

0451

**BOX:**

371

**FOLDER:**

3477

**DESCRIPTION:**

Walsh, James

**DATE:**

10/09/89



3477

0452

**BOX:**

371

**FOLDER:**

3477

**DESCRIPTION:**

Walsh, Daniel

**DATE:**

10/09/89



3477

POOR QUALITY ORIGINAL

0453

*J.J. Mc*

Counsel,  
Pleads,  
9 day of Oct 18 89  
16  
19  
11. Acquity 10

Trying in the third degree.  
Let's Reopening  
[Section 488, 506, 528, 537, 538]

THE PEOPLE  
vs.

James Walsh  
et al  
Daniel Walsh

JOHN R. FELLOWS,  
District Attorney.

*Oct 14 89*  
*John R. Fellows*

A True Bill, Pen & Inks  
R.S.M.

*H. L. Cole*  
Foreman.

Witnesses;

*Linniah Chaugancey*  
*Off. Thos Bunkley's*  
*9 E Paul*

**POOR QUALITY ORIGINAL**

0454

Police Court— 21 District.

City and County } ss.:  
of New York,

of No. 25 Bloomfield Street, aged 47 years,  
occupation Watelman being duly sworn

deposes and says, that the premises ~~is~~ <sup>located</sup> in the dock at the foot of Bloomfield Street, 9<sup>th</sup> Ward  
in the City and County aforesaid the said being a one story frame building,

and 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 prying open  
the door of said premises with a chisel

on the 23<sup>rd</sup> day of September 1889 in the night time, and the following property feloniously taken, stolen, and carried away, viz:

two saws and two planes. together  
of the value of five dollars.

the property of The Mutual Benefit Ice Co. and in  
and deponent further <sup>Complainant's care and custody</sup> 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

James Walsh (now here) and Daniel Walsh not yet arrested.

for the reasons following, to wit: that at the hour of 1/2 o'clock  
P.M. said deponent found said door broken open as aforesaid. and saw  
the said James Walsh (now here) and the said Daniel Walsh (not yet arrested)  
together and in company with each other  
running up 13<sup>th</sup> Avenue with said property  
in their possession. deponent pursued  
them when they dropped said property which

POOR QUALITY ORIGINAL

0455

deprunt received, and made their escape.

Wherefore deprunt charges the said James Walsh (now here) and the said Daniel Walsh (not yet arrested) with being together and acting in concert with each other and burglariously entering said premises as aforesaid and feloniously taking, stealing and carrying away said property.

Sworn to before me) James Thompson  
this 27<sup>th</sup> day of Sept 1859)

J. Thompson  
Police Justice

Dated \_\_\_\_\_ 1858 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 1858 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 1858 \_\_\_\_\_ Police Justice.

He be held to answer 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.

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

Police Court, \_\_\_\_\_ District, \_\_\_\_\_

Office—BURGLARY.

THE PEOPLE, &c.,  
on the complaint of \_\_\_\_\_ vs. \_\_\_\_\_

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

Dated \_\_\_\_\_ 1858 \_\_\_\_\_

Magistrate \_\_\_\_\_

Officer \_\_\_\_\_

Clerk \_\_\_\_\_

Witness \_\_\_\_\_

No. \_\_\_\_\_ street \_\_\_\_\_

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

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

\$ \_\_\_\_\_ to answer General Sessions.

**POOR QUALITY ORIGINAL**

0456

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK.

*James Walsh*

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 Walsh*

Question. How old are you?

Answer. *46 years old*

Question. Where were you born?

Answer. *New York City*

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

Answer. *16 Gansevoort St. 12 years*

Question. What is your business or profession?

Answer. *Driver*

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

Answer.

*I am not guilty of the burglary, the tools and keys were given to me*

*James Walsh*

Taken before me this

day of

188

*[Signature]*  
Police Justice.

POOR QUALITY ORIGINAL

0457

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

Police Court... 21 1468  
 District.

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

Samuel Thompson  
 25 Broadway  
 James Welch

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

Offence: Burglary

Dated

Sept 27th 1889

Magistrate.

Wentworth  
 [Signature]

Witnesses

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

Street \_\_\_\_\_

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

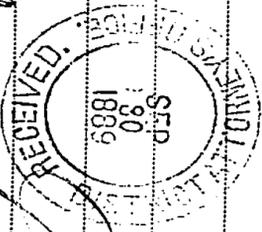
Street \_\_\_\_\_

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

Street \_\_\_\_\_

\$ 1000

to answer



[Signature]

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 James Welch

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 Sept 27 1889 James Thompson Police Justice.

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

Dated \_\_\_\_\_ 1889 \_\_\_\_\_ 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 \_\_\_\_\_ 1889 \_\_\_\_\_ Police Justice.

**POOR QUALITY  
ORIGINAL**

0458

**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 Walsh and  
Daniel Walsh*

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

*James Walsh and Daniel Walsh*

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

The said

*James Walsh and  
Daniel Walsh, both*

late of the *Ninth* Ward of the City of New York, in the County of  
New York, aforesaid, on the *twenty third* day of *September* in the year of  
our Lord one thousand eight hundred and *eighty nine*, with force and arms, at the  
Ward, City and County aforesaid, a certain building there situate, to wit: the *building of one*

*a corporation called the Mutual  
Benefit Ice Company*

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 *corporation*

in the said *building* 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.

**POOR QUALITY  
ORIGINAL**

0459

SECOND COUNT—

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

*James Walsh and Daniel Walsh*  
of the CRIME OF *Petit* LARCENY committed as follows:  
The said *James Walsh and Daniel Walsh, both*

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 the said day, with force and arms,

*two saws of the value of one dollar and fifty cents each and two planes of the value of one dollar each*

of the goods, chattels and personal property of ~~one~~ a corporation called  
*The Mutual Benefit Ice Company*  
in the *building* of the said corporation

there situate, then and there being found, *in* the *building* 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.

POOR QUALITY  
ORIGINAL

0460

THIRD COUNT—

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

*James Walsh and Daniel Walsh*  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

*James Walsh and Daniel Walsh, both*

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, with force and arms,

*two saws of the value of one dollar and fifty cents each, and two planes of the value of one dollar each.*

of the goods, chattels and personal property of

*a corporation called The Mutual Benefit Ice Company*

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

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

*James Walsh and Daniel Walsh*

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.

0461

**BOX:**

371

**FOLDER:**

3477

**DESCRIPTION:**

Walsh, James

**DATE:**

10/31/89



3477

**POOR QUALITY ORIGINAL**

0462

Witnesses;

James Moran

Off. G. H. Miller

4<sup>th</sup> Precinct

Counsel,

Filed

day of

31 Oct 18 89

Pleads,

Atty. Gen. J. J. Conroy

THE PEOPLE

vs.

R

James Walsh

H. D.

Assault in the First Degree, Etc. (Sections 217 and 218, Penal Code.)

JOHN R. FELLOWS,

District Attorney.

**A True Bill.**

M. L. Cole Foreman.

Part III November 12/89.

Filed and ascertained

**POOR QUALITY ORIGINAL**

0463

Police Court—1 District.

CITY AND COUNTY OF NEW YORK, } ss.

James Moran  
of No. 152 South Street,  
Longshoreman

being duly sworn, deposes and says, that  
on Friday the 25<sup>th</sup> day of October  
in the year 1889 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by James  
Walsh (now here) who cut and  
stabbed deponent upon the  
left arm with some sharp  
instrument which he, defendant  
held in his hand

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

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

Sworn to before me, this 26<sup>th</sup> day of October 1889 } James Moran

D. J. [Signature] POLICE JUSTICE.

**POOR QUALITY ORIGINAL**

0464

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty; I did it in self defence. He, Moran, struck me with a cotton hook first and I had a knife in my hand*

*James <sup>his</sup> Walsh*

Taken before me this

26

day of

October

188

*J. P. [Signature]*  
Police Justice.

POOR QUALITY ORIGINAL

0465

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

Police Court... 1622  
 District

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF  
 James Morrow  
 vs.  
 James Mabel  
 Office Del. Assault

Dated Oct 26<sup>th</sup> 1889  
 J. Keilly Magistrate  
 Muller Officer

Complainant committed to  
 the House of Detention in  
 default of \$100 to appear  
 and testify  
 To the Police Justice  
 No. 10000  
 RECEIVED  
 DEPT. OF JUSTICE  
 1889  
 COMMITTED

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 Oct 26<sup>th</sup> 1889  
 D. J. Keilly Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

POOR QUALITY ORIGINAL

0466

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 1 DISTRICT.

of No. 40 Broadway Street, aged 53 years,  
occupation Police Officer  
that on the 26th day of October 1889

at the City of New York, in the County of New York, He arrested

James Moran (known as) is material witness for the People against James Walsh, charged with Felonious Assault. The defendant has no permanent residence and deponent fears said Moran will not appear when wanted and prays that the said Moran be sent to the House of Detention in default of bail for his appearance.

*Bartholomew Muller*

Sworn to before me, this 26th day of October 1889

Police Justice.

POOR QUALITY ORIGINAL

0467

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 Walsh

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

James Walsh  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

James Walsh

late of the City of New York, in the County of New York aforesaid, on the  
twenty-fifth day of October, in the year of our Lord  
one thousand eight hundred and eighty-nine, with force and arms, at the City and  
County aforesaid, in and upon the body of one

James W. Moran in the Peace of the said People then and there being, feloniously did make an assault  
and

with a certain sharp instrument to the Grand Jury aforesaid unknown  
which the said

James Walsh  
in his right hand then and there had and held, the same being a deadly and  
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and  
wound,

with intent

him the said James W. Moran  
thereby then and there feloniously and wilfully to kill, 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

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

The said

James Walsh

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

James W. Moran in the peace of  
the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and

with a certain

sharp instrument to the Grand Jury aforesaid unknown  
which the said

James Walsh  
in his right hand then and there had and held, the same being a weapon and  
an instrument likely to produce grievous bodily harm, then and there feloniously did  
wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York,  
and their dignity.

