1888*      *12.00*

0504

Passed off in Broadway, Buffalo.

Jarius J. Morse. Sold the bag and can  
identify the prisoner.

Thomas A. Mahon. Paid the balance in  
money to the prisoner and  
saw him ~~write~~ <sup>write</sup> the name  
Julius Wiener on the  
back of the check

Geo. W. Betts, Cashier of the bank on which  
the check was drawn

0505

Passed off on Murray Hill Beef Co.

Mr. Cronin, cashier & bookkeeper, paid the prisoner  
\$55.<sup>54</sup> cash & saw him endorse it.

Mr. Case, of 2<sup>nd</sup> Natl. Bank testified that drawer  
has no deposit

0506

No. 8

THE PEOPLE, & C.

vs.

Emil Lampiaggi

Asst.

Geo. Yeako Not found  
Mary Yeako " "  
Off. Ruinlan S.H.

0507

POOR QUALITY  
ORIGINAL

TORN PAGE

Handwritten notes and calculations on a torn piece of paper:

30 - 907  
35 -  
40 -  
237.  
45 -  
85 -  
85 -  
10 -  
10 -  
20 -  
10 -  
50 -  
10 -  
25 -  
30 -  
1.50  
829  
487 • 83 1200  
1.43 • 912  
40 • 150 1

0508

POOR QUALITY  
ORIGINAL

TORN PAGE

To you  
Go to Hell  
Who in the Hell are  
you  
Go to Hell  
Suck my ass.  
Kiss my ass.

Edwin  
no!

Took.

See more of his  
ass than anything

~~and~~

2 bottles wine

and  
the bouquet that

Miller gave me

the glass must have

sent out the wine

0509

TORN PAGE

District Attorney's Office,  
City & County of  
New York.

18

Col. A. W. N. Damside  
You will  
please call at once on Col  
Fellows, in his room on  
important business

05 10



*Court of General Sessions,  
Judges' Chambers,  
32 Chambers Street.*

*Judge Norton*

0511

January 24-1890

Judge Martineau

2.30 pm

Dear Sir

Your boy has just notified Mrs Iwibely and me, that you cannot be done to day and desires us to leave the papers, which we respectfully do herewith. You will notice that the papers have been arranged by Mr Newcomb in the form of a motion before you for a new trial. We trust that you will regard this as a continuation of the motion for a new trial made before you immediately after Wolf's trial and as such will be willing to consider it, these affidavits being merely improvements of those at that time presented. Of course I am not a lawyer, so you will kindly

05 12

Excuse me if my hyper-  
physiology is incorrect. What  
the Lawing and I hope for  
beyond all things is a new trial  
for this unfortunate young  
man.

Very respectfully  
N. P. Babcock

Excuse if this is a leaf  
from my note book

05 13

this day must be fixed by  
Mr Davis as it is his case  
D

0514

COURT OF SESSIONS,  
New York County.

-----"  
The People,                   "  
      --vs--                   "  
David Wolf.                   "  
-----"

S i r:-

You will please take notice that upon the annexed affidavits of William Gross, David Wolf and Stephen C. Baldwin and upon the indictment and all other papers herein,

We shall make a motion for a new trial herein at a Court of General Sessions to be held in and for the County of New York at the Court House New York City in Part one thereof, on the 24th day of April 1889 at 11 o'clock in the forenoon before the Hon. Randolph B. Martine, the Justice who presided at the trial of the defendant and sentenced him; and that said motion will be made upon the ground of newly discovered evidence as is suggested and included in the affidavits herewith served which affidavits will be read upon the application.

Dated New York City,  
April 22nd, 1889.

Yours &c.,  
Donohue, Newcombe & Cardozo,  
Attorneys for defendant upon this  
Application.

TO THE  
HON. JOHN R. FELLOWS,  
District Attorney.

0515

Court of Sessions  
New York County

The People  
against  
David Wolf

County of Chemung,  
State of New York ss.   
William Gross, being duly sworn  
says:

I. On the 22<sup>d</sup> day of January, 1889,  
the Grand Jury of the County of New York  
found an indictment against me  
for Larceny. The facts upon which  
that indictment was based were  
that on the 11<sup>th</sup> of December 1888,  
I went to the store of Emanuel M.  
Gattle, on Broadway, near 27<sup>th</sup>  
Street, New York City, and there  
procured two diamond earrings  
for sale at \$190; that, in payment  
for the earrings, I drew a check on  
the National Broadway Bank ~~signed~~  
to the order of said Gattle signing  
it "Jos. Bondy" a fictitious name  
and no such person having an  
account at said bank. The charge

0516

was true and on the 31<sup>st</sup> day of January, 1889, when arraigned before Judge Gildersleeve in Part III of the sessions, I plead guilty to the indictment, and was sentenced to the State Reformatory at Elmira New York. I make this affidavit at that institution.

At the same time with this indictment, another was found against me by the same Grand Jury, charging me with forging the name of Martin Daly to a check on the Columbia Bank for \$6<sup>60</sup> (which is six  $\frac{60}{100}$  dollars). On this indictment I have not been tried; at least it is my impression that it was the Gittle affair on which I was sent up here at any rate on one I plead guilty and on the other I have not been arraigned.

II. I am informed that one David Wolf was indicted by the grand jury of New York County and tried for forging a check for Fifty eight Dollars and seventy two cents (\$58.<sup>72</sup>) in the name of Herman Stein to the order of Alfred Block in

0517

November 1888 and endorsed Alfred Block; and because he was said to have passed said check on W<sup>m</sup> C. Jessup & Co. of New York City. That check was upon the Mount Morris Bank, I drew it. I signed the fictitious name "Herman Stein" to it; I endorsed it Alfred Block, and it was I who passed the check on Jessup and Company.

David Wolf was arraigned before Judge Martine in session; this I know because I was taken from the Tombs to the trial and was made to stand up so that witnesses could see me and state whether I was the real culprit or Wolf. My recollection is that a salesman identified me as the man. At that time I had not been tried and since I thought Wolf might be acquitted I did not make any statement to free him.

I heard afterwards at the Tombs that he was found guilty and sentenced to State Prison.

Before his trial I met Wolf at the Tombs and conversed with him.

0518

He told me that he had been arrested  
charged with passing a bad check  
& I told him that the offense  
laid at my door was the same,  
but I did not know until the trial  
that it was upon one of the  
checks I had negotiated that  
he was indicted.

III. The name "William Gross"  
which I gave when arrested, by  
which I entered the plea of  
guilty, and under which I was  
sentenced and am known here,  
is not my true name. I am of a  
reputable and well known family  
in New York City and to save my  
dear father and mother and brother  
and sisters from the publication  
of my disgrace I have endeavored  
to conceal my identity, so far.

I have suffered in mind and  
body because of my sin; I see  
now how foolishly I permitted  
myself to be led into it; led into  
it by my own inclinations, I was  
alone and solely to blame for  
it. But in all my trouble there  
has been nothing that has so

0519

heavily contributed to it; to my suffering of mind; to my remorse and agony of conscience as the fact that for some of my ill-advised acts another man is undergoing punishment. As soon as I could I communicated the truth in this regard to such <sup>people</sup> as I could tell it to and no one who reads or hears this statement may know the relief it will afford me to hear that that man is free again and cleared of the most unjust charge against him. I can recall the remarkable resemblance in appearance between us and am sorry that he should have to look like me — a convict. I pray that he may forgive ~~the~~ me for the trouble that fatal resemblance has caused him. I thought he would be acquitted without the necessity arising that I should confess to further crimes.

IV. This affidavit is made by me, J. W. Stephen C. Baldwin writing it ~~at~~ upon my answers to

0520

STATE OF NEW YORK, }  
Chemung County Clerk's Office. } SS.

I, HENRY V. RANSOM, Clerk of said County, and of all the Courts of Record thereof, (except the Surrogate's Court) do hereby certify that Oscar Hoppu Esq., whose name is subscribed to the foregoing AFFIDAVIT, and thereon written, was at the time of the taking of the same a NOTARY PUBLIC in and for said County, duly authorized and qualified to take the same; and further that I am well acquainted with his handwriting, and verily believe that said signature is genuine,

IN TESTIMONY WHEREOF, I have hereunto set, my hand and affixed the seal of said County and Courts at Elmira, this 18 day of April 1889

H. V. Ransom CLERK.

0521

e  
r  
c

STATE OF NEW YORK, }  
Chemung County Clerk's Office. } SS.

I, HENRY V. RANSOM, Clerk of said County, and of all the Courts of Record thereof, (except the Surrogate's Court) do hereby certify that Oscar Hoppe Esq., whose name is subscribed to the foregoing AFFIDAVIT, and thereon written, was at the time of the taking of the same a NOTARY PUBLIC in and for said County, duly authorized and qualified to take the same; and further that I am well acquainted with his handwriting, and verily believe that said signature is genuine,

IN TESTIMONY WHEREOF, I have hereunto set, my hand and affixed the seal of said County and Courts at Elmira, this 18 day of April 1889

H. V. Ransom CLERK.

0522

to his questions and Hon. J. R.  
Brockway, Superintendent of  
this Reformatory being present.  
Subscribed & Sworn  
to before me this 18<sup>th</sup> } William Cross  
day of April 1889.

Oscar Hoppe  
Notary Public  
Chemung Co

0523

Court of Sessions,  
New York County,

The People  
against  
David Wolf.

County of Clinton  
State of New York ss.

David Wolf being duly sworn says:  
I. I am at present confined in the State  
Prison at Dannemora, Clinton County,  
New York having been transferred to  
this place from Sing Sing, February  
12<sup>th</sup> 1889. I was sentenced on or about  
the 16<sup>th</sup> day of January 1889 in the  
Court of General Sessions, in New-  
York County to a term of six years  
and six months after trial on  
the charge of forgery in the  
second degree and was taken to  
Sing Sing on or about the 18<sup>th</sup> day  
of January 1889.

II. I am innocent of the crime  
for which I was convicted and  
sentenced, and at the time I was  
arrested and at all times since  
have protested my innocence.

2.

I was accused of forging a check for a small amount and passing the same upon William C. Jessup and Company; the check was endorsed "Alfred Block". The accusation was absolutely false. I did not forge the check and until arrested never saw it nor William C. Jessup nor anyone in his employ, and yet upon my trial he positively identified me as the person who presented the check at his place of business. His salesman swore that the man Gross who was produced at the trial was the person, but I was, nevertheless, convicted. I met Gross at the Tombs and knew that he was there for passing bad checks. I am informed that my counsel Mr. Moss of Howe & Kimmel produced him at the trial having received from some source an intimation of the truth that Gross was the person who was guilty of the crime charged to me.

