

1233

BOX:

534

FOLDER:

4868

DESCRIPTION:

Thompson, William

DATE:

09/15/93



4868

1234

Witnesses:

John Bradley

Counsel,

Filed 15th day of Sept 1897

Plead *Guilty*

THE PEOPLE

18 Hamilton vs. 16 1/2 Criminals maker.

William Thompson
Has been in
Elmira Ref. 209

degree
Burglary in the 2nd degree
[Section 40 of Penal Code]

DE LANCEY NICOLL,
District Attorney

A TRUE BILL.

E. W. Bloomingdal

Sep 29

Foreman

to 194 October 3/93
Park 3 Burg. 2nd deg -
S. P. 4 years.

1235

Police Court 3 District.

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

of No. 10 South John Bradley 11th Street, aged 37 years,
occupation boardman

deposes and says, that the cabin of canal-boat "Mary Bradley", Clinton Street, East River,
in the City and County aforesaid, the said being a canal boat,
the cabin

which was occupied by deponent as a living apartment and bedroom
and in which there was at the time a human being, by name deponent
and his wife Mary Bradley
were BURGLARIOUSLY entered by means of forcibly moving back
a sliding-window on the side of
said cabin

on the 10 day of September 1885 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

A quantity of male and female wearing
apparel, of the value of One Hundred
Dollars
\$ 100⁰⁰/₁₀₀

the property of deponent and his wife
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

Robert M. Enoy and William Thompson
(both now here) acting in concert,
for the reasons following, to wit: Deponent saw said window securely
closed about 1 A.M. on said date and the
above-named property was at said time in
the cabin: about 2 A.M. on this date, deponent
was awakened by a noise at the window
and saw a man, whom deponent identifies
as the defendant William Thompson having
his body more than half-way through said
window: that on going to the door of the cabin

1236

deponent saw both defendants running away
across several canal boats, which were
at the pier aforesaid. Therefore, deponent
prays ^{that} defendants may be dealt with as
the law directs.

Sworn to before me this } John Bradley
10th day of September 1893 }

[Signature]
Police Justice

Police Court _____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Burglary

Degree.

Dated _____ 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ _____ Bail.

Bailed by _____

No. _____ Street.

1237

Sec. 198-200.

3

1882

District Police Court.

City and County of New York, ss:

Robert M. Evey

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

Question. What is your name?

Answer. *Robert M. Evey*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *20 Monroe St - 7 mos.*

Question. What is your business or profession?

Answer. *Truck driver*

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

Answer. *I am not guilty.
R. M. Evey*

Taken before me this

day of *Sept* 1895

John Ryan

Police Justice.

1238

Sec. 198—200.

3

District Police Court.

1882

City and County of New York, ss:

William Thompson

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 Thompson*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *W.D.*

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

Answer. *4 Hamilton St - 1 year*

Question. What is your business or profession?

Answer. *Truck driver*

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

Answer. *I am not guilty - Wm Thompson*

Taken before me this

day of

1895

John R. Ryan

Police Justice.

1239

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

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 200 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, September 10 1893

John Ryan Police Justice.

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

Dated, _____ 189

Police Justice.

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

Dated, Sept 22 189

John Ryan Police Justice. 1881

1240

Police Court--- ¹³ 3 ⁹⁶² District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Bradley
Robert M. [unclear]
William Thompson

Murphy
Offense

3.....
4.....

Dated, *Sept. 10* 189 *5*

Ryan Magistrate.
Murphy Officer.

..... Precinct.

Witnesses *Mary Bradley*

No. *10 South* Street.

Call the office

No. Street.

Officer Cronin

No. *7th Precinct* Street.

\$ *1000* to answer

No 1 Discharged

Ch 194



BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

1000 & Sept 10th 30

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 Thompson

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

William Thompson

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

The said *William Thompson,*

late of the *_____* Ward of the City of New York, in the County of New York aforesaid, on the *_____* day of *September*, in the year of our Lord one thousand eight hundred and ninety *three* in the *_____* time of the same day, at the Ward, City and County aforesaid, the dwelling house of one *John Bradley*

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 *John Bradley.*

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away, *the said William Thompson* being then and there assisted by a confederate actually present, whose name is to the Grand Jury aforesaid as yet 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 Hall,
District Attorney

1242

BOX:

534

FOLDER:

4868

DESCRIPTION:

Ting, Ah

DATE:

09/18/93



4868

1243

POOR QUALITY ORIGINAL

Witnesses:

Sam Nakh

Counsel,

Filed

day of

1893

Pleads

for pleasure...
and for...
Interpreted
18 day of Sept 1893
Pleads Not guilty no

THE PEOPLE

vs.

Ch' Ting

on recommendation of...
Indictment dismissed...
defendant may be deported to...
Interceptor. Signed...
Class J. Ting 41
2722. 3 A

DE LANCEY NICOLL,

District Attorney.

Part 2 Nov 22, 93 P.S.D.W.
Part 3 December 6/93
Question as to sanity tried & def. found
A TRUE BILL. Now insane

Ch' Ting
Foreman
PSH

Almond Degree.
Pennl Chde.]

Dr. John G. Gray
17 E. 127th St
Dr. Edgar S. Wood
246 1st Ave
to report on...
condition of def.

1244

117

COURT OF GENERAL SESSIONS, PART III.

-----X	:	
THE PEOPLE OF THE STATE OF	:	<u>INDICTMENT FILED</u>
NEW YORK,	:	<u>SEPTEMBER 18, 1893.</u>
vs.	:	<u>INDICTED FOR GRAND</u>
A H T I N G.	:	<u>LARCENY IN THE SECOND</u>
-----X	:	<u>DEGREE.</u>

BEFORE

HON. RANDOLPH B. MARTINE AND A JURY.

