

0305

BOX:

478

FOLDER:

4375

DESCRIPTION:

Waas, John

DATE:

04/05/92



4375

0306

POOR QUALITY ORIGINAL

2/15

Comsol,
Filed 5 day of April 1892
Pleads, *John Waas*

18 *John Waas*
THE PEOPLE
vs.
John Waas
Robbery, *William* Degree.
(Sections 224 and 229, Penal Code.)

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

John Waas
Foreman.

Part 2 - April 12, 1892
John Waas
April 1892

Witnesses:

Henry J. ...
John ...

John Waas
John Waas

0307

POOR QUALITY
ORIGINAL

New York April 17 1872

To his Honor

Recorder Smyth

Dear Sir

The undersigned do hereby certify
that the defendant John Waad
is known to me personally for a
period of 7 years.

I have never during that time
heard of anything derogatory to
him as an honest, upright and
respectable young man.

Very respectfully

George Wm Barber 2-2711 2nd Ave.

0308

POOR QUALITY
ORIGINAL

New York Apr. 17/72

To the Honorable

Recorder Smyth,

Dear Sir,

I have known John Bull since childhood, ~~in~~
~~fact~~ and would here state, that
I have never, prior to this occurrence,
heard of anything detrimental to his
character - we are honest, and respectable
working men.

Remaining

Very Respectfully
Abraham Bear

225 E. 107 St.

0309

POOR QUALITY ORIGINAL

New York Apr. 15/92.

To his Honor.

Recorders Office -

Deeds of

so hereby certify that John Haas has been known by me for the last 20 years. I have always found him to be honest and a good man.

I have always been a friend and was surprised to hear of his sudden fall.

Yours

Respectfully

Mrs. J. Johnson
Grocery Store
225 E. 107 St.

0310

POOR QUALITY
ORIGINAL

New York April 15 1882
to his Honor
Judge Smyth
Dear Sir

The undersigned do hereby certify
that the defendant John Ross
is known to me personally for a
period of 3 years

and have never during that time
heard of any thing to reflect on
him as a dishonest, unright and
respectable young man

Very Respectfully

John W. Miller New York

2nd St.

0311

POOR QUALITY ORIGINAL

New York Apr. 16/ 72

To the Honorable
Recorder Smyth.

Dear Sir

I
here by certify that John Waas has
been known by me for the last 4
years.

I have always found him to
be honest and a good boy.

I have always trusted him and
was surprised to hear of his sudden
fall.

Remain Yours Resp.

P Pearl's Gin
206 2nd St. S. C.

0312

POOR QUALITY ORIGINAL

New York. Apr. 16/92.

To his Honor.

Recorder Smith.

Dear Sir.

I know the young man John Waas for 13 Years and always found him to be an honest and trustworthy young man and further more I would trust him in my place of business.

Yours.

C. W. Perotby 2129 2nd Ave
Stationery

0313

POOR QUALITY
ORIGINAL

New York. Apr. 15/92

To his Honor

Recorder Smyth.

Dear Sir—

The undersigned, do hereby certify,
that the defendant, John Vase
is known to me personally for a
period of five years.

I have never, during that time,
heard of anything derogatory to
him, as an honest, upright and
respectable young man.

Very Respectfully

J. Gottschall

2124 L^o Ave

Jeweler

0314

POOR QUALITY ORIGINAL

New York April 17 1892

to his Honor
Recorder Smythe
Hempstead

The undersigned do hereby certify
that the defendant John Jones
is known to me personally for a
period of 2 years; I have never during that time
heard of anything derogatory to him as a witness.
I am, Sir, your obedient servant

Very Respectfully

J. Lewis
2131 2nd Ave
Hempstead

0315

POOR QUALITY ORIGINAL

Police Court 5 District.

CITY AND COUNTY }
OF NEW YORK, . } ss

Harry Todd
of No. 110 East 108th Street, Aged 38 Years
Occupation Carpenter being duly sworn, deposes and says, that on the
20 day of March 1892, at the 12th Ward of the City of New York,
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-
ponent by force and violence, without his consent and against his will, the following property, viz:

One silver watch

of the value of five DOLLARS,
the property of Deponent

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

John Waas (Crewman)
from the fact that at about the
hour of 1 o'clock a.m. said date
deponent was on 107th St. near 2nd
Avenue. When this defendant came
up to deponent and pushing
deponent violently with one hand
he caught hold of deponents watch
chain with the other hand and drawing
said watch from deponents pocket he
the defendant feloniously took same
and carried away said watch
from the person of deponent by force
and violence.

Harry Todd

Sworn to before me, this
day of March 1892
J. M. Kelly
Police Justice

0316

POOR QUALITY ORIGINAL

Sec. 198-200.

51 District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

John Waas 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. John Waas.

Question. How old are you?

Answer. 18 years old

Question. Where were you born?

Answer. New York

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

Answer. 22-2. E 102 St. 6 mo

Question. What is your business or profession?

Answer. Tobacco Stripper

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

Answer.

I am not guilty

John Waas

Taken before me this 20 day of March 1897

Police Justice.

0317

POOR QUALITY ORIGINAL

BAILED,

No. 1, by _____
Residence _____ Street _____

No. 2, by _____
Residence _____ Street _____

No. 3, by _____
Residence _____ Street _____

No. 4, by _____
Residence _____ Street _____

Police Court... 31 District... 1894 321

THE PEOPLE, etc.,

ON THE COMPLAINT OF

James Smith
John Black

Offense

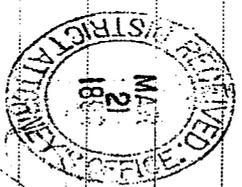
Robbery

Dated, *March 30* 189 *3*

James Kelly
Magistrate
Officer

James Behm
Witness
Prechtel

No. *27* Street *Pratt Street*



No. *2500* Street *...*

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 Smith

is 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, *March 30* 189 *3* *John Smith* 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 he to be discharged.

Dated, _____ 189 _____ Police Justice.

0318

POOR QUALITY ORIGINAL

New York City
Apr 16 1892

To the Honorable
Recorder Smyth;

This is to certify that I have known the young man, John Thade for the past two years, and frankly state, that I have never, heretofore, known or heard of any action on his part, that could represent him otherwise, than

0319

POOR QUALITY
ORIGINAL

an upright, honest and
respectable person.

Very respectfully submitted,

John B. Coakley
Ince.

230. E. 1102nd St.
City.

0320

POOR QUALITY ORIGINAL

Count of Samuel Cassiano
The Po

vs -
John Mas -

City of Albany } ss. Francis J. Conroy
of New York }

Being duly sworn deposes & says - that
he was a member of the family of
Bro in this City - that he
dependent was formerly in the
Employ of said firm - of that firm
but has known him for the past
Eight years - and that he con-
sidered him disingenuous - untrustworthy and
reliable - and has never heard
anything derogatory to his char-
acter - up to the time he was
charged with the commission of
the crime - Defendant pleads
this to be his first offense - and
pleads that he will reform if
given an opportunity. So to do.

Subscribed before me
on April 12th 1942 } F. J. Conroy
All of us
Anthony P. ...
New York County

0322

POOR QUALITY ORIGINAL

COURT OF GENERAL SESSIONS.

----- x
 :
 The People etc.,
 :
 against
 :
 John Wass.
 :
 ----- x

City and County of New York, ss:- *Isadore Cohen*

being duly sworn deposes and says that he has been acquainted with the defendant John Wass, for a number of years and that he has always known him to be a quiet and peaceable young man, respected in the community in which he lives, and has not known anything against his character; and his reputation in the community for honesty was good.

Sworn to before me this)
))
13th day of April, 1892.)

B. W. Liphitz *Isadore Cohen*

Notary Public

New York County.

72 = 159

0323

POOR QUALITY ORIGINAL

[Faint, illegible typed text]

David Reggel

[Faint, illegible typed text]

David Reggel

[Handwritten signature]

72159

0324

POOR QUALITY ORIGINAL

COURT OF GENERAL SESSIONS.

----- x
 :
 The People etc., :
 :
 against :
 :
 John Ware. :
 :
 ----- x

City and County of New York, ss:- *John M. Keall*

being duly sworn deposes and says
 that he has been acquainted with the defendant John Ware, for
 a number of years and that he has always known him to be a
 quiet and peaceable young man, respected in the community in
 which he lives, and has not known anything against his char-
 acter; and his reputation in the community for honor and good
 conduct.

Sworn to before me this } *John Mc Hale*
 18th day of April, 1894. }

[Handwritten Signature]

Notary Public
New York County.

702 159

0325

POOR QUALITY ORIGINAL

COURT OF GENERAL SESSIONS

----- x
:

The People etc.,

:

against

:

John Wass.

:

----- x

To the Hon. Delancy Nicoll,
District Attorney.

Sir:-

WHEREAS:- I have heretofore made a complaint against one John Wass and charged him with taking my property, viz; a watch of the value of about \$5., and being desirous of withdrawing said charge against the said Wass, I would respectfully request the privelege of doing so if the same can be done without seriously affecting the administration of justice.

Yours very respectfully,

Harry Tadd

0326

POOR QUALITY
ORIGINAL

COURT OF GENERAL SESSIONS.

The People etc.,

against

John Wass.

WITHDRAWAL.

Purdy & McManus,
Defendant's attorneys,
280 Broadway, N.Y. City.

0327

POOR QUALITY ORIGINAL

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 Waas

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

John Waas

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

The said

John Waas,

late of the City of New York, in the County of New York aforesaid, on the *20th* day of *March* in the year of our Lord one thousand eight hundred and ninety-*two*, in the *night* time of the said day, at the City and County aforesaid, with force and arms, in and upon one *Harry Todd* in the peace of the said People then and there being, feloniously did make an assault; and

*one watch of the value
of five dollars*

of the goods, chattels and personal property of the said *Harry Todd* from the person of the said *Harry Todd* against the will and by violence to the person of the said *Harry Todd* 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.

*Wm Lancy Nicoll,
District Attorney.*

0328

BOX:

478

FOLDER:

4375

DESCRIPTION:

Wahl, William

DATE:

04/22/92



4375

0329

POOR QUALITY ORIGINAL

276
Counsel, *Gray*
Filed, *April 4* 1892
Pleads, *Verdict*

INJURY TO PROPERTY.
[Section 654, Penal Code.]

THE PEOPLE
vs. *R*
William Wahl

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

W. H. Graham
Foreman.
Part 2 - Gray 4, 1892.
True and admitted

Witnesses:
William Wahl

0330

POOR QUALITY ORIGINAL

Sec. 198-200.

X District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK.

William Wahl 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 Wahl*

Question. How old are you?

Answer. *40 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *No. 867 - 1st Ave - 2 years*

Question. What is your business or profession?

Answer. *Labourer*

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 - W. Wahl*

Taken before me this
day of *April* 188*7*
John W. Ryan
Police Justice.

0331

POOR QUALITY ORIGINAL

BAILLED,

No. 1, by

Anna Newman

Residence

215 E 5th St, New York

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Seaman Malle

Robt Malle

William Malle

Offense *Malicious Misdemeanor*

Dated

March 8 1892

No.

John Ryan
Magistrate

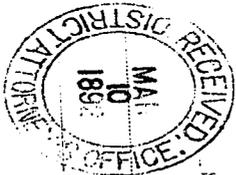
23
Precinct

Witnesses

No.

No.

No.



No.

500

to answer

25

Street

Handed

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*

True 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, *March 6 1892* *John Ryan* Police Justice.

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

Dated, *March 8 1892* *John Ryan* Police Justice.

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

Dated, *March 8 1892* *John Ryan* Police Justice.

0332

POOR QUALITY ORIGINAL

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 4 DISTRICT.

Herman Wahl

of No. 865 First Avenue Street, aged 36 years, occupation milk dealer being duly sworn deposes and says, that on the 8 day of March 1892

at the City of New York, in the County of New York, William Wahl, (now here) did wilfully and maliciously break and destroy a plate glass window in the premises, N. 865 First Avenue, the property of deponent, of the value of Fifty Dollars (\$50.00), by throwing a milk-can through said window. Herman Wahl

Sworn to before me, this

of March

1892

day

[Signature]

Police Justice.

0333

POOR QUALITY ORIGINAL

Court of General Sessions of the Peace

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
AGAINST
William Wahl

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

William Wahl

of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* PERSONAL PROPERTY OF ANOTHER,
committed as follows:

The said William Wahl

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

one pane of plate glass

of the value of *fifty dollars*
of the goods, chattels and personal property of one *Herman Wahl*
then and there being, then and there feloniously did unlawfully and wilfully *break*
and destroy:

[Handwritten flourish]

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

0334

POOR QUALITY ORIGINAL

SECOND COUNT.

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

William Wahl
of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* REAL PROPERTY OF ANOTHER,
committed as follows :

The said *William Wahl*

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

one pane of plate glass

of the value of *fifty dollars*
in, and forming part and parcel of the realty of a certain building of one *Herman*
Wahl there situate, of the real property of the said
Herman Wahl
then and there feloniously did unlawfully and wilfully *break and*
destroy :

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.

