

0253

BOX:

3

FOLDER:

39

DESCRIPTION:

Agine, Henry

DATE:

01/14/80



39

0254

Filed *11* day of *May* 188*8*

Pleads, *Indictment*

THE PEOPLE

vs.

Henry & Agnes

ROBBERY - First Degree.

BENJ. K. PHELPS,

District Attorney.

A True Bill

W. H. Hickey

May 23 1888 Foreman.

James J. Connelley

Chief of Jury

0255

Form 123.

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss.:

Police Court—Second District.

*George H. Witschick*of No. *1016* *3^d Avenue*

Street, being duly sworn, deposes and says,

that on the *2nd*

day of

January

1880,

at 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, and against the will of

deponent, the following property, viz.: *One gold watch with chain attached & buckle*of the value of *One hundred and thirty**2 Dollars*the property of *this deponent*~~Dollars,~~

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, and against

his will, by *Henry E. Agin (now here)* and two others whose names are unknown to this deponent. For the reason that on or about One o'clock in the morning of the 2^d of January, deponent was passing along Ridge St. where when opposite the premises 12129 in said street, deponent was approached by three men who attacked this deponent knocked this deponent down on a basement steps. This deponent identifies as accused by one of the party who attacked him. The accused struck deponent a violent blow with his fist and then seized the watch and chain and attempted to run away.

Geo. H. Witschick

Sworn to before me this

day of

January

1880

Charles H. Spencer
Police Justice.

0256

State and County of New York } S S

City of New York }

11th Precinct Police being duly sworn deposes and says that

on or about one o'clock on the morning of Jan 2^d of January
he arrested in Ridge street Henry E. Agin. that the said
Agin and one other individual whose name is unknown to him, this
deponent was unable to arrest. were standing near the ^{Complainant's} ~~residence~~
George H. Wittschaff who was in a sitting position. Deponent
heard one of the parties say to the Complainant give me that overcoat
or I'll kill you! When this deponent approached in reply to query as
to what they were doing they replied that they were friends of the Complainant
the accused and the other party then endeavored to escape by running away
Deponent endeavored in effecting the arrest of the accused Henry
E. Agin

From & before me this:

2^d day January 1880

Charles H. Hadden,

Police Justice

Francis Donnelly

0257

Police Court—Third District.

CITY AND COUNTY }
OF NEW YORK, } ss.

Henry E. Agin being duly examined before the under-
signed, according to law, on the annexed charge; and being informed that he was
at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question.—What is your name?

Answer.— Henry E. Agin

Question.—How old are you?

Answer.— 25 years

Question.—Where were you born?

Answer.— N.Y. State

Question.—Where do you live?

Answer.— 2 Dry Dock St.

Question.—What is your occupation?

Answer.— Cigar maker

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

Answer.— I am not guilty
H. E. Agin

Taken before me, this

3 day of July 1880

Charles J. Thomas
Police Justice

0258

Form 123

POLICE COURT—SECOND DISTRICT.

THE PEOPLE, & C.,

ON THE COMPLAINT OF

George H. W. Schup
John J. Taylor
Henry E. Agins
8
1880

Affidavit—Robbery.

Dated *January 3* 18*80*

Flannery Magistrate.

Donnelly Officer.

Witness, *Andrew W. Winter*

Sgt. Webb

11th Precinct



\$ *15.00* to ans.

Bailed by *Committed*

No. _____ Street _____

4146
The People
vs.
Henry E. Agine

Court of General Sessions. Before Judge
Gilderleeve Friday, January 23, 1880.
Indictment for robbery in the first degree.

George H. Witschief, sworn and examined, testified through the interpreter, Rev. John Chamberlain, the complainant being a deaf mute. I live 116 Third Ave. on the night of the 2nd of January about one o'clock I was in Ridge St. Mr. Weinberger was with me, I was walking on the street. Two men, one of whom was the prisoner, caught me and pushed me down a stairway; my head was cut, I think it was cut on a stone; the prisoner was one who caught hold of me and tried to push me down the stairway. I had a gold watch and chain and locket and had some money in my pocket; the watch and chain was torn out of my pocket. I don't know who took it out of my pocket; the three men of whom the prisoner was one took the watch as far as I can tell. I distinctly felt the watch taken away; that was when I was first attacked; I made an outcry the best I could for police; the men who attacked me ran away. I positively identify the prisoner as one of the three men who attacked me. I have never found my watch; the prisoner was immediately arrested after I made the outcry; an officer followed and arrested him about two blocks, I think, from where the attack took place. Cross Examined. This was on New