New York, December 6th, 1893.

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

FOR THE PEOPLE, ASSISTANT DISTRICT ATTORNEY, BARTOW S.

WEEKS.

FOR THE DEFENDANT, MR. J. W. McLOUGHLIN.

John G. Truax, a witness for the people,
sworn, testified.

DIRECT EXAMINATION:

Q. Dr. Truax, you made an examination of the defendant, did you?

A. Yes, sir, I have.

- Q. When?
- A. On the 24th of last month.
- Q. Will you please tell the Jury what you ascertained through that examination?
- A. I examined the man in the Tombs on the 24th day of November, and I found him to be incoherent, and unable to continue a conversation for any length of time.
- Q. Did you talk with him through an interpreter?
- A. Yes, sir. If you asked him any question he would appreciate the question, but he would begin to answer it and the first few words might be all intelligent, but after that he would run off onto other subjects, also in the midst of the conversation he would jump up and start to go out of the room as much as three or four times, and I had to call him back and ask him to sit down. He did not seem to be conscious of what he was doing. I also learned, and probably it is the cause of his condition of mind, that he abuses himself; of course that is not of my own knowledge, but I have to talk with others who have been in charge of him.
- Q. Did you make any physical examination of him?
- A. No, sir, no physical examination, but the keepers told me they have caught him doing it several times, and his condition of mind is such as would be produced by this

habit; he is weak minded at present rather than being insane, but of course if he keeps up this habit he will undoubtedly become insane and it will eventually terminate in melancholia. In my opinion he is absolutely irresponsible for anything that he may say or do; that is my positive opinion.

Q. From your examination made of him, would you say that at the present time he was insane?

A. Yes sir, he is insane

BY THE COURT.

Q. You say you saw him on the 24th of November?

A. Yes sir.

Q. What time of day were you there?

A. I was there in the afternoon.

Q. How long were you with him?

A. I think I was with him about an hour and a half; just about that I think.

Q. Did you have the aid of an interpreter?

- A. I saw an interpreter there.
- Q. Was there an interpreter present during your entire visit with him?
- A. Yes sir, while I was with him he was present with others.
- Q. When you were with him were you able to converse with him?
- A. Yes sir.
- Q. Could he speak the English language?
- A. Yes sir.
- Q. Sufficiently well for you to understand?
- A. Yes sir to tell his story.
- Q. Have you any evidence that the man is now insane?
- A. Yes sir.
- Q. You think his insanity is of the nature of melancholia?
- A. Yes sir.
- Q. He gives evidence of that you say?
- A. Yes sir.
- Q. The specific things you have mentioned lead you to that opinion?
- A. Yes sir; his manner, the way he speaks and the way he went on while I was talking to him and I was compelled to call him back at different times. Taking into consideration all those facts I believe him to be insane.
- Q. Taking into consideration all the facts that you have stated and also the fact that you did not understand his language, and taking into consideration your inability to fully understand his conversation, do you believe that it is possible or impossible that he is shamming?
- A. No sir, I don't think that he could be; I am perfectly

satisfied in my own mind; that the man is an insane man I haven't any doubt at all on the subject.

Q. Of course you cannot give as many reasons for your opinion as if you had been able to converse with the man in his own language?

A. No sir.

Q. Do you consider that at present he has mental capacity to sufficiently instruct his counsel as to his defense?

A. No sir, I don't think that he has; I know that he could not do it.

Q. In your opinion is a person of such mental capacity as Mr. has, able to distinguish between right and wrong?

A. No sir, I don't think that he is as he stands there now.

Q. Is he of such mental capacity as not to be able to fully understand the nature of any acts that he might be charged with?

A. I don't know; he would not understand any act hardly; he might understand some act but I don't believe he would understand the nature of any act.

Q. Did you understand at the time you saw him that he was charged with a crime?

A. Yes sir I understood that thoroughly.

Q. Did you understand also that that crime was of the nature of grand larceny in the second degree?

A. Yes sir.

Q. Did you have any conversation with him on the subject of the crime?

A. Yes sir.

- Q. From your entire examination of him I understand you to say that you believe him to be insane and incapable of distinguishing between right and wrong?
- A. I think he is.
- Q. Incapable of properly instructing his counsel as to his defense under such accusation?
- A. I haven't any doubt about it.
- Q. You have made an examination of this defendant. What are the chances of his recovery from this situation which you say exists in his case?
- A. I don't believe there is any possible chance for his recovery; there might be possibly, if he could be broken of this habit which I have referred to.
- Q. You think it likely to remain- do you consider him a dangerous person in his present condition?
- A. I do.
- Q. A person who should be in confinement or at large?
- A. In close confinement where he could be watched.
- Q. He should be kept in close confinement?
- A. Yes sir, where he could be looked at.
- Q. And properly cared for?
- A. Yes sir.

Edgar G. Weid, a witness for the people,
sworn, testified.

DIRECT EXAMINATION:

- Q. Dr. did you make an examination of this defendant?
- A. Yes sir I did.

