

0009

BOX:

104

FOLDER:

1106

DESCRIPTION:

Naerger, Herman

DATE:

05/29/83



1106

0010

Counsel *W. E. E. 478*
Filed *29* day of *May* 188*3*
Pleads *W. E. E. 478*

THE PEOPLE
vs.
R
German Organ

JOHN McKEON,
2 1/2 New *4*, 188*3* District Attorney
Mid + requested.

A TRUE BILL
W. E. E. 478
Foreman.

0011

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Hermon O. Waeger

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

Hermon O. Waeger
of the CRIME OF *Carrying a concealed weapon*

committed as follows:

The said *Hermon O. Waeger*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the *twenty third* day of *May* in the year of our Lord one thousand eight hundred and eighty *three* at the Ward, City and County aforesaid, with force and arms, at the Ward, City and County aforesaid, feloniously, knowingly and secretly, did conceal upon his person a certain instrument and weapon of the kind known as a *gun shot*, with intent then and there feloniously to use the same against some person or persons to the Jurors aforesaid, unknown, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

And the Grand Jury aforesaid, by this indictment further accuse the said Hermon O. Waeger, of the crime of Carrying a concealed weapon, committed as follows:

~~And the Jurors aforesaid, upon their Oath aforesaid, do further present: That~~
The said *Hermon O. Waeger* late of the Ward, City and County aforesaid, afterwards, to wit, on the day and in the year aforesaid, at Ward, City and County aforesaid, with force and arms, feloniously, wilfully and furtively did possess a certain instrument and weapon of the kind known as a *gun shot* with intent then and there feloniously to use the same against some person or persons to the Jurors aforesaid unknown, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John M. ...
BENJ. R. PHILLIPS, District Attorney.

0012

In the Matter
of
Herman O. Naeyer

Witness:
Officers
James Mallon,
Steam Boat Squad.

0013

New-York, June 5', 1883.

Officer James Mallen, of the Steam Boat Squad, makes the following statement:

On May 23rd., 1883, Captain Gastlin, of the Steam Boat Squad, told me that at Pier 6 North River there were six small cases, that one of the cases was broken open and that it contained slung shots; and he told me to go down there and look after them. I went down there and found they all contained slung shots; they were consigned to Herman O. Naerger; I hired an express wagon and took them to Police Headquarters and left them with the property clerk. I then went to look after the party to whom they were consigned, to see if anybody called for them. I was on the Pier about an hour when Naerger came there looking for the six cases; I asked him what he was looking for and he said the six cases, and handed the freight bill to the delivery clerk on the pier, and the delivery clerk handed it to me, and I told Naerger I would take him where the six cases were; and I asked him what he did with those slung shots that were in the cases and he told me he sold them to several parties in New-York at different times; he named two of them, one at No. 62 Chambers street and the other one at No. 302 Broadway, and two or three others that I didn't pay any attention to at the time. I took Naerger to Police Headquarters, where he was locked up. He was tried in Part Two of the Court of General Sessions on June 5', 1883, and was acquitted by the jury ~~but held by the court~~ of the charge of carrying concealed weapons but held by the Court on the charge of bringing the slung shots into the State. The bill of lading which was handed by Naerger to the delivery clerk called for six cases of "Chocolate".

Naerger stated to me that he manufactured these slung shots in Baltimore and sold them to different parties in New-York, the names of whom I don't remember. He said he shipped them himself in Baltimore, consigned them to himself in New-York, and came on here purposely to sell them to the different firms here in New-York.

0014

BOX:

104

FOLDER:

1106

DESCRIPTION:

Nathan, Davis

DATE:

05/08/83



1106

0015

1022
John McKeon
Counsel,
Filed *J* day of *May* 188*3*
Pleads

THE PEOPLE
vs.
196 Brw
Mich.
Davis Nathan
INDICTMENT.
Grand Larceny in the *first* degree.
[See 528-530]

JOHN McKEON,
District Attorney.
I v *May 9. 1883*
Pleads 4 1 24
A True Bill. *Per: Two years.*
John McKeon
Foreman.

0016

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Davis Nathan

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

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

The said *Davis Nathan*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the *First* day of *May* in the year of our Lord one thousand eight hundred and eighty *three*, at the Ward, City and County aforesaid, with force and arms *in the night time*

of said day, one parcel of the value of twenty dollars

of the goods, chattels and personal property of one *Frank Wood* on the person of the said *Frank Wood* then and there being found, from the person of the said

Frank Wood 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 McKEON, District Attorney.