Years night, I never had seen either of these three men before. I left my house about 11 o'clock in the morning. Mr. Weinberger went with me; we made several New Year's calls upon several friends. I drank at these several friends houses where I called. I got supper at my sister's; she lives in West Eleventh St. I should think about twenty five blocks. I left my sister's house about half past five. I visited four or five places after I left my sister's before this encounter took place. I did not drink in any bar rooms, but I did at the four or five places we visited. I had no friend living in Ridge & Houston St.; where we met these three men we were walking toward East Houston St. There was no one with me when I first saw the man whom I identify as the prisoner but Mr. Weinberger. I saw the prisoner running; he was arrested two blocks from the scene of the occurrence. I was first struck and then my watch was seized. I was excited after I was struck, but not very much. Have you ever in your life been mistaken as to the identity of a person? No. I am 25 years old and never made a mistake. Andrew Weinberger, also a deaf mute was examined through an interpreter. I was with the complainant on the night of the 1st or morning of the 2nd of January; we went to see a friend

at 113 Essex St.; we were going down Thurston St. when we were attacked. Three men struck me and the complainant, but I could not recognize them. I was struck and knocked down a cellar way and the complainant came right behind me and when he went to help me he was struck and a watch and chain taken from him. I did not see the watch taken from him, but I saw it just before I got to that place. I was knocked down the cellar way first and the complainant was knocked down after me on top of me. The three men ran away and one of them was caught by officer Gunnely. I believe it was the prisoner. I did not see the officer take him. Francis Gunnely, sworn and examined testified. I am a police officer and was on duty in Ridge St. on the night of the 1st of January after 12 o'clock. I was trying my door on Ridge St., and my attention was attracted by a young man passing up and down the sidewalk on the opposite side from where I was, and he says, "Cheese it, here comes a copper." I let go the door I was trying, I stepped across ^{towards} where he was and he ran away. I could not see anybody as I got on the sidewalk where he was. I heard somebody moaning down the steps of the basement. I looked down and I saw the complainant, the dumb man, sitting down on the steps of this basement and I

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I seen two young men having hold of him by the tree
 sleeves of the coat. I says, "Boys, what are you in the
 doing with that man down there?" He says, "This he
 is a friend of ours; we are going to take him home!"
 "Where does he live?" "Close by." "What street?" "I
 They did not say nothing to that. "Bring up yours in
 friend till I see him." The young man who was enty
 with the prisoner at the bar came up and let 'all
 go of the complainant. As soon as he got up I
 to the top step he ran away. I ran after him "Haw-
 ten or twelve paces. I could not catch him. "Did
 I seen the other one, ^(the prisoner) I ran him up Houston
 street, near Attorney St., and finally he fell on
 the sidewalk. As he was getting up I caught
 him by the corner. "What is the matter," he said
 "I have been doing nothing." "I was helping to
 take him home!" "Come back till I see what
 is the matter. The dumb man could not say
 anything; he was covered with blood. "Come
 on, I will bring you down to the station house
 to investigate this matter. The first man I
 chased collared me by the neck, I had returned
 my stick to my belt. He said, "Where are you
 going with that man?" "I am going to the sta-
 tion house." "I had the prisoner. The other man
 said, "You son of a b—h, if you take another
 step forward, I will blow your head off." "That
 is the use of a sensible young man talking

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that way? if this man has not done anything. let me take him down to the house, you can also come down and get your friend clear." I recognized him right away as the man who was talking to me. He said, "If you take another step, I will blow your brains out." The prisoner got hold of the stick and took it round to the front part of the belt; the other fellow had hold of me, I could not see his two hands; he said he would blow my damned head off. I hit the prisoner on the nose a couple of times to let my stick go. I looked around and the other fellow ran away. When the dumb man got to the station house he wrote down on a piece of paper what was done to him. I saw the prisoner run out of the cellar way where the complainant was. I saw the complainant's coat open. At the time I brought the prisoner back to him I could not tell what happened, he could not explain; when he got to the station house he wrote it down. I asked the prisoner who the other man was? He told me he did not know him by name. I described him to a couple of officers. They told me there was a man of that description up at the upper end of the ward. Cross Examined. I never to my knowledge saw the prisoner before that night. I never had any trouble with him before. I did not go down in the basement, I only stood