Q. When and where?

A. In the tombs on the 24th of November last.

Q. Will you please tell the jury what occurred in regard to that examination?

A. I went there and I found the defendant there; I examined him through an interpreter whom I found.

Q. You examined him twice?

A. I went there on two occasions. The first time I was not able to secure the services of an interpreter, but afterwards I found an interpreter with him. Then I discovered that the defendant was very incoherent in his speech he would start in on one subject, and when you would ask him a question, while he would answer that, in the next sentence he would say something totally different and crawl away from the subject; his motions and his actions would indicate that he was erratic; he would talk, then take a seat, then start to get up and leave you and if you asked him a question he would put out his hand to take your hand. His eyes were shifting; you could not concentrate them on any one object; he would not look at you all the time so I would say that he is positively insane.

Q. Would you say that he was incapable at this time of informing his counsel as to his defense?

A. I believe he is; I don't believe that he could properly inform his counsel so as to try the case.

Q. You have examined him?

A. Yes sir.

Q. You are a regularly admitted and practicing physician?

A. Yes sir.

Q. And also an examiner of lunacy?

A. Yes sir, I filed my papers in 1884.

Q. Do you believe that this defendant is incapable of understanding the proceeding of his trial?

A. I think that he is; but I think that he has a good idea of the relation between right and wrong.

Q. Dr. do you believe that he is unable to properly make his defense at this trial?

A. I think so.

Q. Do you believe that he is a dangerous person to the public peace and safety?

A. At present I do not think that he is but if he keeps on at the habit which he has been practicing, he soon will be.

Q. At the present time do you think that he is dangerous to the welfare of the community?

A. Yes sir, to the welfare of the community if he is at large.

Q. And you think he is dangerous to the public safety?

A. Yes sir.

THE COURT THEN CHARGES THE JURY.

Gentlemen of the jury,

The situation as to this case is just this:

This defendant was indicted under an accusation that he was guilty of the crime of grand larceny in the second degree, that is he was charged with having stolen or appropriated to his own use property of the value of over

\$25.00 but not exceeding \$500.00. We are not here trying that question because there has been a plea interposed here that this defendant is not now a sane person and of course, a person who is in that situation, cannot be placed upon trial for a crime while their condition is claimed to be that of insanity; therefore, the inquiry here is as to whether or not that contention is a true one, to the end that the court's mind and conscience may be properly advised and to the end that you may have the benefit of those persons learned in the medical profession, who can give you the benefit of their experience in these matters.

When it appears to the satisfaction of the court that a defendant is insane it is the duty of the court to appoint physicians in whom they have confidence to the end that inquiry may be made and facts presented to a jury, so that they may ascertain what the real situation is. Of course the situation in this case is just like any other case. This man is sane or insane, depending upon you to determine. You are not to conclude by the testimony of these physicians. You have the right to inspect and see the defendant himself. You have the right to take the evidence in the case, and to take into consideration the entire surroundings. The question is for you, what is the present mental condition of this defendant? It is claimed by the defendant that he is now insane.

Two physicans have been sworn and you have heard their testimony. They both say upon their oaths and have testified that it is their opinion - their professional opinion - that the condition of this defendant is, that he is not responsible and is incapable at the present time of instructing his counsel, and incapable of distinguishing right and wrong. They tell you that he is insane at the present time and that he ought not to be put upon trial for this charge. Now the opinion of doctors under such circumstances, after all, only opinion, it is skilled opinion, but it is subject to be tested by you and you are to determine the case the same as you would any other case. The opinions of experts are not at all conclusive. They may be mistaken just like other men. We have done what we thought it was advisable to do, and we have called in these physicans in whom the court has confidence. We have given you the benefit of their testimony, and it is for you now to say about this entire testimony what the present condition of the defendant is. The verdict in this case gentlemen, will be one of two - is the defendant now sane or insane? Of course gentlemen, the question of reasonable doubt comes into this case as it does into any other case., and it is now for you upon the whole case to say, is the defendant now sane or insane?

The jury retired and returned a verdict finding the defendant now insane.

*Robert G. ...
 ...
 ...*

1254

EDGAR T. WEED, M. D.,
246 LENOX AVE.,
N. Y.

Nov 20/93

Hon Randolph B. Martine

Dear Sir

I have Examined

Shing at present Confined in
the Tombs, and find him an
imbecile, incoherent in thought,
and Erratic in actions and movements;
and do not believe him to be
accountable for his actions.

Yours Respectfully

Edgar T. Weed M.D.

1255

J. G. TRUAX, M. D.,
17 E. 127th St.

New York, Nov. 25th 1893

Hon. R. B. Martine

Dear Sir,

In obedience to your request,
I have made a careful inquiry into the
mental condition, of Ah Tung, now
confined in the city prison.