0017

BAILED,

No. 1, by _____
 Residence _____ Street, _____

No. 2, by _____
 Residence _____ Street, _____

No. 3, by _____
 Residence _____ Street, _____

No. 4, by _____
 Residence _____ Street, _____

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Frank Wood
 122 *St. ...*
David Nathan

1 _____
 2 _____
 3 _____
 4 _____

Dated *May 2* 188*8*

Richard ... Magistrate.

James R. ... Officer.

14 Precinct.

Witnesses *Callista ...*

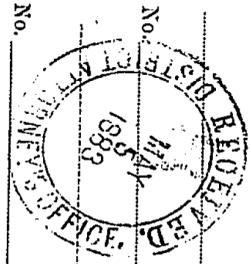
No. _____ Street, _____

No. _____ Street, _____

No. _____ Street, _____

to answer _____

(M)



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 Nathan*

guilty thereof, I order that he be held to answer the same and 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 *May 2* 188*8* *R. ...* 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 h to be discharged.

Dated _____ 1888 _____ Police Justice.

0018

Sec. 198-200.

1st District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Nathan Davis 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.

Nathan Davis

Question. How old are you?

Answer.

20 Years

Question. Where were you born?

Answer.

Poland

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

Answer.

196 Division A about five years

Question. What is your business or profession?

Answer.

Sailor

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

Answer.

I am not guilty of the
charge and do not desire
to say anything more just
now
Nathan Davis

Taken before me this

day of May 188

Police Justice.

[Signature]

0019

1st

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY OF NEW YORK, ss.

Paul Wood

of No. *122 Greene* Street, *35* years old Carpenter

being duly sworn, deposes and says, that on the *1st* day of *May* 188 *3*

at the _____ City of New York,

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

of deponent *from his person in the night time*

the following property, viz : *A silver watch of the value of twenty 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 *Davis Nathan*

that about one O'clock A.M. on said night deponent was standing in Baxter Street with a number of other persons when he felt a tug at the chain attached to the watch which then was in a pocket of deponent's vest and saw the watch which by the tug was detached from the chain in the defendant's hand. That deponent then took hold of him and gave him into custody Frank Wood

Sworn before me this *1st* day of *May* 188 *3*
Frank Wood
POLICE JUSTICE,

0020

BOX:

104

FOLDER:

1106

DESCRIPTION:

Nerking, Charles

DATE:

05/28/83



1106

0021

1917
Day of Trial, *April*
Counsel,
Filed *27* day of *May* 1883
Pleads

III (7th Ed.) (1913)
Violation of Excise Law.
Selling without License.

THE PEOPLE

vs.

B.
Charles McKing

122 January 1917
JOHN MCKEON,
District Attorney.

A TRUE BILL.
W. McKing

Foreman.

Jan
John McKing
J. McKing

0022

Court of General Sessions of the Peace
and County
OF THE CITY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Charles McKing

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

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

The said *Charles McKing*

late of the *5th* Ward of the City of New York, in the County of
New York aforesaid, on the *5th* day of *May* in the year
of our Lord one thousand eight hundred and eighty *one*, at the Ward,
City and County aforesaid, certain strong and spirituous liquors, and certain wines, to
wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of
whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill
of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor
to the Grand Jury aforesaid unknown, unlawfully did sell, in quantity less than five gallons
at one time, to *Francis Smith*

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

JOHN McKEON, District Attorney.

0023

Carroll Le James
Grand Juror

BAILED
No. 1, by *Julien Bern*
Residence *348 Avenue* Street,
No. 2, by _____
Residence _____ Street,
No. 3, by _____
Residence _____ Street,
No. 4, by _____
Residence _____ Street.

Police Court *3* District *3*

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Francis Hughes

Charles Watkins

Offence *Violation of
Reserve Law*

Dated *May 14* 188*3*

William Magistrate.

Huber Officer.

McFar Clerk.

Witnesses, _____

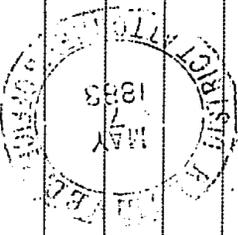
No. _____ Street,

No. _____ Street,

No. _____ Street,

\$ *100* to answer *S.S.*

Garland



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

Charles Watkins

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

Dated *May 14* 188*3* *J. M. Patterson* Police Justice.

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

Dated *May 14* 188*3* *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.

POOR QUALITY ORIGINAL

0024

Sec. 198-200

J District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Charles Mertzing 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 Mertzing*

Question. How old are you?