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on the sidewalk, I ran about ten paces as quick as I possibly could. I found he was too far ahead of me and I returned back; when I returned the prisoner was putting his head out of the basement and away he ran too; when I first saw him he was at the bottom of the basement four steps down. I made up my mind to get both of them if I could. New Year's night was kind of dark, it was muggy and heavy. What did the prisoner say going to the station house about the robbery? He said he was only assisting him to take him home. I believe he said that to Sergeant Wall at the desk; the Sergeant is not here. Henry E. Agins, sworn and examined, testified. I live No 2 Dry Dock St. for the past six months with my mother and little brother. I have been employed by Levy Bros, cigar makers for four or five years off and on; the last time I was employed there I was employed a year and a half. I was working there three days before I was arrested; we laid off a little before New Year's I was out New Year's night. I left my house at 2 o'clock in the afternoon and returned to supper at six o'clock. I went out again, and on this morning I was in the neighborhood of Ridge and Houston Sts. I was on my way down through Ridge St. and I stopped to urinate up against a wagon there. I saw three forms coming up

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from
~~through~~ Houston St. up through Ridge St. they stopped
and began to pull themselves around and
all at once. I saw two of them disappear down
a cellar way. I was watching them very close
I ran down in the cellar; as I run in the
cellar one of the men rushed up. I did not
see any more of him. I asked what was the
matter. I don't know whether the party had told
of him or not; it was so dark you could not
scarcely see your hand; he was either kneeling
down or sitting down and the other man was
standing over him. I asked what was the
matter? He said, "This son of a b- has got
my overcoat;" he said, "Take off your coat;" he
~~hit~~ hit in the face three or four times with his
fist. I says, "Don't hit him; bring him up
stairs. He pushed me and said, "Mind your
own business or I will give you a punch in the
nose;" the complainant was the man that was
being hit; he was making the remark, "Take off
that coat." An officer came to the top of the stairs,
he pushed me, I stayed there, I did not know
whether it was best to fight with him. Some
party came to the top of the stairs and halloos,
"Cheese it, cheese it," and ran away; the officer
appeared on the top of the stairs and said, "That
is the matter? This fellow that was down there
he rushes up stairs. He says, "We are trying

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to take a friend of mine out. He started and ran away; the officer ran out, I ran up stairs immediately right after him and started to run. I slipped and fell down behind a wagon. I was running after the fellow that was in the basement and I slipped and fell down and the officer arrested me. I do not remember making any remark at all. Then he grabbed me and took me in. I know the dumb man came up and pointed to me, made several motions I had been drinking myself and I never should have gone down to the cellar. I did not say to the officer that the complainant was a friend of mine. I am positive I did not say so to Sergeant Webb. I did not know these men who were down in the basement; they were strangers to me. I said at the Police Court I was innocent of the crime and have denied it ever since. I merely held the officer's hand that he might not draw his club. Frederick Lange sworn I know the prisoner, lived in the same house with him over a year and a half. Sigismund Levy sworn. I manufacture cigars corner of Tenth St. and Ave. B, the prisoner has been in my employ for a five years and always found him to be a steady workman; he was at work the Wednesday before newspapers. Daniel O'Brien, Henry Kahl and Wm. Albert testified to the prisoner's good character. The jury rendered a verdict of guilty. He was sent to the State Reformatory.

0267

Testimony in the case of
Henry E. Agine
filed Jan. 1880.

0268

CITY AND COUNTY }
OF NEW YORK, } NR.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York.
upon their Oath, present:

That *Henry E Agine*

late of the First Ward of the City of New York, in the County of New York, aforesaid,
on the *second* — day of *January* in the year of our Lord
one thousand eight hundred and ~~seventy~~ *Eighty*, at the Ward, City, and County
aforesaid, with force and arms, in the night time of said day, in and upon one
George H Witschief —
in the peace of the said People then and there being, feloniously did make an assault and

one watch of the value of one hundred dollars,
one chain of the value of thirty dollars,

of the goods, chattels and personal property of the said *George H Witschief*
from the person of said *George H Witschief* and against
the will and by violence to the person of the said *George H Witschief*,
then and there violently and feloniously did rob, 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.

