

0028

**BOX:**

340

**FOLDER:**

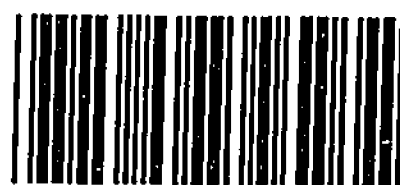
3210

**DESCRIPTION:**

Walker, George

**DATE:**

01/08/89



3210

Witnesses:

Guaranteed Laid  
Office 77 Germ 8th

3/21  
Counsel, W. Meyer &  
Filed 8 day of May 1889  
Pleads with wife

Grand Larceny second degree.  
[Sections 528, 531, Penal Code].

THE PEOPLE

vs.

23 Wm. W. R.  
31 printer

George Walker

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. W. R.  
Foreman.

Park St. January 1889.  
Pleads Petit Larceny.

Per M. J. R.

0029

0030

Police Court—2 District.

Affidavit—Larceny.

City and County } ss.:  
of New York, }of No. 7 Greene St (underhill & scudder) 44 years,  
occupation Antiques being duly sworndeposes and says, that on the 17<sup>th</sup> day of December 1888 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the night time, the following property viz:

One piece of  
cloth cloaking of the value of  
about thirty five dollars (\$35)

the property of Underhill & Scudder and  
then in deponent's care

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 George Walker. (now here)  
for the following reasons. Deponent was  
at the store of Underhill & Scudder  
No 7 Greene St about 7 P.M. on said  
date, when the said property was  
taken. Deponent saw a man running  
away with the said property and gave  
the alarm and the said running  
man was pursued by deponent and  
others and deponent is informed by  
Policeman James J. Dunn, now  
here, that the defendant is the  
man so pursued, and the defendant  
was arrested within a few minutes of the  
said larceny.

Nathaniel Ladd

Sworn to before me, this  
19 day of  
December 1888

B. Winthrop  
Police Justice.

0031

CITY AND COUNTY }  
OF NEW YORK, } ss.

James J. Drum  
Policeman of No. 840  
aged 37 years, occupation Policeman

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

Nathaniel Ladd

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

Sworn to before me, this

19

day of

December

1888

James J. Drum  
Police Justice.



0032

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer. *George Walker*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *31 Monroe*

Question. What is your business or profession?

Answer. *Printer*

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

Answer. *I did not take the bundle  
I was running after the  
thief when the officer arrested  
me. I was going  
home from my work.*

*George Walker*

Taken before me this

*19*

day of

*December 1888*

*J. H. Thompson*

Police Justice.

0033

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 Dec 19 1888 J. H. Humphreys Police Justice.

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

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

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

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

0034

0013  
Police Court--- 2 --- 1958 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Nathaniel Ladd  
7 Green St  
Gery Walker

Offence *Sargeant*  
*Wilson*

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street

Dated *Dec 19* 188

*Ford* Magistrate.

*Dunn* Officer.

*8* Precinct.

Witnesses *Call the Officer*

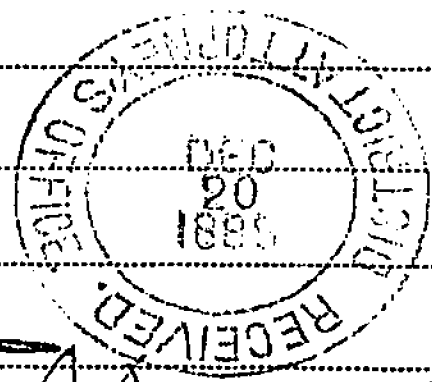
No. .... Street.

No. .... Street.

No. .... Street.

\$ *500* to answer *E.S.*

*Com*



0035

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 Walker*

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

*George Walker*

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

The said *George Walker*,

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

*one piece of cloth of the value of thirty five dollars.*

of the goods, chattels and personal property of one *Samuel Underhill*,

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.

*J. R. Fellows,*

*Attorney*



0036

**BOX:**

340

**FOLDER:**

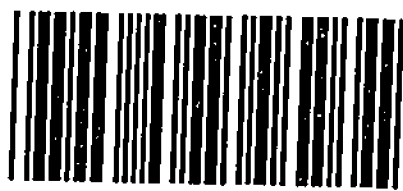
3210

**DESCRIPTION:**

Waters, Thomas

**DATE:**

01/10/89



3210

Witnesses:

Elizabeth W. Carthy

Counsel,

Filed 10 day of May 1888

Pleads, Wm Greig II.

THE PEOPLE

vs.

Thomas Waters

ASSAULT IN THE THIRD DEGREE

(Section 219, Penal Code).

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm B Woodley

Foreman.

Sentenced on and  
indict. B. M.

0037

0038

Police Court— 4 District.

CITY AND COUNTY } ss.  
OF NEW YORK, }

860  
Elizabeth M. Carthy  
of No. 1211 First Ave Street, aged 23 years,  
occupation Housekeeper being duly sworn, deposes and says, that  
on the 28 day of Oct 1888 at the City of New York,  
in the County of New York,

She was violently ASSAULTED and BEATEN by Thomas Waters  
who struck deponent with his  
knuckled fist & in the face  
knocking deponent down on  
the sidewalk

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 the above assault, &c., and be dealt with according to law.

Sworn to before me, this

day of

31  
Oct 1888

Elizabeth M. Carthy

A. J. White Police Justice.

0039

Police Court, 4 District.

THE PEOPLE, &c.,  
on the complaint of

Elizabeth M. Gentry  
vs.  
Thos. Waters

Offence—Assault & Battery

Dated Oct 31 1888

White Magistrate.

Officer.

Clerk.

Witnesses, \_\_\_\_\_

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

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

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

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

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

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

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

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

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

There being no sufficient cause to believe the within named \_\_\_\_\_

guilty of the offence within mentioned, I order he to be discharged.

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



0040

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK } ss.

H District Police Court.

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

Question. What is your name?

Answer.

Thomas Waters

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

New York City

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

Answer.

No Stairway Home 3<sup>rd</sup> Ave + 65<sup>th</sup> St. 2 days

Question. What is your business or profession?

Answer.

Harvester

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

Answer.

I am not guilty

Thomas Waters  
mark

Taken before me this

day of Dec 1888

John J. Sullivan Police Justice

0041

Sec. 151.

Police Court H District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned one of the Police  
*Justices* for the City of New York, by Elizabeth M. C. C. C.  
of No. 1211 Madison Street, that on the 28 day of Oct  
1888 at the City of New York, in the County of New York,

She was violently Assaulted and Beaten by

Thomas Waters

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

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

Dated at the City of New York, this 3 day of Oct 1888

A. J. White POLICE JUSTICE.

0042

Police Court ..... District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Warrant-A. & B.

Dated ..... 188

Magistrate

*Joker*

Officer.

The Defendant

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

Officer.

Dated ..... 188

This Warrant may be executed on Sunday or at  
night.

*A. J. White*

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

0043

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 Dec 17 1888 McQuinn Police Justice.

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

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

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

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



0044

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Police Court---

2004 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Elizabeth McCarthy  
9211 - 28 Ave  
Thos Waters

1  
2  
3  
4

Offence  
His Honor

Dated Dec 29 1888

Patterson Magistrate.

Doyle Officer.

Court Precinct.

Witnesses.....

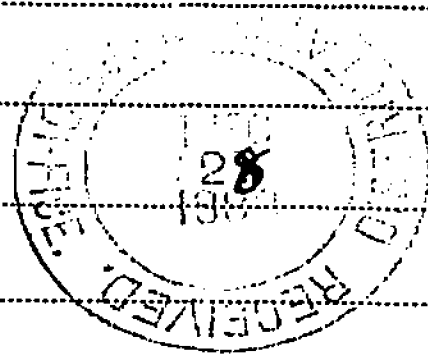
No. .... Street.

No. .... Street.

No. .... Street.

\$ 500. to answer

Y. S.  
Leona  
22/11/3



0045

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Thomas Waters*

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

*Thomas Waters*

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

The said *Thomas Waters*,

late of the City of New York, in the County of New York aforesaid, on the *26th*  
day of *October*, in the year of our Lord one thousand eight hundred and  
eighty-~~and~~ at the City and County aforesaid, in and upon the body of one *Elizabeth*  
*McCarthy* in the peace of the said People then and there being, with force  
and arms, unlawfully did make an assault, and *then* the said *Elizabeth*  
*McCarthy* did then and there unlawfully beat, wound and ill-treat, to the great damage  
of the said *Elizabeth McCarthy*, against the form of the  
statute in such case made and provided, and against the peace of the People of the State of  
New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0046

**BOX:**

340

**FOLDER:**

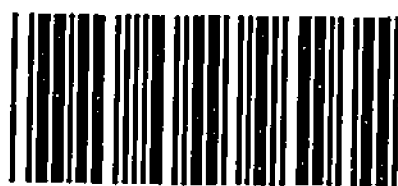
3210

**DESCRIPTION:**

Brady, Thomas

**DATE:**

01/08/89



3210

0047

**BOX:**

340

**FOLDER:**

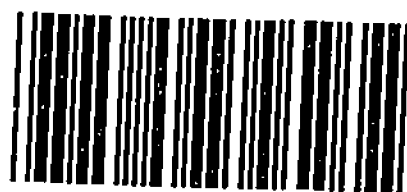
3210

**DESCRIPTION:**

Waters, Thomas

**DATE:**

01/08/89



3210



0048

Waters has before been in  
S.P. M.S.L. P.B.M.

Witnesses:

William J. Brown  
officer in Braz 25th.

Counsel,

8 day of Aug 1889

Filed

Pleds, not guilty.

THE PEOPLE

W. L. S. S.  
not guilty.

Thomas Waters

W. L. S. S.  
not guilty.

Thomas Brady

Burglary in the Third degree,  
[Section 498, 506, 528, 532, 550.]

JOHN R. FELLOWS,

District Attorney.

Mr. Aug 11/89

18th Pleas attempted George J.

No. 1 S. P. 2 yrs 1 mo -

A True Bill, No 2 1 yr 6 mo

P.B.M.

Wm J. Bradley

Foreman.

0049

Police Court—14 District.City and County } ss.:  
of New York,of No. 210 East 9th Street, aged 25 years,  
occupation Carpenter being duly sworndeposes and says, that the premises No. 236 East 63rd Street, 19 Wardin the City and County aforesaid the said being a one story framebuilding  
and which was occupied by deponent as a stable and Carpenter Shop  
and in which there was at the time <sup>no</sup> human being, by namewere BURGLARIOUSLY entered by means of forcibly prying off the  
padlock of the stable door leading into the  
stable and Carpenter shop and entering the same  
with intent to commit a felonyon the 25 day of December 1888 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:A quantity of Carpenters tools  
of the value of twenty dollars  
(\$ 20<sup>00</sup>/<sub>100</sub>)the property of deponent and David Drumbar  
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
BURGLARY was committed and the aforesaid property taken, stolen and carried away by  
Thomas Waters and Thomas Brady  
(both now here)for the reasons following, to wit: that said property was  
located in the Carpenter shop ad-  
joining the stable at the above number.  
That deponent is informed by James  
Berrie of No 212 East 63rd Street  
that at about seven o'clock PM  
of the above date he securely locked  
the door of said stable. Deponent  
is informed by Officer John M. Bay

0050

gave 25th Precinct that he saw  
said Brady and said Waters on 63rd  
street near 2d Avenue at about 10  
O'clock P.M. <sup>of said date</sup> and saw each of said  
defendants acting in concert with  
each other while defendant Brady  
had a quantity of carpenter's tools  
in his possession and said  
officer ~~arrested~~ thereafter  
arrested each of said defendants.  
Defendant has since seen said  
tools and fully and positively  
identifies the same as the property  
taken stolen and carried away  
from the above named premises  
at the time and manner herein  
described.  
I deem to be true  
this 28th day of Dec 1888  
J. J. Platten  
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been  
committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
of the City of New York, until he give such bail.  
Dated 1888 Police Justice.  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1888 Police Justice.  
There being no sufficient cause to believe the within named  
guilty of the offence within mentioned, I order he to be discharged.  
Dated 1888 Police Justice.