III. When at home, when I

0525

3.

rightfully belong. I reside at No. 224 East 47th Street, New York City. I was never arrested, charged with an offense against law, except upon this charge, and at the same time upon the charge of Larceny upon another check transaction of which I have no knowledge and of which I am guiltless. The Grand Jury of New York County found both indictments at the same time. I have now served three months in this and in Sing Sing Prison and the experience is one which I have no desire of prolonging.

I am informed by my Counsel that he has secured a confession under oath from William Gross that he in fact committed the crime with which I was charged and for which tried and convicted. I am aware that we are alike in appearance and realize now that my unfortunate physical resemblance to him has brought me here.

At my trial said Gross was

4.

put upon the stand but refused to testify at all. Upon his confession to which I have alluded I desire a new trial and will be able, as I am advised by counsel and believe, to prove upon my second trial beyond doubt that I am guiltless of the crime charged or of any participation therein and will show that Gross was in fact solely responsible for the act upon which I was indicted. At my first trial I had no knowledge of the fact that Gross committed the crime and could not then produce the evidence thereof now at my command. No such evidence was given at my trial and such as I shall now produce is wholly new and in no respect cumulative.

One year has not elapsed since I was arrested and it has been barely three months since I was convicted and sentenced.

A motion was made, on my behalf, before the Judge who afterwards sentenced me, for a new trial, or an application made for a stay pending the motion, by Mr. Auburn H. Purdy; but the application was denied. Apart from this no other motion for new trial upon the ground of newly discovered evidence, nor upon any other ground has heretofore been made.

Upon the affidavits to be presented by my counsel upon this application I pray that the Court may do me justice and serve the ends of Justice by granting me as speedily as possible an opportunity of proving my innocence and establishing my right to return to my family and an honorable walk in life and to my former position in the community so far as it may not be, as unfortunately in a measure it must necessarily be, affected by my confinement for these three months in State Prison.

0528

STATE OF NEW YORK }  
Clinton County Clerk's Office } ss.

I, JOHN P. BRENNAN, Clerk of the said County and of the Courts of Record thereof, do hereby certify that: John Farnsworth before whom the foregoing affidavit..... was made, and who has thereto signed his name, was at the time of so doing a notary Public in and for said County duly elected or appointed and sworn; that his official acts as such are entitled to full faith and credit. And further that I am well acquainted with the handwriting of the said notary and verily believe his signature thereto to be genuine.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal, this 20th day of April, 1889.  
J.P. Brennan CLERK.

sa

0529

This affidavit has been made by  
me, in answer to Mr. Baldwin's  
questions put to me, he writing it  
down and the Deputy Warden,  
the Notary and a Keeper being  
present.

Subscribed and sworn to before me this 20<sup>th</sup>  
day of April 1889.

*Wm. M. M. M.*

Notary Public

Clinton Co.

To me known as David Wolf, convicted  
in New York Co. at a Court of Sessions  
of Forgery 2<sup>nd</sup> dg, the 16<sup>th</sup> of January  
1889 - and sentenced by Judge Martine  
to Sing Sing Prison for 6 yrs + 6 mos. and  
was received at said prison 18<sup>th</sup> day of  
January 1889 - and was received here  
by draft from Sing Sing Prison  
12<sup>th</sup> February 1889

Said Clinton Prison

*Wm. M. M. M.*

Canterbury, N.Y.

Notary Public

20<sup>th</sup> April 1889

0530

COURT OF SESSIONS,  
New York County.

-----"
The People, "
--vs-- "
David Wolf. "
-----"

City and County of New York, ss:-

Stephen C. Baldwin being duly sworn, says:

I. I am a practicing attorney having an office with defendant's Counsel, Messrs Donohue, Newcombe & Car- dozo, at No. 98 Broadway, New York City.

II. On the 18th day of April instant I saw and conversed with William Gross whose affidavit is herewith presented at the State Reformatory at Elmira. Thereaf- ter and on the 20th day of April instant I saw and con- versed with David Wolf the defendant herein at Clinton States Prison, Dannemora, New York.

The hair and beard of both men had been cropped and shaved. Gross was dressed in ordinary apparel while Wolf wore the striped prison garb. Despite this differ- ence the resemblance between the men is striking and it is not a matter of surprise to me that one should have been mistaken for the other.

III. Wolf has now been confined in States Prison *for three months* and suffered all the attendant disgrace and hardship that statement implies; he begged of me when I left him on the 20th instant to hasten this motion for new trial

0531

stating that every day spent in the degrading influences  
surroundings and routine of prison life seemed to him a  
year.

Sworn to before me

this 22nd day of April, 1889.

" *Stephen Baldwin*  
"  
"

*William C. A. Ryan*  
*Notary Public Kings Co.*  
*Certif. filed in N.Y. Co.*

0532

Court of Civil Sessions  
N.Y.C.

The People

vs.

SARA WOOD

~~Div. 1~~  
Affidavit of  
John P. Malone for  
the People

DONOHUE, NEWCOMBE & CARDOZO,  
Attys for the People on this  
Affidavit,  
SCHERMERHORN BUILDING,  
No. 96 BROADWAY,  
NEW YORK.

Due service of a copy of within is hereby admitted this  
1889  
22<sup>nd</sup> day of April  
John P. Malone  
New York  
JPM

Notice of Entry.

The within is a copy of  
this day duly entered and  
filed herein in the office of the clerk of

of New York.  
Dated N. Y. 188

Donohue, Newcombe & Cardozo,  
Attys for  
SCHERMERHORN BUILDING,  
96 BROADWAY,  
N. Y. CITY.

Saturday 12

shd, not return to  
Rustman

only evidence of plan  
what else wd be had

object in letters  
not being was not  
but testimony

new law changed  
in award of ad. fine

re report of  
substantive  
affidavit

Amended by  
letter to Bellman

and 8 days later -  
of production in  
location when 12

0533

New York Nov. 19<sup>th</sup> 1891

Hon. Randolph B. Martin; —  
My Dear Sir:

Permit me to call your attention  
to the case of Harris Esberg con-  
victed of Grand Larceny July 11<sup>th</sup>  
1890 and sentenced by you to term  
of years & eleven months. When I pre-  
sented petitions for his pardon to you  
you refused to sign same and said  
that you would write a letter in his  
behalf when the petition was pre-  
sented, therefore I write this to re-  
mind you of the circumstances when  
you are called upon by Albany authorities.

Yours most Humbly, Resptly,  
Mrs. Goldie Esberg  
Wife of Prisoner

0534

Police Court— District.

Affidavit—Larceny.

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

of No. 205 East 110 Street, aged 25 years,  
occupation Salesman being duly sworn  
deposes and says, that on the 11 day of December 1888 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~~<sup>night</sup> time, the following property viz:

Two diamond ear-rings  
valued at one hundred  
and ninety-dollars - 190<sup>00</sup><sub>100</sub>

the property of Emanuel M. Gatte and  
in the care and custody of  
deponent and

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 Gross (now here)

for the reasons following to wit:  
on the said date defendant came  
to deponent's place of business  
and purchased the said diam-  
onds from deponent and rep-  
resented to deponent that the un-  
reversed check which he gave in  
payment for said diamonds was  
genuine, that he was the Joseph  
Bondy, whose name is signed  
to said check. Deponent believing  
the representations made by de-  
fendant to be true parted with  
said property. Deponent is informed

Sworn to before me, this  
1888 day

Police Justice.

0535

by William D. Afford (then Justice) and who is the paying teller of the bank mentioned in said check that there is no one of the name of Bonny a depositor in said bank and that the aforesaid check is worthless

Sworn to before me this 13<sup>th</sup> day of December 1888 Henry N. Ferry Solon Blum Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Hundred Dollars and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail. Dated 1888 Police Justice

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

Police Court, District, Offence—LARCENY. THE PEOPLE, &c., on the complaint of ss. 1. 2. 3. 4. Dated 1888 Magistrate. Officer. Clerk. Witnesses, No. Street, No. Street, No. Street, to answer Sessions.

0536

CITY AND COUNTY }  
OF NEW YORK, } ss.

*William O. Abbott*

aged 37 years, occupation Paying Teller of No.

National Broadway Bank Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Henry N. Perry

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

Sworn to before me, this 13

*Wm O. Abbott*

day of December 1888

*Solou Dennis*

Police Justice.

0537

Sec. 193-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK } ss.

*William Gross* being duly examined before the under-  
signed 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>im</sup>; that the statement is designed to  
enable h<sup>im</sup> if he see fit to answer the charge and explain the facts alleged against h<sup>im</sup>  
that he is at liberty to waive making a statement, and that h<sup>e</sup> waiver cannot be used  
against h<sup>im</sup> on the trial.

Question. What is your name?

Answer.

*William Gross*

Question. How old are you?

Answer.

*29 years.*

Question. Where were you born?

Answer.

*New York.*

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

Answer.

*Refused.*

Question. What is your business or profession?

Answer.

*Salesman*

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*

*Wm Gross*

Taken before me this  
1st day of December 1888  
at New York  
J. W. B. Smith  
Police Justice.

0538

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* *Alfred*  
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 *Nov 3* 188..... *John B. Smith* Police Justice.

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

Dated..... 188..... Police Justice.

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

Dated..... 188..... Police Justice.

0539

210 / 1947  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Henry M. Levy  
208 East 119  
William Gross

Wanda Lawrence  
Prosec

2  
3  
4

Dated Dec 13 1948

Smith Magistrate.  
Elyse W. Pearson Officer.

Witnesses William O. Abbott  
2 Precinct.

No. 237 Broadway Street.

No. 339 W. 39th Street.

No. 4th Street.

\$ 1000.00 to answer

COM

BAILED,

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

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

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

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

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

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

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

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

0540



~~City of New York Recorder's Chamber~~

People

vs. Wolf

New York Feb 26<sup>th</sup> 1890

My dear Sir,  
Yours of 7<sup>th</sup> inst. in relation to  
this case received.

Sometime since a motion was made  
before me in this case under Sec. 465  
of the Criminal Code for a new trial  
upon the ground of newly discovered  
evidence. After hearing argument  
and giving the matter careful con-  
sideration the motion was on May  
31<sup>st</sup> 1889 denied.

Recently an application for a writ  
was presented to me affidavits were  
presented to me upon which I was  
informed it was proposed to move

0541

again for the same relief or  
for a reargument of the motion  
for a new trial, after an exam-  
ination of these affidavits I re-  
turned them to the gentleman  
who handed them to me, stating  
to him that the time <sup>within</sup> ~~under~~ which  
such application could be made  
was one year and that that time  
had elapsed.