BENJ. K. PHELPS, District Attorney.

0269

BOX:

3

FOLDER:

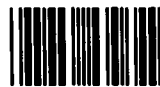
39

DESCRIPTION:

Anderson, James

DATE:

01/26/80



39

0270

254
Counsel,

Filed

day of

1870

Pleads

38
Elizabeth

THE PEOPLE

vs.

James Anderson

Larceny, and Receiving Stolen Goods.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Chas. King

Foreman.

Part two Jan. 27, 1880

Pleads guilty &c

14. L.P.

0271

Form 112.

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss:

Police Court—First District.

of No. 1 Lispenard Michael Gilmarin Street, being duly sworn, deposes
and says, that on the 20 day of January 18 80
at the City of New York, in the County of New York, was feloniously taken, stolen, and carried
away from the possession of deponent,

the following property, viz:

a roll of cassimere containing about
forty yards

all of the value of Fifty Dollars,

the property of Michael Gilmarin and
a Mr Dryle, doing business under the
firm name of Gilmarin & Dryle at No
1 Lispenard Street and in complainant's care and charge,
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 James Anderson
(now present) from the fact that
deponent saw - said Anderson
take the property as above described
from the store No. 1 Lispenard Street
followed him out of the store and
caught him in West Broadway
with the property in his possession
Michael Gilmarin

Subscribed, before me, this

29th

day

Police Justice.

0272

Police Court—First District.

CITY AND COUNTY }
OF NEW YORK. } ss.

James Anderson being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

James Anderson

Question. How old are you?

Answer.

Thirty Eight Years

Question. Where were you born?

Answer.

New York

Question. Where do you live?

Answer.

8 Elizabeth Street

Question. What is your occupation?

Answer.

Druckman

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

Answer.

I am not guilty

James Anderson

Taken before me, this

24

day of

January

18

80

Police Justice.

0273

ag. 28. Inm U.S. 42 Eligible 8/1-

Police Court—First District.

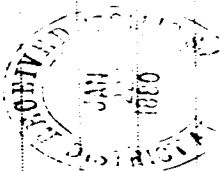
THE PEOPLE, &c.,

ON THE COMPLAINT OF

Michael Gilman
1, Defendant

vs.

James Anderson



BAILED:

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

\$ 1000 to answer

at General Sessions

Retired at Dist. Atty's office

COUNSEL FOR COMPLAINANT.

Name,

Address,

COUNSEL FOR DEFENDANT.

Name,

Address,

Witnesses:

Dated January 20, 1880

Six by - Magistrate.

Wm. O. Maloney
Stenographer
Clark

0274

CITY AND COUNTY }
OF NEW YORK. } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

James Anderson

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the
thirtieth day of *January* in the year of our Lord
one thousand eight hundred and ~~seventy~~ *eighty* at the Ward, City and County aforesaid,
with force and arms.

*Forty yards of cassimere of the value of One dollar
and twenty five cents each yard*

of the goods, chattels, and personal property of one

James Schermer

then and
there being found, 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.

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And the Jurors aforesaid, upon their oath aforesaid, do further present
That the said

James Anderson

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

*Four yards of cassimere of the value of one dollar
and twenty five cents each yard*

of the goods, chattels, and personal property of the said

James Selmarth

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously
stolen of the said

James Selmarth

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

James Anderson

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

BENJAMIN K. PHELPS, District Attorney.

0276

BOX:

3

FOLDER:

39

DESCRIPTION:

Andrews, Charles

DATE:

01/08/80



39

0277

BOX:

3

FOLDER:

39

DESCRIPTION:

Heuze, Enil

DATE:

01/08/80



39

0278

Counsel,

Filed

day of

1870

Pleads

THE PEOPLE

vs.

^{MA.}
Charles Andrews

²
Emil Plunze

^{3rd}
H. H. H.

^{2nd}
H. H. H.

BENJ. K. PHELPS,

District Attorney.

Larceny, and Receiving Stolen Goods.

A TRUE BILL.

[Signature]

Jan. 12. 1870 Foreman.

S. P. C. W. P. S.
Chas. H. H. H.

0279

3 DISTRICT POLICE COURT—

AFFIDAVIT—Larceny.

