

0387

BOX:

507

FOLDER:

4622

DESCRIPTION:

Wales, Joseph

DATE:

12/12/92



4622

Witnesses:

Ferdinand Corbetti

Off. G. H. Peck

Subscribed the foregoing
of a plea of Not Guilty.
Dec. 19, 1892

James J. B. B. B.
ad. ca.

Counsel,

Filed

1892

Pleas,

18 THE PEOPLE

228 Sullivan St.

vs.
Joseph W. W. W.

Joseph W. W. W.

Grand Larceny,
(From the Person,
[Sections 589, 590,
Penal Code.]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Attorney Decker
Sub. 2 - Dec. 19, 1892, Foreman.
Pleas Not Guilty

Jan 19/93

0388

0389

Police Court District. Affidavit—Larceny.

City and County }
of New York, } ss:

I, *Ferdinand Calvetti*
of No. *129 Mulberry* Street, aged *60* years,
occupation *Mason* being duly sworn,
deposes and says, that on the *5th* day of *December* *1892* 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 double faced silver watch
and a silver chain being together of
the value of
Ten Dollars.*

the property of

Deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by *Joseph Stales*

*(a suspect) for the reasons following
to wit, that on the aforesaid night
between the hours of 8 & 9 30 P.M. when
the deponent was on Mulberry Street
and said watch to which was
attached said chain in the upper
left hand vest pocket of the vest
he had on, said deponent came
up to deponent and grabbing hold
of said property took the same from
said vest pocket and ran away
and deponent pursued him and caused
him to be arrested, and fully identify him
as the person who took said property
and he charges him with the larceny
aforesaid.* *Ferdinando Calvetti*

Sworn to before me, this

5th day

December 1892

Minister Police Justice.

0390

Sec. 198—200.

1882

District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer. *Joseph Males*

Question. How old are you?

Answer. *18 yrs. and*

Question. Where were you born?

Answer. *United States*

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

Answer. *228 Mulrain Street, Bronx*

Question. What is your business or profession?

Answer. *Elevator Boy*

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*
Joseph Males

Taken before me this

6th

of December 1882

Police Justice.

0391

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

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

Dated, *Dec 6* 189*2* *John J. ...* Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

039

Police Court---

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Thomas Barrett
vs.
Joseph Macer

1

2

3

4

BAILED,

No. 1, by.....

Residence Street.

No. 2, by.....

Residence Street.

No. 3, by.....

Residence Street.

No. 4, by.....

Residence Street.

Dated, *December 6* 189*7*

W. J. Graham Magistrate.

Deery Officer.

6 Precinct.

Witnesses

No. ... Street.

No. ... Street.

No. ... Street.

\$ *10.00* to answer *GS*

C. J. F.

0393

501

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph Wales

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

Joseph Wales
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

Joseph Wales

late of the City of New York, in the County of New York aforesaid, on the *5th* day of *December* in the year of our Lord one thousand eight hundred and ninety-*two*, in the *right* time of the said day, at the City and County aforesaid, with force and arms,

*one watch of the value
of eight dollars, and one
chain of the value of two dollars*

of the goods, chattels and personal property of one *Ferdinand Carbitti* on the person of the said *Ferdinand Carbitti* then and there being found, from the person of the said *Ferdinand Carbitti* 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.

*De Laurey McCall,
District Attorney.*

0394

BOX:

507

FOLDER:

4622

DESCRIPTION:

Walters, James H.

DATE:

12/19/92



4622

Witnesses:

Joseph H. Hahn

Archibald H. G. G. G.

Counsel,

Filed 19 day of Dec 1893

Pleaded May 20

THE PEOPLE

vs.

Forgery in the Second Degree.
[Sections 511 and 521, Penal Code.]

James H. Walters
(3 cases)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

William O'Brien

Toroman.

Part III Page 2-93

Part II Page 2-93

~~Section 511 and 521~~

0396

292

THE PEOPLE,

COURT OF GENERAL SESSIONS, PART III.

vs.

BEFORE JUDGE FITZGERALD.

JAMES H. WALTERS.

Monday, January 30, 1893.

Indictment for FORGERY, in the SECOND DEGREE.

JOSEPH KAHN, sworn and examined, testified:

What is your business? I am in the dry goods business. I live at 322 East Fourth street, and my place of business is 91 Avenue B. Were you in that business, at that place, about December 1st? Yes; I recollect the 6th of December, 1892, I don't recollect if I was there on the 6th of December, but I was there on the 7th of December. Did you see the defendant, Walters, there? Yes, I saw him that day, between 10 and 11 O'clock in the morning. Did you have any talk with him? Yes. What did he say to you or you to him? He was introduced to me by the salesman, he came in to buy goods, the salesman came with him to me and asked me if I would take in payment of goods a certified check. I said I would take it, and I went with him to the cash drawer, looking at the check first. Was the defendant present? I took the defendant right back where the cash was. I looked at the check and gave him \$15.00, the amount of the check. Look at that (check shown)? This is the check the defendant gave to me. I gave him the \$15.00. During the time I counted the money I asked him where his place of business was. He says, "Look on the back of this check, you will find it." There it says, "There it says: "J. D. Harding, Insurance Agent, 40 Liberty street." So I gave him the \$15.00. Did you see what became of the defendant then? He went with this

money on the other side where I was standing, and bought some goods of one of our salesmen. Do you know the name of the salesman? His name is Troutfield. Then what did he do? He paid for the goods, which was taken by the cash-boy and put in the cash-drawer; he ordered the goods to be sent to a place, I think it was 17th street, I think he gave the name of Mrs. Harding. Before he left I told the cash-boy to run down to the bank to know if that certification is correct. The name of the cash-boy is Isaac Posner. The cash-boy came back from the bank and told me something. The next day we sent those goods to the address which was given. I went down to No. 40 Liberty street, where the name of the business place is on the back of this check, printed with a rubber stamp. I looked for this name, and I seen that there was a new building erected there; I inquired in the neighborhood if anybody of the name of J. B. Harding, Insurance Agent, was there; there was no such place of business there at 40 Liberty street. When did you next see this defendant, Walters, where was he, and when was it? The next I saw of him was at Police Headquarters. How many days after this transaction in the store? I don't know exactly, about a few days afterwards; he was under arrest. (The check was marked People's Exhibit A) Did you have any talk with the defendant the time you saw him at Police Headquarters? Not at all. When and where did you see him the next time after you saw him at Police Headquarters? I saw him once in court. Did you have any talk with him then? No. Did you ever have any talk with him about this check since the day he was in your store? Never.

District Attorney: I will read the check, People's Exhibit A.

"No. 629.

Newark, N. J., December 6, 1892.

The GERMAN NATIONAL BANK, of the CITY OF NEWARK,

Pay to the Order of J. B. Harding, Fifteen dollars.

W. S. Mason.

Across the face, in letters printed,

"German National Bank, accepted, December 6.

S. W. Watkins, Paying Teller."

Upon its back, printed, "J. B. Harding, Ins. Agent, 40
Liberty street, New York."

CROSS EXAMINATION:

Who wrote this check? I don't know, I know who endorsed it; I don't know this party Mason. You keep a dry goods store, on the corner of 6th street and Avenue B? Yes. What day of the month did this transaction take place? On the 7th of December, between 10 and 11 o'clock. Was it a bright day, or raining or snowing? I can't tell; but I am quite positive that it was between 10 and 11 o'clock. You are positive that this defendant now on trial is the man who called at your place with the check? Yes. What was the value of the goods which he purchased? The value of the goods was \$3.75, 25 yards at 15¢ a yard. In payment for the goods this check was handed; is that correct? No; the \$3.75 was paid that day in cash to the salesman. You cashed the check and gave the money to the defendant? Yes; the defendant paid the one of whom he bought the goods, I was present and saw it. I never saw the defendant before that day -- to my knowledge it was the first time I had ever seen him. You have, of course, been mistaken in your life, haven't you? Very often, just like anybody else; but I do not make any

0399

mistake when I say that this man was in my place on the morning of the 7th of December, between 10 and 11 o'clock. You had a good look at him? I had all the look at him that I needed; his appearance is changed considerably now; he had no beard at that time, but he had a little sandy mustache. He didn't take his hat off when I saw him, I did not notice his hair; he wore a dark hat; I took notice of his overcoat, he did wear an overcoat; it was a light overcoat. The address of the party to whom the goods were to be sent was not given to me, but to the salesman who sold the goods. When I was called to Police Headquarters, I saw a line of men standing there, and I picked out the man; the defendant is the man whom I picked out at Police Headquarters. Had you any conversation with any person as to the identification of the accused, prior to your talking to him? No conversation at all. Have you had any conversation with any one, since the 7th of December up to this moment, concerning this case? Not to my knowledge with anybody, I haven't seen a policeman except the one whom I had met several times in the courtroom, we had no conversation. Had you any conversation with any one other than a policeman? Never had any talk, only a talk I had yesterday when a lady came to me in my place. How did you come to go to Police Headquarters? At the time when I went down to see if that number in Liberty street was a place of business of this defendant and found out it was not, I met a detective in Wall street, whom I knew, and he advised me to go over to this bank where the certification was made, and find out if it was correct. From whom did you receive notice to go to Police Headquarters to pick out this man, for the purpose of identifying him? They left word I

0400

shall go up to Police Headquarters the next morning. Had you any conversation with any policemen or other persons at Police Headquarters before you picked out this defendant? The Sergeant asked me something, I had no regular conversation; I went to a large room, and there stood five or six men in a line. As matter of fact, didn't the person who spoke to you before you went in that room step up to the line and put his hand on this man and say, "This is the man," answer me, yes or no? No, that is not so. You have a very good recollection of all that took place at that time? Yes. And a very good recollection of all that took place on the 7th of December, in your store? Yes.

