1008

BOX:
446

FOLDER:
4116

DESCRIPTION:
Johnson, Leon

DATE:
08/11/91

4116

Bail fixed at $1000 — RBG

Witnesses:

The reasons which are fully set forth in the accompanying report of Asst. Dist. Atty Staples & in furtherance of justice I recommend that this indictment be dismissed.

Delancey Nicoll
Dist Atty

Oct 19. 1891

95.

A. Mayer

Counsel,

Filed 11 day of Aug 1891

Pleads Not guilty

THE PEOPLE

vs.

B

Leon Johnson

Grand Larceny second Degree.

[Sections 528, 531 & 540, Penal Code.]

Sept. 14/91 Pl. 2

DE LANCEY NICOLL,

District Attorney.

A True Bill.

Foreman.

on recom. of Dist Atty indict. dis — Deputy Counsel as [illegible] in open court and [illegible]

6081

NEW YORK COURT OF GENERAL SESSIONS.

The People
vs.
Leon Johnson.

City and County of New York, ss.:

LEON JOHNSON being duly sworn, says: That he is the defendant above named. That his real name is Clark L. Wright. Deponent further says that he is twenty-eight years of age, and that his business is that of an optician and salesman and further that he has never been arrested before in his life or charged with the commission of any offence. Deponent further says that when arrested he was thrown into great mental confusion and trouble and was also very ill, as hereinafter more fully stated, and unwittingly, with a vague ideathat he would thereby save his family from disgrace, but, as he now thinks, foolishly, he gave the fictitious name of Leon Johnson as his own, instead of his real name.

Deponent further says that he was born in West Ashford, Connecticut, and, up to the time that he was nineteen years of age he had been living with his parents at said place; and that about the year 1884 he was employed by John R. Madison & Co., jobbers of hardware, cutlery, etc., at 105 DeKalb Street, Chicago, Ill., as a traveling salesman and was so employed by said firm for

about four years. A letter of recommendation from said firm is hereto annexed, marked "A". From 1888 to 1890 deponent was in business for himself, traveling through the country selling optical goods and from about June to November, 1890, deponent was employed by A. J. Landry & Co. 231 Washington Street, Boston, Mass., selling optical goods. Deponent refers to a letter of recommendation from said firm hereto annexed marked "B". Thereafter, and ~~almost~~ up to the day of deponent's arrest, he was employed by Louis Alexander, optician, 192 Fulton Street, Brooklyn, N. Y. An affidavit of said Alexander is submitted herewith. In July, 1891, deponent in his business of selling optical goods for Mr. Alexander had occasion to visit Providence, R. I. On July 30, 1891, he received from Mr. Alexander the letter annexed, marked "C" and started to come to New York and bought a ticket for his passage on the steamer Massachusetts. This was the second time in his life that deponent had ever been on a Sound steamer. The steamer left Providence about eight o'clock in the evening, and, as deponent went into the saloon on said steamer, he saw and met an acquaintance of his who was also a traveling salesman, and who was sitting on a settee in said saloon. They sat down together and, after conversing for about half an hour, said acquaintance got up and went away. He had been reading a Providence newspaper and as he got up he threw said paper down on said settee and then, for the first time, deponent noticed a small hand satchel which was on the seat directly alongside of him, the same seat that the

salesman, his acquaintance had just left, for deponent noticed it as soon as he left. Deponent waited and sat there for some minutes, expecting said salesman to return, believing said satchel to belong to him. Deponent at the time was suffering from rheumatism and was under the doctor's care for such ailment, and the doctor had prescribed for him a medicine, a bottle of which was in a larger satchel or traveling-bag, which contained also wearing apparel, collars, etc., and which deponent had checked in the parcel room of the boat. Deponent, believing said small hand satchel to belong to his said acquaintance, picked the same up and went down stairs to the parcel room for the purpose of checking the same and protecting whatever its contents might have been, and, after handing his check to the porter, opened his own large bag and took some of the medicine from the bottle and, in the presence of an officer of the boat, put the medicine bottle back into his bag and, at the same time, put in his bag the satchel which he thought belonged to his said salesman acquaintance and then re-checked his own bag. He then went back into the saloon, looked for said salesman and, not finding him, went to bed. The next morning, on the arrival of the boat at New York, when he called for his baggage he was arrested upon presentation of the baggage check. During the week previous deponent had had several fainting spells and during the day he left Providence and the day previous thereto, he had been confined to his bed. He felt so faint on the boat that he was compelled to sit down almost all the time, feeling

that if he rose he would fall and twice, after getting up on the morning of the arrival of the boat at New York, he fell on the deck in a faint and was assisted to his feet by fellow passengers. When he was apprehended he told the officers that he was not well but the officers treated him very roughly. Deponent saw his salesman acquaintance to whom he thought the satchel belonged, leaving the boat and wanted to speak to him and so told the officers but the officers would not let him, saying that he was nothing but a d----- sneak thief and that the party he wanted to speak to was his accomplice. From the time deponent placed the satchel in his bag up to the time of his arrest he never knew its contents nor did he open it at any time; nor did he at any time intend to steal the same or to deprive the true owner of its use and benefit. He fully believed when he placed said satchel in his bag that it did, in fact, belong to his acquaintance, and in doing so he thought he was rendering him a service, believing he had forgotten it. The rendering of this service was the cause of his arrest. Deponent is not acquainted with the complainant or his wife, having met them for the first time at the police court. Deponent never intended to claim the satchel and has no doubt but that the same in reality belonged to the complainant.

Deponent in conclusion says, that he suffers from spinal rheumatism and fainting spells and since his

admission to bail has been living at West Ashford, Connecticut with his parents.

Swotn to before me this : Leon Johnson
10th day of October, 1891. : E. L. Wright.
C. E. Fornell
Notary Public
Ashford, Ct.

1015

JOHN R. MADISON & CO.,

A.

Jobbers of

Hardware, Cutlery, Rubber Clothing & Notions with Wholesale Wagons,

105 De KALB STREET.

Chicago, Ill., Aug 29 1888,

To whom it may concern

Mr. Frank C. L. Wright has been in our employ in the capacity of salesman for something over three years. He has always proved himself honest, industrious, of good habits, and reliable in every particular. Taken altogether he is an excellent salesman and good business man, whom we have had occasion to trust.

We can conscientiously recommend him to any firm or person to whom he may apply for a situation.

John R. Madison & Co.

1016

PROF. L. ALEXANDER MANUFACTURING OPTICIAN

—INVENTOR AND PATENTEE OF VALUABLE IMPROVEMENTS IN EYE GLASSES

MEDALS AWARDED IN ALL THE PRINCIPAL EXPOSITIONS IN THE WORLD

PATENTED IN ALL THE PRINCIPAL COUNTRIES IN THE WORLD

OFFICE AND SALESROOM 192 FULTON STREET BROOKLYN, N.Y.

Brooklyn, July 29 1891

Dear Charles!

I have wrote to you yesterday to Waterbury and this morning I have received a Postal Card from you. I have told you in my letter about giving out west, so if it possible for you to come to Brooklyn without put in yourself out, you had better come on and we will talk things over with pleasure and

Louis

New York Court of General Sessions

The People

vs

Leon Johnson

City and County of New York S. S.

Louis Alexander being duly sworn says: That he is engaged as Optician and dealer in Optical Goods at Number 192 Fulton Street Brooklyn and has been so engaged in business at said place for about twelve years. That he has known the defendant for about two years, during about one year of which time he was in my employ as a salesman at the Arcade Building Brooklyn and I have always found him to be an honest, industrious and hard working young man. Deponent further says that he is acquainted with a great many people that know the defendant whose real name is Clark L. Wright and who have always spoken of him in a most commendatory way for his honesty and integrity. Deponent further says that he is willing should the opportunity present itself to reemploy said defendant and give him a position fully believing in his innocense

Sworn to before me this 10th day of October 1891.