I have not therefore at all passed  
upon the new matter set forth  
in these last affidavits and be-  
lieve it would not now be  
proper for me to express any  
opinion as to them, as application  
seems to have been made for  
executive clemency, and the Gov-  
ernor will probably as is usual

0542

in such cases call upon me  
for an expression of opinion  
to him,

I regret that I ~~should~~ have  
so long delayed this response  
to your communication, but  
my official duties have ~~been~~  
been so engrossing that I have  
been able to find time earlier  
to reply. I am truly  
Yours truly,  
R. M.  
Richard S. Newcomb

0543

Police Court 1<sup>st</sup> District

City and County of New York, ss.

James J. Maloney

being duly sworn says that he is 24 years of age and resides at 546 Cleveland Avenue in the City of New York

That on or about the 5<sup>th</sup> day of November 1888 <sup>now here</sup> David Wolf, using the assumed name of Simon Loeb, under the pretence of purchasing certain meat of the value of \$94.<sup>31</sup> from Gustavus F. Swift and Edwin C. Swift copartners doing business at the foot of West 31<sup>st</sup> Street in New York City under the firm name of "Murray Hill Beef Co." willfully and with intent to defraud presented in payment for said meat a certain check for \$149.<sup>85</sup> on the Second National Bank, dated November 5, 1888, wherein Thomas Ryan is named as payee and Leon Schultz as drawer. That said check was endorsed "J. Ryan"

That the said David Wolf thereupon received from the "Murray Hill Beef Co." the difference between the amount of said check and the value of the said meat in cash, to wit: the sum of \$55.<sup>24</sup>

That deponent is informed by Joseph J. Case whose affidavit is herewith annexed, and verily believes that <sup>no</sup> person by the name of Leon Schultz banks at the said

0544

National Bank did that the said check is worthless

That deponent verily believes that the aforesaid names on said check are fictitious, and that no such persons exist and that the said facts were well known to the said David Wolf

That the said Wolf at the time of perpetration the fraud aforesaid represented that his name was Simon Loeb and that he was a brother of one Joseph Loeb, an old customer of the Murray Hill Beef Co.

Sworn to before me this } J. J. Maloney  
21<sup>st</sup> day of November 1885

J. M. Patterson  
Police Justice

City and County of New York, ss.  
Edward J. Cronin, of 258 East 31<sup>st</sup> Street  
in the City of New York, aged 21 years,  
Book-keeper & cashier, being duly sworn  
say that he paid the defendant  
David Wolf, now here, the money  
mentioned in the foregoing affidavit  
of James J. Maloney

E. J. Cronin

Sworn to before me this }  
22<sup>nd</sup> day of November 1885 }  
J. M. Patterson }  
Police Justice }

0545

Police Court, 1<sup>st</sup> District

City and County of New York, ss:

Joseph B. Case being duly sworn says that he is Cashier of the 2<sup>d</sup> National Bank in the City of New York and that he resides at 248 1/2 Monroe St. Brooklyn N.Y.

That there is no depositor in said Bank by the name of Leon Schultzy and that deponent does not know such a party.

That the check hereunto annexed signed Leon Schultzy is worthless at the Second National Bank



Sworn to before me this  
20<sup>th</sup> day of November 1888

Henry B. Gibbons J.  
Notary Public

Sworn to before me this  
22<sup>nd</sup> day of November 1888



J.M. Peterson Police Justice

0546

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *David Woy*

Question. How old are you?

Answer. *24 years of age*

Question. Where were you born?

Answer. *Germany*

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

Answer. *224 East 47<sup>th</sup> St. one month*

Question. What is your business or profession?

Answer. *Butcher*

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*  
*David Woy*

Taken before me this

day of *November* 188*8*

*J. M. Patterson*  
Police Justice.

0547

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.....

*David Way*

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

Dated *Mar-22* 188 *8* *J. M. Patterson* Police Justice.

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

Dated.....188.....Police Justice.

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

Dated.....188.....Police Justice.

0548

Police Court--- 1<sup>st</sup> 1834 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*James Maloney*  
*846 vs. 11<sup>th</sup> ave*  
*Daniel Wolf*

1  
2  
3  
4

*L. Maloney*  
Office  
*Maloney*

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated *November 21<sup>st</sup>* 1888

*Patterson* Magistrate.

*Stephen O'Brien* Officer.

*Central Office* Precinct.

Witnesses *Joseph J. Curran*

No. *248 1/2* Street.

*Security National Bank*

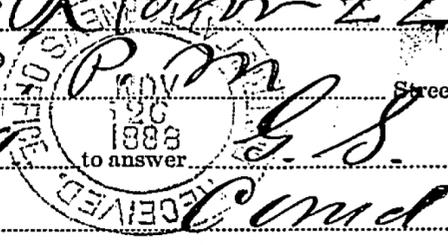
No. *238* Street.

*8th Ave 22*

No. *3* Street.

\$ *150* to answer

*Conrad*



0549

BERLIN, GERMANY. Potsdamer Strasse 111a



*New York*

October 20th, 1891.

Hon. Randolph B. Martine,  
New York City.

Dear Sir:-

Referring to the conversation which I had with Your Honor a few weeks since, I beg to hand you herewith a copy of the petition for the pardon of David Wolf, which has this day been forwarded to His Excellency, the Governor of the State. It is my earnest hope that Your Honor may see fit to assist us in securing the return of the young man to his parents.

I am

Yours very respectfully,

0550

William A. Gans  
Attorney & Counsellor at Law  
291 Broadway  
New York

Nov 5 1891

My dear Henry,

I have been informed by Rosendale  
(our newly elected City Genl) that the papers in the matter of  
the pardon of David Wolf are in the hands of the Gov-  
ernor, & it is likely that they may be referred  
to the District Attorney at anytime, and not hav-  
ing been able to get over to see you, I thought  
I would send the name of the convict, and  
try to get over to see you as soon as I get  
a chance.

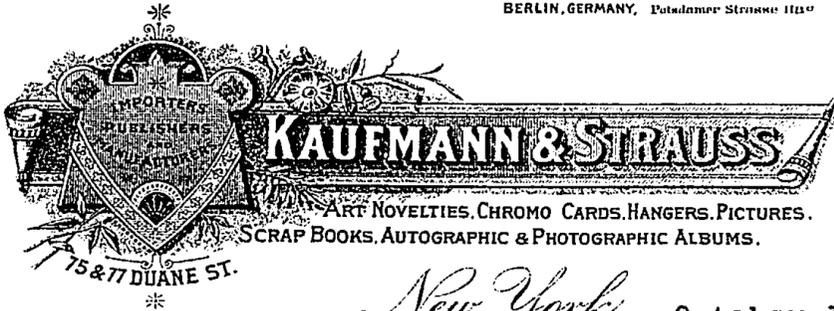
It is as above David Wolf  
he was convicted <sup>in 1889</sup> January 10 1889 sentenced by Judge  
Martine for ~~ten~~ years. The amount involved was  
\$8.?? He is now serving in the State prison.  
It is a worthy case, and worthy of being considered  
formally

Truly  
Yours  
Wm. A. Gans

Wm. A. Gans  
Dist. Atty. Office.

0551

BERLIN, GERMANY, Potsdamer Strasse 113a



New York, October 1st, 1891.

Hon. Randolph B. Martine,  
No. 2017 Fifth Ave.,  
N.Y. City.

Dear Sir:-

For the last ten days or so a gentleman connected with our firm, Moritz Mayer by name, together with several other gentlemen, has been endeavoring to see you at the Court-House, but has been unsuccessful. As he would very much like to have an interview with you regarding some private matters, we should feel greatly indebted to you if you would kindly inform us at what time and place it would be convenient to you to grant him an interview.

In the hope of receiving an early answer, we remain

Yours very truly,

A large, elegant handwritten signature in cursive script, likely belonging to a representative of Kaufmann &amp; Strauss, is written over the typed signature line.

0552



Court of General Sessions,  
Judge's Chambers,  
32 Chambers Street.

To the Governor of the State of New York Dec: 16 1891  
Sir

The facts in this case appear to be correctly stated in the ~~report~~ communication of the District Attorney. The conviction was fully warranted by the evidence. I am satisfied that deft was guilty of the crime charged against him. It was satisfactorily proven that deft. did the act committed, the jury acting in concert with another - and nothing that has since transpired has changed my opinion in that regard. On the trial there were persons present in Court who identified deft. as the game room who had deposited checks upon their various accounts in stances similar to those mentioned. The sentence imposed by the Court is not severe. So far therefore

0553

On the 11th. of December, 1888, one William Gross went to the store of Emanuel M. Gattle on Broadway near twenty-seventh street in the City of New York and there procured two diamond earrings for the sum of \$190.00, and that in payment for the earrings he drew a check on the National Broadway Bank to the order of the said Gattle signing it "Jos. Bomley", a fictitious name, no such person having an account at the said bank.

The charge was true, and on the 31st. day of January, 1889, he was arraigned before Judge Gildersleeve in part third of the Court of General Sessions, and pleaded guilty to the indictment and was sentenced to the state reformatory at Elmira, N.Y.

At the same time another indictment was found against the said Gross, charging him with forging the name of Martin Daly to a check on the Columbia Bank for \$96.60, on which indictment he has not been tried.

The David Wolf above named was indicted by the Grand Jury of New York County for forging a check for \$58.72 in the name of Herman Stein to the order of Alfred Block in November, 1888, and endorsed Alfred Block, and was charged with having passed the said check on William C. Jessop & Co. of New York City; that check was upon the Mount Morris Bank. It was not drawn by the David Wolf above named, but on the contrary was drawn by the said William Gross. It was not signed by the David Wolf above

0554

named, but on the contrary was signed by William Gross, said William Gross using the fictitious name of Herman Stein. It was endorsed by the said William Gross in the name of Alfred Block, and it was William Gross and not the above named David Wolf who passed the check on Jessop & Co.

David Wolf has been convicted and is now in prison for an offence which he did not commit, but which was committed by the said William Gross; that the cause of the conviction of the said David Wolf in the place of William Gross was the resemblance which existed between the said David Wolf, and the said William Gross; that the fact of the said resemblance is sworn to by several parties, whose evidence accompany and form part of this petition; that the said William Gross has made a sworn confession of the commission of the crime for which the said David Wolf is now imprisoned, and that the said sworn confession of the said William Gross accompanies this petition and is made a part thereof. No previous application has been made in this case for the exercise of executive clemency.

0555

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

POLICE COURT, 1<sup>st</sup> DISTRICT.