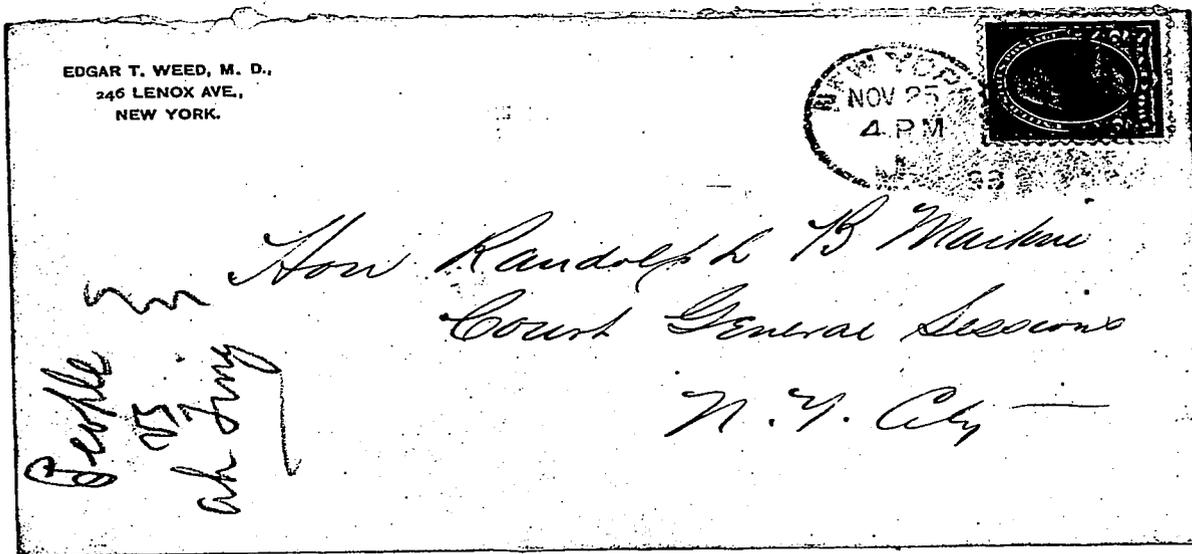
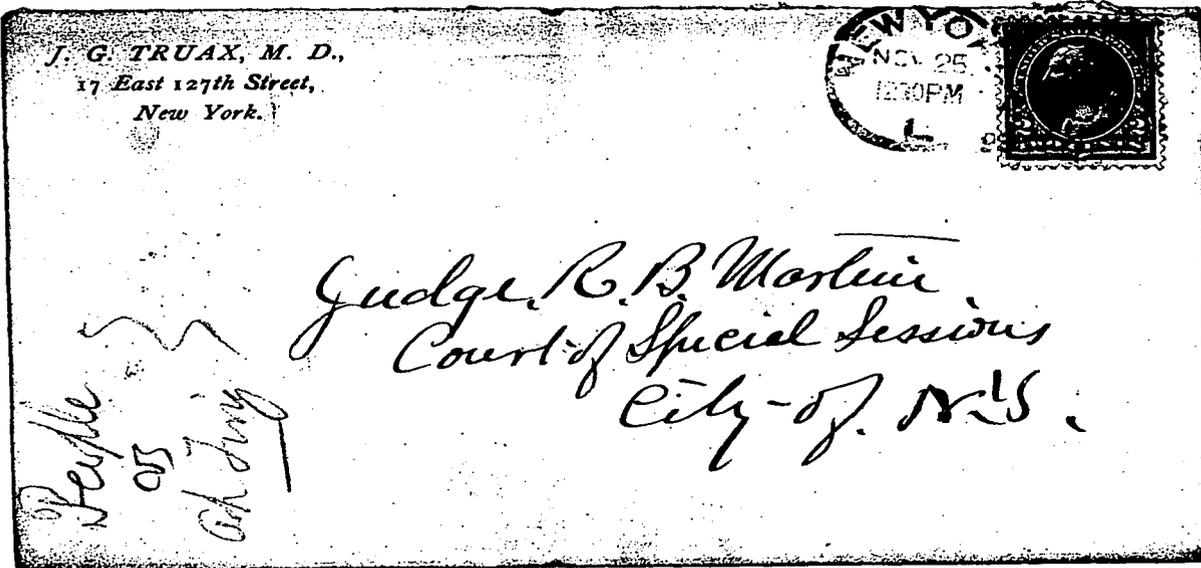
His mind has been
destroyed by self abuse, to a degree,
which makes him irresponsible
for his actions.

He is excitable, incoherent
and unintelligible in conversation.
His movements are erratic, and there
is great loss of muscular power.

There is absolutely no reflex muscular
action. He is an imbecile, and should
be confined in an asylum for the
insane or idiotic.

Sincerely Yours
J. G. Truax, M.D.

1256



1257

Police Court— District.

1913

Affidavit—Larceny.

City and County of New York, ss.

Sam Wah

of No. 27 Washington Street, aged 30 years, occupation Laundryman

deposes and says, that on the 16 day of August 1893 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 time, the following property, viz:

One trunk and a quantity of clothes all of the value of about two hundred dollars

the property of Deponent

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

for the reason that on or about said date deponent left the said property in the keeping of the defendant at the above said address for safe keeping. Deponent left said premises on the fifteenth of August 1893 and said trunk was then on said premises, deponent missed the said property when he returned to said premises on the 16 instant. Deponent charges defendant with the larceny of his property because he left it in defendant's care and defendant took away from said premises.

Sam Wah

Sworn to before me this 15th day of August 1893 at New York City. Justice

1258

(1885)

Sec. 198-200.

District Police Court

CITY AND COUNTY OF NEW YORK } ss.

Sh Tung 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. *Sh Tung*

Question. How old are you?

Answer. *36 years*

Question. Where were you born?

Answer. *China*

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

Answer. *87 Washington St 2 weeks*

Question. What is your business or profession?

Answer. *Janitor*

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*

no

I taken before me this

Police Justice.

1259

(1800)

City and County }
of New York. } ss.

Police Court, 1 District.

Sam Wah

of No. *27 Washington* Street, being duly sworn, deposes and says,

that *Shi Ting* (now present) is the person of the name of

Sung mentioned in deponent's affidavit of the *16th*

day of *August* 189*3*, hereunto annexed.

Sam Wah

Sworn to before me, this *14*
day of *August* 189*3*

POLICE JUSTICE

1260

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

Deputy guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 200 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 17 1893 [Signature] Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

54
Police Court--- District. 898

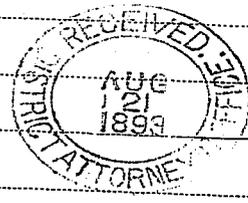
THE PEOPLE, &c.,
ON THE COMPLAINT OF

Sam W. Ah
27 Washington
St. N. W.
St. L. Aug

Offense *Armed*
Fellm

Dated *Aug 17* 189*3*
J. Martin Magistrate.
Oliver Officer.
Precinct.

