0348

BOX:
500
FOLDER:
4562
DESCRIPTION:
Abrams, Max
DATE:
11/29/92

4562

0349

POOR QUALITY ORIGINAL

*Witnesses:*

Mrs Goldstein

Counsel,

Filed day of 189

Pleads,

THE PEOPLE

*vs.*

Max Abrams

Burglary in the Third Degree.
[Section 498, P. C.]

DE LANCEY NICOLL,
*District Attorney.*

A TRUE BILL.

John E. Poillon

Foreman.

Sentenced suspd
Dec. 9. 1892

Appearing that the property stolen was ~~not~~ taken at various times and in no single case in quantities valued above twenty five dollars — I consent that a plea of petit larceny be accepted.
Dec 5-92 Taylor Weeks — A.D.A.

0350

Police Court— 3 District.

City and County of New York, } ss.:

Morris Goldstein

of No. 29 Allen Street, aged 54 years,

occupation Tailor being duly sworn

deposes and says, that the premises No 29 Allen Street, 10th Ward

in the City and County aforesaid the said being a dwelling house

the apartments on the top floor of

~~and~~ which was occupied by deponent as a dwelling

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

were BURGLARIOUSLY entered by means of forcibly removing a wire screen fastened in front of the window leading into deponent's bedroom and inserting his hand through the window

on the 23rd day of November 1897 in the day time, and the following property feloniously taken, stolen, and carried away, viz:

Ninety four pairs of pantaloons of the value of Two 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 Max Abrams (nowhere)

for the reasons following, to wit: that said property was in said bed room and said screen was securely fastened in front of said window which overlooks the roof of premises 31 Allen Street. Deponent found that some one went upon the said adjoining roof and removed said screen and said property stolen. Deponent is informed

# Police Court, ..... District.

THE PEOPLE, &c.,
on the complaint of

vs.

1 .....
2 .....
3 .....
4 .....

Offence—BURGLARY.

Dated ..... 188

..... Magistrate.

..... Officer.

..... Clerk.

Witnesses, .....

No. ..... Street,

No. ..... Street,

No. ..... Street,

to answer General Sessions.

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

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

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

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

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

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

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

City of New York, ss.:

I do certify that the witnesses mentioned in the within depositions and statements, to whom I administered the oath, severally stated that the deponents, respectively, are acquainted with the facts and circumstances set forth in the within depositions and statements, and that they have no reason to believe but that the same are true.

Dated New York, June 25th, 1893.

Police Justice.

1 SEO

0352

1921

CITY AND COUNTY OF NEW YORK, } ss.

Charles A. Place

aged 30 years, occupation Police Officer of No. [illegible] Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Morris Goldstein and that the facts stated therein on information of deponent are true of deponent's own knowledge.

*Sworn to before me, this* 25 *day of* November 189 } Charles A. Place

[illegible] *Police Justice.*

0353

Sec. 198—200.

3rd District Police Court.

CITY AND COUNTY OF NEW YORK, } ss:

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

*Question.* What is your name?

*Answer.* Max Abrams

*Question.* How old are you?

*Answer.* 15 years

*Question.* Where were you born?

*Answer* New York

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

*Answer.* 29 Allen St. 13 years

*Question.* What is your business or profession?

*Answer.* Furrier

*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

Max Abrams.

*Taken before me this* 20 *day of* May 1897

[illegible]

*Police Justice.*

0354

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 Ull

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 March 25 18 [illegible] Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated 18 Police Justice.

There being no sufficient cause to believe the within named

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

Dated 18 Police Justice.

16th next July

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street

PEOPLE No.

In. Evid. a

Ident. a

Recpt by 14 Bimbl 1467

Police Court--- 3 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Mons Goldstein
29 Allen
Max Adams

2

3

4

Offence Burglary

Dated Nov 25 1902

Deputy Magistrate.

Chas F Smith Officer.

11 Precinct.

Witnesses Fanny Goldberg

No. 29 Allen Street.

Annie Goldstein

No. 29 Allen Street.

Carl Offers

No. ..... Street.

$ 1000 to answer GS

Com

Bury 3 22
9

# 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 Abrams

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

Max Abrams

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

The said Max Abrams

late of the 10th Ward of the City of New York, in the County of New York aforesaid, on the 23rd day of November in the year of our Lord one thousand eight hundred and ninety-two, with force and arms, in the day-time of the same day, at the Ward, City and County aforesaid, the dwelling house of one

Morris Goldstein

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent the goods, chattels and personal property of the said Morris Goldstein in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

Max Abrams

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

The said Max Abrams

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 said day, with force and arms,

ninety-four pairs of trousers of the value of two dollars each pair

of the goods, chattels and personal property of one Morris Goldstein

in the dwelling house of the said Morris Goldstein—

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

DeLancey Nicoll,
District Attorney.

# 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 Abrams

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

Max Abrams

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

The said Max Abrams

late of the 10th Ward of the City of New York, in the County of New York aforesaid, on the 23rd day of November in the year of our Lord one thousand eight hundred and ninety-two, with force and arms, in the day-time of the same day, at the Ward, City and County aforesaid, the dwelling house of one

Morris Goldstein

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent the goods, chattels and personal property of the said Morris Goldstein in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

Max Abrams

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

The said Max Abrams

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 said day, with force and arms,

ninety-four pairs of trousers of the value of two dollars each pair

of the goods, chattels and personal property of one Morris Goldstein

in the dwelling house of the said Morris Goldstein—

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

DeLancey Nicoll,
District Attorney.

0360

# BOX:
500

# FOLDER:
4562

# DESCRIPTION:
Adams, Arthur

# DATE:
11/10/92

4562

0361

# BOX:
500
# FOLDER:
4562
# DESCRIPTION:
Sargenti, John
# DATE:
11/10/92

4562

Witnesses:

Off Reidy 15th

No 2. Has

Serv. one or

More times in

H of Ref. & R. Cop

for Larceny

37

Counsel,

Filed day of 189

Pleads,

THE PEOPLE,

vs.

Arthur Adams

Robbery, Degree.
(Sections 224 and 228, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Foreman.

Part 3. Nov 15/93

No 2 Pleads - Robbery 1st deg

No 2. Sys. S.P. Dec 2/93

STATE OF NEW YORK, :
:SS:
CITY AND COUNTY OF NEW YORK, :

JOHN JORRISTMA being duly sworn deposes and says, that he resides at No. 3 Thompson Street in the City of New York, and that he was the Complainant against John Sargenti, who was sentenced to five years State Prison, for Highway Robbery, upon his own confession, before the Honorable Frederick Smythe, Recorder of the City and County of New York, on the 2nd day of December, 1892.

Deponent further says that in the month of November last, he signed a Petition for a Pardon of said John Sargenti and a letter to his excellency, the Governor of the State of New York.

Deponent further says that he respectfully requests the Honorable John R. Fellows, District Attorney of the City and County of New York, to urge and recommend the said John Sargenti to the Governor to pardon said John Sargenti, and restore him to his poor old mother.

Sworn to before me this :
21st day of December, 1894. :

John Jorristma
No 3 Thompson St

M Madigan
Notary Public N.Y.Co

Affidavit & Request

To

Hon Jno R Fellows

Dist Atty

Urging request for

Pardon of

Jno Sargenti

0365

Police Court — 2 — District.

CITY AND COUNTY OF NEW YORK, } ss

John Jorritsma

of No. 3 Thompson St 3d floor Street, Aged 75 Years

Occupation Agent being duly sworn, deposes and says, that on the 1st day of November 1882 at the 15 Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the following property, viz:

a silver watch of the value of about fifteen dollars

15

~~DOLLARS~~

of ~~the value of~~

the property of Deponent

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

Arthur Adams (now here) and one John Sargente not arrested. Deponent was in front of No 171 Thompson street and the defendant Sargente held deponent by force while the defendant Adams took the said watch out of deponent pocket at about 8 o'clock P M

John Jorritsma

Sworn to before me this day of November 1882

John Ryan Police Justice.

0366

Sec. 198—200. District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

*Question.* What is your name?

