

0054

BOX:

344

FOLDER:

3245

DESCRIPTION:

Walker, Sarah

DATE:

02/28/89



3245

Witness:
off D. J. J. J.

297

Counsel,

Filed

day of

1889

Pleads

Chiquely called

THE PEOPLE

[Sections 322 and 385, Penal Code]

*35 arrested
51 is arrested
5 is arrested*

Sarah Walker

JOHN R. FELLOWS,

District Attorney.

April 13 1889

John Walker

Part III April 15/89

Pleads Guilty

A True Bill. See *affidavit*

see affidavits

L. C. Walker

Foreman.

0056

New York, March 18th 1889.

John Collins and Daniel Walker
who were arrested - entered with
Richard A. Quinlan, three at No
19 Chayste Street - being in the
11th Police Precinct New York City.
has moved and vacated the premises,
and thereby abating the nuisance, and
he has not occupied the said
premises since March 26th 1889

Philip Cassidy
Captain
11th Police Precinct
N.Y. City

0057

Court of General Sessions of the Peace.

City and County of New York.

X-o-o-o-o-o-o-o-o-o-o-o-o-o-o-oX

The People &c. on :

The Complaint. :

of
D i e d r i c h D o k e l. ::

-against- :

S a r a h W a l k e r. :

X-o-o-o-o-o-o-o-o-o-o-o-o-o-o-oX

City and County of New York.SS.

Sarah Walker being duly sworn says I reside at No.
514 Grand Street, New York City. I am the defendant herein.

That I was arrested and charged with keeping a Dis-
ordely House at No.19 Chrystie Street in said City.

That on March 26th 1889. I vacated said premises and
removed therefrom.

Sworn to before me)

April 15th, 1889.)

Sarah Walker

John B. Fraser
Notary Public
nec

N. Y. General Sessions. Court.

The People &c.

against

Sarah Walker.

Defendant

Affidavit and
Certification.

JOHN C. FRASER,

Attorney for Relator.

124 BOWERY,
CORNER GRAND ST. NEW YORK CITY.

To _____ Esq.

Attorney for _____

Due and timely service of
_____ is hereby admitted.

Dated New York, _____ 188

Attorney for _____

0059

Sec. 322, Penal Code.

CITY AND COUNTY }
OF NEW YORK. } ss.

2 District Police Court.

Dietrich W. Lorkel
of No 11 Presner Police Street, in said City, being duly sworn says
that at the premises known as Number 19 Chrystie Street,
in the City and County of New York, on the 9 day of January 1889, and on divers
other days and times, between that day and the day of making this complaint

Jane Doe
did unlawfully keep and maintain and yet continue to keep and maintain a House of
Prostitution and did then, and on the said other days and times, there unlawfully procure
and permit as well men as women of evil name and fame and of dishonest conversation to visit, frequent and come
together for unlawful sexual intercourse, and for the purpose of prostitution and lewdness, and then and on the said
other days and times, unlawfully and wilfully did permit and yet continues to permit said men and women of evil
name and fame there to be and remain ~~drinking, dancing, fighting~~ disturbing the peace, whoring and misbehaving
themselves, whereby the peace, comfort and decency of persons inhabiting and residing in the neighborhood, and
there passing is habitually disturbed, in violation of the statute in such case made and provided.

Deponent therefore prays, that the said Jane Doe
and all vile, disorderly and improper persons found upon the premises, occupied by said
Jane Doe
may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me, this 11
day of January 1889

Dietrich W. Lorkel

J. M. White Police Justice.

0060

Police Court— 3rd District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Richard M. M. M. M.

vs.

AFFIDAVIT—Keeping Disorderly House, &c.

Dated Feb 11 1889

Putnam Justice.

D. M. M. Officer.

47 Precinct.

WITNESSES :

0061

State of New York,
City and County of New York, } 55.

Dietrich W. Bokel

of No. 11 *Premier Police* Street, being duly sworn, deposes and says,
that *Sarah Walker* (now present) is the person of the name of

Jana Doe mentioned in deponent's affidavit of the 11

day of *January* 1889, hereunto annexed.

Sworn to before me, this 14

day of *January* 1889

Dietrich W. Bokel

John Platterson POLICE JUSTICE.

0062

Sec. 151.

Police Court 3 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 Arthur M. Burke of No. 11 Mercer Police Street, that on the 9 day of January 1889, at the City of New York, in the County of New York, John Doe did keep and maintain at the premises known as Number 119 Chryslis Street, in said City, a House of Prostitution and there unlawfully procure and permit as well men as women of evil name and fame, and of dishonest conversation to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution, and there unlawfully and wilfully did permit said men and women of evil name and fame there to be and remain drinking, dancing, fighting, disturbing the peace, whoring and misbehaving themselves whereby the peace, comfort, and decency of persons inhabiting and residing in the neighborhood and there passing is habitually disturbed in violation of the statute in such case made and provided.

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 body of the said

John Doe and all vile, disorderly and improper persons found upon the premises occupied by said John Doe and forthwith bring them before me, at the 3 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 12 day of January 1889

John Doe POLICE JUSTICE.

0063

Police Court— District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

District v. Doherty

vs.

Sarah Walker

WARRANT—Keeping Disorderly House, &c.

Dated *Feb 13th* 188*9*

Patterson

Magistrate.

Doherty

Officer.

11

Precinct.

The Defendant

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

Doherty

Officer.

Dated *Feb 13th* 188*9*

This Warrant may be executed on Sunday or
at night.

Jm Patterson Police Justice.

Dated

188

Police Justice.

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.

The within named

0064

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

3 District Police Court.

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

Question. What is your name?

Answer.

Sarah Walker

Question. How old are you?

Answer.

30 years

Question. Where were you born?

Answer.

South Carolina

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

Answer.

14 Chestnut St 3 mths

Question. What is your business or profession?

Answer.

Stores Keeper

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

and Demand a trial by

Jury

Sarah Walker

Taken before me this

day of *July* 188*9*

Amelia
Police Justice.

0065

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 *Feb 14* 188*9* *J. M. Watson* Police Justice.

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

Dated *Feb 16* 188*9* *J. M. Watson* 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.....188.....Police Justice.

0066

Police Court---

264 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Dietrich W. Winkel

Sarah Wacker

2.
3.
4.

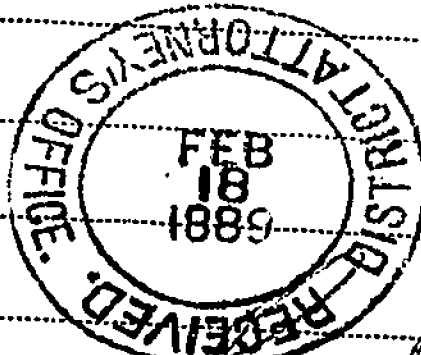
Office *Kuepfer*
Remedy House

Dated *February 14* 1889
J. M. Patterson Magistrate.
Winkel Officer.

Witnesses *Off. George Hancock*
No. *110* Street.

No. Street.
No. Street.