CITY AND COUNTY }
OF NEW YORK, } ss

of No. 67 Willett

Benjamin Pfifferling
Street.being duly sworn, deposes and says, that on the
at the

16 day of December 1879

City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent,

the following property, viz.:

Forty four gallons whiskey value one hundred
dollars

Twelve bottles rhine wine value six dollars

Nine bottles red wine value two dollars

Two bottles California wine value three dollars

One Cap value one dollar

Sworn before me this

day of

all of the value of one hundred and ten dollars
the property of Complainant

Peter J. J. J.

18

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 Charles Andrus and Emil Henze.Said Andrus was in deponent's employ and
had the key of the store where the goods as
above described were kept. Said Andrus slept
in the store, all the property was in the
store on Monday evening Dec 15. when deponent
left, on Tuesday morning Dec 16 1879
on deponent's going into the store deponent
found the property missing and Andrus
had fled. Deponent is informed by Cornelius

0280

Bade who keeps a saloon at No 114 allen street that on the morning of December 16. Saint andrus called at deponents store and sold said Bade a bill of goods. and said Emil Henze (now present) delivered the goods to said Bade on Tuesday Evening Dec 16 1879. Dependent fully identifies the goods sold by said andrus to Bade as his property and a portion of the property taken from his store, and further the Lab taken from deponents store said Henze is now meaning

Ragninn Afferting

Sum to Refu me this 3rd
18 day of December 1879

J. M. Patterson

Allen Justice

City and County of New York 3rd.

Cornelius Bade residing No 114 allen street being sworn states that Mr. Charles Andrus came to deponents store on Tuesday morning Dec 16 and sold deponent some liquors, saying at the time that it was his property, and stated that he would deliver the goods that night. Dependent paid for said property five dollars on Tuesday Evg Dec 16 1879. Emil Henze (now present) delivered to deponent at his store No 114 allen street a bill quantity of liquor which has since been identified by Benjamin Afferting as a portion of the property taken from his store.

Sum to Refu me this 3rd
18 day of December 1879

Cornelius Bade

J. M. Patterson

DISTRICT POLICE COURT

THE PEOPLE, &c.

ON THE COMPLAINT OF

vs.

DATED

18

MAGISTRATE.

OFFICER

WITNESSES:

DISPOSITION

0281

Police Court—Third District.

CITY AND COUNTY } ss.
OF NEW YORK, }

Emil Henze being duly examined before the under-
signed, according to law, on the annexed charge; and being informed that he was
at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question.—What is your name?

Answer.—*Emil Henze*

Question.—How old are you?

Answer.—*Thirty two years*

Question.—Where were you born?

Answer.—*Germany*

Question.—Where do you live?

Answer.—*28 Kingston Street*

Question.—What is your occupation?

Answer.—*Clerk*

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

Answer.—*I am not guilty*

Emil Henze

Taken before me, this

day of *December* 187*9*

Police Justice.

St. M. Patterson

0282

Form 115.

POLICE COURT--THIRD DISTRICT.

THE PEOPLE, &C.,

ON THE COMPLAINT OF

Benjamin R. Hurler
283 E 4th St
67-111111

Charles Andrew

Ernie Henry



187

Dated

Receivable

Magistrate.

Officer.

David W. Bate

Wheeler

Clerk.

No. 1- not arrested

Witness, *Cornelius Bode*

No. *114* Street.

No. Street.

No. Street.

No. *2* to answer Committed.

Received in Dist. Atty's Office,

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

0283

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That *Charles Andrews and Emil Henge*
Each.

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the
One tenth day of *December* in the year of our Lord
one thousand eight hundred and seventy-*nine* at the Ward, City and County aforesaid,
with force and arms,

*Forty four gallons of liquor [of the kind commonly
called whiskey] of the value of two dollars and
fifty cents each gallon -
Twenty seven bottles of wine of the value of
fifty cents each bottle -*

of the goods, chattels, and personal property of one

Benjamin Pfefferling
then and
there being found, 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.

And the Jurors aforesaid, upon their oath aforesaid, do further present

That the said

Charles Sudnow and Emil Henze
each

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

Forty four gallons of liquor (of the kind commonly called Whiskey) of the value of two dollars and fifty cents each gallon

Twenty seven ~~bottles~~ of wine of the value of fifty cents each bottle

of the goods, chattels, and personal property of the said

Benjamin Pfefferling
 by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen of the said

Benjamin Pfefferling
 unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

Charles Sudnow and Emil Henze
 then and there well knowing the said goods, chattels, and personal property, to have been feloniously stolen,) against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

BENJAMIN K. PHELPS, District Attorney.

