

0124

**BOX:**

367

**FOLDER:**

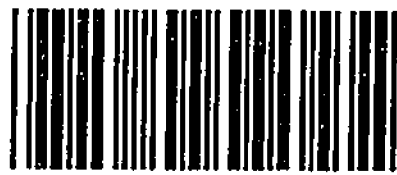
3442

**DESCRIPTION:**

Wagner, Max

**DATE:**

09/11/89



3442

Witnesses:

Mary Marsh  
Off. Quas. Succession  
15th Prec.

Counsel,

Filed

day of

1889

Pleads,

THE PEOPLE

vs.

Max Wagner

Grand Larceny, 1st Degree.

(From the Person.)

[Sections 528, 581 Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Chas. B. Roberts

Sept 11/89. Foreman.

Lead. C. J. Zney  
S. P. Duvoyio & Co.

0125

0126

Police Court 2nd District.

Affidavit—Larceny.

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

of No. 113 East 89th Street, aged 46 years,  
occupation Married Lady being duly sworn

deposes and says, that on the 26 day of June 1889 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession and

person of deponent, in the day time, the following property, viz:

A pocket book containing gold and lawful  
money of the United States of the Amount and  
value of fifty three Cents

the property of Deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Max Wagner now here

from the fact that at about the hour of four  
o'clock P M on said date while deponent was in  
company with her son John J. Marsh looking  
in a window between University Place and  
3rd Avenue the defendant snatched the  
aforesaid pocket book out of the right hand  
of deponent and ran away pursued by deponent  
son John J. Marsh until defendant was taken  
into custody by an officer Deponent is informed  
by Officer James Sullivan that he found in the  
defendant's possession the aforesaid pocket book  
here shown in court containing the aforesaid amount  
of money and identified by deponent as the property  
taken & stolen and carried away from the person of deponent

Mrs Mary Marsh

Sworn to before me, this  
day of June 1889

John J. Marsh  
Police Justice.



0127

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 12 years, occupation Police boy of No.

113 East 45th St Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Wm Marsh

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

Sworn to before me, this

day of

27th  
Aug 1888

John J Marsh  
Gallunoff  
Police Justice.



0128

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 45 years, occupation James Sullivan  
Police Officer of No.

The 15<sup>th</sup> Precinct Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Wm. Marsh

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

Sworn to before me, this 27  
day of Aug 1889 } James Sullivan

J. Thompson  
Police Justice.

0129

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Max Wagner*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *20 Home*

Question. What is your business or profession?

Answer. *Farmer*

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*

*Max Wagner*

Taken before me this  
day of *July* 188*8*

*Charles J. Smith*  
Police Justice

0130

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

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

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

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

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



0131

Police Court---

+ 2nd 1768  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Mary Marsh  
113 East 89 St

Max Wagner

1

2

3

4

Offence  
Carrying  
a Dangerous  
Weapon

BAILED,

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

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

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

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

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

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

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

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

Dated Aug 29th 1889

John \_\_\_\_\_ Magistrate.

James Sullivan Officer.

15 Precinct.

Witnesses Catherine Officer

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

John J. Marsh

No. 113 East 89 St

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

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

\$ 500 to answer

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

0132

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Max Wagner*

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

*Max Wagner*

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

The said

*Max Wagner*

late of the City of New York, in the County of New York aforesaid, on the *twenty sixth* day of *August* in the year of our Lord one thousand eight hundred and eighty-*nine*, in the *day* - time of the said day, at the City and County aforesaid, with force and arms, *one silver coin of the United States of the kind commonly called half dollars, of the value of fifty cents, two silver coins of the kind commonly called quarter dollars of the value of twenty-five cents each, three silver coins of the kind commonly called dimes of the value of ten cents each, four nickel coins of the kind called five cent pieces of the value of five cents each, and thirteen coins of the kind called cents of the value of one cent each one pocketbook of the value of twenty-five cents*

of the goods, chattels and personal property of one *Mary Marsh* on the person of the said *Mary Marsh* then and there being found, from the person of the said *Mary Marsh* then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

*John R. Fellows,*  
*District Attorney.*

0133

XX  
67  
104  
108  
BOX:

367

FOLDER:

3442

DESCRIPTION:

Walter, Emma

DATE:

09/18/89



3442



Witness:

Frank G. Barclay

City of Ormae  
26 Sept 1889

Counsel,  
Filed  
Pleads, *Chattel*  
day of Sept. 1889

THE PEOPLE

vs.

*B*  
Emma Walter

[Sections 322 and 385, Penal Code]  
KEEPING A HOUSE OF ILL FAME, ETC.

JOHN R. FELLOWS,

District Attorney.  
B. M. Friend.

A True Bill.

*Chas. B. Friend*

Foreman.

*F*

*I - Forfeited October 2/89 - Park III.*

0134

0135

*The New York Society for the  
Prevention of Cruelty to Children*

100 EAST 23D ST. (COR. FOURTH AVE.)

*New York, Sept. 3<sup>rd</sup> 1889*

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

*The People  
against  
Emma Walter*

*Notice of Prosecution.*

*To the District Attorney of the  
City and County of New York,*

*Sir: This Society is interested in the prosecution of  
the above defendant, and is familiar with the facts of the  
case. It respectfully requests that before sending the papers  
to the Grand Jury, fixing the day of trial, consenting to  
any postponement thereof, or to any reduction of bail, or  
final disposition of the charge, you will duly notify me as  
its President and Counsel, so that I may confer with you  
in regard thereto. This request is made pursuant to the  
statute (Laws of 1886, Chapter 30, Section 8), and in  
furtherance of the ends of Justice.*

*I have the honor to remain, with great respect,*

*Elbridge T. Gerry,  
President, &c.*

0136

**N. Y. GENERAL SESSIONS**

THE PEOPLE



*Disorderly House*  
CRUELTY TO CHILDREN.

**NOTICE OF PROSECUTION**

BY THE SOCIETY.

ELBRIDGE T. GERRY,  
*President, &c.*



0137

Sec. 322, Penal Code.

Third District Police Court.

CITY AND COUNTY OF NEW YORK. { ss.

Frank G. Barkley  
of No. 100 East 23d Street, in said City, being duly sworn says  
that at the premises known as Number 117 East 10th Street,  
in the City and County of New York, on the 23d day of August 1889, and on divers  
other days and times, between that day and the day of making this complaint

Emma Watter  
did unlawfully keep and maintain and yet continue to keep and maintain a disorderly house and  
house of prostitution and did then, and on the said other days and times, there unlawfully procure  
and permit as well men as women of evil name and fame and of dishonest conversation to visit, frequent and come  
together for unlawful sexual intercourse, and for the purpose of prostitution and lewdness, and then and on the said  
other days and times, unlawfully and wilfully did permit and yet continues to permit said men and women of evil  
name and fame there to be and remain drinking, dancing, ~~fighting~~ <sup>and</sup> disturbing the peace, whoring and misbehaving  
themselves, whereby the peace, comfort and decency of persons inhabiting and residing in the neighborhood, and  
there passing is habitually disturbed, in violation of the statute in such case made and provided.

Deponent therefore prays, that the said Emma Watter  
and all vile, disorderly and improper persons found upon the premises, occupied by said

Emma Watters  
may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me, this 30th  
day of August 1889

Frank G. Barkley  
Police Justice.

0138

Police Court— Third District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Frank G. Barkley

vs.

Emma Hatter

AFFIDAVIT—Keeping Disorderly House, &c.

Dated August 30 1889

Conner Justice.

Barkley Officer.

Q. P. C. Precinct.

WITNESSES : .

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

0139

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name.

Answer.

*Emma Walter.*

Question. How old are you?

Answer.

*24 years.*

Question. Where were you born?

Answer.

*Germany.*

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

Answer.

*117 Bond St 5 months*

Question. What is your business or profession?

Answer.

*Press-maker*

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

Answer.

*I am not guilty - and  
if held I demand a trial  
a try by jury.*

*Emma Walter.*

Taken before me this

day of

1883

Police Justice.



0140

Sec. 151.

Police Court Third District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Frank G. Barkley of No. 100 East 23d Street, that on the 30 day of August 1889, at the City of New York, in the County of New York, Emma Walter did keep and maintain at the premises known as Number 117 East 4th Street Street, in said City, a disorderly house and house of prostitution and there unlawfully procure and permit as well men as women of evil name and fame, and of dishonest conversation to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution, and there unlawfully and wilfully did permit said men and women of evil name and fame there to be and remain drinking, dancing, fighting, disturbing the peace, whoring and misbehaving themselves whereby the peace, comfort, and decency of persons inhabiting and residing in the neighborhood and there passing is habitually disturbed in violation of the statute in such case made and provided.

