

0025

BOX:

525

FOLDER:

4779

DESCRIPTION:

Johnson, Fannie

DATE:

06/16/93



4779

POOR QUALITY ORIGINAL

0028

Police Court 4 District.

1012

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 92nd 9th Avenue Street, aged 40 years,
occupation Restaurant Keeper being duly sworn,

deposes and says, that on the 7 day of May 1899 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:

Twenty Dollars and seventy cents
good and lawful money of the
United States

Sworn to before me, this 7 day of May 1899

John H. Williams
Police Justice.

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 Mrs. Anna Johnson for the reason that on said date defendant asked deponent to cash the annexed check marked Exhibit "A". Defendant represented to deponent that the said check was good, and deponent believing defendant's statement to be true gave to defendant twenty dollars and seventy cents. Deponent is informed by Michael E. Duffy that he presented said check to the Bank in which it was drawn and was there informed that at the time said check was drawn defendant had no account in said bank. Wherefore deponent charges defendant with larceny.

John H. Williams

POOR QUALITY ORIGINAL

0029

CITY AND COUNTY }
OF NEW YORK, } ss.

1872

aged 27 years, occupation Lawyer of No. 3411 West 28th St Street, being duly sworn, deposes and

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

Sworn to before me, this 28 day of May 1893

Michael E. Duffy

W. M. Mahan
Police Justice.

[Lined area for additional text or notes]

POOR QUALITY ORIGINAL

0030

Sec. 198-200.

H

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss:

Fannie Johnson

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

Question. What is your name?

Answer. *Fannie Johnson*

Question. How old are you?

Answer. *35 years.*

Question. Where were you born?

Answer. *Ohio*

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

Answer. *363 W 57 St. 2 years*

Question. What is your business or profession?

Answer. *10 exp. house*

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.*

Fannie E. Johnson

Taken before me this

day of

189

Police Justice.

POOR QUALITY ORIGINAL

0031

Sec. 151.

Police Court 4 District.

CITY AND COUNTY }
OF NEW YORK, } ss.

In the name of the People of the State of New York; To the Sheriff of the County of New York, or any Marshal or Policeman of the City of New York:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by John M. Williams of No. 92 W 9th Ave Street, that on the 7 day of May 1893 at the City of New York, in the County of New York, the following article to wit:

Twenty dollars and seventy cents gold and lawful money of the United States of the value of Twenty dollars and seventy cents Dollars, the property of Defendant

was taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by Mrs. Edgar Johnson

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 4 DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 28 day of May 1893
W. J. Williams POLICE JUSTICE.

POOR QUALITY ORIGINAL

0032

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated 188

Magistrate

Smith Officer.

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

Officer.

Dated 188

This Warrant may be executed on Sunday or at
night.

W. M. ... Police Justice.

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

Dated 188

Police Justice.

The within named

Apr 35. M. D. No 363. M. 57. H.

POOR QUALITY ORIGINAL

0034

COLUMBUS AVE. & 79th ST.

No. *100* *Manfield Bank* NEW YORK, *May 7th* 1892

THE HUDSON RIVER BANK,
OF THE CITY OF NEW YORK

Pay to the order of *John W. Williams*

Twenty Dollars,

\$20.00

Wm. Edgar Johnson

POOR QUALITY
ORIGINAL

0035

Justus William
Carroll

Wm. Carroll

Carroll

POOR QUALITY ORIGINAL

0036

Sec. 192.

H District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Daniel F. McMahon a Police Justice of the City of New York, charging Fannie Johnson Defendant with the offence of Larceny

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

We, Fannie Johnson Defendant of No. 363
N 57 Street; by occupation a Kept-house
and Edward Coyne of No. 119 E 47
Street, by occupation a Build up Surety, hereby jointly and severally undertake that the above named Fannie Johnson Defendant shall personally appear before the said Justice, at the 4 District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York the sum of Five Hundred Dollars.

Taken and acknowledged before me, this 29 day of May 1893
D. McMahon POLICE JUSTICE.

Fannie E. Johnson
Edward Coyne

POOR QUALITY ORIGINAL

0037

CITY AND COUNTY }
OF NEW YORK, } ss.

Edmund Boyne
Magistrate
Police Justice

Sworn to before me, this
29th day of
1893

Edmund Boyne

the within named Bail and Surety being duly sworn, says, that he is a resident and *free* holder within the said County and State, and is worth *Ten* Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of *house lot of land situated*

261-47 Avenue; valued at \$40000. Clear in said city.
Edmund Boyne

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Undertaking to appear during the Examination.

Taken the day of 18

Justice.

POOR QUALITY ORIGINAL

0038

C. R. 3074

COURT OF GENERAL SESSIONS OF THE PEACE.

SUBPENA.

Part
The Court is held in the Criminal Court Building,
Centre Street, from Franklin to White Street.

Boothwick

COUNTY OF NEW YORK, } ss.

In the Name of the People of the State of New York.

To *Edward R. Carroll*



YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, to be holden in and for the said City and County of New York, at the Criminal Court Building of the said City, on *Tue* day the *23* day of *Aug* instant, at the hour of ~~HALF PAST TEN~~ ~~TEN~~ O'CLOCK in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

Jaymes Mowse and
*Bring with you the Papers in the case of ~~James Mowse~~ *James Mowse**
Dated at the City of New York, *23* day of *Aug* 189*8* *June 16/93*

By order of the Court,

EDWARD R. CARROLL,
~~JOHN E. CARROLL~~, Clerk of Court.

Abraham

Counsel for Defendant.

POOR QUALITY
ORIGINAL

0039

TO THE CHIEF CLERK.

Please send me the Papers in the Case of
PEOPLE

vs.

Jennie Johnson
Petitioner

W. G. Raines
Attorney
888 9th Ave

District Attorney.

**POOR QUALITY
ORIGINAL**

0040

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 16th day of June
1893, in the Court of General Sessions of the Peace, of the County of
New York, charging Annice Johnson
with the crime of Petit Larceny

You are therefore Commanded forthwith to arrest the above named Annice Johnson
and bring ~~him~~^{her} before that Court to answer the indictment; or
if the Court have adjourned for the term, that you deliver ~~him~~^{her} into the custody of the Keeper of the
City Prison of the City of New York, or if she require it, that you take ~~him~~^{her} before any Magistrate
in that County, or in the County in which you arrest ~~him~~^{her}, that she may give bail to answer the
indictment.

City of New York, the 11th day of Sept. 1893

By order of the Court,

John S. Carroll Clerk of Court.

POOR QUALITY
ORIGINAL

0041

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 16th day of June
1893, in the Court of General Sessions of the Peace, of the County of
New York, charging Samie Johnson
with the crime of Child Larceny

You are therefore Comanded forthwith to arrest the above named Samie Johnson
and bring ~~him~~ ^{her} before that Court to answer the indictment; or
if the Court have adjourned for the term, that you deliver ~~him~~ ^{her} into the custody of the Keeper of the
City Prison of the City of New York, or if she require it, that you take ~~him~~ ^{her} before any Magistrate
in that County, or in the County in which you arrest ~~him~~ ^{her}, that she may give bail to answer the
indictment.

City of New York, the 11th day of Sept. 1893

By order of the Court,

John F. Carroll Clerk of Court.

**POOR QUALITY
ORIGINAL**

0042

N. Y. General Sessions of the Peace

THE PEOPLE
OF THE STATE OF NEW YORK,

against

Hannie Johnson

Bench Warrant for Misdemeanor.

Issued *Sept 11th 1893*

Sept 18 1893

The within named defendant was
arrested this day and brought to the
Court of General Sessions by

Det. Trauer

The defendant is to be admitted to bail
in the sum of dollars..... 139

The within named defendant was
arrested and brought to the
Court of General Sessions by

POOR QUALITY ORIGINAL

0043

N. Y. General Sessions of the Peace

THE PEOPLE
OF THE STATE OF NEW YORK,

against

Hannie Johnson

Bench Warrant for Misdemeanor.

Issued

Sept 11th 1893

Sept 18 1893

The within named defendant was
arrested this day and brought to the

Court of General Sessions by

Det. Trauer

The defendant is to be admitted to bail

in the sum ofdollars.....100

The within named defendant was
arrested this day and brought to the
Court of General Sessions by

POOR QUALITY ORIGINAL

0044

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Fannie Johnson

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

Fannie Johnson

of the CRIME OF Petit LARCENY, committed as follows:

The said Fannie Johnson,

late of the City of New York, in the County of New York aforesaid, on the seventh day of May, in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, with force and arms, with intent to deprive and defraud one John McWilliam,

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

That a certain paper writing in the words and figures following, to wit:

New York May 7th 1892
Garfield Bank Bank, of the City of New York
Pay to the order of John McWilliam
Twenty 70/100 Dollars
\$20 70/100 Mrs. Edgar Johnson

which she the said Fannie Johnson then and there produced and delivered to the

said John McWilliam was then and there a good and valid order for the payment of money and of the value of twenty dollars and seventy cents.

By color and by aid of which said false and fraudulent pretenses and representations, the said

Jennie Johnson —

did then and there feloniously and fraudulently obtain from the possession of the said

John McWilliam the sum of twenty dollars and seventy cents in money, lawful money of the United States of America and of the value of twenty dollars and seventy cents.

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

John McWilliam —

with intent to deprive and defraud the said

John McWilliam, —

of the same, and of the use and benefit thereof, and to appropriate the same to her own use.

Whereas, in truth and in fact, the said paper writing was not then and there a good and valid order for the payment of money, and was not of the value of twenty

dollars and seventy cents, or of
any value, but was wholly
worthless.

And Whereas, in truth and in fact, the pretenses and representations so made as afore-
said by the said Fannie Johnson
to the said John McWilliamis was and were
then and there in all respects utterly false and untrue, as she the said
Fannie Johnson
at the time of making the same then and there well knew;

And so the Grand Jury Aforesaid, do say that the said
Fannie Johnson
in the manner and form aforesaid and by the means aforesaid, the said proper moneys, goods,
chattels and personal property of the said John McWilliamis,
then and there feloniously did STEAL, against the form of the statute in such case made and pro-
vided, and against the peace and dignity of the said people.

DE LANCEY NICOLL,
District Attorney.

0047

BOX:

525

FOLDER:

4779

DESCRIPTION:

Jones, George

DATE:

06/13/93



4779

0048

BOX:

525

FOLDER:

4779

DESCRIPTION:

Smith, James J

DATE:

06/13/93



4779

Capt. ~~10/18/89~~
Counsel,
Filed 13 June 1893
Pleads, July 14

Robbery, (Sections 224 and 22 & Penal Code.)
Frank Degree.

25 THE PEOPLE
227 Knickerbocker P.
vs.
George Jones,
38, 419 8th St.
James J. Smith

DE LANCEY NICOLL,
District Attorney.

10-11-89
A TRUE BILL
Yr. S. P.
by Amy S. Harney
Foreman.

Part 2 - June 28, 1893.
No. 2 trial and committed

Part 2 - June 29, 1893
No. 1 trial and committed

Both July 7

Witnesses:
J. Archibald
M. Lawrence

Notary official
for July 7th

comptroler's office
New York
New York
Dec 27 1893
S.P.

POOR QUALITY ORIGINAL

0050

1923

Police Court _____ District.

City and County }
of New York, } ss.

James Archibald
of No. 140 West 14th Street, aged 44 years,
occupation Sailor, being duly sworn,

deposes and says, that on the 3rd day of June 1893 at the 9th Ward of the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the person of deponent by force and violence, without his consent and against his will, the following property, viz:

Twenty dollars in money and one plated case gold watch

of the value of Fifty five DOLLARS,
the property of deponent

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

George Jones and James Smith
two men and two unknown men
who escaped from the fact
that at about the hour of 7
o'clock PM of said date an applicant
was walking in King Street
he was approached by the
deponents who seized him and
freely and without his consent
thrust their hands into his
pockets and abstracted said property
and ran away with the
same James Archibald
deponent

Sworn to before me this
18th day of June 1893
Police Justice

POOR QUALITY ORIGINAL

0051

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:

George Jones

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. *George Jones*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *MA*

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

Answer. *127 2nd Street 3 years*

Question. What is your business or profession?

Answer. *Truck Driver*

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

Answer. *I am not guilty*

Geo Jones

Taken before me this
day of *Sept* 1889
J. M. [Signature]
Police Justice.

Complainant Corp examined
by Mr Purdy June 6th 1893.
Q If you say there were 5 men
that attacked you?
A 4 or 5.

Q If you say you didn't see the
face of any of the men but
Jones.?

A Yes Jones hit me, and I saw
his face, I didn't see the face
of any other men, I cannot
be positive of Smith at all.

||

Newry Tawson an apolice
afficer of the 4th precinct police
being duly sworn
Was examined by Mr Purdy.

Q Did you see anything of
the attack on these men?
A I did not see the attack.

Q Your attention was called to
the case how?

A By a man from the complainant

Q How far away from the com-
plainant were you when
you heard the cries?

A About half a block.

Q And you saw 2 men running
A 4 men.

Q And when you saw them
how far away from the com-
plainant were they?

A About a block

Q And was anybody else running
A 7 or 8

Q Was there a crowd running?
A 7 or 8

6

If there were only four men
running?
A shot at.