0335

BOX:

478

FOLDER:

4375

DESCRIPTION:

Wajala, John

DATE:

04/19/92



4375

0336

POOR QUALITY ORIGINAL

Andrew J. Fox

Counsel,

Filed *19* day of *April* 189*2*

Pleas,

THE PEOPLE

vs.

John W. Wagoner
H.P.

Grand Larceny, *First*
Degree.
[Sections 528, 580, Penal Code]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

W. H. Johnson
Foreman.

Part 2 - April 21, 1892.
Trials and Acquitted

Witnesses:

Stanislaus Boushola

Robert Long

0337

POOR QUALITY ORIGINAL

Police Court / District: Affidavit—Larceny.

City and County } of New York, } ss: Stanislaus Bombola

of No. 11 Washington Street, aged 30 years, occupation None being duly sworn,

deposes and says, that on the 12 day of April 1892 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the night time, the following property, viz:

dollars gold and lawful money of the United States

the property of deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by John Weiger (now here) from his person in the room that on said date as deponent was asleep at the aforesaid address he had the above described property in the pocket of his trousers then on his body. When deponent awoke the said property was gone. Deponent is informed by Robert Lange who was sleeping in the said room with deponent at the time, that he saw the defendant in said room with a candle in his hand and that he saw the defendant place his hands in deponent's pocket. Deponent charges the defendant with larceny from the person. Deponent's body and estate deponent. Wherefore deponent charges the defendant with larceny from the person Stanislaus X Bombola

Sworn to before me, this 13 day of June 1892, of New York, Police Justice.

0339

POOR QUALITY ORIGINAL

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Johan Weiger 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. *Johan Weiger*

Question. How old are you?

Answer. *33 years.*

Question. Where were you born?

Answer. *Austria*

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

Answer. *11 Washington Street. 8 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 not Guilty*

Johan. Weiger

Taken before me this *1st* day of *April* 188*9*
H. Dinkelspiel
Police Justice.

0340

POOR QUALITY ORIGINAL

Complainant and witness committed to House of Detention in default of the \$1000.00 bail.

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

Police Court

THE PEOPLE, etc.,
IN THE COMPLAINT OF

HOUSE OF DETENTION CASE.

District

421

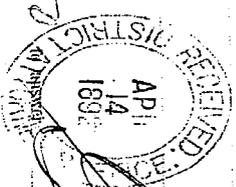
Date, April 13th 1892

M. M. ...
Deputy District Attorney

Robert ...
Witness

No. 11 ...
Street

Complainant and witness committed to the House of Detention in default of the \$1000.00 bail.



No. ...
Street ...
Complainant and witness committed to the House of Detention in default of the \$1000.00 bail.

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

Defendant

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

Dated, April 13th 1892 *W. M. ...* Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0341

POOR QUALITY ORIGINAL

CITY AND COUNTY, ss.
OF NEW YORK,

POLICE COURT, 1 DISTRICT.

of No. 2nd Police Precinct Street, aged 28 years,
occupation Policeman being duly sworn deposes and says,

that on the _____ day of _____ 1892
at the City of New York, in the County of New York, Stanislaus Bombola
and Robert Lange (both now here) are
material witnesses against John Weiger charged
with larceny from the person. As defendant
fears that the said Bombola and Lange
will not appear in Court to testify when
wanted, he prays they furnish bonds for
their appearance or else be committed to
the House of Detention in default of bail for
their appearance.

Fred Schlottman

Sworn to before me, this _____ day of _____ 1892

Admiral
Police Justice

0342

POOR QUALITY ORIGINAL

Police Court, _____ District.

THE PEOPLE, & c.,
ON THE COMPLAINT OF

Fred Sch

vs.

AFFIDAVIT.

Dated _____ 188.

_____ Magistrate.

_____ Officer.

Witness, _____

Disposition, _____

0343

POOR QUALITY ORIGINAL

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 Wajala

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse John Wajala of the CRIME OF GRAND LARCENY IN THE first DEGREE, committed as follows:

The said John Wajala,

late of the City of New York in the County of New York aforesaid, on the twelfth day of April in the year of our Lord one thousand eight hundred and ninety-two at the City and County aforesaid, with force and arms, in the night time of said day, divers promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of fourteen dollars; divers other promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of fourteen dollars; divers United States Silver Certificates, of a number and denomination to the Grand Jury aforesaid unknown, of the value of fourteen dollars; divers United States Gold Certificates, of a number and denomination to the Grand Jury aforesaid unknown, of the value of fourteen dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of fourteen dollars

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

DE LANCEY NICOLL, District Attorney.

0344

BOX:

478

FOLDER:

4375

DESCRIPTION:

Wallace, Eugene

DATE:

04/06/92



4375

POOR QUALITY ORIGINAL

0345

No. 44,
De Lancey Nicoll

Counsel,
Filed 6th day of Feb 1892

Pleads,
C. H. [unclear]

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

THE PEOPLE

vs.

Onque Wallace

18
m 10
11

DE LANCEY NICOLL,
District Attorney.

[Signature]
Special Counsel of

A TRUE BILL
H. H. [unclear]

[Signature]

Foreman.

10th Feb 1892

Per [unclear]

Witnesses:

[Signature]

0346

POOR QUALITY
ORIGINALThe People
Eugene Wallace

Court of General Sessions. Part I.
 Before Judge Cowing. April 12 1892.
 Indictment for assault in the first degree.
 Frederick Frick, sworn and examined. I
 live at No. 100 St. Mark's Place and am a
 conductor on the Boulevard and Forty Second
 st. line. I was a conductor on the first of
 April. I was on my down trip; the altercation
 occurred at 28 minutes after nine at night
 at Forty Eighth st. and Broadway in this city.
 There was two boys standing on the rear
 car; one of them stood with his back against
 the rear window and the other fellow
 was standing opposite with his back to the
 dark board. It was very hard for pas-
 sengers to get off or on the car. The
 colored boy (the prisoner) was standing
 towards the window. I asked him to please
 stand over on the other side and he
 would not do it. So I just wanted to
 make room for a gentleman to stop
 off and I pulled him over, and he
 drew a knife and stabbed me in the
 back; he made a second attempt to
 stab me when I grabbed him. I lost a
 good deal of blood. Had him arrested
 then. The doctor in the Roosevelt hospital
 said it was a narrow escape. The other

0347

POOR QUALITY
ORIGINAL

The other boy was white and he was not a companion of the colored boy. I caught the defendant by the arm and pulled him over to the other side of the car. I said to him, "There is plenty of room for you to stand. I have got to make time with the car; it takes ten to fifteen seconds for passengers to get through the two of you. When you pulled him over what did he do? He just drew the knife and stabbed me right there (pointing to the right side and to his back) I saw him draw the knife. He drew it at me the second time, but I had power over him and I grabbed him; he cut me an inch deep. I held him until he was arrested. I fled much. I left the car with an inspector at Tenth Second Street. I could not see any officer, and the Inspector gave the car to another Inspector and he went back to Tenth Seventh Street; he met an officer and he brought me over to the station house and the Sergeant there sent me up with another officer to the Roosevelt hospital. The doctor dressed the wound there. The knife seemed to me to be a big one. I go still to the Hospital every day for treatment. Cross Examined. I did not push the white boy

0348

POOR QUALITY
ORIGINAL

from the car. I remember that the defendant had a bundle in the right hand and he stabbed me with the left hand. I positively swear that it was with a knife I was stabbed. I did not see him have at the time of the stabbing a pencil and a compass in his left hand, but he showed them in the station house. I did not stay at the Hospital because I have a good home. I go there twice a week now. I was there last Sunday. I got a plaster put on the wound; the doctor's name is Jorcey. Without any provocation at all this boy cut me with a knife. Then the defendant told the Police sergeant that he stabbed me with a pencil the sergeant told him it was not so - that he used a knife, and so he did. I saw the knife in his hand shining, but afterwards I could not find the knife on him. I will swear that he did not puncture me with the compass that he had in his left hand; the coat will show that. The overcoat I wore is at home. I can get it here in half an hour. Is that the hole here (pointing to the vest) Yes sir. The driver does not know anything about the occurrence; he only saw the hole.

0349

Theodore Beesley, sworn and examined.
I arrested the defendant at No. 47 Street and
Broadway. The Conductor and one of the In-
spectors of the Road had hold of him at the
time. I asked the defendant why he stabbed
the Conductor, and he said the Conductor
called him a coon, and he called the
conductor a cock-eyed son of a b-
and he said he stabbed him with this.
He had it in his pocket at the time,
he gave it to me, he took it out of his
vest pocket, and that is the way it was
(showing a compass on the end of a
pencil) The complainant said he stab-
bed him with a knife. That is all the
conversation I had with him. The knife
here produced was found by the Inspector
in the defendant's pocket. I did not see
any of the quarrel.

Engene Wallace, sworn and examined in
his own behalf testified. I live No. 240 East
Ninety Eighth St. I work for Co. B in the
armory of the 22nd Regiment, (Capt. Maydoff)
I have been working there nearly two years
Before that I worked for Earl and Wilson
I am 18 years old and have been
working since I was nine years old. My
mother is a widow and she is in Court.

0350

POOR QUALITY
ORIGINAL

On this night you were in this car? Yes.
What had you in your hand? I had
the Captain's pants, a bundle. In which
hand did you carry that bundle? I had
it in my left hand. What had you in
your right hand? A compass. Were you
standing with your back to the window
or with your back to the dashboard? I
was standing with my back to the dashboard.
State to the Court and jury what occurred
on that platform with this Conductor? On
the night that I was arrested I was going
down from my army and I got in the
car at Sixty Seventh Street and rode
down as far as Fifty Third Street. I met a
young fellow I knew I used to go to school
with. I said, "How do you do, Fred?" He said,
"Hallo." I got down to Fifty Ninth Street. The
Conductor got hold of this boy - because
a lady got off - I said, "You ought to be
ashamed in striking a boy that way." He
came out and called me a coon and
cursed me and called me a Hack son
of a b - h. I called him a cockeyed
Dutchman. By that time I had my
hand down, and he struck me in the
forehead. I was not looking at him, and
I caught my hand on the rail of the

0351

POOR QUALITY
ORIGINAL

car with the compass in one hand and went to swing around and struck him with the compass. What became of your bundle? I dropped it and the white boy picked it up. You see this long cut he has got all through his coat, did you make that? I did not, I had no knife, it was done with the compass. Did you pull out a knife that night? No sir.

Where was that knife? In my little pocket of my pants. In the right hand change pocket of your pants? Yes sir. Was that where it was taken out of at the police station? Yes, that is where the conductor took it from. Did you have that knife out on that occasion? No sir. Did you cut that man with a knife? No sir. Did you intend to cut him with anything? No sir. Describe to the jury how this man got to be stabbed and punctured? On swinging around after he punched me in the forehead, I came very nearly falling off. I went to get back on the car again; he started to push me off. I went to grab hold of this defendant and struck this man accidentally. Did you intend to cut him? No sir. Did you run? No sir. Who held you? The conductor held me

0352

POOR QUALITY
ORIGINAL

Did the driver help? Yes. You are positive you were struck by this man? Yes sir. And that what you have stated here is true? Yes sir.

Cross Examined. You did have a knife? Yes sir I had a knife. And this is what cut the cloth was it (pointing to the compass) yes. It was in your hand that way? (showing) No sir, I had it marking on the bundle. What were you doing with that part up? That is the way I write with it, I could not write with it down that way. I was afraid of sticking myself. I turned it up. I did not turn it in. I had the pencil through the other part up there that pushes up. What did you have the point out for then do you know? No sir. It got out by accident did it that night? It was out when I got it. You never shoved it in like that (showing) No sir, never did. Sure about that? Yes sir. And that is what cut the cloth? Yes sir, that point.

Counsel

I have a letter here from Earl and Wilson, the employers of this defendant.

0353

POOR QUALITY ORIGINAL

Elizabeth Chapman, sworn and examined.
By Counsel You are the mother of this boy? Yes sir.
Is it true that he has worked ever since his earliest childhood? Yes sir. He has given you the profits of his labor? He has - Have you ever known him to be quarrelsome or turbulent? No sir. Have you ever known him to use a knife? No sir. Do you know where he got this compass? He says he got it from a school girl. Do you know where he got the knife? He said he borrowed it; but belonged to somebody in the army.

The jury rendered a verdict of guilty of assault in the third degree with a recommendation to the mercy of the Court.

The defendant was sentenced to the penitentiary for six months.

0354

POOR QUALITY
ORIGINAL

Testimony in the
case of Wallace
Engene filed

April
1942

20 SA

0355

POOR QUALITY ORIGINAL

Police Court— District.

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

Frederick Frick

of No. 100 E 8th Street, aged 25 years,
occupation Conductor being duly sworn

deposes and says, that on the 2nd day of April 188 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by
Eugene Wallace (murderer)

who did cut and stab deponent
on the right side of deponent's
body with a knife

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 2nd day } Fred Frick
of April 1887. }
A. J. White Police Justice.

0356

POOR QUALITY ORIGINAL

(1885)

Sec. 198 - 200.

4² District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Eugene Wallace 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. *Eugene Wallace*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *210 E 98th Street 3 weeks*

Question. What is your business or profession?

Answer. *work in the 22nd Regt. Army*

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*

Eugene Wallace

Taken before me this
day of *April* 1897
[Signature]
Police Justice.