ISAAC POSNER, sworn, and examined, testified:

Where do you live? #641 Sixth street. What do you do for a living? I work at Mr. Kahn's place; I worked for him on or about the 6th of December, 1892. Look at the defendant, Walters; have you seen him before to-day? Yes. What day did you first see him? It was in the early part of December. Where was he when you saw him? He was at Mr. Kahn's place, the store where I work. He came into the store one day, did he? Yes. Did you hear him say anything? I heard him say that he would like to buy some cotton flannel; the clerk gave him a sample. Then when did you see him after that? The next day he came into Mr. Kahn's place. Did you hear him say anything then? He said he would like to have that cotton flannel sent to West 17th street, Harding. What further did he say? Then he asked the clerk if Mr. Kahn would pass a certified check; so the clerk went back and asked Mr. Kahn. Did you see what he had in his hand? Yes.

Is that the check that he had (people's Exhibit A)? Yes. You saw that check in the hands of this defendant, Walters? Yes; I didn't hear the amount stated. The clerk went back and asked Mr. Kahn, and Mr. Kahn said yes he would. Then what was done? Then he gave the clerk the address. You saw Mr. Kahn give the man the money? Yes. Did you see what Mr. Kahn did with the check? Mr. Kahn took it and put it in the safe. Did you see how much money Mr. Kahn gave him? No, I didn't count it, but I saw the money given. Did you see what became of this defendant? Then he went away. Did you see the check after he went out? Yes. Where was it that you saw it then? Mr. Kahn then sent me down to the Eleventh Ward Bank to see if the check was good. Did you go to the Eleventh Ward Bank? Yes. Did you see any one there? Yes, I saw a man there. You came back, did you, and gave the check to whom? Yes, to Mr. Kahn. Then after that did you see the defendant anywhere? No, -- I saw him in the Tombs Court. Was he among others? No; but I saw him and identified him at Police Headquarters before I saw him at the Tombs Court. Was he with others when you identified him? Yes, I didn't count them, but I think there were about six; I walked in and I put my hand upon him. He was standing in line with about six men. Did you walk over and put your hand on him? Yes, that is what the Judge told me to do -- to put my hand on him. This was the man that you saw in Kahn's store, was it; and are you sure now that he is the man? Yes. Did you hear him say anything at Police Headquarters? No. Did you say anything to him? No. You are sure he was the man that you saw with the check? Yes; I saw him at the Tombs after that, he said nothing to me, and I didn't hear

0402

him say anything at all.

CROSS EXAMINATION:

How long have you been working for Mr. Kahn? About six months.
How many clerks has he got there? Four, they are men, I am the smallest of them all; I am all over the store. You stood there, right alongside, during the entire time that that clerk was talking to the customer; is that right? Yes. You heard the customer ask for a sample of Canton flannel? Yes. Then you saw the customer go away, and you had a good look at that customer? Yes. And the customer that came there the next day was the same person who asked for the samples the day before? Yes. What time did he go there and ask for the samples? It was about ten o'clock in the morning. And what time did he go there to get the goods? Between 12 and 1 o'clock, he didn't come there to get the goods, he said the goods should be sent; I didn't exactly listen to the price he paid for them. Was it the same salesman who spoke to him on the second day that he had spoken to on the day before? Yes. The first day it was between 10 and 11 o'clock, and the second day, when the goods were ordered, it was between 12 and 1 o'clock; I looked at the time, we have got a clock in the store. What made you look at the clock at that time? I was wanting to go to my dinner; I have got to wait until somebody comes back; Mr. Kahn was not there between 12 and 1 o'clock, he comes in about 1 o'clock; as soon as Mr. Kahn came in the store I went off to my dinner; I stayed away until very nearly two o'clock. When you got back at 2 o'clock, was this man there? No. I didn't see him any more that day, I didn't see him from that time until I saw him at Police Headquarters. When did you see Mr. Kahn put that check in the safe? Just a little before he went to

dinner, about twelve o'clock. Had this man bought the canton flannel before he showed the check? Yes; I saw Mr. Kahn hand the defendant the money, he put it in his pocket. I saw the defendant put down the money for the flannel, it was about half-past twelve, Mr. Kahn was going at that time. I don't know exactly how much money, but it was three dollars and some odd cents, I didn't count the bills, we returned some odd cents, I made the change at the cash-desk, I don't remember how much change. I was at the desk when I gave the change; it was small bills that I got from this man, I remember that there was two single bills but I don't remember the exact change. I went down to Police Headquarters to identify this man in the morning; I saw the defendant in the custody of Policeman Cuff, I was with Officer McCarthy on one side of the street and the defendant was on the other side of the street. I saw him go out of Police Headquarters, and I watched Mr. Cuff where he went. After Mr. Cuff brought him up in Police Headquarters, and then I went in with McCarthy; the men who were standing there in line did not have policeman's uniform on.

ARCHIBALD W. CONKLIN, sworn, and examined, testified:
Where do you live? Madison, New Jersey. What is your occupation? Cashier of the German National Bank, Newark. Were you so employed the 6th and 7th of December, 1892? Yes. How long have you been so employed? Since July, 1891. Look at that check; have you seen that check before to-day (People's Exhibit A)? Yes, I have. When did you first see it? It was presented at the bank, I cannot give the exact date, but it was since December 6th. Who presented it to you? The

gentleman who paid the money for the check, Mr. Kahn. You see it bears the name of S. Watkins, Paying Teller? Yes. Do you know who is the Paying Teller at the bank? Yes, I do, his name is Willaim C. Pierson. At that time was Mr. Watkins employed as Paying Teller of that bank? He never has been. That Watkins that is signed after the words in print, "German National Bank, Accepted, December 6, Paying Teller, S. Watkins," that is the signature you are speaking about when you mention there was no such person as that there? Yes. Look at the stamp there, across the face; are you familiar with the stamp that is used for the certification of checks? Yes. Is that the stamp of certification? No, it is not. Have you got a copy with you of your stamp that is used in the certification of checks? Yes (producing it). You made this impression from the stamp that is used in the bank? Yes. You testify that the one upon Exhibit A is not a stamp in fashion and form similar to the stamp used in your bank? None in use at all similar to that, we don't use that form at all. Are you familiar with those who trade in your bank, do business with you, I mean the depositors? Yes. Have you examined the books of the bank prior to December 6th, and subsequent to that date? Every name of every depositor. Do you find any person by the name of W. S. Mason, have you got any such depositor by that name? I have not. Do you know, of your own knowledge, whether you have got a depositor of that name? We have not.

CROSS EXAMINATION:

You have thoroughly examined this check, People's Exhibit A, have you not? Yes. Can you tell us whether the drawer of that check was a person other than W. S. Mason, in other

words can you tell this Court and jury that the person whose signature is written to the bottom of that check does not exist? I can't tell; all I told was ---- You don't pretend to dispute but that W. S. Mason wrote that name on that check, do you?

The Court: He says he examined the books, and that there is no depositor of that name there.

You don't know any more about it? That's all I know. For all you know, W. S. Mason may have written that check and signed it? Yes. You say there is no such person as W. S. Mason who has deposited in your bank? I said so. From where do you derive your knowledge? Reading over all the names of our depositors. That is, you keep a book wherein is written the names of the depositors? Yes. Will you swear, as to your own knowledge, that every man who has an account in your bank has his name in that book? Yes. There cannot be any question about that? There could not. Such a think as an omission to put the name in the book does not exist? No, the book is compared different times. We are all liable to make mistakes? Yes. Are you in a position to swear that W. S. Mason has no account in your bank? I do so swear. Where do you get that knowledge that places you in a position to swear to that fact? The books of the bank, the balance book and the ledger. Those are the books which you have examined, and they are evidences from which you get your information? Yes. And without those books you would not be in a position to testify as to that fact, would you? No.

EDWARD ALBRIGHT, sworn, and examined, testified:

What is your business? Messenger of the American District Telegraph. How long have you been employed by that company? About a year and three months. Were you so employed on the 19th of November, 1892? Yes, I was on the Western Union that time; there was no American District boys in, and I had to answer the call. Did you have occasion to go to the store of O'Connor, at 42nd street and Third avenue? Yes, it was from his office that I got the call, from his store. Looking at the defendant, Walters, did you see him there? Yes, he was the man who gave me the letter. You saw him in O'Connor's store? Yes. Look at this writing; have you ever seen that before to-day? I seen the letter, I only had the letter -- I mean the envelope; it was addressed to a man of the name of Al. Where did you take that envelope? It was addressed to Al., care of Hackman's saloon, 49th street and Third avenue. The defendant told me to go up and get an answer to it; it was the man in O'Connor's saloon, he sent me up, and while I was coming down I met him about 46th street, and I handed him back the note.. Did you meet any one up at Hackman's? I only saw the bartender, his name is Al.; he gave me the note back again, I met Walters at 46th street and Third avenue, I gave him the note, and he said it was all right and then I went down to the office. Do you know the last name of the boy, you call him "Al.?" "Al." was all was addressed, care of Hackman's. Look at this man, "Pointing to Mr. Heinzman) is that the man? Yes.

ALBERT HEINZMAN, sworn, and examined, testified:

Where do you live? I live 168 50th street. Where is your

place of business? 816 Third avenue. What is your business? Bartender. Do you recollect the 19th of November? Yes. Where were you? I was tending bar, at Hackman's. You have just seen Edward Albright, who has left the stand, this boy? Yes. Did you see him on that day? Yes; Saturday night, at 10 o'clock. Did he give you anything? Yes, he gave me a note, I tore up the envelope, I was pretty busy, I told the messenger boy to wait five minutes. What did you find enclosed in the envelope? There was a note in there and a check. Look at that, and say if you have ever seen that before? Yes, that is the note; I opened the check and it called for \$19.75.

(The note was received in evidence, and marked People's Exhibit B.) It read:

New York, November 19, 1892.

Friend Al.: Will you please oblige me by cashing this check; have run short myself, will see you to-morrow morning, as usual. Thatcher." Enclosed in envelope to avoid disclosure. T."

Have you seen the defendant, Walters, before to-day? Yes. When did you first see him to know him? Just about a week before election. That is, along the latter part of October? Yes. Where did you see him? I saw him in the liquor store every day, about four or five times some days, and some days only twice. I didn't know his name. How long before he sent that check, up to the 19th of November? About three weeks, four or five times a day, he generally was standing up at the counter. Do you know a man of the name of Edward Thatcher? Yes. How long have you known him? I know Mr. Thatcher about six months. Would you see Mr. Thatcher quite frequently? Yes. Can you state whether the defendant,

Walters, was in your saloon at any time, upon any occasion, when Thatcher was there? Yes, sometimes, may be he was there twice or three times, they were generally together, sometimes he came in alone. Do you know whether Thatcher and Walters were acquainted? No, not as I know of; I saw them together the week before election, and they were talking politics. You have received letters from Thatcher, and are familiar with his hand-writing? Yes. Look at that (People's Exhibit B)? That ain't Mr. Thatcher's hand-writing.