*Answer.* Arthur Adams

*Question.* How old are you?

*Answer.* 18 years

*Question.* Where were you born?

*Answer.* U S Central America

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

*Answer.* No home

*Question.* What is your business or profession?

*Answer.* Cook — a seaman

*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 was drunk at the time.

Arthur Adams

*Taken before me this* 2 *day of* 188

*Police Justice.*

0367

*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* Arthur Adams

*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,* Nov 9 *189* 2 John R Ryan *Police Justice.*

*I have admitted the above-named*

*to bail to answer by the undertaking hereto annexed.*

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

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

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

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

32 1391

Police Court--- 2 D.D District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Jorritsma
3 Thompson
vs.
1 Arthur Adams
2 John Sargent
3
4

Offense

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3. by

Residence Street.

No. 4. by

Residence Street.

Dated, Nov 9 189

Ryan Magistrate.

Michael J. Reidy Officer.

15 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

$ 1000 to answer G. S.

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

Arthur Adams
and
John Sargenti

**The Grand Jury of the City and County of New York,** by this indictment, accuse Arthur Adams and John Sargenti of the CRIME OF ROBBERY in the first degree, committed as follows:

The said Arthur Adams and John Sargenti, both late of the City of New York, in the County of New York aforesaid, on the first day of November in the year of our Lord one thousand eight hundred and ninety-two, in the day-time of the said day, at the City and County aforesaid, with force and arms, in and upon one John Jonitsma in the peace of the said People then and there being, feloniously did make an assault; and

one watch of the value of fifteen dollars

of the goods, chattels and personal property of the said John Jonitsma from the person of the said John Jonitsma against the will and by violence to the person of the said John Jonitsma then and there violently and feloniously did rob, steal, take and carry away, the said Arthur Adams and John Sargenti, and each of them being then and there aided by an accomplice actually present, to wit, each by the other;

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.

0370

# BOX:
500

# FOLDER:
4562

# DESCRIPTION:
Alexander, Leslie

# DATE:
11/21/92

4562

0371

*Witnesses:*

E. W. Gardner.

179

Counsel,

Filed, 21st day of Nov 189 2

Pleads, Not guilty 20

THE PEOPLE

*vs.*

B

Leslie Alexander

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

DE LANCEY NICOLL.

*District Attorney.*

SUPREME COURT PART 1
December 22 1899
INDICTMENT DISMISSED

A TRUE BILL.

John E. Porter

*Foreman.*

0372

Sec. 198—200

4 District Police Court.

CITY AND COUNTY OF NEW YORK. } ss.

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

*Question.* What ~~is your~~ name?

*Answer.* Leslie Alexander

*Question.* How old are you?

*Answer.* 45 years

*Question.* Where were you born?

*Answer,* U.S.

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

*Answer.* 208 - 8 Avenue - 7 years

*Question.* What is your business or profession?

*Answer,* Waiter

*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.
Leslie Alexander

*Taken before me this* 9
*day of* March 1897

J. Williams

Police Justice.

0373

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 3 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 August 9 18 92 J. Williams Police Justice.

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

Dated Aug 1 18 92 J. Williams Police Justice.

There being no sufficient cause to believe the within named

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

Dated 18 Police Justice.

0374

Selling on Sunday. 968

Police Court--- 4 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles W. Gardner

vs.

Leslie Alexander

2

3

4

Offence Violation of Excise Law

BAILED.

No. 1, by James O'Brien

Residence 230 East 70 Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Dated August 9 1892

Kilbreth Magistrate.

Monaghan Officer.

18 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

$ to answer G. S.

Bailed

0375

**Excise Violation-Selling on Sunday.** **POLICE COURT- 4 DISTRICT.**

City and County of New York, } ss.

Edwards W. Sandman

of No. 223 Broadway Street,

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the Seventh day of August 188 2, in the City of New York, in the County of New York, at premises No. 145 3rd Avenue or adjoining Street, known as the south east corner of Fifteenth Street one "John" Flanagan (christian name unknown) a short smooth faced man, with dark hair (now here) did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his direction or authority strong and spirituous liquors, to wit: whiskey ~~wines, ale~~ and beer, being intoxicating liquors, to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

WHEREFORE, deponent prays that said "John" Flanagan may be arrested and dealt with according to law.

Sworn to before me, this 8th day of August 1882 } Edwards W. Sandman

Charles N. Tainter Police Justice.

0376

**State of New York,**
**City and County of New York,** } ss.

Charles W. Gardner

of No. 923 Broadway Street, being duly sworn, deposes and says,

that Leslie Alexander (now present) is the person of the name of

"John Hannigan" mentioned in deponent's affidavit of the 8th

day of August 1892 hereunto annexed.

*Sworn to before me, this* 9
*day of* August 1892 } Charles W. Gardner

J. Williams POLICE JUSTICE.

0377

Sec. 151.

**Police Court** 4th **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 Charles Wyndham of No. 423 Broadway Street, that on the 7th day of August 1892 at the City of New York, in the County of New York, at No. 145 Third Avenue John Flanagan (Christian name unknown) a short smooth faced man with dark hair did then and there sell, cause and suffer and permit to be sold under his authority or direction strong and spirituous liquors to wit: whiskey and rum, being intoxicating liquors, to be drunk as a beverage on premises, to and in violation of the statutes in such case made and provided.

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

**These are Therefore,** in the name of the PEOPLE of the State of New York, to command you the said *Sheriff, Marshals and Policemen*, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 4th 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* 8th *day of* August 1892

Charles N. Tantor POLICE JUSTICE.

POLICE COURT 21 DISTRICT.

THE PEOPLE &c.,
ON THE COMPLAINT OF
Colonel Lamb

SOCIETY FOR THE PREVENTION OF CRIME, 923 BROADWAY.

John Flanagan

Warrant—General.

Dated Aug 8 1882

Jandin Magistrate.

Officer.

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

Officer.

Dated 188

This Warrant may be executed on Sunday or at night.

Charles N Tinton 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.

0379

1997

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

Leslie Alexander

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

Leslie Alexander

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said Leslie Alexander

late 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 ninety-two, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one

"John" Alexander

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

SECOND COUNT—

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

Leslie Alexander

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

The said Leslie Alexander

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

Charles W. Gardner

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

DE LANCEY NICOLL

*District Attorney.*

0380

# BOX:
500

# FOLDER:
4562

# DESCRIPTION:
Allen, James C.

# DATE:
11/15/92

4562

Assault & Battery

Assy Battery and Assault

Witnesses:

Evan Williams

Richd Johnson

I am convinced from an examination that I can make in this case. That it will be impossible to show a felonious intent on the part of the defendant. It is true the complainant has been severely injured but the [redacted] points to an accidental infliction of the wound. In view thereof circumstances [redacted] I would recommend the defendant discharged upon his own recognizance

April 25th 95 Chas F. Tracy Dist Atty:

Discharged on his own recog. on motion of D.A.

Mar 27 '96 M T M. M

95 Thos F. Gilroy Jr.

280 Bleecker St

116 Crosby

Counsel,

Filed 15 day of Apr 189

Pleads, Guilty 18

THE PEOPLE

vs.

B

James C. Albert

Assault in the Second Degree.
(Section 218, Penal Code.)

DE LANCEY NICOLL,

*District Attorney.*

A TRUE BILL.

John E. Doolan

*Foreman.*

Dated March 27, 1896.

Deft. discharged on his verbal recognizance (see back)

1869

0382

Police Court— 4 District.

City and County of New York, } ss.:

Evan Williams

of No. 616 W 41st 48 Street, aged 10 years,

occupation go to school being duly sworn

deposes and says, that on 21 day of November 188~~4~~ at the City of New

York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

James O'Allen, mother who struck deponent a blow in the right eye with a half a brick, which he O'Allen then and there held in his hand and threw at deponent thereby causing deponent to lose the aforesaid eye

Deponent further says that such assault was committed

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

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

Sworn to before me this 10 day of Nov 188~~4~~ } Evan Williams

Charles N. Tainter Police Justice.