William C. Jessup

of No. 458 West 34<sup>th</sup> Street, being duly sworn, deposes and says,

that on the 13<sup>th</sup> day of November 1888

at the City of New York, in the County of New York, David Wolfe,

now here, did feloniously make,  
forge and utter the annexed  
instrument in writing, purporting  
to be a check on the account  
of Morris Beant for the sum of  
fifty eight dollars and seventy  
two cents, with the intent  
to cheat and defraud.  
That said defendant then  
entered premises No. 7 Vesey  
Pier, West Washington Market  
and presented said check to  
defendant in payment of a  
purchase of meat, and defendant  
then and there paid him  
the difference in amount  
between the face value of  
such check and the price of  
the meat, viz: the sum of  
twenty-three dollars.  
That the cashier of said Bank,  
Thomas W. Robinson, now here  
informs defendant that said  
check is worthless and of no  
value whatever and that  
no such person as Hermann  
Stein, the person purporting  
to have drawn said check,

0556

has an account at said Bank  
of money therein to his credit

Sworn to before me this } William B. Jones  
22<sup>nd</sup> day of November 1888

W. B. Jones      Police Justice

POLICE COURT → DISTRICT.

THE PEOPLE, & C.,  
ON THE COMPLAINT OF

AFFIDAVIT.

us.

Dated

188

Magistrate.

Officer.

Witness,

Disposition

0557

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX:  
In the Matter of the Petition of :  
of :  
David Wolf a Convict, :  
for Pardon. :  
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX:

To His Excellency,

The Governor of the State of New York

Albany. N. Y.

Sir:

Your petitioners, respectfully show that here-  
tofore and on or about the 16th day of January 1889, the  
above named David Wolf was convicted of the crime of forgery  
in the second degree after a trial had in the Court of Gener-  
al Sessions in and for the County of New York, and was sen-  
tenced by Honorable Randolph B. Martine, a Justice of the  
said Court, to a term of six years and six months in the  
State Prison, and is now confined in the Sing Sing Prison

Your petitioners annex to this petition a certified  
copy of the record of the conviction of the said David Wolf.  
The full name of the person for whom executive clemency is  
asked is David Wolf, under which name he was convicted.

The said David Wolf for whom your petitioners ask  
executive clemency has not been previously convicted of any  
offence.

0558

The said David Wolf was indicted by the Grand Jury of New York County for forging a check for \$58.72 in the name of Herman Stein to the order of Alfred Block in November 1888 and endorsed Alfred Block, and was charged with having passed the said check on William C. Jessop & Co of New York City. ~~A certified copy of the Record of the Conviction and Sentence is hereto annexed.~~

The grounds upon which your Excellency is asked to exercise the power vested in you in relation to the pardoning of persons convicted of crime are as follows:

The parents of the said David Wolf are now more than seventy years of age, each, and though in humble circumstances have always enjoyed the respect of their neighbors and those with whom they have come in contact, they have brought up their children, six in number to lead respectable lives, and up to the time of the conviction of the said David Wolf, he has always lead an exemplary life. The Conviction of said David Wolf and the continued imprisonment and the disgrace occasioned thereby is fast undermining the health of these aged parents, who are constantly praying to see the day when their son shall be returned to them, and it is feared that unless your clemency shall be extended that their lives will be of but short duration. The brothers and sisters of the said David Wolf, are honest, respectable and hard working members of the community and suffer keenly the disgrace which has been brought upon them, and we believe that the pardon of their brother will lift from them a severe load which now weighs heavily upon them, and remove the shadow which is overhanging them. Finally in view of the fact that said David Wolf has now served *nearly three* years and

0559

his character previous to his conviction having always been without blemish, we may be permitted to suggest that he has been by such confinement sufficiently punished for the offense committed. We may be permitted to further urge his constant brooding over his misfortune has undermined his health and his family entertain fears that by his further confinement his reason might be impaired.

No previous application has been made in this case for the exercise of Executive Clemency.

0560

*Donohue, Newcombe & Cardozo,*  
*Counselors at Law,*

*96 Broadway,*

CHAS. DONOHUE.  
RICH. S. NEWCOMBE.  
ALBERT CARDOZO JR.

*New York* 7 Feby, 1890/ ~~188~~

RANDOLPH B. MARTINE, ESQ:

(People vs David Wolf)

My dear Sir:-

I understand that your refusal to hear re-argument of defendant's motion to set aside the judgment and for a new trial, is based solely upon the ground that you feel more than one year having elapsed, that you have not the power to entertain the motion.

I also understand that you in no manner pass ~~iversely~~ upon the new matter set forth in the present proposed moving papers, you holding that the defendants only remedy now is to apply to the Governor for executive clemency, and that if you had the power, you would, provided upon examination you believed the statements contained in the moving papers, cheerfully grant the relief asked.

Permit me to ask you at your early convenience to reply to this letter, as if the defendant is, as I believe, innocent, I desire ~~as~~ expeditiously as possible to make an application to the Governor.

Yours truly,

*R. B. Martine*

0561

Court of General Sessions -

The People -

Ag.  
David. Wolf.

This application is based mainly upon statements of one William Gross - a convict upon his own confession. This person was a witness upon defendant's trial and then made statements on oath differing from those he makes on this application. - Gross now says that he committed the crime of which the defendant was convicted although on the trial he denied having ever seen the person to whom the forged cheque was passed. This is not a case of mistaken identity the person who says he committed this crime was a witness on the trial, and was readily distinguished from the defendant and on the trial it was satisfactorily proved that the goods were sold to Gross and the

0562

cheque to pay for them was passed  
by defendant -

I do not believe that  
upon a new trial the evidence  
proposed to be produced would  
change the verdict -

Motion for a new trial  
denied -

R.B.M.

The People  
apt

David Wolf -

Memo. of decision

4-26

filed May 13, 1891

0563

*William A. Gans*  
*Attorney & Counsellor at Law*  
*291 Broadway.*  
*New York.*

December 15th. 1891.

My Dear Judge;

I know that you will pardon me for again calling your attention to the matter of the petition for the pardon of Wolf particularly when I say that I have absolutely no interest in the prosecution of this matter than merely a humanitarian one. I feel assured that though the Governor has but two weeks remaining of his time that he will consider the petition ; and if not considered by him, it cannot be considered during the session of the Legislature. The action of the Governor, be it what it may, will relieve the parties concerned of the suspense under which they are now laboring. Under the circumstances I feel satisfied that you will excuse me for addressing you again upon this subject.

Hon. R. B. Martine.

Respectfully yours

*W. A. Gans*

0564

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer. *David Way*

Question. How old are you?

Answer. *24 years of age*

Question. Where were you born?

Answer. *Germany*

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

Answer. *224 East 47<sup>th</sup> St. 4 months*

Question. What is your business or profession?

Answer. *Butcher*

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.*  
*David Way*

*62*

Taken before me this

*22<sup>nd</sup>*

day of *March* 188*8*

*J. M. [Signature]*

Police Justice.

0565

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 fifty 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 November 22 1888 & J. M. Patterson Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

0566

Police Court---

1836 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Wm. C. Ferris*  
*458 W. 34*  
*David Wray*

*Offence. 1st year*

1 .....  
2 .....  
3 .....  
4 .....

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated *November 22* 188*8*

*Patterson* Magistrate.

*O'Brien* Officer.

*C. C.* Precinct.

Witnesses *Wm. W. Robinson*

No. *111 West 126* Street.

No. .... Street.

No. .... Street.

\$ *1500.* answer *G. S.*

*Comd*



0567

German Exchange Bank,

330 Bowery, cor. Bond Street,

New York,

*Nov 8* 188*8*

The

*Check* of

*And Simon Rod* for  
*149.85* on the *22nd* of *Nov*

deposited in this Bank, has been returned to us

*No 9*

Please give this your immediate attention.

*149.85* Yours respectfully,

*9/11/31*

PAYING TELLER.

*65.54*  
*Murray Hill*

0568

At a Term of the Court of General Sessions held  
in and for the County of New York in the City  
of New York on the // day of June, 1889.

PRESENT:-

Hon. Randolph B. Martine,  
Justice.

----- "  
The People of the State of New York, "

--against-- "

D a v i d W o l f. "

----- "  
A motion having been made in the above enti-  
tled cause, pursuant to the provisions of section  
of the Code of Criminal Procedure, for a new trial of  
the defendant David Wolf, on the ground of newly discov-  
ered evidence, said defendant having been tried and con-  
victed by jury upon an indictment found in New York Coun-  
ty charging said defendant with Forgery in the second de-  
gree, and having been thereafter and on the 10th day of  
January 1889, sentenced by me to a term of six years and  
six months in States Prison:

And said motion having duly come on to be  
heard before me on the 27th day of April 1889, and there  
having been presented to my consideration the affidavits  
of William Gross, David Wolf and Stephen C. Baldwin veri-  
fied respectively April 18th, 20th and 22nd, 1889, and  
the defendant appearing by Mr. Richard S. Newcombe, who  
made argument in his behalf and the People being repre-  
sented by Mr. John W. Goff, Assistant District Attorney,  
who opposed the motion, and due deliberation having had,

0569

N O W after reading and filing the affidavits  
aforesaid together with the notice of motion herein, dated  
April 22nd 1889, and upon the indictment of the defendant  
his conviction and sentence,

I do order that the said motion for a new tri-  
al of the defendant David Wolf be and the same hereby is  
in all respects denied.

*Enter*  
*R. B. M.*  
*J. G. S.*

0570

*Notice of Entry.*

*The within is a copy of*

*this day duly entered and  
filed herein in the office of the clerk of*

*of New York.*

*Dated N. Y.*

18

*Donohue, Newcombe & Cardoso,*

*Attys for*

SCHERMERHORN BUILDING,

96 BROADWAY,

N. Y. CITY.

To

Court of General Sessions.

The People of the State of  
New York,

--agst--

David Wolf.

Order denying motion for new  
Trial.

DONOHUE, NEWCOMBE & CARDOZO,  
*Attys for Deft.*

SCHERMERHORN BUILDING,  
No. 96 BROADWAY,  
NEW YORK.

*Due service of a copy of within is hereby admitted this  
day of*

18

*Filed June 11/18*

0571

District Attorney's Office.  
City & County of  
New York.

People  
vs.  
David Wolf

3

In cases of doubt where the  
evidence is conflicting and the  
credibility of witnesses in question  
and no error has been committed  
a new trial will be denied

People v. Mack

2 - Park, 673

0572

People  
no.

Saw wolf

begin

*[Faint, illegible handwritten notes]*

*[Faint handwritten mark]*

*[Faint handwritten mark]*

0573

COURT OF GENERAL SESSIONS OF THE PEACE:  
City and County of New York

The People  
vs.  
David Wolf

Indicted for Forgery in the Second  
Degree.

Indictment filed, *Nov 28<sup>th</sup>* 1888.

x  
x  
Before,  
x  
Hon. Randolph B. Martine  
x  
and a Jury.  
x  
x  
x

Tried, January 9th., 1889.

APPEARANCES:

Assistant District Attorney Goff, for the People;  
Mr. Joseph H. Moss, for the Defence.

-----  
WILLIAM C. JESSOP, the Complainant, being duly  
sworn, testified that he was Cashier and Bookkeeper for  
the firm of Messrs. George Hotchkiss & Co., Limited,  
wholesale dealers in dressed beef, at Nos. 7 to 10  
Vesey Pier, in West Washington Market. On the 3rd. of

0574

2.