THESE ARE, THEREFORE, in the name of the People of the State of New York, to Command you, the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the body of the said

Emma Walter  
and all vile, disorderly and improper persons found upon the premises occupied by said Emma Walter and forthwith bring them before me, at the 2d DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 30 day of August 1889.

[Signature] POLICE JUSTICE.

0141

Police Court— 3d District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Frank G. Barkley

vs.

Emma Katter

WARRANT—Keeping Disorderly House, &c.

Dated,

August 30<sup>th</sup> 1889

Primer

Magistrate.

Officer.

Precinct.

The Defendant

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

Officer.

Dated

188

This Warrant may be executed on Sunday or  
at night.

H. J. Stanley

Police Justice.

Dated

188

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

Police Justice.

The within named



0142

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.....

*Alfred Davis*  
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 *May 30 1889* ..... Police Justice.

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

Dated *May 31 1889* ..... Police Justice.

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

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

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



0143

BAILED,

No. 1, by

*Salomo Von Thaden*

Residence

*42 Stanton 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

*Thomas J. Barkley*

vs.

*Emma Walter*

2

8

4

Dated

*Aug 30*

188

Magistrate

Officer.

Witnesses

No.

*14*  
*Thomas J. Barkley*  
*117 E 4th*

Precinct.

Street.

No.

Street.

No.

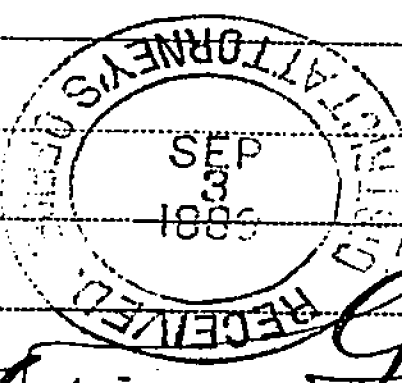
Street.

\$

to answer

*100* *G.S.*

*Born*



0144

**Grand Jury Room.**

PEOPLE

vs.

*Emma Walter*

*Disorderly House*  
*Held Aug 30/89*

*Has case put*  
*on Calendar.*

0145

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Emma Walter*

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

*Emma Walter*

(Sec. 322,  
Penal Code.)

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL-FAME, committed as follows:

The said

*Emma Walter*

late of the <sup>17<sup>th</sup></sup> Ward of the City of New York, in the County of New York aforesaid, on the ~~twenty-third~~ day of *August* in the year of our Lord one thousand eight hundred and eighty-nine, and on divers other days and times, as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

*Emma Walter*

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offences on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of and against good morals and good manners, 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

*Emma Walter*

(Section 385,  
Penal Code.)

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said

*Emma Walter*

late of the Ward, City and County aforesaid, afterwards, to wit: on the *twenty-third* day of *August* in the year of our Lord one thousand eight hundred



0146

and eighty- *nine*, and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep and maintain a certain common, ill-governed house, and in *her* said house, for *her* own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, then and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common nuisance of the said citizens, 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

*Emma Walter*  
(Section 322 of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:  
Penal Code.)

The said

*Emma Walter*

late of the Ward, City and County aforesaid, afterwards, to wit: on the *twenty third* day of *August* in the year of our Lord one thousand eight hundred and eighty- *nine* and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for *her* own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in *her* said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0147

**BOX:**

367

**FOLDER:**

3442

**DESCRIPTION:**

Warren, William J.

**DATE:**

09/27/89



3442



0148

Witnesses:

William H. H. H.  
James W. H. H.  
Charles E. H. H.

Whereas the undersigned  
do hereby certify that the  
within annexed  
can be used as a  
I have signed and  
that a certificate of  
adoption has been  
I recommend therefore  
that the defendant  
be committed to  
prison.  
Witness my hand  
at New York  
Nov 28 1893

Counsel,  
Filed day of Sept 1889  
Pleas, /

THE PEOPLE  
vs.

William J. Warren

JOHN R. FELLOWS,  
District Attorney.

A TRUE BILL.

Charles B. Deland  
Part 3. Nov. 28/93 Foreman.  
Dail discharged



0149

## STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, ss.

## AN INQUISITION,

Taken at the house of Coroners Office  
No. 67 Park Row Street, in the 4<sup>th</sup> Ward of the City of  
New York, in the County of New York, this 23<sup>d</sup> day of May  
in the year of our Lord one thousand eight hundred and eighty nine

M. H. B. Messener Coroner,  
of the City and County aforesaid, on view of the Body of James Grant Anderson  
son

Upon the Oaths and Affirmations of  
Twelve good and lawful men of the State of New York, duly chosen and  
sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said  
James Grant Anderson came to his death, do  
upon their Oaths and Affirmations, say: That the said James Grant Anderson  
son. came to his death from injuries received  
from blows struck in a fight between James  
G. Anderson and William J. Warren in Blucker  
Street between West 10<sup>th</sup> and Christopher Streets. May  
18<sup>th</sup> 1889.

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisition,  
set our hands and seals, on the day and place aforesaid.

## JURORS.

Benjamin Meyer 508 East 11 <sup>th</sup> St.	John Kaumann 1488 1 <sup>st</sup> Ave
Joseph Epstein 225 E 81 <sup>st</sup> St	William M. Locke 1090 Ave
Sam. Davis 1502 1 <sup>st</sup> Ave	Martin Lahn 1607 Ave
Chas. E. Schneider 1547 1 <sup>st</sup> Ave	Samuel Friedman 419 E 82 <sup>nd</sup> St
John J. Bort 1490 1 <sup>st</sup> Ave	J. John Doe 1605
Frank Pickers 1567 - 1 Ave	Michaelore Lyon 722 E 82 <sup>nd</sup>

M. H. B. Messener

CORONER, E. S.

0150

## TESTIMONY.

James H. Reynolds of 109 Bleeker St  
 being sworn says about 8.15 P.M.  
 May 18, I was with James Grant  
 Anderson. ~~There~~ Three other men  
 Anderson were with us. In Bleeker  
 St between West (10) & Christopher where  
 we were waiting along some  
~~the~~ dirt place on our clothes.  
 Warren & Ceeget were in iron  
 jugs and Warren turned &  
 said to me "What did you throw  
 that at?" I said "I didn't throw  
 it. He replied "You did." Then  
 I said again "I didn't." He  
 replied "You lie. You did." Then  
 Anderson turned to Warren & said  
 "He didn't." Warren turned to  
 Anderson & asked "How do you  
 know." Anderson replied "Because  
 I saw him." They had further  
 words & Warren said to Anderson  
 "You are nothing but paper. I  
 tried to ~~take~~ take Anderson away  
 when Warren struck him  
 in the face with his fist.  
 Then Anderson went to prevent the  
 blow and Warren pumped under  
 his arm to avoid the blow.  
 Then Warren struck me in the  
 arm & knocked me into the  
 street. I started to go back &  
 stop them from fighting. Warren  
 pulled collar & pushed me around  
 the neck & held me. I struggled to  
 free myself and called off.

Sworn to before me,

this

day of

188

CORONER.

0151

TESTIMONY.

M. D., being duly sworn, says:

I have made

of the body of  
now lying dead at

and from such

and history of the case, as per testimony, I am of opinion the cause of  
death is

M. D.

I then saw Warren strike  
Anderson in the back & Anderson  
pitched forward almost on his  
face. Warren followed him  
up and struck him a fair  
in the <sup>right</sup> <sup>side</sup> <sup>of the</sup> <sup>head</sup>. Anderson made  
two or three steps forward &  
fell <sup>on his knees</sup> on the car track. I  
picked him up & had him  
carried to the dry <sup>place</sup>.  
I had not been drinking  
and Anderson was  
sober.

James Helen Reynolds

Sworn to before me, *f*

*At this* *23* day of May 1889  
*W. J. Messer*

CORONER.



0152

## MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
17	Years	— Months — Days	U.S.	Palchin Place	May 19/89

Remains of John Smith  
born about 1860  
found in the  
Palchin Place  
May 19/89

High on north end  
inflamed and discolored  
in the center of the  
head

M. J. B. M.

No. 240

2nd Court.

1889

## AN INQUISTION

On the VIEW of the BODY of

James Grant Anderson

whereby it is found that he came to  
his death by

Choke

from

Intoxication

on Monday

following

External Evidence

Inquest taken on the day  
of 1889 before

MICHAEL J. B. MESSEMER, Coroner.