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

0051

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 54 years, occupation James Dennis  
312 East 63rd Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

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

Sworn to before me, this

day of

26  
Dec 1888

James Dennis

John Pluticron

Police Justice.



0052

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 31 years, occupation John A. Bay Police Officer of No 20th Avenue Street being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Mr. T. Brown and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 26 day of Dec 1888 John M. Bay

John M. Bay  
Police Justice.



0053

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

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

Question. What is your name?

Answer. Thomas Waters

Question. How old are you?

Answer. 27 years

Question. Where were you born?

Answer. New York City

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

Answer. 65<sup>th</sup> Street & 3<sup>rd</sup> Av. (N.Y. Corner) - 2 days

Question. What is your business or profession?

Answer. Farrier

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

Answer.

I am not guilty.

Thomas Waters  
Mark

Taken before me this 26<sup>th</sup> day of December 1888

1888

John J. McQuinn Police Justice.

0054

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

4th District Police Court.

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

Question. What is your name?

Answer. Thomas Brady

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. New York City

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

Answer. 218 East 56th St - 2 months

Question. What is your business or profession?

Answer. Horse Shoer

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

Answer.

I am not guilty.

Thomas Brady

Taken before me this

26th

day of December

1888

Police Justice.

0055

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

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

Dated Dec 26 1888 J. M. Patterson Police Justice.

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

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

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

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

0056

19015  
Police Court--- 4<sup>th</sup> 1991 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William Quinn  
210 East 90<sup>th</sup>

1 Thomas Waters

2 Thomas Brady

3

4

Office  
Dury

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated December 26<sup>th</sup> 188

Patterson Magistrate.

Bray Officer.

25<sup>th</sup> Precinct.

Witnesses Clerk Officer

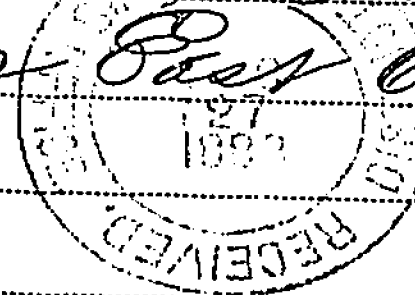
No. Street.

James Dennis  
No. 212 East 63<sup>rd</sup> Street.

No. Street.

\$ 1500 to answer

Y.S.  
Cand



0057

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Thomas Waters and*  
*Thomas Brady*

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

*Thomas Waters and Thomas Brady*

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

The said *Thomas Waters and Thomas*  
*Brady* both \_\_\_\_\_

late of the *nineteenth* Ward of the City of New York, in the County of  
New York, aforesaid, on the *25th* day of *December*, in the year of  
our Lord one thousand eight hundred and eighty-*eight*, with force and arms, at the Ward,  
City and County aforesaid, a certain building there situate, to wit: the *residence* of one

\_\_\_\_\_ *William T. Brown*, \_\_\_\_\_

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

*William T. Brown*, \_\_\_\_\_

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



0058

SECOND COUNT—

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

*Thomas Waters and Thomas Brady*  
of the CRIME OF *Robbery* LARCENY, \_\_\_\_\_ committed as follows:

The said *Thomas Waters and Thomas Brady, both* \_\_\_\_\_

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

*divers tools, of the kind commonly  
called carpenters' tools, of a number  
and description to the Grand Jury  
aforesaid unknown, of the value  
of twenty dollars,*

of the goods, chattels and personal property of one *William T. Brown,*

in the ~~building~~ of the said *William T. Brown,* \_\_\_\_\_

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

0059

THIRD COUNT—

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

*Thomas Waters and Thomas Brady*

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

The said *Thomas Waters and Thomas Brady*

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,

*divers loads, of the kind commonly called carpenters' loads, of a number and description to the Grand Jury aforesaid unknown, of the value of twenty dollars,*

of the goods, chattels and personal property of one *William B. Brown,*

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

unlawfully and unjustly, did feloniously receive and have; the said *Thomas Waters and Thomas Brady*

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

JOHN R. FELLOWS,

District Attorney.

0060

**BOX:**

340

**FOLDER:**

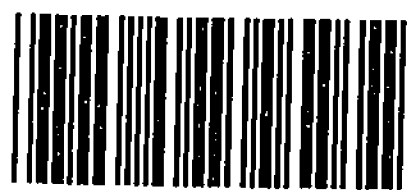
3210

**DESCRIPTION:**

Weigel, Michael

**DATE:**

01/17/89



3210

POOR QUALITY ORIGINAL

0061

Witnesses:

Matthew Walsh

Benjamin Betts

Mar 12 1890

The evidence in this case shows that the Complainant was the aggressor. He was on the steps of the Defendant's dwelling. He was told by Defendant to leave but instead of doing so, he commenced to beat the son of the Defendant. Complainant was 32 years of age at time of the affray and Defendant was 30 years old. It was so shown that while the occurrence took place in July 1888 no indictment was filed until July 17th 1889. It is not found that either of the parties should pay that was to give a Civil suit which is now pending. No Complainant should be held on this evidence & the Court should be dismissed.

J. H. McKeown  
Dist. Att.

Counsel,

Filed

Pleas,

1889

day of

July 17

THE PEOPLE

vs.

Michael Weigel

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

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Foreman

Feb 22/89



0062

Sec. 192.

2 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before John J. Gorman a Police Justice  
of the City of New York, charging Michael Meigel Defendant with  
the offence of Assault

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

We, Michael Meigel Defendant of No. \_\_\_\_\_

and Jacob Stohem Street; by occupation a \_\_\_\_\_ of No. 276 — 7 St. Ann

Street, by occupation a Saloon Keeper Surety, hereby jointly and severally undertake that  
the above named Michael Meigel Defendant

shall personally appear before the said Justice, at the 2 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 25  
Hundred Dollars.

Taken and acknowledged before me, this \_\_\_\_\_

day of July 1888

John J. Gorman POLICE JUSTICE.

Michael Meigel  
Jacob Stohem



0063

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Michael W. Mayer*  
Police Justice.

Sworn to before me, this

1881

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 *Twenty* 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 *a house and*

*lot of land situated*  
*276 1/2 of Avenue and is worth*  
*the above amount or more*  
*or less*

*Jacob Hobbs*

2 District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Undertaking to appear  
during the Examination.

vs.

*Michael W. Mayer*

Taken the *5* day of *July* 1881

*Gorman* Justice.

0064

St Vincent Hosp.  
July 6/88

This is to certify that  
Morris Walsh suffering  
from stab wounds of  
back is now out  
of danger  
W. D. Mitchell  
House Surgeon

0065

St Vincent's Hospital

July 3<sup>rd</sup> 1888

This is to certify that  
Maurice Stelchick a patient  
at this hospital suffering  
from Stab Wounds of Back  
and is now considered out  
of danger and will be able  
to appear in court in about  
a week

Dr. H. C. Cunneely  
House Surgeon

0066

St Vincent's Hospital

June 30<sup>th</sup> 88

This is to certify that  
Maurice Walsh is still a  
patient at this hospital  
suffering from Stab Wounds  
of Chest & Lung & will not  
be out of danger for several  
days yet

H. C. Cunneely  
House Surgeon



0067

St Vincent's Hospital

June 24/88

This is to certify that  
Lawrence Walsh is a patient  
at this hospital suffering  
from Stab Wounds of the  
and will not be out of  
danger for several days.

Dr J. C. Connolly  
House Surgeon



0068

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 2 DISTRICT.

of John Budd  
9th Precinct Street, aged 43 years,  
occupation Police Officer being duly sworn deposes and says,  
that on the 23rd day of June 1888

at the City of New York, in the County of New York, deponent arrested  
Michael Wigel, now here, charged  
with stabbing one Maurice Walsh  
in the back and chest with a  
knife. That said Walsh is now in  
St. Vincent Hospital suffering from  
the effects of said assault, and in  
a dangerous condition and unable  
to appear in Court. That said Walsh  
fully identified said defendant as the  
person who so assaulted him.

John Budd

Sworn to before me, this

24th day

of

1888

John J. Williams Police Justice,

0069

Police Court-- 2<sup>nd</sup> District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

John Beid

vs.

Michael Magee

AFFIDAVIT.

J. L. Anderson.

Dated June 24 1888

Putnam Magistrate.

Band 9 Officer.

Witness,

Disposition,

To await trial

\$1000 bail for  
and to await result  
of Jury

Justice Gorman will  
plear hear and de-  
termine the within  
case in my absence

J. M. Putnam { Police  
Justice

0070

Police Court 2<sup>nd</sup> District.

City and County { ss.:  
of New York,

of No. 10 Gangvort Morris Walsh  
occupation Laborer Street, aged 32 years,  
deposes and says, that on the 23<sup>rd</sup> day of June 1888 being duly sworn  
at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Michael Weigel (now here) who did  
wilfully and maliciously cut and stab  
deponent in four different places in the  
back part of the body with some sharp  
instrument the defendant held in his hand  
and said assault was committed

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 20<sup>th</sup> day

of July 1888

J. J. [Signature] Police Justice.

his  
Morris Walsh  
mark



0071

Sec. 198—200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

20nd

District Police Court.

*Michael Weigel* 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.

*Michael Weigel*

Question. How old are you?

Answer.

*78 years*

Question. Where were you born?

Answer.

*France*

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

Answer.

*12 Lansdowne St 35 years*

Question. What is your business or profession?

Answer.

*Safe maker*

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

Answer.

*I am not guilty.*

*Michael Weigel*

Taken before me this

day of

188

Police Justice.



0072

It appearing to me by the within depositions and statements that the crime therein mentioned  
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 July 20<sup>th</sup> 1888 J. Henry Ford Police Justice.

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

Defendant  
Dated July 31<sup>st</sup> 1888 J. Henry Ford Police Justice.

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

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

\$500. bail for C  
July 25. 2, P.M.  
28. 9 1/2 A.M.  
31-9 F.M.

**BAILED.**

No. 1. by

No. 2, by

Residence

**Street:**

No. 3. by

*Residence.*

**Street.**

No. 4. by

*Residence*

*Street.*

**Police Court---**

~~District~~

THE PEOPLE &c.

ON THE COMPLAINT OF

Morris Walsh & Robben  
~~1st Lieutenant~~

Michael Weigel

1

2

3.

4.