November, 1888, he saw the defendant. He saw him first at the place of business of Mr. Swift, on Devoe Avenue, and then the defendant came to his, witness', place of business. The ~~witness~~ <sup>defendant</sup> had been buying some beef at Swift's place and then he came to his, witness', place of business to buy beef also. He saw the defendant at Swift's between 10 and 12 o'clock in the morning, and about 20 minutes later the defendant came to his, witness' place of business. I was about 11 o'clock when the defendant came to his place of business. The defendant handed him a check. He, the witness, was at his desk. The defendant took out his pocket book as he reached witness' desk and handed the check to him, the witness, and witness said, "haven't you the money?" and he said, "No, I haven't money enough." He had some bills. Then the defendant signed his name on the back of the check and he, witness, took the check. It was given in payment of the beef that he bought from his, witness' employees. The saleslip was sent up to him by a little elevator before the defendant got to his desk. He gave the difference between the face value of the check and the total of the saleslip to the defendant, in cash. He

0575

3.

witness, had the saleslip in his possession, at the time, to refer to it, when he gave the defendant the balance in cash. The difference between the saleslip and the amount called for by the check was \$23.62. The amount of goods purchased was \$35.10. The witness then identified the check ~~handed~~ then handed to him by the defendant, and it was marked in evidence. He <sup>wrote</sup> ~~read~~ the name of Mr. Alfred Block on the back of the check when he endorsed it. He wrote the name on his, witness', desk and he, witness, was watching him at the time. The defendant said at the time that he gave him, witness, the check, that it was good. In the Police Court, the defendant gave his name as Wolfe. He, the witness, deposited the check given him by the defendant in the Irving National Bank, and it was returned to him several days later as not good. The defendant had never returned the \$23.62. The defendant didn't take away the beef that he had bought.

-----  
UNDER CROSS-EXAMINATION, he testified that the sale of beef to the defendant was made by Louis Boll; at least the witness judged so from the handwriting on the

0576

4.

sales-slip that came up to him in the elevator. It took him about 5 minutes or may be 10 minutes to have the transaction with the defendant. He had seen the defendant before at G.F. & E.C. Swift's place of business, in West Washington Market. He happened to notice the defendant at Swift's, because he stood right by him while he was making a purchase of beef. The 3rd. of November was on Saturday and he, witness, went to Police Headquarters when he was informed that the defendant had been arrested. The defendant was standing up with several other ~~gentlemen~~ men in civilian's dress. There were 6 or 7 other men in the room besides the defendant. He immediately identified the defendant. He had heard that one John Gross or Goss had been arrested for passing worthless checks on different butchers. He saw Gross or Goss at the Police Court. He went there out of curiosity to see Gross and if he could identify him as the man who passed the forged check upon him. That was after Wolf's arrest and after he had identified Wolf in Police Headquarters and preferred a complaint against him. He never had any doubt in his mind as to the defendant's, Wolf's identity.

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THOMAS W. ROBERTSON, testified that he was Cashier of the Mountmorris Bank in the City of New York. He knew that the check in evidence had been presented at the Bank. It came there through the exchanges in the ordinary course of business. The name purporting to be the name of the maker of the check was not the name of any person who had or ever had an account in the Bank. Payment of the check was refused.

-----  
OFFICER JOHN McAULEY, testified that he was a Detective Officer attached to the Police Headquarters in the City of New York. He saw the defendant sign his name to the examination papers in the police court when he was arraigned on the 22nd. of November, 1888.

-----  
JAIRIUS J. MORSE, testified that he was a wholesale butcher at 927 Broadway, Brooklyn. He had seen the defendant before. He saw him in his place of business on the 8th. day of November, 1888. He had a business transaction with him.

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MR GOFF having announced that the object of calling

0578

6.

this witness was to prove a similar transaction, Mr. Moss objected, and the Court excluded the testimony.

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OFFICER STEPHEN O'BRIEN, testified that he was a detective Sergeant attached to the Police Central Office in the City of New York. He arrested the defendant in an elevated train on the Third Avenue Line, near 23rd. Street, on ~~the night of~~ November 17th., 1888. between 7 and 8 o'clock in the evening. He, witness, had a man with him, named Maloney, who claimed to have received a worthless check. The defendant was sitting opposite him, the witness, in the car. He was sitting with a young woman and the defendant went out on the back platform of the car and put his hand over his face. He, the witness, went out and told the defendant that he was an officer from Police Headquarters and arrested him. He told the defendant that he had arrested him for a worthless check transaction, and asked him if he had given anybody worthless checks and he said he hadn't and he asked the defendant if he was a butcher and the defendant said he was. Then he, the witness, said, "this man that I have with me identifies you as the man that gave him a worthless check, and you will have to come to Police Headquarters." Maloney was present at the time, then he,

0579

7.

(witness) Maloney and the defendant went to Police Headquarters. The defendant said that Maloney was mistaken. He, Maloney said that he was positive that the defendant was the man who had given him the worthless check and said, to the defendant, "you came to my place and bought beef from me and we had 5 or 10 minutes conversation together and you are the man."

-----  
UNDER CROSS-EXAMINATION, he, the witness, testified that he and Maloney sat opposite the defendant in the car. They got in at 47th Street and the defendant and the young woman got in at the same station. He, the witness, had been following the defendant with Mr. Maloney. They followed him from a house <sup>his</sup> at 47th Street near Third Avenue and he, the witness, had told Maloney to see the man and see <sup>whether</sup> ~~that~~ he was the man that had given him a worthless check. The defendant came out of the house in 47th Street and walked about 200 feet to a butcher's store and he, the witness, and Mr. Maloney followed on the opposite side of the street. They saw the defendant go into the butcher's store. Then the young woman came along and met him at the door of the butcher's store and the defendant and the young woman

8.

walked across Third Avenue to the downtown station of  
 the Elevated Road at 47th Street. He, the witness,  
 went up the elevated steps with Maloney, after the  
 defendant and the young woman had got up to the platform  
 and the train had almost got into the station. The  
 defendant and the young woman got into the train and sat  
 down and he, the witness, and Maloney took a seat  
 opposite to them. When they had ridden two or three  
 blocks the defendant left the young woman and went out  
 on the platform. Then, he, the witness, asked Maloney  
 if he recognized the defendant and Maloney said that he  
 did. He, the witness, told Maloney to be sure as he  
 didn't want to make any mistake. Then they went out on  
 the rear platform and Maloney positively identified  
 the defendant and he, the witness, arrested him.

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FOR THE DEFENSE.  
 SERGEANT O'BRIEN, being re-called by Mr. Moss, testified that when he searched the defendant he found some papers and one check upon him. He had made inquiries and found that the check was a good one. He, the witness, noticed that it was drawn for

0581

9.

\$20. in the body of the check and \$25. in the corner. The defendant said that he got it from a man whose name was signed to it. He said that it was the name of a butcher-- Mr. Kallman. It was drawn on the Murray Hill Bank and was good. The check was dated ahead and he said that Mr. Kallman did it purposely. He arrested the defendant after he came out of the house of a man named Lindheim with whom the prisoner lived or had lived and for whom he had worked, at 224 East 47th. Street

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SAMUEL LINDHEIM, called by the defense, testified that he was a butcher and did business in 47th. Street and down in Centre Market. On the 3rd. of November he was doing business there and the defendant was in his employ. He, witness, had a stand in the market at that time. The stand had belonged to him, witness, but he had sold it to Wolf a couple of weeks before. Wolf had left his employ about 3 weeks before. He, witness, was in error when he said that the defendant was in his employ on the 3rd. of November. He, witness, was around Centre Market on the 3rd. November 1888. The defendant

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10.

was there also, at the stand. He, the defendant, lived with him, witness, at the time of his arrest, at 224 East 47th. Street. The defendant had worked for him, witness, for four months and a half before he bought the stand. He, the witness, knew other people that knew the defendant and his reputation for honesty was good.

-----

UNDER CROSS-EXAMINATION. he testified that he had had a good many dealings with wholesale butchers around the City of New York and had frequently sold his place of business. He had been in the butcher business about 8 years. He had been in Centre Market about 3 months and previously he was in business in 47th. Street where he kept a butcher's store. At 12 o'clock on the day of Nov. 3rd. 1888 he went to dinner. The defendant had been out distributing meat and said ~~when he~~ <sup>that he would</sup> returned about 12 o'clock to dine. He went ahead of the defendant and they met in a restaurant on Mercer Street between Broome and Spring and they remained in the restaurant about one quarter of an hour. He, the witness, then went to attend to business and the defendant said that he was going home. He, the witness, returned to the Centre Market about 4

0583

12.

elevator up to the office. He, witness, could not remember distinctly seeing the man to whom he sold the beef go up to the office. The sale of the beef was made down stairs and the payment was made upstairs. He saw the man go towards the stairway, and then he lost sight of him as there were other customers in the store. Ten or fifteen minutes later he saw him again standing in front of the scales in the store. He had a check in his hand--a customers sale-slip. It was then between 11 and 12 o'clock. He, witness, was in a hurry to get away as it was Saturday and the last sale of the day and he asked the man what expressman was going to call. He was positive that the defendant was not the man to whom he sold the meat. He saw the man to whom he sold the meat about 4 or 5 weeks before the trial on the street about a block from Hotchkiss & Co.'s place of business. He, witness, said halloo and the man said, "Halloo" and then the witness said, "Halloo, who let you out?" he supposed that the man was the man who was arrested and he supposed that he was out on bail. The man said, "You must be crazy, you are mistaken." He, the witness, said

0584

11.

o'clock. They had dinner in Eisemen's restaurant.

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LOUIS BOLL, testified that he was a wholesale meat salesman for George Hotchkiss & Co., Ltd. He remembered the 3rd. of November and remembered giving Mr. Jessop, bookkeeper of the firm, a slip for the sale of some beef. He then identified the slip previously identified by Mr. Jessop as the sales slip of the transaction. Some days after the 3rd. of November, he learned that the check given for the meat in that transaction was worthless. The defendant was not the man that he sold the meat to. He saw the man that he sold the meat to some time afterwards on the street. It was not the defendant.

-----

UNDER CROSS-EXAMINATION. He testified that he had a conversation with the man whom he sold the meat to. The man asked the price of the goods and when he told him the man said that he thought that the price was a little too high. The man, after some talking, left the place and returned sometime afterwards and bought the meat. After the purchase, he, witness, sent the sales-slip in the

0585

13.

that he was not mistaken. He ran away and he, witness, ran after him. Then, he, witness, pursued him into a store and got him arrested. He was <sup>arraigned</sup> in the Tombs and gave the name of William Gross. At first he refused to give any name. He didn't think that Gross resembled the defendant very much. He had seen Gross before the 3rd. of November. He had never seen the defendant before he saw him in the Court room. He had seen Gross several times before November 3rd. at his, witness', place of business. On the 3rd. of November Gross gave the name of Block as his own name.