0153

M. J. B. M.

No. 240

2nd Dec. 1889

AN INQUISITION

On the VIEW of the BODY of

James Grant Guder

whereby it is found that he came to his death by

Struck

from

Inta - Criminal

Womans

following

External Violence

Inquest taken on the day of 188 before

MICHAEL J. B. MESSEMER, Coroner.

Body of James Guder  
found at  
Barnes, N.Y. 30th Nov 89  
at the bottom of a  
drainage ditch

Right ear nearly perfect  
inflamed and discolored,  
inner ear inflamed

AGE	PLA OF NATIVITY	WHERE FOUND	Date When Reported
17 Years - Months - Days	N.S.	Water Place	May 19/89

MEMORANDA.

0154

CORONER'S OFFICE. &amp;

TESTIMONY.

2

Charles E. Mills being sworn up.  
 Living 196 West 10<sup>th</sup> Street - I am  
 office boy for Charles Cahill  
 truckman - I saw very little  
 of the occurrence on Saturday  
 evening about 8<sup>th</sup> 9 o'clock in  
 Bleeker Street between Christopher  
 & West 10<sup>th</sup> - we were walking  
 along Bleeker Street some  
 dirt fell on Warren's clothes  
 & finally came up & wanted  
 to know who threw the dirt  
 & the first boys he asked, were  
 Anderson & Reynolds, who  
 said they did not throw the dirt  
 Warren asked Anderson what  
 did he know about it &  
 said something about paper.  
 Warren went to strike Anderson  
 & Anderson put up his hands  
 to ward off Warren - & there was  
 a regular fight & I could not  
 tell which was which - I saw  
 Anderson fall on the car track  
 that is all I know about it.  
 He fell down sideways hands  
 first - I did not see his head  
 come in contact with anything - I recog-  
 nize Warren here as the ascensio

Taken before me

this 23 day of May 1889

CORONER.



0155

CORONER'S OFFICE. 1

TESTIMONY.

3

I had seen Warren before. I did  
not know Colley?  
Charles E. Mills

Taken before me

this 23 day of May 1889

*W. J. Meserve*

CORONER.

0156

CORONER'S OFFICE, 1

TESTIMONY.

4

Officer Jos. Smith & Premier  
 Messers says:  
 On 18<sup>th</sup> May 1889, my attention  
 was attracted by a young  
 fellow who told me there  
 had been a fight. & that the  
 man was in a dying state  
 I told another officer to  
 arrest a young man with  
~~black~~ <sup>light</sup> pants & bring him  
 to Christopher & Bleasdale - I  
 saw an ambulance lying on the  
 sidewalk & the young fellow  
 said that's the man I took the  
 young fellow <sup>Coroner</sup> ~~Laird~~ & Marquis  
 North Station House - I sent for  
 an ambulance - The sergeant  
 ordered a stretcher & carried  
 deceased to the station house.  
 I saw no cuts or deceased.  
 He turned <sup>white</sup> ~~red~~ along his cheek bones  
 John H. Smith

Taken before me

 this 23 day of May 1889  
 Mr J. Messmer

CORONER.

0157

CORONER'S OFFICE.

TESTIMONY.

William Lozier being sworn says:  
 I am 15 years of age & live at  
 80 Charles St. I am helper on  
<sup>European Express</sup>  
 Baldwin Trucks & work for Chas. Cahill  
 On Saturday night between 8 & 9 P.M.  
 I was between 10 & Christopher  
 St on Bleeker St. Anderson  
 Mills, & Huber Reynolds were with  
 me - We were walking along  
 Reynolds & Anderson were ~~in~~  
 walking along - We were in front  
 some dust was either blown  
 or thrown. I saw Warren & Ander-  
 son fighting. I don't know  
 who struck the first <sup>blow</sup> fight. It  
 was a mixed up affair - I saw  
 no blows struck. I was along with  
 Anderson. I did not see how  
 the fight commenced. I saw Anderson  
 fall - I saw him fall sideways & then  
 get up & fall again - I did not see any  
 blood on deceased. I thought deceased  
 had a fit - I saw many people have  
 a fit & I slapped his hands - He groaned  
 lay right still as though he were in pain  
 He ~~had~~ some snoring breathing

William Lozier

Taken before me

this 23<sup>rd</sup> day of May 1889

J. J. Messmer

CORONER.



0158

CORONER'S OFFICE.

TESTIMONY.

Charles Hadden

William Wheeler being sworn says:  
 Living at 86 Charles St. - I am  
 office boy in ~~Deaf~~ Fidelity & Casualty  
 Ins. Co. of N.Y. I saw part of the  
 occurrence -  
 On May 18 about I started out  
 to get a suit of clothes. I waited  
 at the stable of Charles Cahill for  
 Charles Mills. he came down  
 & we met, Anderson & another  
 Reynolds & we went down Black  
 St. & Anderson said he would  
 leave Reynolds at his house.  
 We passed 10<sup>th</sup> St. I was inside  
 of the lot & 2 ladies came along  
 & I went ahead, Mills stopped  
 & let them pass. I looked at the  
 further end of the window of  
 Meekers Hat Store. I then heard  
 Mr. Logier yell out "Come over  
 & help a fellow." I turned around  
 & saw them pick up Frank Anderson.  
 He seemed to be dead & I ran over  
 to his assistance - We carried  
 him over to a drug store. Mr. Fisher  
 was tending store, we took him  
 outside & an officer came along  
 & took Mr. Logier to the Station House.

Taken before me

this day of

188

CORONER.

0159

CORONER'S OFFICE. C

TESTIMONY.

as a witness. At 11 o'clock the same evening a detective came after me & said they wanted me at the station house. I went there & made a statement. Deceased & Warren did not know each other. I know Warren. Anderson was with us but not Starren. I did not see how the fight commenced.

Chas H. Wheeler.

Taken before me

this 23 day of May 1889

Wm D. Messinger

CORONER.

0160

CORONER'S OFFICE, C

TESTIMONY.

Mr Josephine Wilcox being sworn says:  
I live at 1 Patchen Place -  
I am sister of deceased - I saw  
was not quarrelsome, & was not  
a drinking boy. He would only  
drink soda water or Sarsaparilla  
He lived with me.

Mrs Josephine Wilcox

Taken before me

this 13 day of May 1887

Wm J. Messer

CORONER.



0161

## CORONER'S OFFICE.

## TESTIMONY.

William Morenus being sworn says  
 Living at 130 W 83<sup>d</sup> Street - I am an  
 actor. I saw the beginning of the oc-  
currence - I did not see a blow  
struck It happened about 8-15 PM  
 on May 18<sup>th</sup> - I had been to din-  
 ner with Mr Warren until  
 a few minutes past 8 o'clock  
 I left his house & started down  
 10<sup>th</sup> St. We reached Bleeker &  
 turned down Bleeker on the  
 East Side of the street when I  
 heard Warren exclaim "Oh.  
 what did you do that for" &  
 brushed some dirt or ashes from  
 his neck or collar. The person  
 whom he addressed answer-  
 ed "I did not do anything"  
 One of the party made some  
 reply which I could not catch  
 Instantly there was a scuffle  
 a fight. My hat was knocked off  
 & asked a gentleman in the hat  
 store to hold Warrens Coats which  
 had been thrown some - so that I  
 could protect myself. He re-  
 fused to do it - when I turned the  
 fight was over & Warren was

Taken before me

this

day of

188

CORONER.

0162

CORONER'S OFFICE.

TESTIMONY.

looking for his hat <sup>my</sup> was handed  
<sup>I was told by my step father that</sup>  
 to me by a boy — At the Station House  
 I heard a sister of deceased say as she  
 kissed him — Jimmy Jimmy you've  
 been drinking again — I did not  
 know any of the other boys. I did not  
 see how the fight commenced — <sup>know</sup>  
 Warren a great many years — I did  
 not see Anderson before that night  
 I went to the Station House with the  
 officer & there made my statement —  
 Warrens character was good  
 William Lott Morris.

Taken before me  
 this 23 day of May 1889  
 W. J. Messenger

CORONER.

0163

## TESTIMONY.

W<sup>m</sup> A. Conway, M. D. being sworn says, I made an autopsy on May 19<sup>th</sup> at Patchen Place in the presence of Coroner Messer on the body of James Grant Anderson with the following results.