**POOR QUALITY  
ORIGINAL**

0468

THIRD COUNT—

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

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

The said

*James Walsh*  
late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the said  
*James W. Moran* in the peace of the said People then  
and there being, feloniously did wilfully and wrongfully make another assault, and

with a certain *sharp instrument* to the  
Grand Jury aforesaid unknown  
which *he*, the said *James Walsh*  
in *his* right hand then and there had and held, in and upon the *arm*

of *him* the said *James W. Moran*  
then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and  
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-  
fully inflict grievous bodily harm upon the said *James W. Moran*

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.

0469

**BOX:**

371

**FOLDER:**

3477

**DESCRIPTION:**

Ward, Thomas

**DATE:**

10/22/89



3477

**POOR QUALITY ORIGINAL**

0470

167

*Del. 1889*

Counsel,

Filed

27<sup>th</sup> day of Dec. 1889

Pleas,

*Magistry - 2d 1*

THE PEOPLE

vs.

*Thomas Ward*

VIOLATION OF EXCISE LAW.  
(SELLING TO MINOR).  
(H. R. 8267 (1887) P. 1099, S. 11.)  
(§ 290, Code)

JOHN R. FELLOWS,

*John R. Fellows* District Attorney.

**A True Bill.**

*M. L. Cole*, Foreman.

Witnesses:

*Off. S. C. Grant*

*Society for. cruelty children*

**POOR QUALITY ORIGINAL**

0471

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 29 day of Oct  
1889, in the Court of General Sessions of the Peace, of the County of  
New York, charging Thomas Hard

with the crime of Violation of Game Law

Hard You are therefore Commanded forthwith to arrest the above named Thomas  
Hard 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, or if he require it, that you take him before any Magistrate  
in that County, or in the County in which you arrest him, that he may give bail to answer the  
indictment.

City of New York, the 28 day of Oct 1889

By order of the Court,

*[Signature]*  
Clerk of Court.

**POOR QUALITY  
ORIGINAL**

0472

N. Y. General Sessions of the Peace

THE PEOPLE

OF THE STATE OF NEW YORK,

against

*Thomas Heard*

Bench Warrant for Misdemeanor.

Issued *Oct. 28<sup>th</sup>* 188*9*

The defendant is to be admitted to bail  
in the sum of.....dollars.

**POOR QUALITY  
ORIGINAL**

0473

**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 Ward*

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

*Thomas Ward*

of a MISDEMEANOR, committed as follows:

The said

*Thomas Ward*

late of the City of New York, in the County of New York aforesaid, on the  
*sixth* day of *July* in the year of our Lord  
one thousand eight hundred and eighty-~~nine~~, at the City and County aforesaid,  
certain strong and spirituous liquors, and certain wine, ale and beer, 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 to one  
*child actually and apparently* *Jennie Kelly*  
who was then and there a ~~minor~~ *sixteen* under the age of ~~fourteen~~ years, to wit: of the age of  
*ten* years, as ~~the said~~ *Thomas Ward*  
~~then and there well knew and had reason to believe~~; 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.

0474

**BOX:**

371

**FOLDER:**

3477

**DESCRIPTION:**

Warner, Charles

**DATE:**

10/01/89



3477

0475

**BOX:**

371

**FOLDER:**

3477

**DESCRIPTION:**

Warner, Mary

**DATE:**

10/01/89



3477

POOR QUALITY ORIGINAL

0476

Witnesses;

Geo. P. Gibson

John Kamen

Off Charles T. The Manor  
Central Office

App Comm  
Apr 21st 1889  
see app return p. 1

105  
Counsel,  
Filed 1 day of Oct 1889  
Pleds,

Grand Larceny Second degree  
[Sections 528, 531, 536 Penal Code]

THE PEOPLE

vs.

Charles Warner  
and  
Mary Warner

JOHN R. FELLOWS,

District Attorney.

Pen: One year.  
Dec. 3, 1889.

A True Bill.

John R. Fellows

Foreman.

Both  
John R. Fellows

1. Pen: one year.  
2. Guilty suspended.

Dec 3, 1889

POOR QUALITY ORIGINAL

0477

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

City and County }  
of New York, } ss.

S. Stephen O'Brien  
of No. 10 Central Office Police Street, aged 35 years,  
occupation Detective Sergeant being duly sworn, deposes and says,  
that on the twentieth day of November 1889, at the City of New  
York, in the County of New York, he arrested a person who

gave as her name "Mary Becker" on a charge  
of Petit Larceny for stealing five pairs of  
stockings valued at \$1.35 of the property of  
D. Fox of Ninth Street & Broadway.

That on this 21<sup>st</sup> day of November 1889  
the person so arrested was committed for  
trial in default of \$300. <sup>ball</sup> by Police Justice  
Daniel O'Reilly, and before said Justice she  
acknowledged that she was guilty of said  
Larceny.

That the person so arrested is the  
same person against whom an indictment  
was found by the Grand Jury of this County  
on Oct 1<sup>st</sup> 1889 for Grand Larceny, second degree,  
by the name of Mary Warner. That on the  
said last mentioned day she the said  
Mary Warner pleaded guilty to Petit Larceny  
before Judge Goldenshene of this Court, and  
judgment was thereupon suspended on  
said plea.

Wherefore deponent says that said  
Mary Becker, alias Mary Warner may be  
committed to await the judgment of  
this Court on her said plea.

Sworn to before me  
this 21<sup>st</sup> day of November 1889 } Stephen O'Brien  
Deputy Clerk }  
George C. ... }  
Deputy Clerk }  
George C. ... }

**POOR QUALITY ORIGINAL**

0478

DISTRICT ATTORNEY'S OFFICE,  
City and County of New York.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

v.s.

Mary Warner  
alias Mary Booker

*[Signature]*

Offence

Dated Nov 21 1889

Witnesses

No. Street

No. Street

No. Street

*Filed Nov 20/89*

POOR QUALITY ORIGINAL

0479

Police Court District.

Affidavit—Larceny.

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

George R Gibson

of No. 10 Barclay Street, aged 43 years,  
occupation Merchant being duly sworn

deposes and says, that on the 19 day of September 1889 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:

About Twenty dozen tooth brushes of the value of Twenty Six 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 Charles Wainer and Mary Wainer

(both married) from the fact that Deponent is informed by Michael Dymann a Detective Sergeant that he arrested said deponents in Hitchcock's Dining Saloon south East corner of Park Row and Beckman Street in said City said Mary Wainer one of said deponents having said property in her possession at the time

Deponent is further informed by John O'Conny an employee of his that he saw said deponents together in store No 10 Barclay Street where said property was stolen from

Sworn to before me, this

188

day

Police Justice.

POOR QUALITY  
ORIGINAL

0480

at the hour of 7-30 a.m. on the  
morning of September 19th. 1889

Sworn to before me  
this 20 day of Sept-1889

David C. Reilly Police Justice

**POOR QUALITY ORIGINAL**

0481

CITY AND COUNTY OF NEW YORK, } ss.

aged 16 years, occupation Clerk of No.

10 Barclay Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of George R. Gibson

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

Sworn to before me, this 20 day of April 1887

John Kenney

*[Signature]*  
Police Justice.

CITY AND COUNTY OF NEW YORK, } ss.

aged 29 years, occupation Detective Sergeant of No.

300 Mulberry Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of George R. Gibson

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

Sworn to before me, this 20 day of Sept 1887

Michael J. Lyman

*[Signature]*  
Police Justice.

**POOR QUALITY ORIGINAL**

0482

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

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

Question. What is your name?

Answer. Mary Wanner

Question. How old are you?

Answer. 54 years

Question. Where were you born?

Answer. Germany

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

Answer. 320 E 92nd St New York

Question. What is your business or profession?

Answer. House Keeper

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

Answer. I am not guilty and demand an Examination

Mary Wanner  
ma

Taken before me this

day of SEPTEMBER, 1888

J. J. [Signature]

Police Justice.

**POOR QUALITY ORIGINAL**

0483

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Charles Warner* 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 Warner*

Question. How old are you?

Answer.

*50 years*

Question. Where were you born?

Answer.

*U.S.*

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

Answer.

*320 E 92 St* *Brooklyn*

Question. What is your business or profession?

Answer.

*Book 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 and demand  
an Examination  
Chas. Warner*

Taken before me this

day of ~~SEPTEMBER~~ 188,

*John J. Kelly*

Police Justice.

POOR QUALITY ORIGINAL

0484

Police Court... 1452 District

THE PEOPLE, Ac.,  
ON THE COMPLAINT OF

George P. Gibson  
10 Broadway St  
1 Frank Newman  
2 Henry Newman  
3  
4

Offence Larceny  
Felony

Dated SEPTEMBER 20 1889

David O'Reilly Magistrate

McShannus Symonds Officer

Princt. C 9

Witnesses Howard Symonds

Central Office

John O'Connell 19 Barclay St

500 Broadway 21-100

No. 5000 Street East St

RECEIVED. SEP 23 1889

Swilley

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

Dated SEPTEMBER 188..... Police Justice.

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

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

POOR QUALITY  
ORIGINAL

0485

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Charles Warner and  
Mary Warner*

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

*Charles Warner and Mary Warner*

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

The said

*Charles Warner, and  
Mary Warner, both*

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

*two hundred and forty brushes  
of the value of eleven cents  
Each*

of the goods, chattels and personal property of one

*George R. Gibson*

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.

**POOR QUALITY  
ORIGINAL**

0486

SECOND COUNT—

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

*Charles Warner and Mary Warner*  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said

*Charles Warner and  
Mary Warner, 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,

*two hundred and forty brushes  
of the value of eleven cents  
each*

of the goods, chattels and personal property of one

*George R. Gibson*

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

*George R. Gibson*

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

*Charles  
Warner and Mary Warner*

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.

0487

**BOX:**

371

**FOLDER:**

3477

**DESCRIPTION:**

Washington, Emma

**DATE:**

10/01/89



3477

POOR QUALITY ORIGINAL

0488

Witnesses;

*William White*  
*Elizabeth White*

Counsel,  
Filed *1 Oct* 1879  
Pleads, *Not guilty*

THE PEOPLE

vs.

*Emma Washington*  
*Oct. 15/79*

Grand Larceny *Second degree.*  
[Sections 528, 537, Penal Code].

*Spied & acquitted*

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*Chas. D. Edwards*

Foreman.