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



No. *1000* to answer *LS*
Street.

Accounted
No 207

BAILED,

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

1262

People
vs.
Ab Bing

Reports enclosed
Jan. 24/93
R.R.P.

In this case
Doctors Grant
and Keel have been
appointed Examiners
to inquire into the
mental condition of
defendant.

1263

Sec. 151.

Police Court _____ District.

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

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 *Sam W. Whelan*
of No. *27 Washington* Street, that on the *16* day of *August*
1893 at the City of New York, in the County of New York, the following article to wit:

One trunk and a quantity of clothes
of the value of *Two hundred dollar* Dollars,
the property of *Deport*
w. ~~as~~ taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and
believe, by *King*

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said
Sheriff, Marshals and Policemen, and every of you, to apprehend the bod. *of* of the said Defendant
and forthwith bring *him* 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 _____

16 day of *August*, *1893*
Samuel Whelan POLICE JUSTICE.

1264

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated August 16 1893

Martine Magistrate

Connor Officer.

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

Command Connor Officer.

Dated Aug 17 1893

This Warrant may be executed on Sunday or at
night.

Police Justice.

WARDEN and KEEPER of the City Prison of the City of New York.

Dated 188

Police Justice.

36
Chua
Laundry
27 Washington St

The within named

JRC.

COURT OF GENERAL SESSIONS
COUNTY OF NEW YORK.

----- X
THE PEOPLE OF THE STATE OF NEW YORK :

--against--

: CHARGE: Grand larceny
: 2nd degree.

A H T I N G .

----- X

RECOMMENDATION.

This defendant was indicted on the 18th day of September, 1893, charged with grand larceny in the second degree, and on the 6th day of December, 1893, he was found insane by a jury and committed to the Asylum for Insane Criminals (now the Matteawan State Hospital) by the Hon. Randolph D. Martine, Judge of the Court of General Sessions. The defendant has ever since been confined in the State Hospital.

As appears from the letter of Dr. R. F. C. Kieb, ^{copy of which is annexed hereto} Medical Superintendent of the Matteawan State Hospital, the Bureau of Deportation has completed arrangements to send several chinese patients to Canton, China, in the company of competent transportation agents, and it is desired to include Ah Ting in the party.

It further appears that the defendant is suffering from a chronic and irrecoverable type of mental disease known as dementia praecox, and that there is no possibility that he will ever be discharged from the State Hospital as cured. I am informed, however, that the Chinese government will care for this patient if he is returned to his

native country.

The crime with which the defendant was charged was the larceny of a trunk and personal belongings, the property of one Sam Wah, another Chinese, claimed to be of the value of about two hundred dollars. Had the defendant been convicted of the crime he would have been discharged from any possible term of imprisonment that might have been imposed, many years ago. He has now been confined in the State Hospital for some twenty-one years.

Under all the facts and circumstances, I believe that the interests of justice will best be subserved by his deportation to China, and accordingly I recommend that the indictment against the defendant herein be dismissed.

Respectfully submitted

Dated N.Y. March 17th, 1915.

Charles Albert Perkins
DISTRICT ATTORNEY.

BY

Henry D. Sayer
CHIEF CLERK.

approved
Edw. Swann
S. C. S.

1267

STATE OF NEW YORK --- MATTEAWAN STATE HOSPITAL

Beacon, New York, March 8, 1915.

Irsei AH TING

Hon. Charles A. Perkins,
District Attorney,
New York, N. Y.

Dear Sir:-

I am informed by the State Bureau of Deportation that they have completed arrangements to send several Chinese patients to Canton, China, in the custody of competent transportation agents. The party will leave New York City on Tuesday, March 16, and they desire to include one Ah Ting in this party.

This patient, however, is under indictment in New York County for the crime of grand larceny, second degree, and before any action can be taken in the matter of his discharge, it will be necessary to have this indictment dismissed. He was committed to this hospital December 6, 1893 by the Hon. Randolph B. Martine, Judge of the Court of General Sessions, after a jury had rendered a verdict that the said Ah Ting was not of sound mind and understanding. He is suffering with a chronic and irrecoverable type of mental disease known as dementia praecox, and there has been no improvement in his mental status since his commitment to this hospital over twenty-one years ago. In fact, there has been a gradual deterioration of all mental faculties. He exhibits many mannerisms and at times is inclined to be negativistic. He is listless and apathetic, takes no interest in his surroundings and does not associate or converse with any of the other patients.

He also is often observed looking about and moving his lips as if in response to imaginary voices. In demeanor he is quiet and orderly and he has no time exhibited assaultive tendencies. Physically he is in good health and his mental status is such that he could safely travel to China as a member of this party. When he arrives there I am informed that he will be placed under the proper jurisdiction by the authorities at Canton, and that they are always pleased to have their people returned to them. His mental status is such that recovery cannot be looked for, and for this reason I would recommend that the proper action should be taken so that this patient can be discharged to the custody of the State Bureau of Deportation. If he had not been insane and had gone to trial, he would have been discharged many years ago, so I see no reason why the State of New York should be burdened with his further maintenance when his own people are willing to undertake his custody.