0357

POOR QUALITY ORIGINAL

BAILED,

No. 1, by

Residence

Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

No. 4, by

Residence

Street

Police Court...

District

376

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Stella Truck

vs. Eugene Wallace

Eugene Wallace

Offense: Jail Assault

1 2 3 4

Dated

April 2nd

1892

Whitt

Magistrate

Street

Officer

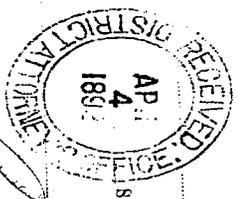
Witnesses

No.

Street

No.

Street



No.

500

to answer

Street

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

Eugene Wallace

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, *April 2nd* 1892 *[Signature]* Police Justice.

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

Dated, *April 2nd* 1892 *[Signature]* 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, *April 2nd* 1892 *[Signature]* Police Justice.

0358

POOR QUALITY ORIGINAL

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

Eugene Wallace

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

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

The said *Eugene Wallace*
late of the City of New York, in the County of New York aforesaid, on the *first*
day of *April* in the year of our Lord one thousand eight hundred and
ninety-*three*, with force and arms, at the City and County aforesaid, in and upon
the body of one *Fredrick Frick* in the peace of the said People
then and there being, feloniously did make an assault and *hurt* the said
Fredrick Frick with a certain *knife*

which the said *Eugene Wallace*
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and
wound,

with intent *him* the said *Fredrick Frick*
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York and
their dignity.

SECOND COUNT—

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

The said *Eugene Wallace*
late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,
at the City and County aforesaid, with force and arms, in and upon the body of the said
Fredrick Frick in the peace of the said
People then and there being, feloniously did wilfully and wrongfully make another assault,
and *hurt* the said *Fredrick Frick*
with a certain *knife*

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

0359

POOR QUALITY ORIGINAL

THIRD COUNT—

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

Eugene Wallace

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

The said *Eugene Wallace*

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the said *Frederick Trick* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault and *him* the said with a certain *knife* *Frederick Trick*

which *he* the said *Eugene Wallace* in *his* right hand then and there had and held, in and upon the *Body* *side* of *him* the said *Frederick Trick*

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said

Eugene Wallace 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.*

0360

BOX:

478

FOLDER:

4375

DESCRIPTION:

Wallace, John J

DATE:

04/05/92



4375

0361

BOX:

478

FOLDER:

4375

DESCRIPTION:

Flynn, Thomas

DATE:

04/05/92



4375

0362

POOR QUALITY ORIGINAL

No. 32. of W. Attorney
B.W. 11/12

Counsel,

Filed 5 day of April 1892
Pleads, Not Guilty (6)

THE PEOPLE

vs. John Wallace
alys. [NA]
Thomas Flynn

By Plaintiff in the Third Degree
[Section 498, 496, 524, 525]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

[Signature]

Perk 3. April 11/92.
vs. I. Pleads Not Guilty
Sentence suspended
P.B.M.

Witnesses:

Frank Orban

0363

POOR QUALITY ORIGINAL

Police Court— 2nd District.

City and County of New York, ss.:

John A. Moore of No. 464 West 26th Street, aged 40 years,

occupation Real Estate, being duly sworn

deposes and says, that the premises No 577 West 26th Street,

in the City and County aforesaid, the said being a Four story Brick

Tenement Building

and which was occupied by deponent as a unoccupied store

and in which there was at the time ~~no one~~

were BURGLARIOUSLY entered by means of forcibly Breaking a panel in a door leading from the hall into the store on the ground floor, of said premises, and thereafter passing and removing a wooden bar on said door.

on the 16 day of March 1882 in the day time, and the following property feloniously taken, stolen, and carried away, viz:

A quantity of lead pipe - and the handles and trimmings of a Beer Pump. in all of the amount and value of fifteen 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 John J. Wallace (now here) and Thomas Flynn (not yet arrested) while acting in concert with each other,

for the reasons following, to wit That deponent is informed by Patrick Hickey of No 464 West 26 Street that about the hour of eleven o'clock A.M. of the aforesaid date he securely locked and fastened the said door, and said premises and went away, and that deponent is further informed by Frank Archer of No 572 West 26 Street, that between the hours of two and three o'clock P.M. of the aforesaid

0364

POOR QUALITY ORIGINAL

he saw the defendant Wallace in company with and acting in concert with said Flynn in the aforesaid store, and that he saw said Wallace in company with said Flynn coming out of said store, with a quantity of lead pipe in their possession, and that he then discovered the said broken in and standing open. Deponent therefore asks that the said defendant Wallace may be held and said Flynn apprehended and dealt with as the Law may direct

Subscribed before me } John A. Brown
this 19 day of March 1892 }

John A. Brown
Police Justice

Police Court _____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Burglary

Dated _____ 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ _____ Bail.

Bailed by _____

No. _____ Street.

0365

POOR QUALITY ORIGINAL

CITY AND COUNTY }
OF NEW YORK, } ss.

Patrick Hickey
aged *27* years, occupation *Janitor* of No.

464 West 26 Street, being duly sworn, deposes and

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

Sworn to before me, this

day of *March* 1890,

19 *Patrick Hickey*
mark

John A. Gandy
Police Justice.

(3692)

CITY AND COUNTY }
OF NEW YORK, } ss.

Frank Archer
aged *50* years, occupation *Painter* of No.

512 West 26 Street, being duly sworn, deposes and

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

Sworn to before me, this

day of *March* 1890,

19 *Frank Archer*

John A. Gandy
Police Justice.

(3692)

0366

POOR QUALITY ORIGINAL

(1885)

Sec. 198-200

2

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

John J. Wallace

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

Question. What is your name?

Answer.

John J. Wallace

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.

539 West 26 Street - 4 months

Question. What is your business or profession?

Answer.

None

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

Answer.

I am not guilty

John J. Wallace.

Taken before me this 19 day of March 1894
W. J. [Signature]
Police Justice.

0367

POOR QUALITY ORIGINAL

BAILLED,

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

Police Court... 2 District. 917

THE PEOPLE, Sec.,
ON THE COMPLAINT OF
John J. Wallace
202 West 26 St
John J. Wallace
Offence Burglary

Dated March 19 1892

Gaddy Magistrate
Madden Officer

Witness J. Lynch
No. 523 West 26 Street

James Benbow
No. 100 East 23rd Street

James Benbow
No. 100 East 23rd Street
464 West 26th St
Street
No. 100 Street



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

John J. Wallace

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 19 1892 John J. Wallace 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 he to be discharged.

Dated _____ 18 _____ Police Justice.

0368

POOR QUALITY ORIGINAL

Court of
General Sessions

The People vs
John J. Wallace

REPORT OF THE NEW YORK SOCIETY FOR
THE PREVENTION OF CRUELTY
TO CHILDREN.

100 EAST 23D STREET,

New York, March 19th 1892

CASE NO. 63,409. OFFICER Reubert

DATE OF ARREST March 16th 1892

CHARGE Burglary

AGE OF CHILD 15 years

RELIGION Protestant

FATHER John

MOTHER Elizabeth

RESIDENCE 539 West 26th Street

AN INVESTIGATION BY THE SOCIETY SHOWS THAT the Society has no record of the boy having been arrested heretofore. Boy left school when 13 years old, and up to within 2 months has worked family respectable.

All which is respectfully submitted,

G. Holloway Secretary

To the Court

0369

POOR QUALITY ORIGINAL

Count of

General Sessions

The People & c.

vs.

John P. Wallace

Washington

PRMAL CODE, 76

Report of the New York Society
for the Prevention of Cruelty
to Children.

ELBRIDGE T. GERRY,

President, &c.,

100 East 23d Street,

NEW YORK CITY.

0370

POOR QUALITY ORIGINAL

CITY AND COUNTY OF NEW YORK } ss.

POLICE COURT, 2nd DISTRICT.

James F. Madam

of No. 16th of Peck Slip Street, aged 37 years,

occupation Police Officer being duly sworn deposes and says

that on the 17th day of March 1892

at the City of New York, in the County of New York, he arrested John J. Hallan on a charge of burglary and he prays he may be held to enable him to secure the necessary evidence.

(Officer James F. Madam

Sworn to before me this 17th day of March 1892

Madam Police Justice.

0371

POOR QUALITY ORIGINAL

Police Court, ² District.

THE PEOPLE, & c.,
ON THE COMPLAINT OF

vs.
John J. Wallace

159-539-4-26

Dated *May 17* 188*2*

Mary Magistrate.

Officer.

Witness

Disposition

\$100 Ex. Tech 19-10 ch.

AFIDAVIT.

0372

POOR QUALITY ORIGINAL

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 J. Wallace
Thomas Flynn

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

John J. Wallace and Thomas Flynn

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

The said *John J. Wallace and Thomas Flynn, both*

late of the 20th Ward of the City of New York, in the County of New York aforesaid, on the
sixteenth day of *March* in the year of our Lord one
thousand eight hundred and ninety-*two* in the *day* - time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of
one *John A. Moore*

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 *John*
A. Moore in the said *store*
then and there being, then and there feloniously and burglariously to steal, take and carry away,
against the form of the statute in such case made and provided, and against the peace of the
People of the State of New York and their dignity.

0373

POOR QUALITY ORIGINAL

SECOND COUNT—

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

John J. Wallace and Thomas Flynn
of the CRIME OF *Petty* LARCENY committed as follows:

The said *John J. Wallace and Thomas Flynn, 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 hundred pounds of lead pipe
of the value of ten cents each
pound*

of the goods, chattels and personal property of one *John A. Moore*

in the *store* of the said *John A. Moore*

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

*W. Lacey Nicoll,
District Attorney*

0374

BOX:

478

FOLDER:

4375

DESCRIPTION:

Walsh, Edward

DATE:

04/14/92



4375

0375

BOX:

478

FOLDER:

4375

DESCRIPTION:

Olcott, Frank

DATE:

04/14/92



4375

0375

BOX:

478

FOLDER:

4375

DESCRIPTION:

Madison, Archibals

DATE:

04/14/92



4375

0377

POOR QUALITY ORIGINAL

Counsel,

Filed 14th day of April 1892

Pleas, *Verdict*

THE PEOPLE vs. *Edward Walsh*
Frank Gleason
Archibald Stradson

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

Washed
March 1. Floor plan
2. Pen 34 m
3 h 4 1/2 pm
7 pm
A TRUE BILL.

em. April 29
DE LANCEY NICOLL,
District Attorney.

John H. Dehan
Foreman.

Part 2 of April 29, 1892.

All trial and convicted
of assault in the 2nd degree

108

Witnesses:

John Harris

Wm. Musher

0378

POOR QUALITY ORIGINAL

Police Court 2 District.

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

John Harris

of No. 500 Brown Street, aged 38 years,

occupation Truckman being duly sworn

deposes and says, that on the 22 day of March 1889 at the City of New

York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Edmund Walsh Frank Alcott and
Arnold Mathison (a number)
from the fact

that defendant Walsh
punch defendant with his clenched hand
that defendant Alcott struck defendant
on the head with a string and
that defendant Mathison did
discharge a loaded revolver at
defendant

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 23 day
of March 1889

John Harris
Truck

[Signature]
Police Justice.

0379

POOR QUALITY ORIGINAL

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Charles Madison 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.

Charles Madison

Question. How old are you?

Answer.

26 years

Question. Where were you born?

Answer.

New York

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

Answer.

23 Grand Street 3 months

Question. What is your business or profession?

Answer.

Plumber

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

Charles Madison

Taken before me this
day of

March 1891

23

Police Justice.

[Signature]

0380

POOR QUALITY ORIGINAL

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Edward Walsh 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. *Edward Walsh*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *20 Grand Street 1 year*

Question. What is your business or profession?

Answer. *Mechanic*

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 very sorry*
Edward Walsh

Taken before me this
day of *March*

1891

[Signature]
Police Justice

0381

POOR QUALITY ORIGINAL

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Frank Alcott 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. *Frank Alcott*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *22 Grand Street 1 year*

Question. What is your business or profession?

Answer. *Druckman*

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

Frank Alcott

Taken before me this
day of

May
1891

Police Justice.

[Signature]

0302

POOR QUALITY ORIGINAL

By New 25.3 P.M.
photos on bail book

BAILED,
No. 1, by Thomas Brumley
Residence 20 Grand Street
No. 2, by Thomas Brumley
Residence 20 Grand Street
No. 3, by Thomas Brumley
Residence 20 Grand Street
No. 4, by _____
Residence _____ Street

Police Court... District 1466

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Jim Smith
509 Broadway
Edward Walsh
Amuel DeCitt
Chas. Mathison
Offence 2nd

Dated Nov 23 1891

H. F. Fair Magistrate

Witnesses
Chas. Kelly
11 West
Wm. Adams
509 Broadway
19 Grand

No. 509 PREVIOUSLY
Had Arrested
by Police
at 509
Grand
Street
Nov 23
1891

B. Baker

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 _____ to answer the same and they be admitted to bail in the sum of 700 Hundred Dollars, each 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 23 1891 _____ Police Justice.