*Edwards*

POOR QUALITY ORIGINAL

0489

Police Court 2 District. Affidavit—Larceny.

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

of No. 120, East 11<sup>th</sup> Street, aged 34 years,  
occupation Newspaper being duly sworn  
or about 21 day of January 1889

deposes and says, that on the 21 day of January 1889 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 gold ring set with three diamonds of the value of sixty five dollars. And one gold ring set with white stones of the value of twelve dollars. Together of the value of seventy seven dollars.

(#77.00)  
the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Anna Washington (now here) from the fact that at the hour of 5 o'clock P.M. said date the said deponent who is deponent's cousin came to deponent's house in said premises. and remained there until 10 o'clock A.M. January 23, 1889 and on the 24<sup>th</sup> day of January deponent discovered that said rings were missing.

Deponent is informed by Elizabeth White that she the said Elizabeth met the deponent at Long Branch New Jersey during the month of

Sworn to before me this 1889 day of January 1889  
Police Justice

POOR QUALITY  
ORIGINAL

0490

August 1889. When she the  
said defendant admitted and  
confessed to her the said Elizabeth  
that she the said defendant had  
taken said rings and that she had  
seen them.

Wherefore defendant charges the said  
defendant with feloniously taking,  
stealing and carrying away said  
rings from a drawer in defendant's bed  
room in said premises.

Sworn to before me } Spiley & Whit  
this 24<sup>th</sup> day of Sept 1889

J. Henry Bond

Deputy Justice

**POOR QUALITY ORIGINAL**

0491

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Elizabeth White*

aged *38* years, occupation *Domestic* of No.

*147. W. 24* Street, being duly sworn deposes and

says, that she has heard read the foregoing affidavit of *Hilary White*

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

Sworn to before me, this *24* } *Elizabeth White*  
day of *April* 188 } *New York*

*J. Sherman*  
Police Justice.

POOR QUALITY ORIGINAL

0492

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK,

*Emma Washington*

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.

*Emma Washington*

Question. How old are you?

Answer.

*22 years old*

Question. Where were you born?

Answer.

*Virginia*

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

Answer.

*218 West 30th St. 4 days*

Question. What is your business or profession?

Answer.

*Domestic*

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

Answer.

*I am not guilty*

*Emma Washington*

Taken before me this

day of

188

*John W. ...*

Police Justice.

POOR QUALITY ORIGINAL

0493

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

Police Court... 145<sup>th</sup> District

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

Hilary White  
 120 East 118<sup>th</sup>  
 Corona Westchester

1 \_\_\_\_\_  
 2 \_\_\_\_\_  
 3 \_\_\_\_\_  
 4 \_\_\_\_\_  
 Offence Larceny (petty)

Dated Sept 24 1889

John M. Reed  
 Precinct Officer

Witnesses  
 Hilary White  
 No. 118 East 120<sup>th</sup>  
 Street



No. 500 to answer  
 Street

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 \_\_\_\_\_

*Alfredant*

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

Dated *Sept 24* 1889 *J. Thompson* Police Justice

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

Dated \_\_\_\_\_ 1889 \_\_\_\_\_ 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 \_\_\_\_\_ 1889 \_\_\_\_\_ Police Justice.

**POOR QUALITY ORIGINAL**

0494

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

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

*Emma Washington*

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

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

The said *Emma Washington*

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

*one ring of the value of sixty-five dollars, and one other ring of the value of twelve dollars*

of the goods, chattels and personal property of one

*Willery N. White*

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.

*John R. Fellows,*  
District Attorney.

0495

**BOX:**

371

**FOLDER:**

3477

**DESCRIPTION:**

Waters, James

**DATE:**

10/23/89



3477

POOR QUALITY ORIGINAL

0496

172.7

Counsel,  
Filed 23 day of Oct 1889  
Plends, Myouly ip

THE PEOPLE,  
vs.  
*R*  
James M. Waters  
(2 cases)

JOHN R. FELLOWS,  
District Attorney.  
*Pr* Nov 13/89  
*On recom Robert L. G. Whit, cler. P. O. 1/10*  
A True Bill.  
*M. L. Cook* Foreman.

Witnesses:  
Loare Wil

*This indictment being identical with that filed June 12, 1889. I recommend its dismissal, chas. 1879*  
*V. M. Davis*  
*Asst.*

POOR QUALITY  
ORIGINAL

0497

Court Judge

Honorable sir

I have just been  
to see Counsel in the case of James H. Walters,  
he has gone to Terrytown, will not be back  
until Saturday P.M., Will you kindly have  
it remanded until Monday and greatly  
oblige an anxious, heart-broken Mother

Yours Resp<sup>l</sup>y  
J. H. Walters

Temple Court

Oct 4<sup>th</sup> 89

POOR QUALITY ORIGINAL

0498

Police Court 2 District.

Affidavit—Larceny.

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

of No. 677, 2nd Avenue Isaac Weill Street, aged 46 years,  
occupation Shoe dealer being duly sworn

deposes and says, that on the 25th day of May 1889 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

Good and lawful money of the United States to the amount and of the value of Thirty one + 9/100 dollars. (\$31.91)

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 H. Waters (number) from the fact that on the above date the deponent requested deponent to cash the instrument in writing hereto annexed which purports to be a check on the Chemical National Bank of New York City for thirty one + 9/100 dollars payable to the order of James E. Rockerty signed by Robertson and Smith and dated May 25th 1889. Deponent believing said check to be good cashed it for the deponent giving him the full face value of said check, which was the said sum of thirty one + 9/100 dollars. Deponent thereafter deposited said check in the Murray Hill Bank

Sworn to before me, this day of May 1889

Police Justice

POOR QUALITY  
ORIGINAL

0499

for collection when after the lapse of a few days said check was returned to deponent marked no account. Wherefore deponent charges the said defendant with felonious obtaining possession of said sum of money with the intent to defraud, by even or aid of a false and fraudulent check for the procurement of money when he well knew that the maker or drawer of said check was not entitled to draw on the drawer for the sum specified therein and hence he may be held and dealt with accordingly to law.

Sworn to before me } Isaac Will  
this 3<sup>d</sup> day of October 1889 }

J. H. [Signature]

Police Justice

POOR QUALITY ORIGINAL

0500

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 2 DISTRICT.

Herbert P. Moore

of No. 279 Broadway Street, aged 26 years, occupation Bookkeeper being duly sworn deposes and says that on the \_\_\_\_\_ day of \_\_\_\_\_ 188

at the City of New York, in the County of New York the firm of Robertson and Smith has not, and never had an account in the Chemical National Bank of which said Bank deponent is one of the Bookkeepers. and that the check hereto annexed is written Herbert P. Moore

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

of \_\_\_\_\_

[Signature]

Police Justice.

**POOR QUALITY ORIGINAL**

0501

Sec. 193-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

*James H. Waters*

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 H. Waters*

Question. How old are you?

Answer. *28 years old*

Question. Where were you born?

Answer. *United States*

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

Answer. *157 E. 100 St. Ims*

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*  
*J. H. Waters*

Taken before me this 11 day of Oct 1887  
*John J. ...* Police Justice.

POOR QUALITY ORIGINAL

0502

#1000 bail for Ex  
Oct 4 2 PM  
4 7 1/2 PM

191  
Police Court...  
District... 1525

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James M. Hill  
695 - 22nd Ave  
Wine & Waters

Offence Larceny  
felony

Dated Oct 3 1889

J. Ford  
Magistrate  
Ruland Street  
E. C. Officer

Witnesses  
Michael P. Moran  
270 Broadway  
Precinct

No. 270 Broadway  
Chemical Bank  
Street

No. 579  
to answer for  
Street

Chas. L. ...  
Chas. L. ...

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

The Justice hearing  
at this Court in my  
presence will please  
hear and determine  
the within case  
J. Moran  
Chas. L. ...

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

Defendant

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

Dated 1889

John ... Police Justice.

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

Dated 1889

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 1889

Police Justice.

POOR QUALITY ORIGINAL

0503

Before the Grand Jury

People

v

James W. Wells

James W. Wells

This defendant was indicted in June last for uttering two forged checks, on the complaint of Wells who makes the present charge. (see report herewith submitted)

The two checks were passed May 7 1889 - the check on which the present charge is based was passed ~~May 25~~ May 25 two days before.

On the examination of the former case another witness <sup>Carson</sup> recommended the dismissal of the indictment on the ground that there was no evidence of guilty knowledge. Wells stated that the defendant did not know for the genuineness of the checks, and offered to make them good when it was learned that the supposed drawer had no account in the bank.

It furthermore appeared that Wells had endeavored to exact more than their face value of the checks in settlement, and as further respects Wells stated that the check now in question was passed

POOR QUALITY  
ORIGINAL

0504

under similar circumstances.

The indictment was dismissed by the court and Wall was very indignant on the line over his "right to get justice".

It would seem that the present charge is made out of spite and deliberately in the face of Wall's knowledge that the circumstances do not admit of a criminal prosecution.

If the facts are as suggested, to wit: If the defendant did not receive the cheque for the good, but voluntarily offered to become responsible for the amount in case it turned out to be worthless - then there is no case in law of larceny and the most the complainant can do is to bring a civil action against the defendant.

If however the facts are as alleged from Wall's testimony that the defendant intended to cheat and defraud him, knowing that the cheque was bad, then an indictment should be found.

Respectfully

Wm. J. Lindsay

Servant

To the

Grand Jury

POOR QUALITY ORIGINAL

0505

*George D. Stinson*

*George*

*After a careful examination of the case  
I find that the same is a  
case of simple insanity.*

REPORT.

For the District Attorney.

*Grant Hunt*

Dated *Nov 14* 188*9*

*Grant Hunt*

Assistant.

POOR QUALITY ORIGINAL

0506

Police Court H District.

Affidavit—Larceny.