**Dated**

188

**Magistrate.**

Officer.

Precinct.

**Witnesses**

No.

Street

No.

Street:

No.

Street.

**\$**

~~to answer~~

{ See list }  
inside }

Pauline

0074

STENOGRAPHER'S MINUTES.

*L* District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

*Morris Walsh*

*Michael Weigel*

BEFORE HON.

*J Henry Ford*

POLICE JUSTICE,

*July 25* 188*8*  
*28*

APPEARANCES:

For the People,

For the Defence,

*John Stacon*

188

I N D E X .

WITNESSES.	Direct Ex.	Cross Ex.	Re-Direct.	Re-Cross.
<i>Morris Walsh</i>		<i>1</i>		
<i>Benjamin Oetz</i>	<i>12</i>	<i>14</i>		
<i>Margaret Quirk</i>	<i>17</i>	<i>18</i>		
<i>John Kelly</i>	<i>21</i>			
<i>Kitty Flanagan</i>	<i>24</i>			
<i>Mary Ford</i>	<i>28</i>	<i>30</i>		
<i>Ellen Keenan</i>	<i>32</i>			
<i>John Weigel</i>	<i>33</i>	<i>36</i>		
<i>Michael Weigel</i>	<i>37</i>			
<i>John Budd</i>	<i>40</i>			

*W L Crosby*

Official Stenographer.



0075

2 DISTRICT POLICE COURT.

THE PEOPLE,  
ON COMPLAINT OF  
*Morris Walsh*  
*vs.*  
*Melanie Wiesel*

Examination had *July 25 - 26* 188*8*  
Before *J. Henry Ford* Police Justice.

I, *William L. Ormody*, Stenographer of the *2* District Police

Court, do hereby certify that the within testimony in the above case is a true and correct copy of

the original Stenographer's notes of the testimony of *Morris Walsh, Benjamin B. B.*

*Leopold Duck, John Kelly, Kitty Flanagan, Mary*  
*Ford, Ellen Keenan, John Wiesel, Melane Wiesel, John B. B.*  
as taken by me on the above examination before said Justice.

Dated *July 29* 188*8*.

*W. L. Ormody*  
Stenographer.

*J. Henry Ford*  
Police Justice.



0076

Police Court  
Second District

The People vs  
Morris Walsh  
Michael Weigel

Examination Before Justice Ford  
July 25 1885

For the Defendant - John Stacom Esq

Morris Walsh the complaining witness  
being duly sworn and cross -  
examined, upon his affidavit, by  
Mr Stacom, deposes and says

2 Where do you live?

A At 10 Sanson Street

2 How long have you lived there?

A Three years the 17th of ~~the~~<sup>last</sup>  
March as far as I can remember.

2 Where does defendant live?

A Next door to me at No 12  
Sanson St.

2 He has lived there as long as  
you have?

0077

A Yes sir I believe he has lived there longer.

2 Did you ever have any trouble with him before?

A I never had one word whatever with him before. That is his son that assaulted me - that was the second time - the other was about twelve months ago.

2 When did this occurrence happen, the subject of this complaint?

A It happened just as I went out of my own gate. I live in the rear house. Just when I got on the sidewalk this man was standing on the stoop - his stoop.

2 What caused this occurrence?

A - Defendant's son caused it.

2 State how he caused it?

A - I came out of my own house. His son made the remark "you can't lick me" I stood with my hat in my hand. He said "You Irish son of a bitch" I had my

0078

hat in my hand. I was backing away from him.

2 After he said you could not lick him what did you do?

A - I told him to come down on the street

2 Invited him to come down?

A I told him to come down.

2 He was on the stoop

A He was on the stoop

2 On his own stoop

A Yes

2 He did not come down?

A No; he did not

2 You went up the stoop?

A I went up by the side of the stoop

2 You went up two or three steps where John Wigel was standing

A - No Sir

2 Was he not standing on the stoop?

A I never went up the stoop

2 He was standing up there?

A - I reached over the stoop from the outside - from the sidewalk

0079

2 Reached up - to pull him off the stoop?

A No: I did not pull him off.

2 What did you reach up for?

A - I reached up for him - He made me in such a rage - because of the foul name he called me.

2 You reached up the stoop and pulled him off?

A I reached up - I did not pull him off.

2 How did he get off?

A He did not get off. He did not come down.

2 You got hold of him?

A - I did not get hold of him - I got hold of his shirt and the shirt came off.

2 You grabbed him by the neck?

A No - right about the collar - the shirt came with me.

2 What was the trouble between you and him?



0000

A - There was none at all sir.

2 Did you not want to sell tickets for a raffle?

A - No sir

2 Did you not have tickets for a raffle for sale?

A - No sir

2 Was there nothing about tickets for a raffle?

A - No sir

2 You licked him that time before that you had the trouble with him?

A - No sir. He hit me and I hit him back.

2 Which had the best of it?

A - He ran away.

2 You struck him so that he ran away?

A - I only struck one blow.

2 Then <sup>he</sup> ran away?

A - He went away

2 - How many blows were exchanged between you and John Wiegand the son of Defendant at the

0001

time of this occurrence?

A There was no blows - only a clinch

Q You say you did not go up  
in the stoop at all?

A No sir, the defendant was on  
the stoop

Q When the old man came there  
- the defendant - you and the  
defendants son had a clinch?

A When the son began to call  
me names I went back

Q You went away and came  
back again?

A When I came back he  
began to call me names worse  
and worse.

Q You went away and came  
back again?

A The old man came there at  
the time that I had the  
clinch with him.

Q How far had you gone  
when you went back?

A Two steps.

Q The length of the house?

0082

A No sir.

Q Not the length of the house?

A No sir: a quarter.

Q Then you came back. What did you go back for?

A I did not go back - I turned

Q What did you turn back for?

A I might have wanted to go in to get some money.

Q Where was you going?

A I was going for the barber

Q And what did you turn back for?

A I turned back to speak to another friend of mine that was on the stoop

Q What is his name?

A Betts

Q Is he here?

A Yes - right outside

Q When you came back to see Mr. Betts what happened.

A That was the time we had the grapple

0083

2 What grapple

A That I had the clench with the son of defendant.

2 There was a clench?

A There was a clench - He was trying to come off the stoop

2 What occasion had you to go up the stoop?

A I did not want to go up the stoop

2 Was the old man defendant there?

A Yes - he was, just as I came up.

2 What did you say then

A I did not say anything

2 And while you were so engaged -

A - The defendant told me to go - and at the same time he told me to go ~~and at the same time that he told me to go~~ he was stabbing me

2 He told you to go away?

A - To go away - and he went on stabbing me - He did not



0084

turn his face.

2 You swore you was not on the stoop:

A I was not on the stoop

2 What were you doing?

A There was a fence between me and the ~~defendant~~ old man - the defendant - I could stoop over the fence.

2 He and you clinched:

A I was not clinched - only myself and his son was having a clink before. He parted the clink.

2 He told you to go away and you waited until you was struck four times?

A He had hold of me by the shirt and would not let me go. The defendant had hold of me and stabbed me - I said "What are you doing are you going to kill me?"

2 You never had had any words with defendant at all:

9 A Never - that is all the words

0085

that passed until the stabbing was done. I asked "What are you doing: are you going to kill me?"

Q You are in the habit of having trouble?

A No sir

Q How many times have you been in court?

A I have never served any time in prison

Q How many times have you been arrested?

A About twice

Q What for?

A Being drunk

Q Twice before this?

A Yes

Q Were you not arrested on the charge of a woman

A No sir - she did not make any charge against me?

Q Who was the woman?

A I did not know the woman - she took me for another man.

10 Q Were you arrested twice besides this?

0085

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A No Sir

Q How many times have you been in court?

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0086

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A No sir - she did not make any charge against me?

Q Who was the woman?

A I did not know the woman - she took me for another man.

10 Q Were you arrested twice besides this?



0087

A No; that was on of the time.

Q Were you not arrested for fighting?

A No Sir, that was for being drunk

Q Was it not for fighting when you were drunk?

A No; never for fighting

Q That is the only time you have been in court before this?

A That is the only time

Q You swear to that?

A I swear it

Q Did not the police club you once?

A. That was the time before with Officer Kelly

Q What did he club you for?

A Because I was drunk - and I was fined \$10 by Judge Bower.

Q You did not see what you were stabbed with?

A No Sir

Q You cannot not tell?

11 A No Sir

0000

Q. You did not see his hand?  
A. No Sir.

Q. You do not know what he  
struck you with?  
A. No Sir.

SWORN TO BEFORE ME  
THIS 31<sup>st</sup> DAY OF July 1888 Morris & Walsh  
James  
POLICE JUSTICE.

Benjamin O'Leary being duly sworn and  
examined as a witness for the  
people deposes and says: I am  
a car driver: I live at 94 Jan  
St. I am a car driver.

Q. Tell what you saw?

A. I was sitting on the stoop of No  
12 Summit-St., talking with  
another man.

Q. Tell what you saw?

A. No complement came out of  
his own house and dependants  
were sitting on a stoop. Walsh  
was not saying a word. The  
dependants were said "Walsh you  
can't lick me; you are nothing  
only a big Irish son of a bitch"

0089

Defendant's son said that Walsh took off his hat and stepped down on the sidewalk, and said "Come right down here" Then the defendant came on the stoop and said to his son "You go up stairs" Then the son called Walsh a lot of names. Then Walsh walked across to the stoop with his left hand on the stoop and he raised his foot up to make a kick at Defendant's son. Then Defendant said "You go away from here or I will fix you and gave it to him

Q What do you mean by "Gave it to him?"

A. Stabbed him back like this - I do not know what he done it with

Q Did you see any weapon?

A No Sir; I did not see any weapon at all.

Q How do you know he was stabbed?

0090

A I did not know it until he told me.

Q What did you see?

A That he hit him - struck him.

Q How long did that take?

A It was not more than a minute.

Q Who struck the first blow?

A The <sup>Complainant</sup> ~~defendant~~ - Mr Walsh  
put up his foot - he did not mean to go over the fence - He raised his ~~foot~~ foot. When the defendant stabbed him the complainant was standing from or five feet below him - He attempted to go up.

Q

Car examined by Mr Stacom

Q What is your name?

A Benjamin Bell.

Q You were sitting on the same stoop of the house that defendant lives in?

A Yes.

14

Q

The same stoop that defendant



0091

was on?

A. Yes, Sir

Q. When defendant's son called his name, complainant started turned and wanted to fight him.

A. Yes, He asked him down.

Q. He did not come down?

A. He did not come down.

Q. What did defendant do?

A. He walked across to the stoop and put his left hand on the rail Wiegels

Q. Came back to the stoop

A. Yes and stood outside, right

near the railing. He had one hand on the railing and raised his foot up, but he did not get over the rail. He made no attempt to get on the stoop

Q. To kick him?

A. He did

Q. Did you see him tear off John Wiegels' shirt off his back?

15 A. No I did not.

0092

Q Did you see him stabbed?  
A I was standing away from  
the stop at this time

Q Did you not see this man's  
shirt in his hand?

A I did not.

Q When he tore the shirt he  
pulled the shirt off his back  
it is not true?

A I would not like to swear  
that he did so.

Q Did you see a clench?