\$ *500* to answer *W. S.*
Bailey *Wanda*



BAILED,

No. 1, by *Jacob Ripp*
Residence *308 Brook* Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

0067

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Sarah Walker

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

Sarah Walker

(Sec. 322,
Penal Code.)

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL-FAME, committed as follows:

The said

Sarah Walker

late of the *10th* Ward of the City of New York, in the County of New York aforesaid, on the *ninth* day of *February* in the year of our Lord one thousand eight hundred and eighty-*nine*, and on divers other days and times, as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

Sarah Walker

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offences on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of and against good morals and good manners, 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

Sarah Walker

(Section 385,
Penal Code.)

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said

Sarah Walker

late of the Ward, City and County aforesaid, afterwards, to wit: on the *ninth* day of *February* in the year of our Lord one thousand eight hundred

0068

and eighty-*nine*, and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep and maintain a certain common, ill-governed house, and in *her* said house, for *her* own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, then and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common nuisance of the said citizens, 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.

THIRD COUNT—

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

Sarah Walker

(Section 322 of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:
Penal Code.)

The said

Sarah Walker

late of the Ward, City and County aforesaid, afterwards, to wit: on the *ninth* day of *February* in the year of our Lord one thousand eight hundred and eighty-*nine* and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for *her* own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in *her* said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, 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.

0069

BOX:

344

FOLDER:

3245

DESCRIPTION:

Walsh, John

DATE:

02/21/89



3245

Witnesses:

Stephen H. Hays
all appears to
the transaction
are persons
of character

7/27

203

Counsel, *D. J. Kelly*
Filed *day of July* 1889
Pleads, *Chargedly*

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

THE PEOPLE

vs.
John Walsh

JOHN R. FELLOWS,
District Attorney.

Filed 24/8/89

A True Bill.

Edwin Shaler
Foreman.

Part II March 6/89.

*Pleads guilty to
murder in the
commission of
murder*

0071

Police Court— District.

City and County } ss.:
of New York, }of No. 238 East 41 Street, aged 24 years,
occupation Car driver. being duly sworndeposes and says, that on the 13 day of February 1889 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

John Wilson (man here)
who struck deponent one violent blow on
the head with a large glass, and he cut
deponent left arm with a knife or some
sharp instrumentwith 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 assailantWherefore this deponent prays that the said assailant may be apprehended and bound to answer
for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 14 day

of February 1889.

Stephen Haysburn.

John Roman Police Justice.

0072

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

John Walsh 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. *John 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. *328 East 39 Street 1 month*

Question. What is your business or profession?

Answer. *Driver*

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

Answer. *I am not guilty the complainant assaulted me, what I done was in self defence, I did not use a knife or other sharp instrument*

John Walsh

Taken before me this *17*

day of *July*

188*9*

John Walsh
Police Justice.

0073

CITY AND COUNTY } ss.
OF NEW YORK,POLICE COURT, 14 DISTRICT.Michael Dolanof the 21. Precinct Police Street, aged 32 years,occupation Police officer being duly sworn deposes and says,that on the 13 day of February 188 9at the City of New York, in the County of New York, Stephen Hayburn

was violently and feloniously assaulted and beaten by John Melch (now here) said Hayburn informed deponent in the presence of said Melch that he Melch cut him on head and wrist with a knife or some other sharp instrument from the effect of the injuries said Stephen Hayburn is now confined to the Bellevue Hospital and unable to appear in Court to make Complaint. Deponent prays that said defendant be committed to await the result of said injuries.

Michael Dolan

Sworn to before me, this

14 dayof February 188 9Henry J. Conner, Police Justice,

0074

250
Police Court

District

THE PEOPLE, & c.

ON THE COMPLAINT OF

vs.

John Meers

AFFIDAVIT

in support of a writ of Habeas Corpus

Held without Bail
to await result
Inquiry and for
Further Examination

Dated

July 14

1889

Magistrate.

Dolan

Officer.

21

Witness,

24

Disposition

New Court taken

July 14, 1889

0075

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 *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 *Feb 14* 188 *9* *John J. Hanna* Police Justice.

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

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

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

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

0076

250)
Police Court--- District. 256

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Stephen Mayburn
vs.

1 *John Walsh*
2
3
4

Adams
Belmont
Offence

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Dated *July 14* 188*9*

Gorman Magistrate.

Michael Dolan Officer.

21 Precinct.

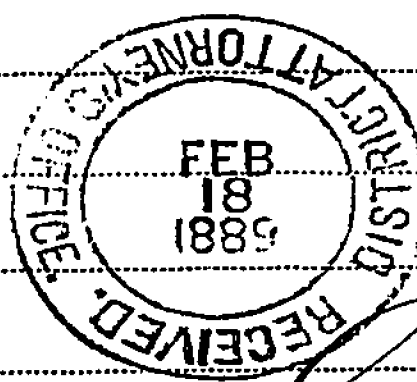
Witnesses

No. Street.

No. Street.

No. Street.

\$ *1000* to answer



Wm. A. ...

0077

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

John Walsh

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. The defendant has a wife and two children of the age of four years and sixteen months respectively. They have been dispossessed from their rooms for non-payment of rent, and are in extremely indigent circumstances in consequence of defendant's imprisonment on the charge preferred by me against him.

Edward Gross
Dep. Asst.

Stephen Hayburn

0078

Court of General Sessions

The People
vs.
John Walsh

Waiver

0079

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 Walsh

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

John Walsh
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

John Walsh
late of the City of New York, in the County of New York aforesaid, on the
thirteenth day of February in the year of our Lord
one thousand eight hundred and eighty-nine, with force and arms, at the City and
County aforesaid, in and upon the body of one Stephen Hayburn
in the peace of the said People then and there being, feloniously did make an assault,
and ~~him~~ the said Stephen Hayburn
with a certain glass and also with a certain knife

John Walsh
which the said
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, ~~the same being means and force likely to~~
~~produce the death of the said Stephen Hayburn~~
with intent ~~him~~ the said Stephen Hayburn
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

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

The said

John Walsh
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 Stephen Hayburn
in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make another assault, and ~~him~~ the said
Stephen Hayburn
with a certain glass and also with a certain knife

John Walsh
which the said

John Walsh
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.

0080

THIRD COUNT—

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

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

The said

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 Stephen Hayburn in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and him the said Stephen Hayburn with a certain glass and also with a certain knife

which

the said

in

his

and

arm

of

him

the said

Stephen Hayburn

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

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.

0081

BOX:

344

FOLDER:

3245

DESCRIPTION:

Ward, John

DATE:

02/11/89



3245

0082

BOX:

344

FOLDER:

3245

DESCRIPTION:

Eagan, Augusta

DATE:

02/11/89



3245

0083

BOX:

344

FOLDER:

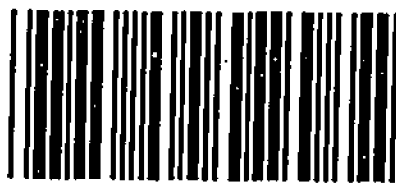
3245

DESCRIPTION:

Burns, William

DATE:

02/11/89



3245

Witnesses:

Jas M. Emmott
J. W. Bailey
22nd March

After a thorough exami-
nation of this case as to
the defendant Augustus
Eager, I do not find
any evidence upon
which a conviction
could be had, and
would recommend
that the indictment
as to him be dismis-
sed.