Answer. *34 years of age*

Question. Where were you born?

Answer. *Germany*

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

Answer. *122 Forsyth St. one day*

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 think will tend to your exculpation?

Answer. *I have nothing to say. I demand a trial by jury at the Court of General Sessions.*

Charles Mertzing

Taken before me this

14th

day of

May

188

3

Walter Williams
Police Justice.

0025

EXCISE VIOLATION—WITHOUT LICENSE.

Police Court— 3 District.

CITY AND COUNTY }
OF NEW YORK, } ss.

of No. 10th Precinct Police Francis Hughes Street,

of the City of New York, being duly sworn, deposes and says, that on the 4th day

of May 1883, in the City of New York, in the County of New York, at

No. 122 Forsyth Street,

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

That said defendant did then and there sell and give to a person a glass of whiskey to be drunk on said premises

WHEREFORE, deponent prays that said Charles Harting
may be ~~and~~ dealt with according to law.

Sworn to be ore me, this 4th day
of May 1883 by Francis Hughes

Wm Patterson POLICE JUSTICE.

0026

General Sess.

The People }
Charles ^{over} Nesting }
L. ~~W. Nesting~~ }

Deft was arrested in May 1853 charged with a violation of the Excise Law, the facts of the violation were that the Deft as a barkeeper in the employment of Joseph Pauritsch ^{his} license had expired and Pauritsch ^{the owner} had made application for a renewal to the Board of Excise, the license was got on the next day and ~~he~~ was arrested the day before for the violation, Rev. Pauritsch has had that saloon for three years & was never arrested for a violation of the Excise law.

0027

The People
- 10 -
Charter King

No case law.

0028

BOX:

104

FOLDER:

1106

DESCRIPTION:

Newell, Frank

DATE:

05/14/83



1106

POOR QUALITY ORIGINAL

0029

W. H. ...
Counsel,
Filed *4* day of *May* 188*3*
Pleads *Wm. Glynn* 15

INDICTMENT,
Grand Larceny in the first degree.
(Sec 529 and 530)

THE PEOPLE
vs.
Frank R. Newell
H. R.

JOHN McKEON,
District Attorney.
22 May 17/83
pleas PL

A True Bill.
C. H. ...
Lawrence ...
Foreman.

0030

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 R. Russell

The Grand Jury of the City and County of New York, by this indictment, accuse Frank R. Russell

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

The said Frank R. Russell

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the tenth day of May in the year of our Lord one thousand eight hundred and eighty three, at the Ward, City and County aforesaid, with force and arms in the night time of said day, one watch of the value of twenty five dollars

of the goods, chattels and personal property of one Rudolph Willbrandt on the person of the said Rudolph Willbrandt then and there being found, from the person of the said

Rudolph Willbrandt

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 McKEON, District Attorney.

11300

Police Court District. 145 2125

THE PEOPLE, &c.,

ON THE COMPLAINT OF,

Richard H. Wellman

vs. Frank Jewell

Offence Larceny from person

Dated

10 May 1888

Wm. J. White Magistrate.

William MacKintosh Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

to answer

Handwritten signature



BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

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 Jewell

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 10 May 1888 Wm. J. White 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 h to be discharged.

Dated _____ 1888 _____ Police Justice.

0032

Sec. 198-200.

7th

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Frank Newell 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 Newell

Question. How old are you?

Answer. 15 years

Question. Where were you born?

Answer. New York

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

Answer. 248 Elizabeth St. 6 months

Question. What is your business or profession?

Answer. Metal Button moulder

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

Frank R. Newell

Taken before me this

day of

Nov 11 1889

Charles J. Smith
Police Justice.

0033

1st District Police Court.

Affidavit—Larceny.

CITY AND COUNTY }
OF NEW YORK, } ss.

Rudolph Willbrandt

of No. 212 Fulton Street,

being duly sworn, deposes and says, that on the 10 day of May 1883

at the in the night time at the City of New York,

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

of deponent and from deponent's person with intent to

cheat and deprive the true owner of the use and

the following property, viz:
One silver watch of the value of
twenty five dollars

Sworn before me this

day of

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 Newell (now here)

from the fact that while deponent

was passing along Chatham Street

in said city, a female came up to

deponent and asked deponent

a question at said time deponent

felt some person pulling on his

watch chain immediately thereafter deponent

missed the aforesaid watch from

the pocket of vest then and there worn

Notary Public

1883

0034

by deponent as a part of his family clothing and said defendant in company with other persons were standing by deponent and ran away. Deponent pursued said defendant and cried out stop thief which attracted the attention of officer William Mackey who arrested said defendant and found said watch within about ten feet where he arrested said defendant wherefore deponent charges said defendant with taking stealing and carrying away from the person of deponent the aforesaid property