Louis Alexander

Notary Public
Kings Co.

1018

Leave him in file charge for full goods + collect money

Boston, Aug 11 1891

To A. J. LANDRY & Co., Dr.

—OPTICIANS—

~~OPTICIANS AND WATCHMAKERS.~~ 231 Washington St.

This is to certify that E. L. Wright was in my employ for several months and always found him honest and upright in all of our business relations

A. J. Landry

NEW YORK COURT OF GENERAL SESSIONS.

The People,

vs.

Leon Johnson.

STATE OF CONNECTICUT :
COUNTY OF Windham :SS:

I JOHN CALHOUN BUGBEE being duly sworn deposes and says that he is 54 years of age and that he resides at Willimantic in the County of Windham and State of Connecticut, where he is and has been for many years past engaged in business as a flour and grain dealer. Prior to his removal to Willimantic he had lived all his life in the town of Ashford in the County of Windham, some ten miles from Willimantic, where he was born and raised.

He has known the defendant, Clark L. Wright, since his birth. He knew his father and mother before him and has known and knows the eight brothers and sisters of defendant and the whole family. The family and every member of it has always enjoyed the best of reputation, for industry, honesty and respectibility; deponent never heard of any member of it being accused or even suspected of crime. Deponent has always found the defendant, Clark L. Wright, to be honest, industrious and reliable and has never heard him in any way criticized in point of honesty, sobriety or industry. When deponent heard of the defend-

ant's arrest in New York if defendant had telegraphed or written deponent, deponent would have at once proceeded to New York and bailed and helped him and deponent does not believe that the defendant is guilty of the charge made against him, nor do any of the neighbors and old friends of the defendant and his family in this vicinity believe the same to be true as far as deponent knows.

Subscribed and sworn to : John Cadwell Taylor
before me this 12th : Chester Tilden
day of October, 1891. : Notary Pub.

CHESTER TILDEN
WILLIMANTIC
CONN.
NOTARY PUBLIC

1021

NO EXCHANGE ALLOWED.

Office of J. C. BUGBEE,
COMMISSION MERCHANT,
AND WHOLESALE DEALER IN
Groceries, Flour, Grain, Feed and Provisions.
WOOD AND COAL.

WILLIMANTIC, CONN., Oct 12 1891

W. S. Macfarlane Esq
Dear Sir

It is with pleasure I affix my signature to within deposition enclosing. I can also state I have known defendant from birth, and have always known him as straight-forward upright & honest young man. I have also known all of his Brothers & Sisters & also his Parents, and their name command of respect by every one who knew them

Yrs Truly
J. C. Bugbee

NEW YORK COURT OF GENERAL SESSIONS.

The People,

vs.

Leon Johnson.

State of Connecticut :
:ss:
County of Windham :

DAVIS A. BAKER being duly sworn deposes and says that he is 65 years of age; that he resides at Ashford in said County of Windham and State of Connecticut and that he was born and has lived all his life at said Ashford; that he is now and has been for 18 years Town Clerk of said town ~~and is~~ and has been for [illegible] years a Justice of the Peace. That deponent has known the defendant, Clark L. Wright, since his birth and knew his parents before him as also his eight brothers and sisters and all the members of the family. Said family and every member of it have always enjoyed the best of reputation for honesty and integrity, sobriety and industry. The defendant, Clark L. Wright, has always been considered ir-reproachable in these respects and deponent never heard of any accusation or charge of crime being made against him or any member of his family. Deponent does not believe, nor do any of said Wright's neighbors and friends believe the truth of the charges made against him in New York, but they believe im-

plicitly in the truth of the statements as made to them by said Clark L. Wright.

Subscribed and sworn to :
before me this 12 :
day of October, 1891. :

NEW YORK COURT OF GENERAL SESSIONS.

The People,

vs.

Leon Johnson.

State of Connecticut :
:ss:
County of Windham :

NATHANIEL L. KNOWLTON being duly sworn deposes and says that he is ~~[illegible]~~ 48 years of age and resides in the town of Ashford, County of Windham and State of Connecticut that he is a farmer by occupation and was born in said Ashford and has lived there all his life. That he at pres-entrepresents said town Ashford in the lower house of the Legislature of said State of Connecticut as he has for Four years previously.

Deponent further says that he has known the defend-ant, Clark L. Wright, since his birth; that he knew his parents and has known and knows his eight brothers and sisters and all the members of the family. That the family and all its members have always borne the best of reputation for honesty, sobriety and industry and no mem-ber of it has to his knowledge ever been accused or even suspected of crime. That he has always found the defend-ant, Clark L. Wright, to be honest, sober and industrious, he has never heard anything alleged against him in these

respects and believes him to be entirely innocent of the offence with which he has been charged in New York.

Subscribed and sworn to : [illegible]
before me this :
day of October, 1891. :

NEW YORK COURT OF GENERAL SESSIONS.

The People,

vs.

Leon Johnson.

City, County and State of New York, SS:

HOBART L. WRIGHT, being duly sworn deposes and says that he is forty years of age and is engaged in business at 68 South Market Street, Boston, Mass., as a produce and provision commission dealer, the firm name being Charles A. Baldwin & Co. Deponent is an elder brother of the defendant, Clark L. Wright and has known him and been familiar with his conduct and history since his birth. He has always found him to be honest, sober and industrious. He was amazed when he heard of his brother's arrest and came to New York at once from Newburyport, Mass., where he was temporarily attending to some business matters, and gave bail for his brother, depositing one thousand dollars with the Chamberlain of New York City under the instructions of this Court. Deponent has thoroughly discussed with his brother, the defendant, the circumstances of defendant's trip from Providence to New York on the steamer Massachusetts on the occasion of his arrest, and he believe the statement made by the defendant in his affidavit herewith submitted, to be entirely true. The statements made by defendant in his affidavit as to the parties by whom he has been employed and the periods of his employments are

true to the knowledge of this deponent. The defendant has always been sickly since birth; he never was as robust as ~~myself~~ deponent and other members of the family. About the year 1884 when employed by J. R. Madison & Co., he met with a railroad accident in the West and injured his hip. About that time rheumatism attacked him and he has suffered from it more or less ever since. He has been subject to these fainting fits or spells for some five or six years past. ~~I have~~ deponent has not the slightest doubt that the statements made in his affidavit as to his physical condition while on board the Massachusetts are strictly true. In point of fact ~~he~~ he was dazed or rattled and was not fully responsible for his acts. ~~I have~~ deponent has every conviction that the charges made against him are wholly untrue and that his story is correct.

Subscribed and sworn to : Robert L. Wright
before me this 10th :
day of October, 1891. :
C. V. Thornall
Notary Public
N.Y.Co.

COURT OF GENERAL SESSIONS

The People

vs.

Leon Johnson.

AFFIDAVITS.

W. S. Macfarlane and

M. Meyer,

Defendant's Attys.

1029

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 1st DISTRICT.

Edward Gray

of No. 27 Prince Street, aged 53 years,

occupation Police Officer being duly sworn deposes and says,

that on the 6th day of August 1889

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

Walter F. Oppman knows
is a material witness for the
People against Peter Johnson
charged with Grand Larceny, and
deponent believing that the said
Oppman will not appear when
needed he prays he be com-
mitted to the House of
Detention for safekeeping

Edw Gray

Sworn to before me, this day of August 1889

C. C. Hubbell Police Justice.

1030

Police Court 1st District. Affidavit—Larceny.