0285

BOX:

3

FOLDER:

39

DESCRIPTION:

Austin, Charles

DATE:

01/30/80



39

0286

273
Booth
Day of Trial

Counsel,

Filed *30* day of *July* 187*6*

Pleads,

THE PEOPLE

vs.

Charles Austin
21st Aug 74
1831

Burglary—
and the possession and receiving
Stolen Goods.
(DWELLING HOUSE.)

BENJ. K. PHELPS,

District Attorney.

A TRUE BILL.

A. King

July 31 1876 Foreman

S. P. Rousseau.

Henry J. S. S.

0287

Police Office, Fourth District.

City and County } ss.
of New York, }.. Michael Lawler
of No. 43 East 74th Street, being duly sworn,
deposes and says, that the premises No. 43 East 74th Street, being a tenement

House, the first floor of which was occupied by deponent as a dwelling

were **BURGLARIOUSLY**

entered by means

of unlocking the front door of the door of deponent's premises.

on the night of the 21st day of Jan'y 1880
and the following property feloniously taken, stolen and carried away, viz.:

One Suit of Clothes of the value of Thirty Dollars. One Overcoat of the value of Eighteen Dollars. Two finger rings of the value of five dollars. One chain and locket of the value of Five Dollars. One pawn ticket representing a gold watch. and one pawn ticket representing two finger rings.

30

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 Charles Austin and James

Nelson - nor present.

for the reasons following, to wit:

That said premises were entered as aforesaid, during the absence of himself and wife - she locking the door and having the key with her. That deponent is informed that said defendants were arrested together while offering said pawn tickets for sale - That when deponent returned home, he found that his premises had been entered and the aforesaid articles stolen.

Michael Lawler

Given & before me
this 23 January 1880
J. J. McDonald
Notary Public

0288

City & County
of New York ss. Henry F. Cornish being
sworn says. that on the 22nd Jan'y 1880
in company with Officer Samuel J.
Campbell. he arrested Charles Austin
& James Welsh now present. in a
store in Chatham Street. where they
were offering for sale the two pawn
tickets claimed by Michael Lawler
as his property. That the suit of
clothes mentioned herein were found
in a second hand clothing store in
Raxter Street.

Given before me } Henry F. Cornish
this 23rd Jan'y 1880 }
McMahon }
Police Justice }

Ms. 1. 2
200
1500

0289

Police Court, Fourth District.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Charles Austin.

Question. How old are you?

Answer.

Twenty one.

Question. Where were you born?

Answer.

In Washington D. C.

Question. Where do you live?

Answer.

431 East 74 Street. near

Question. What is your occupation?

Answer.

Truck Driver.

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

Answer.

I am not guilty.

Charles Austin

Taken before me this

23 day of June 1897

Police Justice.

0290

Police Court, Fourth District.

CITY AND COUNTY }
OF NEW YORK, }

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

Question. What is your name?

Answer. *James Welsh*

Question. How old are you?

Answer. *Twenty two years.*

Question. Where were you born?

Answer. *In New York*

Question. Where do you live?

Answer. *16 Broadway Street.*

Question. What is your occupation?

Answer. *Carrier for my broker in Washington**Market.*

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

Answer. *I first met Austin in Baxter Street, yesterday— and never saw him or knew him before— Austin at the time was offering at the store for sale a ticket for clothes. I went with him at his request and saw him sell the ticket for fifty cents. I knew nothing of the tickets found on Austin, never saw them or knew that he had them. I don't know where the house is that was entered, or was never up town in my life with him*
James X Welsh
Mark

Taken before me this

23 day of June 1870

Police Justice.

0291

Police Court—Fourth District.

THE PEOPLE &c.

OR THE COMPLAINT OF

Michael Lander

1431 E. 1st St.

1 Charles Austin

2 James Melick

3

4

5

6

Dated 15 January 1880

Magistrate.

Officer.

Clerk.

Witness

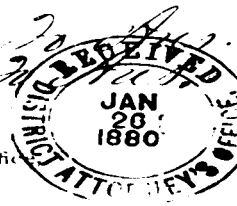
Henry D. Linnick

8 Precinct

Not 1. 1000 20 App.