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WILLIAM GROSS being then arraigned at the Bar, the witness identified him as the man that he sold the meat to and the man whom he had chased in the street and had had arrested.

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HENRY PLAUT testified that he was a wholesale butcher and carried on business in Johnson Avenue, Williamsburg. He had been in business about 5 years. He knew the defendant and had known him for about 7 years

0586

14.

The defendant had been his partner in business from 1886 to the end of the year 1887. They had carried on business in Brooklyn and also in West Third Street New York. He knew other persons who knew Wolf and his reputation had always been excellent for honesty.

-----  
GUSTAV ZELNER testified that he was in the fat business and bought fat from butchers. He carried on business in Brooklyn and had known the defendant David Wolf for 5 or 6 years and he had had business dealings with him and his reputation was good for honesty

-----  
EMILE MEYER, retail butcher, testified that he carried on business at the corner of Park Avenue and Delmonico Place Brooklyn. He had known the defendant for about 3 years and had had business transactions with him in New York and knew others who knew him in New York and Brooklyn and his reputation for honesty was good.

-----  
JOSEF LICHENSTEIN dealer in fat, doing business in

0587

15.

Brooklyn testified that he had known the defendant for between 6 and 7 years and had had business transactions with him and knew other persons that knew him. His reputation for honesty was good.

-----  
CHARLES STEIN, Butcher, of 1831 Lexington Avenue, New York testified that he had been in the butcher business for 10 years. He had known the defendant from 7 to 8 years and the defendant had helped him in his business at times. He knew others that knew him and his reputation for honesty was good.

-----  
MAX HASS testified that he was a tailor and carried on business at 78 Graham Avenue, Brooklyn. He had known the defendant for four or five years and knew others that knew him. His reputation for honesty was good.

-----  
DAVID WOLF the Defendant, testified that he was 24 years of age and had lived in New York about 9 years. He had worked mostly in the butcher business. and he had worked for a number of butchers including a butcher named Jules Block. He had been in business for himself

0588

16.

and was in business for himself up to about the 8th. of November. He carried on business in Centre Market. He fell off a wagon and hurt his head on the 6th. of November and was laid up for about 10 days at home and he could not attend to business properly any more. He had never been arrested before in his life. He had ~~not~~ presented the check to Mr. Jessup and he didn't endorse it with the name of Alfred Block and he didn't buy any meat from Hotchkiss & Co. on the 3rd. of November. He did buy meat on that day from A.C. Swift & Co. in Centre Market. From 10 to 12 o'clock on the 3rd. of November when Mr. Jessup testified that he bought the meat of Hotchkiss & Co. he was in Centre Market but he left a little after twelve o'clock and went to dinner with Mr. Lindheim. They went to a restaurant in Mercer Street near Broome. He had his head bandaged up on account of his injury. He remembered his arrest; it was on the 19th. of November. At Police Headquarters he was taken to a separate room and placed with 5 men. All of the men were taller than himself. Mr. Jessup came into the room and one of the officers said, "See if you can pick out the

0589

17.

man. At least 10 or 12 men came there to identify him and 7 or 8 said they couldn't identify him. He knew nothing about the forgery of the check .

-----  
UNDER CROSS-EXAMINATION. the defendant testified that he didn't know Gross before he saw him in prison. Although he was injured by his fall he had driven around the wagon and attended to business somewhat. He knew Mr. Gugginheimer, who kept a slaughterhouse in First Avenue near 46th. Street. Mr. Gugginheimer had sons-- two-- Meyer and Morris. He didn't know Gross to be one of Gugginheimer's sons. He had learned for the first time in Court that day that Gross's right name was Gugginheimer. They had been on the same Tier in the City Prison for 4 weeks but not in the same cell. Mr. Gross had been in his, defendant's cell to ask for the loan of a book, but he had not remained there. They came down to Court together but they had not conversed about the case. From the 8th to the 19th. November he had stopped at 34 Stanton Street. He had previously been staying at Lindhems in 47th. Street and he returned

0590

18.

to Lindheims on the day of his arrest. He left Lindheims because they quarrelled about business and he went back there ~~in~~ because Mrs. Lindhem insisted upon his return, in the meantime his trunk and other effects were at Lindheim's house. He was looking for work meanwhile having given up his own business. On the night of his arrest, he was going to the theatre with a young woman. He didn't know what theatre they were going to. He was arrested between 42nd. and 38th. Streets. He went out to the rear platform of the car because he didn't feel well and thought that he might have to vomit, but he didn't vomit. He made the appointment with the young woman to go to the theatre on 46th. Street in the afternoon. He met her in front of a butcher's store, ~~at~~ Third Avenue and 47th. Street. He had not seen her since the commencement of the trial. He could not tell whether she was living in New York or not. Her first name was Maggie. He didn't know her surname. He had never gone to the theatre with Maggie before. He had been <sup>in</sup> her company before several times. After his arrest she went home. He felt sick as soon as he got into the car. He did purchase some beef on the 3rd. of November but it was from Swift & Company in Centre Market. He left

0591

19.

Centre Market for the day on the 3rd. of November about half past 8 in the evening. At about a quarter past 12 in the day time he left the market to join Lindheim at dinner. Lindheim had left the market only a few minutes before he did. After dinner Lindheim was away until 6 or 7 o'clock in the evening-- at least, he, the defendant didn't see him until 6 or 7 o'clock in the evening. After his, defendant's dinner, he went to 34 Stanton Street and he went back to Centre Market between 5 and half past 5. He had never seen the man Gross at Lindheim's place and didn't know that Gross, who was really one of Mr. Gugginheimer's sons, had often called at Lindheim's butcher's shop to collect bills for his father. He didn't know also that Mr. Gugginheimer's horses were stabled in the same stable that Lindheim's was. In the Tombs Gugginheimer <sup>or Gross</sup> had told him, about a week before the trial, what the charge against him was. They were exercising in the corridor at the time. Gross followed him, the defendant, up in the Tombs. He the defendant never cared to associate with him because he didn't like his looks. Gross said that he was arrested because he had collected some money for a dry goods

0592

20.

house that he <sup>traveled</sup> ~~drove~~ for, and that he turned the money over to the cashier but he, the cashier didn't know anything about it.

-----  
IN RE-BUTTAL - - OFFICER McAULEY, being re-called, testified that he was present when Mr. Jessup identified the defendant. No one pointed the defendant out to Jessup. The defendant was placed among 7 or 8 men and Mr. Jessup was in another room. After the defendant and the other men were arranged in line Jessup was told to go into the room where the men were standing, ~~by~~ and to see if he could pick out the man who had passed the check upon him. Mr. Jessup entered the room and looked them all over and when he saw the defendant he pointed his finger right at him and said, "That is the man."

-----  
WILLIAM GROSS, being called by the People, testified that he had been placed under arrest several weeks before and to protect his family from notoriety he took the name of William Gross. His real name was Moses Guggenheimer. It was not true as testified to by Mr. Boll that Mr. Boll sold any meat to him the defendant on the 3rd. of November. He had been advised by his counsel not to

0593

21

answer any further questions, on the ground that his answers would tend to degrade and incriminate him. He had been in Wolf's cell on one or two occasions. He had been in there the day before the trial. He asked Wolf for the loan of a ~~xxxxx~~ book. He may have stopped at the entrance of the cell and spoken to him for a moment but he was never in his cell ~~twice~~, except when he borrowed the book. He borrowed books on other occasions but the defendant Wolf brought them to him. Wolf gave them to him while they were exercising in the corridor. They had had conversations together. He told Wolf that he was held on a charge of grand larceny and Wolf told him that he was charged with passing forged checks. He knew Lindheim's butcher's store in 47th. St. His, witness' father had had considerable trouble with Lindheim. His, witness' father was a wholesale butcher. He, witness, had collected bills very often from Lindheim. He didn't know whether Wolf was working for Lindheim at the time or not. He had never seen Wolf in the store. He had collected bills from Lindheim for his father within three months. He could not remember that he had seen the defendant Wolf in Washington Market. Wolf was

0594

22.

a perfect stranger to him when he met him in the Tombs. He believed that Wolf's horse was stabled in the same place where his, witness' father stabled his horses. He never met Wolf at the stable.

-----

MR. JESSUP being re-called testified that the man Gross was not the man who presented the check to him and who signed the name of Alfred Block upon the back of the check and received the difference in change. The man who did this was the defendant. He had seen the defendant Wolf several times in the market before the 30<sup>th</sup> of November standing in the gangways between the stalls. He, the witness, was around the market a good deal and had seen the defendant Wolf there several times. The sale-slip for the meat in question was the only sale-slip that he had before him at the time. He made out the bill for the meat on the sale-slip.

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0595

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Dania Wolff*

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

*- Dania Wolff -*

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

The said *Dania Wolff*

late of the City of New York, in the County of New York aforesaid, on the *- 2nd -* day of *November*, in the year of our Lord one thousand eight hundred and eighty-*eight*, with force and arms, at the City and County aforesaid, feloniously did forge, and cause and procure to be forged, and willingly act and assist in the forging a certain instrument and writing, *to wit: an order for the payment of money of the said called Bank of America,*

which said forged *Bank of America* is as follows, that is to say:

*New York, Nov 2 1888*  
*Mount Morris Bank*  
*New York City*  
*Pay to the order of Alfred Chadwick \$58<sup>72</sup>/<sub>100</sub>*  
*Eighty eight and 72/100 Dollars*  
*Herman Stein*

*[Large handwritten flourish]*

with intent to defraud, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT:—

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

*David Wolff* —

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

The said *David Wolff*

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, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, *to wit:*

*an order for the payment of money of the kind called bank cheque*

which said forged *bank cheque* — is as follows, that is to say:

*New York, Nov. 2 1928*  
*Mount Morris Bank*  
*New York City*  
*Pay to the order of alleged Alphonse # 58 <sup>72</sup>/<sub>100</sub>*  
*the sum of* ————— *the sum of*  
*Twenty Dollars*  
*Norman Klein*

*[Large handwritten flourish]*

with intent to defraud, *the* the said *David Wolff* then and there well knowing the same to be forged, 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.

JOHN R. FELLOWS,  
District Attorney.

0597

384  
D  
D.H.H.

Witnesses:

*W. G. [unclear]*

Counsel,

Filed, *28* day of *John* 188*8*

Pleas, *Chiquity*

THE PEOPLE,

vs.

*W.*

*284 L.H.H.*

*David Wolf*

*(2 cases)*

Forgery in the Second Degree.  
(Sections 511 and 521, Penal Code.)