City and County of New York, } ss:

Walter J. Wyman

of No. Kansas City, Missouri Street, aged 37 years,

occupation Banker being duly sworn,

deposes and says, that on the 5 day of August 189[illegible] 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:

A wallet containing jewelry and money of different the wallet being valued at Two hundred dollars $200.00

the property of Deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Leon Thomas (Norton)

for the reason following to wit: on the said date deponent having missed the said wallet from his stateroom on the Steamboat "Massachusetts," which Steamboat was in passage from Providence Rhode Island to New York, he is informed by Officer Eggers Gray (Red Jacket) that the Gray found in the possession of the defendant, as the defendant was about to leave the said boat at Pier 29 North River in this City a valise, which valise deponent

Subscribed before me, this 5 day of August 189[illegible]

Police Justice.

has since been and is unable to find or bring the notice which was stolen from him. Deponent is further informed by Sydney A. Sears the chief clerk of said Steamboat that he saw the defendants ~~[illegible]~~ place the notice which was subsequently returned by ~~the~~ Officer Brady into a larger notice which the defendants had in his hand.

Sworn to before me
this 6th day of August 1891

Walter F. Hyman

Police Justice

1032

CITY AND COUNTY OF NEW YORK, } ss.

Sidney A. Sears

aged 62 years, occupation Mate of No. Steinbrenner "Massachusetts" Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Walter T. Wyman and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 6th *day of* August 1899, } Sidney A. Sears

Police Justice.

(3692)

1033

CITY AND COUNTY OF NEW YORK, } ss.

Edward Grady

aged 52 years, occupation Police Officer of No. 2d Avenue Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Walter S. Hyman and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 6th *day of* August 1899, } Edward Grady

Police Justice

(3692)

1034

Sec. 198—200.

CITY AND COUNTY OF NEW YORK, } ss.

District Police Court.

Leon Johnson 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. Leon Johnson

Question. How old are you?

Answer. 26 years

Question. Where were you born?

Answer. Connecticut

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

Answer. Bridgeport Connecticut 3 years.

Question. What is your business or profession?

Answer. Optician

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 saw the valise lying on a seat near me - and I thinking it was my friends I placed it in my valise

Leon Johnson

Taken before me this 9 day of February 1889

[illegible] Police Justice.

1035

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 .....

Alexander Adams

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

Dated ..... 18 91. ..... 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.

1036

Christmas Hymn

by Phoebus W Alexander
17 E. 22nd St
City

BAILED.

No. 1, by Phoebus W Cash

Residence c/o M. Myers, 38 Park Row Street. NY

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street

95 B10 1022

Police Court--- ..... District.

THE PEOPLE &c.

ON THE COMPLAINT OF

Walter S. Yeomans

vs.

Lam Johnson

Alley House

2 .....

3 .....

4 .....

Offence Grand Larceny

Dated 1891

O'Reilly ..... Magistrate.

Murray ..... Officer.

28 ..... Precinct.

Witnesses Officer

No. ..... Street.

Sidney A. Sears

No. Rm 29 N. River Street.

S.B. Massachusetts

Complainant committed to Tombs to await examination in default of $150 bail

No. ..... Street.

$ 1500.00 to answer .....

RECEIVED AUG 1891 DISTRICT ATTORNEY'S OFFICE

Court of General Sessions
Part I

New York, August 14, 1891

The People
vs
Leon Johnson

It is admitted, in open Court, by the Counsel for the defendant, that the property alleged in the indictment was the property of the Complainant, Walter F. Wyman, and that it was taken from him on the date therein mentioned, without his consent or permission, and that the value of the property as described in the indictment was Two hundred dollars, and that it was found in the possession of the defendant the next morning after it was taken from the Complainant, in the City of New York.

Morris Meyer
Deft's Attorney

Court of General Sessions
Part I

The People
vs
Leon Johnson

Admissions in open Court by Defendant's Counsel.

Leo Lynch

Transcribed from
Stenographer's Minutes

----------X

The People &c.

Agst.

Leon Johnson

----------X

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

The defendant was indicted on the IIth day of August last, charged with the crime of Grand Larceny in the second degree, for the alleged unlawful taking of a satchel containing jewelry and wearing apparel of the value of two hundred dollars on the 6th day of August I89I, the said satchel and contents being the property of Walter F. Wyman, of Kansas City.

The circumstances of the case are as follows:- The complainant was a passenger on the steamboat Massachusetts on a trip from Providence, Rhode Island to New York City, on the 5th day of August. The said boat left Providence at some time in the afternoon of said date. The defendant was also a passenger on said boat at said time. The complainant left the said satchel on a settee in the saloon of the said steamboat, at some time subsequent to the sailing of the boat from Providence, and prior to the hour of nine o'clock in the evening. During the evening, and prior to said hour, the defendant occupied a seat on said settee in immediate proximity to that on or near which the said satchel had been left. The defend-

ant was seen soon after with the said satchel in his possession by a representative of the steamboat owners in charge of the baggage room, at which time the defendant opened his valise, which was in the baggage room and placed the satchel in it, locking his valise and going away. On the following morning when the steamboat arrived at this city, the defendant went to the baggage room, and was in the act of taking his valise when he was arrested and charged with the larceny of the said satchel.

The explanation which the defendant gives of his possession of the satchel is as follows:- That immediately prior to the time when he took the said satchel into his possession, a friend of his from Providence, a traveling salesman, had been seated at, or in immediate proximity, to the place on the settee where said satchel was; that he had been engaged in conversation with his friend, after which his friend got up and walked away. Some little time after this, that he, the defendant, noticed the satchel in such a position on the settee and in such proximity to the place where his friend had been seated, that he assumed that the satchel belonged to his friend, as a Providence paper which his friend had been reading, was lying at or near the place where the said satchel was; that he, the defendant, took the satchel into his possession for the purpose of taking it to his friend whom he assumed to be the owner; that not finding his friend, for safe keeping, he put it in his own valise overnight, and obtained at the same time some medicine from

his valise, as he, the defendant, was ill at the time, and was ill during the night immediately following the above incident, and was ill the next morning. He states that after he was arrested he saw his salesman friend leaving the boat and asked permission to speak to him, but that the officers refused to let him do so, saying, that he was nothing but a damned sneak thief.

At the time in question the defendant was employed by Louis Alexander, a dealer in optical goods, at No. 192 Fulton Street, Brooklyn, and was returning to this city in response to a direction from his employer, requesting him to come here for the purpose of taking a business trip to the West.

The defendant seems to have borne an unimpeachable character for many years. In the papers herewith submitted will be found certificates from his employer last referred to, Mr. Louis Alexander, who states that he has known the defendant for two years, during one year of which time he was in his employ as a salesman, and he always found him to be an honest, industrious and hard-working young man; that he is acquainted with a great many people who know the defendant and have always spoken of him in a complimentary way as to his honest and integrity; and that he is willing to employ said defendant, and give him a position in his business, fully believing in his innocence ~~of this charge~~.

There is also submitted to this office a similar certificate from the house of John R. Madison & Co. of

Chicago, who state~~s~~ that the defendant was in their employ for three years as a salesman, and that they had always found him honest, industrious, of good habits and reliable in every particular, and that they could conscientiously recommend him to any person or firm to whom he applies for a position.

Another certificate from A.J.Landry & Co. 23I Washington Street, which will also be found among the papers, to the effect that the defendant had been in their employ for several months, and had always found him honest and upright in his business relations.

The defendant is a member of a family residing in the State of Connecticut, in the County of Windham, where ~~i~~ its members seem to have been held in high esteem by people residing in that vicinity. Certificates submitted to this office, ~~which~~ will be found among the papers, from Nathaniel L. Knowlton, a member of the Connecticut Legislature; Davis A. Baker, for ten years Judge of Probate in said county; J.C.Bugbee, commission merchant, Willimantic, in said county, bearing testimony to the excellent reputation which the defendant has always borne among those who have known him for many years. There is also submitted an affidavit of Hobart L.Wright, a brother of the defendant, and a member of the firm of Charles A.Bladwin & Co. Produce and Provision Commission dealers, South Market Street, Boston, Mass. certifying to the good character which the defendant has always borne, and corroborating the defendant as to his

illness etc..