If Wasnt the companion
running?
A shot at he was a block away
Further examination raised
Legionnaire head to tail in
sum of \$1000 each!

POOR QUALITY ORIGINAL

0055

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

T H E P E O P L E

VS.

GEORGE JONES.

BEFORE

HON. FREDERICK SMYTH,

AND A JURY.

TRIED, NEW YORK, JUNE 29TH, 1893.

INDICTED FOR ROBBERY IN THE FIRST DEGREE.

INDICTMENT FILED JUNE 13TH, 1893.

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY HARRY D. MACDONA,

For THE PEOPLE.

MR. CANTON,

For THE DEFENSE.

JAMES ARCHIBALD, testified that he was a seaman, and lived in Bristol, England. He is a stranger in this City. On June 3rd, at half-past 6 o'clock, he was in the vicinity of the Brooklyn Bridge, looking for a sailor's boarding house, in which to lodge for the night. He had been, on that day, to the office of the British Consul, and had bought some things, and also had been down West Street. He was wrecked off Long Beach, and remained three months in the Long Branch hospital. After leaving, he came to this City for the purpose of returning home. He collected \$30., his wages, from the Consul, and spent \$10. and then started to look for a boarding house. He did not spend the \$10. for Whiskey or beer, but for clothes. "About 6 o'clock," the witness testified, "there was four or five men rushed up to me, and one of them, this man, (indicating the defendant) grabbed me by the collar, and one man was behind me. I did not know who he was, and

before I could look around me, like a flash of lightning, away went my watch and money out of my pocket. And I holloaed 'Police! Police!' and they ran away, and some children showed me the way to the police station, and an officer met me near the station and took me in, and while I was telling the story, the police brought the two men in, and I couldn't identify Smith, but this man had me by the collar of the jacket, and I recognized him. About \$18. I lost and my watch. The watch was in the waistcoat pocket, and a swivel of the chain broke, and the chain hung down. The property was taken against his, the complainant's, will, and by force and violence. In

C r o s s E x a m i n a t i o n

the witness testified that he did not know in what part of the City he was, because he was a stranger, and did not know a street in New York; it was daylight; close to 7 o'clock. He could not say whether he was going towards the East River or any

water. The witness, continuing, testified, "They all got around me, and one got me by the collar, and the other caught me from behind, and I had no use of my right hand or leg, and I could feel them going into my vest and my pants pocket. As soon as they got my property they flew--they ran away." The complainant drank two glasses of beer that day, but was perfectly sober. He did not get a chance to recognize his other assailants, but he was certain that the defendant was one of them. He saw him, the defendant, long enough to get a good view of him, as he, the defendant, was staring the complainant in the face, looking at him right in the face. The defendant had the complainant by the collar, and the complainant said, "Let go! Let go!" and then he called, "Police! Police!" He next saw the defendant in the station-house, the same evening. The policeman showed him Smith first, but the complainant could not identify him; but as soon as he, the complainant saw the defendant, he said, "That is

one of them. That is the man." In

R e - D i r e c t E x a m i n a t i o n

the witness testified that when he was in the station house, the Sergeant asked him to stay there, as he had no money and no place to sleep. Therefore, he went into a cell. The door was open, and he walked up and down the corridor and while doing so, he had a conversation with the defendant. The witness testified that, "This man says to me, you are an old bugger, that has got me locked up, ain't you?" and I said, 'Yes. And you are the man that robbed and stole my watch.' and he said, 'Oh no; I don't take things like that. I am a hard working fellow. If you will go up to the Tombs do you know what they will do with you?' And I said, 'No'. And he said, 'They will keep you six months in the house of detention.' And I said, 'All right. They can keep me as long as they want.' And he said, 'You will give me five years if you come up from the

House of Detention and identify me.' And then he said, if he got out from the Tombs he would give me \$10. or \$15.---I could not say whether it was \$10. or \$15.---when he got out of the Tombs.
In

R e - C r o s s - E x a m i n a t i o n

the witness testified that there were two or three other prisoners in the cells when the conversation occurred. There was no officer about. It was just about day-light.

HENRY TAUSSMA testified that he was attached to the 4th precinct, and that Cherry Street was in that precinct, and it was in his tour of duty, which was from 6 o'clock in the evening until 12 o'clock. About half past-six o'clock he was in the neighborhood of Cherry Street, near Dover, and he saw the defendant there, about 200 feet from the

corner of Dover Street. He heard a cry of "Police!" and looking in the direction of the cry, he saw the complainant, who was standing there. The witness ran in that direction, and saw the complainant standing there with a few children around, and his watch-chain hanging. He knew something was wrong, and he saw five or six men run towards Dover Street, and he chased them down Dover Street to Water, and down Water to Roosevelt, and through Roosevelt to South, and down to Catherine Slip, and they were turning up the slip when officer Gilmartin headed them off. Two of them ran through South Street, and the other three started to run up through Catherine Slip. Of the three that started to run up Catherine Slip, the defendant was one, and Smith was the other one; and the other one got away; he ran into Water Street. Gilmartin caught Smith, and the witness arrested the defendant. He pursued the men between six and seven blocks before he caught them. The streets through which they

ran were very quiet, and it was on a Saturday night, a half holiday, and it was like Sunday there, it was so quiet, and the witness saw not a person except the five men, during the entire chase; and the men ran together and kept together. When he took the defendant to the station-house, he found the complainant there. As soon as the complainant saw the defendant, Jones, he said, "There is the man that robbed me," shaking his stick at the defendant, Jones. The witness said to the complainant, "How about this man?" meaning Smith. The complainant said that he could not identify him, but he was positive as to the defendant, Jones. In

C r o s s E x a m i n a t i o n

the witness testified that when he first heard the cry of "Police!" the old man was on Cherry Street, near Dover. The witness was about 25 or 40 feet away from the defendant when he commenced to run. When the witness first saw the men, they

were not standing, but were running, and the witness pursued them. There was nothing found on the defendant.

JAMES GILMARTIN testified that he was attached to the 7th precinct, and he was on duty in the 7th precinct. b
Between 6 and 7 o'clock on the evening in question, he was standing at the corner of Catherine Slip and South Street. He heard an officer's whistle, and looked in the direction of it, and saw three men darting past behind his, the witness's, back. The prisoner was one of the men. He was last, Smith was next, and a man unknown to the witness, was first, and he escaped. The witness started in pursuit of the men, and tried to head off the first one, but only caught the second. He turned Smith over to officer Tobin, and Taussman had Jones. In

C r o s s E x a m i n a t i o n

the witness testified that all he knew of the crime charged in the indictment was that he saw the defendant running, and pursued him, and the other officer captured him, and he caught Smith.

THE DEFENSE

GEORGE JONES, the defendant, testified, in his own behalf, that he was 25 years of age,,and lived at 229 Munroe Street, between Scammel and Jackson Streets. That place was about 15 blocks from the scene of the robbery. He was in trouble before. On the evening of June 3rd he was down on South Street. The defendant, continuing, testified: "I was walking through South Street, and I see a couple of fellows running, and I ran to see what was the matter, and I did not know nothing until an officer blew his whistle, and I stopped short, and he put his hand on my before I had time to

turn around, and then I seen another officer catch another fellow, Smith. And they asked me, "Where is that man's watch?" And I said, "What man's watch are you talking about?" And they fetched us up a little way, and they searched me and Smith, and they did not find anything on us at all. And then one of the officers said, 'This must be the wrong man'. And then he said, 'We will fetch him down to the house anyhow.' That meant the station-house. We went down to the station-house and we were there a little while when this fellow, this here Archibald, came in, and they says, 'Is this the man?' There was two detectives in there at the time; and the sergeant was not in behind the desk, and the detectives said, 'You tell the Sergeant for to hold this man till we get back.' And the Sergeant came in, and they searched us, and found 10 cents with me, and \$2.00 with smith. And they asked Mr. Archibald was it me and Smith. He said no. And then the officer went to the Sergeant and said to the

Sergeant, 'You lock them down until the two detectives comes in.' And they locked us in the cell, and they fetched us out a little while after that, and they had Mr. Archibald there, and they said, 'Is this them?' and he said, he lifted up his stick, and he said, 'Yes, it is the two of them,' and in court the next morning he swore to the two of us, he swore that it was me and Smith; and then at the examination he swore only to me, and he said, 'I don't know Smith at all.' And in the meantime the officers got my character, and they told the man to say it was me." The defendant admitted that he did not hear the officers tell the complainant to swear that he, the defendant, was the man who committed the robbery. He denied that he said to Archibald, when in his, the defendant's cell, "you are the old bugger that got me locked up;" or that he, the complainant, said to him, the defendant, "Yes; and you are the man that took my watch and money; or that he, the defendant, said that he, the complain-

/ant, would be locked up in the House of Detention; for six months; or that he, the defendant said to the complainant, that he, the defendant, would get five years, or something like that; or that he, the defendant, said to him, the complainant, that if he, the defendant, got out of the Tombs, he would give him, the complainant, \$10. or \$15. The defendant admitted that he had a conversation with Archibald, while the latter was walking around outside near the cells. The defendant testified, "I called him over and I said, 'Say, boss, was I one of them people that was near me?' and he said, 'You did not touch me, but you was there.' And I said, 'Who was?' and he said, 'Well, I know your face some place.' and I said, 'That maybe.' and I said, 'If you say anything against me, you have got the wrong man.' That is all I said to him. The defendant denied that he assaulted the complainant in Cherry Street; or that he caught him by the collar; or that he was in Cherry Street at all that night; or that he was in Dover Street.

He admitted that he was in James Slip and through South Street. In

C r o s s E x a m i n a t i o n

the witness testified that he was at the examination in the police court; that he had been in trouble before, and that he is now under indictment for robbery committed in February. He was convicted on June 22nd or 23rd, 1887, and was sentenced by Recorder Smyth to 7 years and six months, for grand larceny in the first degree, in stealing a watch, in the night time.

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

The People,

vs.

JAMES J. SMITH,

Jointly indicted with

GEORGE JONES.

12

"
"
"
"
"
"
"
"
"

Before,

HON. FREDERICK SMYTH,

and a jury.

Tried JUNE 28TH, 1893.

Indicted for ROBBERY, in the FIRST DEGREE.

Indictment filed JUNE 13TH, 1893.

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY H. W. MacDONA,

For THE PEOPLE.

AMBROSE H. PURDY, ESQUIRE,

For THE DEFENSE.

JAMES ARCHIBALD, THE COMPLAINANT, being duly sworn, testified that his home was in Bristol, England. He was a seaman. He had been in the hospital for three months. He was discharged from the hospital on the 2nd of June. He went to the English Consuls, and the Consul gave him money. He went to the Consul on June 3rd, about 11 o'clock in the morning. The Consul gave him \$30.00.. He received two ten dollar bills, and the rest in two dollar bills. He spent \$10.00 of the money in buying underclothes, and various other things. Between six and seven o'clock, on the evening of the 3rd of June, he was walking through some street, the name of the street he did not know, but it was somewhere around the bridge. He was trying to find a sailor's home. He was quite lame, as he was suffering with rheumatism. Four or five men rushed up to him. One of the men took a hold of him on each side, and one took hold of his shoulder. He said, "Let me go." And he shouted for the police. He had a watch in his pocket at the time. The men let him go, and ran away. He then found that his

watch chain was hanging down, and he put his hand in his pocket and found that his watch and money were gone. His watch was in his vest pocket, and was fastened to his vest by a chain. His money was in his right hand trousers pocket. He, the witness, identified the co-defendant as the man who had hold of his shoulder. He still continued to call for police, and a lot of small children gathered around him, and told him to go to the police station. He did not know where the station was, but the children directed him to it. He went to the station house and made a complaint. The defendants were taken into the station house while he was there.

In cross-examination the complainant testified that he did not identify the defendant as one of the men who had a hold of him. He identified the co-defendant as one of the men. The robbery was committed very quickly.

OFFICER HENRY TOUSSMA, being duly sworn, testified that he was attached to the 4th precinct police. He was on

duty on the night of the 3rd of June, between 6 and 7 o'clock, on Cherry street, between James Slip and Franklin Square. He saw the complainant on his beat on that night. He first saw the complainant on Cherry street near Dover. He saw the defendant, the co-defendant, and three other men there also. The complainant was standing still when he first saw him. He, the witness, was about the center of the block, between Dover and Roosevelt streets, when he heard a call for police. He started to run towards the cry, and he saw the complainant standing with his watch chain hanging down and five men running away from him. He pursued the men who were running. The men ran through Dover street towards Water, and through Water street towards Roosevelt, and down Roosevelt to South street. He, the witness was blowing his whistle while chasing the men, and there was a policeman on the corner of Catherine Slip. The policeman caught the defendant. Two of the men then ran through South street and the other two up Catherine Slip. He, the witness, caught the

co-defendant, Jones. Officer Gilmartin arrested the defendant. He took the defendant to the station house. He found the complainant in the station house when he took the defendant there. Officer Gilmartin handed his prisoner over to Officer Tobin. The complainant did not identify the defendant, but he positively identified the co-defendant. When he, the witness, captured the defendant, the defendant was panting. He said to the defendant, "Where is that stuff?" The defendant said, "I ain't got any stuff." He, the witness, then searched the defendant, but he did not find any of the complainant's property on him. He said to the defendant, "What was you running for?" The defendant said, "What have you got me for?" He said to the defendant, "You ought to know." The defendant said, "Why, I was running for a car." He, the witness, said, "All right. You can hear of that afterwards." He had seen the defendant before the night in question.