Parties are not returned to China frequently so I trust that we will be able to discharge Ah Ting at this time. Thanking you in advance for your prompt attention to this matter, and for your kind assistance and co-operation in other cases, I am

Yours very truly

R. F. C. KIEB,
Medical Superintendent.

G

COURT OF GENERAL SESSIONS
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF
NEW YORK,

against

A H T I N G

RECOMMENDATION.

CHARLES ALBERT PERKINS
~~CHARLES ALBERT PERKINS~~

DISTRICT ATTORNEY,

CRIMINAL COURTS BUILDING,

BOROUGH OF MANHATTAN,

NEW YORK CITY.

1259

1270

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Ah Tung

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

Ah Tung

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

The said

Ah Tung

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

divers articles of clothing and wearing apparel of a number and description to the Grand Jury aforesaid unknown, of the value of two hundred dollars, and one trunk of the value of ten dollars,

of the goods, chattels and personal property of one

Sam Wah

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.

1271

Second COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further
accuse the said *Ah Sing*
of the same CRIME OF *Grand LARCENY, in the*
second degree committed as follows:

The said *Ah Sing*,
late of the City of New York, in the County of New York aforesaid, on the
day of *August*, in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, being then and there the *bailee*
of *one Sam Wah*

and as such *bailee* then and there having in *his* possession,
custody and control certain goods, chattels and personal property of the said

Sam Wah
the true owner thereof, to wit: *divers articles of clothing*
and wearing apparel of a number
and description to the Grand Jury aforesaid
said unknown, of the value of two
hundred dollars and one trunk of
the value of ten dollars:

did afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with
force and arms, feloniously appropriate the said *goods, chattels*
and personal property,
to *his* own use, with intent to deprive and defraud the said *Sam Wah*

of the same, and of the use and benefit thereof; and the same goods, chattels and personal property
of the said *Sam Wah*

did then and there and thereby feloniously steal, 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.

1272

BOX:

534

FOLDER:

4868

DESCRIPTION:

Todhunter, John

DATE:

09/22/93



4868

1273

POOR QUALITY ORIGINAL

Witnesses:

Acot Bacher
N Rabe
L Curtis

Grand Juror
Filed
Read

Sept 20 1893
W. G. Smith

THE PEOPLE
vs.

John Toohunter

Grand LARCENY, 2^d & 3^d Degree
(MISAPPROPRIATION)
(Sections 528 and 531 of the Penal Code.)

DE LANCEY NICOLL

District Attorney

J. P. ...

A TRUE BILL.

W. B. ...

Foreman.

Sept 20 1893
in room of Dist. Atty.
indict. dis. P. B. M.

In my opinion this dispute between the defendant & the complainant should be settled in the courts of civil jurisdiction & not in the criminal courts. I therefore recommend the dismissal of the indictment.

April 7, 1894.

Wm. M. Davis
Clerk

1274

POOR QUALITY ORIGINAL

Witnesses:

Sacot Baker
W. Katz
L. Curtis

Counsel

Filed

day of

1893

Pleads

THE PEOPLE

vs.

John Dodhunter

Grand LARCENY, 2nd degree
(MISAPPROPRIATION)
(Sections 528 and 531 of the Penal Code.)

DE LANCEY NICOLL,

District Attorney.

J. P. ...

A TRUE BILL.

W. Blountdale

Foreman.

Indict. dis. R. B. ...

In my opinion this dispute between the defendant & the complainant should be settled in the courts of civil jurisdiction, & not in the criminal courts. I therefore recommend the dismissal of this indictment.

April 7, 1894.

Vernon M. Davis
Asst.

1275

JOHN TODD HUNTER,
COUNSELLOR AT LAW.

Tarrytown

PAID HIMSELF THE WRONG WAY
Lawyer Toddhunter Locked Up for Keeping
\$45 Collected for a Client.

John Toddhunter, a lawyer from Tarrytown, was locked up yesterday in the Harlem prison on a charge of keeping \$45 he had collected for William Ratz of 301 West 143d street, from G. H. Mayer, a Morrisinia saloon keeper. He said he kept the money because Ratz owed him for professional services. Justice Welde explained that he would be committed on a charge of larceny if he insisted on paying himself in that way. The lawyer refused to surrender the money, although he had nearly \$300 with him, and was locked up in default of bonds for examination.

Sept 4th 1893

Hon. Welde

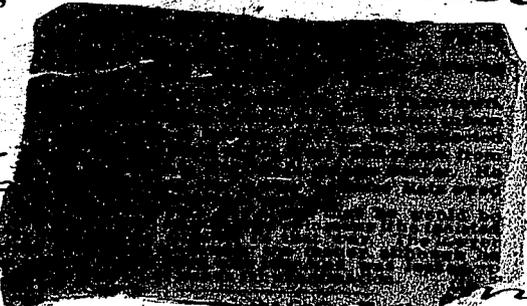
cit-

1278

GLUED PAGE

JOHN TODHUNTER,
COUNSELLOR AT LAW.

Tarrytown



York, Sept-11th 1893

Hon. W. C. ...

... city

Dear Sir,

On Saturday last I called at your office in reference to a very distressing matter which happened to me on Monday last and as you were not in I saw Mr. Davis who probably will be kind enough to state to you the substance of my statement to him. I enclose a clipping from one of the daily papers on the matter.