The evidence as to the good character of the defendant must, we think, be deemed conclusive, and must have great weight in the consideration of the probability of the truth of the explanation offered by him as to the manner in which the satchel of the complainant came into his possession. This explanation does not seem to be inconsistent with the probabilities of the case, and, is one which would, in all probability, be accepted by a jury as satisfactory, and as showing the innocence of the defendant of the charge made against him. The complainant recovered the possession of his property, and is not now within the jurisdiction of the Court, having gone to his home in Kansas City. An admission made by his counsel in open court would, in all probability, be sufficient to relieve the People from any embarrassment on the trial of the case from his absence; but, after a careful consideration of all the facts and circumstances of the case, I am of the opinion that the People aught not to ask for a conviction of the defendant of the crime charged in the indictment, and am of the opinion that upon the trial of the case such conviction could not be obtained; and a dismissal of this indictment is therefore recommended.

All of which is respectfully submitted,

Hon. DeLancey Nicoll,

District Attorney.

Herman P. Stutzler
Assistant District Attorney

Dubert Newburgh October 16th 1891

No. 49 449

THE PEOPLE OF THE STATE OF NEW YORK

against

Leon Johnson

Report.

DE LANCEY NICOLL,

District Attorney,

No. 32 CHAMBERS STREET

NEW YORK CITY.

1045

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

[illegible]

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse [illegible] —

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

The said [illegible]

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

one robe of the value of fifteen dollars, divers articles of clothing and wearing apparel, of a number and description to the Grand Jury aforesaid unknown, of the value of one hundred dollars, and divers articles of jewelry of a number and description to the Grand Jury aforesaid unknown, of the value of one hundred dollars. —

of the goods, chattels and personal property of one Walter F. Wyman, —

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

[illegible]
[illegible]

1046

BOX:
446

FOLDER:
4116

DESCRIPTION:
Johnson, Weston

DATE:
08/06/91

4116

Witnesses;

Hy Stocking

Grace Ford

1016

Counsel, Mitchelland

Filed 6 day of Aug 1891

Pleads Not guilty

THE PEOPLE

vs.

Weston Johnson

Grand Larceny and ABDUCTION.

[Sections 282 & 275, Sub. 1, Penal Code.]

DeLancey Nicoll,

District Attorney.

A True Bill.

Foreman.

Part 3. Sept 8/91

Pleads Attempted Rape

7 yrs 6 mos S.P.

Sept 11/91

THE COURT OF GENERAL SESSIONS OF THE PEACE

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE
VS.
WESTON JOHNSON.

BRIEF FOR THE PEOPLE.

WITNESSES:
Grace Ford,
Kate Ford,
Geo. D. Lewis,
Officer Farrell.

GRACE FORD, 18 years of age, of 137 West 20th Street, will testify: That in the month of February, 1891, her brother-in-law, the defendant, Weston Johnson, then living with her mother, came home one day under the influence of liquor; that she was in the bed-room cleaning at the time; and that the defendant came into that room, pushed her down upon the bed and had sexual intercourse with her.

That, on April the 24th, 1891, the defendant again came home under the influence of liquor; that she (Grace) was at that time in the front room; and that defendant said to her "Come here Grace, be a good girl and let me have a piece". That, at this time, she refused; but that he forced her down and had sexual intercourse with her, twice. That her mother at the time was out, and that she did not tell her mother of the occurrence until some time afterwards when questioned by the latter.

KATE FORD, the mother of Grace, will testify: That she became suspicious when the girl began to get very large around the hips, and so took her to a doctor and had her examined. That the physician said that "the child was three months in the family-way". That then Grace confessed that she had had sexual intercourse with her brother-in-law, the defendant, Weston Johnson.

That, on July 26th, 1891, witness, in company with a Mr. Lewis, of 704 Third Avenue, went to Nyack, N. Y., where the defendant was working as a waiter in the Prospect house. That Grace was also with her; that they saw Johnson; and that Grace told him that she was in the family-way from him. That the defendant first said that he never had anything to do with Grace; but that he finally broke down, said he was sorry for it and that he was willing to meet the expense of having the girl treated by a doctor. That the defendant then fully admitted the crime to the three of them; and that he begged them to keep it quiet and not say anything to anyone about it. And that he then gave witness $10. to take the girl to a doctor.

GEORGE D. LEWIS, of 960 Third Avenue, will corroborate statements made by previous witness, Mrs. Ford.

OFFICER FARRELL, of the Second District Police Court Squad, will testify: That he, in possession of a warrant for the arrest of Weston Johnson, went to the Prospect House, at Nyack; there found Johnson, on the 28th day of July; placed him under arrest; brought him to New York; and arraigned him in the Second District Police Court before Judge Kelly.