A - No sir; nothing. Defendant  
told him to go away or he  
would have him fixed.

Q Did he have hold of him?

A Mr. Wiegand told defendant  
to go away - that was the  
only words he spoke.

Q He did not have hold of  
him?

A Defendant did not.

Q No clench?

A Not that I saw.

16 Q How long have you known Mr

0093

Would the complainant

A about 11 years

Q And you know defendant?

A about four years

Q Did you ever have any  
trouble with the Weigel?

A No Sir

Q Nor with his son?

A No Sir.

Q Did you ever tell defendant  
that complainant could not  
stay in a shop because of  
his quarrelsome disposition?

A No.

SWORN TO BEFORE ME  
THIS 2<sup>nd</sup> DAY OF

Benjamin D. B. B.  
POLICE JUSTICE.

Benjamin D. B. B.  
Mark

Margaret Quirk, being duly sworn

and examined as a witness

for the People deposes and

says: I live at 12 Seymour

street. I am 44 years old.

I am a married woman.

Q Did you see the occurrence?

17 A Yes.

0094

2 What did you see

A I saw Defendant put an instrument through the rail and stab complainant.

2 Did he have an instrument?

A I do not know what it was

2 Did you see anything?

A. I saw something in his hand  
I do not know what it was.

2 Is that all you saw?

A Yes - all I saw - I only came to the door - that was when I was there

2 How many times did you see him stab complainant?

A Three or four times - I did not count them. Defendant stabbed the other

Examination

2 What position did they stand when you came out?

A Defendant was on the steps

1 & 2 Where was complainant?



0095

A - standing by the side of the  
shop

Q How near?

A Close up by it. Mr Wiegall  
dependent, had hold of him  
on

Q Did complainant have hold  
of anybody?

A No Sir.

Q Are you positive that the  
dependent stabbed complainant?

A. I am sure.

Q Did you see any weapon?

A No Sir.

Q You saw him strike him?

A Yes Sir

Q This was on Wiegall's stoop?

A Yes Sir

Q Did Walsh kick at Wiegall?

A Yes Sir

Q Did you see him tear the  
shirt off him?

A No Sir

Q Or grab hold of his shirt?

19 A No

0096

2. Or have heard of him at all?

A. No sir; not while I saw it.

2. Or strike the old gentleman?

A. - Not while I was there. I did not see the beginning of it. I came in much excited. I did not know what it was until I saw the blood on the sidewalk. I saw blood flowing from companion.

2. You saw Walsh kick at the young man?

A. Yes.

2. Do you live in the same house with companion?

A. - No. I live in the rear of No 12

2. How long do you know him?

A. - Six or seven years.

2. Did you have any trouble with Weyal?

A. No sir

2. Did you not charge him with trying to get you dispossessed?

20 A. No sir

0097

2 - Did not your husband have  
some difficulty with him?  
A I do not think so.

BORN TO BEFORE ME  
THIS 21 DAY OF July 1944  
J. H. H. H. H.  
J. H. H. H. H.  
J. H. H. H. H.

John Killcally being duly sworn  
and examined as a witness for the  
people before me and says: I am  
43 years old. I live at 12  
Emerson St. I am a car-  
driver.

2 Did you see this occurrence?  
A Yes Sir

2 Tell what you saw?

A The defendants, one John and  
Compliment had some words  
I did not pay any attention  
I thought they were fooling. Then  
John called Walsh a son of a  
bitch and Walsh made a strike  
for him - for John. A few  
minutes after the defendant came  
and told Walsh, compliment to  
clear out: that if he did not

0098

He would

X attend to him to-morrow, and again he said "If you don't go away I will fix you. at that time the complainant put his foot on the outside of the step and put his left hand on the rail and caught Johnny, defendant's son. Then defendant Wesley done the cutting, with what I do not know.

2 Did you see him cut?

A I saw him strike ~~at~~ him - in this shop - with whatever he had in his hand.

2 Did you see anything in his hand?

A I did not - he had something.

2 How do you <sup>know</sup> he had it if you did not see it?

A Because I was by on the stoop when Walsh was cut during that time - whatever he had in his hand - it was something - I do not know what it was.

22 2 Are you sure that he Michael



0099

Wiegall had anything in his hand?

A He is the one that done it, I was right there. I just stood one side - I thought at first they were fooling.

2 Walsh went on the stoop to grab hold of John Wiegall?

A Yes - he got his foot on the outside of the stoop and catch the rail with his left hand.

2 He went up the stoop?

A He went on the stoop only on the outside of the rail.

2 He grabbed hold of John Wiegall?

A Yes sir

2 Where did he catch him?

A Round by the underbush.

2 When you saw the old man dependent - strike Walsh, the complement, Walsh had hold of dependant, son?

23 A Yes he had his foot on the

0100

step on the outside

2 Did you interfere between the two?

A I went between the two I wanted to keep the defendant get his son inside the door.

SWORN TO BEFORE ME  
THIS 3<sup>rd</sup> DAY OF July 1888  
*J. H. M. D.*  
POLICE JUSTICE.

*John Killcally*

Kitty Flanagan being duly sworn and examined as a witness for the people deposes and says:-  
I am 18 years old; I live at 12 Saurmont St.

2 Did you see this?

A Yes

2 Tell exactly what you saw?

A. I was sitting on the stoop. The defendant son Johnny came and sat on the stoop. Mr Walsh, constable came out. There were three parties on the stoop. Walsh called Johnny out of his name and said to him "You son of a bitch" Johnny returned

0101

and told him to go to something -  
I went up and told defendant  
to come down: that Johnny  
was in a fight. I walked out -  
As soon as I came out Walsh  
got on the stoop. We tried to  
get Johnny up stairs. Walsh  
came up on the outside of the  
rail - he stooped and attempted  
to strike Johnny and Mr Weigel  
defendant hit him in the back  
then.

Q Mr Weigel:

A Yes

Q struck him back

A - Yes - he was down off the  
stoop. Mr Weigel told him  
to stay down. He came up on  
the stoop again and Mr  
Weigel struck him

Q Did you see what Weigel  
struck him with?

A No sir.

Q Who struck the first blow?

25-A Walsh, the complainant.

0102

Q You are positive that Walsh struck the first blow

A Yes

Q With what?

A With his hand

Q Where did he strike him?

A On his arm, He struck him and pulled his shirt off

Lesson examined by Mr. Stacom

Q You say the first son of a bitch that was called was called by Walsh?

A Mr. Walsh called the first name

Q And struck the first blow? Was there anybody came along with him out of the house?

A No, they came over from the alley way and Belts and Kellecolly sat on the stoop, Johnny and I was on the stoop

Q You are positive that Walsh began the quarrel?

26 A Yes Sir



0103

2. Then you went away.  
+ I went up and told Mr  
Wesal Miss Katie Flanagan

Adjourned to Saturday July 28  
9.30 AM.

SWORN TO BEFORE ME

THIS 21 DAY OF

July 1888

J. Murray  
POLICE JUSTICE.

## Examination Continued July 25

Mary Ford, being duly sworn and examined as a witness for the people deposes and says:-  
 I am 53 years old. I live at No 10 Fenmore St. I am a widow. I saw part of this occurrence. I was going to the laundry for my boys shirt. I saw Mr Wigel come with whatever he had in his hand and stabbed Welch in the back. I do not know what kind of a weapon it was. I screamed and closed my eyes. I could not see any more.

2 Did you see anything in his hand?

A There was something in his hand but I could not tell what it was that he struck Welch with. I saw the one blow. That was all I saw.

2 Where was Walsh when that blow was struck

A Standing at the side of the stairs

2 Where was his son?

A I do not know I did not see his son.

2 Where was the Wejale, dependant?

A on the stairs

2 Did you see Walsh have knowledge of dependants son at the time?

A - No Sir, I did not see anything of the kind at all

2 You shut your eyes?

A. I closed my eyes and I screamed out when I saw the blood.

2 Did you see any blood?

A Yes Sir, and I took my apron off and threw it in Walsh's shoulders to cover the blood.

2 Was he stabbed in the shoulder?

A He was stabbed in the back I saw him struck with a weapon - something in his hand - I do not know what weapon it was he stabbed him with. I saw that it was in the back.

2 Do you mean to use the word stab?

0106

A Yes. He stabbed him, and the blood came.

Leon examined by the Stacion

2 Was not Mejer on the stoop?

A Yes

2 Was not Walsh on the stoop?

A No Sir. He was not

2 Did he not have his foot on the outside of the stoop? A-No

2 Was not Mejer on the step of his own stoop.

A - Yes Sir: on his own stoop. Three steps down

2 Did not Walsh have plenty of room to get away?

A - I do not know.

2 Was not the sidewalk open?

A - Yes.

2 Did you hear dependant ask Walsh to go away?

A - I did not.

2 Are you a relation of Walsh?

A - No

2 ~~Are~~ you live with him?



0107

A I live in the same house.

Q Did you converse with him about this case?

A No sir.

Q Did he never ask you about it?

A ~~He~~ No sir.

Q How did you come to be a witness?

A Because I seen it.

Q Who told him you saw it?

A He seen it.

Q You mean you never spoke with him about this case?

A No sir: never with himself.

Q Whom did you speak with?

A I spoke to his wife.

Q Were you sober?

A Yes.

Q How much beer had you drank

A Not any - I don't drink beer.

Q Nor whiskey?

A No sir.

Q You never drink anything?

A No sir.

0108

2. You mean you don't drink?

A. I don't drink at all

2. How long are you temperance?

A. It makes no difference -?  
was not drunk

2. Did you have any trouble with  
complainant?

A. No

2. Or with defendant?

A. - No

2. Or with Walsh's wife

SWORN TO BEFORE ME  
THIS 21<sup>st</sup> DAY OF July 1888  
*J. J. O'Donnell*  
POLICE JUSTICE.

*Mary J. Ford*  
*Walsh*

Ellen Keenan being duly sworn and  
examined as a witness for the people  
deposes and says I am 60 years  
old, I live at 16 Sanson St.  
I am a housekeeper.

Complainant proposes to prove  
by the witness certain statements  
made by defendant with  
reference to the alleged  
assault, more than a week  
subsequent thereto.

0109

Objected to  
Objection sustained

John Wiefel being duly sworn and  
examined as a witness for defendant  
deposes and says: - I am a son  
of defendant. I am 26 years  
old. I live at 12 Fenmore St.  
I am a safe maker.

Q. What time was it?

A. About 10 o'clock

Q. You were sitting on your own stoop?

A. Yes Sir

Q. In company with whom?

A. With two young girls - the oldest  
was Kate Flanagan.

Q. While you were sitting there when  
was Walsh?

A. He came out of the alley, and  
came over to our stoop at 12  
Fenmore St. He called me a  
"Dutch son of a bitch". Then I  
sat down and pulled my hat  
over my eyes so that he could  
not see me. Then he came up

0110

the side of the stock - the outside of the rail - a projection outside of the rail about three inches - He came outside of the rail and struck me, and then got hold of me by the shirt and tore the shirt off me.

Q Before that did he ask you to go out on the street

A Yes; and dared me to go down on the sidewalk and I told him "no." Then he came up on the outside of the stock and got hold of me. Then my father came down - <sup>separately</sup> He pulled my undershirt to pieces and tried to pull me - to throw me outside the rail. Then my father came down and he struck my father in the mouth.