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

Dated Nov 25 1891 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0383

POOR QUALITY ORIGINAL

COURT OF GENERAL SESSIONS OF THE PEACE,
City and County of New York.

T h e P e o p l e,
vs.
EDWARD WALSH,
FRANK OLCOTT, and
ARCHIBALD MADISON.

"
"
"
"
"
"
"
"
"
"

Before
HON. FREDERICK SMYTH,
and a Jury.

Tried APRIL 29TH, 1892.

Indicted for ASSAULT in the first degree.

Indictment filed APRIL 14TH, 1892.

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY BARTOW S. WEEKS,
For THE PEOPLE.

JOHN C. COSTELLO, ESQUIRE,
For THE DEFENSE.

0384

POOR QUALITY
ORIGINAL

2

JOHN HARRIS, THE COMPLAINANT, testified that he drove a cart for Thomas Kelly, who lived at 15 Watt street. On Sunday, the 22d of November, 1891, he saw the three defendants, between one and two o'clock in the afternoon. He, the complainant, was standing on the corner of South Fifth Avenue and Grand street, and he saw a colored man coming up Grand street on the run. He, the witness, was with Mr. Kelly at the time. He, the witness, said to the colored man, "What is the matter?" The colored man did not answer and ran on. Olcott came up at that moment and said, "What do you want to know what is the matter for?" He, the witness, replied, "Nothing." Then Olcott said, "May be you want some of it?" Then Walsh stepped in front of him, the witness, and said, "I can lick you in two minutes." The witness replied, "You may, and easy at that." Then Walsh started in with hsi fist, and he, the witness, defended himself as best he could. They got out into the middle of Grand street in their struggle. Madison stood on the sidewalk, with one foot in the gutter and the other up on the walk, and pulled out a revolver and fired at him, the witness. He, the witness,

0385

**POOR QUALITY
ORIGINAL**

3

pointed at Madison, and said, "You had better be careful what you are doing." The bullet did not touch him, the witness, and he kept on in his fight with Walsh. When he, the witness, got down pretty near the grocery store, on the lower side of Grand street, his brother, Tommy Madison, fired another shot at him, the witness, but missed him. Then he and Walsh reached the uptown corner of Grand street and Thompson. Archibald Madison was just then behind him, the witness. Walsh turned and said, "If you are not going to use that revolver, give it to me. I will use it." And so Madison said, "No I won't give it to you. You are big enough to stand up and fight him yourself." And with that Olcott came up behind him, the witness, and hit him with a slungshot, and he, the witness, staggered from the sidewalk out into the middle of the street, and a young man took him, the witness, over to the grocery store on the corner. The young man was a stranger. The bystanders asked the witness if he was shot, and he said, "No, I don't think I was shot." Then they took him to the drug store in Grand street. The wound was on the left side of his head, and there was

0386

**POOR QUALITY
ORIGINAL**

4

still a scar. A police officer arrested Walsh. Walsh was entering Donnelly's saloon when the officer arrested him. He ran to the saloon. He, the witness, then went to the police station, and made a complaint. Next, Madison was arrested, and he also made a complaint against him. Officer Hart arrested Madison, according to his, the witness's recollection. Then the colored man, whom the witness had seen running up the street, came to the station house and wanted to make a complaint against Walsh and Madison, as the men who had assaulted and robbed him. He, the witness, saw Olcott the next morning at the police court--Jefferson Market. The witness had had some trouble with the defendant, about two months before the occurrence. The trouble was with Olcott and Thomas Madison, the brother of Archibald Madison.

In cross-examination testified that the trouble occurred two months before the assault, as he was on his way home from the stable, one Saturday night. Madison and Olcott assaulted him, the witness, with slung-shots. The two men were held in bail for trial. Afterwards, Olcott and Thomas Madison sent friends to him, the wit-

0387

**POOR QUALITY
ORIGINAL**

5

ness, and to Mr. Kelly, to beg him to withdraw the charge, and he, the witness, told Mr. Kelly he did not care to prosecute, because he believed that the boys would be better after that, but they were worse. A man named Wares was also arrested at that time. Seven or eight stitches were taken in his, the witness's, head at that time, by an ambulance surgeon from the New York Hospital. The defendant, Archibald Madison, had nothing to do with the first assault. He, the witness, did not meet a man named John Brown a short time before the second assault, in a liquor saloon in that neighborhood and display a revolver and say what he was going to do when he met the defendants. He, the witness, never had a revolver. He, the witness, did not know who the colored man was that was pursued by the defendants. In the station house, the colored man would not give his name or address. He said that the charge that he, the witness, was making was severe enough, and that he would not have any charge to make. The colored man said thos to the sergeant behind the desk. He, the witness, had never seen the colored man since. When the colored

0388

POOR QUALITY
ORIGINAL

6

man was running away, Archibald Madison was the closest to him ---- about ten or fifteen feet behind the colored man. Madison chased the colored man as far as the church in South Fifth avenue. It was on a Sunday afternoon. He, the witness, had never been convicted of any offence. He had never been engaged in any difficulties except with the defendants, and the previous difficulty that he had told about. There was quite a number of people in the street at the time, as the people were coming out of the church. He, the witness, had worked for Mr. Thomas Kelly off and on for about four years. He, the witness, never carried a weapon in his life, and he had been in the ward for over twenty-five years. He, the witness, was known in the neighborhood as the "Boob."

THOMAS KELLY testified that he was a contractor, and that his stable was in Thompson street. He was with the complainant in Grand street on the 22nd of November last, standing on the corner of South Fifth avenue and Grand. He, the witness, saw a crowd coming up the

0389

**POOR QUALITY
ORIGINAL**

7

street, and saw a colored man running. Archibald Madison was following the colored man up closely. Every one called out for Officer Feeney to stop Madison. Officer Feeney ran and got hold of Madison, and stopped him in South Fifth avenue, near the church. Then Tommy Madison went up to the officer and wanted to know what he was doing. He, the witness, said to Harris, "Go away; these people are going to do some mischief here this afternoon, and you go away." In the meantime Officer Feeney had driven the Madisons away. The colored man had run out of the neighborhood. Harris had been down the street, towards Thompson street. Then, he, the witness, saw a crowd running towards Thompson street, and heard shots fired. Some one ran up and said, "Why, they are killing that man that works for you," and he, the witness, went down to the corner, and saw Olcott strike Harris with a piece of lead, or a slung-shot, on the side of the head, and the wound commenced to bleed and Harris was stunned. Harris at the time was fighting with Walsh. When Olcott struck Harris with the slung-shot, he, the witness, had a cane in his hand and

0390

**POOR QUALITY
ORIGINAL**

3

he brandished the cane and cried out to Olcott, "You young murderer, I will fix you," and Olcott replied, "You keep away, or you will get some of it too." Then the crowd chased Olcott and Walsh into Donnelly's saloon. Then Officer Feeney, with several citizens, rushed into Donnelly's saloon and took them out. Officer Wagner came up about this time, the officer on post, and assisted Officer Feeney in taking the prisoners to the station house. After hitting Harris, Olcott tried to put the slungshot back in his pocket, but in his excitement he dropped it in the street, and it was picked up. The slungshot was taken to the station house afterward. Off and on, the complainant had been in his, the witness's, employ, for about ten years.

In cross-examination the witness testified that he did not know what was the cause of the colored man running away from the defendants, but he heard that they had robbed the colored man, and that he made a charge in the station house against them. He, the witness, did not know of this of his own knowledge, because he was outside when the colored man went into the station

0391

**POOR QUALITY
ORIGINAL**

9

house. The colored man, when he came out, told him, the witness, that he had made a charge against them of robbery, and would press it in the morning in the police court. It was not a fact that he, the witness, had a large walking cane in his hand and brandished this cane when Harris and Walsh began fighting and said that he would kill anybody that would prevent Harris from killing Walsh. He told Harris to go home, because he knew that the defendants were laying for him and had assaulted him about a month before, coming out of his, the witness's, stable, at about eleven o'clock at night, and had laid him up for a week. He knew that four men had then assaulted him.

OFFICER PATRICK FEENEY testified that he was attached to the 10th Police precinct. He was in citizen's dress, standing with Mr. Kelly, the complainant, and several others on the corner of South Fifth avenue and Grand street, on the Sunday afternoon in question. A colored man came running up through Grand street, and he, the witness, caught hold

0392

**POOR QUALITY
ORIGINAL**

10

of Madison. He could not catch the colored man. He, the witness, asked Madison what was the matter and Madison said, "This colored man assaulted me. Hit me down in Thompson street." He, the witness, let Madison go and went back to the corner and met a young man named Gibbons, and was chatting with him, when a number of people cried out that there was a riot down Thompson street. He, the witness, went there, and saw Harris bleeding from a wound in the forehead. He, the witness, saw Walsh and Olcott running and he went after them and they shut a door in his face. They ran into the corner saloon, kept by Frank Donnelly. He, the witness, broke open a pane of glass and reached through it and opened the side door and found them in the middle of the saloon. Frank Donnelly, the proprietor, was there. He, the witness, placed them under arrest and took them outside, and they were identified by Harris. Harris accused Olcott of hitting him with some kind of an instrument and accused Walsh of assaulting him, and they both denied the charge. Then Officer Wagner came up to his, the witness's, assistance. On the way to the

0393

**POOR QUALITY
ORIGINAL**

11

station house, a little boy by the name of Gibbons handed him, the witness, a slungshot. The witness and Officer Wagner took their prisoners to the station house. In the station house, both the defendants denied the charge against them. In the presence of Olcott, the little boy who handed him the slungshot, said, that he picked it up in the street where Harris was struck. The boy said that he saw Olcott hit John Harris, or the "Boob," as he called him, with it. Olcott denied that he had hit Harris. He, the witness, heard one shot fired when he, the witness, was standing at Grand street and South Fifth avenue. The sound came from the direction of the north-west corner of Grand and Houston street.

In corss-examination the witness testified that he had been standing on the corner only about five minutes. He was engaged in conversation with Mr. Kelly, another man named Lawless, and another man named Gibbons, a married man, employed by McAlpin, the tobbaconist. Harris was near at the time.

In re-direct examination the witness testified

0394

**POOR QUALITY
ORIGINAL**

12

that he was formerly attached to the 8th police precinct, and he was born in the Fifteenth ward, but he was reared in the country and he came back to New York, and had been in the ward for about fifteen years. He knew the defendants by sight. Before he became a police officer, he was in Mr. Kelly's employ.

WILLIAM GIBBINS testified that he lived at 509 Broome street. He was in a confectionery store, eating ice-cream, at the time that he heard some one running past the door. When he got to the door he saw a crown run around South Fifth avenue. Then he looked towards the corner and saw somebody punch Mr. Harris, and he saw a man fighting with Harris in Grand street, right near Thompson. He learned afterwards that it was Walsh and Harris fighting. While they were fighting, Olcott, the defendant, ran up and hit the complainant twice on the head with a slungshot. The second time he hit Harris the string broke and the slungshot fell into the street. After the crowd went away, he, the witness, picked up the slung-

0395

**POOR QUALITY
ORIGINAL**

13

shot and took it to Officer Feeney, who was in citizen's clothes. He heard one pistol shpt, but he did not know who fired it.

OFFICER ADAM WAGNER testified that he was attached to the 8th police precinct. He corroborated Officer Fenney's account of the arrest.

OFFICER JAMES A. HART testified that he was attached to the 8th police precinct and he was going down Thompson street from Houston street and he met Officers Wagner and Feeney, going to the station house with Walsh and Olcott. They told him, the witness, about the case, and he, the witness, jumped on a car and rode down town. At Grand and Thompson streets he got off and went to South Fifth avenue and met Mr. Kelly, and he learned the facts of the case from him, further than he had been informed by the two officers, and then he got on a Sixth avenue car and went through Canal street and up Varick, and went searching for Archibald Madison, and found him

0396

**POOR QUALITY
ORIGINAL**

14

about half an hour afterwards. He saw him crossing Grand and Sullivan streets. He found him in the rear of the cellar of 21 and 23 Sullivan street, where Olcott lived at the time. He, the witness, was accompanied by Officer Meyer at the time. When he first saw the defendant he was entering the house, at the front door. He knocked at the front door, but couldn't get in. He stayed there for a few minutes and then the door was opened and he heard a noise and he beckoned to Officer Meyer, who was on the corner, and they saw Madison climbing out of a window. Then he left Officer Meyer on the ground floor and went down in the cellar and found Madison there, standing up in the cellar behind the door. Madison said, "You can't take me without a warrant." He, the witness, said, "You are wanted at the station house, and I am going to take you," and he took him.

In cross-examination the witness testified that he arrested Madison in the rear of the plumber shop in the basement. He worked at times in this plumber shop. It was a Sunday afternoon, and the plumber shop was not open.