N. Y. GENERAL SESSIONS

THE PEOPLE

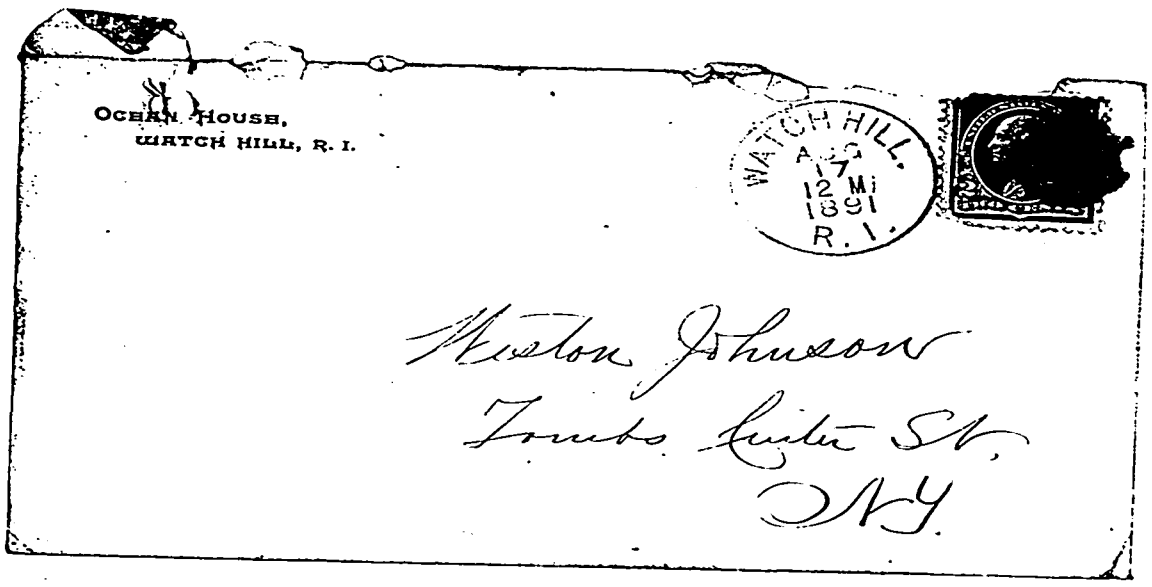
AGAINST

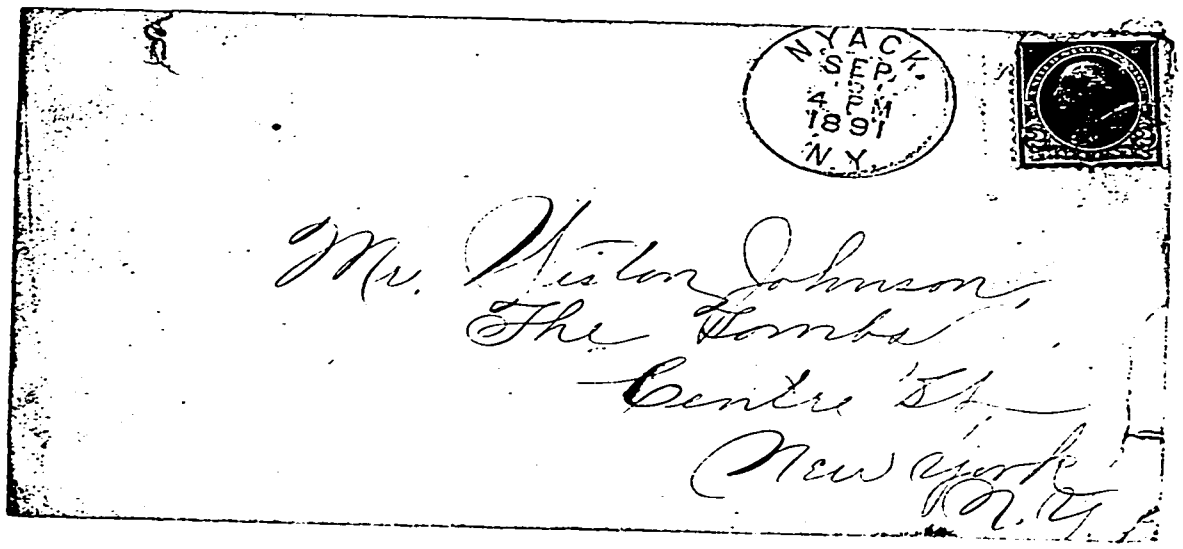
WESTON JOHNSON.

PENAL CODE,

BRIEF FOR THE PEOPLE.

1050


OCEAN HOUSE,
WATCH HILL, R. I.
WATCH HILL.
AUG
17
12 M
1891
R. I.
Nelson Johnson
Tombs Center St.
N.Y.


NYACK.
SEP
4 P M
1891
N.Y.
Mr. Nelson Johnson,
The Tombs
Center St.
New York
N.Y.

1051

The New York Society for the
Prevention of Cruelty to Children

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

New York, Aug. 6th 1891

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

The People
against
Nestor Johnson

Notice of Prosecution.

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

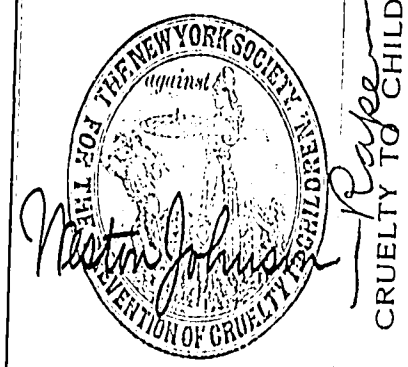
Sir: This Society is interested in the prosecution of the above defendant, and is familiar with the facts of the case. It respectfully requests that before sending the papers to the Grand Jury, fixing the day of trial, consenting to any postponement thereof, or to any reduction of bail, or final disposition of the charge, you will duly notify me as its President and Counsel, so that I may confer with you in regard thereto. This request is made pursuant to the statute (Laws of 1886, Chapter 30, Section 1), and in furtherance of the ends of Justice.

I have the honor to remain, with great respect,

Elbridge T. Gerry,
President, &c.

N. Y. GENERAL SESSIONS

THE PEOPLE



Paper

CRUELTY TO CHILDREN

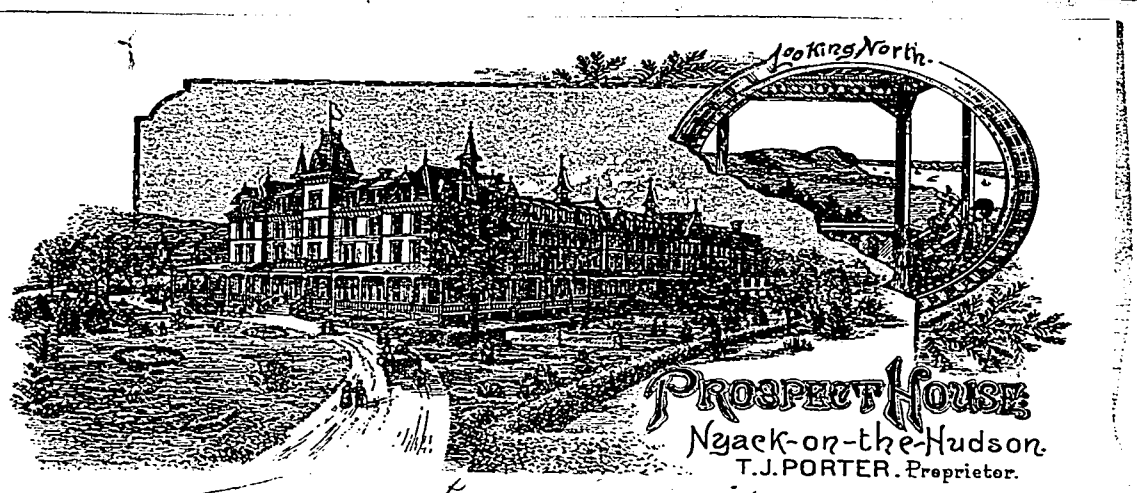
NOTICE OF PROSECUTION

BY THE SOCIETY.

ELBRIDGE T. GERRY,

President, &c

1053


Looking North.
PROSPECT HOUSE.
Nyack-on-the-Hudson.
T.J. PORTER. Proprietor.

1054

OCEAN HOUSE,
WATCH HILL, R. I.

To order of Hon Chas
Hutton Sherwood
in his behalf for such steam
fire engine having which time I
always found him an honest
and upright man.

S. H. Bramhall
Cashier, Ocean House
Watch Hill R.I.

Aug 17th 91

1055

Court of General Sessions.
County of New York

The People
vs
— agst —
Weston Johnson

City and County of New York ss:

Weston Johnson
being duly sworn says that he is the defendant above named that he has never before been convicted of any crime either in this or any other State.

Sworn to before me
this 1st day of Sept. 1891.
Theiwald Leinhr
Notary Public in
Kings Co Cert filed in N.Y.

Weston Johnson

Court of General Sessions

The People
vs
apt
Weston Johnson

Affidavit vs

Jacob Berlinger
Counsel for Deft
23 Chambers St
N.Y.

1056

1057

Second District Police Court.

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

Hugo Schultz

of Number 184 East 23d street being duly sworn, deposes and says, that on the 24th day of August 18 91 at the City of New York, in the County of New York, he has just reason to believe, and does believe, that Weston Johnson, on the premises situated on Number 157 West 26th street in said city of New York, did willfully and feloniously perpetrate an act of sexual intercourse with a female, called Grace Ford, said female being then and there actually and apparently under the age of sixteen years, to wit of the age of thirteen years, not being his wife, in violation of Section 278 of the Penal Code of the State of New York.

Wherefore the complainant prays that the said Weston Johnson may be apprehended, arrested and dealt with according to law.

Sworn to before me, this 28th day of July 1891

Hugo Schultz

John S. Kelly
Police Justice.

1058

CITY AND COUNTY
OF NEW YORK, } ss.

Grace Ford

aged 13. years, occupation school girl of No.
157 West 26th Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Hugo Stinnes
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 28
day of July 1890, } Grace Ford

John S Kelly
Police Justice.

(3692)

1059

Second. District Police Court.

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

Katherine Ford

of Number 157 West 26th street being duly sworn, deposes and says, that on the 24th day of July 189, ~~at the City of New York~~, in the County of New York, she has visited and seen her son in law, one Weston Johnson and that when she made him acquainted with the condition of her child Grace Ford, he admitted to her in the presence of one George D. Lewis of 960 - 3rd Avenue. and of said Grace Ford, that he had had sexual intercourse with said child and that he is willing to meet any expense connected with the treatment of said Grace Ford and also gave to deponent $10. to go to a Doctor and have child treated.