Henry Hartman
Deputy District
John W. Gaff
Amherst

EXCE. SE. 14th 1889

Bail fixed at
142500. R189
of

Counsel,

Filed

day of

1889

Pleas,

Chargedly

THE PEOPLE

vs.

John Ward
Augusta Eager
and
William B. B. N.A.

Grand Larceny & Robbery
[Sections 528, 584 & 59 Penal Code].

JOHN W. GALL
Amherst

Henry Hartman
Deputy District

John W. Gaff
Amherst

EXCE. SE. 14th 1889

Bail fixed at
142500. R189
of

John W. Gaff
Amherst

Henry Hartman
Deputy District

John W. Gaff
Amherst

EXCE. SE. 14th 1889

Bail fixed at
142500. R189
of

John W. Gaff
Amherst

Henry Hartman
Deputy District

John W. Gaff
Amherst

0085

County of General Sessions of the County of New York

The People of the State of New York

against

John Ward et al.

City County and State of New York ss

Augustus W. Gore being duly sworn says that he was until two weeks ago in the butter and egg business at No 360 West 47th Street in this City until he sold the same. That he is the brother in law of John Ward the defendant above named and knows him for about ten years. That up to the time of his arrest he had always borne a good character for honesty, industry and sobriety. That since his liberation he and said defendant has resided with deponent. That he has been regular in his habits. And for the last 5 months has been employed at the building Workers Church as elevator boy — for J. S. White.

57 & 56 North St and has earned enough money to pay his board which he has regularly paid. That he has slept at home every night during said period, has kept good company, has expressed frequently his repentance for his connection with the crime of which he stands charged. And in every way by his conduct, habits and mode of living indicates a firm purpose of permanent amendment. That he will with the aid of Mr Gore who is his special guardian look after the future welfare of the defendant.

0086

and that he firmly believes that the defendant - has
been connected with his first and last offence against
the laws of this or any other state. He begs for said defendant
the mercy of the Court.

Sworn to before me this }
8th day of January 1890 }

Henry C. Hooney
Notary Public
N.Y.C.

A. W. Loran

0087

City, County, and State of New York ss,

Mary A. Gore being duly sworn says that she is the wife of Augustus W. Gore and resides with him at No 410 W. 44th Street in the City of New York.

That before her marriage she was a teacher in the public schools of the twenty-second ward for many years. That she is the sister of the defendant John Ward and that said John Ward before and after his arrest resided with her. That said defendant has never been arrested for or charged with any offense except the offense of which he was stands charged. That he has always enjoyed a good reputation in the neighborhood in which he has lived since infancy - to wit the neighborhood in which he now lives. That since his liberation on bail he has lived with deponent, he has spent every night at home, returning ^{early at night} and rising early in the morning. That she knows his companions, and knows that he keeps good company, that he is truly repentant for his connection with the present case, and his conduct since his liberation has been such as to indicate that he intends to live an upright life and deponent pledges herself to do all in her power to encourage him in his intentions. Deponent asks for her brother the mercy of the court.

Sworn to before me this

8th day of January 1880.

Henry C. Hooney

Notary Public

7/10

Mary A. Gore

0000

City County and State of New York ss.

John Ward being duly sworn deposes that he resides at No 410 West 47th Street in the City of New York, with his sister Mrs Augustus W. Gorn. That he is employed at present as elevator boy at the building of J. V. White at the corner of Church and Worth Streets in this City. That his salary there is five dollars per week and that he has been employed there for 5 months last past. That he is now nineteen years of age and for the first time in his life charged or connected in any manner whatever with any crime. That he was induced to drink intoxicating liquors ^{in which he was once convicted} in the manner that he got into the present trouble by one Burns, who was an ex-convict a fact which defendant learned only after his arrest and from some of the police officers. That he sincerely repents of his connection with this crime and has in every way since his liberation on bail avoided the occasion of crime in any of its forms. That so far as he was able he made restitution of everything taken - and gave the police all the information in his power which he believed would lead to the capture and conviction of the co-defendant Burns. That he pledges himself by his future life to atone for the wrong he has done to the individual, society and his family - and further swears that he throws himself upon the mercy of the court.

Sworn to before me this

9th day of January 1890

Henry E. Hoover
Notary Public &c

John J. Ward

City, County and State of New York S.S.

Michael Ryan being duly sworn says that he resides at No. 605 W. 47th St. in the City of New York and his business is that of a contractor at No. 605 W. 47th St. in said City and has been in said business for about 25 years last past. That he knows John Hard the defendant herein all his life and knows others who know him, that he has always heard him spoken of in the highest terms and knows his reputation for honesty to be good. He would willingly take him into his employ if he were discharged from this charge and unemployed.

The defendant being a resident and citizen of the city of New York for 38 years last past - Deponent firmly believes that the ends of justice would be fully met by a suspension of sentence in this case and the said John Hard given an opportunity to redeem himself.

Sworn to before me

This 8th day of Jan.
uary 1890

Michael Ryan

Henry C. Hooper

Notary Public

N.Y.C.

N. Y. General Sessions.

The People vs.

against

John Ward.

Appointed as to defendants.

Counsel,

James Grosvenor.

Counsel for defendant.

25 Chambers St.,

N. Y. City.

0090

New York General Sessions

The People of the City and State of New York
Against
John Ward

City Council and State of New York ss.
I, Augustus W. Gore being duly sworn
say that he resides at 410 N. 47 St. in the
city of New York and is in the Butter and
Egg business at No. 310 N. 47 St. in said
city and has been in said business
for about two years and one-half last
past. That he knows John Ward the de-
fendant herein for ten years last
past and knows others who know
him. That he has always heard him
spoken of in the highest terms and
knows his reputation for honesty
to be good. Before me would take him
into his employ if he were discharged
sworn to before me

this 19 February 1889

Hubert Beck

Notary Public

N.Y. Co 77

A. W. Gore

New York General Sessions

The People of the State of New York
Against
John Ward

City Council and State of New York
City of New York, being duly sworn says
that he resides at 408 W. 12th St.
City of New York and is in the City at
55th Street & 10th Avenue in said City and has been
in said business for seven years last
past. That he knows John Ward the
defendant herein for six years last
past, and knows others who
know him, that he has always heard him
spoken of in the highest terms and
knows his reputation for
to be good.

Sworn to before me
this 19th day of February
1889
Hubert Beck
Notary Public
N.Y. Co 77

Alfred Schütz

New York General Sessions

The People of the State of New York
 Against
 John Ward

City Council and State of New York ss.
 Wm R. Perillige being duly sworn says
 he resides at 1876 - 9 Ave in the
 City of New York and is in full employment
 I Wm R. Perillige in this city has been
 in said business for four years
 last past that he knows John Ward
 the defendant herein for four years
 last past and knows others who know
 him, that he has always heard him
 spoken of in the highest terms, and
 knows his reputation for honesty
 to be good.