0397

**POOR QUALITY
ORIGINAL**

15

FOR THE DEFENCE, JOHN BROWN testified that he lived at 13 Grand street, and that he was a messenger for August Belmont & Co., bankers, at 23 Nassau Street. He, the witness, did not see the fight. He knew that it occurred on the 22nd of November, 1891. On the evening of the 21st, at about a quarter to nine o'clock, he met Harris at the corner of Grand and Sullivan streets. Harris spoke about Olcott. Olcott's was the only name that he mentioned. As he, the witness, was passing he heard Harris say to another man, holding a revolver in his right hand, "I will kill Olcott, on the first sight." He, the witness, was on the way from a drug store to his home. He met Olcott near his house. He, the witness, said to Olcott, "Frank, there is a couple of fellows on the corner. They was talking about what they will do at the first sight they get of you." Olcott asked who they were, and he, the witness, said that he had never seen them before. Then Olcott said, "What, the 'Boob?'" and he, the witness, asked who the "Boob" was. He, the witness, also said, "Take my advice and go around by Varick street, and don't pass those people." He, the witness,

0398

POOR QUALITY
ORIGINAL

10

went home, and heard no more of the matter.

JOHN McGLONE testified that he lived at 161 Houston street, with his mother. He was twenty years of age, going on twenty-one. He witnessed the occurrence of the 22nd of November. He was standing at the corner of Grand street and Sullivan, with a friend, talking. He saw, the "Boob," the name that he knew Harris by, sneaking behind Olcott and he saw him strike Olcott and knock him into the gutter and kick him in the side. Then a crowd rushed up to the two men, and he, the witness, saw no more. He saw Mr. Kelly standing on the corner while Walsh and the "Boob" were fighting in the street, and Mr. Kelly had a stick and he held it up and he said he would knock the head off the first man that interfered.

In cross-examination the witness testified that he saw the "Boob" and Walsh fighting in the street, after the "Boob" knocked Olcott into the gutter ---three minutes after. He, the witness, was standing with a friend named William Gilbertson. He saw no quarrel

0399

**POOR QUALITY
ORIGINAL**

17

or fighting before the defendant knocked Olcott down. Olcott and Walsh were walking down the street, arm in arm, when the "Boob" struck Olcott from behind and knocked him down. Walsh struck the "Boob" after he knocked Olcott down, and the fight began. when he saw the fight begin, he, the witness, went home.

WILLIAM GILBERTSON testified that he lived at 23 Grand street, and he worked with his father. He was talking with McGlone on the corner, when he saw Olcott, Madiosn and Walsh walking down Grand street together. They reached the southeast corner of Grand and Thompson streets, and then Harris, or the "Boob," came over and struck Olcott in the back of the neck and Olcott fell over on his face and he kicked him in the side, and Walsh sprang at the "Boob" and they began to spar. He, the witness, heard Mr. Kelley say that he would knock the head off the first person that interfered. Then he saw all handsrunning away.

0400

**POOR QUALITY
ORIGINAL**

18

MAGGIE OLCOTT testified that she lived at 516 Canal street and she was the wife of Frank Olcott, the defendant. She had been married about three years, and she had known him about four years. She had never known him to be in any trouble of any kind before.

In cross-examination she testified that previous to her marriage her name was Maggie Gilbertson, and the preceding witness was her brother.

FRANK OLCOTT, THE DEFENDANT, testified that he lived at 516 Canal street, and was a married man. He drove for Bob. Maher, a truckman, of 37 Dey street. He had been employed for Mr. Maher for fifteen years. He had never been charged with any crime before. At the time of the occurrence he was on his way through South Fifth avenue, on Sunday afternoon, the 22nd of March. He was walking with Walsh. They saw a disturbance on the corner of Grand street. It did not look like a fight, but more like an argument. They were walking towards Sullivan street. He, the witness, had just come out of a restaurant in South Fifth

0401

**POOR QUALITY
ORIGINAL**

19

avenue. Just then the "Boob" came up behind him, the defendant, and knocked him down and kicked him with his right foot and stood over him as if to say that he would kill him. He did say that he would kill him, and he had threatened his life since then. About a month before the occurrence in question, he, the witness, was sitting with some friends on a coal-box, corner of Thompson and Grand streets, and the "Boob" came up and caught him by the throat and punched him and put him in the coal-box. He was under the influence of liquor, but he knew what he was doing. He, the witness, got away from the "Boob" and went home. He, the witness, on the Sunday in question, did not speak to the "Boob," but he saw him standing with Kelly, Officer Feeney, and several others at the corner. When he, the defendant, got on his feet, he saw Walsh speaking to the "Boob" and then the "Boob" punched Walsh, and Walsh and he got into a fight. He, the witness, lay on the sidewalk for five or ten minutes, suffering from pain, while they were fighting. When he and Walsh went into the saloon of Donnelly, they did not go in to escape from the police,

0402

**POOR QUALITY
ORIGINAL**

20

but to escape from the crowd, which was following them. They did not go in to get a drink, because he, the witness, had never drank in his life.

In cross-examination the witness testified that neither he nor Walsh slammed the door in the face of the police officer. The bar-keeper was there. He, the witness, did not know the bar-keeper's name. He, the witness, sat down in a chair, and he thought that Walsh went into the closet. He, the witness, did not have any occasion to wash any blood from his face, or any other part of his body. There was no blood on Walsh's face that he could remember. He did not know whether there was any blood on Harris's face or not, after the fight. When Officer Fenney came into the saloon he said, "I am an officer of the law. Kill me if you want to," and threw up his hands. He, the witness, laughed at Fenney, and said, "Red, here I am. Come on if you want me." He the witness always called him "Red." Fenney broke in a glass pane of the door to get into the place. He stumbled when he got in.

0403

POOR QUALITY
ORIGINAL

21

EDWARD WALSH, one of the co-defendants, testified that he lived at #3 Ludlow street. At the time of the occurrence, he lived at 20 Grand street, with his mother. He, the witness, was driving a truck for a man named Sheridan at the time of his arrest. He was doing work in Gansevoort Market for Mr. Sheridan and was going along Grand street, from the stable in Marion street. At that time he lived over Donnelly's saloon, a hotel, and he was on his way to his room. He met Olcott on Grand street, and they walked along on the north side of Grand street. As they were passing a milk wagon, not thinking of anything, the "Boob" sprang from behind the wagon and knocked Olcott out into the middle of the street. The "Boob" stood over Olcott and kicked him in the side. He, the witness, said, "No, I don't want none of it." Then the "Boob" struck him in the face and he put up his shoulder, and the "Boob" struck him on the shoulder, and the "Boob" said, "I will give you some more," and he, the witness, said, "No, you won't," and if the "Boob" followed him up, and if the "Boob" had kicked him where he aimed a kick for, it would have ruined him for life. He heard Mr. Kelly cry out, "If anybody interferes be-

0404

**POOR QUALITY
ORIGINAL**

22

tween the two of them, I will hit him with the stick. I will knock his head off." He walked down Grand street, and he saw Olcott in front of the undertaker's shop near there. He, the witness, went into Donnelly's to go up stairs and get his dinner, and the first thing he heard was the door broken in and Officer Feeney came in, and he said, "Kill me if you like. I am an officer of the law, and youse is my prisoners." He, the witness, had been in prison once when he was a boy for pitching pennies, probably twenty years before the trial. He was discharged after he was locked up.

In cross-examination the witness testified that Officer Feeney was not drunk to his knowledge, when Officer Feeney arrested him and Olcott. He, the witness, did not assault the "Boob," or the complainant, until he had been struck by the complainant, and then he struck him just once. He did not cut his head. He did not see Olcott strike the complainant with a slungshot, or he did not see Thomas Madison or Archibald Madison fire at the complainant.

0405

POOR QUALITY
ORIGINAL

IN REBUTTAL, OFFICER FEENEY, being recalled, testified that he was ²³
not under the influence of liquor on the Sunday afternoon in question. He did not enter the saloon and throw up his hands and say that he was an officer of the law and tell the defendants that they could kill him, if they wanted to. Olcott was not sitting upon a chair. Both he and Walsh were standing in the middle of the floor. Frank Donnelly was in the saloon. Olcott's clothing was not soiled at all, and there were no bruises on his face or head. He complained of no assault whatever.

OFFICER WAGNER, being recalled, testified that he saw no dirt on the clothing of Olcott, and saw no indication that he had been knocked down in the street. There was no bruise on his face or head, and he complained of no bruise of assault. He saw the complainant at the station house. There was fresh blood on his ear.

CHARLES MURPHY testified that he lived at 530 Broome street. He knew Olcott. He had a talk with him on the Saturday even-

0406

POOR QUALITY
ORIGINAL

24

ing preceding the assault. Olcott and Thomas Madison were together. He, the witness, was with a man named Hetherton, on the corner of Sullivan and Grand street. He saw Thomas Madison come out of Caddigan's saloon. Madison had a piece of lead, with a string attached to it. He, Thomas Madison, showed it to him, the witness, and to Hetherton. He held it up in his hand in a threatening manner. Olcott had another piece, which resembled the slungshot in evidence, and showed it to them. William Wares, who was there, said that they had better drop the whole thing, and not go any further. Olcott said that he would fix the "Boob" so that he would not interfere with anybody again, if he interfered with him again.

In cross-examination the witness testified that he was present at the time, about a month before, that Harris had trouble with Olcott. Harris and several of his friends were coming down Grand street and Olcott - interfered with Harris, before he was thrown into the coal-box. It was true that the "Boob" caught him, the witness, by the face, but did not touch him. The "Boob"

0407

**POOR QUALITY
ORIGINAL**

25

was about half intoxicated, but the "Boob" did not strike him. It was not the first time that he, the witness, had appeared before Recorder Smyth. Two and a half years before the trial, he had appeared before the Recorder, and the result of his appearance was that he was sent to the Catholic Protectory, for stealing.

0409

BOX:

478

FOLDER:

4375

DESCRIPTION:

Weissberg, Morris

DATE:

04/12/92



4375

0410

POOR QUALITY ORIGINAL

103 Bruan

Counsel,
 Filed, 12 day of April 1892
 Pleads, not guilty 12

THE PEOPLE

vs.

B

Morris Luesberg
 (2 Cases)

POLIX. [Sec 843 and 844, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

True to v. g.

A TRUE BILL.

W. H. Johnson Foreman.

April 29/92 - Part 2
 Did guilty & understand

Witnesses:

Almsten

0411

POOR QUALITY ORIGINAL

Two copies 2/12

THE PEOPLE COURT OF GENERAL SESSION, PART I.
vs.
HARRIS STROMLOFF. BEFORE JUDGE COWING.

Tuesday, April 19. 1892.

Indictment for grand larceny in the second degree and receiving stolen goods.

*Asst. Dist. Atty. Lynn for the People.
Mr. Sullivan for the Defendant.*

SAMUEL GOLDFISHER, sworn and examined through the Interpreter.

By Mr. Lynn Q. Where do you live? A. No 100 Pitt Street.

Q. What do you do for a living? A. Sailor.

Q. And does he work there, keep a shop there? A. I work in 38 Pitt Street.

By the court. Q. In the city of New York? A. Yes sir.

By Mr. Lynn. Q. Does he remember the night of the 25th of March last? A. Yes sir.

Q. And what part of the building does he live in? A. The third floor in the rear.

Q. In the rear of the front house, as I understand it? A. The front house but in the rear of the house.

Q. How many windows cover his room in the rear? A. Two.

Q. And from those windows is there a fire escape? A. Yes sir.

Q. Covering both or one? A. Only from one.

Q. Where was he on the night of the 25th of March? A. I was home sleeping, I am a boarder in the house.

Q. And what time did he retire? A. A quarter or half past eleven.

Q. Did he have a watch on that evening? A. Yes sir, I had in the pantaloons watch pocket the watch and I had a

0412

**POOR QUALITY
ORIGINAL**

pocketbook in the other pantaloons pocket with \$37.21 in money.

Q. Where was this property at the time he retired?

A. It remained in the pantaloons pocket and I put it on a chair next to the bed and the bed is next to the window.

Q. And what time did he go to bed? A. About a quarter past eleven, maybe a few minutes later, I do not know exactly.

Q. Is that the room that he speaks of as having occupied that night that one of the windows leads to the fire escape?

A. I slept near the window where the fire escape is fixed.

Q. Was he awakened by anything that night, any noise?

A. Yes sir.

Q. About what time? A. Half past one.

Q. And what did he discover upon being awakened?

A. All my clothing was on the fire-escape.

Counsel: I object to this line of examination showing the commission of the burglary unless the District Attorney intends to connect this defendant with the commission of it.

Mr. Lynn: I certainly do.

Witness: I was awakened by another one, another man sleeps with me, he woke up first and he awakened me and we went out on the fire escape, we heard somebody was going down the fire escape but we could not see who it was.

Q. Did he make a search to see if any of his property had been taken? A. I immediately took in my pantaloons and I

looked and examined the pockets and I found that the watch was missing and the money was missing, and from the other man's pantaloons pocket, he had only a key in his pocket, and that was missing.

0413

**POOR QUALITY
ORIGINAL**

Counsel: I object.

By the court. Q. \$37.00 of his was missing and his watch?

A. Yes sir, from the pantaloons pocket.

By Mr. Lynn. Q. His watch was missing and the pocketbook containing \$37.00?

A. Yes sir.

Q. Would he know that watch again?

A. Yes sir.

Q. Ask him to look at the watch now shown him and say whether or not he recognizes it?

Objected to.

Q. Tell us what kind of a watch it was?

A. It is a silver

watch, Waltham. I have the number of the watch; there is one number 9131, and that is on the case and the other is 1,746,395.