In cross-examination the witness testified that he did not have any conversation with the com-

plainant before he arrested the defendant. It was nearly under the bridge where he saw the complainant. That neighborhood was quiet at that time of night; there were no dwelling houses thereabouts. He, the witness, did not lose sight of the men; he kept his eye on them all the time.

OFFICER JAMES GILMARTIN, being duly sworn, testified that he was attached to the 7th precinct police. He, the witness, was standing on the corner of Catherine Slip when his attention was attracted by a police whistle. He saw three men running, and an officer running behind them, blowing his whistle. He grabbed one of the men who were running, and Officer Tausma caught the other one. One of the men escaped. He wanted the defendant to run with him, so that he could catch the other man, but the defendant would not run. He gave the defendant into the custody of Officer Tobin, of the 4th precinct.

In cross-examination the witness testified that he did not see five men running. He did

not see any children running. The defendant did run with him, but he did not think the defendant ran as fast as he could, because he had seen the defendant run before that..

(No defence was offered.)

(2)

house, and identified it.

CORNELIUS D. SCULLY, a witness for The People, sworn, testified: I am a police officer, attached to the 10th Precinct. I first learned of the burglary at the complainant's premises at about a quarter of 9 on the 7th of June. I went to the place and investigated it. I found that a door had been broken leading to the areaway, and I went around the neighborhood looking it up. I arrested Thomas Gill, and, as the result of a conversation with him, I arrested Griffin. When I arrested Griffin I asked him what he had done with those brass goods he stole. He told me he did not know anything about it. I told him I would place him under arrest. He denied all knowledge of it at that time. I brought him to the station-house and confronted him with Gill and the other man. Gill stated that they had sold the goods in a store on South Street. He took me to the store at 189 South Street, and I procured the brass faucets. They were afterwards identified by the complainant in this case. I did not promise Gill any immunity from punishment if he told me where these faucets were pawned.

BENJAMIN F. BRIGHT, a witness for The People, sworn, testified: I am in the hardware business at 189 South Street, in this City. I recognized the defendant, Thomas Griffin. He came into my place about the 10th of June, and sold me some brass faucets. When he produced them ~~he~~

(3)

I told him they were rather out of my line, but, as he offered them very cheap, I bought them. The officer afterwards came to my store and took the goods away with him. I am positive that the defendant is the person who sold me those faucets.

THE DEFENSE.

THOMAS GRIFFIN, the defendant, sworn, testified: I am 26 years of age, and, by occupation, I am a driver. I did not break into the premises 179 Grand Street, on the night of the 6th of June, or at any other time. I never stole the faucets in question. I know Gill, and the other man who was arrested, charged with this offense. I was not with them at the time they broke into these premises. I have never been convicted of any offense before. I always worked steadily.

C r o s s - E x a m i n a t i o n .

I did not sell any brass goods to Mr. Bright. I never had any trouble with Mr. Bright. I don't know any reason why he should come here and swear falsely against me. One morning I met Gill and the other defendant, and they asked me to take a walk with them down to South Street, as they wanted to dispose of some stuff. I did not know what the stuff was. They asked me if I would walk a little distance behind them. I did so. When they reached South Street they went into a store. I remained outside. I did not know what the stuff was they were selling, and I did not share in any part of the proceeds. After they

(4)

had received the money, I went into a liquor store with them and had a drink. I had no knowledge that the goods that they were selling in Mr. Bright's store were stolen goods. I did not ask either of the men any questions about what they were going to sell. The reason I walked a distance behind them was that they asked me to do so. I was not watching out for any policeman.

EDWARD J. CLARK, a witness for the Defendant, sworn, testified: I live at 556 Broome Street. I am in the trucking business. I know the defendant for about 4 years. He has been in my employ. His character for honesty and industry is good.

(The Jury returned a verdict convicting the defendant of Receiving Stolen Goods.)

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Handwritten notes in the left margin, including the name "Edward J. Clark" and other illegible text.

Indictment filed June 19th 1893

Court of General Sessions

Part 3

The People,

v.

Thomas Guffin

Abstract of testimony

on trial, New York,

June 26th 1893

Assistant Dist. Attorney McIntyre.

Suburban State Prison
Suburban 9.9.

Hon. Sir.

Enclosed you will find a brief synopsis from memory of the evidence on which I was convicted of Highway Robbery. Although I am a humble man under degradation and have no political influence, I desire to ask you kindly offices on my behalf. It is your business to prosecute and undoubtedly it is owing to your forensic ability and power with the Jury that I am where I am, but Sir I feel sure that having indicated the Majesty of the Law you have impersonal feeling against me. I am in a bad state of health suffering from Tuberculosis and I am under orders to be transferred to Barrme more as the only means in confinement to rescue me from a felon's prison. I would briefly submit to your kindly consideration some of the reasons why I should receive executive clemency. First the evidence is purely circumstantial. No proceeds of the Robbery were found in my possession. I have never been charged nor convicted before of crime. I have always gained an honest livelihood by the sweat of my brow.

Secondly. The prosecutor did not identify me as an assailant and it must be self evident to a man of your legal acumen that a novice in crime does not begin his career by Highway Robbery - I have never committed in my life the simplest petty larceny much more this crime I am now suffering for. I am innocent. But wishing for the nonce this plea I beg your merciful consideration in account of my precarious health. Will you not approve my petition for executive clemency.

I wish to return home to my loyal wife who has had to battle so hard to support the family.

In freedom I could in all probability be restored to health and continue to live an honest sober life.

Trusting you will give me your earnest consideration and kindly reply Affirmative or Negative.

I beg to remain

Dec. 9. 1895

Yours Humble Servt.

James J. Smith.

Assistant Dist. Attorney McIntyre. Auburn State Prison
Auburn 9.9.
Hon. Sir.

Enclosed you will find a brief synopsis from memory of the evidence on which I was convicted of Highway Robbery. Although I am a humble man under degradation and have no political influence I desire to ask you kindly offices on my behalf. It is your business to prosecute and undoubtedly it is owing to your forensic ability and power with the Jury that I am where I am, but Sir I feel sure that having vindicated the Majesty of the Law you have no personal feeling against me. I am in a bad state of health suffering from Tuberculosis and I am under orders to be transferred to Barrme more as the only means in confinement to rescue me from a fellow prone. I would briefly submit to your kindly consideration some of the reasons why I should receive executive clemency. First the evidence is purely circumstantial. No proceeds of the Robbery were found in my possession. I have never been charged nor convicted before of crime. I have always earned an honest livelihood by the sweat of my brow.

Secondly. The prosecutor did not identify me as an assailant, and it must be self evident to a man of your legal acumen that a novice in crime does not begin his career by Highway Robbery - I have never committed in my life the simplest petty larceny, much more this crime I am now suffering for. I am innocent. But waiving for the nonce this plea I beg your merciful consideration on account of my precarious health. Will you not approve my petition for executive clemency.

I wish to return home to my loyal wife who has had to battle so hard to support the family.

In freedom I could in all probability be restored to health and continue to live an honest, sober life.

Trusting you will give me your earnest consideration and kindly reply Affirmative or Negative.

I beg to remain

Your Humble Servant

James J. Smith.

Dec. 9. 1895

The People vs James J. Smith.

July term of General Sessions. 1893.

Presiding Judge. Hon: Frederick B. Smyth.

Prosecuting Officer. Hon: Asst. Dist. Atty McEntyre.

Counsel for Defence. Counsellor Ambrose Purdy.

James J. Smith. Tried on the Indictment of "Highway Robbery" found guilty and sentenced to six years in the New York State Prison.

Summary of Evidence.

Officer Hanseman. deposed "I had just come on foot and was walking up cherry st when this man told me that he had been robbed and I saw four men running I ran after them down Dover St via Water St via Roosevelt to Catherine's Slip, another Officer stopped the defendant James J. Smith. I came up and arrested the other defendant Jones, the other two succeeded in making their escape, when I had hold of this man I asked him to run with me that I might capture the other two men.

Cross-examined. Did he run? Not as fast as he might have done. Did you search him? We searched both prisoners but found no evidence of the robbery on their person, we only found some change belonging to themselves.

Second officer deposed.

I was on my post at Bathurine Slip when I heard an officer whistle and saw another man running in the same direction with several others and I caught the man Jones, but the others escaped. We searched them but only found some change that evidently belonged to themselves.

Prosecutor - Henry Archibald, deposed

I was walking up Cherry Hill when several men laid hold of me and took forty dollars and my watch and chain, I did not see the defendant James. J. Smith, there were about four of the men who robbed me, some in front, others behind, I cannot identify the defendant James Smith, but this man Jones took hold of me around the neck, I am an English sailor and was going to the sailors home Lang Harbor at the time I was robbed.

The above is a transcript of the evidence as far as I can remember it.

James J. Smith

GOOD QUALITY ORIGINAL

0087

Sec. 198-200.

1882 District Police Court.

City and County of New York ss:

James Smith 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 Smith*

Question. How old are you?

Answer. *38 years*

Question. Where were you born?

Answer. *England*

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

Answer. *419 E 9th*

Question. What is your business or profession?

Answer. *Cook*

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

Answer. *I am not guilty
James J. Smith*

Taken before me this

day of *March* 188*2*

J. M. Ryan

Police Justice

POOR QUALITY ORIGINAL

0000

BAILED,

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

191
624
Police Court---
District---

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Lucius Archibald
Squad, No. 9, 2nd St.
H. D.

George Smith

James Smith

Miss Thomas

James H. H. H.

John
Magistrate

Callaghan
Magistrate

John
Magistrate

John
Magistrate

John
Magistrate

John
Magistrate

John
Magistrate

John
Magistrate

It appearing to me by the within deposition, 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 *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, *June 6* 189*3* *John Ryan* Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

George Jones and James J. Smith

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

George Jones and James J. Smith of the CRIME OF ROBBERY in the first degree, committed as follows:

The said George Jones and James J. Smith, both

late of the City of New York, in the County of New York aforesaid, on the third day of June in the year of our Lord one thousand eight hundred and ninety-three, in the day-time of the said day, at the City and County aforesaid, with force and arms, in and upon one James Archibald in the peace of the said People then and there being, feloniously did make an assault; and

the sum of twenty dollars in money, lawful money of the United States of America, and of the value of twenty dollars, and one watch of the value of fourteen dollars

of the goods, chattels and personal property of the said James Archibald from the person of the said James Archibald, against the will and by violence to the person of the said James Archibald then and there violently and feloniously did rob, steal, take and carry away,

the said George Jones and James J. Smith and each of them, being then and there aided by an accomplice actually present, to wit: each by the other and by two other persons to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

Wm. Lawrence McCall District Attorney

0090

BOX:

525

FOLDER:

4779

DESCRIPTION:

Jones, Henry

DATE:

06/27/93



4779

Witnesses:

Chas Gumbly
Fred Mottel

Counsel

Filed

Pleads,

189

THE PEOPLE

vs.

P

Henry Jones.

H.D.

July 1st / 98

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Ray S. Brown
Foreman.

July 27th 98.

Fred S. Bennett

S. 10 9 years.

POOR QUALITY ORIGINAL

0092

Police Court 2 District.

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

Charles Gurnby

of No. 4 Canine Street, aged 33 years,
occupation Labour being duly sworn

deposes and says, that on 15 day of June 1893 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Henry Jones

(now present) who wilfully and
maliciously fired and discha-
rged a pistol loaded
with powder and ball
truce, striking him on
the shoulder on side

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 dealt with according to law.

Sworn before me, this 25 day }
of June 1893 } Charles + Gurnby
John P. ... make

John P. ... Police Justice.

POOR QUALITY ORIGINAL

0093

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Henry Jones

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. N.S.

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

Answer. 15 Cornelia & West

Question. What is your business or profession?

Answer. Cook

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 did it a self
Defence against two men
who attacked me. Henry Jones

Taken before me this

day of June 1897

James B. ...

Police Justice.

POOR QUALITY ORIGINAL

0094

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

Police Court... 2
 District... 682

THE PEOPLE, &c.,
 ON THE COMPLAINT OF
 Charles Sumpter
 Henry Jones
 HOUSE OF REPRESENTATIVES
 Offense Felonious Assault

Dated June 25 1893
 Justice
 Magistrate

Witnesses
 Fred W. Mantle
 House of Delanters Street
 Complainant
 No. 1, Comm. 1893
 House of Delanters Street

No. 128
 \$ 1000 to answer
 1893
 Comm



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, June 25 1893
 John P. [Signature] Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

POOR QUALITY ORIGINAL

0095

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT.....DISTRICT.

CITY AND COUNTY }
OF NEW YORK, } ss.

William Klean

of the 15 Precinct Police, being duly sworn, deposes
and says that Charles Gunby
(now here) is a material witness for the people against
Henry Jones charged
with felony snafet As deponent has
cause to fear that the said Charles Gunby
will not appear in court to testify when wanted, deponent prays
that the said Charles Gunby be
committed to the House of Detention in default of bail for his
appearance.