Q What became of the girls?

A One went up stairs

Q Went up after your father

A Yes.

Q The other ran away?



01111

- A. The other ran away.
2. After your father came down what then?
- A. Walsh got hold of father and tried to throw him over the rail.
2. Did you see your father strike him?
- A. I did not see father strike him at all.
2. You do not know whether he had anything in his hand?
- A. No Sir.
2. Or whether he struck him with anything?
- A. No Sir.
2. What next?
- A. Then I went up stairs and waited until the officer came and took him out.
2. You refused to go off the stoop?
- A. I never went off the stoop.
2. You were sitting on the stoop?
- A. Yes; it was a stoop about 10 feet high. He came up.

0112

2 At any time did you go off the  
street?

A - No

Cross examined by Counselant

2 - Did I ever have any quarrel  
with you?

A - Yes sir - once before - you  
called me a Dutch son of a  
bitch before.

2 Did you not strike me before.

A - No sir

2 Did I ever curse you or beat  
you?

A - Yes

2 Have I ever spoken to you  
a dozen times in all my life?

A - No sir.

Re-direct

2 <sup>He</sup> Who was the first man that  
called you a "Dutch son of a  
bitch"?

A - Yes.

2 And stepped out in the street  
and challenged you out?

0113

A Yes Sir John Kriegel  
SWORN TO BEFORE ME  
THIS 10<sup>th</sup> DAY OF July 1888  
Birmingham  
MICHAEL WIEGEL, The Defendant, being  
POLICE JUSTICE

only sworn and examined as a witness  
in his own behalf depose and  
say: I am 70 years old. I am  
a safe maker I live at 12  
Edmonst St. This occurred on  
a Saturday night.

Q Where were you?

A I went up to the house.

Q What first attracted your  
attention

A Katy Flanagan came up and  
called me down

Q The young girl?

A Yes.

Q What did she say?

A She said "You had better  
go down stairs Walsh wants  
to make trouble with John."

Q John your son?

A Yes.

Q That brought you down stairs.

33 A - I went down I spoke to the

0114

defendant, and told him to go away; that I did not want any more there. I said: "You can't make any more here - leave us alone; that is all we want." I told my son to go up in the house and I told defendant to go away.

Q Was defendant on the stoop?

A. He was on the stoop about 4 steps up. We sat on the top step - the 7th step.

Q Then what did <sup>he</sup> ~~you~~ do.

A. Then he struck me. He jumped up at me and he had hold of the rail and he struck me in the mouth, and he struck John and tore the shirt off his back.

Q Did you have anything in your hand?

A. When I went down stairs there was a piece of wood lying there. I picked up a piece of wood. I do not know what it was. I



0115

Picked it up and when I struck me in the mouth I struck him. There might have been a nail on the stick or there might have been a chisel or something that cut him.

Q or something that cut him?

A Yes.

Q You had no knife?

A No Sir.

Q No razor?

A No Sir.

Q No weapon to cut him with?

A No Sir. not that I know.

Q You did not intend to give him any wound?

A I did not

Q only to strike him with a piece of wood?

A I did not know that a man was cut until the officer came up stairs and arrested my son.

Q You went back to the house?

0116

2 You did not attempt to run away:

A I did not - I went down to the station house

2 Have you ever been arrested before:

A Never. I have lived here since 1843. I never had a policeman's hand on me before.

SWORN TO BEFORE ME

THIS 31 DAY OF

July 1882

J. Henry Ford

POLICE JUSTICE.

Michael Weigel

John Budd being duly sworn and examined as a witness for defendant dependent deposes and says:-

I am an officer of the 9th Precinct on the night of the 23d between the 10th and 11th of 10 and 11 o'clock I met the ~~defendant~~ <sup>complainant</sup> going towards the hospital. Afterward, I went and arrested John Weigel and the defendant. His father, came to the station house

2 How long do you know defendant?

80  
15 A Going on four or five years

0117

Q Have you lived in the neighborhood?

A I have - twelve years.

Q Do you know complainant?

A - Yes, I have seen him repeatedly.

Q - What kind of a man is he?

A - When under the influence of liquor he was a quarrelsome man. He is known by the name of "Foxy horse."

Q He is called "Foxy horse"?

A That is what they know him by.

Q Have you known him to be arrested several times for quarrelling?

A I have heard so.

Q Have the police had to take him to get him to the station house?

A I have known that they had orders to arrest him - I do not know it myself - I have heard the talk going on at the station house.

Q Do you know the defendant?

A I have known him to speak to him about three or four years.

0118

Q Do you know his character?  
A Yes: it is good: I never saw  
him under the influence of  
liquor

John Wiegand recalled by the Stacion  
Q Was complement other that night?  
A - No Sir

Q Was he drunk?

A - Yes - he had been drinking.  
He was under the influence  
of liquor.

SWORN TO BEFORE ME

THIS 31 DAY OF

July 1885  
John Wiegand  
POLICE JUSTICE.

John Wiegand recalled by the Stacion  
Q Was complement under the influence  
of liquor?

A He was - I do not know that you  
could call it drunk

Michael Wiegand dependent, recalled  
by the Stacion

Q What was complement condition?  
He is never sober on Saturday  
night or Sunday. He was under  
the influence of liquor.

SWORN TO BEFORE ME

THIS 31 DAY OF

July 1885

Michael Wiegand

POLICE JUSTICE.



0119

Complainant Walsh re-called

Q - Why are you called 'Forty Lane'?

A - That is a name I got  
shovelling coal on canal boats.

Q - Were you drunk at this time?

A - No Sir I was not. I had  
only drunk tea or skin of beer.

Q - No whiskey?

A - No Sir.

Morris Walsh  
Mush

Adjudged to July 31 1888

SWORN TO BEFORE ME

THIS 31 DAY OF July 1888

J. J. Thompson  
POLICE JUSTICE.

July 31 - Off held to answer 500 baile

0120

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Michael Weigel

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

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

The said

Michael Weigel

late of the City of New York, in the County of New York aforesaid, on the  
twenty-third day of June in the year of our Lord  
one thousand eight hundred and eighty-eight, with force and arms, at the City and  
County aforesaid, in and upon the body of one Morris Walsh  
in the peace of the said People then and there being, feloniously did make an assault,  
and the said Morris Walsh  
with a certain sharp instrument to the Grand  
Jury aforesaid unknown—  
which the said Michael Weigel  
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

Morris Walsh

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

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

The said

Michael Weigel—

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 Morris Walsh—  
in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make another assault, and the said Morris Walsh  
with a certain sharp instrument to the  
Grand Jury aforesaid unknown—  
which the said Michael Weigel  
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.

0121

THIRD COUNT—

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

*Michael Weigel*

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

The said

*Michael Weigel*

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  
*Morris Walsh* in the peace of the said People then  
and there being, feloniously, did wilfully and wrongfully make another assault, and

him the said *Morris Walsh*  
with a certain sharp instrument to the Grand  
Jury aforesaid unknown

which he the said *Michael Weigel*  
in his right hand then and there had and held, in and upon the back  
of him the said *Morris Walsh*

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and  
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-  
fully inflict grievous bodily harm upon the said *Morris Walsh*

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

JOHN R. FELLOWS,

District Attorney.

0122

**BOX:**

340

**FOLDER:**

3210

**DESCRIPTION:**

Weiss, John

**DATE:**

01/18/89



3210



Witnesses:

George Faid  
George Faid

163 L. S. Kimber Westford

31 June

Room 52

Counsel,

Filed

day of June

1889

Pleas, Objections,

THE PEOPLE

vs.

John Weiss

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

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm J. Woodley  
Foreman.

June 23/89.

Geo. J. Connelley  
Criminal Deputy  
24th; Mo. St.

0123

0124

2 L/19  
The People  
vs.  
John Weiss.

{ Court of General Sessions, Part 1.  
Before Recorder Smythe.

Wednesday, January 23, 1889.

Indictment for assault in the first degree.

George Feid sworn and examined. I live 160 East 3rd Street and am a saloon keeper, I remember the 7th of January and saw the defendant on that day upon the stairs in the hallway of the house 106 East 3rd Street in this city, I live in that house with my family; the defendant came around begging, sometimes three times a week, I saw him there two or three weeks before; my wife was upstairs and she called me, I was in the saloon, I opened the door and looked up, the defendant was on the top of the stairs and my wife was behind him on the landing. I said, "are you here again" and my wife said the defendant called her a damned sow in German. I said he should not come in here insulting people and I wanted him to go. The defendant said to me, "if you want anything, if you want satisfaction (I don't know how to translate it). I told him to go down stairs and go out; he came down and had his hand in his pocket; he says, "you can't order me out of that house nor can she either", and a couple of words were said and all at once he jumped up with a knife, I did not see where he got the knife; he had his hand in his right hand pants pocket and he was going to cut me right about here (pointing to the abdomen. The door leading into the saloon from the hallway I wanted to shut, he was with his right hand behind and I could not shut it, I took hold of a billiard cue and held him back, he was working all the time with the other hand and he tried to

0125

get the stick away, I was always going backward until I was at the end of the saloon, I was retreating all the while and he followed me up, when I was back in the corner I had either to take hold of the knife, I tried to down him, I threw him and he fell on the chair and he got himself on the guard-board and he got up and I got out in the shoulder with the knife and also over the eye with the knife, I bled. After I got the cuts I put him down on the floor and I fell on him and held his left arm and I wanted to catch the other arm where he had the knife, I did not get the knife, a couple of people came and they wanted to take the knife and did not succeed. The officer took the knife off him, he came in while I was holding him down on the floor, the people held his wrist and the officer took the knife out of his hands and arrested him and took him to the Station House. They wanted to send me to Bellevue Hospital, I went to my doctor and he sewed and bandaged it up.

Cross Examined. There is one more family living on the same floor with me; the defendant when begging never got anything from my family to my knowledge. I went upstairs in response to a call from my wife, I did not see the man go upstairs, I got the billiard cue from behind the door. It is not a fact that the Defendant attempted to get out of the house and I held him, he did not say that he wanted to go away, I did not get a club from behind the bar; my wife struck him four or five times with a billiard cue and I threw him down twice, once half ways and the second time I threw him down altogether.

0126

Lottie Feid sworn and examined.

I am the wife of the last witness and lived with him at 106 East 3rd Street on the 7th of January; the day of this assault I remember seeing the defendant, I knew him by sight before that day; on this day he came up, he was first in the back and he was knocking at that door and they did not open, I wanted to go down stairs, I had a little basket in my hand, I wanted to get potatoes, he was growling, I says, "what is the matter?" He says, "I was knocking at the back door and nobody opened it." I says, "well, I haven't got anything, there is no use standing at my door, you had better walk down." He said, "you won't hurt me." I says, "I will not", I did not think anything, I wanted to go down stairs, he kept on growling and when I was on the stairs he called me names, what my husband said. I got frightened and called my husband because nobody was there, I called George twice and he heard me and he came out and said, "what is the matter?" He thought something was the matter with the children because I had a sick child at that time. He told the defendant to go on and walk out of the door. The defendant said, "I am not afraid of you" and he went right for my husband. The defendant was on the stairs when he called me names, I called for my husband and the defendant walked down stairs; my husband halloed, he has got a knife. I ran down and threw down the basket; he had me in the pool room already, he always went with his knife wanting to stick me and my husband had a billiard cue and wanted to keep him back; with one hand he had my husband tight.