Wherefore the complainant prays that the said

Weston Johnson

may be apprehended, arrested and dealt with according to law.

Sworn to before me, this 25th *day of* July 189 } Katharine Ford

John C Kelly

Police Justice.

1060

Second. District Police Court.

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

George D. Lewis

of Number 960 - 3d Avenue being duly sworn, deposes and says, that on the 24th day of July 189?, ~~at the City of New York~~, in the County of New York, he has visited and seen one Weston Johnson in company of one Katherine Ford and Grace Ford, and that said Weston Johnson then and there in presence of the said Katherine Ford and Grace Ford, admitted that he has had sexual intercourse with said Grace Ford and that he is willing to meet any expenses connected with the treatment of said child and that he gave $10 to Katherine Ford to take child to a Doctor and have her treated.

Wherefore the complainant prays that the said

Weston Johnson

may be apprehended, arrested and dealt with according to law.

Sworn to before me, this 24 *day of* July 189? } George D Lewis

John S Cole

Police Justice.

Warrant

POLICE COURT 2d DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Hugo Schultz

vs.

Weston Johnson.

CRUELTY TO CHILDREN.

Rape

DATED July 28th 18 69

John T Kelly Magistrate.

Sullivan Clerk.

Schultz Officer.

Witnesses: S. F. C. H.

S. Fellows Jenkins, Supt.,

100 East 23d Street.

Disposition, ...

LEHMAIER & BRO., 83 FULTON ST., NEW YORK.

1062

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Weston Johnson

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. N. S.

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

Answer. 151 West 26th St. 4 years

Question. What is your business or profession?

Answer. Barber and Waiter

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

Answer. I am not guilty
Weston Johnson

Taken before me this 30 *day of* July 1889

[illegible]

Police Justice.

1063

County of Rockland SS: John D. Farrell being duly sworn says that he resides in the City of New York. That he is a Police officer of the 2nd District of said City. That the name of John E. Kelly signed to the annexed Warrant of arrest is the hand writing of John E. Kelly - who is a Police Justice of the City of New York in the County of New York by whom the above warrant was issued.

Subscribed and Sworn to before me this 30th day of July 1891

Geo. H. Wyse
Justice of the Peace

John D. Farrell

The annexed Warrant may be executed in the County of Rockland -

Dated July 30th 1891

Geo. H. Wyse
Justice of the Peace

1064

Police Court 2 District.

CITY AND COUNTY OF NEW YORK, } ss.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the *Police Justices* for the City of New York, by Hugo Schulhof of No. 160 East 23d Street, that on the 24 day of April 188[illegible] at the City of New York, in the County of New York,

One his premises situated on Number 157 West 26th street in said city of New York One Wharton Johnson did willfully and feloniously perpetrate an act of carnal intercourse with a female called Grace Ford, said female being then and there under the age of sixteen years, to wit of the age of thirteen years not being his wife.

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said *Sheriff, Marshals and Policemen,* and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 2d DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 28th *day of* July 188[illegible]

John S. Kelly POLICE JUSTICE.

Justice of the Peace

1065

POLICE COURT 2d DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Hugo Schultz
vs.
Weston Johnson.

Warrant—General.

Dated July 28th 1889

John P. Kelly Magistrate.

F. Hawkes Officer.

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

..... Officer.

Dated July 28th 1889

This Warrant may be executed on Sunday or at night.

John P. Kelly Police Justice.

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

Dated 188

..... Police Justice.

1066

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 Weston Johnson

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Twenty 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 July 31 *18* 91 John E Kelly *Police Justice.*

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated *18* *Police Justice.*

There being no sufficient cause to believe the within named

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

Dated *18* *Police Justice.*

1067

W. 1016

Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Hugo Schultes
vs.
Weston Johnson
2
3
4

Offence Rape

BAILED.

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street

Dated July 30 1882
Kelly Magistrate.
Schultes Officer.
SOCC Precinct.
Witnesses Katherine Ford
No. 157 W. 26th St. Street.
Hugo Schultes 100 E. 23
George D. Lewis.
No. 960 - Third Ave. Street.
Grace Ford.
No. House of Mercy Street.
$ 2500 to answer
Hy 2500 Ef July 31. 2 P.M.

RECEIVED AUG 1 1882 DISTRICT ATTORNEY'S OFFICE

1068

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
Weston Johnson

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

— Weston Johnson —

of the CRIME OF ABDUCTION, committed as follows:

The said Weston Johnson, —

late of the City of New York, in the County of New York aforesaid, on the Twenty fourth day of August, — in the year of our Lord one thousand eight hundred and ~~eighty~~ ninety-one, at the City and County aforesaid, did feloniously take, receive, harbor, employ and use one Agnes Ford, — who was then and there a female under the age of sixteen years, to wit: of the age of — Fifteen — years, for the purpose of sexual intercourse, he, the said Weston Johnson not being then and there the husband of the said Agnes Ford, —

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

~~JOHN R. FELLOWS,~~
~~District Attorney.~~

1069

BOX:
446

FOLDER:
4116

DESCRIPTION:
Jones, Carter

DATE:
08/06/92

4116

Witnesses:

Wm. E. Keating

69 L. J. Moss Fr. Sept. 22/1917

Counsel,

Filed 6 day of Aug 1891

Pleads, Not guilty

THE PEOPLE

vs.

Carter Jones

F Sept 22

DE LANCEY NICOLL,

~~JOHN R. FELLOWS~~,

District Attorney.

Sept 22 1917

A True Bill.

Foreman.

Assault in the First Degree, Etc.

(Sections 217 and 218, Penal Code).

01 01

1071

Police Court— / District.

City and County of New York, } ss.:

William E J Keating

of No. 342 East 117th Street, aged 25 years, occupation Rail Road Guard being duly sworn deposes and says, that on 30th day of April 1889 at the City of New York, in the County of New York, he was violently and feloniously ASSAULTED and BEATEN by

Carter Jones

Nonkere

Who did cut deponent on the neck 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 dealt with according to law.

Sworn before me, this 9th day of May 1889 } Wm E J Keating

Police Justice.

1072

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Curtis Jones 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. Curtis Jones

Question. How old are you?

Answer. 46 years

Question. Where were you born?

Answer. Virginia U.S.

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

Answer. 22 Jones Street 1 month

Question. What is your business or profession?

Answer. Elevated Rail Road Employee.

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
Curtis Jones

Taken before me this 1 *day of* June 1891

Police Justice.

1073

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 D. Fumbers

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 July 10th 1891 Police Justice.

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

Dated July 10 1891 Police Justice.

There being no sufficient cause to believe the within named

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

Dated 18 Police Justice.

1074

Examination June 13
10 A.M.
June 30 9.30 A.M.
July 10 – 10 A.M.

BAILED, Geo. N. Godward
No. 1, by
Residence 233 West 135 Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

1014

Police Court--- 1 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
William E. Keates
Curtis Jones
2
3
4
Offence Felony

Dated June 9th 1891
Hogan Magistrate.
Sergt Robb Officer.
28th Precinct.

Witnesses
No. Street.
No. Street.
No. Street.
$ 500 to answer G.S.
Bailed Asst

1075

1076

No. 1. 408

District Attorney's Office.

PEOPLE

vs.

Edwin Thorn.
~~City Hall station~~
3 ave L. RR.

Sergeant 7 Rott
made arrest.
28 precinct
Steinhardt
Squad

1077

No. 1.

408

District Attorney's Office.

PEOPLE

vs.

Wm J Smith
172 Hamilton ave
Brklyn

Wm Kemble
173 E 117 st.