0383

Sec. 198—200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss:

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

*Question.* What is your name?

*Answer.* James C. Allen

*Question.* How old are you?

*Answer.* 61 years

*Question.* Where were you born?

*Answer* United States

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

*Answer.* 360 West 42 Street — 1½ years

*Question.* What is your business or profession?

*Answer.* Building materials

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

*Answer.* I am not guilty —

James C. Allen

*Taken before me this* 11 *day of* November 189 4

Charles N. Stanton *Police Justice.*

0384

*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* Three *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* Nov. 11 188 92 Charles N Tainter *Police Justice.*

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

*Dated* Nov-11- 188 92 Charles N Tainter *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.*

0389

117 1410

Police ~~Court~~--- 4 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Ever Williams
616 W. 48
James C. Allen
2
3
4

Offence Assault Felony

Dated Nov. 11 1889

Barrister Magistrate.

Morris Officer.

3rd Precinct.

Witnesses Richard Johnson
No. 639 Eleventh Ave Street.
F. G. Barkley
No. 108 E. 23d Street.

No. Street.

$ to answer G. S.

Bailed

BAILED,
No. 1, by Silas A. Allen
Residence Foot West 47 Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street

0386

LAW OFFICES OF
**JAMES A. O'GORMAN,**
206 BROADWAY,
EVENING POST BUILDING.

New York, Nov 2, 1892

Dear Sir,

In the case of James Allen arrested for assault on Octr. 22nd last on complaint of John Williams, and bailed on Oct 25th, I desire to say on behalf of the complainant that the boy who was injured is now enabled to attend court on any day the case may be set down.

Wednesday at 2.30 or any other time will be agreeable to

Yours truly
J. A. O'Gorman

Presiding Justice
5th Court.

0387

October, 22nd 1892.

This is to certify that Elm. Williams, son of John Williams, was sent from the Vanderbilt Clinic yesterday afternoon with an extensive wound in the lower eye-lid (right) and in the eye-ball itself. Eye-ball collapsed & proves protruding. No perception of light. Removal of the globe necessary

H. Knapp M.D.
25 W. 57

Recommended

0388

Sec. 192.

4 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY OF NEW YORK, } ss.

An information having been laid before Charles N Fanton a Police Justice of the City of New York, charging James C Allen Defendant with the offence of Assault

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

We, James C Allen Defendant of No. 760 West 46th Street; by occupation a Building Material and Henry E. Stevens of No. 282 Mott St Street, by occupation a Building material Surety, hereby jointly and severally undertake that the above named James C Allen Defendant shall personally appear before the said Justice, at the 4 District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York the sum of Five Hundred Dollars.

*Taken and acknowledged before me, this* James C Allen

*day of* 189[illegible] Henry E. Stevens

Charles N Fanton POLICE JUSTICE.

CITY AND COUNTY OF NEW YORK, } ss.

the within named Bail and Surety being duly sworn, says, that he is President and ..... worth ..... Hundred Dollars, holder within the said County and State, and is worth ..... exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities and that his property consists of ..... Sworn to before me, this ..... day of ..... 18 ..... Police Justice.

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

*Undertaking to appear during the Examination.*

Taken the ..... day of ..... 18

..... *Justice.*

0390

CITY AND COUNTY OF NEW YORK } ss.

POLICE COURT, 4 DISTRICT.

Frank J. Morris

of ~~No.~~ 22 Precinct Street, aged years,

occupation Detective being duly sworn, deposes and says

that on the 22 day of October 189 2

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

James C. Allen (my here) on complaint of Evan Williams aged ten years for assaulting him. Williams by striking him on the head with a piece of a brick then and there held in the hands of said Allen and thrown by Allen. That said Williams is at present confined to his home and unable to attend in Court to make formal complaint and deponent prays that Allen be committed to await result of the injuries.

Frank J. Morris

Sworn to before me this 22 day of 189 2

Charles A. Corbett

Police Justice.

039

117

Police Court, 1st District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

James C. Allen

61 NS 360 Mott St

AFFIDAVIT.

Dated Oct 22 189

Hamilton Magistrate.

Morris Officer.

Witness:

Richard Johnson

639 11th Avenue

William Maccher

576 Mott St

Disposition

Nov 7 at 10

Nov-11 " 10 AM.

$500 for 8x

Oct 25/92 10 AM

Nov. 10. 92 10 AM

Nov 10 92 2 PM

0392

THOMAS W. McKNIGHT,
ATTORNEY AND COUNSELLOR AT LAW,
192 EAST 121ST STREET.

The People &c.
vs.
James B. Allen. } New York, Mar 6th 1895.

Hon Robert Townsend.
Asst Dist Atty &c.

My dear Sir:—

Referring to the case of defendant herein, permit me to suggest that the matter should be speedily settled. My client, the defendant, is worrying to death over the matter. You may find an indorsement on the papers that Thos F. Gilroy Jr appears as counsel. The reason is that I retained him to assist me in the case. Justice James O'Gorman of #206 Broadway has at all times appeared for the complainant, and if you will kindly call him up on the telephone or send him a request to see you at your office, I am certain he will call at your

office and assure you that there is no criminal liability on the part of my client. Kindly give this matter your early attention as I cannot say too strongly the effect this indictment is having on Mr Allen. Please let me hear from you, and very much oblige,

Yours sincerely

Thos. W. McKnight

THOMAS W. McKNIGHT,
ATTORNEY AND COUNSELLOR AT LAW,
192 EAST 121ST STREET.

The People
vs
Allen

New York, March 18th 1895.

Col Robt Townsend.
Asst Dist Atty
125 Centre St.

My dear Sir:—

Kindly let me hear from you in the above matter. My client is exceedingly anxious. I wrote you some days ago, but as you are so busy, my letter was probably forgotten.

Sincerely Yours
Thos W McKnight

0395

TELEPHONE, 57 CORTLANDT.

LAW OFFICES OF
**JAMES A. O'GORMAN,**
206 BROADWAY,
EVENING POST BUILDING.

Acted Jan 18

*New York,* Jan. 18, 1895.

Hon. John R. Fellows,

Distr ict Attorney.

Dear Sir:-

Clients of mine are interested in the prosecution of one James C. Allen, who, on November 15th, 1892, was indicted for assault on Ever Williams, whose eye was destroyed by a stone thrown by the defendant. As you may observe a long time has elapsed since the indictment of the defendant, and I beg to request that the matter receive your attention.

J. A. O'Gorman

0396



# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

James C. Allen

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

James C. Allen

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

The said James C. Allen

late of the City and County of New York, on the twenty first day of October in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, in and upon one

Owen Williams

in the peace of the said People then and there being, feloniously did wilfully and wrongfully did make an assault; and the said James C. Allen

with a certain brick which he the said James C. Allen

in his right hand then and there had and held, the same being then and there a weapon and an instrument likely to produce grievous bodily harm, him, the said Owen Williams then and there feloniously did wilfully and wrongfully strike, beat, cut, bruise and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said James C. Allen of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said James C. Allen

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, in and upon the said Ewen Williams in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault; and the said James C. Allen the said Ewen Williams with a certain brick

which he the said James C. Allen in his right hand then and there had and held, in and upon the face of him the said Ewen Williams then and there feloniously did wilfully and wrongfully strike, beat, cut, bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said Ewen Williams to the great damage of the said Ewen Williams 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.*

0398

# BOX:
500

# FOLDER:
4562

# DESCRIPTION:
Altonio, Michael

# DATE:
11/25/92

4562

*Witnesses:*

James Lapporto

Jos. McAndrews.

1450

246 Van Mole

Counsel,

Filed, 23rd day of Nov 1893

Pleads, Arraigned 25

THE PEOPLE

*vs.*

Michael Altonio

RECEIVING STOLEN GOODS.
(Section 550, Penal Code.)