An external examination of the body showed a bruise about 3 inches long in the right groin, an abrasion over the left eyebrow, a bruise of external and internal surface of right ear and two small abrasions of the skin on posterior surface of right ear, also a bruise behind the right ear.

On opening the body the bruise of the groin was found to be superficial. All the organs of the body contained in the abdomen were normal. The chest having been opened the heart was found normal but old pleuritic adhesions were found all over the right lung and over the lower lobe of left lung.

The scalp having been removed two small extravasations of blood were found behind the right ear and corresponding with the external bruises in the same locality.

On removing the skull cap an immense clot of blood was found lying on the right side and on the under surface of the brain caused by a rupture of the blood vessels. There was no fracture of the skull.

In my opinion the cause of death was Intra-cranial Hemorrhage due to some external violence.

W<sup>m</sup> A. Conway M. D.

Sworn to before me,

this 2<sup>nd</sup> day of May 1889  
 R. J. Messer

CORONER.



0164

Coroner's Office,

CITY AND COUNTY }  
OF NEW YORK, } SS.

*William Joseph Warren* being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to answer or not, all or any questions put to him, states as follows, viz. :

Question—What is your name?

Answer—

*William Joseph Warren*

Question—How old are you?

Answer—

*23 years of age*

Question—Where were you born?

Answer—

*New York City*

Question—Where do you live?

Answer—

*252 West 10th St.*

Question—What is your occupation?

Answer—

*Clerk*

Question—Have you anything to say, and if so, what, relative to the charge here preferred against you?

*I have nothing to say  
in the absence of counsel*

*William J. Warren*

Taken before me, this 23<sup>rd</sup> day of May

1889

*Dr J J B Messer*

CORONER.

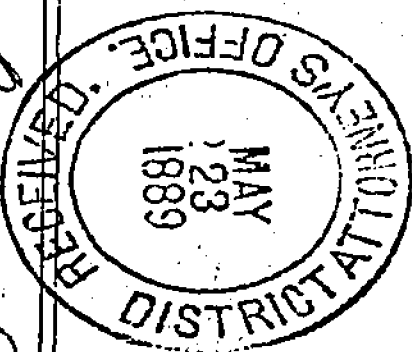
0165

MEMORANDA.

AGE	PLACE OF NATIVITY	WHERE FOUND	DATE When Reported
17 Years — Months — Days	U.S.	1 Patchin Place	May 19/89

Paul killed at  
#5000.  
May 23/89  
James Stuart Anderson  
AN INQUISITION. 148  
On the VIEW of the BODY of  
James Stuart Anderson  
whereby it is found that he came to  
his death by the hands of  
William Stevenson  
Paul killed by  
James Stuart Anderson  
66 West 11th St.

Inquest taken on the 23d day  
of May 1889  
before  
M. J. McCreary  
Coroner.  
Committed  
Decided  
Discharged  
Date of death May 1889

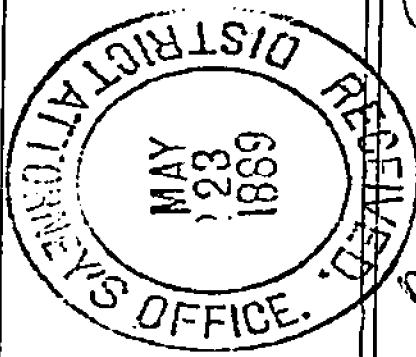


0156

Bail fixed at \$5000.  
2nd 440-1889  
HOMICIDE.  
AN INQUISITION. 748  
On the VIEW of the BODY of James Grant Anderson  
May 23<sup>d</sup> 89  
R.B.M.

Bailed by Lawrence McDonald  
66 West 11<sup>th</sup> St.  
whereby it is found that he came to his Death by the hands of William J. Warren

Inquest taken on the 23<sup>d</sup> day  
of May 1889  
before M. J. Messersmith  
Coroner.



Committed  
Bailed  
Discharged

Date of death May 18<sup>th</sup> 89

AGE	Years — Months — Days	PLACE OF NATIVITY	WHERE FOUND	DATE When Reported
		W.D.	1 Parker Place	May 19/89

MEMORANDA



0167

-----X  
The People &c.

Agst.

Warren  
-----X

In this case referred to me, I report as follows:

The defendant was indicted September 27, 1889, charged with Manslaughter <sup>(1<sup>st</sup> degree)</sup> in the killing of one Anderson in the City of New York on the 18th day of May, 1889.

The circumstances of the case would seem to be as follows:

On the evening of the day in question the defendant, a young man 24 years of age had taken dinner with his friend William Meremus (the actor known as William Collyer) at defendant's home No. 232 West 10th Street in this city, after which they started out for a walk, during which they passed into Bleecker Street and were proceeding along that street on the south side, when some ashes or dirt were thrown upon defendant's neck and collar from behind. Defendant turned and found the deceased and several others immediately behind him, the deceased standing near an ash barrel. The defendant charged the deceased with throwing the dirt, which was denied by him, and immediately a voice was heard to exclaim "What in hell if he did!" and thereupon Collyer's hat was knocked off, and a general fist fight would seem to have ensued, in which the defendant received bruises and scratches upon the face from

0168

(2)

which the blood flowed, in which fight the deceased was struck by some one on or about the head and fell to the ground, and a short time thereafter expired.

The autopsy performed by Dr. Conway the following day showed that there had been no fracture of the skull, but an immense clot of blood was found lying on the right side and on the under surface of the brain, caused by a rupture of the blood vessels. The cause of death, in Dr. Conway's opinion, was Intra-Cranial Hemorrhage due to some external violence.

The persons present at the time of the occurrence were the deceased and four others, viz.: James R. Reynolds, Charles E. Mills, William Lozier and Charles H. Wheeler, apparently in company on the one hand, and the defendant and his friend Meremus on the other.

Defendant claims that after the remark was made "What in hell if he did do it!" he turned around to see who made the remark and in doing so some one struck him in the neck, and immediately following three or four others struck him and that he struck back, and in the fight was knocked down on his knees.

Meremus testifies that immediately after one of the persons behind them said "What in hell if he did do it" his (Meremus's) hat was knocked off his head and there was a general fight; that he does not know who struck the first blow but is of the opinion that defendant did not; that after this fight there was blood on defendant and

0169

(3)

three or four scratches.

William Lozier, one of the companions of the deceased states "some dust was either blown or thrown. I saw Warren, defendant, and Anderson, deceased, fighting. I don't know who struck the first blow. It was a mixed up affair. I saw no blows struck. I was along with Anderson, deceased. I did not see how the fight was commenced. I saw Anderson fall. I saw him fall sideways and then get up and fall again. I did not see any blood on deceased. I thought deceased had a fit."

Charles H. Wheeler, another one of the companions of the deceased at the time in question, can apparently throw no light on what transpired.

Charles E. Mills, another of the companions of deceased stated that some dirt fell on Warren's (defendant) clothes, and Warren came up and wanted to know who threw the dirt, and that there were some remarks made by the defendant and the deceased; that defendant went to strike deceased who put up his hands to ward off defendant and there was a regular fight, and he could not tell which was which; that he saw Anderson fall on the car track.

James R. Reynolds, another of the companions of deceased, gives this version of the matter after the words between the deceased and the defendant: "I tried to take deceased away when defendant struck him in the face with his fist. Then Anderson went to resent the blow, and Warren jumped under his arm to avoid the blow; that Warren then



0170

(4)

struck me in the arm and knocked me into the street; I started to go back and stop them from fighting, when Warren's friend Collyer, grabbed me around the neck and held me. I struggled to free myself, and Collyer let go. Then I saw Warren strike Anderson in the back, and Anderson pitched forward almost on his face; then Warren followed him up and struck him in the right side of the face. Anderson made two or three steps further and fell on his knees on the car track. I picked him up and had him carried to a drugstore.