William H. Klean

Sworn to before me, this 25
day of June 1899

John M. ...
Police Justice.

St. Vincent's Hosp.
June 19th 1931.

This is to certify that
Charles Grumbly is in
this hospital & is unable
to appear in court.

H. E. Walker
House Surg.

St. Vincent's Hospital
June 16th '93
This is to certify that
Charles Gumbey is in this
hospital & is unable to
appear in court.
H. E. Walker
House Surgeon

**POOR QUALITY
ORIGINAL**

0098

Henry James
Adams

POOR QUALITY ORIGINAL

0099

AFFIDAVIT FOR COMMITMENT OF WITNESS.
POLICE COURT 2 DISTRICT.

4771

CITY AND COUNTY }
OF NEW YORK, } ss.

William H. Hlean

of the 15 Precinct Police, being duly sworn, deposes
and says that *Frederick Montell*

(now here) is a material witness for the people against
Henry Jones charged
with *Felony Assault*.

As deponent has
cause to fear that the said *Frederick Montell*
will not appear in court to testify when wanted, deponent prays
that the said *Frederick Montell* be
committed to the House of Detention in default of bail for his
appearance.

William H. Hlean

Sworn to before me this
day of *June* 1893

W. H. Brady
Police Justice.

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 2 DISTRICT.

William H. Kean

of No. 15th Precinct Police Street, aged _____ years, occupation Police Officer being duly sworn deposes and says, that on the 15th day of June 1883

at the City of New York, in the County of New York, he arrested Henry Jones (now here) on the charge of having committed a Felonious Assault, upon the body of Charles Gumbey, and that said Gumbey is now confined to St. Vincent's Hospital in consequence of injuries received by said Assault and is unable to appear in Court - deponent therefore asks that said Jones may be held to await the result of injuries - or until said Gumbey can appear in Court

William H. Kean

Sworn to before me this 15th day of June 1883

Police Justice

Police Court, 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

137
vs.
Henry Jones
22. W. 15 Cornelia

AFFIDAVIT.

Dated June 15 1893

Grady
Magistrate.

Klan
Officer.

Witness, Fredrick Montell

#4. Carmine

Disposition,

Without bail June 19. 2 P.M.
Ex. 25 2 P.M.
47 " 25 9. A.M.

POOR QUALITY ORIGINAL

0102

District Attorney's Office,

CITY AND COUNTY OF NEW YORK.

15

March 22 1894

CAPTAIN OR OFFICER IN COMMAND.

Dear Sir:

I desire to see Officer Klan
attached to your command in
June 1903 in relation to the case of
Henry Jones
sentenced July 6 1893 to 9
years and months imprisonment by
Justice Cannon

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

Yours truly,

HENRY W. UNGER,

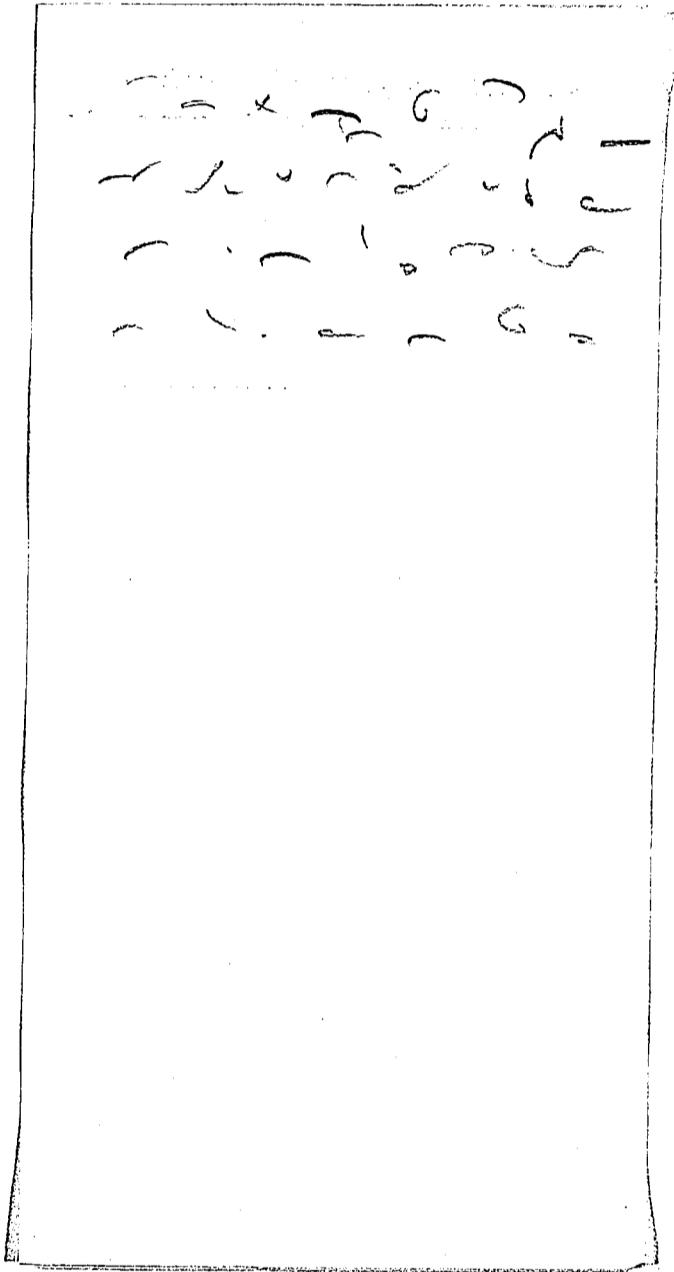
Deputy Assistant and Secretary to the District Attorney.

1895

Notice as above was sent on 14th inst. Please direct the officer to report forthwith

POOR QUALITY ORIGINAL

0105



The image shows a rectangular box containing four lines of handwritten text. The text is extremely faint and illegible, appearing as dark, scribbled lines on a light background. The handwriting is cursive and difficult to decipher.

COURT OF GENERAL SESSIONS, PART I.

----- x
 :
 The People of the State of New York, :
 : Before
 against : Hon. Rufus B. Cowing
 : and a jury.
 Henry Jones. :
 :
 ----- x

Indictment filed June 27, 1893.

Indicted for assault in the first degree.

New York, July 6, 1893.

A P P E A R A N C E S:

For the People, Asst. Dist. Atty. John F. McIntyre;

For the Defendant, J. Andrews, Esq.

CHARLES GUMBY, a witness for the People, sworn, testified:

I live at 4 Carmine Street and was living there on the 15th. day of June 1893. I met the defendant on that day coming down in a Sixth Avenue car. We were near Bleecker Street. He asked me to come in and have a drink with him. I went into a saloon on the corner of Carmine and Bleecker Streets. I should judge that this would be about half past eight o'clock in the morning. Another young fellow by the name of Ike went in with us and had a drink. The defendant said to me: "This will be the last drink you will ever take with me". I asked him what the trouble was. He had some trouble with a girl and said what he was going to do to her. He came up to my room in company with this other man and when there I went out to buy him a sandwich and also to get some whiskey. While I was gone he took some clothes of mine

2.

from the room and walked off with them to a pawn-shop. On my return, hearing of this, I started in pursuit of him. I found him at No. 200 Wooster Street. I asked him what he wanted to do that for. It was a nice way to treat me in my own house. I told him I wanted the pawn ticket for my coat and vest. We were put out of the house by the landlord and when we got down in the street I turned my head to look towards Bleecker Street and he fired a shot and hit me here in the shoulder. I turned again and he fired another shot which struck me in the side. Both bullets penetrated my body and were afterwards extracted by a physician at the Hospital. At the time of the firing the defendant said nothing to me whatever. An officer was summoned and he was taken to the Station House. I went to St. Vincent's Hospital where I remained for nine days.

Cross-examination:

I was a porter on a boat before my arrest. I had been working steadily ever since the 11th. of June until the day I was shot. On that day I was not working. As I have stated the defendant stole my coat and vest and it was by reason of that fact that I started in pursuit of him. I had two drinks of whiskey on that morning but was not under the influence of liquor. I was informed of the larceny of my wearing apparel by the man whom I left in the room with the defendant. The landlord at the house where I found him told us she did not want any further argument in her premises and we went down to the

✓ street. I did not strike the defendant with a stick or with any other weapon. I was shot at about half past twelve or one o'clock in the day. I was more than eight or ten feet from the defendant at the time he fired the first shot at me.

FRANK MANTELL, a witness for the People, sworn, testified:

I live at 4 Carmine Street. I am a waiter by occupation. I was in the rooms of the complainant at the time he speaks of. I saw the defendant leave the room after Jones left and take Jones' coat and vest with him. When Jones came back I told him of this occurrence and we both started in pursuit of the defendant. We went to No. 200 Wooster Street and I demanded the pawn ticket from the defendant. He did not give it to us. We all went downstairs then and when we got in the street I saw the defendant fire two shots from a revolver at the body of the complainant. Both bullets entered his body. The defendant ran but was shortly afterwards arrested by an officer.

Cross-examination:

I saw the defendant on that day for the first time at about half past seven o'clock in the morning. I did not hear him make the remark which the complainant has testified he did make. I was not drinking with them at that time. I did not use any violence towards the defendant at the time we went into the house 200 Wooster

A
4.

Street and demanded the return of the pawn ticket. I got eighteen months at one time for larceny. I do not carry a razor. I have never been convicted of assault.

WILLIAM H. KLAMM, a witness for the People, sworn, testified:

I am a police officer attached to the 15th. Precinct. I arrested the defendant at the bar on the morning of June 15th. on the complaint of Mr. Charles Gumby. I heard a shot fired and going down in the direction from which the sound came I saw these three men. about to
The defendant was shot for the third time when I caught hold of his hand and knocked the revolver out of it. Two cartridges had been discharged from the revolver when I examined it.

Cross-examination:

I was about a block away at the time I heard the first shot. The men were ten or twelve feet apart at the time I reached the scene of occurrence. I saw the second shot fired and the defendant was about to fire the third shot when I caught his hand.

DEFENSE.

HENRY JONES, the defendant, sworn, testified:

I am a cook at 150 Eleecker Street. I left Joseph Dike at 150 Eleecker Street about the 12th. of June because he would not pay me any more money. On the day of this trouble I was about to go to New Jersey to take a place there as cook in a country boarding house. I had this revolver in my pocket. I was at Gumby's house



5.

in the morning but did not steal any clothes. He came into my room at 200 Wooster Street and demanded a pawn ticket of me. I told him I had no pawn ticket belonging to him or anything else. The man with him, Philip Mantell, had a razor in his hands at the time but the razor was not open. We then went down on the sidewalk and the complainant said: "If you don't give me my coat and vest I will cut the head off you". I told him I did not have it. We then got into a struggle and I pulled this revolver and shot. I thought that he intended to hurt me at the time and that is the reason I fired the revolver. I did not intend to injure him. After firing off the revolver I started to run and threw the revolver into the street. A citizen caught hold of me and turned me over to the officer. I only fired off the revolver because I believed that my life was in danger.

Handwritten notes in left margin:
 I was in my room
 at 200 Wooster Street
 at the time
 of the shooting

Cross-examination:

I have never been convicted of any crime. I receive \$8 a week from Mr. Pike who kept the restaurant at 150 Eleecker Street. I was going to New Jersey to take a place where I would be paid \$9 a week. I bought this pistol on the day before in a pawn shop in order that I might have protection going out into the country. I intended to walk to my destination in New Jersey as I had no money. The pistol cost me \$1.50. I borrowed that money from a friend of mine.

The jury returned a verdict of guilty of assault in the first degree.

POOR QUALITY ORIGINAL

0112

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Henry Jones

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

Henry Jones

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

The said

Henry Jones

late of the City of New York, in the County of New York aforesaid, on the fifteenth day of June in the year of our Lord one thousand eight hundred and ninety-three, with force and arms, at the City and County aforesaid, in and upon the body of one Charles Gumbly in the peace of the said People then and there being, feloniously did make an assault and to, at and against him the said Charles Gumbly a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said Henry Jones in his right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there shoot off and discharge with intent him the said Charles Gumbly 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

Henry Jones

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

The said

Henry Jones

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 Charles Gumbly in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against him the said

Charles Gumbly

a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said

Henry Jones

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

DE LANCEY NICOLL,
District Attorney.

0113

BOX:

525

FOLDER:

4779

DESCRIPTION:

Jones, Joel

DATE:

06/01/93



4779

409
McLa X

Counsel,
Filed
Pleas,

1893

Grand Larceny, second Degree,
[Sections 228, 231, 232 Penn. Code.]

THE PEOPLE

vs.

Joel Jones

DE LANCEY NICOLL,
District Attorney.

Plaintiff
S. P. 14 1904

A TRUE BILL.

Chas. J. Smith
Foreman.

Witnesses:

Mario T. Rando
Offr. Giff
Mary J. Appleton

POOR QUALITY ORIGINAL

0115

Police Court First District.

1012

Affidavit—Larceny.