CROSS)EXAMINATION:

Do you know where this man, the defendant, lives? I didn't know where he lives, I heard it afterwards. As matter of fact, you know now that he lives at 208 East 50th street, about four doors below your corner? Yes. And he would come in your saloon morning and evening to get a drink? He came there morning, afternoon and evening, sometimes he would speak to me. You remember the night this telegraph boy brought you the letter? Yes. You remember all that took place in your saloon that night, don't you, at the time the boy came in, you know what you said, and what was done? Yes; I destroyed the envelope but I remember what was written on the face of it, it was only "Al.," Albert is my name. "Albert, care of Hackman?" Yes. You are quite sure of that? Yes. The boy asked for you and you said you were Albert and you took the note? Yes, I was behind the bar, busy waiting on customers. Can you remember whether or not this defendant was in your saloon at the time the boy brought that note in there? Yes. Do you know how long he remained in that saloon? Fifteen minutes; I didn't open it for five minutes; when I did open it, I went to the office and

said to the boy, "I haven't got the cash until Mr. -----
 And this was said in the presence of this defendant? He
 was on one end of the bar, and I was on the other end. I
 leave it to your own good judgment, could he have heard what
 was said to the boy, don't tell us what you did, at any rate,
 you got a new envelope and put the check back into the en-
 velope and handed it to the boy and said something, you kept
 the note and the boy went off? Yes. That took how long, all
 told? Only fifteen minutes. The taking of the check and
 putting it into the envelope, and giving it to the boy? That
 only took a minute. And then the boy went off about his
 business? Yes. During all this time was the defendant talk-
 ing with any one? No, I was alone, he had a glass of beer,
 he was standing at the bar, he went out right after the
 messenger boy went out. How long did the defendant remain
 in the store after the boy left? About two minutes. You
 testified yesterday that you knew Mr. Thatcher? Yes, Edward
 Thatcher. Were you accustomed to receive letters from
 Thatcher? Yes. You do quite a business at that corner,
 a large number of people enter your place? Sometimes there
 is a large number, and sometimes only one or two. Do you
 know the name of every man that was in your place on the
 7th of December last? I could name about twenty was there
 at the same time this happened; there is only one man named
 Edward Thatcher that I know.

EDWARD THATCHER, sworn, and examined, testified:

Where do you live? 56 East 49th street. What is your bus-
 iness? Steward of the Delta Phi club house, at 56 East 49th
 street. Do you know Alfred Heinzman, who has just left the

witness-chair? Yes, I know him, I guess, about a year, I know where his place of business is, I have been in Mr. Hackman's place. You know the defendant, Walters? Yes, I have known him by sight for five years; I was in the habit of meeting him in the saloon for the last fifteen months. Did you ever have Heinzman cash checks for you? Yes, he cashed several checks for me. Do you know who was there at the time he cashed them? There has been a good many. Was the defendant there? He seen me cash several checks there. Did he see Heinzman pass you money in exchange for a check? Yes. Take the month of November, for instance; did Heinzman cash checks for you during that month, in the presence of the defendant? Yes. Look at the note, Exhibit B; is that in your hand-writing? No. That was not written by you? No. Look at the signature there, what is it? It is "Thatcher." Was that written by you? No. Look at that note and read its contents; have you ever seen that before to-day? Yes. Where did you first see it? I first saw it in Mr. Hackman's store, it was one Sunday morning, it is dated the 19th, I saw it the next day.

A Juror is withdrawn, and the Defendant pleaded Guilty to FORGERY in the SECOND DEGREE.

04 12

518

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James N. Walters

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

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

The said

James N. Walters
late of the City of New York, in the County of New York aforesaid, on the *sixth* day of *December* in the year of our Lord one thousand eight hundred and ninety *two*, at the City and County aforesaid, with intent to defraud, feloniously did forge a certain instrument and writing, which said forged instrument and writing is as follows, that is to say:

No. 629 Newark, N.J. Dec 6 1892
The German National Bank
of the City of Newark.

Pay to the order of J. B. Harding
Fifteen *Dollars*
\$15.00 *W. S. Mason*

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

SECOND COUNT.

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

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

The said

James N. Walters

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 intent to defraud, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, which said forged instrument and writing is as follows, that is to say:

No. 629 Newark, N.J. Dec 6 1892

*The German National Bank
of the City of Newark.*

*Pay to the order of J. B. Harding
Fifteen ————— Dollars*

\$15.-

W. S. Mason

the said

James N. Walters

then and there well knowing the same to be forged, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

04 14

BOX:

507

FOLDER:

4622

DESCRIPTION:

Ward, Charles

DATE:

12/06/92



4622

04 15

BOX:

507

FOLDER:

4622

DESCRIPTION:

Adams, James

DATE:

12/06/92



4622

Witnesses:

Off William J. Mooney

Mth Pick

Ward

Adams

#15

Counsel,

Filed

Pleads

THE PEOPLE

vs.

Charles Ward

and

James Adams

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

William J. Mooney
Dec 9/92
Foreman.

1. Grand Juror
2. Elmer J. P. P. M.
3. J. P. P. M.
4. J. P. P. M.
5. J. P. P. M.
6. J. P. P. M.
7. J. P. P. M.
8. J. P. P. M.
9. J. P. P. M.
10. J. P. P. M.
11. J. P. P. M.
12. J. P. P. M.

Grand Larceny, 5th Degree,
[Sections 828, 829, 830, 831 Penal Code.]

Dec 2 1892

0417

Police Court, 3 District.

City and County } ss.
of New York,

of No. 11th Precinct Street, aged _____ years,
 occupation Police Officer being duly sworn, deposes and says,
 that on the 15th day of November 1889 at the City of New
 York, in the County of New York,

Charles Ward and James Adams
 (both now here) were arrested by
 Officer Morris of said precinct
 with a quantity of Silver ware, bed
 linens and wearing apparel in their
 possession. Dependent is informed
 by Ambrose H. Purdy that the
 residence of his Mother at
 Chappel Hill Monmouth County in
 the State of New Jersey was Burglarized
 on said date and that said property
 was identified by witnesses as the
 property stolen from said premises.
 Dependent therefore charges the
 defendants with bringing stolen
 property into this State in violation
 of Section 540 of the Penal Code
 and brings that they be held to answer

Subscribed before me this } William J. Mooney
 1st day of December 1892 }
 [Signature] }
 Police Justice

04 18

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY { ss:
OF NEW YORK,

Charles Ward

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

Question. What is your name?

Answer.

Charles Ward

Question. How old are you?

Answer.

17 years

Question. Where were you born?

Answer.

New York

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

Answer.

63 Palmetto Street Brooklyn, NY 4 years

Question. What is your business or profession?

Answer.

None

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

Answer.

I am - Guilty
Charles Ward

Taken before me this

day of December

1897

Police Justice.

04 19

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss:

3 District Police Court.

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

Question. What is your name?

Answer. *James Adams*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *Brooklyn N.Y. U.S.*

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

Answer. *143 Pellinatti Street Brooklyn N.Y. 4 months*

Question. What is your business or profession?

Answer. *Boatman*

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 sorry
James Adams

Taken before me this

day of

December

189

Police Justice.

0420

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 *Twenty* 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 *December 1st* 18*92* *[Signature]* Police Justice.

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

Dated 18 Police Justice.

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

Dated 18 Police Justice.

042

Police Court---

1515
3rd District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Wm J Morrey

vs. "B."

1 James Adams
2 Char Ward

3.

4.

Office
Bureau
When property not taken

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Dated

Dec 1st

1889

Hogan

Magistrate.

Morrey and Place

Officer.

1st

Precinct.

Witnesses

Hubert H Purdy

No.

280 Broadway

Street.

Officer Morris

No.

11th precinct

Street.

No.

2000 East G.S.

Street.

Com

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Charles Ward
and
James Adams

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

Charles Ward and James Adams
of the CRIME OF GRAND LARCENY IN THE ~~second~~ *first* DEGREE, committed
as follows:

The said *Charles Ward and James Adams*, both

late of the City of New York, in the County of New York aforesaid, on the *25th*
day of *November* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, with force and arms,

*divers articles of silverware, of a
number and description to the
Grand Jury aforesaid unknown,
of the value of three hundred
dollars, divers articles of clothing and
wearing apparel of a number and
description to the Grand Jury aforesaid
unknown, of the value of three hundred
dollars, and a quantity of bed linen
(a more particular description whereof
is to the Grand Jury aforesaid unknown)
of the value of one hundred dollars*
of the goods, chattels and personal property of one *Caroline H. Purdy*

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

SECOND COUNT—

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

Charles Ward and James Adams
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

Charles Ward and James Adams, both

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

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

of the goods, chattels and personal property of one

Caroline H. Purdy

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

Caroline H. Purdy

unlawfully and unjustly did feloniously receive and have; the said

*Charles
Ward and James Adams*

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

DE LANCEY NICOLL,

District Attorney.

0424

BOX:

507

FOLDER:

4622

DESCRIPTION:

Ward, Cornelius Jr.

DATE:

12/20/92



4622

0425

BOX:

507

FOLDER:

4622

DESCRIPTION:

Mourer, Harry

DATE:

12/20/92



4622

Witnesses:

Orin P. Doughty

61
21
22a

Counsel,

Filed 20 day of Dec 1892

Pleads, I. C. Myself

THE PEOPLE

vs.

Conelous Ward Jr.

and

Harry Mower

DE LANCEY NICOLL,

District Attorney.

James P. ...

A TRUE BILL.

Henry Phelps

Foreman.

W. J. ...

No 2 Pen 1 yr. - PSM, net 1000 - early 9. 1893. Bail discharged

*I am connected from
an examination
made in this case
that no connection
can be had except
past. And found
that no connection
his brother's name
his own recognition*

Wm. J. ...