Sworn to before me this 19 day of

February 1889

Hulbert Dick
 Notary Public
 N.Y. Co 97

Wm R. Perillige

0094

New York General Sessions

The People of the State of New York
Against
John Ward

City County and State of New York ss.
Edward Ryan being duly sworn says
that he resides at 1213 W 40th St. the
City of New York and is in Clerk of
Edwards Ex. No. 42 ^{stake} said City and
has been in said City for years
years last past that he is acquainted
The defendant herein for (8) ^{Eight} years
last past and knows others who know
him, that he has always heard him
spoken of in the highest terms and
knows his reputation for honesty
to be good.

Sworn to before me this 19 day of
February 1889
Hubert P. K.
Notary Public
N.Y. Co 77

Edward D. Ryan

New York General Sessions.
 The People of the State of New York.
 Against
 John Ward

City County and State of New York ss.
 Walter Sutton being duly sworn says
 that he resides at 875 8th Ave in the
 City of New York and is Stock Clerk at
 49 Exchange Pl. in said City and
 has been in said business for two years last
 past. That he knows John Ward the
 Defendant for four years last
 past and knows others who know him
 that he has always heard him speak
 of in the highest terms and knows his
 reputation for honesty to be good.

Subscribed and sworn to before me

this 19th February
 1889

Herbert Peck,
 Notary Public
 City Co 77

Walter L. Sutton

0096

New York General Sessions

The People of the State of New York
Edmund
John Ward

City County and State of New York
Edward Thompson being duly sworn
says that he resides at 769 Ninth Avenue in
the City of New York and is a State Clerk
at 769 9 Ave in said City has
been in said business for 3 years
last past but he has known the
the defendant herein for ten years
last past and knows others who know
him, that he has always spoken of in the highest terms and
knows his reputation for honesty
to be good.

Sworn to before Edgar J. Thompson
Witness 19 day
February 1889
Hubert P. P.
Notary Public
N.Y. Co 77

New York General Sessions.

The People of the State of New York
Against
John Ward

City County and State of New York ss.
Christopher M. Cormack being duly sworn says
that he resides at 344 W. 48th St. in the City
of New York and is a truckman at
63rd St. & 8th St. in said City and has been
in said business for years last
past. That he knows John Ward the
defendant herein all his life and
he knows others who know him, that
he always heard him spoken of
in the highest terms and knows his
reputation for honesty to be good.

Sworn to before
me this 19th day of February 1889
Hubert Beck
Notary Public
N.Y.C. 77

Yours Respectfully

Christopher M. Cormack

New York General Sessions

The People of the State
of New York
against
John Ward

City and County }
of New York } ss

R. Delany Whiting being
duly sworn says: That he is an attor-
ney at law residing in the City and
County of New York. That he has been
the attorney for the family of the
above named defendant for the last
three years and that during that time
he has never known of any conduct
upon the part of the defendant unbecom-
ing a gentleman, nor has he ever
heard of any dishonest act upon
part of the defendant.

Sworn to before me

R. Delany Whiting

this 20th day of February 1889

Horace G. Lansing

Notary Public

Thayer & Co

0099

New York General Sessions.

The People of the State of New York.

John Ward.

City County and State of New York s.d.
Charles Hunsdel being duly sworn says
that he resides at 503 West 49 St, in the
City of New York and is in business at
536 W 42 W 46 St. in said City
He has said business for about Three years
and that he has known John Ward
before he came here in New York Three years last
past and knows of his character and knows
that he has always been spoken of in the highest terms and knows his
reputation for honesty to be good.
(I would take him into
business if he were discharged)

Charles Hunsdel

Subscribed to before me
this 19th day of February 1889

Joseph St. John
Notary Public
N. Y. Co.

New York General Sessions.

The People of the State of New York.

Against -
John Ward.

City County and State of New York ss
Frank J. McKee being duly sworn
says that he resides at 355 W. 47 St. in
the City of New York and is a Massener
office at residence no. 355 W. 47 St. and has
been in said business for about fifteen
years last past. That he knows John Ward
the defendant herein for one and one-half
years last past, and knows others who
know him, that he has always heard
him spoken of in the highest terms and
knows his reputation for honesty to be
good.

Sworn to before

on this 19 day of
February 1889

Hubert Peck
Notary Public
N.Y. Co 77

Frank J. McKee

N. Y. General Sessions.

The People &c.

against

John Ward.

Affidavits of Chenametz.

James J. Walsh.

Attorney for Defendant.

25 Chambers St.,

N. Y. City.

STATE OF NEW YORK.

In The Matter of William Burns,
A Fugitive from the Justice of
The State of New York.

City and County of New York, ss:--

Joseph M'Dermott being duly sworn deposes and says:
I am the principal complaining witness against the above-named fugitive, John Ward and Augusta Bagan, against whom an indictment was found by the Grand Jury of this county on the 11th day of February, 1880, for grand larceny in the first degree, in having on the 30th day of December, 1883, stolen certain of my goods, chattels, and personal property, valued at upwards of Five Hundred dollars (\$500).

The circumstances as to the commission of the above crime are as follows:--

On the evening of the 29th day of December, 1883, I met said John Ward and William Burns at the corner of 47th street and 3th Avenue, in the city of New York, and was induced by them to visit the premises No 241 West 60th street, in which premises I met the said Augusta Bagan. I remained in the said premises up to about half past twelve o'clock on the morning of the 30th of December in company with the above mentioned persons, when the said John Ward and William Burns suggested that I should go to bed with the said Augusta Bagan, and upon her accepting the proposition I undressed myself in the parlor of the said premises, placing my clothing upon a

2.

chair and then retired to the bed room adjoining the parlor where I found the said Ward who engaged me in conversation. While so engaged Burns and the said Augusta Egan were conversing together in the parlor.

About ten minutes afterwards the said Augusta Egan came into the room and Ward left, and the said Augusta Egan and myself then went to bed together.

At 6-30 o'clock in the morning of the same day I awoke and upon an examination of my clothing found that my goods described in the above indictment herein, and consisting of a diamond pin, gold watch, chain and locket, and pair of diamond sleeve buttons, one diamond collar button, and my coat and vest had been taken away. Ward and Burns were both in the said premises at the time I retired that night.

At this time and for some time prior thereto the said Burns had resided on the West side of 7th Avenue between 56th and 57th streets in this city, but as I am informed, and verily believe, since said 30th day of December, 1898, he has remained away from his residence.

I am informed ~~that the sister of the said Burns has since the commission of the said crime called at the 22nd precinct station house, and representing that she came at her brother's request, undertook on his behalf to restore the property stolen and to appear and testify against the defendant Ward, in case Burns should be protected from prosecution, and also that the said sister of defendant Burns has had various conver-~~ that the sister of the said Burns has since the commission of the said crime called at the 22nd precinct station house, and representing that she came at her brother's request, undertook on his behalf to restore the property stolen and to appear and testify against the defendant Ward, in case Burns should be protected from prosecution, and also that the said sister of defendant Burns has had various conver-

5.

sations with other officers in which, as well as at the time of her visit to the station house, she stated that her brother William Burns was residing at 331 Railroad Avenue in the city of Jersey, situated in the state of New Jersey.