City and County of New York, } ss.

of No. Hotel Leo Rind's Barbers & 175 Street, aged 39 years, occupation House Keeper

deposes and says, that on the 16 day of May 1899 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:

a tortoise shell box containing a number of gold rings and jewelry of the value of about One Hundred Dollars \$100.00

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 Joel Jones, Proprietor, for

the following reasons. That on said date deponent left the said property in her room in the above mentioned hotel and went out. That when deponent returned the property was gone. That deponent is informed by Mary J. Appleton that on said date she, Mary, saw the defendant in deponent's room. That deponent is further informed by Lucy Robinson that on the 15th day of May the defendant gave Lucy a gold ring which was deponent's husband and fully able to positively identify as part of the property taken on said

Number of Copies Made This 1899

Police Justice

date. That when arrested the defendant
had another unique his possession which
Deponer has also seen and identified
as her property and part of the property
taken on said date.

Therefore Deponer charges
The defendant with having feloniously
taken, stolen and carried away the
said property and prays that the
defendant be dealt with as the
law directs

Done before me Marie Kadde
this 24 day of May 1933

William J. Martin
Justice

POOR QUALITY ORIGINAL

0117

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 37 years, occupation Nurse of No. 171 West 45 Street, being duly sworn, deposes and

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

Sworn to before me, this 3 day of May 1893 } Mary J Appleton
J. Edward Martin Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 25 years, occupation Cham of No. 250 West 41 Street, being duly sworn, deposes and

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

Sworn to before me, this 3 day of May 1893 } Lucy Robinson
J. Edward Martin Police Justice.

POOR QUALITY ORIGINAL

0118

Sec. 198-200.

1889
District Police Court.

City and County of New York, ss:

Joel Jones 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. *Joel Jones*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *Cuba*

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

Answer. *#75-7th Ave 4 weeks*

Question. What is your business or profession?

Answer. *Walter*

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
The jewelry was given to me
by Mrs Appleton to sell*

Joel Jones

Taken before me this *24* day of *July* 1889
Samuel M. [Signature]
Police Justice.

POOR QUALITY ORIGINAL

0119

BAILED,

No. 1, by _____
 Residence _____ Street

No. 2, by _____
 Residence _____ Street

No. 3, by _____
 Residence _____ Street

No. 4, by _____
 Residence _____ Street

144
 Police Court
 District 975

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

Mrs. K. K. K.
 J. J. J.
 J. J. J.

1
 2
 3
 4

Offense Grand Larceny

Dated, May 24 1893

Mark
 Magistrate

Witness
Alley S. Appleton
 Precinct

No. 171 West 45
 Street

No. 250 West 41
 Street

No. 1500
 Street

Constitution

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

Defendant

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

Dated, May 24 1893

James M. Smith
 Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Joel Jones

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

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

The said

Joel Jones

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

*five finger rings of the value of
fifteen dollars each, divers other
articles of jewelry of a number and
description to the Grand Jury afore-
said unknown, of the value of
fifty dollars, and one box of the
value of ten dollars*

of the goods, chattels and personal property of one

Marie Raddi

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.

SECOND COUNT—

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

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

The said

Joel Jones

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,

five finger rings of the value of fifteen dollars each, divers other articles of jewelry, of a number and description to the Grand Jury aforesaid unknown, of the value of fifty dollars and one box of the value of ten dollars

of the goods, chattels and personal property of one

Marie Raddi

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

Marie Raddi

unlawfully and unjustly did feloniously receive and have; the said

Joel Jones

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

DE LANCEY NICOLL,

District Attorney.

0122

BOX:

525

FOLDER:

4779

DESCRIPTION:

Jones, John

DATE:

06/02/93



4779

Police Court 4 District.

1931

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

of No. 246 West 27th Street, aged 29 years,
occupation foot-man being duly sworn,

deposes and says, that on the 13 day of June 1893 at the City of New
York, in the County of New York, in West 50th Street

he was violently and feloniously ASSAULTED and BEATEN by John Jones
(now here) who cut and stabbed deponent
twice once in his back and once in his
neck with some sharp instrument then and
there 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 23 day }
of June 1893 } James Richardson
W. M. ... Police Justice.

POOR QUALITY ORIGINAL

0126

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss:

John Jones

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 sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *John Jones*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer *U.S.*

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

Answer. *125 West 50th 6 months*

Question. What is your business or profession?

Answer. *Driver*

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

Answer. *I am not guilty.*
John Jones

Taken before me this

day of

June

189*8*

Police Justice

POOR QUALITY
ORIGINAL

0127

Bellevue June 15/1893.
Richardson, patient in
ward 8, is improving slowly.
C. Sherman Lancy

June 14/73
Richardson, patient in ward 8,
has a stab wd of back and an
incised wd of back of neck. Is very
weak from loss of blood. Will
require operation.

L. Harvey

POOR QUALITY ORIGINAL

0129

CITY AND COUNTY OF NEW YORK, ss:

POLICE COURT,

DISTRICT.

1900

of No. 12 up John J. Dineen
occupation Police Officer being duly sworn, deposes and says,
that on the 14 day of June 1893

at the City of New York, in the County of New York, deponent arrested
John Jones (now here) charged with
having feloniously assaulted one
James Richardson having stabbed
said Richardson with a knife, inflicting
such injuries that he, Jones, is now
confined in Bellevue Hospital
unable to appear to prosecute.

Deponent therefore prays that
said defendant, Jones, may be committed
to await the result of the injuries
inflicted as aforesaid John J. Dineen

Sworn to before me, this
of June 1893
day

John J. Dineen
Police Justice

POOR QUALITY ORIGINAL

0130

3009
 Police Court, 4 District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

vs.
John Jones
30, W.D., 12572502

AFFIDAVIT.
Musell

Dated, June 14 1893
Mead Magistrate.
Dirving Officer.
 Witness, 172

Disposition, _____

1500-*Account*
Committee

POOR QUALITY ORIGINAL

0131

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

309
 Police Court... 4
 District... 682

THE PEOPLE &c.,
 ON THE COMPLAINT OF
 James Richardson
 246 W. 47
 1 John Jones
 2
 3
 4
 Offence... *Retaining*
Assault

Dated June 23 1893
 M-L-M
 Magistrate.
 Jimmy & Co
 Officer.
 Precinct... 227

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



No. 5001 Street...
 J.S.
 to answer
 100... June 24. 93
 [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...

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 June 24 1893. *W. Trumbull* 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 therein mentioned, I order he to be discharged.

Dated... 188... Police Justice.

No 8.

1002

GRAND JURY ROOM.

PEOPLE

vs.

John Jones

Assault

Compt now in New York

Do not put this case

on again until

you hear from

off. Dweary who will

communicate with

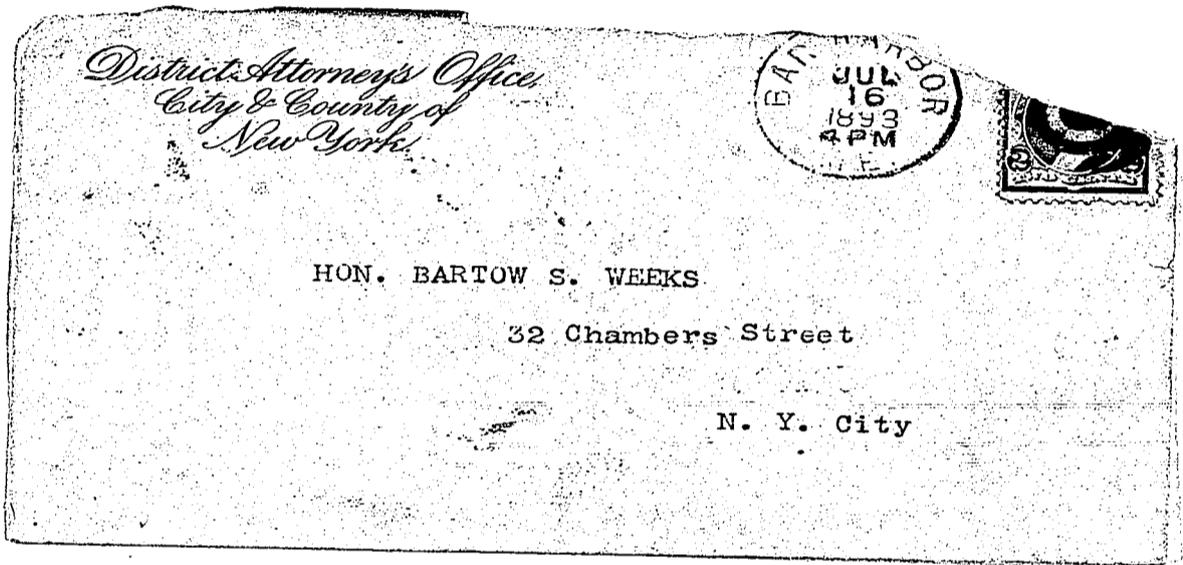
Compt.

July 7. 93 B.S.W.

²⁷
Jones compt room
for Joe Puttitz

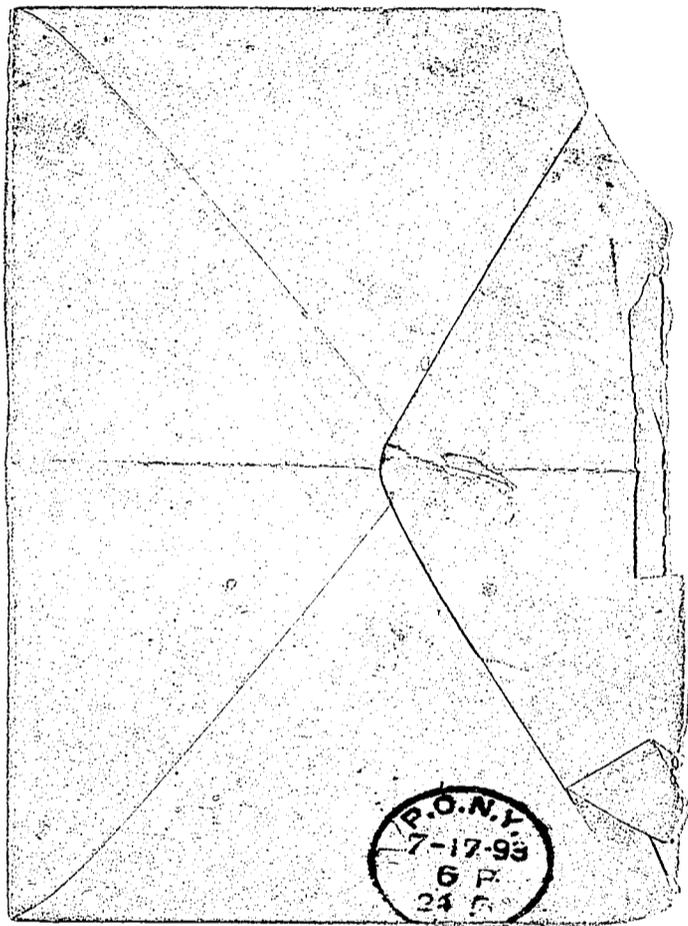
**POOR QUALITY
ORIGINAL**

0133



**POOR QUALITY
ORIGINAL**

0134



**POOR QUALITY
ORIGINAL**

0135



OWEN MEENAGH,
HORSE SHOEING
ESTABLISHMENT,
117 W. 50th Street,
Bet. 6th & 7th Avenues.
NEW YORK.

POOR QUALITY
ORIGINAL

0136

Jones Compliment
James Richardson
By Joseph Culityer
Bar Harbor Me

Bar Harbor Me

Sunday 15th 1893

Dear Sir

Mr Wm Barton Hakes

Notice received
am sorry to say that there
is no way content for me
to get this in regards to
my situation an financial
affairs I was down to the court house
just before I left the city
trying to find out when
he was gone to be tried an
could not say just now when
I heard from him

Am I was compelled to go
Back to my place as
I would of lost a
summer of it on a good
place of ours truly

Julius Richardson

Per Harbor

Manne

to Mrs Joe Pulitzer

POOR QUALITY ORIGINAL

0139

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

1723

THE PEOPLE OF THE STATE OF NEW YORK

against

John Jones

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

John Jones

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

The said *John Jones*

late of the City of New York, in the County of New York aforesaid, on the *thirteenth* day of *June* in the year of our Lord one thousand eight hundred and ninety *three*, with force and arms, at the City and County aforesaid, in and upon the body of one *James Richardson* in the peace of the said People then and there being, feloniously did make an assault, and *him* the said

James Richardson with a certain *sharp instrument* to the Grand Jury aforesaid unknown which the said *John Jones* 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 Richardson* 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

John Jones

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

The said *John Jones*

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 Richardson* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *him* the said *James Richardson*

with a certain *sharp instrument* to the Grand Jury aforesaid unknown which the said *John Jones* 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.

THIRD COUNT—

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

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

The said *John Jones*

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 Richardson* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *him* the said *James Richardson* with a certain *sharp instrument to the Grand Jury aforesaid unknown* which *he* the said *John Jones* in *his* right hand then and there had and held, in and upon the *back and neck* of *him* the said *James Richardson* 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 wrongfully inflict grievous bodily harm upon the said

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

DE LANCEY NICOLL,
District Attorney.