July 9, 1893.

Section 498, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

0427

Police Court—4 District.City and County } ss.:
of New York,

Orrin R. Southworth
of No. 340 East 70th Street, aged 38 years,
occupation Carpenter being duly sworn
deposes and says, that the premises No. 240 East 69th Street, 19 Ward
in the City and County aforesaid the said being a Private
Dwelling House
and which was occupied by deposit as a
~~and in which there was at the time a tenant being, by name~~

were BURGLARIOUSLY entered by means of forcibly opening the
front door of said house
with a screw driver

on the 31 day of Dec 19 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

a number of Carpenter's
Tools, of the value
of Twenty 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

Caroline Spencer
Harry Monroe

for the reasons following, to wit: that deponent is
informed by Officer Philip
Weller of the 30th Precinct
that he arrested said def-
endant on suspicion. That
said defendant had in
his possession at the time of
his arrest a pocketbook, rep-
resenting part of said stolen

0428

property. That said def-
endant Mowser acknowledged
to said officer that he broke
in said premises.

Therefore defendant charged
said defendant with bar-
glously entering said premises
and stealing said property
and prays that they be dealt
with as the law directs.

Shewn to before
this 15th day of } Omin R Southworth
December, 1888

D. M. Mowser
Police Prisoner

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

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

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

Police Court, District,

THE PEOPLE, vs.,
on the complaint of

Offence—BURGLARY.

1.
2.
3.
4.

Dated

1888

Magistrate.

Officer.

Clerk.

Witnesses.

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

0429

1877.

CITY AND COUNTY }
OF NEW YORK, } ss.

Philip Meller
aged years, occupation Police officer of No.
45th Avenue Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Erin R. Southworth
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this

day of

189

Philip Meller

John M. Smith

Police Justice.

0430

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

Harry Maurer 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. *Harry Maurer*

Question. How old are you?

Answer. *41 yrs.*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *39 Bowery — 1 mo.*

Question. What is your business or profession?

Answer. *Printer*

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

Answer. *I am guilty of taking the stools but I did not break in the house.*

Harry Maurer.

Taken before me this
day of *Dec* 189*8*

Police Justice.

0431

Sec. 108-200.

CITY AND COUNTY
OF NEW YORK, } ss.

4 District Police Court.

Cornelius Ward, Jr.
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. *Cornelius Ward, Jr.*

Question. How old are you?

Answer. *27 yrs.*

Question. Where were you born?

Answer. *New York*

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

Answer. *333 E 64 St - Bklyn*

Question. What is your business or profession?

Answer. *Gas fitter*

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*
Cornelius Ward, Jr.

Taken before me this
day of *Dec*
189*2*

Police Justice.

0432

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

Dated, Oct 14 189 J. H. M. Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

043

1470 100

1561
1384

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Corine R. Luthardt
340 E 70
Cornelius Ward, Jr
Harry Mauer

Offense

BAILED,

No. 1, by *David Cagney*
Residence *12 Sutter Place Street.*

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

3
4
Dated, *Dec 14* 189*2*

Kilbuck Magistrate.
Muller Officer.
Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

* *Ward* to answer *Ward*

Cow *17*

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Cornelius Ward, the younger
and Harry Mower

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

Cornelius Ward, the younger
and Harry Mower, &

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

The said

Cornelius Ward, the younger
and Harry Mower, both —

late of the *19th* Ward of the City of New York, in the County of New York aforesaid, on the
third day of *December* in the year of our Lord one
thousand eight hundred and ninety-*two*, in the *night* time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the building of
one *August Schermerhorn*

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 *August*
Schermerhorn 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.

SECOND COUNT—

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

Cornelius Ward, the younger and Harry Mower
of the CRIME OF *Petit* LARCENY committed as follows:

The said *Cornelius Ward, the younger*
and Harry Mower, 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 said day, with force and arms,

divers carpenter's 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 *Orvin R. Southworth*

in the *building* of the said one *August Scherhorn*

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.

THIRD COUNT:

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

Cornelius Ward, the younger and Harry Mower
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows

The said *Cornelius Ward, the younger*
and Harry Mower, both
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year afore-
said, with force and arms, at the Ward, City and County aforesaid,

divers carpenter's 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 *Orrin R. Southworth*

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before felon-
iously stolen from the said *Orrin R. Southworth*

unlawfully and unjustly did feloniously receive and have; (the said *Cornelius*
Ward, the younger and Harry Mower
then and there well knowing the said goods, chattels and personal property to have been felon-
iously stolen; against the form of the statute in such case made and provided, and against the
peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0437

BOX:

507

FOLDER:

4622

DESCRIPTION:

Wedemeyer, George H.

DATE:

12/02/92



4622

Witnesses:

Offe Meehan 26th

Counsel,

502

Filed, 2 day of Dec 1892

Pleads, 10/1/92

THE PEOPLE

vs.

George W. Wadsworth

VIOLATION OF THE EXCISE LAW.
[Chap. 401, Laws of 1892, § 32.]
Selling, etc., on Sunday.

Transferred to the Court of Special Sessions for trial and final disposition.

Part 1. BY LANCEY NICOLL,
District Attorney.

1893

A TRUE BILL.

John E. Fellen

Foreman.

2067

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 W. Wedemeyer

The Grand Jury of the City and County of New York, by this indictment, accuse
George W. Wedemeyer
 of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND
 BEER ON SUNDAY, committed as follows:

The said

George W. Wedemeyer
 late of the City of New York, in the County of New York aforesaid, on the *4th*
 day of *September* in the year of our Lord one thousand eight hundred and
two, at the City and County aforesaid, the same being Sunday, certain strong
 and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill
 of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,
 one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spiritu-
 ous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to ~~one~~

~~and to~~ certain other persons whose names are to the Grand Jury aforesaid unknown, against
 the form of the statute in such case made and provided, and against the peace of the People of
 New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
George W. Wedemeyer
 of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,
 WINES, ALE AND BEER, committed as follows:

The said

George W. Wedemeyer
 late of the City and County aforesaid, afterwards, to-wit: on the day and in the year aforesaid, the
 same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of
 wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one
 gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of
 a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and
 expose for sale to one *Patrick Mahan*

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the
 form of the statute in such case made and provided, and against the peace of the People of the State
 of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0440

BOX:

507

FOLDER:

4622

DESCRIPTION:

Weiler, Peter O.

DATE:

12/13/92



4622

Witnesses:

Morris Marozzini

Mr. An Examiner
I am in this
case I have been
the acceptance of
a plea of assault
in the 3rd degree.
Must be the
proper course to pursue
What happens
then
AR 22042

96

Counsel,

Filed

1892

Reads,

31 day of Dec
10th

THE PEOPLE

63

36

John W. Curran

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

William DeLancey

Barth 3. Dec, 22, 1892

Pleas Assault 3rd deg

Pen 6 months

0442

Police Court— District.

1931

City and County } ss.:
of New York,

Morris Markowitz
 of No. *36* *Greenwich* Street, aged *38* years,
 occupation *Tailor* being duly sworn,
 deposes and says, that on the *8* day of *December* 189*2* at the City of New
 York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Peter O. Miller (now here,
who cut and stabbed him on the face
with a Knife which he (defendant) then
and there held in his hand

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

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

Sworn to before me, this *8* dayof *Dec* 189*2*,

Morris Markowitz

W. M. M. M. M. Police Justice.

0443

Sec. 198-200.

District Police Court.

1882

City and County of New York, ss:

Peter O Meiler

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.

Peter O Meiler

Question. How old are you?

Answer.

63 years

Question. Where were you born?

Answer.

Switzerland

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

Answer.

36 Greenwich St 6 weeks

Question. What is your business or profession?

Answer.

Tailor

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
Peter O X Meiler
mark

Taken before me this

day of

1892

Police Justice.

0444

District Attorney's Office.

1600

Page 3

Peter C. Muler

Dec 22

Will send promptly

Dec 19/92 *Wm*

0445

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 11 189 7 Police Justice.

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

Dated, Dec 11 189 7 Police Justice.

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

Dated, Dec 11 189 7 Police Justice.

0441

BAILED,

No. 1, by.....

Residence Street.

No. 2, by.....

Residence Street.

No. 3, by.....

Residence Street.

No. 4, by.....

Residence Street.

Police Court---

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Morris Berkowitz
36 St. ...
Peter O. Weiler

2
3
4

1543
1894
Offense: ...
McDonough

Dated,

Dec 8
McDonough
Sergeant

1892

Magistrate.

Officer.

Precinct.

Witnesses

No. ... Street.

No. ... Street.

No. ... Street.

to answer.

Booked & Dec 10, 1892

(Signature)

(Signature)

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

Peter O'Connell

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

Peter O'Connell

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

The said

Peter O'Connell

late of the City of New York, in the County of New York aforesaid, on the *10th* day of *November* in the year of our Lord one thousand eight hundred and ninety-*two*, with force and arms, at the City and County aforesaid, in and upon the body of one *Morris Markowitz* in the peace of the said People then and there being, feloniously did make an assault and *with* the said *Morris Markowitz* with a certain *knife*

which the said

in

his

Peter O'Connell 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 Markowitz

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

Peter O'Connell

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

The said

Peter O'Connell

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 Markowitz* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *with* the said *Morris Markowitz* with a certain *knife*

which the said

in

his

Peter O'Connell 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.

0448

THIRD COUNT—

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

Peter C. Cusack
 of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

Peter C. Cusack

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*
Marbousky in the peace of the said People then and there being, feloniously
 did wilfully and wrongfully make another assault and *him* the said
Morris Marbousky
 with a certain *knife*

which *he* the said*Peter C. Cusack*

in *his* right hand then and there had and held, in and upon the
face and head of *him* the said

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

DE LANCEY NICOLL. District Attorney.

0449

BOX:

507

FOLDER:

4622

DESCRIPTION:

Weingarten, Morris

DATE:

12/08/92



4622

0450

Witnesses:

Samuel Haas
Off Newellburg

As the People are without sufficient evidence to prove the guilty knowledge of the deft, who is charged with receiving the property stolen by Silberstein I recommend that he be discharged on his own recognizance as to both indictments.
H. D. Macdonald
attn
day 7 1894

30 *Mark after*
HAAS

Counsel,
Filed *Dec* day of *1892*
Pleads, *guilty*
THE PEOPLE
vs.