We have then this situation in this case: the statement of Warren the defendant, inferentially corroborated by Collyer to the effect that whatever he, the defendant, did was in self-defense, on the one hand, and on the other hand the statement of Reynolds which would seem to place the responsibility of the first blow upon Warren. Reynolds was with the deceased and evidently engaged in the fight as against Warren and Collyer; that the defendant received injuries is clearly established, both by his own statement and by that of the testimony of Collyer; and the impression left on my mind, after a very careful consideration of all the facts and circumstances in this case, is that the deceased and his companions picked a quarrel with the defendant and Collyer, or acted in such a manner to the defendant and his friend as to afford some excuse for a natural resentment on the part of the defendant and his friend. Here, we have two respectable

0171

(5)

young men against whose character or antecedents nothing of an improper character is suggested, taking an after-dinner walk on the street in proximity to the residence of the defendant, and apparently insulted or interfered with by a company of rude young men with whom they had no previous acquaintance of any kind and were total strangers to them, in the melée which follows, the deceased in some way received external violence which apparently caused the bursting of a blood vessel in the brain. Whether this was due to a blow received or to some unusual exertion on his own part, either in the struggle or in falling to the ground, and his efforts to recover himself, would seem to be difficult to clearly conclude, since death from a blow of the fist is such an unusual occurrence that my mind hesitates to conclude that that is the only possible explanation of the immediate cause of death. No weapon of any kind was used by the defendant, nor did he have any (such) weapon upon his person; and if his statement of the facts of the case be correct, he certainly ought not to be held responsible for the death of the deceased. His conduct immediately succeeding the affray is only consistent with the theory of innocence. After he and his friend had left the place where the struggle above referred to took place, he went into Barrow's saloon and washed the blood off his face, and as he came out of the saloon some one told him that his companion was arrested, and then the defendant voluntarily went immediately to the Station House, presented himself

0172

(6)

before the officers of the law and made his statement.

It is difficult to conceive of a man acting in this way who is conscious of any wrongdoing; and this fact has great weight in my mind in arriving at the conclusion as to which of the accounts of the transaction presented a truthful statement of what transpired..

At the same time it is not to be overlooked that the testimony of Reynolds would seem to fix the responsibility for the death of the deceased upon the defendant at least to the extent of showing that the defendant was the aggressor. While for the reasons stated I am of the opinion that a conviction of the defendant is not probable, I respectfully submit to the District Attorney, whether it is advisable to leave the question submitted to the determination of a jury, under the circumstances of this case.

All of which is respectfully submitted

Henry M. Miller  
Assistant District Attorney

by Hon. Deane M. Nicoll  
District Attorney

November 26/1891



0173

THE PEOPLE OF THE STATE OF  
NEW YORK

*against*

Warren

*Report.*  
of *Wendell Phillips* Minister

DE LANCEY NICOLL,

**DISTRICT ATTORNEY,**

No. 32 CHAMBERS STREET.  
NEW YORK CITY.

Marvick Library

0174

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

William J. Warren

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

Indictment accuse

William J. Warren

of the crime of *Manslaughter in the second degree,*

committed as follows:

The said

William J. Warren,

late of the City of New York, in the County of New York, aforesaid, on the

*eighteenth* day of *May* in the year of our Lord one thousand  
eight hundred and eighty- *nine* —, at the City and County aforesaid,

*with force and arms, in and upon*  
*one James Frank Anderson, then and*  
*there lawfully, intentionally and feloniously*  
*did make an assault, and thru the*  
*said James Frank Anderson, with*  
*both the hands of thru the said William*  
*J. Warren, in and upon the head*  
*of thru the said James Frank*  
*Anderson, then and there intentionally*  
*and feloniously did strike, beat*  
*bruise and wound, giving into him*  
*the said James Frank Anderson, then*

0175

and there, by the means aforesaid,  
in and upon the head of him the  
said James Grant Anderson, several  
mortal wounds and bruises, of  
which said mortal wounds and bruises  
he the said James Grant Anderson  
then and there died.

And so the Grand Jury aforesaid  
do say: That the said William Warren,  
him the said James Grant Anderson,  
in the manner and form, and by the  
means aforesaid, unlawfully and felon-  
iously did kill and slay; against  
the form of the Statute in such case  
made and provided, and against the  
peace of the People of the State of  
New York, and their dignity.

John R. Fellows,

~~District Attorney~~



0176

COURT OF GENERAL SESSIONS

The people :  
vs : Manslaughter  
William J. Warren :

William J. Warren defendant above named states as follows:--

That he is twenty six years of age residing at 232 West 10 Street this City with his father who is a police officer attached to the steamboat squad, and that his business is that of a Clerk.

That on Saturday May 18th 1889 William Moremus who was a companion of his had supper with deponent at his home, and after concluding same, we started to take a walk.

While walking through Bleecker Street and near West 10th Street something struck me on shoulder and in looking found that it was ashes, and I saw a young man standing by an ash barrel and I said "what did you do that for" he said, "I didn't do it" I said, " Yes you did I saw you do it? " a voice from behind said what in the hell if he did do it? I turned around to see who made that remark and in doing so/ somebody struck me in the neck and immediately following three or four others struck me, and I struck back, and in the fight was knocked down on my knees.

I had a spring overcoat on my left arm during the fight which did not last more than a minute . I got up and Moremus and I walked down Bleecker Street to Barrows when I went into a saloon to wash the blood from my face which had been scratched in three or four places during said scuffle. As I came out of saloon some one told me Moremus had been arrested and I immediately went to the Station House gave my

0177

statement to the Captain and then for the first time learned that a person was dead from a fight occurring on Bleecker Street and that I was accused of doing same, and was locked up I was taken next day before the Coroner and a day or two after bailed by Court of General Sessions in the sum of \$5000 I did not strike the first blow, but was struck first by party who threw the ashes, and in grabbing him was struck by some one else at the same time in the face.

Never knew the deceased and all the parties were strangers to me. I do not know whether I struck the deceased or not I merely defended myself striking right and left against three or four persons.

Havenever before been arrested charged with the commission of any offense, and have always worked for a living.

Mr. Moremus and I were perfectly sober, and did not in anywise provoke any quarrel.

*William J. Warren*





0179

hat, and Warren and I walked down Bleecker Street which was very crowded, and quite a large crowd had gathered.

While walking through Bleecker Street I noticed blood on defendants and three or four scratches and he went into a saloon corner Barrow and Bleecker Streets to wash himself and I walked down about a block further when I was arrested by an officer and taken to Charles Street Police Station, while I was giving my statement to the Captain the defendant walked in, the captain asked him for his statement, and when the defendant has finished his, then for the first time learned that Anderson the deceased was dead. I was taken before Coroner Messemer next morning and discharged.

Defendant has never been arrested before, and neither he or I were the aggressors/.

*William Morris*

0180

General Sessions

I was the defendant.

Defendant has never been tried before, and neither he or  
Colonel Hester next morning was discharged.

On that afternoon the defendant was taken before  
the defendant was informed that for the first time today  
when in the Captain's office for his statement, and when  
while I was sitting in the room to the Captain the defendant  
prison officer and asked to Charles Street Police Station.

and I walked down about a block further when I was arrested  
station corner Barton and Bleeker Streets to wash himself  
tongues and three or four scratches and he went into a  
while walking through Bleeker Street I noticed blood on de-  
very crowded, and quite a large crowd had gathered.  
hat, and Warren and I walked down Bleeker Street which was

0181

**BOX:**

367

**FOLDER:**

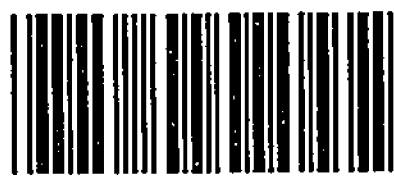
3442

**DESCRIPTION:**

Weiland, Benjamin

**DATE:**

09/18/89



3442



0182

Witnesses:

Herold Solomon

Charles Mc. Davis

Counsel,

Filed

Pleads,

day of

18

THE PEOPLE

vs.

I

Benjamin Ireland

Burglary in the Third degree.  
[Section 408, V26, V24, V23, V22, V21, V20, V19, V18, V17, V16, V15, V14, V13, V12, V11, V10, V9, V8, V7, V6, V5, V4, V3, V2, V1]

JOHN R. FELLOWS,

District Attorney.

Referred to Mr. Foster for  
report.

W. M. D.

Sept 30, 1889.

A TRUE BILL.

Charles B. Ireland

Foreman.

On view, of the

indict, dis. R.M.

I have examined  
all the evidence  
with witness, and  
find only a  
satisfactory  
with fully  
of the opinion  
convinced  
we are  
of the  
affirmative  
Conclusion  
the criminal  
Del. 1889. W. M. Davis

0183

Police Court— District.