In my opinion the Judge had no right whatever to order me to pay over any money unless Raty made a full settlement with me. Raty had written me on several occasions to call on him on special business and I always called upon him, at times much to my inconvenience, the understanding being that I should charge for my services. Raty owes for those services which were professional and consisted for the most part in consultations regarding his general business. As an incident to the general business

1277

Raty gave me several claims to collect which I took with the understanding that, should I be successful, by making one call I would charge ten per cent - but that should I be obliged to make more than one call I was then to charge a reasonable sum taking into consideration all the circumstances. It was also understood that in order to save me time and trouble I was to inform the parties that they could call upon Raty and pay him as and when they were able to do so. It was also understood and agreed that Raty was to retain for me my commissions should any of the parties call upon him and make payments. Now, it so happens that I know that one individual has called upon Raty and has paid him the whole or a portion of his bill and I have reason to suspect that others have done the same thing while I have collected from one Meyer the sum of \$24⁰⁰. Meyer caused me an immense amount of trouble. He lives at 161st St. & River Avenue so that I was obliged either to walk or drive from 155th St and Eighth Avenue.

I am very sure that I have called upon him twenty times upon his positive statement that should I call upon the stated time he would fully pay me and would pay for the hack hire. Feeling sure that a suit would not bring the money from him I would call from time to time merely to be put off and would receive from one to five dollars. I invariably gave him a receipt. The two hack drivers at 155th St & Eighth Avenue will testify that I have paid them at least six dollars to be driven to and from Meyers place. I naturally became disgusted and as Raty was all along supplying Meyer with meats

1278

JOHN TODHUNTER,
COUNSELLOR AT LAW.

Tarrytown -

New York, 189

I wrote them that in future they would have to do the running and could meet me at 9 o'clock a.m. any week-day at the 155th Street Elevated Station.

I never heard from them but about a month ago a total stranger, one Curtis, met me at the station and stated that Ratz had assigned all his claims to The Butchers Association whom he represented and that if I did not pay him, Curtis, \$45⁰⁰ within an hour he would have me arrested. I told him that I would look into the matter and let him know what I would do. I asked him to show me his authority which he said he had not with him - that he was not an attorney and had no office. I wrote him on that day that if he wanted to press his claim he could call at the office of ex Judge Hyatt and see his clerk, Mr. T. E. Grath. Curtis called on Mr. Grath and stated that he represented the Butchers Association and threatened to arrest me unless I paid \$45⁰⁰. The next I knew, I was served with a summons which I obeyed and I plainly told the Judge that this was a matter where I should be allowed to counterclaim, as Ratz was a man who was not trustworthy and for me to be forced by a Police Magistrate to part with cash and then go into a civil court for redress was an outrage. I was naturally indignant and excited and am afraid was somewhat rude.

My examination was a farce - no one was

1279

sworn and I saw that the Judge was determined to hold me. I employed a Mr. Humminger whose office is near Judge Weld's Court, 121st St. + Third Ave. who understands the matter better than I can write it in brief.

I beg of you ^I that he be allowed to appear before the Grand Jury and give my version of the matter as you can readily see that a true bill would mean absolute ruin to me.

In conclusion, I beg to say that before going to Mr. Justice Weld's Court I met two lawyers and explained the matter to them and that they each expressed themselves very positively that the matter was one which should come up, if at all, in a civil court and not in a criminal tribunal.

Very respectfully yours,
John T. Hunter

1280

Police Court 5 District.

Affidavit—Larceny.

City and County of New York, ss:

William Ratz

of No. 301 W. 143rd Street, aged 35 years, occupation Butcher being duly sworn,

deposes and says, that on the 15th day of June 1893 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

Good and lawful money of the United States to the amount and value of forty five dollars.

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by John Todhunter (now here) from the fact that deponent is informed by Constant H. A. Meyer that on or about said date he paid this deponent said sum of money on account of a note of fifty dollars. he used this Complaint Deponent further says that the said deponent never turned over said sum of money to him or any portion of it or accounted for it in any way but did feloniously appropriate said sum of money to his own use and benefit with the intent to defraud. Wherefore deponent prays the said deponent may be held and dealt with as the law directs.

William Ratz

Sworn to before me, this 12 day of June 1893 at New York Police Justice.

1281

CITY AND COUNTY }
OF NEW YORK, } ss.

1877.

Gustave H. Meyer

aged *20* years, occupation *Salmon Keeper* of No.

S. W. Co. River Ave + 461 1/2 Street, being duly sworn, deposes and

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

Sworn to before me, this *28*
day of *Aug* 189*3*

Gustave H. A. Meyer

M. J. ...

Police Justice.

1282

1352

CITY AND COUNTY OF NEW YORK } ss.

POLICE COURT, 5 DISTRICT.

Louis Curtis

of No. 259 W. 143rd Street, aged 45 years, occupation Collector being duly sworn, deposes and says

that on the _____ day of _____ 1893 at the City of New York, in the County of New York, some time in

July 1893 in my capacity of Collector I demanded the payment from John Todhunter this defendant of the money which he had collected from Gustave H. A. Meyer on a note which William Ratz had given him for collection. The defendant then admitted that he had collected in the neighborhood of forty five dollars from Meyer and that he would settle on the Monday following.

Sworn to before me this _____ day of _____ 1893

Police Justice

1283

which he failed to do. but sent defendant a letter requesting defendant to call on a Lawyer in No 146 Broadway named Mr. Gauth. and when defendant called on Mr. Gauth. he Mr. Gauth. told defendant that Toddhunter was poor and that an even as Toddhunter got money he would settle with defendant.

Sworn to before me }
this 29th day of Aug 1893 } John Curtis

AFFIDAVIT

Police Court, District.

THE PEOPLE, Etc.,

ON THE COMPLAINT OF

vs.

Dated

Witness

Disposition

W. A. Wilde
Police Officer

1284

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

5 District Police Court.

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

Question. What is your name?