By Counsel. Q. Just ask him the number on this case?

A. That is what I got where I bought the watch, he gave me those numbers, he did not give me any other numbers.

By Mr. Lynn. Q. Ask him if there is any engraving on the watch or any crest, figure or sign?

A. On one side there is a

horse's head and the other side is plain.

Q. Ask him to look at that and say whether or not he recognizes it?

(Showing watch)

A. That is my watch.

By the court. Q. That is the one that was taken out of his house without his consent?

A. Yes sir, without my per-

mission was taken away and I missed this watch that night.

By Mr. Lynn. Q. That is the watch that he had in his pants pocket?

A. Yes sir, that is the watch.

Q. Had it a chain or was it without a chain that night?

A. No, without a chain just as it is now.

Q. Then what did he do after he met with this loss?

0414

**POOR QUALITY
ORIGINAL**

A. Immediately the same night I went to the Station House and reported the loss.

Q. The 26th of March, the day following he reported the case?

A. Immediately, the same night he went to the Station House and reported it.

Q. Did you go the same night to the Station House?

A. I went the same night immediately when I discovered the loss, to the Station House.

By the Court. Q. When he went to bed was this window closed?

A. It was closed but I did not know if it was hooked in or not.

Q. When he went to get his clothes it was open, was it?

A. Yes sir, it was raised.

Q? What is the watch worth? A. I paid \$12.00 for it.

CROSS EXAMINED.

By Counsel. Q. Where did you say that you got those numbers?

A. I do not know exactly his name, he is present, the man is here.

Q. Who wrote those numbers? A. He gave me the numbers on a card.

Q. Where did you get this little paper? A. It was copied from the other because the other one was very much soiled, it was copied from the other and given to me to keep.

Q. Who copied it? A. He. (Pointing to the detective.)

Q. The detective, this gentleman here? A. Yes sir.

Q. Have you got that soiled piece of paper by which you identified the watch as your property, the numbers?

A. It was a little piece of paper soiled, a little piece torn off from something.

0415

**POOR QUALITY
ORIGINAL**

Q. Did you bring that slip of paper down to the Police Court when you appeared there? A. Yes sir, I had it there.

Q. Where is that slip of paper now? A. I do not know what became of the little piece of paper.

Q. Who did you hand the slip of paper to? A. Mr. Jacob brought me before the Magistrate, before a gentleman and I gave it to the gentleman.

Q. How long is it since you bought the watch down there in 63 Norfolk Street? A. More than a year.

Q. You tell this Jury that your watch had a horse's head on one side of it? A. Yes sir, it has a head on the other side.

Q. Ask if he said a horse's head a while ago? A. I cannot tell, I know there is a head on the other side, I don't know what head it is.

Q. Will you swear that that is the watch you bought in 63 Norfolk Street for \$12.00 over a year ago? A. Yes sir, I will.

Q. Did you ever see any other watches like that? A. No, I did not.

Q. You did not have it made to order, did you? A. No sir.

Q. Where did you keep those numbers that you had on this watch on this dirty piece of paper at home? A. When I went to Court I had it in my pocket.

Counsel: I ask that all the evidence with regard to the numbers of this watch be stricken from the record, the only evidence as to the numbers here is the evidence upon the slip of paper that he received from some third person.

Mr. Lynn: He says it was a copy of an original paper.

0416

POOR QUALITY
ORIGINAL

The Court: He swears positively upon looking at the watch that it is his; that supersedes all numbers.

By Counsel. Q. Who occupies this room with you where this alleged

burglary was committed? A. Another man with me.

Q. What is his name? A. Samuel Golden burgh.

Q. What is his business? A He is a tailor too.

Q Does he work in the same place that you work? A. No, he works the same kind of work but in another place, not with me.

Q. How long have you known Sam? A. More than a year, last year we worked together once.

Q. How long were you rooming with Samuel before this burglary?

A. From the first of the month.

Q. Only from the first of the month to the 25th?

A. Yes sir, a few days more than three weeks.

Q. Was Sam out with you that evening up to the time you got

home at a quarter after eleven? A. When I came home he was in the room already.

Q. Was he in bed when you got home? A. Yes sir, he was in bed.

Q. What kind of curtains has this small hall bed-room where you sleep with Samuel? A. That is a room with two

windows and there is a bed-room separate from it.

Q What kind of curtains are on the inside of that window?

A. They are green blinds, greenish, kind of redish design on it.

Q. Inside of those curtain blinds were there any shutters like they have in some well regulated houses?

A. There are shutters outside but we did not close them

Q. The curtain blind was down when you went to bed, when you

got into the room? A. Yes sir.

0417

**POOR QUALITY
ORIGINAL**

- Q. As matter of fact you did not examine the window to see whether it was down or not, did not you tumble right into bed with Samuel? A. I saw that the window was closed because the blind was not down to the bottom, it was so much above the sash of the window so that I could see that the window was down.
- Q. It was Samuel who awakened you and told you you had been robbed, was it? A. He said that he felt the air, he felt the draft from the window when he woke me up and he said he turned around and at the same time he heard the man went against the window ---- the man who came in through the window went against the window and the blind knocked against that window and so he woke up.
- Q. What did you do then, cover your head up? A. Immediately I got out of bed and ran out on the fire escape and I could not see anyone but I heard someone going down the fire-escape.
- Q. Sam was in the room at that time? A. He stood at the window, I went out on the fire-escape, he remained in the room standing at the window.
- Q. It was pretty dark so that you could not see anybody going down? A. Yes sir.
- Q. Are you rooming with Sam yet? A. Yes sir.
- By Mr. Lynn. Q. Ask him if he knew anyone was going down the fire-escape? A. He said he heard a person going down.
- Q. Did you see the form of a man? A. No, I did not know immediately where to look. I only heard somebody going down but did not see the person.
- Q. Going down the iron ladder underneath? A. Yes sir.
- Q. How far had they to go down? A. Three flights down.

0418

POOR QUALITY
ORIGINAL

CHARLES JACOB§ sworn and examined.

By Mr Lynn Q. You are a detective sergeant connected with the central office? A. Yes sir.

Q. How long have you been such? A. About a year.

Q. And how long have you been on the force?

A. About seven years.

Q. When were you assigned to this case? A I have been on this particular case --- the day that it was reported, on the morning of the 28th. it came to our office on the returns from the precinct.

By the court Q. The 28th of March? A. Yes sir.

By Mr. Lynn. Q. When did you first see the defendant?

A. On Thursday night two weeks ago.

Q. That was the day of his arrest or prior to the charge?

A. Yes sir, the evening of his arrest.

Q. April 9th? A. Yes sir.

Q. Was it the day prior to his commitment in the police Court?

A. Three days prior to the commitment --- they were remanded several times.

Q. The 5th or 6th of April. A. Did I understand you to say when I first saw him?

Q. Yes? A. O, I saw him a year ago.

Q. I mean after this case was reported? A. Then that was the first time I had seen him after that case was reported.

Q. Where did you arrest him? A In his room.

Q. Where was that? A. No. 18 Essex Street on the top floor.

Q. Occupied by him or anyone else? A. Occupied by his wife and his mother and baby and a boarder whom he said

04 19

**POOR QUALITY
ORIGINAL**

boarded, the wife of a man of the name of Eichelbaum.

Q. Is he the person jointly indicted with him?

Objected to.

Q. At what time of day or night was it?
half past three o'clock in the morning.

A. It was about

Q. Where did you find him when you entered?
his room sitting at a table.

A. He was in

Q. Dressed or undressed?

A. Dressed.

Q. At half past three?

A. In the morning.

Q. Had you seen him enter the house prior to that?

A. I saw him enter, yes sir.

Q. You followed him upstairs?
ter with another person.

A. No sir, I saw him en-

Q. About what time was that?
o'clock .

A. That was about three

Q. Then you waited for about half an hour?

A. Half an hour.

Q. Then you went up to his room?
room then.

A. I went up to his

Q. What did you say to him, did you rap or how did you go in
the room?

A. There was a person coming down, the
person that he went upstairs with. and when he came down half
an hour after that both entered, Mr. McManus and Mr. Lang, my
colleagues in this case, we stopped him in the street.

Q. Stopped this companion of the defendant?
he had something in his hand --- (objected to);
him where he came from and he said (Objected to); we took
him upstairs.

A. Yes sir, and

Q. You took him back did you?

A. Back into the building
that he came from where the defendant was.

0420

POOR QUALITY
ORIGINAL

Q What took place when you got him back upstairs where the defendant was, tell us all about that? A. We made him rap at the door.

Q. You made the companion of this defendant? A. Yes sir, rap at the door, so that our voices would not be heard; there was a voice from the inside asked, who was there; and this person that was in our custody answered, "it is me", and at that the door was opened.

Q. You all three entered? A All four entered. We found the defendant sitting at the table dressed as he is now even to his overcoat and undercoat; we found another man sleep on the floor, dressed or apparently dressed.

Q Who was that other man, if you know? A A man named Eichelbaum; the wife and mother were awake, and when we came in we made this little fellow that we went upstairs with sit down on a chair near the door; we then placed the defendant and Eichelbaum under arrest.

Q. The one that was asleep when you entered? A. Yes sir, apparently asleep, and they wanted to know ---Objected to. By the court. Q. You could not swear that he was asleep, his eyes were closed? A. Yes sir; the defendant then asked why he was being arrested? We told him that we would try to show him that when we got into Court; we proceeded to search the room and we did search it.

By Mr. Lynn. Q. What did you find?

Counsel: I object, I asked your Honor to instruct the witness to confine himself to the articles charged in this specific complaint and indictment.

The Court: I will let him prove everything that they found on the defendant's person.

0421

POOR QUALITY
ORIGINAL

By Mr. Lynn. Q. What did you find on the defendant's person?

A. Nothing.

Q. Did you find a watch anywhere? A. Yes sir.

Objected to.

Q. Where was the watch? A. It was in the vest pocket, the vest that hung on the window leading into the bed-room; and when we told him to dress and come along, he took that vest from this rack and put it on, it was then that we took that watch from his person.

Q. After the vest was put on his person and preparatory to his going out? A. Yes.

Q. You took the watch then from him? A. That was the first intimation was that we had there was a watch in the vest, we did not look at any clothing or any pockets.

By the Court.

Q. You took the watch off the complainant, the watch that has been referred to in this case. A. Yes sir.

By Mr. Lynn. Q. This is the watch that has been referred to?

A. Yes sir, there was a hair chain attached to it.

Q. Did you say anything to him about the chain or the watch?

A. No sir.

Q. What did you next do? A. Took him to Police Headquarters.

Q. And what took place there? A. It was then nearly morning and we locked him up; we then went away and came back at nine o'clock and took him to Court and had him remanded to try to find an owner for that watch.

Objected to.

Q. Did you find anyone in connection with the watch?

A. Yes sir ---- am I permitted to state how I found him?

0422

**POOR QUALITY
ORIGINAL**

The Court:: Not if it brings in another transaction.

Mr. Lynn: Anything that was said in the presence of the defendant by any companion or by himself towards the recovery of the watch you can state.

By the court. Q. Keep yourself to this transaction, do not get in another?

A. That day that he was locked up we did not find an owner that time, they were remanded to the next morning, it was on the afternoon of the next day that the owner who is now the complainant -----

By Mr. Lynn. Q. Goldfisher? A. Yes sir, identified that watch it was the following morning that he was arraigned and the complaint was drawn against him in the Tombs, the watch was again identified in the presence of the clerk and before the Magistrate as being the one that he had lost.

By the court. Q. As being the same watch that the complainant identified which was taken from his house on the 26th of March?

A. Yes sir.

By Mr. Lynn. Q. Did you ask him anything concerning his possession of this watch at any time?

Objected to.

A. After the watch was identified I asked the defendant where he got the watch from? He said he bought it in Grand Street.

Q. Did he say where in Grand Street? A. I asked him to locate the place; he said he could not remember but if he was out he could find it; I told him it would be to his interest to try and think and I would go and see the person he would send me to; he never could do it.

Q. You expressed your readiness to go and search for the man that he said he bought this watch from? A. Yes sir.

0423

POOR QUALITY ORIGINAL

*Witness
at the time, as read from
examination with a view to
the finding of evidence*

He said he bought the watch in Grand near Norfolk Street in a jeweler's store, he did not say what he paid for it, I did not ask him how long he had it. *What else did he say, if anything in connection with that watch, that was all in connection with that watch.*

CROSS EXAMINED.

The defendant did not tell me that he bought the chain in Grand Street or that he bought the watch at an auction on the Bowery. I did not look for the store where he bought it because he could not tell me where it was.