City and County of New York, ss.:

of No. 118 Chambers Street, aged 50 years, occupation Hardware being duly sworn

deposes and says, that the premises No. 118 Chambers Street, 5th Ward in the City and County aforesaid the said being the second floor of the 4 story brick building and which was occupied by deponent as a Hardware Store and in which there was at the time <sup>no</sup> human being, ~~none~~

were BURGLARIOUSLY entered by means of forcibly opening the lock of the door leading to said premises by means of a forced key

on the 25th day of May 1889 in the day time, and the following property feloniously taken, stolen, and carried away, viz:

24 family Sodering sets  
6 dozen Trimmings Strips  
6 dozen Pocket knives  
6 dozen Ladies Shavers  
3 Bread slicers

Being together of the value of One hundred 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

Benjamin Whyland

for the reasons following, to wit: That on the night of the aforesaid day said premises were securely locked and fastened by means of lock & key, and that in the forenoon morning when deponent came to said premises he found said premises broken into and said property gone Deponent further says that he is informed by Charles McMenist of 136 Centre Street that he



0184

Said 711 Olenworth bought 18 or 20 of the  
family succession. Said from said  
defendant at different times and paid  
him 30 cents for each set. He further  
found that he fully identified said  
property found in said Olenworth's possession  
as being his and being a portion of the  
property of said mentioned in said  
complaint. And charged said defendant  
with the larceny of said

Done before me  
this 30 day September 1884  
L. Salomon  
J. H. Hogan  
Prizefighter

It appearing to me by the within depositions and statements that the crime therein mentioned has been  
committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
of the City of New York, until he give such bail.  
Dated 1884  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1884  
There being no sufficient cause to believe the within named  
guilty of the offense within mentioned, I order he to be discharged.  
Dated 1884  
Police Justice.

Police Court, District,	Office—BURGLARY.
THE PEOPLE, &c., on the complaint of	
1.	23.
2.	
3.	
4.	
Dated 1884	Magistrate.
	Officer.
	Clerk.
Witnesses,	
No. Street,	
No. Street,	
No. Street,	
\$ to answer General Sessions.	



0185

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 53 years, occupation Handwritten of No.

136 Centre Street, being duly sworn deposes and

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

Sworn to before me, this

day of September 1889

Handwritten Signature  
Police Justice.

Handwritten Signature Handwritten

0186

Sec. 193-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Benjamin Whyland* 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.

*Benjamin Whyland*

Question. How old are you?

Answer.

*26 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*Clifton Staten Island; 5 months*

Question. What is your business or profession?

Answer.

*Redden*

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*

*Benjamin Whyland*

Taken before me this *4*  
day of *September* 188*9*

Police Justice.

0187

Edgewater Police Court.

STATE OF NEW YORK, } ss:  
COUNTY OF RICHMOND, }

of Samuel G. Sheldon  
the City of New York

being duly sworn, says that he is acquainted with the hand-writing of Edward  
Hogan the Police Justice

who issued the annexed Warrant, that the signature to this Warrant is in the hand-writing of  
said Edward Hogan

Sworn to before me, this 4<sup>th</sup> day of September, 1887, by Samuel G. Sheldon

Charles J. Fullman Police Justice.



**GLUED PAGE**

COUNTY }  
 YORK, } ss.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police  
offices for the City of New York, by Seaport Policemen  
of No. 118 Chambers Street, that on the 25th day of May  
1889 at the City of New York, in the County of New York,

1889 at the City of New York, in the County of New York,

188 at the City of New York, in the County of New York,  
 Benjamin Whylard did feloniously  
 break open and enter the premises 118  
 Chambers Street and burglariously stole  
 therefrom 2<sup>d</sup> family Baccarat sets 6 Sazerac  
 Snaps, 6 dozen pocket knives 650z Soda Selters  
 2600 and various the property of Benjamin  
 and of the value of One hundred dollars

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

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

Dated at the City of New York, this.....day of.....188.....

# POLICE JUSTICE.

0189

This warrant may be executed in the County of  
Richmond  
Charles J. Kullmeyer  
acting Police Justice  
The within named

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

Dated .....188

..... Police Justice.

POLICE COURT ..... DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Warrant-General.

Dated .....188

Magistrate.

Officer.

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

Officer.

Dated .....188

This Warrant may be executed on Sunday or at  
night.

Police Justice.



Justice District  
Police Court

Leopold Solomon

vs

Benjamin Whyland

Proff Examination of the Com-  
plainant.

Charged with  
Burglary  
Byssie Von  
Edward Hogan  
Sept 5th 1889

Where is your place of business?  
418 Chambers Street

Do you say your premises were burglarized  
some time ago,

Ayes Sir

Do you remember the date?

A Not the specific date

How did the burglary happen?

A Opening my door through false  
keys

Was there any signs of violence on  
your door that was broken open?

A No Sir, because they opened it  
with false keys

Was the door locked?



0191

Ayes si

Q Did you see anybody open it after  
the door was locked the night previous

A Yes si

Q Who locked the door?

A I did about 10 o'clock in the  
evening every day I locked the  
door myself. because I am the  
last one to leave the building

Q Does it ever happen that you  
are not the last one to leave the build-  
ing?

A No it never happened yet.

Q How many persons have you in  
your employ?

A At present

Q What were their names?

A Edward Thompson & John Lawrence

Q Who opened the store in the  
morning?

A John Lawrence

Q Did he have the keys to the place?

A Yes si

Q Has he accustomed to opening the

0.192

3

door?

Ayes Sir

And the same way that would suit  
would close it?

Ayes Sir

What property was taken from you?  
The property I mentioned in the  
complaint

Where and when did you last see  
them?

A On my way on or about the 25th  
of May I cannot give you the  
exact date

How many days previous to the  
burglary?

A I can say my place was burglarized  
every morning, I will say from  
the 20th to 25th of May

If you charge on a certain day May  
that certain property was taken from  
you?

Ayes Sir

How long before this burglary  
had you seen that property?

0193

4

A Not 3 days before

Q Did you ever see it again?

A I have seen it somewhere but not  
where I saw it at 136 Centre Street  
in my neighborhood place I saw  
these packaging rolls there

Q Are these packaging rolls manufactured  
by you?

A They are manufactured by me  
only.

Q By whom?

A Mr. Seigel of 306 Lenox Ave  
Q What other property was taken besides  
the packaging rolls?

A Turner's papers

Q Who are they made by?

A R. K. Wauking & Co. West Cornwall, N.Y.

Q Were they made exclusively for you  
at the time of the commission of  
this offense?

Answer

Q What other property?

A Ladies' Dresser

Q What more?



0194

5

Answer me as  
you see they were exclusively for you  
and sir

you have any other dealers that  
handle these succeeding sets?

And sir not unless they come from  
me.

you have other dealers handle these  
goods?

And sir

Those succeeding sets are made  
exclusively for you and sold by  
you?

Answer sir

How many succeeding sets have  
been made by this company for  
you during the year beginning  
January and ending about the  
time of this inquiry?

About 1 thousand sets

And how many sets did you  
dispose of?

I cannot state exactly for it  
goes.

0195

6

Q Possibly 10 gross?

A Yes sir

Q 5 gross?

A 5 gross

Q And these preceding sets having been sold by you were delivered on the market?

A Yes sir

Q And the fact then is that after people other than you moved here some of those preceding sets in New York A only a small amount.

Q If you say you didn't see anybody open the door or enter the premises other than those that had a right to?

A Yes sir

Q Then of your own knowledge you don't know whether the doors were opened by the defendants or the property taken from the shelves during the day time, but it is a fact that all you know is that you missed some property that you believe

0196

7

is your property of your own knowledge  
A. I know of my own knowledge  
that these goods were missing and  
taken away & it happened before the  
door was open.

If you not being present & then being  
no other evidence than the promise  
were given you don't know whether  
the property was taken at night or  
in the day time or not?

A. I was watching no man during the  
night before I closed the line and I  
came in the morning & I opened  
the door and I found 2 broad slices  
lying on the floor.

If those are the same and if so many  
sets that you see (showing)

A. Yes

If and those are some that you  
claim were taken away from you

A. Yes

If will you answer that those identical  
the same sets are the ones that  
were taken from you?



0197

8

Agree because Mr. Lee must admit  
he bought them from the no. 1 bank  
of Because Mr. McDonald said you  
that he had purchased them from  
the defunct bank you mean that these  
are the same that were stolen  
from you?

Agree Sir

Is that the only reason?  
And see that another I had also  
learned of from another party  
the only reason is that  
I received from others.

Is there anything about these 3 sets  
that differ in any respect from the  
number of grooves appearing sets  
that you sold in your establishment  
at N. & S. they are alike

And you cannot distinguish them  
from any other in your place?  
Answer

Respectfully

Did you sell any of those swaying  
sets to the prisoner?

0198

9

Answer

of Ledge well clear to Mr. O'Connell?

Answer not

of there you are certain or do you know  
how the business got into your  
hands?