Morris Weingarten
(2 cases)

Grand Larceny, 1st and 2nd Degree,
(Sections 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000)

DE LANCEY NICOLL,
District Attorney.

off m & c term 92
A TRUE BILL. *Done*

Almon O'Brien
Foreman.

Feb 2 - and 10, 1894
deft discharged on his
verbal recognizance

Police Court, District.

(1858)

City and County } ss.
of New York,

of No. 53 W 26 Street, aged 36 years,

occupation, Ladies Tailor being duly sworn, deposes and says,

that on the 10 day of July 1892, at the City of New

York, in the County of New York — One Morris Weingarten

did receive a quantity of goods that were stolen from defendant — he the said Weingarten knowing the same goods to have been stolen for the following reason, to wit: That defendant is informed by ~~Victor Grand~~ by Morris Silverstine of 470 E 2nd Avenue that on the said date he the said Silverstine sold to the said Weingarten at the said Silverstine's residence as aforesaid the eighteen yards of Tan silk for seventy five cents per yard the regular price of said silk being worth One dollar and sixty five cents per yard. The said Silverstine further informs defendant that the said Weingarten knew the said silk to have been stolen when he Silverstine sold it to him.

Defendant is further informed by Victor Grand of 158 East 28th Street that on the said date aforesaid the said Weingarten called at his (Grand's) residence and showed him a piece of tan silk and told the said Grand that he had bought the same from the said Silverstine paying him seventy five cents per yard for the same. The said Grand further informs defendant that when the said Weingarten showed him the tan silk aforesaid he told him "that he had no further use for the light silks but wanted black silks which he could use."

Defendant is further informed by Augusta Grand the wife of Victor Grand — that on the said 10th day of July she saw the said Weingarten at her residence and saw him show a piece of tan silk to her husband and heard him tell her husband that he had bought the same from the said Silverstine and that

he had paid the said Silverstine seventy five
 cents per yard for the said ten silk
 Defendant is further informed by the said
 Silverstine that the said silk was stolen from
 his premises ~~without his consent~~ without the consent
 or knowledge of this defendant or his partner.
 Wherefore defendant charges the said Weingarten
 with receiving stolen goods and prays that
 he be ~~held~~ held and dealt with as the law
 may direct.

Done & before me this } Samuel Haas
 30th Apr 1892
 159 Wm. street
 Philadelphia

0453

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before J. F. P. Mulgan a Police Justice
of the City of New York, charging Morris Weingarten Defendant with
the offence of Receiving stolen goods

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

We Morris Weingarten Defendant of No. 31 3rd St.
My New York Street; by occupation a Tailor
and Juda Birnbaum of No. 131 Allen
Street, by occupation a Liquor Surety, hereby jointly and severally undertake
that the above named Morris Weingarten Defendant
shall personally appear before the said Justice, at the 1 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 Fifty
Hundred Dollars.

Taken and acknowledged before me, this 30 M. Weingarten

day of Aug 1891 Juda Birnbaum
W. Mulgan POLICE JUSTICE.

0454

CITY AND COUNTY } ss.
OF NEW YORK, }

John B. Birtaum
Police Justice.

Sworn to before me, this

20

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 One Hundred 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 Stock and fixtures in saloon

and Hall at 131 Allen Street with ten
thousand dollars over all encumbrances

John B. Birtaum

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Undertaking to appear
during the Examination.

vs.

Taken the day of 18

Justice.

0455

1921

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 32 years, occupation 470 2nd Ave of No. 470 2nd Ave

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

Sworn to before me, this 30 day Nov 1892 Morris Silverstone
of 470 2nd Ave

W. T. M. M. M. Police Justice.

0456

CITY AND COUNTY }
OF NEW YORK, } ss.

1021

aged 31 years, occupation Tailor of No. 158 East 26 Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Samuel Haas and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 30 day } Victor Grand
of Am 189 2

[Signature] Police Justice.

0457

CITY AND COUNTY } ss.
OF NEW YORK, }

1921

aged 26 years, occupation House Keeper of No. 478 15th St E. 26th Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Samuel Haas and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 30 day of Nov 1921 } Augusta Grand

W. J. [Signature] Police Justice.

0458

Sec. 198—200.

District Police Court.

City and County of New York, ss:

Morris Weingarten 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.

Morris Weingarten

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

Russia

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

Answer.

36-3rd St Troy N.Y. 15 months

Question. What is your business or profession?

Answer.

Tailor

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**M. Weingarten*

Taken before me this *30*
day of *Nov* 189*4*

Police Justice.

0459

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

I certify that he is guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of
Fifty Hundred Dollars, _____ and be committed to the Warden and Keeper of
the City Prison of the City of New York, until he give such bail.
Dated, Dec 6 1892 J. D. M. Moran Police Justice.

Dated, Dec 8 1897 H. H. M. Molo Police Justice.

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

Dated, Dec 1892 Police Justice.

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

Dated.....189..... *Police Justice.*

046

Police Court---

1526 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Samuel Haas
53 W. 26
1 *Harris Weingarten*
2
3
4

Offense *Recounting*
John Bonds

Dated, *Nov 30* 189 *2*
M. M. Magistrate.
Heidelberg Ave Officer.
C.O. Precinct.

Witnesses *Harris Silverstone*
No. *47 1/2 2d Ave* Street.
Victor Grand
No. *155 E 24* Street.
Augusta Grand
No. *155 E 26 1/2* Street.
\$ *5000* to answer *to*

Good bail 4 Dec. 2 29 PM
Dec 3. 9 AM
Dec 5. 4 PM
Dec 7. 2 PM

BAILED,

No. 1, by *Harris Linsgaster*
Residence *445 Clinton* Street.

and *Juda Birnbach*
No. 2, by *Juda Birnbach*
Residence *131 Allen* Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

0461

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Morris Weingarten

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

Morris Weingarten

of the CRIME OF GRAND LARCENY IN THE

second DEGREE, committed

as follows:
The said *Morris Weingarten*,

late of the City of New York, in the County of New York aforesaid, on the *15th*
day of *May*, in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, with force and arms,

one hundred and fifty yards of

ribbon of the value of one dollar

each yard,

of the goods, chattels and personal property of one *Daniel Hays*,

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

SECOND COUNT—

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

Morris Weingarten

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

The said *Morris Weingarten*,

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

*one hundred and fifty yards of
pills of the value of one dollar
each yard,*

of the goods, chattels and personal property of one *Daniel Stas*, ~~and~~
Morris Silberstein, Victor Fagand, and
~~by a certain person or~~ ^{other} persons to the Grand Jury aforesaid unknown, then lately before
feloniously stolen, taken and carried away from the said *Daniel Stas*,

unlawfully and unjustly did feloniously receive and have; the said

Morris Weingarten

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

DE LANCEY NICOLL,

District Attorney.

Witnesses:

Samuel Haas
 Of Heidelberg

Aug 7th Dec endorsement
 1894 on another endorsement
 of even date with this

W. P. M.

29 / ~~W. P. M.~~
 Counsel,
 Filed 1892
 Pleads *Amnesty*

THE PEOPLE

vs.

P.A.

Morris Weingarten

(2 names)

Grand Larceny, *Section 888, 889, Penal Code.*

DE LANCEY NICOLL,

District Attorney.

Indicted on 1000 Indict.

A TRUE BILL.

William Decker

Foreman.

Sept 2 Aug 10, 1894
Left discharged on his
verbal recognition

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Morris Weingarten

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

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

The said

Morris Weingarten

late of the City of New York, in the County of New York aforesaid, on the *15th*
day of *June* in the year of our Lord one thousand eight hundred and
ninety-*two* at the City and County aforesaid, with force and arms,

eighteen yards of silk serge
of the value of one dollar
and sixty-five cents each
yard

of the goods, chattels and personal property of one

Samuel Hays

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

SECOND COUNT—

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

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

The said

Morris Weingarten

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,

*eighteen yards of silk serge
of the value of one dollar
and sixty-five cents each
yard*

of the goods, chattels and personal property of one

Samuel Haas,
by *Victor Grand and Morris Silverstone and*
other

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

Samuel Haas

unlawfully and unjustly did feloniously receive and have; the said

Morris Weingarten

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

DE LANCEY NICOLL,

District Attorney.

0466

BOX:

507

FOLDER:

4622

DESCRIPTION:

Weiss, Adolph

DATE:

12/20/92



4622

Witnesses:

James Henry
Offenses Comman

Now are Ex-County
Mar in the Case
I am convinced
that the acceptance
of a Plea of Petition
has been made in an
the manner of justice
It must be wrong
for the People to
make out a Case
Case of Burphy's
William James
Jan 4-93. asst

Counsel,

Filed 20th Dec 1892

Pleas, Mundy n/1

THE PEOPLE

20th 1892 vs. R
307th Court
Joseph Weiss

[Section 403 of the
Burglary in the
Second degree.]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

William James

Foreman.

Part 3. January 4/93.
Pleas Petitionary.
Jan 1/93-97.

0468

Police Court—3rd District.City and County { ss.:
of New York,of No. 172 Suffolk Street, aged 62 years,
occupation Sexton being duly sworndeposes and says, that the premises No. 172 Suffolk Street, 10th Ward
in the City and County aforesaid the said being a dwelling house the
apartments on the second floor of
which was occupied by deponent as a dwelling
and in which there was at the time a human being, by name deponent and
several members of his family
were BURGLARIOUSLY entered by means of forcibly opening a
window in the rear of the apartment
and enteringon the 17th day of December 1888 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:A pocket book containing ten cents

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 byAdolph Weiss (now here)for the reasons following, to wit: that the doors and
windows leading to said apartment
were securely locked and fastened
and deponent and the other members
of the family were asleep. Deponent
awoke at about three o'clock in
the morning and found the defendant
in the room and saw him ransacking
a closet and caused his arrest

0469

and a purse containing a ten cent
coin was found upon his person
which respondent identifies as his property

Shoud before me
this 17th December, 1893

Jonas Levy

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
of the City of New York, until he give such bail.
Dated 1893
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1893
There being no sufficient cause to believe the within named
guilty of the offence mentioned, I order he to be discharged.
Dated 1893
Police Justice.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

Offence—BURGLARY.

vs.