0127

I was present when my husband got a stab on the shoulder; the Defendant had his knife and he wanted to go for me; at this time they were standing in the corner of the back room, my husband had him down on the floor; after he got the stab on the shoulder I went for a policeman and hallooed in the street and when I came back my husband was lying down bleeding terribly from the wound in the eye. When the officer came he said, "drop that knife", he did not drop it right away.

Cross Examined. When I heard the knock on the door I had my hand on it. I told the defendant I had not anything for him, he came from the back door to the front; it is not a fact that he was on his way down stairs when I spoke to him first; he said "I am a poor man, I cannot work." I said I haven't got anything for you and you had better walk down again. My husband said to him, "there is no use of your insulting people, if they have not got anything for you, why don't you go"; and he put his hand in his pocket and took something out and my husband hallooed right away, "he has got a knife." So much as I know the door which opens into the street was closed, my husband stood close to him when he pulled the knife out of his pocket for it is a small hall; at that time my husband had no billiard cue in his hand. When I got into the saloon my husband was cut in the shoulder, I took a billiard cue and I struck the defendant once and then the cue broke, I dropped it and ran out and called for police, I did not strike the man, I struck my husband, the defendant hollered I struck him and so he took the knife and wanted to go for me, I pushed the baby's carriage

0 128

over and got frightened and ran out in the street. You did not strike your husband over the eye with that billiard cue? No sir, with the empty hand, that is all I did.

Arthur E. Benham sworn and examined.

I am a police officer attached to the 14th precinct and arrested the defendant on the 7th of January in the saloon 106 East 3rd Street in the afternoon. There was a boy came and told me there was a man gettin stabbed in 3rd St. and in consequence of what I was told I went to the saloon and saw the proprietor Mr Reid and his wife; there was a number of people in there at the time who came in from the street. I saw both of them bleeding, Roundsman Nally went in with me about the same time, he took the knife from the defendant and turned him over to me and he brought up Mr Reid to the Station House afterward. I did not see the Roundsman take the knife from the defendant but he handed it to me; the complainant told me in the presence of the defendant that he had cut him, I don't remember what his wife said; the defendant had nothing at all to say at that time, I noticed a cut over the eye of the complainant and there were one or two small cuts on the head of the defendant as though it was bruised, the skin was just broke so as to bleed a little. I took the defendant to the Station House and afterward to the police Court; the complainant came in to the Station House afterwards, I did not see the cut on his shoulder; the complainant and defendant were standing up when I saw them, the Roundsman is not here.

0129

John Weiss sworn and examined in his own behalf, testified: I recollect the 7th of January and I went to this house where this trouble took place. Where did you go first when you went there? I went up the stairs to the apartments. Do you know who lived in those apartments? No. What did you go there for? I went there to get something to eat, a cup of coffee or something. Did you know the people to whom you went? I don't know anybody in the house. When did you first see Mrs Feid? When I was on the stairs about the middle of the stairs going down to go out. Did she say anything to you? She came out of her door when I was at the other door and she told me to go down stairs and whilst I was going down the stairs she commenced to insult me and called me all kinds of names, all insulting words, I could not recollect all she said, they were too many. I said she is a very rough sow, she called for her husband immediately, I went a couple of steps down and he was standing already with a club, as soon as I came down he jumped out of his door, he was inside in the saloon, I was in the passageway in the hall, I know what a billiard cue is, it was not a cue, he hit me on the head immediately and I could not go near him till I got my knife out, he was so quick at it, she came and took another club and hit me and I fell down and the blood was running down on my face and I was lying under the table and then he got hold of me the second time and then I used the knife, as soon as I saw that he was hitting me on the head, then I took the knife, he threw me under the table and then I cut him twice; they were treading on me

0130

whilst I was lying under the table and I thought they would break my shoulder; the policeman came and arrested me.

Cross Examined.

I was in this house asking for something to eat, I knocked on the door opposite to where Mrs. Feid lived, she told me I should leave the house, I was going down stairs and she commenced to abuse me and when I was about to leave I received a blow on the head, I was in the hall when I was first struck, I intended to go out through the hall door; he grabbed me and pulled me inside and she came also after me. I had my knife then in my pantaloons pocket and it was closed. I opened the knife with one hand, resting it on my knee. (The defendant illustrated how he opened the knife.) When he cut me the second time then I stabbed him. I was never convicted of a crime but was arrested once for begging.

The Jury rendered a verdict of guilty of assault in the second degree and the Defendant was sentenced to two years and one month in the State Prison.



0131

# Testimony in the Case

John Weiss

filed Jan

1889

0132

Police Court— 3d District.

City and County { ss.:  
of New York,

of No. 106 East 2nd Street, aged 40 years,  
occupation Saloon Keeper being duly sworn  
deposes and says, that on 7 day of January 1889 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by John Weiss  
(man line) who wilfully and maliciously  
cut and stabbed deponent on the head  
my shoulder with a knife then and  
there held in the hand of said  
dyundant

Geo. Feid

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 to before me, this 7 day  
of Jan 1889 }

Geo. Feid  
Sam'l C. Kelly Police Justice.

0133

Sec. 198, 200.

3 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*John Weiss* 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.

*John Weiss*

Question. How old are you?

Answer.

*48 years*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*18 Peel St*

*2 years*

Question. What is your business or profession?

Answer.

*Labourer*

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 done it in self defence*

*John Weiss*

Taken before me this

day of

*Jan*

1889

Police Justice.

0134

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 25 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 7 Jan 4 1889 Sam J. O'Brien Police Justice.

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

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

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

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



0135

BAILED,

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

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

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

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

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

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

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

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

Police Court --- 3 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

George Feist  
106 E. 3rd St.

1 John Weiss  
2  
3  
4

Offence Assault

Dated 7 Jan'y 1889

D. O. Reilly Magistrate.

Benham Officer.

14th Precinct.

Witnesses Mrs. Feist

No. 106 E. 3rd St.

General Sessions, having

been sent to this Court

through mistake

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

\$ 10000 to answer

COMMITTED.

0136

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*John Weiss*

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

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

The said

*John Weiss*

late of the City of New York, in the County of New York aforesaid, on the  
*seventh* day of *January* in the year of our Lord  
one thousand eight hundred and eighty *nine* with force and arms, at the City and  
County aforesaid, in and upon the body of one *George Feid*  
in the peace of the said People then and there being, feloniously did make an assault,  
and *him* the said *George Feid*  
with a certain *knife*

which the said

in

*John Weiss*  
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 *George Feid*  
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 Weiss*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

*John Weiss*

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 *George Feid*

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

with a certain

*knife*

which the said

*John Weiss*

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.

0137

THIRD COUNT—

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

*John Weiss*

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

The said

*John Weiss*

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

*George Feid* in the peace of the said People then  
and there being, feloniously did wilfully and wrongfully make another assault, and

with a certain

*knife*

which

the said

in

*he* *John Weiss*  
*his* right hand then and there had and held, in and upon the *head*  
and shoulder of *him* the said *George Feid*

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and  
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-  
fully inflict grievous bodily harm upon the said *George Feid*

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

JOHN R. FELLOWS,

District Attorney.

0138

**BOX:**

340

**FOLDER:**

3210

**DESCRIPTION:**

Wells, John D.

**DATE:**

01/09/89



3210



Adam West  
Miss James Elliot

48  
W. J. Moore  
Counsel,  
Filed  
day of May  
1889.  
Pleads,

## Pleads

17. 11. 1894.

John D. Wells

Burgary in the second degree.  
Grand Jurors. J. W. v.  
Degree of 13 years.  
[Section 497.506, 528, 530, 550.]

JOHN R. FELLOWS,

P3 Jan 10/88 District Attorney.

1344/104 2

L. P. 5 days - B.B.M.

# A True Bill.

Thos. B. Bortney

*Foreman.*

0140

Police Court—2 District.

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

of No. 142 West 63rd Street, aged 40 years,

occupation Carpenter being duly sworn

deposes and says, that the premises No. 142 West 63rd Street,

in the City and County aforesaid, the said being a Dwelling house

a two story frame house

and which was occupied by deponent as a Dwelling

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

were BURGLARIOUSLY entered by means of forcibly breaking

open a window of the second floor  
back room

on the 23rd day of November 1888 in the night time, and the following property feloniously taken, stolen, and carried away, viz:

two shawls, one clock, one coat,  
clothes, twelve pawn tickets, two table  
gold studs and a quantity of  
other articles, in all of the  
value of thirty five dollars

\$35

the property of Deponent

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

John Davis Wells

for the reasons following, to wit: The said property was  
all contained in the said dwelling  
house and was securely locked therein  
and deponent saw the premises securely  
closed at 11 p.m. on the night of  
the 22nd day of November 1888. Deponent  
found the said place open and the  
said property missing on the morning  
of Nov 23. Deponent charges the

0141

Defendant with the said burglary  
for the reason that he is informed by  
Sherman James E. Elliott of the  
20th precinct that he arrested the  
Defendant about 20:00 Clock A.M.  
on Nov 23 in South Avenue near  
West 41st St and the Defendant  
had the said property in his possession.

SWORN TO BEFORE ME

THIS 23rd DAY OF November 1911

Police Justice.

Sherman Mitchell

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Degree.

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$

Bail.

Bailed by

No.

Street.



0142

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 27 years, occupation James E. Elliott  
20 E. 10th St. of No.

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

Sworn to before me, this 21  
day of March 1888  
J. E. Elliott  
P. J. Duffy Police Justice.



0143

• Sec. 198—200.

2  
District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

*John David Wells*

Question. How old are you?

Answer.

*28 years*

Question. Where were you born?

Answer.

*U.S.*

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

Answer.

*Boston*

*all my life*

Question. What is your business or profession?

Answer.

*Barker*

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 will appear in court*

*John David Wells*

Taken before me this

day of

1888

Police Justice.

0144

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 Epstein

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 Mar 21 188 J. J. Duffy Police Justice.

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

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

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

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

0145

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street

Police Court---

1844 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Adam Mitchell  
142 West 63 St  
John Davis Wells

Office  
Bryant

Dated

188

Magistrate.

Officer.

Precinct.

Witnesses

No.

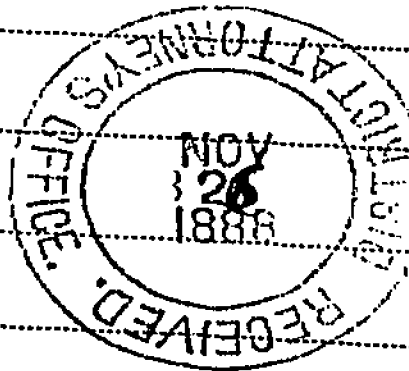
Street.

No.

Street.

No.