I am informed by various police officers connected with the 22nd precinct that Burns has a very bad reputation, and that about six months before the commission of this crime he was released from the State Prison of Sing Sing, after serving a sentence for larceny from the person committed in the city of New York.

The said John Ward was tried in the Court of General Sessions of the Peace of this county on the 3th day of April, 1899, and as I am informed the jury disagreed standing nine for conviction and three for acquittal.

On the 15th day of February, 1900, on the recommendation of the District Attorney, stating that he could not find any sufficient evidence upon which a conviction of the defendant Augusta Eagon could be had the indictment as to her was dismissed.

From the matters herein-above stated I charge that the defendant William Burns has fled from the jurisdiction of this state for the purpose of avoiding prosecution for the crime which he has committed here, and that he is now in the said city, ^{and state} of Jersey, a fugitive from justice.

This application is made in good faith for the sole purpose of punishing the accused, and I do not desire or expect to use this prosecution for the purpose of col-

4.

lecting a debt, or any private purpose, and will not directly or indirectly use the same for any of said purposes.

Sworn to before me this

17 day of May 1899.

William J. McElroy
County Clerk
City of New York
 Joseph M. C. Demott

City and County of New York, ss:-

Michael J. McNulty being duly sworn deposes and says:--I am a police officer attached to the 22nd precinct of this city; I have read the foregoing affidavit of Joseph M. C. Demott and the matters therein stated on my information are true.

I know the reputation of the said William Burns to be bad.

From statements made to me by William Burns' sister I verily believe the said Burns is now in the said Jersey City, in the state of New Jersey, a fugitive from the justice of this state, and that he will not return to this city except upon extradition proceedings.

Sworn to before me this

17 day of May 1899.

William J. McElroy
County Clerk
City of New York
 Michael J. McNulty

Dec 23, 1869.

Mr Andrew S. Parker.
Asst. Dist. Attorney.

Dear Sir:

It is now three weeks since you have taken the Ward case in hand and it seems to be no further ahead.

The last time I saw you, you seemed to be very anxious to go on with it. Will it be necessary for me to call on you again to have it placed on the Calendar?

If Counsel for the Defendant asks for an-

0107

other adjournment which
he has already done three
times why not ask Judge
Giddens to fix a partic-
ular date for the case and
have it disposed of.

By giving this
strict attention I remain

Yours respectfully

John McDermott

Supt. 35th Prec.

P.S. Kindly let me hear
from you at

Ref to

Mr. Giddens.

W.D.

31 West 99 St.

Court of General Sessions
The People vs
John Ward

Grand Jurors.

City of New York

John Murphy, being duly sworn, deposes & says:

I reside at 1629 Broadway, in this city. On Saturday night, 29th of December 1888, I was attending my father-in-law's wake. At about 11.45 on that night Joseph M. Dermott, the informant herein, & the defendants Ward & Byrnes, came to the wake. The said two defendants introduced Mr. M. Dermott as their ~~defendant~~ friend. Some time after, about 12 o'clock midnight, I went out of the house to get some beer. While I was going down stairs, I met four or five ^{men} on the stairs, among them ^{said} Ward & Byrnes. As I passed the group going down stairs I heard said Ward say: "I'm going to get that for a lot a be."

Sworn to before me
this 12th day of November,
1889.

John Murphy

0109

PART III.

THE COURT ROOM IS IN THE FIRST STORY.

If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York
To Henry Wimmer
of No. 141 West 3rd Street,

Ask to see Mr. Hartman
at 11 o'clock A.M.

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park in the City of New York, on the 23^d day of March 1889, at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

John Ward
Dated at the City of New York, the first Monday of March
in the year of our Lord, 1889.

JOHN R. FELLOWS, District Attorney.

0110

PART I.

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK.
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York.

To Augusta Egan
of No. 1530 N. 35 Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the

JANUARY ¹⁸⁹⁰ ~~1889~~ at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

John Ward
Dated at the City of New York, the first Monday of JANUARY
in the year of our Lord, ¹⁹⁰⁰ ~~1889~~.

JOHN R. FELLOWS, *District Attorney.*

01111

Should be assigned in Office about
If inconn state this e
If ill wh
Attorney's
If you K
fore the M
was not r
District A

PART I.

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK.
If this Subpena is disobeyed, an attachment will immediately issue.
Bring this Subpena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS]

In the Name of the People of the State of New York.

To *Mrs Douglas*
of No. *530 N. 35* Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the *7* day of *JANUARY* *1890*, at the hour of *11* in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against *John Ward*

Dated at the City of New York, the first Monday of *JANUARY* *1890* in the year of our Lord, *1889*

JOHN R. FELLOWS, *District Attorney.*

0112

Should the case be assigned in Court, please Office about it, and if If inconvenient to state this early to the If ill when served, please Attorney's Office. If you know of more before the Magistrate, or was not there brought District Attorney or on

Court of General Sessions

THE PEOPLE

vs.

John Ward

City and County of New York, ss:

James Smith being duly sworn, deposes and says: I reside at No. 304 East 37th Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the City and County of New York. On the 6 day of Decr 1890, and on several other occasions, I called at 330 West 35th St.

the alleged residence of Mrs Douglas & Augusta Egan witnesses the complainant herein, to serve them with the annexed subpoena, and was informed by

the housekeeper of said premises that said witnesses had removed therefrom over a year ago. She did not know where they had removed to.

I could not obtain any other information respecting said witnesses' whereabouts, although I made all possible effort to obtain such information.

Sworn to before me, this 7 day of July 1890

Thos G. Maguire
Commissioner of Supd. N.Y.C.

James Smith
Subpoena Server.

Court of General Sessions.

THE PEOPLE, on the Complaint of

vs.

John Ward

Offence :

JOHN R. FELLOWS,

District Attorney.

Affidavit of

James Smith

Subpoena Server.

Failure to Find Witness.

0113

Court of General Sessions New York County

The People vs

vs

John Ward et al.

City, County, and State of New York ss.

John Ward being duly sworn says that he resides at No 410 W 47th Street in the City of New York and is one of the defendants in this case jointly indicted with Augustus Eagan. That defendant expects to prove among other things by Augustus Eagan who was present during the whole of the night that the larceny from complainant is alleged to have taken place, that if any larceny was committed at all it was committed by one William Burns. Said Augustus Eagan was discharged on the 16th day of February 1889 and at that time promised defendant to be present at his trial if subpoenaed. She said she could be found at 89th Street near Greenwich Ave over a barber shop and on a former occasion when this case was in the calendar deponent served her at said place with a subpoena which she received and promised to come, deponent went to the same place on the 23rd of March accompanied by Walter Sutton for the purpose of subpoenaing said witness again but ascertained

that she had moved and had left no address.
 Deponent then went to see ^{one} Tuley who knows where
 said Augusta Eagan lives but he refused to say
 where she lived. Deponent thinks he can produce
 said Augusta Eagan within a week or if not can
 obtain the process of the court to compel said Tuley
 to disclose her whereabouts. And further believes it
 would be certainly unsafe to go to in defense without
 said witness. Deponent never requested that this
 case should be adjourned heretofore.