DE LANCEY NICOLL,

*District Attorney.*

Dec 7. 1892 U.M.D. Part (Gen)

**A TRUE BILL.**

John E. Queen

Dec 7/92

*Foreman,*

Tried & Acquitted

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

Michael Altonio

**The Grand Jury of the City and County of New York,** by this indictment accuse Michael Altonio of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said Michael Altonio, late of the City of New York, in the County of New York aforesaid, on the 14th day of November in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, with force and arms,

one box of cigars of the value of one dollar and fifty cents

of the goods, chattels and personal property of one Geriondo Anselino, by John Brown, Nicholas Vaulia and James Lappolo and by certain other persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said Geriondo Anselino

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

DE LANCEY NICOLL,
*District Attorney.*

0401

# BOX:
500

# FOLDER:
4562

# DESCRIPTION:
Andel, Frederick

# DATE:
11/10/92

4562

0402

# BOX:
500

# FOLDER:
4562

# DESCRIPTION:
Simonson, William T.

# DATE:
11/10/92

4562

*Witnesses:*

Henrietta Scharf

Stockton Price

Counsel,

Filed 10 day of Nov 1892

Pleads,

THE PEOPLE

*vs.*

Frederick Ansel

William F. Simonson

Burglary in the Third Degree.
[Section 498, Penal Code.]

DE LANCEY NICOLL,
*District Attorney.*

Part 3 January 24 1893
No 2 - Pleads Attempted Burglary 3d deg

A TRUE BILL.

John B. Pierson

*Foreman.*

Nos 172 Eb

Pt 3 - Jan 24/93

0404

Police Court— 2 District—

City and County of New York, } ss.:

Henrietta Schaef

of No. 23 Harrison Street, aged 46 years,

occupation Housekeeper being duly sworn

deposes and says, that the premises No 23 Harrison Street,

in the City and County aforesaid, the said being a three story brick building in part

and which was occupied by deponent as a Dwelling

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

were BURGLARIOUSLY entered by means of forcibly pushing against the pantry window and forcing the button off of said window on the second floor and entering therein

on the 16th day of October 189[illegible] in the day time, and the following property feloniously taken, stolen, and carried away, viz:

One pair of Diamond earrings of the Value of Three Hundred dollars and One Diamond stud Valued One hundred twenty dollars One pair of Bracelets and other Jewelry together of the Value of Five 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 Heinrich Gudel and William Swanson both now here

for the reasons following, to wit: deponent securely locked and fastened the doors and windows in said apartments on the second floor in said premises ~~that~~ at about the hour of one o'clock P.M. on said date and at about the hour of six o'clock and thirty minutes P.M. on said date deponent discovered said premises had been broken into and said property taken stolen and carried

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.*

Was last seen by Officer James O'Brien that he left Officer Thos. Fitzpatrick's residence about 8 P.M. to go to his home. Officer Fitzpatrick then called upon Officer O'Brien and requested him to accompany him to Officer Fitzpatrick's residence. Upon arriving at Officer Fitzpatrick's residence we found the door open and entering found the house in a ransacked condition. Upon inquiry I learned that Officer Fitzpatrick's wife had left the house about 7 P.M. and locked the door. Upon leaving the house I found the door open. Upon examination I found that the house had been entered by forcing the door open with a pick or chisel. Upon examination I found that the house had been entered by forcing the door open with a pick or chisel. Upon examination I found that the house had been entered by forcing the door open with a pick or chisel.

James O'Brien
Police Officer

Thos. Fitzpatrick
Police Officer

0406

1377

CITY AND COUNTY OF NEW YORK, } ss.

Samuel Price

aged 36 years, occupation Police Officer of No The Central Office Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Henrietta Schary and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 8th day of 189 } Samuel Price

John Ryan
Police Justice.

0407

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

Frederick Andel 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.* Frederick Andel

*Question.* How old are you?

*Answer.* 6 years

*Question.* Where were you born?

*Answer.* New York City

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

*Answer.* 23 Hamson St 3 months

*Question.* What is your business or profession?

*Answer.* Laborer

*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

Fredrick Andel

*Taken before me this* 8

*day of* 188

*Police Justice.*

0408

Sec. 198—200.

2

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

William J. Simonson 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 J. Simonson

*Question.* How old are you?

*Answer.* 17 years

*Question.* Where were you born?

*Answer.* New Jersey

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

*Answer.* 438 West 37th St 4 months

*Question.* What is your business or profession?

*Answer.* Iron Worker

*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 J. Simonson

*Taken before me this* [illegible] *day of* [illegible] 188[illegible]

[illegible]

*Police Justice.*

0409

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 Ten Fifteen 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, Nov 8 189 John Ryan Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated, 189

Police Justice.

There being no sufficient cause to believe the within named

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

Dated, 189

Police Justice.

1386
1334

**Police Court---** 1 **District.**

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Henrietta Schay
vs. Harrison
Frederick Judd
William J Simonson

3 .....

4 .....

Offense Burglary

Dated, Oct 5 1892

Magistrate.

Price & Montgomery Officer.

Precinct.

Witnesses Rachel Goldstein
No. 526 Ninth Ave Street.
Joseph Cut Mullen
No. 413 W 26 Street.
Henry Harris
608 8 Ave
No. No 1 Street.

$ 5.00 to answer G S
No 2 1000 G S

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

0411

District Attorney's Office,
City & County of
New York.

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

Frederick Andel
and
William T Simonson

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

Frederick Andel and William T Simonson

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

The said Frederick Andel and William T Simonson, both

late of the 5th Ward of the City of New York, in the County of New York aforesaid, on the sixteenth day of October in the year of our Lord one thousand eight hundred and ninety-two, with force and arms, in the day time of the same day, at the Ward, City and County aforesaid, the dwelling house of one

Henrietta Scharf

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent the goods, chattels and personal property of the said Henrietta Scharf in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

Frederick Andel and William T. Simonson

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

The said Frederick Andel and William T. Simonson, both

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

one pair of earrings of the value of three hundred dollars, ~~and~~ one stud of the value of one hundred and twenty dollars, one pair of bracelets of the value of forty dollars, and divers other articles of jewelry of ~~the value of~~ a number and description to the Grand Jury aforesaid unknown, of the value of forty dollars

of the goods, chattels and personal property of one Henrietta Scharf

in the dwelling house of the said Henrietta Scharf—

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

DeLancey Nicoll.
District Attorney.

SECOND COUNT—

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

Frederick Andel and William T. Simonson

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

The said Frederick Andel and William T. Simonson, both

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

one pair of earrings of the value of three hundred dollars, ~~and~~ one stud of the value of one hundred and twenty dollars, one pair of bracelets of the value of forty dollars, and divers other articles of jewelry of ~~the value of~~ a number and description to the Grand Jury aforesaid unknown, of the value of forty dollars

of the goods, chattels and personal property of one Henrietta Scharf

in the dwelling house of the said Henrietta Scharf

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

DeLancey Nicoll.
District Attorney.

0415

# BOX:
500

# FOLDER:
4562

# DESCRIPTION:
Anderson, John

# DATE:
11/18/92

4562

*Witnesses:*

Morris Weiss

In this case, the facts appear to be that deft and complainant became involved in a quarrel and then made charges each against the other resulting in the indictment of both. They are now reconciled and I am satisfied that the interests of justice will be best served by the dismissal of both indictments and I so recommend.

Oct. 30. 93

Barlow J. Weeks
a.d.a.

141

Counsel,

Filed 18 day of Nov 189 2

Pleads, Assault

THE PEOPLE

*vs.*

John Anderson

Assault in the Second Degree.
(Section 218, Penal Code.)

The case of Morris Weiss
Assault

DE LANCEY NICOLL,
*District Attorney.*

A TRUE BILL.

John E. Pollon

*Foreman.*

Over days
On recom. of Dist. Atty,
indict. dis'd
Oct 30/93
BB Ry

0417

Police Court— 51 District.

City and County of New York, } ss.:

Morris Weiss

of No. 245 E. 2nd Street, aged 28 years,

occupation Liquor dealer being duly sworn

deposes and says, that on the 13 day of November 1887 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by John Anderson (now here) who struck deponent a violent blow in the face with his fist and wilfully and maliciously cut and stabbed deponent in the face near the left eye with a knife he then and there had in his hand.