1
2
3
4

Dated

1893

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

0470

Sec. 198-200.

CITY AND COUNTY } ss:
OF NEW YORK,

District Police Court.

Adolph Weiss being duly examined before the undersigned 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 *him*; that the statement is designed to enable *him* if he sees fit, to answer the charge and explain the facts alleged against *him*; that he is at liberty to waive making a statement, and that *his* waiver cannot be used against *him* on the trial.

Question. What is your name?

Answer.

Adolph Weiss

Question. How old are you?

Answer.

20 years

Question. Where were you born?

Answer.

Hungary

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

Answer.

No home

Question. What is your business or profession?

Answer.

Tailor

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

Adolf Weiss

Taken before me this

day of

March

189

at

Police Justice

Police Justice

0471

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

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

Dated, *Dec 17* 189*2* *[Signature]* Police Justice.

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

Dated,.....189.....Police Justice.

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

Dated,.....189.....Police Justice.

0472

Police Court,

1525
3rd District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Jonas Levy
172 Suffolk St
vs.
Adolph Weiss

Offense
Burglary

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

2

3

4

Dated, *Dec 17* 189*2*

Duffy Magistrate.

Cowen Officer.

11 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ *1.00* to answer *9.5*

Cum

Dec

0473

463

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Adolph Weiss

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

Adolph Weiss

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

The said

Adolph Weiss

late of the *10th* Ward of the City of New York, in the County of New York aforesaid, on the
17th day of *December* in the year of our Lord one
thousand eight hundred and ninety-*two* in the *night* time of the same day, at the
Ward, City and County aforesaid, the dwelling house of one

Jonas Levy

there situate, feloniously and burglariously did break into and enter, there being then and there a human being within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels and personal property of the said

Jonas Levy

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

[Handwritten flourish]

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

of the CRIME OF *Adolph Weiss* *Petit LARCENY*

committed as follows:

The said

Adolph Weiss
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 silver coin of the United
States of America, of the
kind called dime, of the
value of ten cents, and one
pocketbook of the value of
twenty-five cents*

of the goods, chattels and personal property of one

in the dwelling house of the said

Jonas Levy
Jonas Levy
there situate, then and there being found, from the dwelling house aforesaid, then and there felon-
iously 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.

De Lancey Nicoll
District Attorney

0475

BOX:

507

FOLDER:

4622

DESCRIPTION:

Weiss, Jacob

DATE:

12/02/92



4622

0476

Witnesses:

Offe Noel. 24th

Counsel,

Filed,

day of

1892

Pleads,

THE PEOPLE

vs.

B

Jacob Lucien

VIOLATION OF THE EXCISE LAW.
[Chap. 401, Laws of 1892, § 32.]

De LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John E. Jansen

Foreman.

Wm. M. 27. 1892

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Jacob Weiss

The Grand Jury of the City and County of New York, by this indictment, accuse of the CRIME OF *Jacob Weiss* SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

Jacob Weiss

late of the City of New York, in the County of New York aforesaid, on the day of *September* *25th* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

~~and~~ to certain ~~other~~ persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

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

of the CRIME OF *Jacob Weiss* OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

Jacob Weiss

late of the City and County aforesaid, afterwards, to-wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

George Noel
and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0478

BOX:

507

FOLDER:

4622

DESCRIPTION:

Weiss, Morris

DATE:

12/02/92



4622

Witnesses:

Wm. Colligan 29th
H. Anderson

Counsel,

581

Filed, *W* day of *Dec* 189*2*

Pleads, *Dependy*

THE PEOPLE

vs.

D

Morris Weiss

Chas 24/93

Went to the Court of Criminal
Sessions for trial, by request
of counsel for Defendant.

VIOLATION OF THE EXCISE LAW,
Selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 32.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John E. Fallon

Foreman.

2007

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Morris Weiss

The Grand Jury of the City and County of New York, by this indictment, accuse
Morris Weiss
 of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND
 BEER ON SUNDAY, committed as follows: -

The said

Morris Weiss

late of the City of New York, in the County of New York aforesaid, on the
 day of *November* in the year of our Lord one thousand eight hundred and
 ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong
 and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill
 of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,
 one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spiritu-
 ous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to ~~one~~

~~and to~~ certain other persons whose names are to the Grand Jury aforesaid unknown, against
 the form of the statute in such case made and provided, and against the peace of the People of
 New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
Morris Weiss
 of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,
 WINES, ALE AND BEER, committed as follows:

The said

Morris Weiss

late of the City and County aforesaid, afterwards, to-wit: on the day and in the year aforesaid, the
 same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of
 wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one
 gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of
 a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and
 expose for sale to one

Francis P. Colligan

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the
 form of the statute in such case made and provided, and against the peace of the People of the State
 of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

048 1

BOX:

507

FOLDER:

4622

DESCRIPTION:

Welsh, Edward

DATE:

12/21/92



4622

5
Charles

Counsel,
 Filed *21st Dec* 1892
 Pleads, *Guilty*

Grand Larceny,
 (From the Person)
 [Sections 228, 229, 230, Penna Code.]

THE PEOPLE

vs.
Edward Welsh

DE LANCEY NICOLL,
 District Attorney.

*Defendant on
 his own Pleadings*
 A TRUE BILL. *Per J.W.P.*

Johnston & Decker
 Foreman.

*Indicted & convicted
 Made for less than
 1 year
 July 3/93*

Witnesses:

Charles Kumples
Alfred Thomas F. Kehos

*For present do
 not sentence
 in this case*

*See Report & affs
 below*

Court of General Sessions

The People

Edward J. Welch

City and County of Minneapolis: Edward J. Welch

being duly sworn deposes and says
that he is the defendant above named,
that he is indicted for larceny in the
first degree.

That his defense will be that of an alibi.

That it is material and necessary
for the trial of this action and his
defense that such he have present
three witnesses in his behalf.

Martin Conway 13 Market Street

James Leary 49 Bayard St.

Edward Boyle 41 Baverly

That he cannot safely proceed to
trial without such evidence, and
their testimony will relate
exclusively to the question of the
defense of alibi —

That he has instructed his lawyer
Mr. Wore to procure said witnesses
who promised defendant that such

witnesses would be duly
subpoenaed.

He is now called for trial,
and his witnesses are not
present, nor is his attorney.
He prays that he may be
granted time within which
to have said witnesses subpoenaed.

sworn before

me this 4th day 1893

Edmund Hall

Deputy Clerk

Grand Juror

London City

Chas. Welsh

0485

Police Court

1st/₁₁ District.

Affidavit—Larceny.

City and County } ss:
of New York,

Charles Rumples
of No. Rutherford New Jersey Street, aged 39 years,
occupation Taxi being duly sworn,
deposes and says, that on the 13th day of December 1892 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
an article
from the possession of deponent, in the night time, the following property, viz:

One double faced gold watch
and chain and fob.

Being together of the value of
One hundred Dollars

the property of

Deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by Edward Steel (now

here) for the reasons following to wit:
about the hour of 6 o'clock p.m. on the
night of the aforesaid day deponent had
his watch in the pocket of his coat and
chain of the watch he had on and said
chain was attached to said watch and
said fob was to said chain and which he
had fastened and attached to the said
watch and was in West Street when said
defendant came up to him and grabbed
said property from said watch and ran
away with the same and deponent
caused him to be arrested and fully identified
him as the person who carried said property
and ran away with the same and he
charges him with larceny of said

Chas. Rumples

Sworn to before me, this

13th day
of December 1892

Police Justice.

0486

THE PEOPLE,

vs.

EDWARD WELSH.

COURT OF GENERAL SESSIONS, PART I.

BEFORE RECORDER SMYTH.

Wednesday, January 4, 1893.

Indictment for GRAND LARCENY, in the FIRST DEGREE.

A Jury was empannelled and sworn.

CHARLES RUMPLER, sworn and examined:

Where do you reside? Rutherford, New Jersey. Did you reside there on the 13th of December, 1892? Yes. On the afternoon of the 13th of December, were you in the city of New York? Yes, all day. About six o'clock in the evening where were you? On the corner of Laight and West streets.

Q. Where were you going to? Home. What ferry were you going over? Chambers street. When you got to Laight and West streets did you see this defendant? No. Where did you see him? I took my watch out to see how much time I had for the train, and put it back in my vest pocket, in the left pocket; there was a chain and locket attached to it. I walked on, there was no car in sight, and the defendant came past me and turned around and took the watch out and dragged the chain off, and ran, and I ran after; I called out "Stop thief," and he ran up a block, and I went after. As I crossed the street there was another fellow tripped me, and he must have known about that, because he looked around. Whereabouts were you when this man took your watch? A few steps off in West street from Laight. Were you standing or walking? Walking on. I intended to walk down to the ferry, he came up to me and twisted the watch off the chain and ran. What time of day was this? Five minutes after six, in the evening; there was a gas-light there; he ran, and

I followed him one block. When you got that distance what happened to you? A fellow put his foot out to trip me. Were you tripped? No, I kept on my feet. Did you keep following this man? I kept following him. Did you lose sight of him? When he came up to the corner, he turned around, and I lost sight of him. Are you certain that this is the man who did this to you? Yes, because he looked around, and gave me a good look at his face. What was the value of your watch? A hundred dollars, it was a gold watch, and a gold chain and locket. The next day did you go with Officer Kehoe anywhere? Yes, to West street, to the place where it happened. I complained to Officer Kehoe on the same day, fifteen minutes after, and the next day we went to the same place, between four and five o'clock in the evening. What occurred when you got to the same place, between four and five? I saw the defendant standing outside, against the wall, in West street, near Vestry street. I looked at him, I wanted to have a good look at him, I passed him along to see him from the side, he looked at me when he turned, and he got nervous. As I came up again to look at the side he turned around; I told the officer this was the man, and he arrested him. Did he say anything? He said he was not guilty.