Answer not certain

17

0199

10

John Leckman being away  
I am depressed & say  
fare to you inside  
A 1671 Lexington Ave.

Were you in the employ of the Ten  
pennants on the 25th of May  
1889?

Answer for about 3 years I am  
not now

Do you know the person at the Ten  
Answer

Did you see him there?  
Answer

Did you see him in the wood-  
pills?

Answer Did not

Did you at any time see any of  
these wood-pilling pills to Dr. Bennett

Answer

Do you remember on one occasion  
that this defendant came to you  
and asked you for the water closet  
key previous to the 25th of May  
1889?



0200

11

Cayce Sir

Yr boat under ?

About 1/2 past 8 in the morning  
about the 3<sup>rd</sup> of June

Yr boat before the 27<sup>th</sup> of May ?

Yr boat under at place the mine  
definitely reconstructed  
on the 6<sup>th</sup> of June. My ship supposed  
3 or 4 days before that.

Yr boat occurred ?

A. The prince and a party by the name  
of Ration came into the house  
and asked me if I had any goods  
to sell them. I showed them to them  
and a few standing outside. Whyland  
asked me for the water closet key  
and the key Lingo at the door and  
I gave it to him. My him and Ration  
went outside to the water closet  
and they did not return for 1/2 or 3/4  
of an hour. That is about all I saw  
say.

I will inquire whether the key of the  
water closet opened the workroom

0201

12

door?

Answer

Q How do you know it did

A One morning I got here and the  
key was not there and I went  
through the window look-  
ing into the room. The key was open  
the door & I saw some of the  
Cup Examined

Q You say you were arrested on the 6th  
of June?

Answer

Q Am what?

A Suspicion of being in with Patton  
W. H. H. H.

Q Am I being asked to?

Answer

Q What was done with you?

A I was allowed to go free

Q Were you arrested on the complaint  
of Mr. Solomon?

A I don't know

Q Was Mr. Walden at the place on  
the same floor in the same building

0202

16

Ayes si

Is it the same entrance?

Ayes si

Is there a door leading from your place into his?

Ayes si

Is he going into Woodstock place  
you can get into yours?

Ayes si

Is there many people who Woodstock  
got in his employ?

Is he self and father

Is your way to his, round the main street  
they from you?

Ayes si

Is a man in the closet?

Ayes si

Is and when they were things they  
came out?

Ayes si

Is there is no particular reason why  
you should note the length of time  
they were away?

Ayes si but that is my opinion



0203

14

If you didn't watch those men <sup>go</sup> in the closet?

Answer: that is the impression they gave me

If Had they been in your place before? Answer: frequently

Have you bought goods before?

Answer: no unless answer for 70 or 8 months

If you mean whether you ever used them any of these goods?

A Sam positive I had not

If you mean the tobacco pipe of these goods?

Answer: 1360

At

0204

15

Edwin Thompson being duly  
sworn depose & say  
I walked down road to  
A 105 Paul Street Brooklyn  
I relate the circumstances regarding  
the water closet key  
(The prisoner came in and asked  
the last witness to let him have the  
water closet key. We took it to  
him and went outside for half to  
3/4 of an hour. When returned it  
that we did not know about it except  
that he saw me open the door  
one morning with the water closet  
key

If you did not see him any of those  
times?

Cap. Edmund

If you did not open the door in the morning  
Answer

If did you ever lock up?  
Answer

And this defendant was there  
when you opened the door?

0205

16

Answer

Q. Where was the water closet key?

A. Hanging up near the desk

Q. Is there a door leading from  
Ward's closet to your room?

A. There is a door from the  
hallway to Ward's closet but another  
from his to mine but is locked  
though

Q. And all you had to do was turn  
from Ward's closet door to your  
room?

Answer Yes the defendant saw  
me open the door

Q. How could he see you open the  
door?

A. There was a glass door there?

Q. Did you tell him it was the  
water closet key?

Answer

Yes



17

Phoebe M<sup>rs</sup> McConnally being duly sworn  
deposes and says

Q Did you ever buy any of these goods  
from McConnally?

A Yes not from him but I did from  
different people

Q Did you buy these from the business  
(showing)?

A I bought some from the business  
but I don't know if those are the  
ones I am buying those  
goods since December up  
to the present time

Q Do you keep any books?

A Yes

Q Do you remember what you paid  
the defendant for the goods you  
bought of him?

A Generally 35 to 36 cents 30 or 33  
cents He didn't pay them to me  
for 30 cents

Q How many did you buy at one  
time from the defendant?

A From 1 to 3 at a time

17

Phoebe M<sup>c</sup>Connell being duly sworn  
deposes and says

Q Did you ever buy any of these goods  
from Melanion?

A And so not from him but I did from  
different persons

Q Did you buy these from the prisoner  
(showing)?

A I bought some from the prisoner  
but I don't know if these are the  
ones I bought. I am buying those  
goods since I remember up  
to the present time

Q Do you keep any books?

A And so

Q Do you remember what you paid  
the defendant for the goods you  
bought of him?

A Generally 30 to 35 Cents 30 or 33  
cents. He didn't pay them to me  
for 20 cents

Q How many did you buy at one  
time from the defendant?

A From 1 to 3 at a time

0208

18

How many in all did you buy from  
him?

A 21 1850 I guess altogether, I cannot  
say how many brought from him  
I guess 10 1872

Wm. Evans

Did you ever buy any at auction?

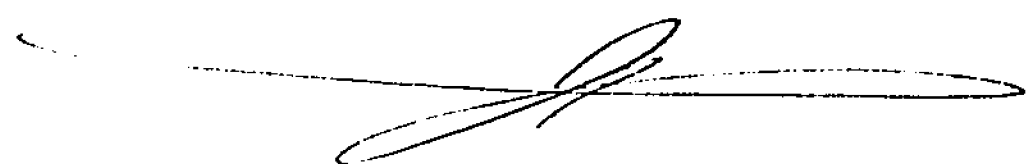
A Not much. I did not buy any of  
those goods at auction

Are there a great many peddlers  
who go around selling those goods  
at auction?

Yes. I buy them from the peddlers  
I did you ever buy them from peddlers  
A only peddlers

Do you know the wholesale price of  
them?

A I guess they are about the same  
price





Elliot Gordon being only known  
deposits & says

Q where do you reside?  
A 104 East 4th Street.

Q what is your business?  
A Storekeeper.

Q did you buy any of these newspapers  
from the defendant?

A yes sir.

Q How many?

A 10 Ten

papers?

A In May about

Q will you state how much you  
paid him for them?

A \$20 for the 10 papers they were  
small ones.

Q as that more or less than you  
could buy them at wholesale?

A About the same price.

Q did you buy any newspapers  
from anybody else?

A yes I bought them at auction sales  
often?

0210

20

A. not very often

Complaint Returned 5

Where you present in court yesterday  
 & by whom the prisoners made any  
 statements regarding what Mr. Miller  
 will paid him for the necessary costs,  
 A. 1900 is he said 25 cents. & price  
 of what is the necessary price of them  
 A. 350 and 360. In answer to them from  
 360 to 350 once I went to court to  
 auction to see what they would  
 bring & they brought 30 cents  
 Defendants Journal moves to  
 dismiss the Complaint  
 By the Court Motion Denied  
 Defendants Journal waives  
 further Examination  
 Sept held for trial. Jd 1000 to  
 answer

0211

POOR QUALITY  
ORIGINAL

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 Sept 5<sup>th</sup> 1889 Ed. Hagan Police Justice.

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

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

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

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



0212

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Ret. Sept. 5 at 2 P.M.

Police Court---

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

1

2

3

4

Offence

Date

188

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

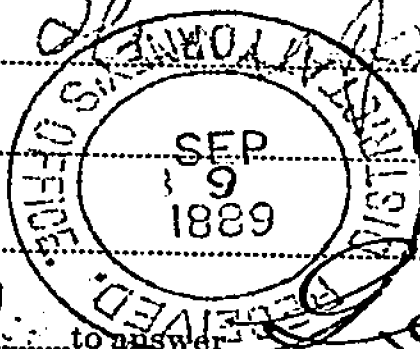
Street.

No.

Street.

\$1000.

to answer



Supp. to return 105-48  
Ex. Ave 2105

0213

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Benjamin Weiland

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

Benjamin Weiland

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

The said

Benjamin Weiland

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

Leopold Solomon

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

Leopold Solomon

in the said store 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.