HARRIS STROMLOFF, sworn and examined, on his own behalf, testified:

I live at 18 Essex Street with my wife and two children and my mother lives with me, I am a tailor, I am in this country two years and a half. I was arrested ~~in~~ By Detective Jacob. ~~in Bowery at an auction place~~ I bought this watch in an auction place in the Bowery on a Saturday on my way to the theater nearly four weeks ago. You are charged here with having on the 26th day of March entered the premises of the complainant and committed a burglary and stolen this watch in question from his pantaloons, do you know anything about that or not? A. I did not do it, I never was in that street where the complainant lives. I was never in Pitt Street, I bought the chain corner of Norfolk and Grand Sts. in a store and paid \$2.25 for it. I bought the watch on the Bowery between Grand and Hester not far from the Harmonic Opera House. I was arrested on the 8th of April and I bought it eight or nine days before that, I paid \$7.50 for it, it was an auction store; there were plenty of people

0424

**POOR QUALITY
ORIGINAL**

inside who were buying things, they sold things at auction. it was in the daytime, half past one. I am a workman since I have been in New York and do not steal. I worked with Morris Hoffman and Jo Goldberg, 124 East Broadway for a couple of months. I also worked at 174 Madison Street but do not recollect the name of the boss. I always worked as an ironer for tailors. I worked for five or six bosses. I have been living in Essex Street six months and before that I lived at 73 Suffolk Street.

CROSS EXAMINED.

This auction room is on the left hand side of the Bowery going from Grand Street to Essex, going down town, it is on the right side going from Grand down to Hester, it is on the left going from Canal to Grand, going up to Grand Street it is on the side nearest Broadway, it is on the same block with the Harmonia Opera House. I bought the watch the Saturday before I was arrested, I bought it of a young man; there were there two young men and one middle aged man. I went in and the man that sold the watch asked for bids and held it up in his hand, he was a middle aged man, he had no beard but a moustache. It was on a Saturday at half past one. I came home to my house at half past ten the night I was arrested and a friend came with me and was sitting with me and then the boarder came in and he went to bed, then that friend of mine left me and in a short time he came back and knocked at the door and said that he was attacked by three persons in the street and immediately when that friend came up Jacobs and the other detective came in. I was in the room all the time, I did not leave. The detectives were searching the house for about two hours.

0425

**POOR QUALITY
ORIGINAL**

I was in a saloon between Delancy and Rivington Streets at ten o'clock and from there I went home. When the man came in and said to me he lost a diamond pin it was not later than ten o'clock, I went into bed at twelve o'clock and the detective knocked at the door and came in. I saw Micheal Eichelbaum in the saloon but Witchkinskie was not there, he came back with the three officers, he went out of the room at twelve o'clock and was immediately taken by the detectives. Witchkinskie came to my house to ask about my wife who had a child two days before, he was arrested. The officer searched the room and took the watch. I don't know the name of the auctioneer on the Bowery where I bought it.

MORRIS HANFF, sworn and examined by Mr Lynn.

I am an auctioneer's clerk at 108 Bowery, it is next to the Harmonia Theater and between Grand and Hester Streets on the west side, the side nearest Broadway, there is no other person on the auctioneer business on the block, there is a red flag out and I have been in that store for two years. I think I would be able to tell the Jury whether or not a watch was ever sold out of my place if I saw it.

This watch now shown me has never been in our store, it is a silver box case, we have not had silver box cases in the house for the past eighteen months, I should value this watch from ten to twelve dollars.

CROSS EXAMINED.

When watches are put up at auction we sell them to the highest bidder. We buy watches sometimes at pawn broker's sales.

0426

POOR QUALITY
ORIGINAL

CHARLES B. McMANUS, sworn and examined.

I assisted in the arrest of the defendant, I saw him about half past twelve coming out of a lager beer saloon in Norfolk Street and I saw him that same morning in his room about three o'clock, I was standing inside the doorway with detectives Jacob and Lang; after he left the saloon he went into the house.

HENRY LANG, sworn and examined.

I was one of the officers that was present at the time of the arrest of the defendant, I first saw him that night in Norfolk Street, I should judge about two o'clock and the next I saw of him was entering his house about three o'clock in the morning at 13 Essex Street, I had never seen him before that night. I was directly opposite 13 Essex Street in a hallway, I do not think the night was dark, he passed near the corner by the lamp on the other side of the street from where I was standing, he either had a cigarette or cigar in his hand and the other man was with him also, I may have been a hundred feet from him when I saw him, I am positive that he is the man I saw.

CHARLES JACOB recalled by Mr Lynn.

Have you examined the original records of the Board of Health of the birth of a child of the wife of the defendant? (Objected to. Objection overruled.) Yes.
Is the paper now shown me a correct and true transcript under seal as obtained by you from the department of the Board of Health? Objected to. Objection sustained.

The Jury rendered a verdict of guilty of burglary in the second degree.

0427

POOR QUALITY ORIGINAL

*Testimony in the case of
Harris Thornloff*

*filed
April 1892*

5 1/2

0428

POOR QUALITY
ORIGINAL

City, County & State of New York, ss:

John R. Colford of 41 Park Row being duly sworn,
deposes and says that *Morris Wisberger* here present is the
one known as *Andrew Dore* in the affidavit of
Oct 27th hereto annexed.

Subscribed, and sworn to :
before me this *28th* day of
October 1891.

John R. Colford

[Signature]

Police Justice.

0429

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POOR QUALITY
ORIGINAL

ss.

to

v SWOI

agent of the New York Society for the

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0430

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AL

A.R.C.

Paul 359 Mar Oct 15

312 E. Howard St

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0431

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POOR QUALITY ORIGINAL

CITY OF New York COUNTY OF New York } ss.
AND STATE OF NEW YORK.

Handwritten notes:
A.R.C.
Paid 25th Mar Oct 15
312 East Houston St

Anthony Bonetto
of 41 Park Row Street, New York City, being duly sworn deposes and says, he

21 years of age, and is employed as chief agent of the New York Society for the Suppression of Vice, that he has just cause to believe, is informed and verily does believe, that Andrew Dor

whose real name is unknown, but who can be identified by John R. Colford did, at the city of _____ County of _____ and State of New York, on or about the 15 day of October 1891,

unlawfully use a room, table, establishment or apparatus for gambling purposes—and did engage ~~as a dealer or game-keeper~~ in a gambling or banking game, where money or property was dependent upon the result—and did sell, or offer to sell what is commonly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing or drawn numbers of a certain lottery, hereto annexed, and did indorse and use a book or other document for the purpose of enabling others to sell or offer to sell lottery policies, writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing or drawn numbers of a lottery, against the form of the statute of the State of New York in such case made and provided.

Deponent further says, he has just ~~cause~~ ^{cause} to believe, is informed and verily does believe from ~~personal observation and from~~ statements made by John R. Colford

that the said Andrew Dor

aforsaid, now has in his possession, at in and upon certain premises occupied by him and situate and known as number

312 East Houston street in the city of New York - and within

the County and State aforsaid, for the purpose of using the same as a means to commit a

0432

POOR QUALITY ORIGINAL

public offense, divers and sundry device, apparatus, tables, establishment and paraphernalia layouts, chips, ~~deal boxes~~, cards, lottery tickets, lottery policies, writings, papers, books and documents for gambling purposes, in violation of the Provisions of Chapter IX of the Penal Code of the State of New York, wherefore deponent prays that warrants may be issued for the arrest of the persons named aforesaid, and to search for, seize and take possession of all of said unlawful matter, and that all be dealt with according to law.

Subscribed and sworn to before me this }
27th day of October 1881. }

Anthony Comstock

To J. C. Kelly Police Justice.

CITY OF New York AND COUNTY OF New York ss.

John R. Colford, of 41 Park Row

being ^{duly} further sworn deposes and says that on the 15th day of October 1881,

deponent visited the said premises, named aforesaid, and there saw the said

Andrew D. aforesaid, and

had dealings and conversation with him as follows:

Deponent entered premises 312 East Houston Street in the rear, and there saw ANDREW DOE and asked him for printed slip, meaning the printed drawings. The said ANDREW DOE handed Deponent package of slips. There was a blackboard upon the wall with the numbers chalked on for October 14th., representing the drawings for all day. Deponent said to the said ANDREW DOE, "Give me the eating gig". The said ANDREW DOE placed paper underneath the sheets of manifold book and wrote the numbers as Deponent called them off to him, first placing at the top of said paper "B 539" and then added on the figures and characters as they now appear upon said paper, as annexed to the foregoing affidavit of ANTHONY COMSTOCK which is hereby made part of this Complaint. After entering upon the Manifold and said paper the numbers, Deponent

0433

POOR QUALITY ORIGINAL

said: "How much?" The said ANDREW DOE replied, "thirty-five cents" and he then took the paper from under his Manifold, handed paper as annexed aforesaid to Deponent and Deponent paid him the sum of thirty five cents for the same.

Subscribed, and sworn to before me : *John A. Colford*
this *27* day of October 1891. :

J. A. Colford
Police Justice.

0434

POOR QUALITY ORIGINAL

Sec. 151.

Police Court, 10 District.

CITY OF New York COUNTY OF New York } ss.
AND STATE OF NEW YORK,

In the name of the People of the State of New York: To the Sheriff, or any Deputy Sheriff or Peace Officer of the County of New York, or to a Marshal, Constable 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 Anthony Bourtois & John R. Colloid of No. 41 Park Row Street; charging that on the 15th day of October 1891 at the City of New York, in the County of New York that the crime of selling what is commonly known as and called a lottery policy

has been committed, and accusing Andrew Dox whose real name is unknown but who can be identified by John R. Colloid thereof.

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, Deputy Sheriff's, Peace Officers, Marshals, Constables and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 10 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 27th day of October 1891

John P. C. Kelly POLICE JUSTICE.

POLICE COURT, 10 DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Andrew Dox

Dated 27th 1891

Warrant-General.

REMARKS.

Time of Arrest

Native of

Age

Sex

Complexion

Color

Profession

Married

Single

Read

Write

This Warrant may be executed on Sunday or at night.

Dated _____ 188

Officer

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

Officer

Magistrate

Police Justice

0435

POOR QUALITY ORIGINAL

City and County of New York, ss:

In the name of the People of the State of New York:

To any Peace Officer In the City and County of New York:

Proof by affidavit having been this day made before me, by Anthony J. ... R Colcord of 41 Park Row Street, New York City, that there is probable cause for believing that Andrew Don, whose real name is unknown but who can be identified by John R Colcord

has in his possession, at, in and upon certain premises occupied by him and situated and known number 312 East Houston street in near in said City of New York certain and divers device, establishment, apparatus and articles suitable for gambling purposes, lottery policies, lottery tickets, circulars, writings, papers and documents in the nature of a bet, wager or insurance upon the drawing or drawn numbers of a lottery, books and other documents for the purpose of enabling others to sell lottery policies and other writings, papers and documents, black-boards and gaming tables, with intent to use the same as a means to commit a public offense.

YOU ARE THEREFORE COMMANDED, at any time of the day or night time to make immediate search on the person of the said Andrew Don

and in the building situate and known as number 312 East Houston street, in near aforesaid, for the following property, to wit: all Faro layouts, all Roulette Wheels and layouts, all Rouge et Noir, or Red and Black layouts, all gaming tables, all chips, all packs of cards, all dice, all deal boxes, all lottery policies, all lottery tickets, all circulars, all writings, all papers, all documents in the nature of bets and wagers, or insurance upon the drawings, or drawn numbers of a lottery, all books all documents for the purpose of enabling others to gamble or sell lottery policies, all black-boards, all slips or drawn numbers of a lottery, all money to gamble with, and all device, establishment, apparatus and articles suitable for gambling purposes.

And if you find the same, or any part thereof, to bring it forthwith before me at the First District Police Court at the Tombs in Centre street in the City of New York.

Dated at the City of New York, the 27th day of October 1891

Police Justice



0436

POOR QUALITY ORIGINAL

Inventory of property taken by P. H. Callahan the Peace Officer by whom this warrant was executed :

~~Faro layouts, Roulette, Wheels, Roulette layouts, Rouge et Noir lay-
 outs, gaming tables, chips, packs of cards, dice, deal
 boxes, deal trays for holding chips, cue boxes, markers, or tally cards,
 ivory balls, lottery policies, lottery tickets, circulars, writings,
 papers, 1 black boards, 2 packages slips, or drawn numbers in policy, money, 23
 manifold books, sheets 1 slates, 2 Dream books, 25 slips, 2 Roles
 blank Manifold, 2 agates, 2 zinc, 2 manifold books
 for Day -~~

City of New York and County of New York ss :

I, Pat. H. Callahan the Officer by whom this warrant was executed,

do swear that the above Inventory contains a true and detailed account of all the property taken by me in this warrant.

Sworn to before me, this 25
day of Oct 1887

Patrick H. Callahan

P. J. Callahan Police Justice.

Police Court--- District.

Search Warrant.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Anthony Bonaventura et al.
vs.

Andrew Bon.

Att. S. Alexander et al.

Dated 1887

Justice.

Officer.

0437

POOR QUALITY ORIGINAL

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer.

Morris Weissberg

Question. How old are you?

Answer.

41 years

Question. Where were you born?

Answer.

Hungary

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

Answer.

151 Attorney St 3 years

Question. What is your business or profession?

Answer.

Tailor

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

Answer.

I am not guilty
M. Weissberg

Taken before me this

day of

1889

28th

Police Justice.