Deponent further says that such assault was committed

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

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

Sworn to before me, this 14 day of Nov 1887 } Morris Weiss

John McCloskey, Police Justice.

0418

Sec. 198—200.

5 District Police Court.

CITY AND COUNTY OF NEW YORK } ss:

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

*Question.* What is your name?

*Answer.* John Anderson

*Question.* How old are you?

*Answer.* 34 years old

*Question.* Where were you born?

*Answer* Sweeden

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

*Answer.* 221 East 127 St Two weeks

*Question.* What is your business or profession?

*Answer.* Painter

*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
Johan Andersson

*Taken before me this* 4th *day of* November 189 4

John Ballantine
*Police Justice.*

0419

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, Nov 14 189 John R Voorhis Police Justice.

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

Dated, Nov 14 189 2 John R Voorhis 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.

Police Court--- 3 District. 1424 1384

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Morris Weiss
14 55 2 ave
vs.
1 John Anderson
2
3
4

Offense Assault (Felony)

BAILED,
No. 1, by John Kuttner
Residence 212 E 127th Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated, November 14 189 2
Morris Magistrate.
Colligan Officer.
29 Precinct.

Witnesses
No. Street.

No. Street.

No. Street.

$ 1000 to answer G.S. 11 2
John Bailed

# 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 Anderson

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

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

The said John Anderson

late of the City and County of New York, on the Thirteenth day of November in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, in and upon one Henrietta Lewis

in the peace of the said People then and there being, feloniously did wilfully and wrongfully did make an assault; and the said John Anderson

with a certain knife which he the said John Anderson

in his right hand then and there had and held, the same being then and there a weapon and an instrument likely to produce grievous bodily harm, he, the said Henrietta Lewis then and there feloniously did wilfully and wrongfully strike, beat, cut, stab ~~bruise~~ and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said John Anderson of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said John Anderson

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, in and upon the said Morris Levin in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault; and the said John Anderson the said Morris Levin with a certain knife which he the said John Anderson in his right hand then and there had and held, in and upon the face of the said Morris Levin then and there feloniously did wilfully and wrongfully strike, beat, cut, slash ~~bruise~~ and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said Morris Levin to the great damage of the said Morris Levin 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.*

0423

BOX:
500
FOLDER:
4562
DESCRIPTION:
Anderson, John
DATE:
11/28/92

4562

351

Witnesses:

Officer Dreyer
14th Pct

Counsel.

Filed, 28 day of Nov 189

Pleads, Guilty Deef

THE PEOPLE

*vs.*

B

John Anderson

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

DE LANCEY NICOLL.

*District Attorney.*

SUPREME COURT PART 1
December 22 1899
INDICTMENT DISMISSED

A TRUE BILL.

John E. Pullen

*Foreman.*

1997

# 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 Anderson

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

The said John Anderson

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

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

SECOND COUNT—

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

The said John Anderson

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

Emanuel Meyer

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

DE LANCEY NICOLL

*District Attorney.*

0426

# BOX:
500

# FOLDER:
4562

# DESCRIPTION:
Anderson, William

# DATE:
11/09/92

4562

17

Witnesses:

Emile Sopart

Off. Kranatz 13th

Counsel,

Filed 9 day of Nov 189

Pleads, Not guilty 10

THE PEOPLE

vs.

William Anderson

Burglary in the Third Degree.
[Section 498, Penal Code.]

DE LANCEY NICOLL,
*District Attorney.*

A TRUE BILL.

John E. Powers *Foreman.*

Pleaded Guilty 3 day
2 yrs S.P.B.

0428

Police Court— 3rd District.

City and County of New York, } ss.:

Emile Sosart

of No. 389 East Houston Street, aged 54 years, occupation Machinist, being duly sworn deposes and says, that the premises No. 389 East Houston Street, 11th Ward in the City and County aforesaid the said being an apartment on the 4th floor front rooms and which was occupied by ~~deponent~~ Johanna Lambert as a Dwelling, and in which there was at the time no human being, ~~by name~~

were BURGLARIOUSLY entered by means of ~~forcibly~~ a Skeleton Key.

on the 3rd day of November 1892 in the day time, and the following ~~property~~ attempted to be feloniously taken, stolen, and carried away, viz:

Jewellery and household utensils of the value of five hundred dollars

$500.00/100

the property of Johanna Lambert

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

William Anderson (nowhere)

for the reasons following, to wit: that deponent saw the said defendant insert a key in the lock of the door leading to the said apartment turn the key and open the door and enter the said apartment.

Sworn to before me this 3rd day of Nov 1892

E. S. Mc Ginn

E. Sosart

Police Justice

0429

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK } ss:

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

*Question.* What is your name?

*Answer.* William Anderson

*Question.* How old are you?

*Answer.* 48 years

*Question.* Where were you born?

*Answer.* U.S.

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

*Answer.* 416 First Avenue & 18 mos.

*Question.* What is your business or profession?

*Answer.* Porter

*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

his
William x Anderson
mark

*Taken before me this* 3 *day of* Nov 1892

Police Justice.

0430

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 Charles Randall

~~guilty thereof~~, I order that he be held to answer the same, and he be admitted to bail in the sum of Monty 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, Nov 5 1892

Police Justice.

I have have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated, 189

Police Justice.

There being no sufficient cause to believe the within named

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

Dated, 189

Police Justice.

043

1383

Police Court, 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Emile Sobeck
389 E. Houston
William Duhern

2
3
4

Offense: Burglary

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated, Nov 3 1892

Kogan Magistrate.
Hennab Officer.
13 Precinct.

Witnesses Johanna Lambert
No. 389 E. Houston Street.
Call Officer
No. Street.

No. Street.

$ 7000 to answer

Bury 3 Ave

# 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 Anderson

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

William Anderson

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

The said William Anderson

late of the 11th Ward of the City of New York, in the County of New York aforesaid, on the third day of November in the year of our Lord one thousand eight hundred and ninety-two, with force and arms, in the day-time of the same day, at the Ward, City and County aforesaid, the dwelling house of one

Johanna Lambert

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent the goods, chattels and personal property of the said Johanna Lambert in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

De Lancey Nicoll,
District Attorney

0433

# BOX:
500

# FOLDER:
4562

# DESCRIPTION:
Ash, Edwin W

# DATE:
11/17/92

4562

*Witnesses:*

Jas Mitchell
Kate Ash
Jahanna Feeley

129

Counsel, J. C. Heimgerman

Filed 17 day of Nov 189 2

Pleads, Not Guilty

THE PEOPLE

*vs.*

Edwin W. Ash

Arson in the Degree,
[Section 486 & 637, Penal Code.]

DE LANCEY NICOLL,

*District Attorney.*

A TRUE BILL.

John E. Fortune

*Foreman.*

Dec 19/92
Tried & Convicted on
third Count
S.P. 3 yrs 9 mo
RBM.

THE PEOPLE

vs.

EDWIN W. ASH.

COURT OF GENERAL SESSIONS, PART I.

BEFORE JUDGE MARTINE.

Monday, December 19, 1892.

Indictment for ARSON, in the first degree.

A Jury was empannelled and sworn.