Isaac H Stoms
1546 - 4 ave
111 & 112 st

Taylor Dodge.
651 - 3 ave

Frank Ramsey
conductor. 3 ave. L RR
129 st & 3 ave

1078

No. 1. 408

District Attorney's Office.

PEOPLE

vs.

Keating agt. C Jones

Joseph Hearn
69 Haley st
saw it astride

W L Irvin 100 E 102 st
saw it

Adolph Davies
9 Battery place
saw it

H Adams 129 st 2 av.
saw it

W J Smith
~~172 H~~ Hamilton av
Bklyn

Wm Kemble
173 E 117 st
Threatened

J H ~~[illegible] 1546~~
Hoon

1079

No. 1. 408

District Attorney's Office.

PEOPLE

vs.

Threatened to get even
Jayler Dodge
651-3 ave

7 Cramsey
Rebellion 129 st - 3 ave

Edw. Shore Sharpsburgh town
City Hall.

Chas Stroth Ramp
25 E 114 st.
saw it

Dr. Bennett
Sewer of the Chamberlain of
Dr. Chapman
" Heyman

1080

DR. R. F. CHAPMAN,
167 East 116th Street.

Office Hours, { 8 TO 9 A.M.
1 TO 2 P.M.
7 TO 8 P.M. }

NEW YORK.

℞ May 16th 1891

I hereby certify that Mr Wm F. Keating cannot yet bear his boy because of the injury which he received April 20th 1891.

R. F. Chapman M.D.

1081

DR. R. F. CHAPMAN,
167 East 116th Street.

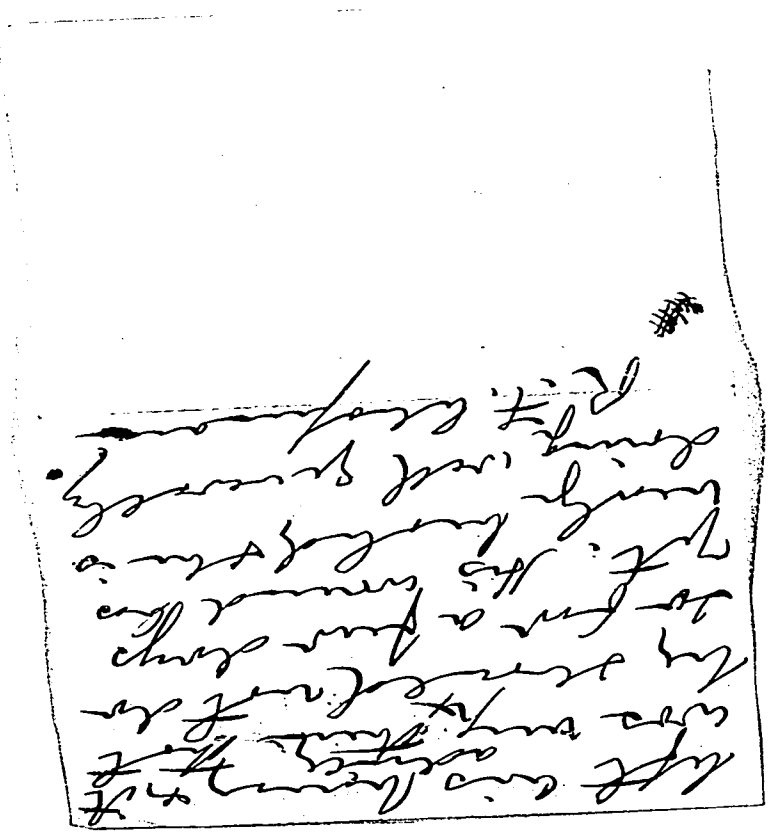
Office Hours, { 8 TO 9 A.M.
1 TO 2 P.M.
7 TO 8 P.M.

NEW YORK.

℞

May 20th 1891

I hereby certify that it is still inadvisable for Mr Wm Kuetting to stand an examination & testify in the matter of the inquiry which is by reason of his fact not able to go [illegible] last night he



2801

1083

DR. R. F. CHAPMAN,
167 East 116th Street.

Office Hours, { 8 TO 9 A.M.
1 TO 2 P.M.
7 TO 8 P.M. }

NEW YORK.

May 12th 1891.

R

I hereby certify that Mr Wm Keathing is still unable to leave his house by reason of the injury which he received April 30th last.

R. F. Chapman M.D.

1084

Sec. 192.

1st District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY OF NEW YORK, } ss.

An information having been laid before Edward Hogan a Police Justice of the City of New York, charging Carter Jones Defendant with the offence of Assault

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

We, Carter Jones Defendant of No. 194 Bleecker Street; by occupation a Porter and George W. Godnaid of No. 233 West 135 Street, by occupation a Secretary Sureties hereby jointly and severally undertake that the above named Carter Jones Defendant shall personally appear before the said Justice, at the 1st District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York the sum of Five Hundred Dollars.

Carter Jones
George W. Godnaid

Taken and acknowledged before me, this 11 *day of* May 1891

E. Hogan
Police Justice.

1085

CITY AND COUNTY OF NEW YORK, } ss.

George W. Godmond

the within named Bail and Surety being duly sworn, says, that he is a resident and free holder within the said County and State, and is worth one Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of house & lot No 679 & 679. Morris Avenue worth $1500 - encumbered for $1000.

George W. Godmond

Sworn to before me this 11 day of 18 [illegible]

[illegible] Police Justice.

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear during the Examination.

Taken the day of 18

Justice.

1086

DR. R. F. CHAPMAN,
167 East 116th Street.

Office Hours, { 8 TO 9 A.M.
1 TO 2 P.M.
7 TO 8 P.M. } NEW YORK.

℞ May 8th 1891

I hereby certify that Wm Keathing of 110 E. 102d St is in my opinion doing well - but is still confined to his bed because of the injury which he received April 30th

Wm. R. Chapman M.D.

1087

DR. R. F. CHAPMAN,
167 East 116th Street.

Office Hours, { 8 TO 9 A.M.
1 TO 2 P.M.
7 TO 8 P.M. } NEW YORK.

May 6th 1891

R.

I hereby certify that the Hon Keeling is totally unable to leave his bed by reason of the injury which he received April 30th ult. Nor is it at all likely that he will be able to leave his house for some days - probably two

1088

dogs for two weeks
Robert F. [illegible] M.D.

1089

DR. R. F. CHAPMAN,
167 East 116th Street.

Office Hours, { 8 TO 9 A.M.
1 TO 2 P.M.
7 TO 8 P.M. } NEW YORK.

Aug 1st 1891

R. Thereby certify that Mr J. Mc Keatting is unable to hear his hand by reason of the injury which he received April 30th 1891

R. F. Chapman M.D.

1090

1091

ROBERT F. CHAPMAN, M. D.,
167 E. 116TH ST.,

NEW YORK, May 4th 1891

I hereby certify that Mr William Keating is still unable to leave his bed or house by reason of the injury which he received a few days ago.

Robert F. Chapman M.D.

1092

The Society of the New York Hospital,
HOUSE of RELIEF, 160 Chambers St.,
New York, May 2d 1891.

This is to certify that Wm Keating on April 30th, incurred an extensive incised wound of side of neck, which was treated at this Hospital after which patient went to his home in the afternoon of April 30th and has not returned for subsequent advice.

Johnston Ransom
Acting for Louis Taylor.

POOR QUALITY ORIGINAL

1093

MANHATTAN RAILWAY COMPANY.

Form 208—4,'91—100,000

TELEGRAPH SERVICE.

From C

To Sergt Robb

189 1

Time, 8 34 a M.

Mrs Husband is unable to appear in court He is not able to speak I expect the Doctor at 2 PM when I will send you the certificate

Mrs Keating

1094

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 4 DISTRICT.