Street.



to answer

Com

0146

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*John D. Wells*

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

*John D. Wells*

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

The said *John D. Wells*.

late of the ~~South~~ *second* Ward of the City of New York, in the County of New York  
aforesaid, on the ~~twenty~~ *third* day of ~~November~~ *November*, in the year  
of our Lord one thousand eight hundred and eighty ~~eight~~ *eight*, with force and arms, about the  
hour of ~~three~~ *three* o'clock in the ~~night~~ *night* time of the same day, at the Ward,  
City and County aforesaid, the dwelling house of one *Adam Bickler*.

there situate, feloniously and burglariously did break into [and enter, there being then and there  
some human being, to wit: *the said Adam Bickler*.

within the said dwelling house, with intent to commit some crime therein, to wit: the goods  
chattels and personal property of the said *Adam Bickler*.

in the said dwelling house then and there being, then and there feloniously and burglariously to  
steal, take and carry away;

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



0147

SECOND COUNT—

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

— John D. Wells —

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

The said John D. Wells,

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

one coat of the value of Ten dollars,  
two shawls of the value of five  
dollars each, one dress of the  
value of five dollars, two knee-  
cloths of the value of three dollars  
each, twelve written instruments  
and evidences of contract, of the  
kind called pawn tickets, of the  
value of one dollar each, twelve  
pieces of paper of the value of  
one cent each piece, five kinds  
of the value of three dollars each,

of the goods, chattels and personal property of one Adam Mitchell, —

in the dwelling house of the said Adam Mitchell. —

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

0148

THIRD COUNT—

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

*John D. Wells* —

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

The said *John D. Wells*,

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,

*the goods, chattels and personal property describe in the first count of this indictment,*

of the goods, chattels and personal property of one *Adam Mitchell* —

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

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

*John D. Wells* —

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

JOHN R. FELLOWS,  
District Attorney.

0149

**BOX:**

340

**FOLDER:**

3210

**DESCRIPTION:**

Welsh, Michael

**DATE:**

01/29/89



3210

0150

Witnesses:

Sam. W. W. W.  
William J. W. W.  
James W. W. W.

Sept. Ch. 900

332 Nov 1889

Counsel,  
Filed 29 day of Aug 1889  
Pleads, Ch. 900

THE PEOPLE  
vs.  
Michael Welsh  
Burglary in the THIRD DEGREE  
(Section 498, 506, 528 & 538)

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

Wm. J. Woolley  
Foreman.  
Aug 31/89

James W. W. W.  
Ch. 900  
Aug 11/89



0151

New York. Feb. 1<sup>st</sup> 1889

To all whom it may concern  
Having known Michael Welch  
for the last four years. I hereby certify  
that in this period, to the best of my  
estimation, he has always conducted  
himself as an honest and straight forward  
man. For any personal recommendation  
apply to. Wm Heyman  
Commission Merchant 779 Washington Street  
City

0153

New York, Feb. 12<sup>th</sup> 1889

This is to certify that I have known  
Michael Welsh for a number of years  
and have always found him to be  
a sober and industrious young man  
whose character was beyond reproach

Matthew Walsh  
Horse shoeing Establishment  
766 Washington Street  
City

0154

Dec 31<sup>st</sup> 1899

Michael Webb has  
been in my employ  
for eleven months  
and during that  
time I always found  
him to be an upright  
an honest boy

William Bradley  
Wholesale Butcher  
757 Washington St.  
N.Y.

4155

COURT OF GENERAL SESSIONS.

\*\*\*\*\*  
The People of the State  
of New York.  
-against-  
Michael Welsh.  
\*\*\*\*\*

CITY AND COUNTY OF NEW YORK, ss.

John Welsh, being duly sworn, deposes and says:  
That he resides at 343 West 11th, Street, in said City, and that he is  
the brother of Micheal Welsh, the above named defendant.

That said defendant resides at said above number  
West 11th, Street, with this deponent and his mother, the farther be-  
ing dead.

That defendant is 19 years of age and has never  
been convicted of the commission of a crime, nor has he ever before  
been arrested for or charged with the commission of a crime, and this  
deponent prays that this Honable Court may send said defendant to the  
Elmira Reformatory.

Sworn to before me this 1st, day  
of February, 1889.

*Robt N White*  
Notary Public  
White, Geo

*John Welsh*



4156

COURT OF GENERAL SESSION.

The People &c.

-VS-

Michael Welsh.

AFFIDAVIT AND LETTERS.

FRIEND & HOUSE,

Attys for Deft.

25 Chambers Street

N. Y. City.

U 157

Police Court—4<sup>th</sup> District.

City and County } ss.:  
of New York

of No. 307 East 16<sup>th</sup> Street, aged 30 years,

occupation Candy being duly sworn

deposes and says, that the premises No. 307 East 16<sup>th</sup> Street, Ward

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

building and which was occupied by deponent as a Candy & dwelling

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

~~we~~ **BURGLARIOUSLY** entered by means of forcibly breaking a

panel in the door leading into the

rear room of the store from the hall way

on the first floor of said premises

on the 20<sup>th</sup> day of January 1889 in the night time, and the

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

Good and lawful money of the

United States of the amount and

value of fifty two dollars

the property of Deponent

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

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

Michael Welch (now here) and

two other men not arrested

for the reasons following, to wit: deponent securely locked

and fastened the doors and windows in

said premises at about the hour of

three o'clock P.M. on said date

and at about the hour of eight o'clock

P.M. on said date deponent discovered

said premises had been burglarized

and the aforesaid money taken stolen

and carried away deponent is informed

U 158

by William J. Garvin of 7507 Essex  
16th Street, New York, at about 11:30  
of Oct. 10th 1888 on said date we  
discovered said premises had been  
burglarized and we said Garvin saw  
the defendant and one of said other  
men shot arrested in the rear room  
of said store said Garvin detained  
said defendant and gave him in  
custody of an officer

Sworn to before me this 21st day of Jan 1889  
J. H. Thompson

Police Justice

Dated 1888 Police Justice

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

Dated 1888 Police Justice

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

Dated 1888 Police Justice

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

Dated 1888 Police Justice

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

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to bail to answer by the undertaking hereto annexed.

Dated 1888 Police Justice

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

Dated 1888 Police Justice

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

Dated 1888 Police Justice

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

Dated 1888 Police Justice

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



4159

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 24 years, occupation William J. Gavin of No. 507 East 16th Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Sam Nah and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this

day of

188

Police Justice.



U 160

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

45

District Police Court.

Michael Welsh 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 to 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.

Michael Welsh

Question. How old are you?

Answer.

19 years

Question. Where were you born?

Answer.

New York City

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

Answer.

43 West 14th Street 6 months

Question. What is your business or profession?

Answer.

Telegraph

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

Answer.

I am not guilty

Michael Welsh

Taken before me this

day of

188

Police Justice.

U 16 1

*If 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 hereof, 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* *July 21* *1889* *G. H. Murphy* *Police Justice.*

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

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

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

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

U 162

332 4/15/121  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Sam Wan  
307 East 16 St  
Michael Welch

2  
3  
4

Offence

Sam Wan

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated Aug 2 1889

Magistrate.

Officer.

Precinct.

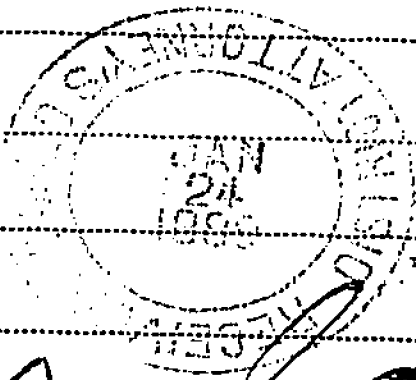
Witnesses William Gyarvin

No. 307 East 16 St Street.

No. Street.

No. Street.

\$ 1000 to highway



Com 12/12/121

4 163

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*Michael Welsh*

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

*Michael Welsh*

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

The said

*Michael Welsh*

late of the *eighteenth* Ward of the City of New York, in the County of New York  
aforesaid, on the *twentieth* day of *January* in the year of our Lord one  
thousand eight hundred and eighty-*nine*, with force and arms, in the  
*night* time of the same day, at the Ward, City and County aforesaid, the  
dwelling house of one *Sam Wah*

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

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



U 164

SECOND COUNT—

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

*Michael Welsh*

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

The said

*Michael Welsh*

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

*the sum of sixty-two  
dollars in money lawful  
money of the United States  
of America and of the  
value of sixty-two dollars*

of the goods, chattels, and personal property of one

in the dwelling house of the said

*Sam Wah*  
*Sam Wah*

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

*John R. Fellows*  
*District Attorney*

U 165

**BOX:**

340

**FOLDER:**

3210

**DESCRIPTION:**

Whalen, Patrick F.

**DATE:**

01/18/89



3210

POOR QUALITY  
ORIGINAL

4166

Witnesses:

*Charles Lynch*

Counsel,

*Johnson & Pye*

day of

1889

*February*

THE PEOPLE

vs.

[Section 654, Penal Code.]

INJURY TO PROPERTY.

*Patrick J. Whelan*

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*Wm. H. Woodley*  
*Foreman.*  
*Wm. H. Woodley*

U 167

CITY AND COUNTY  
OF NEW YORK, } ss.

POLICE COURT, 4 DISTRICT.

Charles Lynch

of No. 991 Third Avenue Street, aged 20 years,

occupation Bar-Tender being duly sworn deposes and says,

that on the first day of December 1888

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

Patrick Whalen did wilfully  
and unlawfully break and destroy  
a plate glass window in said  
premises, of the value of one  
hundred dollars, property of  
Bernard and Patrick Lynch, Co-  
partners, in violation of Section  
654 of the Penal Code of the State  
of New York. That deponent then  
and there saw the said Whalen  
deliberately pick up a stone

Sworn to before me, this

1888

day

Police Justice



U 168

and throw the stone through  
said window shattering and  
breaking the same. Dependent  
therefore, May said defendant  
may be arrested and dealt with  
as the law may direct.

Subscribed before me this 7<sup>th</sup>

day of December 1888

J. M. Patterson

Charles Lynck

Police Justice

Police Court, District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated 188

Magistrate.

Officer.

Witness,

Disposition,

U 169

Sec. 151.

Police Court H District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Charles Lynch

of No. 991 Third Ave. ~~Street~~, that on the 1<sup>st</sup> day of December  
1888 at the City of New York, in the County of New York,

317 East 61st St-  
Patrick Whalen did unlawfully  
and wilfully break and destroy a  
plate glass window in premises 991  
Third Avenue, of the value of one  
hundred dollars, property of Bernard  
and Patrick Lynch, Co-Partners

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the H 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 1<sup>st</sup> day of December 1888

J. M. Patterson POLICE JUSTICE.

4110

age 18 U.S. Res 317 E. 61 St

The within named

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

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

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

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

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Warrant-General.

Dated \_\_\_\_\_

188

Magistrate

*Truman*  
\_\_\_\_\_  
The Defendant *Patrick Malin*  
\_\_\_\_\_  
Officer.

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

Officer.

Dated *December 16* 188*8*

This Warrant may be executed on Sunday or at  
night.

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

U I I I

Sec. 193-200.

X District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

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

Question. What is your name?

Answer. *Patrick Whalen*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *MS*

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

Answer. *317 E 61<sup>st</sup> St. 7 years*

Question. What is your business or profession?

Answer. *Carpenter*

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

Answer. *I am not guilty*

*Patrick F. Whalen*

Taken before me this

day of

*September 1898*

Police Justice.