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

of No. 677 2<sup>d</sup> Avenue Street, aged H years,  
occupation Merchant being duly sworn

deposes and says, that on the 27 day of May 1889 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:

Gold and lawful money  
of the United States issue  
to the amount and value of  
Fifty 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 James H. Waters (now here)

from the fact that on said date the  
said Waters entered deponent's place  
of business No. 677 2<sup>d</sup> Avenue and  
requesting deponent to Cash the two  
checks hereto attached marked Exhibits  
"A" & "B" and which purports to be  
cash checks on the Fifth National Bank.  
signed by Murray H. Drury to the  
order of Henry Montgomery for the  
sum of Sixty One Dollars. That the  
said Waters represented to deponent  
that said checks were of full value  
and that he knew them to be all  
right. Says and deponent believes

Sworn to before me, this

1889

day

Police Justice

POOR QUALITY ORIGINAL

0507

Deponent. Believing the representations of the said Waters to be true, gave the said Waters the sum of Fifty Seven dollars being all the Cash. Deponent had on hand at the time the said Waters promising to return for the other four dollars on said date. Deponent deposited the said Checks in the Murray Hill Bank for Collection in the regular course of business - and the said Check was returned to Deponent on the 31<sup>st</sup> day of May 1884. By said Bank with the statement - that said Checks were of no value.

Deponent. Therefore charges that the said Waters did feloniously obtain from Deponent the said sum of money by means of false and fraudulent representations and that the said Waters knew at the time that said representations were false and untrue and that they were made with the intent to cheat and defraud Deponent and thereby Deponent was cheated and defrauded.

Violation of Law. Dated 1884. I order it to be discharged.

There being no sufficient cause to believe the within named Person to be guilty of the offence mentioned, I order it to be discharged. I have admitted the above named Person to bail to answer by the undertaking hereinafter annexed.

I have admitted the above named Person to bail to answer by the undertaking hereinafter annexed. Dated 1884. N. W. Johnson Police Justice.

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

Police Court, District, Offence - LARCENY. THE PEOPLE, &c., on the complaint of vs. Dated 1884. Magistrate. Officer. Clerk. Witnesses. No. Street. No. Street. No. Street. Sessions.





POOR QUALITY ORIGINAL

0510

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 H. Waters*

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

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

The said *James H. Waters*,  
late of the City of New York, in the County of New York aforesaid, on the *26th*  
day of *May*, in the year of our Lord one thousand eight hundred and  
eighty-*nine*, at the City and County aforesaid, with force and arms, with intent to  
deprive and defraud *one Isaac Will*

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*  
*Isaac Will*,

That *a certain paper writing in the words*  
*and figures following, to wit:*  
*"No. 1201 New York, May 15 1889*  
*Chemical National Bank*  
*Pay to James R. Robertson or order*  
*Twenty one and 2/100 Dollars*  
*\$ 31 2/100 Robertson & Smith*  
*which the said James H. Waters then*  
*and there produced and delivered to the*

POOR QUALITY ORIGINAL

0511

said Isaac Will, was then and there  
a good and valid order for the  
payment of money, and of the value  
of thirty one dollars and ninety one  
cents.

And the said Isaac Will

then and <sup>there</sup> believing the said false and fraudulent pretenses and representations so made  
as aforesaid by the said James W. Waters

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  
James W. Waters, the sum of thirty  
one dollars and ninety one cents in  
money, lawful money of the United  
States of America, and of the value  
of thirty one dollars and ninety one  
cents,

of the proper moneys, goods, chattels and personal property of the said Isaac  
Will.

And the said James W. Waters  
did then and there feloniously receive and obtain the said proper moneys, goods, chattels, and  
personal property, from the possession of the said Isaac Will

by color and by aid of the false and fraudulent pretenses and representations aforesaid, with  
intent to deprive and defraud the said Isaac Will

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 paper writing  
which he the said James W. Waters  
so as aforesaid then and there  
produced and delivered to the said

**POOR QUALITY ORIGINAL**

05 12

*Trace Well, was not then and there a good and valid order for the payment of money, and was not of the value of fifty one dollars and ninety one cents, or of any value whatever, but was 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 James H. Waters to the said Trace Well was and were

then and there in all respects utterly false and untrue, as he the said James H. Waters at the time of making the same then and there well knew

And so the Grand Jury Aforesaid, do say that the said James H. Waters in the manner and form aforesaid, by the means aforesaid, the said proper moneys, goods, chattels and personal property of the said Trace Well

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.

POOR QUALITY ORIGINAL

0513

1911  
Hochlander  
335 1/2 Bldg

Counsel, *[Signature]*  
Filed 23 day of Oct 1889  
Pleads, *[Signature]*

THE PEOPLE  
vs.  
*James H. Waters*  
(2 cases)  
*Grand JUROR, 2nd degree*  
*(False Pretenses)*  
[Section 528, and 531, Penal Code]

JOHN R. FELLOWS,  
District Attorney.

*Oct 11 / 89*  
A True Bill  
*W. Pennington*  
*[Signature]* Foreman.

Witnesses:

*Isaac Weil*

*From my investigation of this case, I think the deft's plea of Petit larceny should be accepted.*

*Nov. 1879* *O. M. Duart*  
*Just District*

**POOR QUALITY ORIGINAL**

05 14

**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 H. Waters*

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

*James H. Waters*

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

The said *James H. Waters*

late of the City of New York, in the County of New York aforesaid, on the *Twenty-seventh* day of *May* in the year of our Lord one thousand eight hundred and eighty-*nine*, 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: a certain order for the payment of money of the kind commonly called bank cheques* which said forged *bank cheque* is as follows, that is to say:

*No. 170 New York May 27 1889*  
*Fifth National Bank*  
*Pay to Henry Montgomery or order*  
*Thirty One and 67/100 — 100 Dollars*  
*\$31 67/100 Murray & Drury*

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.

**POOR QUALITY ORIGINAL**

0515

SECOND COUNT:—

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

*James N. Waters*  
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said

*James N. Waters*

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: a certain order for the payment of money, of the kind commonly called bank cheques which said forged bank cheque is as follows, that is to say:

No. 170 New York May 27 1889  
Fifth National Bank  
Pay to Henry Montgomery or order  
Thirty one and 67/100 ——— Dollars  
\$31 67/100 Murray & Dewey

with intent to defraud *he* the said *James N. Waters* 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.

POOR QUALITY ORIGINAL

05 16

Witnesses:

Upon an examination of the  
case, & the evidence - spec-  
ially the complainant's  
deposition - I am satisfied that  
the defendant is guilty of the  
crime charged - and accordingly  
I recommend to the Court  
that he be found guilty  
July 1889 - J. R. Banks  
Defendant

Counsel,  
Filed, *D. J. [unclear]*  
Pleads, *Not Guilty - 13*  
day of *June* 1889  
335 Broadway  
New York

THE PEOPLE,  
vs.  
*James M. Waters*  
FORGERY IN THE SECOND DEGREE.  
(Sections 511 and 521, Penal Code.)

JONAS R. FELLOWS,  
District Attorney.

A True Bill.  
*J. M. [unclear]*  
Foreman.

*James M. Waters*  
*James M. Waters*

POOR QUALITY  
ORIGINAL

0517

No. 170 <sup>100</sup> New York Mar 27 1889  
Fifth National Bank  
Pay to Henry Montgomery order  
Thirty One and 67/100 <sup>100</sup> Dollars  
\$ 31 <sup>67</sup>/<sub>100</sub> Murray & Trusey

POOR QUALITY  
ORIGINAL

05 18

H. Montgomery

W. J. Walters

Isaac Hill

✓

May 25

POOR QUALITY  
ORIGINAL

05 19

No. 169770 <sup>of</sup> New York May 27 1882  
Fifth National Bank  
Pay to Henry Montgomery order  
Twenty Nine and  $\frac{33}{100}$  Dollars  
\$ 29  $\frac{33}{100}$  Murray & Drury

POOR QUALITY  
ORIGINAL

0520

H. Montgomery

H. J. Walters

Isaac Weill

✓

May 25

**POOR QUALITY ORIGINAL**

0521

No. 1201	New York May 25 1889
NO /	Chemical National Bank
ACCT	Pay to James C Docherty order
	Thirty One and 9/100 Dollars
\$ 31 9/100	Robertson Smith

**POOR QUALITY  
ORIGINAL**

0522

James C. Docherty  
H. J. Walter  
Oscar. Weill  
Will  
Call  
FC  
May 25

POOR QUALITY ORIGINAL

0523

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 H. Waters

The Grand Jury of the City and County of New York, by this indictment, accuse  
James H. Waters

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

The said James H. Waters;

late of the City of New York, in the County of New York aforesaid, on the  
twenty seventh day of May in the year of our Lord  
one thousand eight hundred and eighty-nine, 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  
kind called bank cheques,  
which said forged bank cheque  
is as follows, that is to say:

"No. 170  
New York May 27 1889  
Fifth National Bank  
Pay to Henry Montgomery or order  
Thirty one and 67/100 Dollars  
\$31 67/100  
Murray & Denney

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.



0525

**BOX:**

371

**FOLDER:**

3477

**DESCRIPTION:**

Weeks, Edward

**DATE:**

10/31/89



3477

**POOR QUALITY ORIGINAL**

0526

Witnesses:

*Augustus Hawten*

Counsel, *W*

Filed

1889

day of

*Oct*

Pleads,

THE PEOPLE

vs.

*Edward Weeks*

Grand Larceny, *Sec 528* Degree.  
(From the Person.)  
[Sections 528, 529 Penal Code].

JOHN R. FELLOWS,  
District Attorney.

**A True Bill.**

*M. S. body* Foreman.

*W. H. Gray*

*W. H. Gray*

*Oliver P. PBA,*

POOR QUALITY ORIGINAL

0527

Police Court 2 District. Affidavit—Larceny.

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

Augustus Hawtin  
of No. 142 Macdougall St Street, aged 25 years,  
occupation Restaurant business being duly sworn

deposes and says, that on the 29 day of October 1889 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession ~~of~~ of deponent, in the day time, the following property, viz:

Person

One gold watch  
of the value of twenty five dollars  
\$ 25

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 Edward Weeks (now here) under the following circumstances:— The defendant was with deponent in deponent's room at 142 Macdougall Street about quarter to three o'clock in the afternoon on said date, when deponent went to sleep, having the said watch in the pocket of a vest then worn by him. When deponent awoke about 4.30 p.m., on said date, the defendant was gone and the said watch was gone. Subsequently, about 11.30 p.m., on said date the defendant was arrested by Officer Thorne, 15th Precinct police and at the time of said arrest the defendant admitted that

Sworn to before me, this 1889 day of October 1889  
Police Justice

POOR QUALITY  
ORIGINAL

0528

He had stolen and pawned the  
said watch, and the said Police  
Solan took from the defendant  
a pawn ticket for the said watch  
wherefore deponent asks that defendant  
be dealt with as the law directs.