Sworn to before me at }
 25th day of March 1889 }

John J. Ward

James P. Davenport
 Assistant Clerk of Court General Sessions

N. Y. General Session

The People.

15

John Ward,

Applicant - for adjournment at deft's request.

James Stratton,
Counsel for Defi.

Ms 23 Chamber N.
N. Y. City.

District Attorney's Office.

List of Witnesses,
PEOPLE

vs.

John Ward

21st St.

Joseph McDermott.
46 W. 65.

Off. Riley. 22nd
" McKinley 22nd

Henry Weiner.
141 W. 52

Augusta Eager.
542 W 50 - basement.

Mrs Douglas.
S. W. Cor. 10 Ave & 47th St
Top Floor.

John Murphy
316 W 49

John McGarry
706 9th Ave.

John Hancock.
Saucer Dyceman 164 E 34.

0118

you would send an officer to arrest him.

I saw Officer McGinley of the 22nd Precinct yesterday and he asked me to notify you at once that if he is given the necessary time and warrant he would have the man in custody as he knows where he is stopping in Jersey City.

I wish you would communicate with the officer at your earliest convenience, as undoubtedly he can get the man.

He is also able to identify him, having made his acquaintance when arrested before.

Trusting you will do this.

Remain me

46 West 65 St. Joseph McDermott

0119

May 12, 1889.

Mr Jos R. Fellows
District Attorney

Dear Sir

I'm regard to
my case against John
Ward, (now on bail) and
Wm Burns (not yet cap-
tured). I wrote you some
time ago that the latter
was known to be in
Jersey City. You replied,
if I could locate him

0120

Mr. Goff has
papers in with
Case
Douglas

0121

District Attorney's Office.

PEOPLE

vs.

To Andrew
and John
Lester & Anne
Kirkland
Wm. S. Reed
Wm. D. Spence
J. J. Fultz - 7/24
Post to blage
James McLaba
Chief Clerk
re. 6/24/21

0122

District Attorney's Office.

PEOPLE

U.S.

Went to

Charles R. ...

2.2. $\sqrt{f(x)}$

I am very glad to hear that you
 are getting on well. I hope you will
 be able to come to the house
 on 8th June + 4 days
 I am very glad to hear that you
 are getting on well. I hope you will
 be able to come to the house
 on 8th June + 4 days
 I am very glad to hear that you
 are getting on well. I hope you will
 be able to come to the house
 on 8th June + 4 days

They don't like to get the
WTPs & also to have to go
to the clinic to a nurse,
then back to A.C. —

0123

District Attorney's Office.

2

PEOPLE

vs.

James (Admiral) Rogers on
60th St. went to her
room, had something
to drink, Rogers and
Campbell went to
bed. Campbell at
last got up and
was going to bed
for his clothes and
found some money
lying, also found
his jewelry. James
from descriptions
James ~~was~~

Was not much
at 50 W. 25th St.
- 2d. by off. M. D. who
who was in the
case with me

District Attorney's Office.

3

PEOPLE

vs.

On June 2/87 an
 order from the
 Ward to some of the
 him if he would stop
 with the other men
 tied as a rule. Com-
 plainant was told
 him in many ways
 he then told him ^{he gave}
 the fine ~~he gave~~ ^{he gave}
 to —
 to keep for him,
 When we got to
 S. H. a female boy
 came and handed
 me the fine. I got
 one cent for it
 and went at

0125

District Attorney's Office.

PEOPLE

vs.

*Widow D. D. D. 1550
W. 3500 St. 3. In the
and the court
by D. D. D. 1550, and
identified by com-
plaintants*

0126

District Attorney's Office.

Part One

PEOPLE

vs.

John Ward

December 11th 1889

Everything issued

Dec 5th 1889.

{ Counsel } Bail also
Personal { notation

Case of J. Dec 11/89 by court,
on counsel's statement that he was
actually injured in the trial of a
murder case. A.D.

0127

District Attorney's Office.

PEOPLE

vs.

104.

2nd 2nd 2nd 2nd

2nd 2nd 2nd 2nd

2nd 2nd 2nd 2nd

1x

1-2-3-4-5-6-7-8-9-10

Murphy

29/11

2nd 2nd 2nd 2nd

2nd 2nd 2nd 2nd

2nd 2nd 2nd 2nd

2nd 2nd 2nd 2nd

0128

District Attorney's Office.

PEOPLE
vs.

John Ward.

Don't put this case on your
bill you ascertain posi-
tively whether all witnesses
are within reach.

Nov 11/89

Atty

0129

District Attorney's Office.

1

PEOPLE

vs.

2
William Wainwright

Answer:

On Dec 21/32 at 5 P.M.
at my home 141 West 52nd
St. Ward came to see
how I was getting along
as I had been sick,
he then handed me a
scarf pin, which to the
best of my knowledge
had on it a cluster of
diamonds, and asked
me to keep it for him
until he came for it.
I told him I would
do so. I put it in a
bureau drawer and
remained there until
next day, about 10:30.

0130

District Attorney's Office.

✓

PEOPLE

vs.

After meeting day I went to Of-
 fice. Kinsey, who had
 words with him, the
 Officer asked me if
 I had the pin and
 me, I told him no
 it was in his house
 house, he told me to
 go home and get it
 and he delivered it
 to him. I went home
 got the pin and a
 bureau door was open
 it to a boy named
 less to take to Office
 Rieley. On Jan 12
 was in Yorkville Ga
 saw the pin given me
 by Ward, and given to
 Charles by me to give Rieley

0131

District Attorney's Office.

3

PEOPLE

vs.

*in the County of ...
his ... and ...
...*

TORN PAGE

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

188...

People v. John Ward et al.

1. Joseph Mc Dermatt - ^{Complainant} 767 8th Ave -
Railroad Club - 30th Dec - night
time met Ward & Burns - 47th St &
8th Avenue - lost money - they found it - said
State conversation & they asked him to go to wake
went to Augusta Egan's house -
241 W. 60th St - drank there - with
defts - until 12.30 - am -
Prove what he had on his person
Mei - & Value Describe rooms -
Defts requested me to go to bed with
Augusta - took clothes off - containing
property - put them on chair in Parlor -
Ward was in parlor - talked with him -
& other defts -
10 min. after the woman came to bed
room - woke up 6 1/2 am - found
property stolen, etc. -
Got back pen & coat &
Cent -

By sec 547 the market value of the
thing stolen is found its
true value.

TORN PAGE

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

188...

Officer Reilly. 22nd Precinct.

Saw Complainant Jan 1/89
at Stalini house - talked with him -
as result of conversation - Ward was
arrested by Officer McGinley.