0438

POOR QUALITY ORIGINAL

BAILED,

No. 1, by Charles Forman
 Residence 25 Park Lane Street

No. 2, by _____
 Residence _____ Street

No. 3, by _____
 Residence _____ Street

No. 4, by _____
 Residence _____ Street

Police Court... District

1960

THE PEOPLE, Ec. ON THE COMPLAINT OF

Morris Weissberg

Offence The Lottery Law

Dated 28 1991

A. C. Reilly Magistrate

Officer _____

Practical _____

Witnesses _____

No. _____ Street

\$ 500 to answer



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 28 1891 A. C. Reilly Police Justice

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

Dated 28 1891 A. C. Reilly Police Justice

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

Dated _____ 18 _____ Police Justice.

0439

POOR QUALITY ORIGINAL

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
AGAINST

Morris Weissberg

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

Morris Weissberg

of the CRIME OF KEEPING A ROOM TO BE USED FOR GAMBLING PURPOSES, committed as follows:

The said

Morris Weissberg

late of the *11th* Ward of the City of New York in the County of New York aforesaid, on the *Tenth* day of *October* in the year of our Lord one thousand eight hundred and ninety-*one*, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep a certain room in a certain building there situate, to be used for gambling purposes, to wit: to be used for the purpose of therein conducting a certain gambling game commonly called "Policy," where money and property was dependent upon the result, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT:

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

Morris Weissberg

of the CRIME OF KEEPING A ROOM TO BE USED FOR THE PURPOSE OF SELLING LOTTERY POLICIES THEREIN, committed as follows:

The said

Morris Weissberg

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, unlawfully did keep a certain room in a certain building there situate, to be used for the purpose of therein selling and offering to sell what are commonly called Lottery Policies, and divers writings, papers, and documents in the nature of bets, wagers and insurances upon the drawing or drawn numbers of certain public and private lotteries, and of therein endorsing and using books and other documents for the purpose of enabling divers persons to sell and offer to sell lottery policies and other such writings, papers and documents, 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.

0440

POOR QUALITY ORIGINAL

THIRD COUNT:

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

Morris Weissberg

of the CRIME OF SELLING TO ANOTHER WHAT IS COMMONLY KNOWN AS A LOTTERY POLICY, committed as follows:

The said

Morris Weissberg

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, feloniously did sell to one

John R. Colford

a certain paper, instrument and writing, commonly called a Lottery Policy, which said paper, instrument and writing, called a Lottery Policy, is as follows, that is to say:

B 539
12 40 44 4 10
12 40 44 69
4 20
4 16 29 5
4 13 16 24 21 135
10 1

(a more particular description of which said instrument and writing so commonly called a Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

FOURTH COUNT:

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

Morris Weissberg

of the CRIME OF SELLING A PAPER AND WRITING, IN THE NATURE OF A BET AND WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said

Morris Weissberg

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, feloniously did sell to one

John R. Colford

a certain paper and writing, in the nature of a bet and wager upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of

0441

POOR QUALITY ORIGINAL

which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper and writing is as follows, that is to say :

B 539
1240449 10
124044 69
4 20
4 16 29 5
4 13 16 29 21 135
10 9 1

(a more particular description of which said paper and writing is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

FIFTH COUNT:

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

Morris Weissberg

of the CRIME OF SELLING A WRITING PAPER AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows :

The said

Morris Weissberg

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, feloniously did sell to one

John R. Collard

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown and cannot now be given), which said paper, writing and document is as follows, that is to say :

B 539
1240449 10
124044 69
4 20
4 16 29 5
4 13 16 29 21 135
10 9 1

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

0442

POOR QUALITY ORIGINAL

102- County

Counsel, _____
Filed, 12 day of March 1892
Plends, W. E. Kelly vs.

POLICE.
[§§ 243 and 244, Penal Code.]

THE PEOPLE

4/1
1st attorney of B

Morris Luewensberg
(2 Cases)

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Chas. H. Johnson
Foreman.

Paul - April 20/92
Jesse Spink & Benjamin
John Mep. Jr. M
- 674

Witnesses:

A. Comstock

0443

POOR QUALITY ORIGINAL

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

John R. Colford

of No. 41 Park Row Street, being duly sworn, deposes and says,
that Morris Weissberger (now present) is the person of the name of
Andrew Doe mentioned in deponent's affidavit of the 27th
day of October 1891, hereunto annexed.

Sworn to before me, this 28
day of Oct 1891 }

John R. Colford

J. J. [Signature] POLICE JUSTICE.

0444

GLUED PAGE

POOR QUALITY ORIGINAL

CITY OF *New York* COUNTY OF *New York*
AND STATE OF NEW YORK.

1763
1763
12 40 44/10
1-23-91
03549

of 41 Park Row, New York City, being duly sworn
I years of age, and is employed as *Chief* agent of the New York Society for the
suppression of Vice, that he has just cause to believe, is informed and verily does believe,
and charge that *Andrew Dor and William Dor*

whose real names are unknown, but who can be identified by *John R. Colford*
did, at the *City* of *County*
and State of New York, on or about the *21st* day of *October* 1891,
illegally use a room, table, establishment or apparatus for gambling purposes—and
did engage as a ~~dealer or game-keeper~~ in a gambling or banking game, where money or
property was dependent upon the result—and did sell, or offer to sell what is com-
monly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing
of drawn numbers of a certain lottery, hereto annexed, and did endorse and use a book or
other document for the purpose of enabling others to sell or offer to sell lottery policies,
tickets, papers or documents in the nature of a bet, wager or insurance, upon the drawing
of drawn numbers of a lottery, against the form of the statute of the State of New York
in such case made and provided, and particularly section 344 of the Penal Code.

Deponent further says, he has just cause to believe, is informed and verily does
believe, his information being based upon personal observation and from statements made by
John R. Colford to deponent
that the said
Andrew Dor and William Dor
aforesaid, now have, in their possession, at in and upon
certain premises occupied by *them* and situate and known as number *512 East*
Madison
in the *City* of *New York* and within
the County and State aforesaid, for the purpose of using the same as a means to commit a

0445

LUED PAGE

POOR QUALITY ORIGINAL

CITY OF New York COUNTY OF New York } ss.
AND STATE OF NEW YORK.

Anthony Bourke

of 41 Park Row, New York City, being duly sworn deposes and says, he is 21 years of age, and is employed as Chief agent of the New York Society for the Suppression of Vice, that he has just cause to believe, is informed and verily does believe, and charge that Andrew Dor and William Dor

whose real names are unknown, but who can be identified by John R. Bollard did, at the City of _____ County _____ and State of New York, on or about the 21st day of October 1891,

unlawfully use a room, table, establishment or apparatus for gambling purposes—and did engage as a dealer or game-keeper in a gambling or banking game, where money or property was dependent upon the result—and did sell, or offer to sell what is commonly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing or drawn numbers of a certain lottery, hereto annexed, and did endorse and use a book or other document for the purpose of enabling others to sell or offer to sell lottery policies, writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing or drawn numbers of a lottery, against the form of the statute of the State of New York in such case made and provided, and particularly section 344 of the Penal Code.

Deponent further says, he has just cause to believe, is informed and verily does believe, his information being based upon ~~personal observation and from~~ statements made by

John R. Bollard

to deponent

that the said

Andrew Dor and William Dor

aforsaid, now have in their possession, at in and upon certain premises occupied by them and situate and known as number 312 East

Houston Street

in the City of New York

and within the County and State aforesaid, for the purpose of using the same as a means to commit a

Handwritten notes:
As
+ 3/11/96
Printed 9/11/96
New York
E. E. Houston

0446

POOR QUALITY ORIGINAL

public offense, divers and sundry device, apparatus, tables, establishment and paraphernalia layouts, ~~chips, deal boxes,~~ cards, lottery tickets, lottery policies, writings, papers, books and documents for gambling purposes, in violation of the Provisions of Chapter IX of the Penal Code of the State of New York, wherefore deponent prays that warrants may be issued for the arrest of the persons named aforesaid, and to search for, seize and take possession of all of said unlawful matter, and that all be dealt with according to law.

Subscribed and sworn to before me this }
_____ day of October 1891 }

Anthony Bourtock

St. J. C. McNeill Police Justice.

CITY OF New York AND COUNTY OF New York ss.

John R. Colford of 41 Park Row Street

being ~~furthor~~ ^{deuly} sworn deposes and says that on the 21st day of October 1891,

deponent visited the said premises, named aforesaid, and there saw the said Andrew Dor and William Dor aforesaid, and had dealings and conversation with I as follows:

Deponent entered said premises aforesaid, 312 East Houston Street and there Andrew Dor and William Dor, writing & selling what are commonly called lottery policies for and to persons, there present: Andrew Dor said "good morning you were a hard luck, you could not get a hit on me the other day," referring to a policy deponent purchased of him Andrew Dor a few days before. Deponent replied "I hit the silver gig Saturday". Give me a play this morning" the said Andrew Dor beckoned to William Dor, and the said William Dor placed the piece of paper ^{now} annexed to affidavit of Anthony Bourtock aforesaid and made part of this complaint, and placed it between sheets of his manifold book, and the recorded

0447

POOR QUALITY
ORIGINAL

the numbers now upon it, then and there also
making a record at the same time of said play,
policy or numbers upon his manifold book,
then took paper as annexed aforesaid, out
and deponent said how much. Said William
Dor said 31 cents, and deponent paid him the
said Wm Dor the sum of 31 cents lawful money
for the same. The said Andrew Dor was present and
was writing and selling policies to others at the time

0449

POOR QUALITY ORIGINAL

District Police Court.

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer. Morris Weisberg

Question. How old are you?

Answer. 41 years

Question. Where were you born?

Answer. Hungary

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

Answer. 151 Attorney St. 3 years

Question. What is your business or profession?

Answer. Factor

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 -
ill Mesleiger

Taken before me this

day of

1897

Police Justice.

0450

POOR QUALITY ORIGINAL

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court... District.

THE PEOPLE, etc.,
ON THE COMPLAINT OF

Auton Bruntel

1 Morris Brinkley

2
3
4

Offence *Dr. Betty Policy Law*

Dated

Oct 28 1891

Residence

20 Rg. Magistrate

Residence

Officer

Residence

Precinct

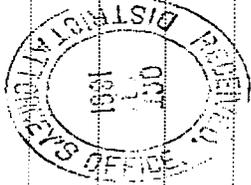
Witnesses

No.

Street

No.

Street



No.

Street

\$ *500*

to answer

1360

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 *Oct 28* 1891 *Do J. C. Bull* Police Justice.

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

Dated *Oct 28* 1891 *Do J. C. Bull* Police Justice.

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

Dated *Oct 28* 1891 *Do J. C. Bull* Police Justice.

0451

POOR QUALITY ORIGINAL

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK AGAINST

Morris Weissberg

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

Morris Weissberg

of the CRIME OF KEEPING A ROOM TO BE USED FOR GAMBLING PURPOSES, committed as follows:

The said

Morris Weissberg

late of the 11th Ward of the City of New York in the County of New York aforesaid, on the Twenty-first day of October in the year of our Lord one thousand eight hundred and ninety-one, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep a certain room in a certain building there situate, to be used for gambling purposes, to wit: to be used for the purpose of therein conducting a certain gambling game commonly called "Policy," where money and property was dependent upon the result, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT:

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

Morris Weissberg

of the CRIME OF KEEPING A ROOM TO BE USED FOR THE PURPOSE OF SELLING LOTTERY POLICIES THEREIN, committed as follows:

The said

Morris Weissberg

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, unlawfully did keep a certain room in a certain building there situate, to be used for the purpose of therein selling and offering to sell what are commonly called Lottery Policies, and divers writings, papers, and documents in the nature of bets, wagers and insurances upon the drawing or drawn numbers of certain public and private lotteries, and of therein endorsing and using books and other documents for the purpose of enabling divers persons to sell and offer to sell lottery policies and other such writings, papers and documents, 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.

0452

POOR QUALITY ORIGINAL

THIRD COUNT:

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

Morris Weissberg

of the CRIME OF SELLING TO ANOTHER WHAT IS COMMONLY KNOWN AS A LOTTERY POLICY, committed as follows:

The said

Morris Weissberg

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, feloniously did sell to one

John R. Colford

a certain paper, instrument and writing, commonly called a Lottery Policy, which said paper, instrument and writing, called a Lottery Policy, is as follows, that is to say:

B 549
12 40 44 4 10
1 2 3 4 10
14 63 Oct
10 25
14 63 / 4 6

(a more particular description of which said instrument and writing so commonly called a Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

FOURTH COUNT:

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

Morris Weissberg

of the CRIME OF SELLING A PAPER AND WRITING, IN THE NATURE OF A BET AND WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said

Morris Weissberg

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, feloniously did sell to one

John R. Colford

a certain paper and writing, in the nature of a bet and wager upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of

0453

POOR QUALITY ORIGINAL

which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper and writing is as follows, that is to say :

B 549
1240 44 7 10
1-2-3 4 10
14 63 CW
10 25
14 63 + 6

(a more particular description of which said paper and writing is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

FIFTH COUNT:

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

Morris Weissberg

of the CRIME OF SELLING A WRITING PAPER AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows :

The said

Morris Weissberg

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, feloniously did sell to one

John R. Colford

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown and cannot now be given), which said paper, writing and document is as follows, that is to say :

B 549
1040 44 7 10
1-2-3 4 10
14 63 CW
10 25
14 63 + 6

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), 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.