JOHN R. FELLOWS.

*Dec 14* District Attorney.

*Jan 11/89*

*Area [unclear] '6*

A True Bill. *Del. 4/15/89*

*R.B.M.*  
*Walter MacLae*

Foreman.

0598

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
AGAINST

David Way

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

David Way

of the CRIME OF GRAND LARCENY in the manner and against the persons  
committed as follows:

The said David Way

late of the City of New York, in the County of New York aforesaid, on the 21<sup>st</sup> day of November, in the year of our Lord one thousand eight hundred and eighty-eight, at the City and County aforesaid, with force and arms, with intent to deprive and defraud

of the proper moneys, goods chattels and personal property hereinafter mentioned, and of the use and benefit thereof, and to appropriate the same to his own use, did then and there feloniously, fraudulently and falsely pretend and represent to the said

of the proper moneys, goods chattels and personal property hereinafter mentioned, and of the use and benefit thereof, and to appropriate the same to his own use, did then and there feloniously, fraudulently and falsely pretend and represent to the said

That his name was Simon Beck, and that he was a Duke of a certain good deal, that a certain paper writing in the words and figures following to wit:  
No. - New York, November 5 1888  
Second National Bank,  
Pay to Thomas Ryan or Bearer,  
one hundred and forty nine <sup>85</sup>/<sub>100</sub> Dollars,  
\$149 <sup>85</sup>/<sub>100</sub> Leon Schultze

which the said David then and there produced and delivered to the said Gustavus and Edwin, was then and there a good and valid order for the payment of money and of the value of one hundred and forty nine dollars and eight five cents.

And the said Gustavus and Edwin then and there believing the said false and fraudulent pretenses and representations so made as aforesaid by the said David

and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and representations so made as aforesaid, to deliver, and did then and there deliver to the said David, the sum of fifty nine dollars and fifty four cents in money, lawful money of the United States and of the value of fifty nine dollars and fifty four cents,

of the proper moneys, goods, chattels and personal property of the said Gustavus and Edwin.

And the said David did then and there feloniously receive and obtain the said proper moneys, goods, chattels, and personal property, from the possession of the said Gustavus and Edwin by color and by aid of the false and fraudulent pretenses and representations aforesaid, with intent to deprive and defraud the said Gustavus and Edwin of the same, and of the use and benefit thereof, and to appropriate the same to his own use

Whereas, in truth and in fact, the said name of the said David was not Simon Jack, and he was not a brother of the said Joseph Jack; and the said paper

0600

writing which the said David  
then and there produced and delivered to the said  
Huntam and Edwin was not  
then and there a good and valid  
order for the payment of money  
and was not of the value of one  
hundred and forty nine dollars  
and eighty five cents or of any  
value whatever, but was in truth  
then and there wholly void and  
worthless.

And Whereas, in truth and in fact, the pretenses and representations so made  
as aforesaid by the said David  
to the said Huntam and Edwin was and were  
then and there in all respects utterly false and untrue, as he the said  
David  
at the time of making the same then and there well knew

And so the Grand Jury Aforesaid, do say that the said  
David  
in the manner and form aforesaid, by the means aforesaid, the said proper moneys, goods,  
chattels and personal property of the said Huntam and Edwin  
then and there feloniously did STEAL, against the form of the Statute in such case made and  
provided, and against the peace and dignity of the said people.

JOHN R. FELLOWS,

District Attorney.

0601

**BOX:**

331

**FOLDER:**

3136

**DESCRIPTION:**

Woolworth, William S.

**DATE:**

11/02/88



3136

0602

589

Witnesses:

J. B. Alecker  
E. M. Kingsley  
J. H. Bradhurst

Nov. 17, 1888.

I recommend the  
dismissal of this Indict-  
ment for the reasons  
stated in the case of  
People v. Duncan B.  
Buchanan, filed here  
with.

J. R. Fellows  
District Attorney

Counsel,  
Filed,  
Pleads,

2<sup>nd</sup> day of

Nov. 1888

THE PEOPLE

vs.

William S. Woodworth

FRAUDULENT REGISTRATION.  
[Chap. 410, Laws of 1882, § 1908.]

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

W. L. Miller Foreman.  
F. 2. Nov. 16, 1888  
Indictment dismissed

0603

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 S. Woodworth*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by  
this indictment, accuse *William S. Woodworth*  
of a FELONY, committed as follows:

Heretofore, to wit: on the *9th* day of  
October, in the year of our Lord one thousand eight hundred and eighty-~~eight~~ *the*  
same being a day duly appointed by law as a day for the general registration of the  
qualified voters of the said City and County, the said *William S. Woodworth*  
late of the City and County aforesaid, at the City and County aforesaid, did personally  
appear before the Inspectors of Election of the *22nd* Election District  
of the *22nd* Assembly District of the said City and County, at a meeting  
of the said Inspectors of Election then being duly held for the purpose of the general  
registration of the male residents of the said Election District as then were, or would be  
on the day of election next following the said day of registration, (to wit: on the *sixth*  
day of November, in the year aforesaid, being the Tuesday succeeding the first Monday in  
the said month of November, and being the day duly appointed by law for the holding of  
a general election throughout the said State, and in the City and County aforesaid), entitled  
to vote therein, at the duly designated polling place of the said Election District, and did  
then and there, at the said general registration of voters, feloniously and fraudulently  
register in the said Election District, not having a lawful right to register therein, in this,  
to wit: that the said *William S. Woodworth* was not then a male resident  
of the said Election District as then was, or on the said day of election next following the  
said day of registration would be entitled to vote therein, for the reason that he was not  
then, nor would he on the said day of election have been, an inhabitant of the said State  
one year next preceding such election, and the last four months a resident of the said  
County of New York, and for the last thirty days a resident of the said Election District,  
against the form of the statute in such case made and provided, and against the peace and  
dignity of the said People.

JOHN R. FELLOWS. District Attorney.

0604

**BOX:**

331

**FOLDER:**

3136

**DESCRIPTION:**

Wulff, Ernst

**DATE:**

11/09/88



3136

0605

-034-

Witnesses:

*Officer Keppin*

Counsel,

Filed, 9 day of Nov 188

Pleads, *Indignity 12*

*P*

THE PEOPLE

vs.

*P*

*Ernst Wolff*

*P 2 Nov 16. 1888.*

*Tries & acquitted.*

JOHN R. FELLOWS,

*Nov-16 Part II District Attorney.*

*Drafts Return with file*

FRAUDULENT REGISTRATION.  
[Chap. 410, Laws of 1882, § 1908.]

A True Bill

*John R. Fellows*

Foreman.

0606

In the *J.F.* Police District Court,  
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
Plaintiffs,

against

Information for Fraudulent Registration.

*Ernst Kuff* Defendant

City and County of New York, to wit:

*11 Avenue of Police*

age

*29*

occupation *Police Officer* being duly sworn deposes, alleges and says:

That he has good cause to believe and doth verily believe and charge that heretofore, to wit: on the *17th* day of October, in the year of our Lord one thousand eight hundred and eighty-eight, the same being a day duly appointed by law as a day for the general registration of the qualified voters of the said City and County, the above-named defendant, at the City and County aforesaid, did personally appear before the Inspectors of Election of the *19* Election District of the *8* Assembly District of the said City and County, at a meeting of the said Inspectors of Election then being duly held for the purpose of the general registration of the qualified voters of the said City and County, resident in the said Election District, at the duly designated polling place of the said Election District, and then and there, at the said general registration of voters, feloniously did fraudulently register in the said Election District, not having a lawful right to register therein, by reason of not being a male resident of the said Election District, as then was, or on the day of the general election to be held throughout the said State of New York, and in said City and County on the sixth day of November 1888, and next following the said day of registration, would be entitled to vote therein, in this, to wit: that he, the said defendant was not then, nor would he on the day of the said general election so next following the said day of registration have been an inhabitant of the State of New York for one year, and of the said County of New York for four months, and of the said Election District for the last thirty days next preceding the day of the said election, and being thereby disqualified by the Constitution and Laws of this State as well from voting at the said election, as also from then and there registering as such voter, all of which the said defendant then and there well knew.

That as your informant, has good cause to believe and doth verily believe the said defendant in and for so feloniously and fraudulently registering as aforesaid, did then and there, being examined by the said Inspectors of Election according to the requirements of the Laws of this State as to his qualifications as an elector of the said Election District, and particularly in respect to his residence falsely and fraudulently give and state to the said Inspectors of Election as his then dwelling-place and abode, and cause and procure the said Inspectors to enter in the register of the said Election District duly made and furnished as provided by law for that purpose, certain matters to the effect that his dwelling-place and abode was then the premises and place situate in the said Election District known as number

and that he had resided in said State and County and at the said premises and place for such a period of time as then entitled him, or would on the day of said election entitle him to vote therein: whereas in truth and in fact the dwelling-house and abode of the said defendant was not then the said premises and place, and he had not so resided in said State and County and at said premises and place for such period of time as aforesaid.

Wherefore your informant prays that a warrant may issue for the arrest of the said defendant, and that he be dealt with according to law.

Taken and sworn to before me, this

*2* day of *Nov* 1888

*George Kappes*  
Police Justice

0607

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

IN THE NAME OF THE PEOPLE OF THE STATE OF NEW YORK.

*To any Peace Officer in the County of New York:*

Information upon ~~oath~~ having been this day laid before me that heretofore, to wit: on the day of *October* in the year of our Lord one thousand eight hundred and eighty-six, the same being a day duly appointed by law as a day for the general registration of the qualified voters of the said City and County, one *Ernest Kuff* at the City and County aforesaid, did personally appear before the Inspectors of Election of the Election District of the *3* Assembly District of the said City and County, at a meeting of the said Inspectors of Election, then being duly held for the purpose of the general registration of the qualified voters of the said City and County, resident in the said Election District, at the duly designated polling place of the said Election District, and did then and there, at the said general registration of voters, feloniously register in the said Election District, without having a lawful right to register therein;

*Kuff* **You are therefore commanded** forthwith to arrest the above-named *Ernest* and bring him before me at the *3* District Police Court, in this City, or, in case of my absence or inability to act, before the nearest or most accessible Magistrate in this County.

Dated at the City and County aforesaid this *24th* day of November, 188*6*

*[Signature]*  
Police Justice.

0608

Sec. 198-200.

3

District Police Court

CITY AND COUNTY OF NEW YORK, ss.

*Ernest Wulff*

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. *Ernest Wulff*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *83 Brimington Bldgs*

Question. What is your business or profession?

Answer. *Baker*

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*

*Ernest Wulff*

Taken before me this 3 day of *March* 188*8*  
*[Signature]*  
Police Justice.

0609

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 A. ...*

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Twenty* Hundred Dollars, *12000* and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated *Nov 3* 188*8* *[Signature]* Police Justice.