0141

BOX:

525

FOLDER:

4779

DESCRIPTION:

Jones, William

DATE:

06/22/93



4779

POOR QUALITY ORIGINAL

0142

Witnesses:

One Nathan Tuttle

H. L. Medley Esq

Eda Engstrom

Julia Gabbach

This deft. has been in prison since June 1893 and a motion is made to discharge deft. in order to prosecute. The dist. atty. representative stated that he would try his case next week. The motion coming in now in due course it having been adjd by me to this date. and the dist. atty. not appearing and making no ans to the court in explanation of the delay. deft is dead on his own recog. B. M. March 19, 1894

2196a

Counsel,

Filed 21st June 1893
day of June

Pleas'd W. J. Medley - B

THE PEOPLE

vs.

7

William Jones

(2 names)

Feb 11/95
Indictment Dismissed

DE LANCEY NICOLL,
Jay District Attorney.

Arson in the 1st Degree. [Section 486 Penal Code.]

A TRUE BILL.

Henry S. Harman
Foreman

Part 2 - March 19, 1894.

Defendant discharged on his verbal recognizance

**POOR QUALITY
ORIGINAL**

0143

Court of General Sessions of the peace
in and for the City and County of New York.

The People, etc., ;
VS. ;
William Jones, ;

To
Hon. John R. Fellows,
District Attorney, New York County.

Sir:-

Please take notice that I shall move for the discharge
of the above named defendant, before the Hon. Randolph B.
Martine, Judge of General Sessions, at part One of said Court
on Wednesday, February 28th, 1894, at 11 o'clock in the
forenoon or as soon thereafter as counsel can be heard, on
the ground that he has not been brought to trial within the
time required by law.

C.F.Kinsley,
Attorney for defendant,
23 Chambers St., N.Y.City.

POOR QUALITY ORIGINAL

0144

N.Y. General Sess. of Court.

The People, etc.,
Plaintiff.

AGAINST

William Jones,
Defendant.

Notice of Motion.
Motion granted

C. F. KINSLEY,

ATTORNEY FOR DEFENDANT,

POTTER BUILDING,

38 PARK ROW, NEW YORK CITY.

At for month 12th

service of copy of within is hereby admitted.

Dated New York July 26, 1911

Geo. R. Bellamy

per Stewart Chapman
clerk

POOR QUALITY
ORIGINAL

0145

	<p>New York, May 11 1893 No. 249</p> <p>The Plaza Bank <small>5TH AVE. & 58TH ST.</small></p> <p>Pay to the order of Bertha Ludenberg \$ 10⁰⁰</p> <p>Ten ————— Dollars</p> <p>Wm. Sidbury</p>
--	--

POOR QUALITY ORIGINAL

0146

Corner 66th Street.

J	Wrist lining	25				
	Wristbands	50			✓	25
	Casing	20	Notions	50	✓	60
	Ribbon	135	Knives	1.00	✓	90
			Velvet	2	✓	60
			Leather	8.00	✓	80
						<u>12.35</u>

POOR QUALITY
ORIGINAL

0148

Fire Department;

Bureau Fire Marshal,

157 & 159 East 67th Street;

Official Business.

*Papers taken from
pocket of William James Cook
immediately after his arrest
by Julia Dalton -*

POOR QUALITY ORIGINAL

0149

PART III.

THE COURT ROOM IS IN THE SECOND STORY.
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.
[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPCENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York

To Henry R. Fridenberg
of No. 60 E 61 Street

*Ask to see Mr. Oliver
at 10 o'clock A.M.*

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the New Criminal Court House on Centre Street, between Franklin and White Streets, in the City of New York, on the 16 day of OCTOBER, 1895, at the hour of 10 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

William Jones

Dated at the City of New York, the first Monday of
in the year of our Lord 1895

OCTOBER.

JOHN R. FELLOWS, *District Attorney*

POOR QUALITY ORIGINAL

GLUED PAGE

0150

Should the case not be called
signed in Court, please inq
vice about it, and you may s
if inconvenient to remain, a
to this early to the District
if ill when served, please ser
orney's Office.
if you know of more testin
the Magistrate, or if a fac
is not there brought out, p
District Attorney or one of his

County of General Sessions

THE PEOPLE

vs.

William Jones

City and County of New York, ss:

Harry Bickart

being duly

sworn, deposes and says: I reside at No. 113 East 46th
Street, in the City of New York. I am a Subpoena Server in the office of the District Attorney of the
City and County of New York. On the 15th day of October 1895,
I called at # 60 East 61st street

the alleged residence of Henry L Fridenberg
the complainant herein, to serve him with the annexed subpoena, and was informed by a
"woman" residing at said address and whom
I believe to be either sister or sister in law
of said Henry L Fridenberg, that he
the said Henry L Fridenberg is no longer
in the State of New York to wit that he is
now a resident of Pittsfield, Mass
where he is employed as an engineer
and is therefore unable to attend as per
annexed subpoena

Sworn to before me, this 16th day }
of October 1895 }

Wm H Brodenet
Cory of Deeds
New York

Harry Bickart
Subpoena Server.

**POOR QUALITY
ORIGINAL**

0151

Court of General Sessions.

THE PEOPLE,
ON THE COMPLAINT OF

Henry L. Friedberg

vs.

William Jones

Offense,

JOHN R. FELLOWS,

District Attorney.

Affidavit of

Harry Bickart

Subpoena Server.

FAILURE TO FIND WITNESS.

GLUED PAGE

POOR QUALITY ORIGINAL

0152

PART III.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPCENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York

To Ida Engstrom

of No. 60 & 61

Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the New Criminal Court House on Centre Street, between Franklin and White Streets, in the City of New York, on the 16 day of OCTOBER, 1895, at the hour of 10 in the forenoon of the same day,

as a witness in a criminal action prosecuted by the People of the State of New York against

William Jones

Dated at the City of New York, the first Monday of

OCTOBER

in the year of our Lord 1895

JOHN R. FELLOWS, District Attorney.

Handwritten note: List to see Mr. Clark at 10 o'clock A.M.

GLUED PAGE

POOR QUALITY ORIGINAL

0153

Should the case be assigned in Court, please call about it, and if inconvenient to call this early to the office of the District Attorney's Office. If you know of any one who has not there before the Magistrate, please call about it, and if inconvenient to call this early to the office of the District Attorney's Office.

ORDER OF GENERAL SESSIONS.

THE PEOPLE

vs.

William Engstrom

City and County of New York, ss:

Harry Bickart being duly

sworn, deposes and says: I reside at No. 113 East 46th St. Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the City and County of New York. On the 15th day of October 1895, I called at # 60 East 61st

the alleged residence of Ida Engstrom, the complainant herein, to serve her with the annexed subpoena, and was informed by a

woman residing at said address and whom I believe to be wife of the head of said household that the said Ida Engstrom no longer resides in said house to wit; that the said Ida Engstrom who was employed in said house as servant has not been employed in said house for about one year and that she has not been seen or heard from during that period and that her present address is unknown.

Sworn to before me, this 16 day of October 1895

Wm H. Boardman
County Clerk
New York

Harry Bickart
Subpoena Server

POOR QUALITY ORIGINAL

0154

Court of General Sessions.

THE PEOPLE, on the Complaint of

Ida Ingston

vs.

William Jones

Offence:

John R. Fellows
DE-LANGEX WCOL,

District Attorney.

Affiant of

Harry Bickart
Sheriff

Failure to Find Witness.

GLUED PAGE

POOR QUALITY ORIGINAL

0155

PART III.

THE COURT ROOM IS IN THE SECOND STORY.
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.
[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPCENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York.

To Julia Jaldsche

of No. 60 E 61 Street

*Est. 10 to see Mr. Oliver
10 o'clock A.M.*

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, and for the City and County of New York, at the New Criminal Court House on Centre Street, between Franklin and White Streets, in the City of New York, on the 16 day of OCTOBER, 1895, at the hour of 10 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

William Jones

Dated at the City of New York, the first Monday of OCTOBER.

in the year of our Lord 1895

JOHN R. FELLOWS, *District Attorney.*

Court of General Sessions.

THE PEOPLE

vs.

William Jones

City and County of New York, ss:

Harry Bickart being duly sworn, deposes and says: I reside at No. 113 East 46th St. Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the City and County of New York. On the 15th day of October 1895, I called at # 60 East 61st

the alleged residence of Julia Jaldsche the complainant herein, to serve her with the annexed subpoena, and was informed by a

woman, residing at said address and whom I believe to be wife of the head of said household, that the said Julia Jaldsche no longer resides in said house to-wit: that the said Julia Jaldsche who was employed in said house as servant has not been employed in said house for about one year and that she has not been seen or heard from during that period, and that her present address is unknown.

Sworn to before me, this 16 day of October 1895.

Harry Bickart Subpoena Server.

James Broderick Com. of Deeds N.Y.C.

POOR QUALITY
ORIGINAL

0157

Court of General Sessions.

THE PEOPLE, on the Complaint of

Julia Jaldoch

vs.

William Jones

Offence:

John R. Fellows
DE LANCEY NICOLL,

District Attorney.

Affidavit of

Harry Bickart
Subpoena Server.

Failure to Find Witness.

POOR QUALITY ORIGINAL

0158

**COURT OF GENERAL SESSIONS
CLERK'S OFFICE.**

Nov. 6/99

PEOPLE

vs.

*John V. Alexander
et al*

filed June 8 - 1893

G. L.

*See
Exhibit
Box*

*for ~~document~~ A.
papers*

----- : BUREAU OF FIRE MARSHAL : -----

New York, June 12th, 1893.

IN THE MATTER :
OF THE :
INVESTIGATION :
as to the cause and origin :
of the fire occurring at 7 30 :
p.m. on the 10th inst. at No. :
60 East 61st Street. :

JULIA JALDSCHÉ, being examined by the FIRE MARSHAL, testifies as follows:

- Q. What is your full name? A. JULIA JALDSCHÉ.
- Q. How old are you? A. 27.
- Q. You are a cook? A. Yes sir.
- Q. You were here (No. 60 East 61st St.) on Saturday evening when the fire occurred? A. Yes sir.
- Q. How long was it before the fire that you had been upstairs in your room in which the fire occurred? A. Six o'clock in the morning - not in the afternoon.
- Q. After the family went to dinner in the evening were you upstairs in the room? A. No sir.
- Q. How did you first hear of the fire? A. I smelled it.
- Q. Where were you when you smelled it? A. The child called my attention to it. The child was in the kitchen with me and said there was smoke.
- Q. What did you do? A. The other servant was coming out of the dining room and called my attention to the smell of smoke also and told me to go upstairs to see where the fire was.
- Q. You went upstairs? A. I went to the top floor looking in each room as I went. I went as far as the door of my room on the top floor.
- Q. Then what did you do? A. I opened the door.

-2-

- Q. Did you see any one there? A. No one was in the room.
The room was full of smoke.
- Q. What did you do then? A. I ran down to get water.
- Q. When you went upstairs after having had your attention called
to the smoke, did you see the colored man William? A. I did
not see the colored man; he had left the house five or ten
minutes before.
- Q. How do you know he left the house five or ten minutes before?
A. I say five or ten minutes simply to express a very short
period of time. I saw him come down stairs, put on his
coat and go out saying he had to go out for the Doctor.
- Q. By what door did he go out? A. The basement door.
- Q. Did he bring a ladder with him when he came down stairs?
A. Yes sir.
- Q. Is that all he said to you when he went out? A. Before he
went out I spoke to him. I asked him what was the matter, at
the same time noticing a peculiar expression of his face. He
looked frightened.
- Q. What did he say? A. He said that he had to go out to look
for the doctor.
- Q. When you went upstairs did you notice whether the hall door was
closed or open? A. I did not notice.
- Q. If it had been open would you have noticed it? A. Oh, yes sir.
- Q. You remember the fire of Thursday night? A. Yes sir.
- Q. Had you any conversation with William after the fire?
A. I have spoken to him since that fire.
- Q. Was anything said about that fire? A. Yes sir.
- Q. What did he say? A. She must be careless with the matches.
- Q. Who did he mean when he said she? A. The other servant, Ida.
- Q. Did Ida say anything to you on Friday about her money and bank
book that she had in the trunk? A. No sir.
- Q. did she say to you that she had her bank book and money in the

- trunk and she was glad it was not burned up, or words to that effect? A. Yes sir.
- Q. Was William present at that time? A. Yes sir. He heard it and laughed.
- Q. Did he say anything? A. Ida left the room and William then said she spent all her money for dresses.
- Q. Was anything else said to you? A. He made the remark, "she is a bad girl".
- Q. After Saturday's evening's fire while Ida was out to the dress-maker's, did William say something to you about her? A. Yes sir. Ida left the house soon after her supper on Saturday evening to go to the dress-maker's. The colored man came down soon after and asked where Ida was. I said Ida had gone out to the dress-maker's. William then asked "why is she out to-night". I then said she had no time to go yesterday or on Thursday on account of the fire to-day(Saturday) and to-morrow is Sunday. He then said " I dont think she has any money to pay for the dresses".
- Q. Was that all that was said? A. That is all.
- Q. Did you see William sharpening a knife on Saturday night? A. No sir. I saw him take the cook's large bread knife from the table and put it behind his back and move off to the wash tubs.
- Q. What did he do with the knife? A. He put it behind his back and moved towards the wash tubs and placed it among the silver he was cleaning in the butler's tray.
- Q. Did he say anything about Ida at that time? A. He asked repeatedly when Ida was coming back.
- Q. Did he say anything further about her? A. He asked for the address of Ida's friends.
- Q. That same evening? A. Yes sir:
- Q. Did you give it to him? A. I did not know it.