U 1 12

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.....

*Dependant*

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

Dated.....

*Sept 16*  
188

*H. J. White*

Police Justice.

I have admitted the above-named.....

to bail to answer by the undertaking hereto annexed.

Dated.....188

Police Justice.

There being no sufficient cause to believe the within named.....

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

Dated.....188

Police Justice.

4113

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Police Court---

1944 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Charles Lynch  
991 - vs. 3<sup>d</sup> ave  
Patrick Whalen

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

Offence Malicious  
Mischief  
Felony

Dated Dec. 16 1888

Patterson Magistrate.

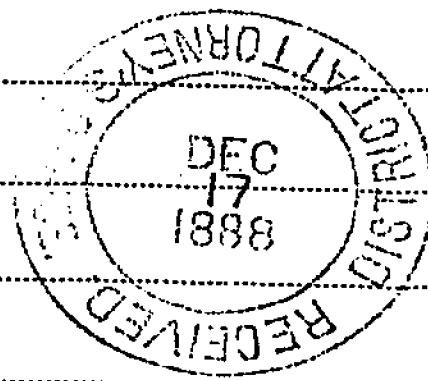
Booker Officer.

Witnesses Patrick Lynch  
No. 991 Third Street.

No. .... Street.

No. .... Street.

\$ 500 to answer



U 114

**Court of General Sessions of the Peace**

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

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

*Patrick J. Whalen*

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

*Patrick J. Whalen*  
of the CRIME OF UNLAWFULLY AND WILFULLY *debauching*

PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said *Patrick J. Whalen*,  
late of the *19th* Ward of the City of New York, in the County of New York  
aforesaid, on the *21st* day of *December*, in the year  
of our Lord one thousand eight hundred and eighty-*eight*, at the Ward, City and  
County aforesaid, with force and arms, *a certain game of*  
*plate glass,*

of the value of *one hundred dollars,*  
of the goods, chattels and personal property of one *Bernard Sydnor*,  
then and there being, then and there feloniously did unlawfully and wilfully *break*  
*and destroy;*

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.

U 115

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said  
Salinda S. Whalen  
of the CRIME OF UNLAWFULLY AND WILFULLY destroying  
REAL PROPERTY OF ANOTHER, committed as follows:

The said Salinda S. Whalen,  
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, a certain  
game of plate glass

of the value of one hundred dollars  
in, and forming part and parcel of the realty of a certain building of one Bernard  
Snyder,  
there situate, of the real property of the said Bernard Snyder,

then and there feloniously did unlawfully and wilfully break and destroy

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

**JOHN R. FELLOWS,**

District Attorney.



4116

**BOX:**

340

**FOLDER:**

3210

**DESCRIPTION:**

White, Charles W.

**DATE:**

01/30/89



3210

4117

**BOX:**

340

**FOLDER:**

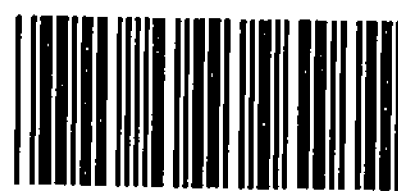
3210

**DESCRIPTION:**

Barrett, Martin

**DATE:**

01/30/89



3210

U 118

**BOX:**

340

**FOLDER:**

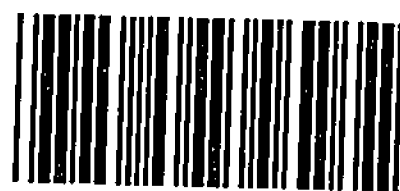
3210

**DESCRIPTION:**

Cushing, William

**DATE:**

01/30/89



3210

4179

**BOX:**

340

**FOLDER:**

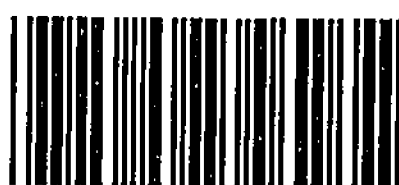
3210

**DESCRIPTION:**

Welsh, James

**DATE:**

01/30/89



3210



4180

361

Witnesses;

James Lee Galley  
off Wm Connolly

Counsel, 30 day of May 1889  
Filed  
Pleads, 1/20

THE PEOPLE  
vs.  
Charles W. White,  
Martin Barlett,  
William Cushing,  
and James Welch  
Burglary in the Third degree.  
Grand Jury at  
New York, 1889.  
[Section 408, 506, 518, 530, 531]

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

James J. Coffey, Foreman.  
all  
Edward J. Coffey  
14/176 West 14th St  
N.Y.C.

U 181

✓  
District Attorney's Office,

CITY AND COUNTY OF NEW YORK.

Sept 9 1892

CAPTAIN OR OFFICER IN COMMAND.

Dear Sir:

I desire to see Officer Lamahan  
attached to your command in  
Sept 9, in relation to the case of  
Warren Barrett  
sentenced Sept 25 to 8  
years and 6 months imprisonment by  
Reverend Smith

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.

U 182

Police Court— / District.

City and County } ss.:  
of New York,

James L. Le Galley

of No. 13 & 14 West Street, aged 44 years,  
occupation Warehouse Keeper being duly sworn

deposes and says, that the premises No 13 & 14 West Street,  
in the City and County aforesaid, the said being a five story brick building

and which was occupied by deponent as a Warehouse

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

were BURGLARIOUSLY entered by means of forcibly opening a shutter  
in the rear of said building

on the 18 day of January 1889 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

Fifty Guns of the Value of  
Seven hundred and fifty dollars

\$1750.00

the property of the Spencer Arms Company  
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

Charles White, Martin Barrett, William  
Cushing and James West (all now here)  
for the reasons following, to wit: Deponent is informed that

he found Seven of said Guns in the cellar occupied  
by said White, and 12 of said Guns concealed in  
the chimney in the premises of said White at No.  
26 Washington Street, said White informed  
deponent in the presence of Witnesses that said  
defendant Barrett, Cushing and West, brought  
said property to him for safe keeping  
that said Barrett, Cushing and West acknowledged

4183

to deprive, that they committed said  
Larceny and that said Charles White  
knew that they would steal said property  
and that they would bring the same  
to his premises.

Deponent charges that said defendants  
did act in concert with each other  
in taking and stealing said property  
from the possession of deponent  
as aforesaid.

Subscribed before me this } James L. LeGallee  
23<sup>rd</sup> day of January 1889 }  
John J. Moran  
Police Justice

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

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Degree.

vs.

Burglary

Dated

188

Magistrate.

by

Officer.

Clerk.

Witnesses:

Committed in default of \$

Bail.

Bailed by

No.

Street.



U 184

CITY AND COUNTY }  
OF NEW YORK, } ss.

William Flynn  
aged 45 years, occupation Police officer of No.

2nd Precinct Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of James L. DeGulley

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

Sworn to before me, this 23 day of January 1889

William Flynn  
John H. ...  
Police Justice.

U 185

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, ss.

District Police Court.

*Charles White*  
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.

*Charles White*

Question. How old are you?

Answer.

*39 years*

Question. Where were you born?

Answer.

*Switzerland*

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

Answer.

*26 Washington Street 3 years*

Question. What is your business or profession?

Answer.

*Plasterer & White Wash*

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

Answer.

*I have nothing to say*

*Charles W. White*

Taken before me this

*23*

day of

*January*

1889

*John W. Sullivan*  
Police Justice.

U 186

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Martin Barrett* 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. *Martin Barrett*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *95 Washington Street 1 year*

Question. What is your business or profession?

Answer. *Car driver*

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

Answer. *The window was open we did  
not break the shutter*

*Martin Barrett*

Taken before me this

*1913*

day of

*January*

1889

*John B. McNamee*  
Police Justice.

U 187

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss

*William Cushing* 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. *William Cushing*

Question. How old are you?

Answer. *15 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *101 Washington Street 2 weeks*

Question. What is your business or profession?

Answer. *Carpenter's Apprentice*

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

Answer. *I have nothing to say*

*Wm Cushing*

Taken before me this

*23*

day of *May*

*1887*

*George J. Moore*  
Police Justice.



U 188

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*The shutter was open*  
*James Meers*

Taken before me this

*James Meers*  
188

Police Justice.

U 189

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.....

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

Dated *January 23* 188 *8* *John J. ...* Police Justice.

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

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

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

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

U 140

361 124  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*James L. Le Gallier*  
13714 West St  
1 *Charles White*  
2 *Martin Barrett*  
3 *Wm Cushing*  
4 *James Melch*

*Burke*  
Offence

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated *January 23* 188*9*

*Gorman* Magistrate.

*William H. Hume* Officer.

*Wm Canning* Precinct.

Witnesses *Sara off*

No. .... Street.

No. .... Street.

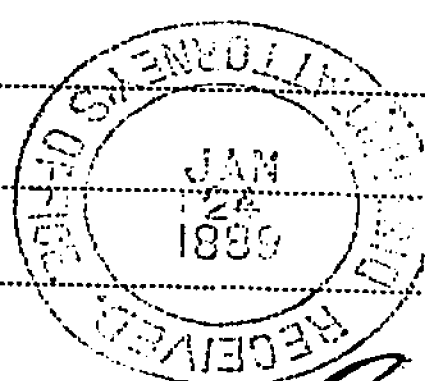
No. .... Street.

No. .... Street.

No. .... Street.

\$ *2000* to answer *G.S.*

*Law*



*3-1*  
*9-1*  
*9-1*

U 141

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*Charles W. White, Martin Barrett, William Cushing and James Welsh*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Charles W. White, Martin Barrett, William Cushing and James Welsh*  
of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said *Charles W. White, Martin Barrett, William Cushing and James Welsh*, all  
late of the *First* Ward of the City of New York, in the County of  
New York, aforesaid, on the *eighteenth* day of *January* in the year of  
our Lord one thousand eight hundred and eighty-nine, with force and arms, at the Ward,  
City and County aforesaid, a certain building there situate, to wit: the *building* of one

*James L. Le Galley*  
feloniously and burglariously did break into and enter, with intent to commit some crime therein,  
to wit: with intent, the goods, chattels and personal property of the said

*James L. Le Galley*  
in the said *building* then and there being, then and there feloniously and burglariously  
to steal, take and carry away, against the form of the statute in such case made and provided, and  
against the peace of the People of the State of New York and their dignity.



U 142

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment further accuse the said  
*Charles W. White, Martin Barrett,*  
*William Cushing and James Welsh*  
of the CRIME OF *Grand* LARCENY *in the first degree* committed as follows:

The said *Charles W. White, Martin Barrett*  
*William Cushing and James Welsh,* all

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

*fifty guns of the value*  
*of thirty-five dollars*  
*each*

of the goods, chattels and personal property of one

in the *building* of the said

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

U 143

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said Charles W. White, Martin Barrett, William Cushing and James Welsh of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said Charles W. White, Martin Barrett, William Cushing and James Welsh, all late of the Ward, City and County aforesaid afterwards to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms,

fifty guns of the value of thirty-five dollars each

of the goods, chattels and personal property of one

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

James K. Le Galley unlawfully and unjustly, did feloniously receive and have; the said Charles W. White, Martin Barrett, William Cushing and James Welsh then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,  
District Attorney.