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

Dated.....188.....Police Justice.

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

Dated.....188.....Police Justice.

06 10

Police Court *1724* District *1724*

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*W + 3*  
*Geo Kappes*  
*vs.*  
*Emur Kuff*

*1724*  
*1724*  
*Offence*  
*Accepted*

2  
3  
4

BAILED,

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

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

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

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

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

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

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

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

Dated *Nov 2* 188*8*

*Duffy* Magistrate.

*Kappes* Officer.

*11* Precinct.

Witnesses *Mr Murray*

No. *John J. O'Brien* Street.

No. *19th Election of the* Street.

*8th Assembly District*

*Produce Registry Book*

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

*2000* to answer

\_\_\_\_\_

*Law*

06-11

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

THE PEOPLE OF THE STATE OF NEW YORK,  
*against*

*Frank W. [unclear]*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by  
this indictment, accuse *Frank W. [unclear]*  
of a FELONY, committed as follows:

Heretofore, to wit: on the *17th* day of  
October, in the year of our Lord one thousand eight hundred and eighty-~~eight~~ *eight* the  
same being a day duly appointed by law as a day for the general registration of the  
qualified voters of the said City and County, the said *Frank W. [unclear]*  
late of the City and County aforesaid, at the City and County aforesaid, did personally  
appear before the Inspectors of Election of the *[unclear]* Election District  
of the *[unclear]* Assembly District of the said City and County, at a meeting  
of the said Inspectors of Election then being duly held for the purpose of the general  
registration of the male residents of the said Election District as then were, or would be  
on the day of election next following the said day of registration, (to wit: on the *17th*  
day of November, in the year aforesaid, being the Tuesday succeeding the first Monday in  
the said month of November, and being the day duly appointed by law for the holding of  
a general election throughout the said State, and in the City and County aforesaid), entitled  
to vote therein, at the duly designated polling place of the said Election District, and did  
then and there, at the said general registration of voters, feloniously and fraudulently  
register in the said Election District, not having a lawful right to register therein, in this,  
to wit: that the said *Frank W. [unclear]* was not then a male resident  
of the said Election District as then was, or on the said day of election next following the  
said day of registration would be entitled to vote therein, for the reason that he was not  
then, nor would he on the said day of election have been, an inhabitant of the said State  
one year next preceding such election, and the last four months a resident of the said  
County of New York, and for the last thirty days a resident of the said Election District,  
against the form of the statute in such case made and provided, and against the peace and  
dignity of the said People.

JOHN R. FELLOWS. District Attorney.

06 12

**BOX:**

331

**FOLDER:**

3136

**DESCRIPTION:**

Wund, Jacob C.

**DATE:**

11/20/88



3136

200-

Witnesses

*Allen Leary*

Counsel,  
Filed, *Do* *For* 188*f.*  
Pleas, *Adquilly*

ADULTERATED MILK.  
(Chap. 183, Laws of 1885, Section 1, as amended  
by chap. 577, Laws of 1886, Section 1; Section 186,  
Sanitary Code, and Section 575 of the N. Y. City  
Consolidation Act of 1882.)

THE PEOPLE,

*vs*

*534 B*  
*Jacob C. Kund*

JOHN R. FELLOWS,  
*First Deputy of* District Attorney.  
*Sec. - Post Office*

*Pr Dec 6. 1888.*

*Wade*  
A True Bill.

*Wade Muelae*

*Foreman.*

f

06 14

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

*Allen Levings* of No. 301 Mott Street, in the City of New York, being duly sworn, says that he is over the age of twenty-one years, and is a Sanitary Inspector of the Board of Health therein, especially detailed to the inspection of Milk; that on the *3<sup>d</sup>* day of *November* in the year 188*8*,

at premises number *539 2<sup>d</sup> ave* in the City of New York, the said premises being a place where Milk was then kept for sale, one *Jacob C Ween* unlawfully did then and there keep, have and offer for sale three quarts of impure and unwholesome Milk, which had been and was then and there watered, adulterated, reduced and changed by the addition of water or other substance, or by the removal of cream therefrom, and that such impure, unwholesome, watered, adulterated, reduced and changed Milk was then and there, by the said *Jacob C Ween*, unlawfully held, kept and offered for sale in violation of the provisions of the Sanitary Code then and there and at all times thereafter in force and operation, and especially in violation of the provisions of a section and ordinance of such Sanitary Code which was duly passed and adopted by the Board of Health of the Health Department of the said City of New York, and by said Health Department at a meeting thereof, duly held in said city, on the twenty-third day of February, 1876, in the manner and language following, to wit:

“*Resolved*, That, under the power conferred by law upon the Health Department, the following “additional section to the Sanitary Code for the security of life and health be, and the same is hereby, “adopted and declared to form a portion of the Sanitary Code.

““No Milk which has been watered, adulterated, reduced or changed in any respect by the ““addition of water or other substance, or by the removal of cream, shall be brought into, held, kept ““or offered for sale at any place in the City of New York, nor shall any one keep, have or offer for ““sale in the said city any such Milk.””

That said ordinance was thereafter duly published once a week, for two successive weeks, in the *City Record*, a daily official newspaper and journal published in said city, to wit, in the issues of such newspaper of the twenty-fourth day of February, 1876, and also of the second day of March, 1876, and that said ordinance was, at all times alleged herein, in full force and operation in said city and county.

Sworn to before me the *8* day }  
of *Nov* 188*8*.

*Allen Levings*

*Samuel C. Kelly*  
Police Justice.

0615

W.  
Police Court, 4<sup>th</sup> District.

THE PEOPLE, & C.,  
ON THE COMPLAINT OF  
*Allen Jennings*  
vs.  
*Jacob C. Wines*  
*539 R<sup>d</sup> Ave*

*Affidavit, violation of Section 136 of the Sanitary Code.*

Dated..... 188 .

Justice.....

Officer.....

Witnesses.....

No.....

No.....

\$..... to answer.....

*Dealer sells 100 gals daily  
18% added water*

06 16

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Jacob C Wund

Question. How old are you?

Answer.

42 years

Question. Where were you born?

Answer.

Rumania

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

Answer.

539 Second Ave 2 years

Question. What is your business or profession?

Answer.

Greener

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

Answer.

I am not guilty and demand  
a trial by jury

Jacob C Wund

Taken before me this

day of

188

[Signature]

Police Justice.

0617

Sec. 151.

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

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the *Police*  
*Justices* for the City of New York, by Allen Levings  
of No. 301 Matt Street, that on the 3<sup>rd</sup> day of Nov  
1888 at the City of New York, in the County of New York,

*one Jacob C Weiss of 539 2<sup>nd</sup> ave*  
*held and offered for sale three quarts*  
*of adulterated milk in violation*  
*of sanitary code of said city.*

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring forthwith before me, at the \_\_\_\_\_ 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 8<sup>th</sup> day of Nov 1888

Sam J. O'Connell POLICE JUSTICE.

06 18

age 42 years Res. 539 2<sup>d</sup> Ave

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

Police Court ..... District.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

*Allen Levings*

vs.

*Jacob C Wund*

*539 2<sup>d</sup> Ave*

Warrant-General.

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

\_\_\_\_\_  
Magistrate

*Paul Jacob C. Wund*  
Officer.

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

\_\_\_\_\_  
Officer.

Dated *November 9* 188*8*

This Warrant may be executed on Sunday or at  
night.

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

06 19

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

Dated Nov 9 1888 Sam'l C. Russell Police Justice.

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

Dated Nov 9 1888 Sam'l C. Russell Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

0620

Police Court--- 4 / 1770 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Allen Livingston

Jacob C Wund

Offence New Sec 186  
of Sanitary Code

Dated Nov 9 1888

W O Reilly Magistrate.

Officer.

Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ 300 to answer G. S.

Bailed

BAILED,

No. 1, by Peter Seery

Residence 157 E 38 Street.

No. 2, by

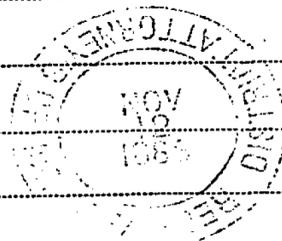
Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.



0621

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*Jacob C. Mund*

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

*Jacob C. Mund*

(Chap. 183, Laws of 1885, § 1, as amended by Chap. 577, Laws of 1886, § 1.) Of a MISDEMEANOR, committed as follows:

The said

*Jacob C. Mund*

late of the City of New York, in the County of New York aforesaid, on the *fifth* day of *November* in the year of our Lord one thousand eight hundred and eighty-*eight*, at the City and County aforesaid, did unlawfully expose for sale three quarts of unclean, impure, unhealthy, adulterated and unwholesome milk (the same not being skimmed milk produced in the said County), 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.

0622

SECOND COUNT:

(§ 160, Sanitary Code

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

*Jacob C. Wund*  
of the CRIME OF VIOLATING THE SANITARY CODE OF THE BOARD OF HEALTH OF THE  
HEALTH DEPARTMENT OF THE CITY OF NEW YORK, committed as follows:

The said

*Jacob C. Wund*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully keep, have and offer for sale, three quarts of milk which had been and was then and there watered, adulterated, reduced and changed by the addition of water and other substances to the Grand Jury aforesaid unknown, and by the removal of cream, against and in violation of the Sanitary Code of the Board of Health of the Health Department of the City of New York, duly adopted and declared as such at a meeting of the said Board of Health, held in said city on the second day of June, 1873, as amended in accordance with law, and particularly in violation of a certain ordinance thereof, to wit: the one hundred and eighty-sixth section of said code, which is as follows, that is to say:

“No milk which has been watered, adulterated, reduced or changed in any respect by the addition of water or other substance, or by the removal of cream, shall be brought into, held, kept, or offered for sale at any place in the City of New York; nor shall any one keep, have or offer for sale in the said city any such milk.”

Which said section and ordinance above set forth was, by a certain resolution, duly passed and adopted by the said Board of Health and by said Health Department, at a meeting thereof duly held in said city on the twenty-third day of February, 1876, added to and made a part of the said Sanitary Code aforesaid, and adopted and declared to form a portion thereof, pursuant to the authority and power conferred by law upon the said Board, and which said ordinance was thereafter duly published once a week, for two successive weeks, in the *City Record*, a daily official newspaper and journal published in the said city, to wit: in the issues of such newspaper of the twenty-fourth day of February, 1876, and also of the second day of March, 1876, and which said Sanitary Code so amended and altered was then and there, at the time of the committing of the offense hereinabove alleged, in full force and operation, and was by law declared to be binding and in force in said city, and which said section and ordinance above set forth was then and there in full force and virtue, having been in nowise altered, amended or annulled by said Board of Health, 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.

JOHN R. FELLOWS,  
District Attorney.