Frank N. Robb

of No. 28 Precinct Police Street, aged years,

occupation Sergeant - being duly sworn deposes and says,

that on the 30 day of April 189 4

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

Carter Jones (now here) on the charge of having committed an Assault upon the body Wm E. J. Keating -

Deponent further says that the said Keating is confined to the Chambers Street Hospital in consequence of said Assault and is unable to appear in Court. Deponent therefore asks that the said Jones may be held to await the result of injuries or untill said Keating can appear in Court - Frank N Robb

Sgt 28 Pct

Sworn to before me, this 30 day of April 189 4

Police Justice

1095

Police Court, 1 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Carter Jones

AFFIDAVIT.

Dated April 30 1891

Magistrate.

Officer.

Witness,

Disposition, Committed June 4th/91
2 30 P.M.
$500.00 bail

Committed without bail to await inquest
C McC
May 1-91 9 AM.
May 2-91 9 AM
May 4 91 9 AM.
May 6 " 9 30 A M
" 8 9 30 A M
" 8 3 P.M
" 11th 2 P.M
June 4th 2 P.M
" 9th 9 30 A M.

1096

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Carter Jones

The Grand Jury of the City and County of New York, by this indictment, accuse Carter Jones of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said Carter Jones, late of the City of New York, in the County of New York aforesaid, on the thirtieth day of April, in the year of our Lord one thousand eight hundred and ~~eighty-ninety-one~~ with force and arms, at the City and County aforesaid, in and upon the body of one William E. J. Keating in the peace of the said People then and there being, feloniously did make an assault and ~~to, at and against~~ him the said William E. J. Keating, with a certain knife ~~pistol then and there loaded and charged with gunpowder and one leaden bullet,~~ which the said Carter Jones in his right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there stabbed, cut and wound ~~shoot off and discharge,~~ with intent him the said William E. J. Keating 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 Carter Jones of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Carter Jones 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 William E. J. Keating in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and ~~to, at, and against~~ him the said William E. J. Keating with a certain knife ~~a certain pistol then and there charged and loaded with gunpowder and one leaden bullet,~~ which the said Carter Jones 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 stabbed, cut and wound, ~~shoot off and discharge,~~ 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,
JOHN R. FELLOWS,
District Attorney.

1097

BOX:
446

FOLDER:
4116

DESCRIPTION:
Joppe, Owen L.

DATE:
08/14/91

4116

163

Witnesses;

Wm M Rain

Robert D Sullivan

Counsel,

Filed 1st day of Aug 188 91

Pleads, B/Guilty,

46 to 60 days
10 days quarter
1 day part

THE PEOPLE

vs.

B

Owen L. Joppe

Grand Larceny
Sep 16/91

PETIT LARCENY.

[Sections 528, 532 —— Penal Code].

DENNIS McCOLL,

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Allen Woodruff
Sep 16/91 *Foreman.*

Pl'd G. Pleds Petit Larceny

Pen 60 days.

1099

(1365)

Police Court— 1 District. **Affidavit—Larceny.**

City and County of New York, } ss.

William H Rain

of No. 232 Fulton Street, aged 30 years,

occupation Book Keeper being duly sworn,

deposes and says, that on the 29 day of April 1891 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

One box containing a quantity of brass and Copper of the value of Fifteen dollars and ninety cents

$15 90/100

the property of William L Rathbun and Copartners

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 Owen L Jolpe

from the fact that deponent is informed by George W Ehlender that he received the annexed order from said defendant on said date to receive the aforesaid property from the Public Store No 402 Washington Street in said City

That said defendant instructed

Sworn to before me, this day of 189 Police Justice.

said Elleadw to take said property thereafter to No 254 South Street in said City which he did and received a receipt for the same

Deponent says that he is further informed by Robert D. Sullivan that he purchased the above described property from said defendant on April 29. 1891 and paid him the sum of $11.85/100 for the same

[illegible]

Sworn to before me
this 8 day of Aug 1891
[illegible] Police Justice

1101

CITY AND COUNTY OF NEW YORK, } ss.

Robert D Sullivan

aged 27 years, occupation Merchant of No. 254 South Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of William C Rain and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 8 *day of* Aug 1890. } Robert D Sullivan

S. J. Crawford
Police Justice.

(3692)

1102

CITY AND COUNTY OF NEW YORK, } ss.

George W. Ehlender

aged 34 years, occupation Foreman of No. 303 W 134th (134th) Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of William C. Rain and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 8 *day of* Aug 1896.

Geo. W. Ehlender

[illegible]
Police Justice.

(3692)

1103

POLICE COURT ..... DISTRICT.

City and County of New York, ss.:

THE PEOPLE,

vs.

Owen L. Joppe

On Complaint of William M. Rain

For Larceny

After being informed of my rights under the law, I hereby waive a trial, by Jury, on this complaint, and demand a trial at the COURT OF ~~SPECIAL~~ General SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated Aug 12 1891

O. L. Joppe

To J. C. Mulldt Police Justice.

1104

Sec. 193—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Owen L Joppe

Question. How old are you?

Answer. 46 years

Question. Where were you born?

Answer. London England

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

Answer. 191 Sutton St B'klyn 3 mos

Question. What is your business or profession?

Answer. Broker

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.
O L Joppe

Taken before me this 12 *day of* Aug 1891

[illegible] Police Justice.

1105

Form No. 6

State of New York, } ss.
COUNTY OF KINGS,
CITY OF BROOKLYN.

Arthur A. Carey of No. 7th Precinct N.Y. City

being duly sworn says that he his acquainted with the handwriting of Daniel O'Reilly

the Police Justice, who issued the annexed Warrant and that

the signature to this Warrant is in the handwriting of said Daniel O'Reilly

Sworn to before me this 17th day of Aug 1891

Arthur A. Carey

Police Justice of the City of Brooklyn.

This warrant may be executed in the City of Brooklyn.

Daniel O'Reilly

Police Justice.

Dated this 17th day of Aug 1891

1106

Sec. 151.

Police Court 1 **District.**

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

Whereas, Complaint in writing and upon oath, has been made before the undersigned, one of the *Police Justices* for the City of New York, by William H Ram of No. 232 Fulton Street, that on the 29 day of April 1891 at the City of New York, in the County of New York, the following article to wit:

One box containing a quantity of brass and Copper

of the value of Fifteen 00/100 Dollars, the property of William L Rattbun & Copartners was taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by O. L Jobse

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said *Sheriff, Marshals and Policemen,* and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 1 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 8 *day of* Aug 1891

[illegible] POLICE JUSTICE

1107

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

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

Dated August 13 1891 [illegible] Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated 18 Police Justice.

There being no sufficient cause to believe the within named

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

Dated 18 Police Justice.

1108

163 N 1070

Police Court--- 1 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William M. Rain
232 Hudson St
1 Owen L. Jeffe
2
3
4

Offence Larceny

BAILED, Aug 22 91

No. 1, by Edward J Kane

Residence 172 Seventh Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated Aug 12 1891

Daniel O'Reilly Magistrate.

Carey Officer.

2 Precinct.

Witnesses George W. Ehlinder

No. 402 Washington Street.

Robert D. Sullivan

No. 250 South Street.

$300 & Aug 13th 10 a M

No. Street.

$ 300 to answer G. S.

& Committed

1109

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Owen L. Joppe

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

Owen L. Joppe

of the CRIME OF PETIT LARCENY committed as follows:

The said Owen L. Joppe

late of the City of New York, in the County of New York aforesaid, on the 29th day of April in the year of our Lord one thousand eight hundred and ~~eighty-nine~~ Gou at the City and County aforesaid, with force and arms,

twenty pounds of brass of the value of fifty cents each pound and twenty pounds of copper of the value of ~~fifty~~ twenty-five cents each pound, and one box of the value of one dollar

of the goods, chattels and personal property of one William L. Rathbun

then and there being found, then and there unlawfully 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