-4-

- Q. You see those papers? (Showing same) A. Yes sir.
- Q. Did you ever see them before? A. Yes sir.
- Q. Where? A. I saw them when Ida brought them from the dress-maker's.
- Q. When did you next see the papers? A. Ida showed them to me and William in the kitchen after the first fire.
- Q. When did you see them again? A. I found them yesterday in William's coat.
- Q. When did you find them in the coat? A. About four o'clock in the afternoon.
- Q. Where was the coat when you examined it? A. Hanging in the kitchen where it always hung.
- Q. You found all those papers in the coat? A. Yes sir.
- Q. Was there anything else in his coat pocket? A. Matches were found in his pocket.
- Q. Was that the same coat he had been wearing during the day up to the time of his arrest in the house? A. He had worn it during the morning.
- Q. Did you see him take it off? A. No sir.
- Q. Was it the coat he usually wore in the house? A. Yes sir.
- Q. Did you ever miss anything from your room? A. No sir.

The above testimony is a true
copy of notes taken by E. J.
Loughman, Stenographer.

POOR QUALITY ORIGINAL

0163

----- : BUREAU OF FIRE MARSHAL : -----

New York, June 12th, 1893.

IN THE MATTER :
OF THE :
INVESTIGATION :
as to the cause and origin :
of the fire occurring at :
7 30 p.m. on the 10th inst. :
at No. 60 East 61st Street. :

IDA ENGSTROM, being examined by the FIRE MARSHAL, testifies as follows:

- 1479
- Q. What is your full name? A. IDA ENGSTROM.
- Q. You are waitress and chamber-maid in this house? (No. 60 East 61st Street.) A. Yes sir.
- Q. You had had some trouble with William Jones before Thursday's fire? A. Yes sir, the same day, in the morning.
- Q. Please tell me as well as you can what the trouble was? A. It was not a big trouble. I was cleaning down the stairs as I do usually just outside the office door and the colored man William was in this office. When I saw him first, he said "good morning" and then he lit the gas. He went back in the office and then he came out and he asked me "Ida please come here for a minute" and I said "yes, I will come right away," because I thought he wanted me to help to lift something. As I came in he caught my arm and tried to hold me fast but I told him "William please do not touch me" and he did not pay any attention to that and he said he would not do me any harm. I think he said "just stay for a second". I did not say anything; I only told him "if you do not leave me right away I will holler out loud!" I then ran down stairs in the dining room.
- Q. Did he say anything to you that day afterwards? A. No sir. He looked mad the whole day.

-2-

- Q. Did he speak to you in the afternoon at all? A. He spoke to me but only on business.
- Q. Did he appear to be very angry with you in the afternoon?
A. He did not appear to be so very angry in the afternoon as in the morning.
- Q. You acted as though nothing had happened in the forenoon to make you feel angry with him? A. Yes sir.
- Q. Where were you at the time the fire took place on Thursday?
A. I was in the dining room.
- Q. What was the last time you went in your room before the fire?
A. About half past six or twenty minutes to seven.
- Q. Had you been up there after that? A. No sir.
- Q. Was Julia there? A. No sir.
- Q. Had you used a match in the room? A. No sir.
- Q. Did you use any light at all? A. No sir.
- Q. When did you leave the room - about what hour? A. It was half past six.
- Q. Then there was no fire in the room? A. No sir.
- Q. Nothing to make a fire? A. No sir.
- Q. Who was upstairs after that hour? A. Only the colored boy.
- Q. Had you lost a watch before that? A. Yes sir, a silver hair pin and a check for \$18.
- Q. Who drew the check? A. Miss Fridenburg. After the check was stolen Miss Fridenburg went to the bank and stopped the payment.
- Q. On Saturday, the time of the last fire, where were you? A. I was down stairs in the dining room waiting on the table. I just commenced to wait on the table.
- Q. How long before that were you upstairs on the top floor?
A. I think about five o'clock.
- Q. Did you open your trunk at that time? A. No sir.
- Q. When had you last opened your trunk? A. Saturday morning.

-3-

- Q. Did you go to the trunk to get anything? A. No sir.
- Q. Why did you open the trunk? A. I was looking at my things.
- Q. Did you lock the trunk after that? A. Yes, I locked the trunk and put the key in my pocket.
- Q. You must have had some object in going to the trunk at that time - can you recollect? A. I went to the trunk to see the things I had in it and some I had in the bureau draw.
- Q. You had opened your trunk before that since the first fire? A. As soon as the fire was out I hurried in, opened my trunk and took out my money and bank book.
- Q. What did you do with the book and money? A. The money I gave to Miss Fridenberg right away and the book I put in the closet in the dining room, and Miss Fridenberg asked me where I put it and I told her.
- Q. What did Miss Fridenberg say? A. She said it was not right to put it there and I gave it to Miss Fridenberg who took charge of it.
- Q. When you opened your trunk after the first fire, was there any thing burning in the trunk? A. No sir.
- Q. Had you ever put in your trunk any papers saturated with kero - sene oil? A. No sir.
- Q. Had you any insurance on your trunk? A. No sir.
- Q. Had you a policy of insurance in your trunk? A. Yes sir.
- Q. Did you take that out with the bank book? A. Yes sir.
- Q. You had no insurance on your trunk and clothes? A. No sir.
- Q. Did you see the last fire? A. Yes sir.
- Q. Who was the first to discover it? A. Mr. Harry discovered it.
- Q. Who first told you of the fire? A. Miss Fridenberg smelled something and at the same time I smelled it too.
- Q. What did you do then? A. I went to the kitchen to the cook and asked if anything was burning and she said nothing and I

-4-

hurried upstairs. When I came on this (first) floor, I smelled kerosene and I thought it came from the lamp in the middle hall. The lamp in the middle hall however was not burning. Then I hurried upstairs and smelled kerosene.

Q. How far did you go? A. I went to the top floor and looked in each room on each floor.

Q. Had any one been upstairs before you? A. No sir.

Q. Did Julia go before you? A. No sir. I hollered to Julia and she followed me up and when I came up on the top floor, it smelled of kerosene and there was smoke in the room and it smelled of kerosene.

Q. Did you go in your room? A. The trunk was on fire and it appeared to be inside of the trunk and smoke came out of the trunk. Nothing else was on fire in the room.

Q. Did you open the trunk then? A. No sir.

Q. Did you see William on your way up? A. No sir, I did not see him leave the house at all.

Q. You dont know where he was at that time? A. No sir.

Q. You see these papers? (showing same) A. Yes sir.

Q. You know them? A. Yes sir, I had them in my pocket book in one of the top draws in the dining room closet.

Q. When did you last see those papers in your pocket book?

A. Saturday morning I showed them in the kitchen because I was talking about my dresses I brought from the dress-maker's. I told William and the cook I had paid \$13. and William said what an idea you dont pay \$13. for such a dress and I showed him the bill.

Q. These two bills were in your pocket book on Saturday morning?

A. Yes sir.

Q. What did you do with the pocket book then? A. I put the bills back in the pocket book and put the book in the same place.

-5-

- Q. Where is the pocket book now? A. I could not find it. I looked for it yesterday when I was going out and I could not find it.
- Q. Do you know what has become of it? A. I do not know.
- Q. Do you know where the papers were found? A. Yes sir, the cook helped me to look for the pocket book and when she looked in William's coat she found the papers in the coat he was wearing yesterday and which he took off before the arrest.
- Q. You saw him wearing the same coat yesterday? A. Yes sir.
- Q. You know those papers and will know them again should you see them? (papers marked) A. Yes sir.
- Q. What kind of a coat was it? A. A black thin short coat.
- Q. Did you ever hear anything as to the whereabouts of your watch silver pin or check? A. Nothing at all.
- Q. And you have not been able to find your pocket book? A. No sir.
- Q. Did William ever make any threats against you, that he would get even with you or be revenged on you in any way? A. He told me Saturday morning, "I dont like you. You are a fine one" but I dont know why he said it.
- Q. Do you recall speaking to Julia-(Cook) in the kitchen after the first fire in the presence of William about your having had your money and bank book in the trunk? A. Yes sir. I said I was very happy that I had my bank book and my money and my insurance papers safe.
- Q. Did you say you had had them in your trunk? A. Yes sir.
- Q. That you had taken them out of your trunk and put them elsewhere? A. No sir, not in his presence. I said so to Julia afterwards.
- Q. You did not say then in the presence of William that you had taken your bank book and money out of your trunk? A. No sir.
- Q. Then as far as you know he supposed the bank book and money were still in the trunk? A. Yes sir.

**POOR QUALITY
ORIGINAL**

0168

-6-

- Q. Have you ever lost any other property? A. No sir.
- Q. Have you ever had any other trouble with William other than that which occurred on Thursday? A. No sir, he has always been polite to me.
- Q. He did not make any threats after that occurrence? A. No sir. He only looked angry and said on Saturday morning he did not like me and that I was a fine one.
- Q. And you are very sure nothing was done by you on Saturday that would cause that fire in your trunk? A. No sir.
- Q. You dont suppose Julia would set fire to the trunk? A. No sir.
- Q. Julia never had your key? A. No sir.

The above testimony is a true
copy of notes taken by E. J.
Loughman, Stenographer.

POOR QUALITY ORIGINAL

0170

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

-----X
The People of the State of New York:
--against--
William Jones.
-----X

City and County of New York:

William M. Bennett, being duly sworn, says:

1. I am the attorney for the defendant herein.
2. On June 11, 1893, the defendant was arrested on suspicion of having started a fire in the dwelling house No. 60 East 61st Street, New York City, and was remanded to the Tombs, to await the action of the Grand Jury. On June 22, 1893, two indictments were filed against the defendant, one for arson in the first degree and the other for malicious mischief (violation of Section 654 of the Penal Code). On June 23, 1893, the defendant pleaded "not guilty" to both indictments. Being unable to obtain bail, the defendant was kept in prison. On February 26, 1894, the defendant's attorney moved for the discharge of the defendant, on the ground that he had not been brought to trial at the next term of court, as required by law, and the late Judge Randolph B. Martine, on March 19, 1894, granted an order discharging the defendant on his own recognizance. On the back of the indictment for arson, is the following endorsement:

"This defendant has been in prison since June 1893 and a motion is made to discharge defendant for failure to prosecute. The District Attorney's representative stated that he would try this case last week. The motion coming on now in due course, it having been adjourned by me to this date, and the

POOR QUALITY ORIGINAL

0171

District Attorney not appearing and making no answer to the Court, in explanation of the delay, defendant is discharged on his own recognizance.

March 19, 1894.

R. B. M.,
J."

3. The defendant has not yet been brought to trial, although one year and seven months have elapsed since the said order of discharge, and although two years and nearly four months have elapsed since the said indictments were filed.

Sworn to before me, :
October 12, 1895. : *Ed William M. Bennett*

Ed Cornelius A. Loughlin
Notary Public
New York County.

POOR QUALITY ORIGINAL

0172

COURT OF GENERAL SESSIONS
FOR THE CITY AND COUNTY OF NEW YORK.

The People of the State of New York
- against -
William Jones.

[Handwritten signature]

Affidavit and Notice of Motion to
Dismiss Indictment for Want of
Prosecution.

~~XXXXXXXXXXXXXXXXXXXX~~

WILLIAM M. BENNETT,
Attorney for Defendant,
44 WALL STREET, N. Y.

[Handwritten signature]
CLERK OF THE COURT
JUL 11 11 59 AM '59
NEW YORK COUNTY CLERK'S OFFICE

NEW YORK COUNTY CLERK'S OFFICE, NEW YORK, N. Y.

POOR QUALITY
ORIGINAL

0173

Dr. A. W. Friedberg
Henry R. Friedberg ✓
Percy Friedberg ✓
Julia Jaldosche ✓
Ida Engstrom ✓

W. J. Cutter 30000
2000 196 Perry 15,000 - vis

Jan Mitchell
Fire Marshal

8.27 1/2 Am. 8th

7th Am. 10th

2000

POOR QUALITY ORIGINAL

0174

Police Court, 5th District.

City and County } ss.
of New York,

of No. 159 East 67th
occupation Fire Marshal
that on the 10th day of June

James Mitchell
Street, aged 53 years,
being ^{on information & belief} duly sworn, deposes and says,

1893, at the City of New York, in the County of New York, one William Jones, was present and at or about the hour of 7.30 o'clock P.M. willfully, maliciously and feloniously in violation of Section 654 of the Penal Code of the Laws of the State of New York, set on fire and burn certain personal property, to-wit: a trunk and clothing contained therein, the property of one Ida Engstrom, said property being contained at the time in a certain dwelling house known as No. 60 East 61st Street, situated in the 19th Ward of the said City of New York: in that the said William Jones, being moved thereto by a feeling of animosity towards the said Ida Engstrom, did while alone in the upper part of the aforesaid dwelling enter the room that had been occupied by the said Ida Engstrom, and did there and there force open the trunk of the said Ida Engstrom, and did put kerosene oil on the contents thereof and did place therein newspapers saturated with kerosene oil and did set fire to same, closing thereafter the lid of the trunk and leaving the premises, the intention of the said William Jones being to destroy the said trunk and contents, to the loss and injury of the said Ida Engstrom. Defendant prays, therefore, that the said William Jones be held to be dealt with according to law.