Sworn to before me this  
24th day of October  
1889  
*[Signature]*  
Deputy Sheriff

Augustus Hawtin

**POOR QUALITY ORIGINAL**

0529

Sec. 193-200.

*a*

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Edward Weeks*

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. *Edward Weeks*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *U. S.*

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

Answer. *158 Bleeker - 1 month*

Question. What is your business or profession?

Answer. *Waiter*

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*

*Edward Weeks*

Taken before me this

*24*

day of *October*

188*9*

Police Justice.

*[Signature]*

POOR QUALITY ORIGINAL

0530

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

Police Court... District...

1614

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Margaret Austin*  
*142 Madison St*  
*Edward Weeks*  
 Offence *Larceny from Person*

Dated *Oct 24* 188*9*  
 Magistrate *Hogan*  
 Officer *Stelm*  
 Precinct *15*

Witnesses

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

No. *577* Street *East*  
 TO ANSWER *Paul Hogan*

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

*Edward Weeks*

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

Dated *Oct 24* 188*9* *Paul Hogan* 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.

POOR QUALITY  
ORIGINAL

0531

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Edward Weeks*

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

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

The said

*Edward Weeks*

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

*one watch of the  
value of twenty-five  
dollars*

of the goods, chattels and personal property of one *Augustus Hawtin*  
on the person of the said *Augustus Hawtin*  
then and there being found, from the person of the said *Augustus Hawtin*  
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 P. Fellows,*  
District Attorney.

0532

**BOX:**

371

**FOLDER:**

3477

**DESCRIPTION:**

Welsh, Matthew

**DATE:**

10/21/89



3477

0533

**BOX:**

371

**FOLDER:**

3477

**DESCRIPTION:**

Welsh, Thomas

**DATE:**

10/21/89



3477

POOR QUALITY ORIGINAL

0534

230

O'Callahan

Counsel,

Filed

day of

1889

Pled

at

1889

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

THE PEOPLE

vs.

Matthew Welsh

and

Thomas Welsh

JOHN R. FELLOWS,

District Attorney.

A True Bill

Chas. B. Fowles

Foreman.

Oct 29/89

(Book)

Chas. B. Fowles

Chas. B. Fowles

Chas. B. Fowles

Chas. B. Fowles

Witnesses:

John B. Barnes

Erskine

POOR QUALITY ORIGINAL

0535

Police Court— 6 District.

CITY AND COUNTY OF NEW YORK, ss.

John H. Downes  
of No. 37 French police street, aged 28 years,  
occupation police officer

being duly sworn, deposes and says, that  
on the 8th day of September 1889 at the City of New York,  
in the County of New York, in Frick Avenue, near Highbridge

he was violently ASSAULTED and BEATEN by Matthew Welsh and Thomas Welsh (both now here) that while defendant had a man under arrest, the said Matthew Welsh threw a stone at defendant, striking defendant on the forehead and the said Thomas Welsh attempted to wrest defendant's club from his grasp at the same time and while defendant was in uniform and in the aid of the municipal police,  
without any justification on the part of the said assailant.

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

Sworn to before me, this 9th day of September 1889 by John H. Downes

Charles N. Laintor Police Justice.

**POOR QUALITY ORIGINAL**

0536

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

*Thomas Weis*

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 Weis*

Question. How old are you?  
Answer. *18 years*

Question. Where were you born?  
Answer. *in the State of Maine*

Question. Where do you live, and how long have you resided there?  
Answer. *Highbridge and First Avenue and about 4 months*

Question. What is your business or profession?  
Answer. *Laborer*

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 of the complainant was grabbing my brother and I merely took hold of his Club.*

*Thomas Weis*

Taken before me this  
day of *September*, 188*7*  
*Charles J. Fairbank*

Police Justice.

POOR QUALITY ORIGINAL

0537

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

*Matthew Walsh*

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. *Matthew Walsh*

Question. How old are you?

Answer. *26 years.*

Question. Where were you born?

Answer. *Mass.*

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

Answer. *Highbridge on a Irish Avenue 4 years*

Question. What is your business or profession?

Answer. *Laborer.*

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. *Saw not guilty.*

*Matthew Walsh*

Taken before me this

*day of*

1889

Police Justice.

POOR QUALITY ORIGINAL

0530

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

1930  
Police Court No. 3  
District 1362

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*John H. Remond*

*Walter Kelly*

*James Kelly*

Offence *Assault  
Felony*

Dated

*Sept. 9*

1889

Residence

*Charles*

Magistrate.

No. 8, by

*Ward*

Officer.

Residence

*W. J.*

Precinct.

Witnesses

*Margaret Johnson*

No. 72 Franklin Ave.

*John*

Street.

No. 31

*St. Paul*

Street.

No.

*1000 each*

Street.

\$1000 each to answer

*W. J.*

Street.



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

Dated *Sept 9* 1889 *Charles Hamilton* Police Justice.

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

Dated \_\_\_\_\_ 1889 \_\_\_\_\_ 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 \_\_\_\_\_ 1889 \_\_\_\_\_ Police Justice.

**POOR QUALITY  
ORIGINAL**

0539

The People  
vs.  
Matthew Welsh  
and  
Thomas Welsh.

Court of General Sessions, Part I.  
Before Judge Martine.

Tuesday, October 29, 1839.

Indictment for assault in the second degree.

John H. Downes sworn and examined.

I am an officer of the Municipal Police and have been on the force a little over eleven months, I remember the 8th of September of this year, I saw the Defendants that evening, in the discharge of my duty I was arresting a man named Ward, I was on post in the neighborhood of half past ten in uniform, I was arresting Ward for being drunk and disorderly, it was on First Avenue and High Bridge, the streets are not laid out there, it is known better by the name of Poverty Hollow; I had placed Ward under arrest and was going to take him to the Station House but these men rescued him from me, I had hold of Ward; this tallest man Matthew Welsh struck at me, he got hold of the other side of the prisoner, I told him to let go of him and he would not, I told him the second time and then he struck at me with his fist and by striking at me I had to let go of the prisoner Ward in order to defend myself and I undertook to arrest him and the prisoner Ward got away from me, him and I were fighting, the prisoner also assisted in the assault, Matthew and I scuffled and I was in the act of lifting him off the ground to take him to the Station House when Thomas Welsh ran in and grabbed hold of my night stick to prevent me from subduing Matthew Welsh, I had hit Matthew Welsh several times with the stick trying to subdue him, he went to the ground

**POOR QUALITY  
ORIGINAL**

0540

with one of the blows that I hit him and in getting up Matthew picked up a stone and fired it and struck me in the forehead where this scar is. When I got hold of Ward he fell, I reached down to pick him up, I never used a stick on Ward, I was lifting him off the ground when Welsh caught hold of him trying to pull him away, I began swinging my club and I hit Welsh, I think Matthew is the only one that I hit; when he was getting up the other brother Thomas rushed out and they all pitched on me, his wife ran in and grabbed hold of me, Officer Byrne came to the rescue and they scattered, I caught Thomas the next morning in Matthew Welsh's house and at the time Officer Byrne caught up to Matthew Welsh he had two stones, one in each hand, I ran following Byrne; Matthew Welsh wanted to get away from Officer Byrne to get at me again.

Cross Examined. I should judge I had known the Defendants about ten months, Matthew Welsh was not sitting on his own stoop on the night of the 8th of September when I came up there, he was sitting at a private residence on that stoop when I passed. It is not a fact that Matthew Welsh said to Ward who was under the influence of liquor, "go about your business" and that I then and there struck Ward and that Welsh said to me, "if you want to take him in, Officer, take him in for God's sake and do not kill him." Matthew's brother grabbed hold of my night stick, there was so many around me I do not remember what he said; I was perfectly sober.

**POOR QUALITY  
ORIGINAL**

0541

John Byrne sworn and examined.

I am an officer of the police and have been on the force going on six years. I met Officer Downes about five minutes before the row and passed in an opposite direction, our posts are joined, I heard a noise about a few minutes after, I heard a scuffle and fighting, I ran back and seen Officer Downes with his hat off and his face covered with blood and the others running up the stoop; I asked him who hit him and he said Matthew Welsh; he was running around the rear of the building and I followed him, I called him to stop and he kept on running, I called to him two or three times; he turned around and he had a large stone in his hand, he knew me and he dropped the stone as soon as he saw me and said he would go with me quietly. So when we went back to the corner I met Officer Downes coming, I had hold of Welsh by one hand and when Downes came near him Welsh tried to butt him with his head again, Welsh appeared to be after drinking some but he was not drunk, I know Matthew and Thomas Welsh about three years, and as far as I know of them they work, I did not see the first of the occurrence.

Matthew Welsh sworn and examined in his own behalf, testified:

I am a lineman in a telegraph company and resided about four years in High Bridge, I am married and my wife is in Court I think. On the night in question, the 8th of September, when Officer Downes came along I was sitting on my own stoop, I was upstairs and I heard some noise, I was just about in the act of going to bed, I had my

**POOR QUALITY  
ORIGINAL**

0542

coat off, I think it was between nine and ten o'clock, Ward was talking about this man clubbing him the night before and he was going to get square with him, Ward was talking to everybody. I told <sup>him</sup> Officer Downs ~~he~~ aint got no business doing that; you take off your coat to-morrow when you are sober and show them your marks. Downes was right over the way and he came running and he put up his hand and caught Ward and pulled him down head first and he commenced clubbing him. I said "for God Almighty's sake don't kill him, take him to the Station House the same as you ought to do." With that he made a rush at me and said, "you son of a bitch, I will give it to you." He caught me by the bottom of the pantaloons and he dropped me then, and he caught me with his left hand and commenced clubbing me with his right. "Hold on. Downes", I said, "t ere is no need of you clubbing me"; he made another clout at me, he hit me twice on the shoulders and he caught me here on the head, I staggered back but I did not fall; my brother ran over and he put up his hand to catch the club, I ran and this officer followed me and he struck me on the back just as I was going, I ran through the yard and I jumped over the two fences. I think he struck me altogether between five and six times, I was so excited I don't know exactly, I ran because I did not want to get any more punishment from the officer. Officer Byrne called after me to stop and as soonas he came up to me I said, "do you want me at the Station House." He says, "yes, I do." I says, "all right I will go with you", Officer Downes came up and pounded me again while Byrne had hold of me, Byrne had to beg him

**POOR QUALITY  
ORIGINAL**

0543

not to strike me. I did not have any rocks in my hand-  
how could I, I had to jump over two fences.