I talked him Jan 2/89 on way
from Court if he would tell
where the stolen articles were
Complainant would help him in
any way he could - He then told
me he gave the pin - to -

to keep for him - when we got to the
Stalini house a small boy came
and handed me the pin -

Ward told me could find coat
& vest at Widow Douglass' 550
W. 35th St. I went there and the
coat and vest was handed me
by little girl -

Officer McGinley - 22nd Precinct
arrested Ward at 550 W. 35th
Street -

Ward's name is all by name was

0134

Police Court—4 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Joseph Mc Dermott
of No. 467 8th Avenue Street, aged 21 years,
occupation Rail Road Clerk being duly sworn

deposes and says, that on the 30 day of December 1888 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:

one Diamond Pin of the value of one hundred & fifty dollars
one gold Watch with Gold Chain & Loops attached
of the value of two hundred & seventy five dollars
one pair of Diamond Earrings Buttons
of the value of forty dollars
one diamond Collar Button of the value of
forty dollars
one Coat & Vest of the value of forty five dollars
said property being in all of the value of
five hundred and fifty dollars \$550⁰⁰/₁₀₀
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 Ward, Augusta Egan
(both named) and William Burns who
arrested, from the fact that in the evening of
the 29th day of December 1888 deponent met
said John and William on the corner of 47
Street & 8th Avenue, and they induced
deponent to accompany them to premises
241 West 60th Street, in which premises deponent
met the defendants Augusta Egan,
then while in said premises deponent and
all said defendants were drinking Ale
up to about 12 1/2 O'clock in the morning
of the 30th of December 1888. That all
said defendants requested deponent to
go to bed with said Augusta, and

Sworn to before me, this

day

Police Justice

Dependent accepted said invitation.
 Dependent undressed himself in the Parlor
 lying the clothing upon a chair which at
 that time carried said property.
 Dependent after being undressed went in the bed
 Room adjoining the Parlor in which Room
 dependent found said defendant Maria,
 who then & there engaged dependent in conversation.
 That said other defendants were at that time
 in said Parlor. That about 10 minutes after
 that said Augusta came to said bed Room
 and went to bed.
 That at the hour of 6 1/2 o'clock in the evening
 of said 30 day of December dependent awakened
 and then & there discovered that said
 property was stolen & carried away.
 Dependent is informed by Henry Weimer of No.
 141 West 52nd Street that on Sunday the
 31st day of December 1888 said defendant
 Maria gave him a Diamond Pin (here shown)
 which said dependent identifies as a part
 of the property stolen from dependent.
 Dependent charges that said three defendants
 did act in concert with each other in
 taking and stealing dependent's property
 whereupon dependent brings that said
 defendants be dealt with as the
 law directs.

Sworn to before me this 1st day of January 1889
 Joseph W. Maderewitz
 Notary Public
 Joseph W. Maderewitz

0136

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John Ward 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 Ward*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *Murray*

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

Answer. *I refuse to answer.*

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 have nothing to say*

John J. Ward

Taken before me this

day of

1889

Police Justice.

0137

Sec. 198—200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Augusta Egan*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *Albany New York*

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

Answer. *New York*

Question. What is your business or profession?

Answer. *Laundry Woman*

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. *all I have to say is I
was fast asleep when the property
was taken, when I woke up
the two men were gone*

Augusta Egan
New York

Taken before me this

day of *January* 188*9*

John J. Warner
Police Justice.

0138

CITY AND COUNTY }
OF NEW YORK, } ss.

Harry Weiner
aged 19 years, occupation Driver of No.

141 West 52nd Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Joseph E. Bennett

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this

day of

188

Harry Weiner

Joseph E. Bennett

Police Justice.

0139

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.....

John Mark My Augusta Engle

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

Dated January 1 1889 John H. Hunter Police Justice.

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

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

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

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

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 Ward, Augusta Eagan and William Burns

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

accuse

John Ward, Augusta Eagan and William Burns

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

The said

John Ward, Augusta Eagan and William Burns, all

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

one pin of the value of one hundred and fifty dollars, one watch of the value of one hundred and fifty dollars, one chain of the value of seventy-five dollars, one charm of the value of fifty dollars, two steel buttons of the value of twenty dollars each, one collar button of the value of forty dollars, one coat of the value of thirty-five dollars, and one vest of the value of ten dollars

of the goods, chattels and personal property of one

Joseph Mac Dermott

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.

SECOND COUNT—

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

John Ward, Augusta Eagan and William Burns
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said *John Ward, Augusta Eagan*
and William Burns, all

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 pin of the value of one hundred and fifty dollars, one watch of the value of one hundred and fifty dollars, one chain of the value of seventy-five dollars, one charm of the value of fifty dollars, two sleeve buttons of the value of twenty dollars each, one collar button of the value of forty dollars, one coat of the value of thirty-five dollars, and one vest of the value of ten dollars
of the goods, chattels and personal property of one *Joseph Mac Dermott*

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said *Joseph Mac Dermott*

unlawfully and unjustly, did feloniously receive and have; the said *John Ward,*
Augusta Eagan and William Burns

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

JOHN R. FELLOWS,

District Attorney.

0143

BOX:

344

FOLDER:

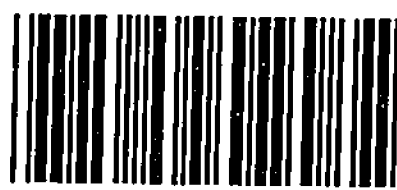
3245

DESCRIPTION:

Waring, F.W.R.

DATE:

02/27/89



3245

0144

Witnesses:

Carrie W. Clark
Wm. C. Cunningham

Counsel,

Filed, *29* day of *Feb* 1889
Pleads, *Guilty*

THE PEOPLE,

vs.

ILLEGAL PRACTICE OF PHYSIC.

1/6
F. W. R. Waring
alias
Thomas McGowan

JOHN R. FELLOWS,

District Attorney.

72 *mar 11/89*
pleads guilty *25.*
S.P. 5 yrs.

A True Bill.

[Signature]
Foreman.

Part 2. Search of file
request

0145

COURT OF GENERAL SESSIONS.

THE PEOPLE

against

F. L. W. W A R I N G.

WILLIAM A. PURRINGTON, being duly sworn says:

I am a Counsellor-at-Law and retained by the Medical Society of the County of New York as its Counsel. My office is at No. 63 Wall Street in said City.

On August 8th 1887 the above named defendant was convicted in General Sessions upon an indictment procured by me in behalf of said Society charging illegal practice of medicine and fined by JUDGE GILDERSLEEVE One hundred dollars, which fine was worked out as I believe, on information given by the Society's agent, in the penitentiary. Previous to that conviction in the year 1885, I had several times brought the law to his notice and he had replied saying that he was about to leave the county. His original letters are hereto annexed (Annex A).

On November 10th, 1886, as I am informed and believe, he was tried in this Court upon an indictment charging him with manslaughter, the jury disagreed and on February 25, 1887, he was again tried on the same indict-

I

I

ment. Again the jury disagreed and on February 27, 1887, he was discharged on his own recognizance. That indictment I believe is still in force.