KATE ASH, sworn, and examined:

You are the wife of the defendant? Yes, I have been married thirteen years and have one child, seven years old. On the 10th of November, 1892, where were you living? 170th street and Kings Bridge Road, on the right hand side of the road, going up-town. What kind of a building is it? Frame building, two stories high. On which floor did you live? Second floor, front. How many rooms did you have? Four, two bed-rooms, one store room, and one room used as a laundry. Were there any other people living on that floor? The land-lord, Mrs. Fealy, had three rooms in the back. Did her rooms join yours? Yes, with a folding door between, which was kept locked. Were you living there on the 10th of November, 1892, with your husband and child? Yes. Do you recollect the night of November 10th, 1892? Yes; at that time I was in my rooms, with my husband and child. There was a fire there that night, about ten o'clock; my husband was there at the time it took place. How long had your husband been in your rooms prior to that? He had been there all the evening, he tooks his supper there and stayed in all the evening. What were you doing during the evening? I was starching some clothes, I had been doing washing, for some outsiders.. Just before the fire occurred my husband asked me for some money; he was rather under the influence

of liquor; this was about half-past nine o'clock in the evening; he asked me for some money to buy drink, and I refused to give it to him. Did you have money? A small amount. What did he say when you refused to give it to him? He asked me again, perhaps five or ten minutes afterwards. What did he say? He asked me for the price of a pint of beer, I told him, "No, he had quite sufficient, I would not give him any more just then." He asked me a third time, and I refused. What did he say when he asked you the third time? He said he would destroy the lamp and leave me in darkness if I did not give it to him; I did not think for a moment he meant it, and did not say anything at all. In the meantime he got excited and the lamp went on the floor. Who put it on the floor? My husband, I suppose. Did you see him? I did not see him put his hand on it, but the lamp went on the floor. Where were you standing? By the table, in the middle of the room. Where was the lamp? On the table, near me; he stood at the end of the table, an arm's length away from me. The clothes were on the table, in front of me. The lamp was lit. Was that the only light which gace light in the room? No, there was another lamp in the room, which was lit. Where was that standing? Both stood together, on the table. Your husband asked you for some money to get some drink and then he said he would destroy the lamp and leave you in darkness, so that you could not work? Yes. Are you sure he said "destroy" the lamp? Yes. After he said that did you say anything? No, not a word, I went on with my work; then the lamp was destroyed. What was done with the lamp? It was put on the floor. Who did it? My

husband, I suppose. Where was your child? Lying on the lounge, on the side; the child could not have done it. Did you see it in your husband's hand? No; I did not see him touch it at all. Whe e did the lamp go? It fell off the table, about four feet to the right. What was on the floor? Nothing at all; there was a bureau in the room; there were clothes which had been washed, on the bureau. Did the lamp touch them? No. Was the oil of the lamp burning when you saw it upon the floor? Yes; I did not see it explode, it must have exploded. What sort of fire was it after it had been thrown? Immediate fire from the lamp, not very much blaze; it was an oil blaze. Was the lamp broken in the fall? Yes. Did the flames of the lamp communicate to anything? Yes, to the bureau, they burned the bureau, the drawers; it was not thoroughly burned, only scorched. Was any of the clothing burned which had been lying on top of it? Yes; the bureau was about three and a half feet high; the clothes were not hanging over, they were folded. And the flame from the floor communicated to them? Yes, they were scorched. Didn't the floor burn also? Scorched. Was it not a little more than scorched, wasn't it burned? Not in my opinion, it was not. Did you know that somebody called at your house and took part of the floor out? Yes. Does that look like it? (Showing piece of board to the witness.) Yes; that is the way it was burned. Your husband did not throw the other lamp? No, that remained burning; I was not left in utter darkness. After he did that what was the next thing he did, after the lamp fell over on the floor what did you notice your husband doing? I did not notice him doing anything, I did not see him; I went to the hall door to get out, and it

was locked, I could not get out. Who locked it;? My husband locked it a short time before he asked me for the money, about twenty minutes before, he said it was time to go to bed. Could you tell, when you tried to open the door, whether your husband was at the door or not? No, I was too excited. When I could not get out I screamed and the door was burst open by Mrs. Fealy, the landlady. Was anybody else there? No. Did you see your husband after that? No. Have you ever seen your husband, to speak to him, since he has been in the Tombs? Yes, about three or four times; the last time was last Friday morning; I was there about half an hour; my sister-in-law was with me. Did you talk about this case? Yes. Did you talk about your testifying here? No, we didn't say anything about that. Did you talk about what he said at the time he threw the lamp? Yes. What did your husband say last Friday? In the excitement of the moment he did not know what he said or did. What did your husband say about the lamp and the throwing of the lamp to you last Friday, in the Tombs? He did not remember anything at all about it until he saw the blaze on the floor. Have you ever spoken to his lawyer, Mr. Moss, about the case? No. As soon as you saw the blaze on the floor you ran excitedly to get out of the door? Yes. You could not get out? No. From the time that you saw the blaze of the lamp until you got out you say you did not see your husband and don't know where he went to? No. Did you sign this paper? Yes, I signed it when I was excited, the next morning. You swore to it before the justice? Yes, but I did not know what I was swearing to at the time. You remember having talked with Mr. Mitchell, the Fire Marshall, after the fire? Yes,

the day after the fire, in my rooms; he asked some questions as to how it happened. Your recollection of what your husband said and did was very fresh on that day? Yes, possibly it was. Don't you remember telling Mr. Mitchell that your husband said he would throw the lamp on the floor if you did not give him some money? I might have said that, when I was excited, but he did not say it. You were in the Police Court, Mr. Mitchell was there, and the defendant was there? Yes. The defendant was there while Mr. Mitchell was telling what he knew about the case and he heard him? Yes. Do you remember Mr. Mitchell reading that affidavit to you? (Paper shown.) I remember him reading something to me; I couldn't say whether this is all he read to me or not. You have read it; are the statements in that affidavit true? No, they are not true.

CROSS EXAMINATION:

How long had you lived in those rooms with your husband? About fifteen months. Were you both carrying on the laundry business there? Yes, my husband had as much interest in the business as I had. In the property that was in that house he had the same interest that you had? Yes. Was there any insurance on the property there? No. You have told us that it was twenty minutes before the light was on the floor that he locked the door; what was it he said at the time he locked the door? He said it was time to go to bed. Isn't it true that during the greater part of that evening your husband was in and out, carrying beer, drinking? Yes. Does your husband do much more than drink beer in that laundry? Yes, he does all the plain ironing. Was the floor covered? No, simply bare boards.

JOHANNA FEALY, sworn, and examined:

Do you live on Kings Bridge Road, between 170th and 171st street, the same house where the fire was? Yes, I own the house. During the month of November did Mr. and Mrs. Ash live in that house, with their child? Yes, they lived in the front, on the same floor with me. Do you remember the night of the fire? Yes Was your attention attracted to their rooms? Yes, about nine o'clock; I was in the basement and I came up stiars and stayed up until the house was quiet; the defendant was going out and in like a drunken man, making disorderly conduct, and then asking for money. Where were you when you heard it? In my room; I heard the defendant ask for money for liquor and the wife refused it, saying he had enough already; there was nothing but a folding door between my room and theirs. She said she worked hard enough, she could not give him any more money for liquor, and she said it was too late; he said he would burst the two lamps and burn up the place if he did not get what he wanted; and I heard him lock the door. I was in the hall and I saw him go to the door and lock it and then I heard the lamps go on the floor. When you came out of you room into the hall was the door open? Their door was wide open; I saw her starching the clothes. The defendant was standing demanding the money. Were you standing in the hall, did you see him when he said he would break the lamps? I saw him, I was looking at him. I was standing at my door, it was not more than three or four feet away from him. I heard the door locked and then I heard the lamps go on the floor; I saw the blaze through the crack of the door and I knew that my house was afire. I could her the wife of the defendant ask for the

key, she wanted the key; I tried to burst in the door, but I could not until she turned the key. When the key was turnd I bussted the bolt in with my strength. When the bolt broke what did you see? The defendant was standing right up by the door and she was standing right up in front of him. The flames were higher than I was ,burning my door, right up to the ceiling; I could not go in the room, she had to go through the flames to get her child and she singed her hair. What did the defendant do? He slid out behind me and went down stairs and that is the last I saw of him. I could not get in and I turned around and went in the house. When she got out and called for help my boy came out with some water; but he thought it was no use, and we sent out the alarm for the fire engine. The people all around were helping tp put out the fire, and they had it out when the engine came.