Sworn to before me this }
10 day of May 1883 }
R. Hillman
Magistrate

Police Justice

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

AFRIDAVALT-Larceny.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0035

BOX:

104

FOLDER:

1106

DESCRIPTION:

Nolan, John

DATE:

05/28/83



1106

0036

B.M. May 29-1883

180

443

Counsel,
Filed 20th day of May 1883
Pleads Not Guilty - June 10/83

THE PEOPLE
vs.
Edmond
adversely
Said to have
sent to New York State
by name of JOHN McKEON,
District Attorney,
Council of Court
Bklyn N.Y.

INDICTMENT.
Grand Larceny in the 2^d degree.

A TRUE BILL.
J. P. [Signature]
June 25/83. Foreman.
Filed & Acquitted.

0037

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 Nolan

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

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

The said *John Nolan*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the ~~twenty first~~ day of *April* in the year of our Lord one thousand eight hundred and eighty ~~three~~, at the Ward, City and County aforesaid, with force and arms *in the night time of said day, one watch of the value of eighty dollars*

of the goods, chattels and personal property of one *Benjamin O'Leary* on the person of the said *Benjamin O'Leary* then and there being found, from the person of the said

Benjamin O'Leary 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 McKEON, District Attorney.

0038

COUNTY OF NEW YORK, ss.

In the Name of the People of the State of New York, To any Sheriff, Constable,
Marshal or Policeman in this State, GREETING :

An indictment having been found on the 28 day of May
1883, in the Court of General Sessions of the Peace, of the County of
New York, charging John Nolan

with the crime of Grand Larceny in the first degree

You are therefore Commanded forthwith to arrest the above named _____

John Nolan and bring him before that Court to answer the indictment; or
if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the
City Prison of the City of New York.

New York City, the 29 day of May 1883.

By order of the Court,


Clerk.

0039

N. Y. General Sessions of the Peace

THE PEOPLE
OF THE STATE OF NEW YORK,

against

John Nolan
(als Big McGee
als John McGee)

Bench Warrant for Felony.

Issued May 29th 1883

Sentenced May 18, 1883 to
Penitentiary one month
by name of "John McGee"

The officer executing this process will make his
return to the Court forthwith.

June 18, 1883
John McGee
Arrested this day
on Blackwells Island
Charles Kersh
Jacob Foster

0040

1897
In the Matter
of ~~William~~
John Roland
(alias Big Mollie)

Witness:

Benjamin Oyley,
544 W. 48th St.



0041

City and County of New-York, SS.:

Benjamin Oxley, of No. 544 West 48' street, in said City, being duly sworn, deposes and says: That four weeks ago last Saturday night he was standing in front of Barnum's Circus, near to the entrance on Fourth Avenue and 26' street; that he felt his watch chain drop from his vest pocket; that he immediately turned around to one Reilly, who was standing by deponent at the time, and said to him "you have my watch"; that the said Reilly turned around and put his arms around one John Nolan, and said to him "Did you see me take this man's watch?"; that the said Nolan said he did not, and then walked away; that the said Reilly was arrested by an officer of the 29' Precinct, taken to the station house that night and the next day was taken before Justice Patterson, at the Jefferson Market Police Court, and the said Justice held him for trial at the Court of General Sessions; that he was tried at said Court on Monday, the 7' day of May, 1883, and was convicted of grand larceny in the first degree.

And deponent further says that a day or two after his watch was stolen he reported the fact to Police Headquarters, and on the 15' day of May, 1883, he received a notice to call at Police Headquarters; that he did so and was taken to the Tombs, where he recognized the said John Nolan out of ten other prisoners as the man who was standing by Reilly when his, deponent's, watch was stolen.

And deponent further says that when the said Reilly turned to the said Nolan at the time he, deponent, missed his watch, the said Reilly caught hold of the said Nolan's pocket, and this deponent believes that he did so for the purpose of dropping the said watch into the same; that the watch was not found on the said Reilly when he was arrested, and that no one else could have taken the said watch but the said Reilly.

Sworn to before me, this . . . :
22nd. day of May, 1883. . . . :

^{his}
Benjamin Oxley.
wrote

John A. Spaulding
Notary Public for
City and County New York