CROSS EXAMINATION:

What is your business? I am a baker. How long have you been in that business? Twenty-five years. How long had you been living at Rutherford? Four weeks. Before that where had you been living? In Scranton, Pennsylvania. How long had you been in the city of New York before this happened? I was there all day, on business; I was opening a new place, and I was purchasing goods. Had you ever lived

0488

in New York? Yes, I kept a business in New York. You had been a baker how long? Twenty-five years; I was purchasing fixtures to open up a place to go into the bakery business in Passaic, New Jersey. I was over in New York purchasing fixtures. What train had you intended to take to Rutherford that night? The 6:30; I was in Laight street, about six o'clock. How long would it take you to get to the ferry from that place? A few minutes. Was there any occasion for you to look at your watch at that time? Because there was no car in sight, I intended to take the Washington street car and the car was blocked; I thought I would walk down West street, and take a West street car; a car had just passed, and none was in sight, and so I looked at my watch to see how much time I had for my train. And as I saw it was only five minutes after six, I thought I would walk on and easily get the 6:30 train. Was there anybody near you when you took out your watch, that you observed? No. Within a distance of how far from you was there anybody? There was people around, but not just around me, passing up and down. How long after you had placed your watch in your pocket was it that you felt a tug at it? I had walked a few steps. Before feeling the tug did you see the defendant? No. Was the tug from behind or in front? He came past and turned around just by the side, he passed me and turned around and came up towards me and pulled it out. Was he alone at the time? Yes. He gave one jerk? Yes. At the time that he jerked that watch out, at that moment, had you seen his face? No. So that you could not identify him at that moment, could you? No. Did he run away immediately? Yes. How far had he run away? I turned right around, I followed him, I was about a few steps after him. Were you

0489

running on the sidewalk? Yes. He was about what distance ahead of you? About as far as from here to that gentleman there, about six or eight feet, I suppose. You could not identify him up to this moment, could you --- a distance of six or eight feet ahead of you, and he running away, you could not identify him, could you? I could identify him from the back. Did you identify him from the back? No, I looked in his face. How long was it after this when you saw his face? When I got on the other crossing, as I got tripped up, I looked around and had a sharp look, and I got a good a good look at his face then. You never saw his full face, did you? Yes. When was it that you saw his full face? When he looked around. He turned around side-ways, you say? He gave me a view of his full face, he looked around so I could see. He had gone a distance of how far when you saw his full face? About six or seven feet. Did you call out "Police?" No, I called out, "Stop thief." Did anybody join with you in the chase? No. Nobody passed you at the time? No, there was people standing there. Nobody helped you? No. Are you quite certain about that? Nobody helped me. After you were tripped you did not fall, did you? No. Just tripped and caught yourself and ran ahead? Yes. Were you still calling out "Stop thief?" Yes. Can you swear positively, on that day, at that time, you identified the defendant as the person who took your watch? Yes. The next day, when you went there in company with Officer Kehoe, you say you saw him standing against the wall? Yes; I passed along in front of him twice, and the first time I looked at him. Why did you let him pass you, you identified him up to this moment? I did not; I wanted to be sure, I wanted to have the right man. You wanted to see that he was the

0490

man that you saw the day before? Certainly. You were not sure the second time, don't I understand you to say that? Yes, I was sure, certainly. Why did you look at him twice? Because I wanted to see him from the other side, but I meant to say that I wanted to see the man right before I had him arrested. But you passed right up in front of him, didn't you? I passed in front and came up again. Did you stop in front of him? No. Did you look right at him? I looked at him. Did you say anything to him, or did he say anything to you? No. Did he look you right in the eye? No. Did you look at him? I looked at him as I passed by. The first time you were passing by were you sure he was the man? Certainly. That is, that he was the man you had seen the day before? Yes. When you saw the prisoner for the first time, did he look at you? No, he looked across the street. Did any conversation pass between you, anything said about the watch, did you say anything to him? No; I told the officer he was the man, and the officer came up and arrested him, I told him he was the man that took my watch, and he said he was not guilty. He said he was not guilty, those are the only words that passed between you? Yes. Did you catch your train, the day before, at 6:30? No. Did you go back to try to find any other witness to this? No. Did you make any complaint, anywhere, that night? Yes, to the officer.

THOMAS F. KEHOE, sworn and examined:

I am an officer connected with the Fifth precinct, and was in that precinct on the 13th of December, 1892.. I received a complaint from the last witness, the complainant, on that day, in the neighborhood of fifteen or twenty minutes after

six o'clock, and went out the next afternoon, at four o'clock, in company with the complainant, up along Greenwich street, through Laight street, and, going down West street, at the corner of Vestry street, Mr. Rumpler looked down the street, and he saw, standing outside a store there in West street, a man, about thirty-five or forty feet from the corner, and he said, "That looks like the man." He then walked down past him and walked up again, and told him, the witness, that that was the man who had stolen his watch on the night before. I immediately placed him under arrest, and brought him to the station house. Did the prisoner say anything to you? I asked the prisoner what he was doing, and he told me he was peddling. I asked him where he had been the night before. He said he was over at the corner of Bayard and Chrystie streets. I asked him what he was doing there, and he said he had been in a liquor store. I says, "Where were you in the neighborhood of six o'clock last evening? He says, "I was at Bayard and Chrystie streets."

CROSS EXAMINATION:

I do not know the number of that liquor store at the corner of Bayard and Chrystie streets. Did you go over there? I went over around that way, making investigations. Did you go in the place? No. Do you know Martin Conway, of 15 Market street, or James Leary of 49 Bayard street, or Edward Boyle, of 41 Bowery? No. You say that the next day, when you went around with the complainant, that he saw a man standing outside a store, up against what? He was in front of a show window, I think, of a restaurant, on West street. Was he standing up against any wall? No. The complainant testified here that he was standing up against a wall? When I saw him, he was fully thirty feet away from me, I did not

notice what he was standing up against. Were you thirty feet away from him when the complainant said, "That looks like the man?" Yes. Was it that moment he was near this restaurant window? To the best of my knowledge he was near the restaurant window. Was he facing the complainant? No, he was facing to the west, facing towards the river. What did the complainant do? He passed him down West street and then passed up again and looked at him, and he came back and told me that that was the man that had stolen his watch, and I arrested him. Are you frequently in that neighborhood? Yes, quite frequently. Had you ever seen the defendant there before? No, I never saw him there before. He was not a habitue of the place, was he? No.

EDWARD J. WELSH, sworn, and examined IN HIS OWN BEHALF, testified:

On December 13, 1892, were you at the corner of West and Laight streets, in this city? No. Did you on that day meet the complainant, and grab his watch, chain, and locket and run? No. Did you see the complainant on that day? No. Where were you at that time on that day? On the corner of Bayard and Chrystie streets, in a saloon; it was a nasty drizzling, rainy day. Do you know Martin Conway, James Leary and Edward Boyle? Yes. Were they with you? Yes, at the time I was there, six o'clock; I was there all day long, from the time I went to my dinner. Those men were there in the liquor store all that day? They went home to their dinners and came back again; they are men who work up in the market, they were not working, they got off that day, they work in the Wallabout and Gansevoort Markets, they were up all night. You say they were present with you, at that

time, on that day? They were in the saloon, yes. How long did you remain in the saloon? From the time I entered in the morning I was in the store, I usually get up at six, I went in that store about half-past eight o'clock and remained thereuntil I went home to dinner. Where did you go to dinner? In the Bowery, ten minutes after twelve; I remained there until about twenty minutes to one, and went back again. Did you pass the afternoon at that place? Yes, until about half-past ten o'clock in the night. Then where did you go? I went home, to where I live, 41 Bowery, which is a lodging house.

CROSS EXAMINATION:

What is the name of the lodging house that you live in? The Windsor Hotel. How long have you lived there? About a year. Where did you live before that? In Brooklyn, corner of Pearl street and Myrtle avenue, the Metropolitan Lodging House. How long did you live there? I lived there, off and on, about six months. Where did you live before that? In New York, on the Bowery and Park Row, in a lodging house. What have you worked at? I am a sail-maker and a peddler. How long have you been a sail-maker? About eleven years. When did you work at sail-making last? I worked this winter for W. P. Sherman, for the Columbian celebration, on Broadway between 22nd and 23rd streets; he had to lay us off after the celebration was over. When did you leave? The following Saturday after the celebration. In all, how much time did you spend at sail-making? I didn't work steady all the year; I worked at different things, I work at anything there is an honest dollar in, peddling fish, fruit and anything else when I have the money. You are not a peddler in any

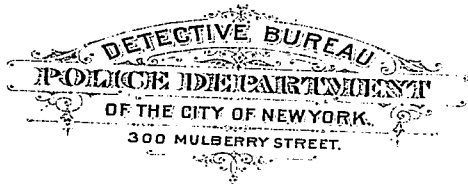
particular line? No. Why weren't you peddling on the 13th day of December? Because no peddler goes out such a day, it was rainy and drizzling, it was one of the worst days in '92, the papers stated. Do you remember where you were on December 12th? Yes, I was working on the 12th, I was selling pins that day, above the Harlem Bridge. Where did you get the pins from? From Charles Broadway Rouss & Co., on Broadway. Do you remember where you were on December 11th? That was Sunday, I was in bed, all day long. Where were you on the Saturday before the Sunday you just spoke of? I was in Harlem. What was the condition of the weater on the day you were in Harlem? It was a pretty fair day. What kind of a day was it on the Sunday you were in bed? I belive it was a fair day, I was sick. Do you remember what day of the week the 13th fell on? The 13th fell on a Tuesday. You never do any business over in the direction of West street, do you? No, only in Washington Market, in the morning. What business had you in the markets in the mornings? The man I worked for used to buy fruit, William P. Farrell, of Brooklyn. Did you sell it in Brooklyn? Yes. When did you work for him last? I helped him on the Friday before this trouble took place, in the fish market; I was peddling pins on Monday. Was that the only occassion you ever had to go over to the West side, when you went to the market; is that so? That's all. On the night of the 14th, when you were arrested, what were you doing on West and Vestry streets? I showed the two detectives what I had, what I was peddling, these nerve detectors. Did you show that to Officer Kehoe? Yes. What do you mean by "Nerve detectors?" It was got up by Charles Rouss -- it would tellif a man's nerves were right

after drinking or not. How much did you pay for the nerve detectors? Seven cents a dozen, and I had three dozen. How many did you have when you were arrested? We were after selling four, Thomas McGann was with me. I don't know where he is now, he never came back that night with the money. I put him up in business, he had nothing at all, I had the money; I sold two of those nerve detectors in Nassau street. What did you go over to West and Vestry streets for, to sell the nerve detectors? We worked down Broadway, through Maiden Lane, and came up through West street. What time did you start out that day? About half-past ten o'clock; we went through Maiden Lane, but did not call in anybody's place. We met people on the street; we went along South street, and we had a drink on the East side. We sold one of the nerve detectors to a bartender, and then came up through West street. We went over to the Battery and went all along up; my partner sold one of the nerve detectors in West street; I never peddled those things before, it was him wanted to start it; he says, "There is money in this. There is more money in this than in the pins." My partner was a pretty good talker. He went into the restaurant and I was waiting outside for him to come out, I told the officer I had another man with me, and he brought me right down, and the man that is making the complaint against me said, "I don't know this man," and he was let go. I told this man to go over and inform those people that could prove an alibi for me to come down to the Tombs the next morning. Where did you learn about alibis? I presume in school I learned what an alibi was. What became of that man, your partner? He came up as far as the station house, and he went away to sell the stuff. I haven't seen him since.