CROSS EXAMINATION:

Did you hear this woman say to her husband, "I want the key?" I do not know, something about the key, as if she wanted the key. Isn't it a fact that the key was in the door? I couldn't tell that. Didn't you look after the door was broken in? I did not look, there was so much fire, so much flame. Did you hear the defendant call and give an alarm of fire on the street? No, I never heard him say one word. Did Mr. Miles come out? I did not see Mr. Miles, he might have gone there. Do you know Mr. Miles? Yes, he lives next door to where I live and keeps a little candy store. Do you know his son? Yes. Did they come up? Of course there was some neighbors went in, certainly they went in to try to help to save us from being burned up. You are not prepared to say that you remember the exact conversation that took

place that night? I do not know the exact words, but I know what concerned myself; I am the owner of the building and I did not want to have it burned down. Did you see the wife run in through the flames to save the child? I saw her run in and bring out the child; she had a woolen dress on, and the child was rolled up in a blanket; her eye-brows and hair were singed. The defendant was not very drunk when I saw him. Do you remember listening at the door to hear all the conversation? Not listening, but when he said he would burn the house up I came out in the hall. What kind of smoke did you smell, was it of wood, clothing or oil? A good deal more clothing than the wood. The floor was burning and the burēau.

PETER FITZGERALD, sworn, and examined:

What precinct? Thirty-second; I was in that precinct on the 10th of November, 1892; I saw the defendant on that night, between ten and half-past ten o'clock, at night. At about five minutes to ten I was at Amsterdam avenue and 165th street; I saw the fire engines come out, and I jumped on the first cable car going in the direction which the engines had gone, that came along; I went down as far as 181st street but could not see where the fire was; I jumped off that car and got on another car going south. At 168th street and Amsterdam avenue the defendant was partly running and partly walking; the defendant got on the car. I was on the car at the time and I looked at him; I thought it was kind of curious to see him running without a hat or anything, and he says to me, "Did you see the fire?" I says, "No, I have been looking for it." He said, "Well, I am going to the station house to give myself up, I was the cause of the

fire." So I kept on the car with him and we went to the station house; I left him in the station house and went back to find out whether he had caused the fire or not, and his wife came and made a complaint.. I did not hear what his wife said in the station house; she objected to coming down with me; so I said all right. What was his condition when you saw him? He had been drinking; when he jumped on the car he was quite excited; he was afraid apparently that his wife and child had been burned. These premises where the fire was are in the Twelfth Ward, of the city of New York? Yes.

JACOB FRANK, sworn and examined:
Are you assistant to the Fire Marshall? Yes. How long have you been in that department? Over seven years. Do you know the premises referree to in this case, where the defendant lived, on Kings Bridge Road, between 170th and 171st street? Yes In the course of your official duty, did you go to those premises any time in November? Yes, on the 10th of November, about eleven o'clock at night. What floor did you go to? To the second floor, front, occupied by one Ash; at that time I saw the occupant of the grocery store down stairs; I did not see Mrs. Ash; I examined the rooms in which the fire had been and found evidence of burning on the floor and bureau, and on the floor and door of the adjoining room; clothing and bed linen, and I found a lamp on the floor. How far up was the bureau burned? All the way up to the top. Did you find anything on the bureau? Bed linen, pillow cases, and sheets; they were fifty per cent burned. Did you remove any part of the floor of that room? Yes; I made a second visit on the 12th of November, and by order of the

Fire Marshall I cut out a piece of the floor. Is this the piece of the floor which you cut out? (Piece of wood shown.) Yes; it was like that when I cut it out. Did you remove anything else from that room? Yes, the lamp; it was lying on the floor, in front of the bureau; the lamp was in three different parts; I did not see any other lamp there at any time. In your testimony as to the scorching of the doorway, what do you call scorched; do you mean the paint was blistered? It was blackened and blistered. Did the flame follow the oil, into the adjoining room? Yes; it would not have gone in had it not been for the oil.

The Case for The Defence.

KATE ASH, recalled by a Juror:

How much were you injured when you went to save your child? I was not injured at all; my hair got a little singed, that's all; my clothes were not singed at all. Did you have to rush through the flames to get the child? Partly, I had to go through more or less.

JOHN MILES, sworn, and examined:

What is your business? I am a mason; I live in Kings Bridge Road, between 170th and 171st street, next door to where the defendant lived. On the night of the fire I met the defendant on the sidewalk, he was in his shirt sleeves, he seemed excited, I considered the man was under the influence of liquor. Had he a hat on? I could not say whether he had a hat on, it was late at night; I do not recollect; after leaving me he went right down the road. Where is the nearest fire alarm to the place of the fire? It is two blocks away,

at 173rd street and Kings Bridge Road.

EDWIN W. ASH, sworn, and examined:

How old are you? Thirty-five; I was born in England; I have been in this country for nine years and have lived in the city all that time. What was your business on the 10th of November, 1892? Laundry business. You and your wife carried on the laundry business? Yes, we have been carrying it on for three or four years. No insurance on your property, is there? No. I want you to tell us all about this fire on the 10th of November, in your own way? I do not remember anything of my acts until I saw the flames and heard my child scream; then I realized what I had done and I rushed out and gave the alarm, and then I went to the station house and gave myself up. Do you remember having any words with your wife? No. Did you intend to burn the building or set fire to the building? I should not think so, I have got no motive; no, sir.. Were you intoxicated ? Yes. What weer you drinking that night? I don't know, I don't know anything I drank that night; I was bringing in beer in a can. You got in trouble through drink before? Yes, I was on Ward's Island for ten weeks, from the effects of drinking. The lamp was standing on the table; it usually stood nearer the end.

CROSS EXAMINATION:

You were on the Island for ten weeks? Yes. Who committed you there? I do not know. Is that the only time that you were imprisoned or confined? No, I served ten days once. When was that? I believe it was last June. Ward's Island, in the insane asylum? Yes; eight years ago, I think, I was fined five dollars once, for being drunk. I never was con-

fined in England, and was never convicted of any crime there. On the night of this fire, did you ask your wife for money? I do not know, I do not remember; I heard her say so, but I don't recollect. What was your wife doing that night? I do not know; I suppose she was at home, I do not remember. Just before the fire you do not remember whether she was or not? No. Was you r child there? Yes; I heard my child crying, after the lamp struck the floor; I do not remember anything before the lamp struck the floor. Did you see the fire? Yes, I saw the blaze; I have a distinct recollection of seeing it. Don't you remember that your wife was there? No, I don't remember; I don't recollect where the lamps were placed, I don't know whether they were on the table or on the floor. Do you recollect having taken up one of the lamps and throwing it across the table, down by the bureau? No, I have not the least recollection of it at all. Where were you standing when you heard your child screaming? By the door; I recollect that; when I heard the child scream I ran out and gave the alarm, I think I called "Fire," at the door. How many times did you call "Fire?" At least half a dozen times, as loud as I could. What broke your hat? I don't know. Did you have your hat and coat on when you went out? I don't know. Or your vest or your shirt, or your trousers or stockings, or any underclothing? I do not know, I don't know what I had on; I suppose I was dressed. I had my clothes on when I went to the station house. You remember seeing the blaze and hearing your child screaming, and your running down stairs and at the front door giving the alarm of fire at least half a dozen times, in a loud tone of voice, and you do not remember these other things that

I have asked you about? The fright that my child's screaming seemed to impress it upon my mind. When you say you gave the alarm of fire at the front door, you did not ring the alarm but just called out? Yes; my shouting brought the people next door out, and I ran to them; I stayed there about three minutes, and then I went to the station house. I ran across the fields and got on an Amsterdam avenue cable car. When you got on the car did you have your hat and coat on? I think I did. Do you recollect seeing the officer when you got on the car? Yes, I spoke to him; I do not remember what I said to him. Do you remember telling him where the fire was? No. And do you remember telling him you were afraid your wife and child were injured or would be burned? I do not remember. You made no attempt to rescue your child, did you? No, I was too excited, too frightened; I saw my wife rush in to rescue the child. A moment ago you told us you did not remember whether your wife was there or not, but you say now she was? Yes, I saw her run to save the child; my memory is a little clouded. Isn't it a fact that when you went out you knew your wife was there, and you knew your child was there? Yes. You knew the place was afire? Yes. You said you had been in this country eight years? Nine. Did you learn a trade? I am a photographer, but I have never made much success of that. You were in the laundry business at that time? Yes. How long have you been in the laundry business? Three or four years, with my wife. What part did you take in the laundry business? I used to do the ironing, and the keeping of the books; we used to employ help for to do the washing. That paid the rent and paid all the expenses of the house?