02 14

SECOND COUNT—

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

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

The said

*Benjamin Weiland*  
346 6  
JUL 11 9

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 *day*-time of the said day, with force and arms,

*twenty-four soldering sets of the value  
of two dollars each, seventy-two  
tin-man's snipps of the value of  
twenty-cents each, seventy-two  
pocket knives of the value of  
twenty five cents each, and seventy-  
two shears of the value of thirty  
cents each, and two bread-slicers of  
the value of ~~each~~ one dollar each*

of the goods, chattels and personal property of one

*Leopold Solomon*

in the

*store*

of the said

*Leopold Solomon*

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



0215

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said  
*Benjamin Weiland*  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

*Benjamin Weiland*

late of the Ward, City and County aforesaid, and wards to wit: on the day and in the year afore-  
said, at the Ward, City and County aforesaid, with force and arms,

*twenty-four soldering sets of the value  
of two dollars each, seventy-two tinman's  
snips of the value of twenty cents  
each, seventy-two pocket knives of the  
value of twenty five cents each, seventy-  
two shears of the value of thirty  
cents each, and two bread-slicers of  
the value of one dollar each*

of the goods, chattels and personal property of one

*Leopold Solomon*

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

*Leopold Solomon*

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

*Benjamin Weiland*

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

JOHN R. FELLOWS,  
District Attorney.

0216

**BOX:**

367

**FOLDER:**

3442

**DESCRIPTION:**

Wesley, Charles

**DATE:**

09/24/89



3442

Witnesses:

*Off Jeremiah Mayland*

*1887*  
Counsel,  
Filed *24* day of *Sept* 188*9*  
Pleads,

THE PEOPLE

vs.

*Charles Wesley*

ATTEMPTING SUICIDE.  
(Section 174, Penal Code).

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*Chas. B. Durbach*

Foreman.

*Sept 24/89*

*Ready Gully*

*Guilty Confessed*

*W.H.*

0217



0218

Police Court, / District.

City and County } ss.  
of New York,

of No. 25 Precinct Street, aged years,

occupation Police officer being duly sworn, deposes and says,

that on the 17 day of August 1889, at the City of New

York, in the County of New York Charles Wesley (now

here) who with intent to take his own life committed upon himself an act dangerous to human life or which if committed upon ~~him~~ or towards another person and followed by death as a consequence would render the defendant chargeable with homicide in violation of Section 174 Penal Code for the reasons that on said day deponent saw the defendant jump into the North River from ~~from~~ the bulkhead between Piers 5 and 6 and saw John L. Maher jump into said river and is informed by said Maher that he Maher, did rescue and save ~~from~~ the defendant from drowning and that the defendant resisted said Maher and held his, defendants' head under water with the intent to suffocate himself and take his own life.

Sworn to before me  
20 August, 1889

Police Justice

Jeremiah Moyland

0219

CITY AND COUNTY }  
OF NEW YORK, } ss.

*John L. Maher*  
aged 47 years, occupation Watchman of No. 30 Greenwich Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Jeremiah Moyland  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 20  
day of August 1889

*John L. Maher*

*Laurel*  
Police Justice.

0220

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

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

Question. What is your name?

Answer.

*Charles Wesley*

Question. How old are you?

Answer.

*57 years*

Question. Where were you born?

Answer.

*Massachusetts*

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

Answer.

*Coleville N.J. 5 years*

Question. What is your business or profession?

Answer.

*Engineer*

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

Answer.

*I am not guilty. I was  
under the influence of liquor and  
did not know what I was doing. Charles Wesley*

Taken before me this *20*  
day of *August* 188*7*

Police Justice.

*Samuel W. Smith*



0221

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 Aug. 20 188 San J. C. Kelly Police Justice.

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

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

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

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

0222

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Police Court---

1762 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Jeremiah Moyland*  
vs.  
*Charles Wesley*

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

Office *Altemus*

Dated *August 20* 188*9*

*To'Reilly* Magistrate.

*Mayland* Officer.

*28* Precinct.

Witnesses *John L. Maker*

No. *30 Greenwood* Street.

No. .... Street.

No. .... Street.

No. .... Street.

No. .... Street.

No. .... Street.

\$ *5.00* to answer *4.50*

COMMITTED.

0223

**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 Wadsworth*

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

*Charles Wadsworth*  
of the CRIME OF ATTEMPTING SUICIDE, committed as follows:

The said *Charles Wadsworth*

late of the City of New York, in the County of New York aforesaid, on the  
*seventeenth* day of *August*, in the year of our Lord  
one thousand eight hundred and eighty-*nine*, at the City and County aforesaid,  
with intent to take *his* own life, did feloniously *cast* and  
*throw* himself into the waters  
there, commonly called the ~~North~~  
North River, and with the same  
intent aforesaid, did then and there  
*feloniously sink and submerge* his  
*body* in the waters aforesaid.

the same being an act dangerous to human life, against the form of the Statute in such case  
made and provided, and against the peace of the People of the State of New York and their  
dignity.

JOHN R. FELLOWS,

District Attorney.



0224

**BOX:**

367

**FOLDER:**

3442

**DESCRIPTION:**

Winter, William

**DATE:**

09/06/89



3442

Witnesses;

Meusel, James

Off Brennan

Counsel,

Filed

Pleads,

6 Sept. 1899

THE PEOPLE

vs.

William Winter

Guilty in the Third degree.  
Second degree  
Second degree

[Section 498, 1889, 3284, 437.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Charles B. Stephens

Foreman.

Reads Henry Zoley

S. P. Two girls.

0225

0226

Police Court— 3 District.City and County } ss.:  
of New York,of No. 75 Miller Street, aged 42 years,  
occupation liquor dealer being duly sworndeposes and says, that the premises No. 75 Miller Street, 11 Ward  
in the City and County aforesaid the said being a three story  
building the ground floor  
and which was occupied by deponent as a liquor saloon  
and in which there was at the time a human being, by namewere BURGLARIOUSLY entered by means of forcibly loosening a  
window leading into said  
premiseson the 7 day of August 1889 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:One box containing a set  
of pool balls valued  
at forty-five dollarsthe property of Deponentand 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 byWilliam Walter Sponting

for the reasons following, to wit:

at about the hour of  
midnight on the said date  
deponent securely locked and  
fastened the door and windows  
of said premises and about the  
hour of five o'clock on said  
date as deponent was coming  
down stairs in said premises  
he saw the defendant leaving



0227

said store by a side door with the said property in his possession. Reponen says that when he entered said store the said window <sup>found</sup> was lowered.

Sworn to before me } Mendel J. Jones  
this 25<sup>th</sup> day of August 1889

My Oath

Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named \_\_\_\_\_  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of \_\_\_\_\_ Hundred Dollars \_\_\_\_\_ and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.  
Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.  
I have admitted the above named \_\_\_\_\_  
to bail to answer by the undertaking hereto annexed.  
Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.  
There being no sufficient cause to believe the within named \_\_\_\_\_  
guilty of the offence within mentioned, I order he to be discharged.  
Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

THE PEOPLE, &c.,  
on the complaint of

Offence—BURGLARY.

1  
2  
3  
4

Date

188

Magistrate.

Officer.

Clerk.

Witness,

No.

Street,

No.

Street,

No.

Street,

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

0228

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK }

3 District Police Court.

*William Winter* 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.

*William Winter*

Question. How old are you?

Answer.

*16 years.*

Question. Where were you born?

Answer.

*New York.*

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

Answer.

*356 E 89th 2 years.*

Question. What is your business or profession?

Answer.

*Vannisher*

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.*

*William Winter*

Taken before me this

day of *August* 188*9*

Police Justice.

0229

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

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

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

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

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



0230

Police Court

31837 District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Blondel*  
*Am*  
*Walter*

1

2

3

4

Dated

188

Magistrate

Officer

Precinct

Witnesses

No.

Street

No.

Street

No.

Street

\$

to answer

*Concurrence*

*Carr*

BAILED,

No. 1, by

Residence

Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

No. 4, by

Residence

Street

0231

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*William Winter*

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

*William Winter*

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

The said

*William Winter*

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

*Mendel Jams*

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

*Mendel Jams*

in the said *saloon* 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.

0232

SECOND COUNT—

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

— *William Winter* —  
of the CRIME OF *Grand* LARCENY in the second degree committed as follows:

The said

*William Winter*  
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 month of the said day, with force and arms,

*fifteen pool balls of the  
value of three dollars each  
and one box of the value  
of one dollar.*

of the goods, chattels and personal property of one

in the *Saloon* of the said

*Mendel Jams*  
*Mendel Jams* —

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

*John R. Helton*  
District Attorney