2. 1500 20 App.

Received in District Atty's Office



130
Office, New York

BAILED:

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

0292

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

Charles Austin

late of the *Nineteenth* Ward of the City of New York, in the County of New York aforesaid, on the *twenty first* day of *January* in the year of our Lord one thousand eight hundred and ~~seventy~~ *eighty* with force and arms, about the hour of *nine* o'clock in the *night* time of the same day, at the Ward, City and County aforesaid, the dwelling house of *Michael Lawler* there situate, feloniously and burglariously, did break into and enter by means of forcibly *unlocking an outer door of said dwelling house*

he the said *Charles Austin*

then and there intending to commit some crime therein, to wit: the goods, chattels and personal property of *Michael Lawler* 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.

And the jurors aforesaid, upon their oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County aforesaid, the said

Charles Austin

late of the Ward, City and County aforesaid;

Two coats of the value of fourteen dollars each - One vest of the value of ten dollars - one pair of pantaloons of the value of ten dollars - Five rings of the value of two dollars and fifty cents each - One chain of the value of two dollars and fifty cents each - one watch of the value of two dollars and fifty cents -

One instrument and writing of the kind commonly called a pawn ticket the same being an instrument by which a right and title to me watch of the value of twenty five dollars was acknowledged in me Michael Lawler the same being the value of the property affected by the said instrument -

One other instrument and writing of the kind commonly called a pawn ticket, the same being an instrument by which a right and title to two rings of the value of five dollars each was acknowledged in me Michael Lawler, the same being the value of the property affected by the said instrument -

of the goods, chattels, and personal property of the said *Michael Lawler* in the said dwelling house then and there being, 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.

And the Jurors aforesaid, upon their oath aforesaid, do further present

That

Charles Austin

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, at the Ward, City, and County aforesaid,

Two coats of the value of fourteen dollars each - One vest of the value of ten dollars - One pair of pantaloons of the value of ten dollars - Two rings of the value of two dollars and fifty cent each - one chain of the value of two dollars and fifty cents - one locket of the value of two dollars and fifty cent -

One instrument and writing of the kind commonly called a pawn ticket, the same being an instrument by which a right and title to one watch of the value of twenty five dollars was acknowledged in one Michael Lawler the same being the value of the property affected by the said instrument -

One other instrument and writing of the kind commonly called a pawn ticket the same being an instrument by which a right and title to two rings of the value of five dollars each was acknowledged in one Michael Lawler, the same being the value of the property affected by the said instrument -

of the goods, chattels, and personal property of

Michael Lawler

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen of the said

Michael Lawler

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

Charles Austin

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

BENJAMIN K. PHELPS, District Attorney.

0294

BOX:

3

FOLDER:

39

DESCRIPTION:

Allen, William

DATE:

01/29/80



39

0295

288

Counsel,

Filed 29 day of Jan 1880

Pleads

THE PEOPLE

vs.

William Allen

2 cases

BENJ. K. PHELPS,

District Attorney.

Having himself in the count
of the 2 cases

A TRUE BILL.

Chas. King

Foreman.

Chas. King

Ag. Bus.
Ant. Bus.

Larceny, and Receiving Stolen Goods.

0296

2nd FIRST DISTRICT POLICE COURT.

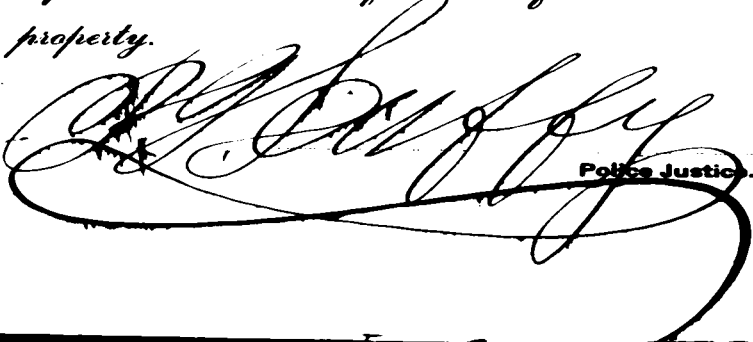
New York, January 28 1890

At.

Grand Street Pawnbroker.

Sir:

Please deliver to the bearer the property
pledged in your Establishment, and ~~represent~~
~~stolen from the Bearer Wm. D.~~
~~Carried by the annexed Ticket, the same being~~
required at this Court for identification as stolen
property.