Where did you get your dinner on the 13th of December? In the Bowery, right next to Benedict's, in a basement, he is a new man who opened up; I don't know his name, I never look at the name of places where I eat, I went back to the bar-room. The reason you assign for sitting in the bar-room was because it was a drizzling day? Yes. Why didn't you sit in the lodging house? I didn't wish to be in the lodging house among "bums," I didn't want to be filthy and dirty. You sleep there all night? Yes. The lodging house is kept by Smith, Reddy, and some other name, there is three persons, they know me, I have always had the same room, Number 260. Have you ever been convicted of crime? Never in my life, I defy the books to show that I was in the police court, I never served a term for a felony. Do you know the difference between a felony and a misdemeanor? I suppose they are both the same, I never committed crime in my life. Were you never arrested at all? Only for being drunk. What was done to you then? It was the day of the "blizzard," I fell down stairs in the 57th street police court, I was arrested once before, for being drunk, and discharged; that is the only time I was ever arrested, and it is six years ago. I was never indicted in this court for anything except what I am here for now. What were the names of the men who were in that liquor store with you? Edward Boyle, he is a carrier in the Wallabout Market, and he lives in 41 Bowery. Has he been to see you since you were in the Tombs? No. The other man's name is James Leary, and he works as a carrier in the Gansevoort Market; and the other man, Martin Conway, is the proprietor of the saloon that I was in that day. Have they been to see you since you were in the Tombs? No;

the men in Wallabout Market generally go to work at eight o'clock in the night. What were they doing in the liquor store all that day? They only work, I believe, three nights a week, Tuesday, Thursday and Friday. This robbery, I believe, occurred on Tuesday. They never leave the market until ten or eleven o'clock. Boyle lives in 41 Bowery. If he were in that saloon with you on the 13th of December, he must have been with you all that day? Yes, he went to work that night, he was up all that day. Leary was there all day; he works four nights a week, I believe; I think he lives at 49 Bayard street, his mother is janitor of the building. Conway has not been down to see me at the Tombs? Have you any family? My people live in Buffalo and Canada. Didn't you folks live in New York? Yes, I lived here, in 86th street, I was in Canada, I lived there for one week, I came back to New York, my trade was not good there.

The Jury rendered a verdict of GUILTY.



New York, January 10th, 1893.

Hon. Frederick Smythe,
Recorder.

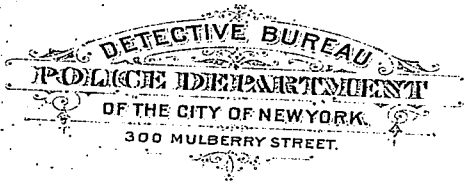
Dear Sir:-

In compliance with your instructions to cause certain investigations to be made as to the nature of the testimony that Martin Conway James Leary & Edward Boyle are in position to give concerning an alibi, claimed by one Edward J. Welsh, who was on January 3rd convicted before you, on charge of larceny in the first degree, I most respectfully state that I detailed Detective Sergeant Michael J. Reap and Detective Jas. W. Trainer to see the 3 persons above mentioned, and interrogate them in regard to their knowledge of Welsh's whereabouts at the time the larceny was committed, and they report to me as follows:-

Detective Trainer says he saw Martin Conway of 13 Market St., at the latter's saloon corner of Chrystie & Bayard Sts., Mr. Conway stated he has known Welsh for the past four years as an honest hard working young man. He remembers very well that Welsh spent the afternoon & evening of the 13th of December last in his saloon, and says this fact is particularly fixed in his mind by his hearing the next day that Welsh was arrested for a larceny which he was said to have committed during the time he was in his (Conways) place. Mr. Conway brought Det. Trainer to the Kenwood Hotel cor. Bowery & Bayard St., Mr. John Howard, proprietor who stated that Welsh worked for him about one year, and during that time he had reason to consider him an honest industrious young man, and that he left his service to take employment at better wages.

Mr. Conway also told Det. Trainer that James Leary & Edward Boyle mentioned in Welsh's affidavit, were with Welsh in his saloon all the afternoon & evening of the 13th of last December.

Det. Sergt. Reap saw Mr. Smith, proprietor of lodging house 41



New York

Bowery, where Welsh lived, and Mr. Smith says Welsh lived there for the past year, and he regards him as an honest hard working young man, and never knew anything detrimental to his character.

Very respectfully yours,

Wm. Wm. Laughlin

Inspector Detective Bureau.

0500

COURT OF GENERAL SESSIONS

In and for the City and County of New York.

The People of the State of New York

Against

EDWARD WELCH,

Defendant.

Sir:

Please take notice that upon all the papers and proceedings herein, and the exceptions taken at the trial, and the minutes thereof I shall make a motion before the Honorable Recorder Smyth, in Part I Court of General Sessions in and for the City and County of New York, at No. 32 Chambers Street, in the City of New York, on Tuesday the 17th day of January, 1893, at 11 o'clock, in the forenoon, or as soon thereafter as Counsel can be heard, that the defendant above named be granted a new trial on the ground that justice requires a new trial herein, and that it is made to appear by affidavits hereto annexed, that upon another trial the defendant can produce evidence such as if before received would probably have changed the verdict; that such evidence is not cumulative, and the failure to produce it was not owing to want of diligence; and for such other and further relief as may be just.

Dated New York, January 13th, 1893.

CHARLES le BARRIER,

Attorney for Defendant,

59 Park Row, New York.

To Hon. De Lancey Nicoll,

District Attorney,

County of New York.

COURT OF GENERAL SESSIONS OF THE PEACE.

The People
 against
 Edward Welch

City and County of New York. S. S.

Martin Conway, being duly sworn, deposes and says, that he is the proprietor of a saloon on the corner of Christie and Bevard Streets, New York City; that defendant was in his saloon from four o'clock until eight o'clock in the afternoon, on December 16th, 1892; that he knows the defendant Edward Welch, and that said Edward Welch was in defendant's saloon on the afternoon of December 16th, 1892, from four o'clock until eight o'clock in the afternoon, and was at no time absent from said saloon during those hours for more than ~~fifteen~~ minutes. *Martin Conway*

Sworn to before me
 this 10th day of
 January 1893.

H. W. Illwitzer
 Com. of deeds
 N. Y. Co

COURT OF GENERAL SESSIONS OF THE PEACE.

THE PEOPLE

against

EDWARD NELSON.

City and County of New York, s. s.

LOUIS BEYER, being duly sworn, deposes and says, that he is an Officer of the Municipal Police Force of New York City, attached to the 11th Precinct. That on the 13th day of December, 1892, deponent was on duty between the hours of *six* and *twelve* o'clock, in *evening* and that between six and a quarter past six o'clock on the *evening* of said day, he passed by the corner of Christie and Bayard Streets, New York City, and that he saw the defendant Edward Nelson, standing in the doorway of the saloon kept by Martin Conway. That deponent knew said defendant by sight, and knows the hour because he *went on duty at six o'clock and he saw defendant a few minutes later and that defendant was talking with a man named Callahan at the time*

Sworn to before me
this *10th* day of January,
1893.

Louis F. Beyer.

H. W. Illwitzer
Com. of deeds
N. Y. C.

Court of General Sessions of the Peace.

The People

vs.

Edward Welch

Affidavits and
Notice of Motion.

And timely service of copies
of within copy ^{of} writs and Notice
of Motion is hereby admitted
this day of January 1893.

DE Laney Freckell

Dies Atty

Per H.W.C.

Def

0503

0504

Sec. 198-200.

1882

District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer. *Edward Welch*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *41 Bowery 1 year*

Question. What is your business or profession?

Answer. *Police*

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*
Edward Welch

Taken before me this

25th day of December 189

Police Justice.

0505

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

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

Dated, *Dec 15* 189

W. M. ... Police Justice.

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

Dated, 189

Police Justice.

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

Dated, 189

Police Justice.

050

Police Court---

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles Sumner
Richard J. J.
Samuel M. M.

581
1884
Officer *Speering*
Spencer

BATTLED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

2 _____
3 _____
4 _____

Dated, *December 15* 189
M. Mahan Magistrate.
Hedge & W. H. Allen Officer.
Precinct.

Witnesses
No. _____ Street.

No. _____ Street.

No. _____ Street.

1500 to answer *CS*

C.

121
Prisoner

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Edward Welsh

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

Edward Welsh
of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said

Edward Welsh,

late of the City of New York, in the County of New York aforesaid, on the 13th day of December in the year of our Lord one thousand eight hundred and ninety-two, in the night-time of the said day, at the City and County aforesaid, with force and arms,

one watch of the value of fifty dollars, one chain of the value of twenty five dollars, and one locket of the value of twenty-five dollars

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

De Laury McCall,
District Attorney.