Cross Examined. There was present  
at this time William Curren a carpenter and Archie Devoe  
but I don't know whether they are in Court, I saw nobody  
fire a stone at the officer, I have known Byrne about  
three or four years; the Officers lie when they say I had  
a stone in each hand. Byrne called on me to stop or he  
would shoot me, I kept going along, I thought it was Downes  
but when Byrne sung out again "are you going to stop", I  
knew his voice and stopped. When I was brought to the  
6th Police Precinct next morning my condition was some-  
thing terrible.

Thomas Welsh sworn and examined.

I am eighteen years old and work in the Park De-  
partment, I never was arrested before on any charge. On  
the night of the 8th of September there was a fellow name  
Ward on the stoop drunk and Downes followed him into the  
house and clubbed him, Ward was talking about getting  
square on Downes the next day and Downes came along in a  
few minutes, he was standing across the road and Ward  
apparently did not see him and all at once Downes ran  
over and he caught him by the collar and he hauled him  
off the stoop and hit him. My brother says, "for God's  
sake don't kill the boy, take him to the Station House if  
you want to do anyt ing like that"; and he got hold of  
my brother and says, "I will give it to you"; he hauled  
him off the stoop and hit him, my brother put up his hand  
to stop the blow; there was no need to club him; he

**POOR QUALITY  
ORIGINAL**

0544

caught him a blow and staggered him over the fence, I ran over to stop the clubbing; my brother ran and I went up into the house, Downes followed him down to the house and Byrne ran down the other street and sung out a couple of times for him to stop; my brother found out who it was and he stopped and said he would go with him. I saw no stones in my brother's hand, he could not have any because he was sitting on the stoop. My brother did not fall to the ground, he staggered on the fence, he was going down, if he got the blow he would have probably killed him with it; all I done was to stop the clubbing.

Cross Examined.

Ward said that he was black and blue from the clubbing Downes had given him. My brother was sober that night, it was Sunday evening between nine and ten o'clock, I had been with him and he did not take anything to drink, we were at a Park on Segdwick Avenue river front, 173rd Street, there was dancing going on there and they were drinking soda. I know Morgan Johnson, I never had any trouble with him.

Francis J. Fitzpatrick sworn.

I am an inspector in the Electric Board, Matthew Welsh was working under my directions, I have known him since he came to High Bridge, which is at least three years ago, I never knew him to get in any trouble, I never saw him under the influence of liquor, everybody around High Bridge knows him, sometimes I would meet him every day when he was working, I never saw him in any trouble with any policeman, he is hard working and industrious. I had a conversation with Officer Byrne after the arrest about

**POOR QUALITY  
ORIGINAL**

0545

this affair, I asked him if Mat Welsh resisted him when he arrested him. He says, "no, he did not resist me at all"; then I asked him is it not so that he was clubbed while he had hold of him. He said yes, Downes hit him and he protected him.

Cross Examined. I never heard of Matthew Welsh making an assault upon the keeper of a saloon, I heard of an alleged assault upon a man named Gleason, Mr. Gleason summoned him to appear in Court but he withdrew the charge on that occasion, the Judge considered Gleason was as much at fault as him, I never heard about his using a stone.

Morgan B. Johnson sworn and examined by Mr. Jerome.

I am a stationary engineer and live in Brooklyn but on the 8th of September I was at High Bridge and saw this occurrence. Ward was intoxicated and using vulgar language and Downes came across and told him to go home and when he did so the second time Matthew Welsh said, "I will take him home." Downes took Ward by the collar and pulled him off the steps, Downes let Ward go and Welsh struck Downes first and he took hold of Welsh, then there was four or five men and a woman got hold of the policeman and when I got down to the corner the woman had hold of the club, I took the club out of her hand and some were kicking the officer and some had stones. Byrne came p and followed Welsh.

The Jury rendered a verdict of guilty of assault in the third degree against Matthew Welsh and acquitted

Thomas Welsh.

**POOR QUALITY  
ORIGINAL**

0546

Testimony in the  
case of  
Mathew Welch and  
Thomas Welch.

filed  
Oct. 189

**POOR QUALITY  
ORIGINAL**

0547

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Matthew Welsh  
and  
Thomas Welsh*

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

*Matthew Welsh and Thomas Welsh*

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

The said

*Matthew Welsh and  
Thomas Welsh, both*

late of the City of New York, in the County of New York aforesaid, on the *eightth*  
day of *September* in the year of our Lord one thousand eight hundred and  
*nine* at the City and County aforesaid, with force and arms, feloniously made  
an assault in and upon one *John A. Downes*

then and there being a *patrolman* of the Municipal Police of the City of  
New York, and as such *patrolman* being then and there engaged in the lawful  
*apprehension* of one *John Ward*, whose  
*true Christian name is to the Grand  
Jury aforesaid unknown*

and the said *Matthew Welsh and Thomas Welsh*

him, the said *John A. Downes*  
then and there feloniously did beat, strike, wound and otherwise ill-treat, with intent

then and there and thereby to prevent and resist the lawful *apprehension*  
of *him, the said John Ward* as aforesaid,  
against the form of the statute in such case made and provided, and against the peace of  
the People of the State of New York and their dignity.

JOHN R. FELLOWS,  
District Attorney.

0548

**BOX:**

371

**FOLDER:**

3477

**DESCRIPTION:**

Werner, Gottiel

**DATE:**

10/10/89



3477

POOR QUALITY ORIGINAL

0549

W. C. [Signature]  
[Signature]

Counsel,

Filed

day of

1889

Pleas,

THE PEOPLE

vs.  
Gottlieb Werner  
The 15/89  
Wears Assaues 3 ay 18.

H A P H.  
(Sections 278 and 218, Penal Code.)

JOHN R. FELLOWS,

District Attorney

Read your  
True Bill of [Signature]  
A TRUE BILL request of [Signature]  
[Signature] 15/89

[Signature] Foreman  
[Signature]

Witnesses:

Henry E. Stocking  
off. Society for. crull. children  
Louisa Zimmerman  
Friedricha Zimmerman

I have talked with the  
offices of the S. P. C. C. in  
reference to this case.  
They think a plea of  
alibi is not appropriate in  
the second degree would  
be proper. I have also  
satisfied that this is  
so. I respectfully  
recommend that  
such plea be  
accepted  
Public Act 248  
W. R. [Signature]  
[Signature]

POOR QUALITY  
ORIGINAL

0550

New York, Sept. 26/89.  
4<sup>th</sup> Dist. Police Court.  
Louisa Zimmerman,  
vs.  
Gottlieb Hoerner.

Before  
Hon. Mary Murray.  
Mr. Max Steiner appeared  
for the deft.

The complainant being duly  
sworn testified as follows.

By Mr. Steiner,

Q. Do you go to school?

Yes.

How long have you known this  
man.

I don't know. Did  
not when we moved in the house  
He only got beer once for me.  
Refused once, saying he had no  
time. They would not sell me beer  
in the saloon and he got it. It was  
for mother. Did not speak to him  
since he refused to get beer. Don't  
know how long. It was  
sometime before he was ar.

rested. Did not meet any boys  
in 44<sup>th</sup> St. This thing was done  
on Tuesday night. It was rain-  
ing. I went in the yard and had  
the dog with me. This defendant  
works in the shoe store.  
Saw him that night between  
seven and 8. I was after supper.  
I was alone when I went in  
the yard. He laid me down on  
the stone and got on top of me.  
Think he had his weak day  
clothes on. Had no coat on.  
First told mother on Friday.  
Mother would not let me go down  
any more. Go to school every  
day. I'm going to and from  
school, see this man, but don't  
speak to him. Was afraid at  
first to tell mother. He did  
not give me anything or promise  
to do so. Don't know how  
long he was in me.  
He and the boss were in the  
store when I went down, and  
he came outside and left  
the boss in the store.

This man was the first who ever did anything to me and the only one. Mother saw this yellow stuff on my drawers and asked me about it. I was afraid to say it was Charlie. I said it was a man around 44" tall who looked like him. Was afraid to say it was Charlie because mother would whip me. Don't know what night he was arrested. Mother did not do anything after I told her. Was asleep when mother told papa.

Dr. Walter N. Snow, being duly sworn testified as follows.

41 East 28 St.

I am a practicing physician in New York and have been for 10 years.

Made an examination of this child of her private. I found the external genital organs were inflamed and red caused by a discharge of gonorrhoeal inflammation. There had been an attempt at entrance, but penetration

X  
had not been effected.

Made an examination of the defendant on Sept. 19. On squeezing his penis there was a discharge, which had every evidence of gonorrhoea, the same that the child was afflicted with. I made the examination at the request of Mr. Grant of the Society.

The defendant was in prison at the time. He made no objection. He was told to come out and be examined and he obeyed. He has to take into consideration certain symptoms and authorities state that they are gonorrhoea. He had every evidence of gonorrhoea, and was suffering from it at the time of my examination, to the best of my ability. Have made probably <sup>3,000</sup> such examinations during my professional career.

A person may have it for different periods, varying in cases from 3 days to 6 months. Mr. Grant and the officer in charge of the prison were pre-

sent. I simply examined the patient. Am sure I squeezed a discharge from this man.

Dr. C. W. Bohmfulk being called in behalf of the defendant testified as follows:

I reside at 221 E. 52d. st. and have been a practicing physician since '84 in this city. Saw this defendant twice in prison. The first time was on the afternoon of the 17<sup>th</sup> of Sept.