Police Justice.

0297

DEPARTMENT OF
Public Charities and Correction.

OFFICE OF CITY PRISON,
(Corner of Franklin and Centre Streets.)

STATE OF NEW YORK

New York.

Feb 2 1880

Mr. J. K. Phelps
Esq. District Attorney

William Spiller
Committed to jail by Justice
Catterson on a charge of Grand
Larceny of a watch & two tail
coat. He was executed by hanging this
morning. He was found dead in his
cell at 6.45 A.M. and was seen by
a keeper at 4.45 A.M. in bed
apparently asleep with another
prisoner named John McCarty,
who shared his cell.

Very Respectfully
James F. Finley
Warden

0298

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

Form 801

POLICE COURT—SECOND DISTRICT.

of No. *218 West 43rd* Street, being duly sworn, deposes
and says, that on the *24th* day of *January* 18 *80*
at the City of New York, in the County of New York, was feloniously taken, stolen and carried
away, from the possession of deponent,

the following property, to wit:

One black-
parrot.

of the value of

the property of

Eighty Five
Dollars.

Dollars,

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 *William Allen*

*(now living from 100-
feet - that subsequent
to the taking of
said property deponent
found the said boat
on the premises and
in the possession of
said Allen)*

J. B. Wood

Sworn before me, this

25th day

McKenzie
Police Justice.

0299

Police Court—Second District.

CITY AND COUNTY } ss.
OF NEW YORK, }

William Allen being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him, states as follows, viz.:

Question.—What is your name?

Answer.—

Question.—How old are you?

Answer.—

Question.—Where were you born?

Answer.—

Question.—Where do you live?

Answer.—

Question.—What is your occupation?

Answer.—

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

Answer.—

I am guilty
Wm Allen

Taken before me, this

25th day of

January 1880

Police Justice.

0300

Form 894.

POLICE COURT - SECOND DISTRICT.

THE PEOPLE, & c.,
ON THE COMPLAINT OF

John W. B. Wood
William Allen

218 W. 43rd St.

DATED *January 25* 18 *80*

Alvan MAGISTRATE.

Conklin OFFICER.

WITNESS:

James S. Lantry
231 West 19th

\$ *1000* TO ANS. *S. J. Owen*

BAILED BY

NO. STREET.



142
Affidavit - Lantry.

0301

CITY AND COUNTY)
OF NEW YORK. { ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present :

That *William Allen*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the
fourth day of *January* in the year of our Lord
one thousand eight hundred and ~~seventy~~ *Eighty* at the Ward, City and County aforesaid,
with force and arms.

One coat of the value of fifteen dollars

of the goods, chattels, and personal property of one

William O Carroll then and
there being found, 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.

0302

And the Jurors aforesaid, upon their oath aforesaid, do further present

That the said

William Allen

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

*One Coat of the value of fifteen
Dollars*

of the goods, chattels, and personal property of the said

William D. Carroll

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously
stolen of the said

William D. Carroll

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

William Allen

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

BENJAMIN K. PHELPS, District Attorney.

0303

William D. Carroll,
338 N. 21st St.

M. Wolf,
Pawnbroker

Grand St. near Elizabeth

309
Counsel,

Filed 29 day of Jan 1880

Pleads Vol. 100

vs. THE PEOPLE

vs.

William Allen

Deceit

BENJ. K. PHELPS,

District Attorney.

King himself is to come
Feby 2nd 1880

A True Bill.

OK King

foreman.

Feby 2nd 1880

Not a King's man

Appl. 1880
over 1880

Larceny, and Receiving Stolen Goods.

0304

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

William Allen

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the
twenty fourth day of *January* in the year of our Lord
one thousand eight hundred and ~~seventy~~ *Eighty* at the Ward, City and County aforesaid,
with force and arms,

One coat of the value of forty dollars,

of the goods, chattels, and personal property of one

John W B Wood

then and
there being found, 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.

0305

And the Jurors aforesaid, upon their oath aforesaid, do further present
That the said

William Allen

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

One coat of the value of forty dollars -

of the goods, chattels, and personal property of the said

John W. B. Wood

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously
stolen of the said

John W. B. Wood

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

William Allen

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

BENJAMIN K. PHELPS, District Attorney.