Answer. *John Todhunter*

Question. How old are you?

Answer. *4 1/2 years old*

Question. Where were you born?

Answer. *Philadelphia*

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

Answer. *Lanymton N.Y 6 years*

Question. What is your business or profession?

Answer. *Lawyer*

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

Answer.

I am not guilty
John Todhunter

Taken before me this

day of Aug

188

W. J. ...

Police Justice.

1285

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

Defendant

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

Dated *Aug 31* 189*3* *Sh. W. W. W.* Police Justice.

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

defendant

to bail to answer by the undertaking hereto annexed.

Dated *Aug 31* 189*3* *Sh. W. W. W.* 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..... 189*3*..... Police Justice.

1288

P208 1893 5 923
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William Ratz
301 N. 1st St.
John Todhunter
Offence "Lewd" "Lewd"

Order notice to be sent
to John C. Munzing
181 E 42nd St.

BAILED,
No. 1, by Carlo Parudo
Residence 315 E 111th Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

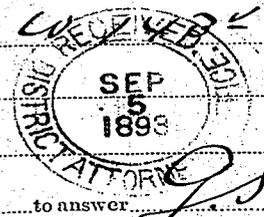
Dated August 28 1893
Welsh Magistrate.
Lery Officer.
Coun. Precinct.

Witnesses Gus H. A. Meyer
No. River Ave & 16th Street.

Louis Curtis
No. 259 W 24th Street.
Marby

No. 300 to answer

#500 Bingham & Aug
30 9 AM
31 Bingham P



1287

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

THE PEOPLE OF THE STATE OF NEW YORK
against
John T. Sadunter

The Grand Jury of the City and County of New York, by this indictment, accuse
John T. Sadunter
of the CRIME OF *Grand* LARCENY, in the second degree, committed
as follows:

The said *John T. Sadunter*,
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-*three*, at the City and County aforesaid, being then and there the *attorney*
and agent of one *William Ratzel*,

and as such *attorney and agent* then and there having in his
possession, custody and control certain goods, chattels and personal property of the said
William Ratzel.

the true owner thereof, to wit: *the sum of forty five*
dollars in money, lawful money of
the United States of America, and
of the value of forty five dollars.

the said *John T. Sadunter*, afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
did feloniously appropriate the said *sum of money*

to his own use, with intent to deprive and defraud the said
William Ratzel
of the same, and of the use and benefit thereof; and the same goods, chattels and personal
property of the said *William Ratzel*.

did then and there and thereby feloniously steal, 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.

1288

BOX:

534

FOLDER:

4868

DESCRIPTION:

Traum, John

DATE:

09/20/93



4868

Witnesses:

Chas Berner

James M. [unclear]

Harper

Counsel,

Filed

day of

1893

Pleads,

Sept 20
329 6 122
Butler

THE PEOPLE

vs.

John Traun

Sept 20 1893

DE LANCEY NICOLL,

District Attorney.

Grand Juror, Second Degree.
[Sections 528, 577 Penn Code.]

A TRUE BILL.

E. B. [unclear]

Sept 20 1893

Foreman.

Sentence suspended

25 200

1290

Police Court 05 District.

Affidavit—Larceny.

City and County } ss:
of New York, }

of No. 2344 1st Avenue Street, aged 22 years,
occupation Butcher being duly sworn,

deposes and says, that on the 7th day of September 1893 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the Day time, the following property, viz:

Good and lawful money of the United States to the amount and value of Thirty five dollars.

(\$35.00)

the property of Deponent

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

John Traurn (now here) from the fact that on said date at the hour of 10 o'clock A.M. deponent gave this defendant who was in deponent's employ said sum of money to buy meat with. the defendant took said sum of money from deponent but failed to buy the meat with it, or return the money and deponent did not see him again until the 14th day of September 1893 when deponent caught his current.

Wherefore deponent charges this defendant with feloniously appropriating said sum of money to his own use and benefit with the intent to cheat and defraud, and pray he may be dealt with according to law.

Chas. Berner

Sworn to before me, this 14 day of Sept 1893
Ed. Minnig
Police Justice.

1291

Sec. 198, 200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John Traumm 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. *John Traumm*

Question. How old are you?

Answer. *17 years old*

Question. Where were you born?

Answer. *Germany*

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

Answer. *329 East 122 St - 18 months*

Question. What is your business or profession?

Answer. *Butcher*

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*

John Traumm

Taken before me this
day of *Sept* 189*3*
Edmund

Police Justice.

1292

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 *500* 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 14* 189 *3* *Bedding* 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 offence within mentioned. I order h to be discharged.

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

1293

David Gray fees
521.887 (2 mos)
Albert Ball 17r
Cr 150 St Portland Ave

Police Court--- 5 District 978

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles Berner
John Traumm
2344 1ava

Sammy Jelam
officer

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated Sept 14 1893

Simms Jr Magistrate.

Thos O Connor Officer.

29 Precinct.

Witnesses _____

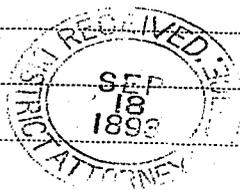
No. _____ Street.

No. *ok m* _____ Street.

No. _____ Street.

\$ 1000 to answer _____

Con 972



1294

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Traum

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

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

The said

John Traum

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

*the sum of thirty-five
dollars in money, lawful
money of the United States
of America, and of the value
of thirty-five dollars*

of the goods, chattels and personal property of one

Charles Berner

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.

*De Lancey Recoll,
District Attorney*

1295

**END OF
BOX**