That day the other physician examined him. I took the man on one side in the long room down stairs and told him I would like to examine him. I did so to the best of my knowledge and tried to find some physical complaint, which I could not find. I examined for the swollen glands and for a discharge. I squeezed the penis as far back as I could with one continuous pressure

I found a light moisture but no discharge. I could not swear as to stricture, but I can as to gonorrhoea, syphilis and shankroid. There was no evidence of the man suffering from gonorrhoea at the time of my examination. I was called upon by his sister and she engaged me to go and examine him.

I examined him again on the 20<sup>th</sup> to see if I could find any change

(By Mr. Grant, of the S. P. C. C.)

Q. Suppose this urinated 5 minutes before you made this examination, would there have been a discharge?

A. That depends upon the condition in which the gonorrhoea was in at the time.

Q. Could he clean it by urinating?

A. I don't think that after my examination there was a discharge, as I examined his penis 2 or 3 times to ascertain, to see if there was a

discharge. Did not prescribe  
for this man.

Herman Otto, being  
sworn, testified as follows:  
I reside at 226 E. 46"  
St. and don't live in the same  
house with the girl. Am  
a shoemaker, and have a shop.  
The defr. is in my employ.

He worked for me. I remem-  
ber when he was arrested; it  
was 10 minutes after 10 Sunday  
morning. On Tuesday night  
I left the shop a little after  
seven. Did not see the defr. go  
out. He did not ask me to go  
out. Did not see the girl that  
night. Don't know whether this  
defendant left between 6 and 7.  
Don't remember the occasion.

Katie Getchers, being  
duly sworn testified as fol-  
lows. I live at 226 E. 45 St.  
I know the girl and the defr.  
(6)

Had a conversation with the girl's mother Saturday evening. Her mother come down and asked ~~and asked~~ for the landlord. I asked her what was the matter and she said the child was tackled. I said I didn't believe her and she said yes, in "4" st. She had asked her how the man looked and she said she didn't know; that he was a little stouter than the shoe maker and had a nice mustache. The mother said she would whip her if she didn't tell who it was and the landlord promised her a dollar & a new dress. She told her that it was the shoe-maker and the child says no. Then her mother says I will whip you if you don't tell the name. I says I don't believe the man was out that night as I got her 20 minutes before and he was in the shop. I got the beer next door. (7)

I go for her 2 or 3 times a day and always look in the store. The child was not present during our conversation.

Mrs. Margaret Langley, being sworn testified as follows:

I reside at 226 E. 45<sup>th</sup> street, in the same house with this little girl. Am not long in the house. I don't know anything about the case and heard no conversation. Told no one that I knew anything. Don't live on the same floor with the girl.

Gottlieb Hoerner, the defendant, being called in his own behalf, testified as follows:

Did not see the girl the whole day in question. I was in the habit of getting beer for her, but it was weeks ago already.

Have not spoken to her since. Never met her in the yard since then. Did not go out of the shop Tuesday night at all. Closed up about 10.30. The boss was there and went away after seven. A butcher came after that and was in the door and we talked together. He played cards until half past ten. Did not leave the shop from the time the boss went away. If I was to go out would have to close up the shop. There was no one else there.

Motion for the defense here moves for the discharge of the prisoner on the ground that the evidence has not been corroborated

Motion denied.

Paul Jones  
Stenographer

POOR QUALITY  
ORIGINAL

0560

4<sup>th</sup> Dist.

Police Court.

Louisa Zimmerman  
vs.

Gottlieb Hoerner.

Before

Hon. Henry Murray.

POOR QUALITY ORIGINAL

0561

4th Dist.

Police Court.

Harisa Zimmerman  
vs.

Gottlieb Hoerner.

Before

Hon. Henry Murray

**POOR QUALITY ORIGINAL**

0562

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 4 DISTRICT.

*Louisa Zimmerman*  
 of No. *226 East 45th* Street, aged *11* years,  
 occupation *None* being duly sworn deposes and says,  
 that on the *10th* day of *September* 188*9*  
 at the City of New York, in the County of New York, *in the yard of the*  
*aforsaid premises. Gotlieb Hoerner*  
*now present, seized hold of deponent.*  
*laid her upon the ground, and there*  
*and there by force and violence.*  
*had sexual intercourse with her*  
  
*Louise Zimmerman*

Sworn to before me this *16th* day of *September* 188*9*  
*[Signature]*  
 Police Justice.

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 4 DISTRICT.

*David Matthews*  
 of No. *73 East 54th* Street, aged *58* years,  
 occupation *Physician* being duly sworn deposes and says,  
 that on the *15th* day of *September* 188*9*  
 at the City of New York, in the County of New York, *in the 23rd Precinct*  
*Station House. he personally ex*  
*amined Louisa Zimmerman, now*  
*present, aged 11 years, and found*  
*the genitals bathed in quite a profuse*  
*suppuration, the result of inflamma*  
*tion, from violence done to the vulva*  
*and entrance to the vagina.*  
  
*David Matthews,*

Sworn to before me this *16th* day of *September* 188*9*  
*[Signature]*  
 Police Justice.

POOR QUALITY  
ORIGINAL

0563

44517

H. E. 28 Dr

Sept. 17 '89

Hon E. J. Gerry  
Pres. S. P. C. C.

Dear Sir.

Having examined  
Gottlieb Woerner at the  
57<sup>th</sup> St Police Court, I  
beg to state that he  
is suffering with  
gonorrhoea.

Yours respectfully  
Walter H. Shaw M.D.

**POOR QUALITY  
ORIGINAL**

0564

44872

POOR QUALITY  
ORIGINAL

0565

41 E. 28

16 Sept. 89

Hon. E. J. Gerry  
Pres. S. P. C. C.

Dear Sir,

I have examined  
Louise Zimmerman Oct. 11  
I beg to state that there  
has been an attempt at  
penetration by some blunt  
instrument. The external  
genitals are intensely red  
and very much swollen, the  
result of a gonorrhoeal  
inflammation which  
is present.

Yours respectfully  
Walter H. Snow M.D.

**POOR QUALITY ORIGINAL**

0566

44572

POOR QUALITY ORIGINAL

0567

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY }  
OF NEW YORK } ss.

*Gottlieb Werner* 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.

*Gottlieb Werner*

Question. How old are you?

Answer.

*23 years*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*226 E 45 Ave 18 months*

Question. What is your business or profession?

Answer.

*Shoemaker*

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  
Gottlieb Werner*

Taken before me this 16

1889

Police Justice.

**POOR QUALITY ORIGINAL**

0560

*500-100-100  
your invitation  
Sept 26 to*

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

Police Court- 1500  
District.

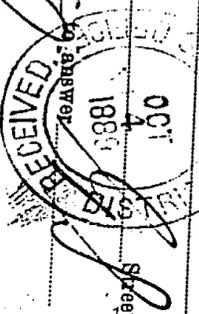
THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John C. Thompson  
229 of East 45th St  
Walter M. Munn*  
1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
Offence *Rape*

Dated *Sept 16* 188*9*

*Wm Munn*  
Magistrate  
Officer.  
*W. H. Munn*  
Precinct.

Witnesses *Wm Munn*  
No. *73* *E 54* Street,  
*Henry Munn*  
No. *100* *E 23* Street.



No. *2000* Street,  
Attention about defendant  
in these papers, if lost,  
Notify the Society at once.

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 *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 *Sept 16* 188*9* *Wm Munn* 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.

POOR QUALITY  
ORIGINAL

0569

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Gotthieb Werner*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this  
indictment, accuse *Gotthieb Werner*  
of the CRIME OF RAPE, committed as follows:

The said *Gotthieb Werner*,  
late of the City of New York, in the County of New York aforesaid, on the  
*ten*th day of *September*, in the year of our Lord one thousand  
eight hundred and eighty-*nine*, at the City and County aforesaid, with  
force and arms, in and upon a certain female not his wife, to wit: one *Louise*  
*Zimmerman*, then and there being, wilfully and,  
feloniously did make an assault, and her the said *Louise Zimmerman*,  
then and there, by force and with violence to her the said *Louise*  
*Zimmerman*, against her will and without her consent, did wilfully  
and feloniously ravish and carnally know, 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 *Gotthieb Werner*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, com-  
mitted as follows:

The said *Gotthieb Werner*,  
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, in and upon a certain  
female not his wife, to wit: her the said *Louise Zimmerman*, then  
and there being, wilfully and feloniously did make another assault, with intent her the  
said *Louise Zimmerman*, against her will and without her consent, by  
force and violence, to then and there wilfully and feloniously ravish and carnally know,  
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.

POOR QUALITY  
ORIGINAL

0570

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further  
accuse the said *Gottlieb Werner* —  
of the CRIME OF RAPE, committed as follows:

The said *Gottlieb Werner*, —  
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, in and upon a certain  
female not his wife, to wit: her the said *Louise Zimmerman*, then  
and there being, wilfully and feloniously did make another assault, and an act of sexual  
intercourse with her the said *Louise Zimmerman*, —  
then and there wilfully and feloniously did commit and perpetrate, against the will of the  
said *Louise Zimmerman*, and without her consent; 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.

FOURTH COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further  
accuse the said *Gottlieb Werner* —  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, com-  
mitted as follows:

The said *Gottlieb Werner*, —  
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, in and upon a certain  
female not his wife, to wit: her the said *Louise Zimmerman*,  
then and there being, wilfully and feloniously did make another assault, with intent, an  
act of sexual intercourse with her the said *Louise Zimmerman*,  
against her will and without her consent then and there wilfully and feloniously to commit  
and perpetrate, 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.~~

POOR QUALITY  
ORIGINAL

0571

Fifth COUNT:--

AND THE GRAND JURY AFORESAID, by this indictment, further

accuse the said Gottlieb Werner —

of the CRIME OF RAPE, committed as follows:

The said Gottlieb Werner, —

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, in and upon a certain female not his wife, to wit: her, the said Louise Zimmerman, then and there being, wilfully and feloniously did make another assault, she, the said Louise Zimmerman being then and there a female under the age of sixteen years, to wit: of the age of eleven years; and the said Gottlieb Werner, — then and there wilfully and feloniously did perpetrate an act of sexual intercourse with her, the said Louise Zimmerman —, 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.*

0572

**BOX:**

371

**FOLDER:**

3477

**DESCRIPTION:**

West, Robert J.