Yes. What were the hours of work in the laundry? There were no regular hours of work; it would depend upon what we got to do. What time did you get up in the morning? Seven o'clock. Did you go to work at seven o'clock, if you had work to do? Yes; we sometimes worked as late as ten and twelve o'clock at night. You were very much excited when you discovered that there was a fire there? Yes. Were you in the Insane Asylum on Ward's Island? Yes, for about ten weeks. I was picked up in the street and sent to Blackwell's Island, and was transferred to Ward's Island. How did you get away from Ward's Island? I was discharged, after examination.

The Jury rendered a verdict of GUILTY of ARSON, in the THIRD DEGREE.

0449

Police Court, 9th District.

City and County of New York, } ss.

James Mitchel of No. 159 East 67th St Street, aged 57 years, occupation Fire Marshal, being duly sworn, on information and belief, deposes and says, that on the 10th day of November 1892, at the City of New York, in the County of New York, one Edwin W. Ash now presently did at or about the hour of 10.10 o'clock in the night time, wilfully and maliciously, and in violation of Section No. 657 of the Penal Code of the laws of the State of New York, set on fire the dwelling house of one Johanna Healy situated on the Kingsbridge Road between 170th and 171st streets in said City in that while in a state of intoxication, having first locked and bolted the door of the rooms occupied by himself, wife and child and having threatened his said wife Kate Ash to burn her out and to destroy property not his, he did throw a kerosene lamp, then burning, on the floor of said house in the room occupied by his said wife and did thereby break the same and set fire to said floor and to certain property to wit, a bureau, and to certain clothes and linen contained therein and placed therein. Deponent therefore prays that the said Edwin W. Ash may be held to be dealt with according to law.

Sworn to before me this 12th day of November 1892

John R. Voorhis
Police Justice

J. A. Mitchel

Police Court — District.

THE PEOPLE ON THE COMPLAINT OF

Witness, No. No. No.

0450

Police Court-- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Mitchel

vs.

1 Edwin W. Ash
2
3
4

Offence,

Dated 188

Magistrate.

Peter Fitzgerald Officer.
32d Precinct

Clerk.

Witnesses, Kate Ash
No. Kingsbridge Road Street,
Johanna Fealy
No. Kingsbridge Road Street,
Cor 170th & 171st Sts
Jacob Franks
No. 159 East 67th Street.

$ to answer Sessions

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

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

*Dated* 188 *Police Justice.*

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

*Dated* 188 *Police Justice.*

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

*Dated* 188 *Police Justice.*

1377.

CITY AND COUNTY OF NEW YORK, } ss.

Johanna Fealy

aged 50 years, occupation Housekeeper of No. Kingsbridge Road Bet 170th & 171st Streets being duly sworn, deposes and says, that he has heard read the foregoing affidavit of James Mitchell and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 12th day of November 1892 } Joanna Fealy

John Ryan
Police Justice.

0452

1377

CITY AND COUNTY OF NEW YORK, } ss.

Kate Astor

aged ..... years, occupation Housekeeper of No. Kingsbridge Road bet 170th & 171st Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of James Mitchell and that the facts stated therein on information of deponent are true of deponent's own knowledge.

*Sworn to before me, this* 12th *day of* November 1892 } Mrs Kate Astor

John R. Voorhis
*Police Justice.*

Sec. 198—200.

51 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss:

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

*Question.* What is your name?

*Answer.* Edwin W. Ash

*Question.* How old are you?

*Answer.* 35 years old

*Question.* Where were you born?

*Answer* England

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

*Answer.* Kingsbridge Road & 178 St 17 Mos

*Question.* What is your business or profession?

*Answer.* Photographer

*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

Edwin William Ash

*Taken before me this* 12 *day of* Nov 189 4

John R. Ellsworth *Police Justice.*

0454

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

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Twenty 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, Nov 1 8 189 8 John R. Woodward 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.

1409

1334

**Police Court--- 5 District.**

THE PEOPLE, &c.,
ON THE COMPLAINT OF
James Mitchel
159 E 67
vs.
Edwin W. Ash
2
3
4

Offense Assau

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated, Nov 12 1892

Morris Magistrate.

Ramsamm Fitzgerald Officer.

22 Precinct.

Witnesses Johanna Leahy
Knightbridge Rd 171st Street.

Kate Ash
No. Knightbridge Road Street.

Cor 170 & 171st sts
Jacob Frank 157 E 67 Street.

$ 2,000 to answer.

Ass

0456

Police Department of the City of New York.

*Precinct No.* .....

*New York,* ..... 189

Edwin A. Ash. arrested by
Officer Andrew Orr. June
22. 1892. on charge of
Drunk & Disorderly Conduct
Fine $10. by Justice Hurd

Case of
Edwin A. Ash
Kingsbridge Road bet. 170th and 171st sts.
in the 12th Ward.

Fire occurred on November 10th 1892 at about 10 P.M. — Sun set at 4 P.M.

Ash lived on 2d floor of frame dwelling with his wife and child. In rear of the same floor was the sleeping room of Mrs Johanna Healey, the owner of the house, and on the floor below lived another tenant who kept a small grocery store. Ash, as was frequently the case with him, had been drinking and had been about the house all the evening. At about the hour above mentioned, Mrs Healey, who was in her room, heard loud talking in the Ash's apartments. On going into the hall near Ash's door she heard Ash demand money from his wife, threatening if she did not give it to him, that he would throw the lamp on the floor, destroy the work she was engaged on (she was ironing clothes for a family by whom she was regularly employed) and would turn her out. She, Mrs Healey, heard the wife's refusal, and then heard a crash as of a lamp broken, followed by rapid movement and noise in the room.

On forcing in Ash's door, which was locked and bolted, she saw that the room was on fire, and found Ash standing near the door, Mrs Ash, with her child in her arms, endeavoring to pass him and get out. In the confusion that followed Ash disappeared without his hat, which was burned. The fire was promptly extinguished, but not until it had burned a portion of the clothes, a part of a bureau that stood near, and some of the blankets of the floor.

At about 10 30 Ash, Kattes, got on a cable-car on 10th st. in which there was at the time Officer Peter Fitzgerald of the 22d Precinct. Ash spoke to the Officer about the fire, saying to him that he supposed he was responsible for it. He was taken to the station house and locked up.

Witnesses

Mrs Johanna Fenes
Mrs Kate Ash
Officer Peter Fitzgerald
Jacob Frank, with boxes [illegible]

526

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

Edwin W. Orth

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

Edwin W. Orth

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

The said Edwin W. Orth,

late of the Twelfth Ward of the City of New York, in the County of New York aforesaid, on the twelfth day of November, in the year of our Lord one thousand eight hundred and ninety-two, at the Ward, City and County aforesaid, with force and arms, in the night time of the said day, a certain dwelling house of one Emma Feeley, there situate, there being then and there within the said dwelling house, some human being, feloniously, wilfully and maliciously did set on fire and burn, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT.

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

Edwin W. Orth

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

The said Edwin W. Orth,

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, in the night time of the said day, a certain dwelling house of Edwin the ~~of one~~ said Edwin W. Orth, there situate, there being then and there within the said dwelling house, some human being, feloniously, wilfully and maliciously did set on fire and burn, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

~~DE LANCEY NICOLL,~~

~~*District Attorney.*~~

(over)

Third COUNT.

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

Edwin W. Osborne

of the CRIME OF willfully setting fire and burning a building under circumstances not amounting to arson in any of its degrees,

committed as follows:

The said Edwin W. Osborne,

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, a certain building of one Johanna Seeley, there situate, feloniously (under circumstances not amounting to arson in any of its degrees) did willfully set fire to and burn; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

DeLancey Nicoll,
District Attorney.