Sworn to before me }
this 12th day of June }
1893 - 3

James Mitchell

Police Justice

POOR QUALITY ORIGINAL

0175

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

William Jones 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 sees fit, to answer the charge and explain the facts alleged against him, that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *William Jones*

Question. How old are you?

Answer. *23 Years of Age*

Question. Where were you born?

Answer. *United States*

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

Answer. *231 West 61 St (1 Year)*

Question. What is your business or profession?

Answer. *Bookman*

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. *Am not guilty*

William Jones

Taken before me this
189
Police Justice

POOR QUALITY ORIGINAL

0177

Court of General Sessions of the Peace

517

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

William Jones

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

William Jones

of the CRIME OF UNLAWFULLY AND WILFULLY *injuring* PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said *William Jones*,

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

do damage and wearing apparel, of a value of twenty dollars, and did unlawfully and wilfully injure the same

of the value of *twenty dollars*, of the goods, chattels and personal property of one *Ida Ruppel*,

then and there being, then and there feloniously did unlawfully and wilfully *injure* to the amount of the value of *fifteen dollars*, by *her* and *there* pouring upon and saturating the same with certain *paraffine* oil, and *then* and *there* setting fire to the same *when* so saturated with said oil.

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.

Edmund M. Hall,
District Attorney

220

Counsel, *W. S. [unclear]*
Filed, *May 19 1893*
Pleads, *Myrick*

INJURY TO PROPERTY.

[Section 654, Penal Code.]

THE PEOPLE

vs.

William Jones
(2 cases)

DEWANCEY NICOLL,

District Attorney.

Richard F. Spencer
J. A. J.

A TRUE BILL

Ray S. Ferrin
Foreman.

at 2 - March 19, 1894,

Bill discharged on
his own recognizance

Witnesses:

One Mashau Nitchel

H. L. Friedman

J. A. Croston
Julia Hubbard

POOR QUALITY ORIGINAL

0179

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William Jones

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

William Jones

of the CRIME OF ARSON IN THE *first* DEGREE, committed as follows :

The said *William Jones*,

late of the *nineteenth* Ward of the City of New York, in the County of New York aforesaid, on the *eight* day of *June*, - in the year of our Lord one thousand eight hundred and ninety-*three*, at the Ward, City and County aforesaid, with force and arms, in the *night* time of the said day, a certain *dwellling - house* of one *Wm. H. Bridgman* there situate, there being then and there within the said *dwellling - house*, - some human being, feloniously, wilfully and maliciously did set on fire and burn, 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

William Jones

of the CRIME OF ARSON IN THE *first* DEGREE, committed as follows :

The said *William Jones*,

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, in the *night* time of the said day, a certain *dwellling - house* of one *Wm. H. Bridgman* there situate, there being then and there within the said *dwellling - house* some human being, feloniously, wilfully and maliciously did set on fire and burn, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

DE LANCEY NICOLL,
District Attorney.

0181

BOX:

525

FOLDER:

4780

DESCRIPTION:

Kaiser, Jacob J

DATE:

06/09/93



4780

POOR QUALITY ORIGINAL

0183

Witnesses:

Joe Mitchell

Chief Mr. Gell

Chas. Repas

Counsel,

Filed

day of *June*, 189*3*

Pleads,

W. G. Sullivan

THE PEOPLE

vs
30 Ridge St
16 Broadway

Degree.

[Section 48 & Penal Code.]

Arson in the

Jacob J. Kaiser

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Henry D. Garrison
Foreman.

Sept. 27. 93. N. M. D.

Oct 2 - Oct 4th 1893.

trial and completed

Oct 10, 1893

16

POOR QUALITY ORIGINAL

0184

Sec. 198-200.

1882
District Police Court.

City and County of New York, ss:

Jacob J Kaiser 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. *Jacob J Kaiser*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *Massachusetts, Ms.*

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

Answer. *1429 Grand St.*

Question. What is your business or profession?

Answer. *Manufacture of razors*

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. J. Kaiser

Taken before me this

day of

189

Samuel Ryan
Police Justice.

POOR QUALITY ORIGINAL

0185

2500 for ex April 29, 1893

5710 am

THE PEOPLE &c.
ON THE COMPLAINT OF
JAMES W. HILL
vs
JAMES W. HILL

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

Police Court...
District...
592

THE PEOPLE &c.
ON THE COMPLAINT OF
JAMES W. HILL
vs
JAMES W. HILL

Dated
1893

Witnesses
No. 2, by
Residence
Residence

No. 2, by
Residence
Residence

No. 2, by
Residence
Residence

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

Defendant

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Twenty 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, April 3 1893 Police Justice.

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

Dated, May 24 1893 Police Justice.

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

Dated, 189 Police Justice.



POOR QUALITY ORIGINAL

0187

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 41 years, occupation Charles Kapur Merchant of No. 44 Clinton St Brooklyn Street, being duly sworn, deposes and

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

Sworn to before me, this 25th day of April 1893. Charles Kapur

Solomon Belmont Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 35 years, occupation Thomas J. Neel Asst Foreman Fire Department of No. 73 Rutgers St Street, being duly sworn, deposes and

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

Sworn to before me, this 25th day of April 1893. Thomas J. Neel

Solomon Belmont Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

1021

aged 33 years, occupation George Koch
Patrolman - 10 Precinct of No.

447 West 111th St. Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of James Mitchell

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

Sworn to before me this 25th day of April 1899. } George Koch.

Solomon Belmont
Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

1021

aged 24 years, occupation Thomas J. Dougherty
Fireman 1st Grade - Fire Department of No.

114 Marion St Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of James Mitchell

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

Sworn to before me this 25th day of April 1899. } Thomas J. Dougherty

Solomon Belmont
Police Justice.

POOR QUALITY ORIGINAL

0189

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 51 years, occupation John Klein
154 Mercer St. of No. Fire Department

Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of James Mitchell and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me this 25th day of April 1893. John Klein

Sam Belcher Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 52 years, occupation Michael McElroy
173 Elm St of No. Fire Department

Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of James Mitchell and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me this 25th day of April 1893. Michael McElroy

Sam Belcher Police Justice.

POOR QUALITY ORIGINAL

0190

CITY AND COUNTY }
OF NEW YORK, } ss.

1021

aged 50 years, occupation Chief of Battalion Fire Department of No. 141 Marin St

Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of James Mitchell and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 25th day of April, 1899. Joseph F. McElie

Salon Belmont
Police Justice.

POOR QUALITY ORIGINAL

0191

Sec. 192.

District Police Court

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before John J. Ryan a Police Justice of the City of New York, charging Jacob Kaiser Defendant with the offence of Stolen

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

We, Jacob Kaiser Defendant of No. 429

My and Street; by occupation a Manufacturer

and Rebecca Weisel of No. 45 Essex

Street, by occupation a Housekeeper Surety, hereby jointly and severally undertake

that the above named Jacob Kaiser Defendant

shall personally appear before the said Justice, at the 1st District Police Court in the City of New York,

during the said examination, or that we will pay to the People of the State of New York the sum of Twenty five

Hundred Dollars.

Taken and acknowledged before me, this 3d J. J. Kaiser

day of May 18 98 Rebecca Weisel

John J. Ryan POLICE JUSTICE.

POOR QUALITY ORIGINAL

0192

CITY AND COUNTY OF NEW YORK, ss.

Sworn to before me this 18th day of May 1881
John R. Quinn
Police Justice

Peter Weisel

the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth *Fifty* Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of *The house and lot of land*

situated at 206 Forsyth Street and is worth Eleven thousand dollars clear of all encumbrances

Release for Weisel from

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Undertaking to appear during the Examination.

vs.

Taken the day of 18

Justice

*Prudoman Identities
by Fredk House
off Council*

POOR QUALITY
ORIGINAL

0193

Court of General Sessions
Clerk's Office

PEOPLE

vs.

Jacob J. Kaiser

paper in
Box 2

No Two

POLICE COURT

Police Court, 1st District.

City and County of New York, ss.

of No. 159 East 67th Street, aged 53 years, occupation Fire Marshal

James Mitchell on information and belief being duly sworn, deposes and says,

that on the 22nd day of April 1893, at the City of New York, in the County of New York, One Jacob J. Kaiser, now present, did

at or about the hour of 9 45 o'clock p.m., wilfully and feloniously set fire to and burn the building known as No. 438 Broadway, a building devoted to business purposes, situated in the 14th Ward of the said City of New York, with intent to destroy said building with its contents: in that the said Jacob J. Kaiser, being alone in the said building at or about the hour above mentioned, the building being at the time and for forty minutes or thereabout, prior to the said hour of 9 45 o'clock, securely closed by one Charles Napier so that unauthorized persons on the outside could not gain access thereto, did obtain an entrance by forcing open a door leading into the premises of Napier Brothers doing business on the floor above that occupied by the said Jacob J. Kaiser, and did then pour from two cans which he had caused to be introduced into said building at some time unknown to deponent benzine and turpentine in large quantity as found by fireman Joseph Mc Gill, Thomas F. Dougherty & Michael Mc Avoy and did then set fire to the same, causing the fire to spread rapidly and to destroy portions of the building both on the floor on which the fire was set as well as the floors above and below the said floor, the motive of the said Jacob J. Kaiser, in so setting fire to the said building, being to destroy the same together with his stock of overgaiters and other merchandize stored in said building for the purpose of securing from the Insurance Companies, in which he was insured, the amount of such insurance, which insurance was in the amount of Thirty Five Hundred Dollars, which amount of insurance is, in the opinion of deponent very largely in excess of the value of his said stock of overgaiters and other merchandize covered by said insurance.

Therefore deponent prays that the said Jacob J. Kaiser be held to be dealt with according to law.

James Mitchell

James Mitchell
deponent
22nd April 1893
Police Court

POOR QUALITY ORIGINAL

0195

POLICE COURT

THE

Police Court, 1st District.

City and County } ss.
of New York, }

of No. 159 East 67th

occupation Fire Marshal

James Mitchell

Street, aged 53 years,
on information and belief

being duly sworn, deposes and says,

that on the 22nd day of April 1893, at the City of New

York, in the County of New York, One Jacob J. Kaiser, now present, did

at or about the hour of 9 45 o'clock p.m., wilfully and feloniously set fire to and burn the building known as No. 438 Broadway, a building devoted to business purposes, situated in the 14th Ward of the said City of New York, with intent to destroy said building with its contents: in that the said Jacob J. Kaiser, being alone in the said building at or about the hour above mentioned, the building being at the time and for forty minutes or thereabout, prior to the said hour of 9 45 o'clock, securely closed by one Charles Napier so that unauthorized persons on the outside could not gain access thereto, did obtain an entrance by forcing open a door leading into the premises of Napier Brothers doing business on the floor above that occupied by the said Jacob J. Kaiser, and did then pour from two cans which he had caused to be introduced into said building at some time unknown to deponent benzine and turpentine in large quantity as found by fireman Joseph Mc Gill, Thomas F. Dougherty & Michael Mc Avoy and did then set fire to the same, causing the fire to spread rapidly and to destroy portions of the building both on the floor on which the fire was set as well as the floors above and below the said floor, the motive of the said Jacob J. Kaiser, in so setting fire to the said building, being to destroy the same together with his stock of overgaiters and other merchandize stored in said building for the purpose of securing from the Insurance Companies, in which he was insured, the amount of such insurance, which insurance was in the amount of Thirty Five Hundred Dollars, which amount of insurance is, in the opinion of deponent very largely in excess of the value of his said stock of overgaiters and other merchandize covered by said insurance.

Therefore deponent prays that the said Jacob J. Kaiser be held to be dealt with according to law.

James Mitchell

Handwritten notes:
Jacob J. Kaiser
deponent
Napier Brothers
overgaiters
merchandize

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Jacob J. Hansen

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

Jacob J. Hansen —

of the CRIME OF ARSON IN THE *Third* — DEGREE, committed as follows :

The said *Jacob J. Hansen*, —

late of the *South* Ward of the City of New York, in the County of New York aforesaid, on the *second* day of *April*, in the year of our Lord one thousand eight hundred and ninety-*three*, at the Ward, City and County aforesaid, with force and arms, in the *night* time of the said day, a certain *building* of one *Henry J. ...*, there situate, ~~there being then and there within the said~~ ~~some human being~~, feloniously, wilfully and maliciously did set on fire and burn, 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

Jacob J. Hansen —

of the CRIME OF ARSON IN THE *Third* DEGREE, committed as follows :

The said *Jacob J. Hansen*, —

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, in the *night* time of the said day, a certain *building* of one *Charles ...*, there situate, ~~there being then and there~~ ~~some human being~~, feloniously, wilfully and maliciously did set on fire and burn, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

DE LANCEY NICOLL,
District Attorney.