**DATE:**

10/01/89



3477

POOR QUALITY ORIGINAL

0573

Witnesses:

*Walter G. Boykin*  
*Theodor C. Dudley*

Counsel,  
Filed,  
Pleads,

1910  
/ day of *Oct.* 1889

THE PEOPLE,

vs.

*Robert J. West*

*My name is Robert J. West  
I do hereby certify that  
the above is a true and  
correct copy of the  
original as the same  
exists in my possession*

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

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*Chas. B. Roberts*  
*Foreman.*  
*State Refractory Colony*  
*Pr. vs. 8784*

**POOR QUALITY  
ORIGINAL**

0574

DELIVER NO GOODS WITHOUT A WRITTEN ORDER,

No. 1224 New York, 9/24th 189

Mess. Hodgkins and Co.  
# 1st Broadway

Please Deliver to Bearer

1/2 Doz. South & Western  
38 Cts. Double Action

Hammerless

Patrol

with Ball

and Oblique

GOODYEAR RUBBER CO.

per G.M.

**POOR QUALITY ORIGINAL**

0575

Police Court

DELIVER NO GOODS WITHOUT A WRITTEN ORDER

No. *1111* New York *Jan 4 1919*

*No. Hartley & Gunkel  
10 Madison Ave.*

Please Deliver to Bearer

*1-29 S.W. 38 Call  
D.A. Hammerden  
Pistols*

*Auth. Bill*

GOODYEAR RUBBER CO.

per *J.M.*

POOR QUALITY ORIGINAL

0576

Police Court District. Affidavit-Larceny.

City and County of New York, ss.:

Theodore D. W. Moore

of No. 19 Maiden Lane Street, aged 23 years, occupation Salisman

deposes and says, that on the 20 day of September 1889 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:

Twelve Smith & Wesson's Revolvers of the value of one hundred and thirty eight dollars

the property of Marcellus Hartley Cuparner in the care and charge of deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Robert J. West (now here)

Deponent says that on said date said defendant came in his place of business and presented the annexed order number shown which is attached and made part of this affidavit and complaint, and requested deponent to give him the aforesaid property he said defendant then and there stating that he was sent from the Goodyear Rubber Company. Deponent says that the order purporting to be signed by the Goodyear Rubber is fraudulent as he is informed by Theodore E. Studley

Sworn to before me, this 20 day of September 1889. Police Justice.

**POOR QUALITY ORIGINAL**

0577

that it was never issued by said Company or authorized by them. Myself deposed charges said trust with felonious attempt to take stock and carry away said property as aforesaid.

*Theodore D W Moore*

SWORN TO BEFORE ME  
THIS 27 DAY OF Sept 1889  
*W. C. [Signature]*  
POLICE JUSTICE.

**POOR QUALITY ORIGINAL**

0578

CITY AND COUNTY }  
OF NEW YORK, } ss.

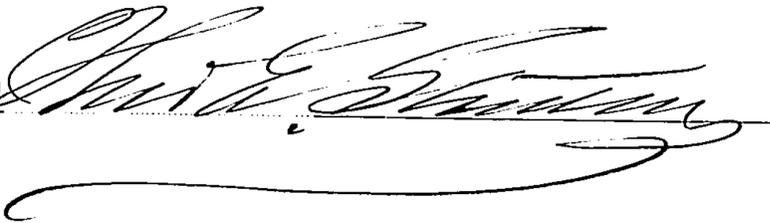
aged 58 years, occupation Theodore E. Studley Manager of No.

49 Mauden Lane Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Theodore D. W. Moore

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

Sworn to before me, this 24  
day of Sept 1887



Doyle  
Police Justice.

POOR QUALITY  
ORIGINAL

0579

Sec. 198—200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.

Robert J. West 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.

Robert J. West

Question. How old are you?

Answer.

20 years

Question. Where were you born?

Answer.

U.S.

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

Answer.

Chattanooga N.Y. 18 years

Question. What is your business or profession?

Answer.

Electrician

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 received the order from a person who requested me to get the same - He gave me another order to Walter G. Hodgkins No 300 Broadway for Six Revolvers. and they had me taken in custody.

Robert J. West.

Taken before me this

day of

188

Police Justice.

POOR QUALITY ORIGINAL

0580

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

Police Court... District... 1451

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Shadere & Mr Moore  
19 Madison Lane  
1 Robert & West  
2  
3  
4

Offence ~~Larceny attempt~~  
Forgery

Dated Sept 24 1889

Samuel O'Reilly Magistrate

See a Constable  
30 Precinct

Witnesses Shadere & Mr Moore

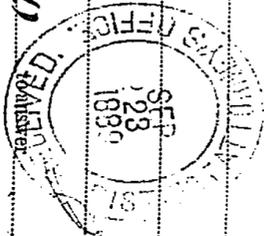
No. 1, by \_\_\_\_\_ Street \_\_\_\_\_

Walter C Roddams 300 Broadway

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

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

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



Committed

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

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

Dated Sept 24 1889 Samuel O'Reilly Police Justice.

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

Dated \_\_\_\_\_ 1889 \_\_\_\_\_ 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 \_\_\_\_\_ 1889 \_\_\_\_\_ Police Justice.

**POOR QUALITY ORIGINAL**

0581

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

THE PEOPLE OF THE STATE OF NEW YORK  
*against*

*Robert J. West*

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

*Robert J. West*

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

The said *Robert J. West*,

late of the City of New York, in the County of New York aforesaid, on the ~~nineteenth~~ day of ~~September~~, in the year of our Lord one thousand eight hundred and eighty-~~nine~~, 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,

which said forged *instrument and writing* is as follows, that is to say:

*Deliver no goods without a written order*  
*no. 654 New York 9/18 1899*  
*Mess. S. & W. & Bros*  
*Broadway*  
*Please Deliver to Treasurer*  
*1/2 Day S.W. 38 call*  
*A. A. Hammerless*  
*Postals*  
*With Bill*  
*Goodman Rubber Co.*  
*per receipt Sec.*

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.

**POOR QUALITY ORIGINAL**

0582

SECOND COUNT:—

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

Robert J. West  
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said Robert J. West,

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,

which said forged instrument and writing is as follows, that is to say:

*Deliver no goods without a written order,  
no. 654 New York, 9/18<sup>th</sup> 189.  
Mess. Spalding, 2nd Floor  
Broadway  
Beaver Deliver to Beaver  
12 0028. 52 W. 38<sup>th</sup> St.  
D.A. Blankenship  
Order  
With Bill  
Spalding Beaver Co  
per receipt  
See*

with intent to defraud he the said Robert J. West 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.

**POOR QUALITY ORIGINAL**

0583

Witnesses:

C. P. Rowen  
Theodore C. Sturley

Counsel,  
Filed,  
Plends,

1889  
day of Oct

THE PEOPLE,

vs.

Robert J. West  
(Defendant)

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

JOHN R. FELLOWS.

District Attorney.

A True Bill.

Chas. D. Pischel

Foreman.

**POOR QUALITY ORIGINAL**

0584

DELIVER NO GOODS WITHOUT A WRITTEN ORDER,

No. 654 New York, 9/18/18 189

Manhattan  
Broadway

Please Deliver to Bearer

503 Jersey 14328

12 doz S & W 38 cal

D. A. Hammerlin

Deed Pistols  
Power Co

with Bill

9/18/18

*OK*

GOODYEAR RUBBER CO.

per Merritt

**POOR QUALITY ORIGINAL**

0585

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

City and County of New York, } ss.

of No. 241 Broadway Street, aged 21 years,  
occupation clerk being duly sworn, deposes and says,

that on the 19th day of September 1889, at the City of New York, in the County of New York, and

with the instrument and writing thereto annexed, with intent to defraud. That on said day said West obtained from said Spaulding & Press, by means of said forged order six pistols to the value of seventy five dollars the property of said firm, which goods were as the clerk of said firm delivered to said West.

That deponent is informed by Theo. E. Studley that the signature appearing on said order is false, forged and fraudulent

Sworn to before me  
this 23rd day of Sept 1889 } Chas. P. Rowley

POOR QUALITY ORIGINAL

0586

DISTRICT ATTORNEY'S OFFICE,  
City and County of New York.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*E. P. Rowley*  
*241 Bway*  
*Spaulding Bldg*  
*Robert J. West*

Offence

Dated *September 20* 1889

Witnesses, *John E. Stodley*  
*Ganderson & Co.,*  
No. *49* *Warden Lane*

*Joseph A. Thimote*  
*Spodigan Public Co*  
No. *487* *Bway* Street,

*Geo. A. Kinder*  
*30 Pratt*  
No. \_\_\_\_\_ Street,

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

\_\_\_\_\_

\_\_\_\_\_

**POOR QUALITY ORIGINAL**

0587

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

THE PEOPLE OF THE STATE OF NEW YORK  
*against*

*Robert G. West*

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

*Robert G. West*

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

The said *Robert G. West*,

late of the City of New York, in the County of New York aforesaid, on the  
*Xmas* day of *September*, in the year of our Lord  
one thousand eight hundred and eighty-*nine*, 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,

which said forged *instrument and writing*  
is as follows, that is to say:

*" Dinner no goods without a written order*  
*no. 2144 New York 9/20<sup>th</sup> 189*  
*on Monday & Graham*  
*A. W. Maiden Lane.*  
*Please Dinner to Deaver*  
*1207 S. W. 38 Call*  
*D. A. Hammerless*  
*Circle*  
*with Bill*  
*Hoodner Outdoor Co.*  
*New York.*

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.

POOR QUALITY ORIGINAL

0588

SECOND COUNT:—

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

Robert J. West

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

The said Robert J. West,

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.

Order on goods in hand a written order  
which said forged instrument and writing is as follows, that is to say:

Order on goods in hand a written order

No. 2144 New York 9/20<sup>th</sup> 189  
in Stanley & Graham  
to be made same

Order deliver to Bearer

1000 \$2.00 38 Cents  
D.A. Saunders  
Pitts

with Bill

Produce Order Co.  
per D.M.

with intent to defraud the the said Robert J. West 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.