On both occasions when defendant has been arraigned on the complaint of said Society he has been in a deplorable state of filth and alcoholism. On the last occasion one side of his face was a great bruise from a blow given, as defendant informed the officer, by his "wife".

I have seen Dr. THOMAS McGAHAN, whose name defendant has feloniously assumed and persisted in assuming until the jury was impanelled when he learned that said McGAHAN was in Court to confront him, said McGAHAN is an old man and holds the diploma of the Royal College of Surgeons of Dublin, dated 1852.

Defendant said to me in the Police Court that his true name was McGAHAN but that he pleaded to a previous indictment as WARING for "family reasons" that no longer existed.

Sworn to before me this :

23 day of March, 1889.:

W. E. Waring

Alfred A. P. P. P.
Notary Public

Shun e

Authenticated in NY &

0147

COURT OF GENERAL SESSIONS.

THE PEOPLE

against

F. L. W. W A R I N G.

CITY AND COUNTY OF NEW YORK, SS:

JAMES and CASSIE McCABE,
residing at No. 35 West 103^d Street in the City of New
York, being each of them duly sworn depose and say as
follows:

I, JAMES McCABE, am the brother of MARY McCABE,
who has been for some time an invalid. Having been in-
formed t hat one THOMAS McGAHAN residing in West 146th
Street in said City was a good physician I employed him
to attend my said sister. He visited her and declared
that she was curable and that he would guarantee to cure
her within four weeks. He attended her as a physician
for some nine weeks, and gained considerable influence
over her by his positive assurances of his skill in the
profession of medicine and his ability to cure her.
Finally he became so overbearing in manner, offensive by
reason of intoxication, that it was necessary to order
him from the house. This I did. He continued to return
in my absence, to the great annoyance of my other sister

0148

Miss CASSIE McCABE, and eventually had to be forcibly ejected. He would procure money from the invalid and resorted to threats of violence. He went so far as to bring with him a woman whom he alleged to be his wife, whose presence was not desirable in the house. At length as a measure of protection the case was brought before the Medical Society of the County of New York. The man at first excited my sympathy by representations that he was of great ability in his profession, but in adverse circumstances. I have since discovered him to be a drunkard, an impostor and in my opinion a person unfit to be admitted to a respectable house. I have therefore appeared against him. I have paid him forty-two dollars at one time and other smaller amounts for his services, and have no feeling in the matter other than such as he has caused by his own misconduct. Said McGAHAN is the defendant WARING who has pleaded guilty in this case.

Sworn to before me this : *J. A. McCabe*
24th day of March, 1889. : *Cassie McCabe*
Patrick P. Tracy (4)
Notary Public
N.Y. Co.

0149

CITY AND COUNTY OF NEW YORK, SS:

I CASSIE McCABE, am the sister of MARY McCABE the patient named in the indictment herein. Defendant came to our house at my brother's request as in his foregoing affidavit recited, and obtained considerable influence over my sister's mind. He wrote no prescriptions but brought medicines with him on the alleging that druggists did not compound pure drugs. His medicine affected my sister strongly. After taking it she would become exhilarated, the pupils of her eyes dilated, and she seemed to be under the influence of some powerful stimulant, later reaction would come and she would be depressed. The man also was offensive in his manner, unclean, and generally more or less under the influence of alcohol. I protested against his employment longer and began to make inquiries about him from, among others, the woman whom he declared to be his wife. She had quarrelled with him and told me that his name was WARING. She also said in reply to my inquiries as to his medicine, that he used an "Indian Drug", and therefore did not write prescriptions but put up his own remedies. After my brother ordered him from the house, he sent an alleged detective to the house by night asking for the medicine bottles, and demanding to see me at the corner of the street, where he was insolent and declared that my brother and I desired that our sister should not be cured in order that we might get her property. He displayed a detective's badge of the NEW YORK AND HUDSON

0150

RIVER R. R. CO., and said he was a doctor and detective of that Company; upon inquiry at the Company's offices I was informed that no such person was in their employ. Whenever he came to the house he demanded money, and by his harassing conduct and persistence in visiting the house in spite of repeated orders to desist has been to me the cause of great mental distress and nervous exhaustion, to such an extent that unless his persecution had been stopped by his arrest, I should myself have broken down from the strain and anxiety.

Sworn to before me this :

22 day of March, 1889.:

Charles McColer
~~*J. H. McColer*~~
Patrick J. Traeg (4)
Notary Public
Wm. C. W.

0151

COURT OF GENERAL SESSIONS.

The People

against

F. L. W. WARING.

CITY & COUNTY OF NEW YORK, SS:

THOMAS McGAHAN being duly

sworn, says:

I am a registered Physician in the City and County of New York, having registered on August 11th, 1880.

I know the defendant, F. L. W. WARING. In the year 1887, the defendant was associated with me for ^{some} two weeks; I ~~could not~~ then ^{find} ~~found~~ ^{had seen} that he was ~~without~~ a diploma himself as a physician; he was convicted of practicing medicine without a license. He undertook to use my diploma to cover his practice, and I therefore dissolved relation with him.

The defendant's name is WARING, according to the best of my knowledge, and he is not entitled to use the name of THOMAS McGAHAN, so far as I am informed. He is not the THOMAS McGAHAN registered in the office of the County Clerk of this County, on the 11th day of August, 1880.

I reside myself at No. 307 ^{Avenue} ~~Ninth Street~~, and have never resided at 2734 Tenth Avenue, or at ^{any part of the} ~~any part of the~~ City of New York ^{above 52^d street}

Sworn to before me this 11th day of March, 1889.

: *Thos. McGahan*
:
:

W. A. Remington
Notary Public
N.Y. Co.

✓

COURT OF GENERAL SESSIONS.

THE PEOPLE

VS.

F. L. W. W A R I N G,

Alias THOMAS MCGAHAN.

A F F I D A V I T S

Of W. A. PURRINGTON, Counsel, and
JAMES & CASSIE McCABE, Witnesses,
presented on behalf of the Peo-
ple, preliminary to sentence.

W.A.Purrington,
Counsel Med.Soc.Co.N.Y.,
Complainant,
62 Wall Street,
N.Y.City.

0153

FIRST DISTRICT POLICE COURT.

The People	:	Practicing Medicine
against	:	under a false or assumed
F. W. R. WARING, alias	:	name.
THOMAS McGAHAN.	:	L. 1887 ch. 647 §6.
	:	FELONY.

The Medical Society of the County of New York
upon the sworn information of *J H MacCabe*
hereafter below following, complains that one RICHARD ROE,
whose true name is F. W. R. WARING is practicing medicine
in the County of New York without license or registration
and under the false or assumed name of THOMAS McGAHAN.

W. A. PURRINGTON,

Counsel Med. Soc. Co. N. Y.

63 Wall Street.

CITY AND COUNTY OF NEW YORK, SS: *J H MacCabe*

being duly sworn says that *he* resides in the City of
New York, at Number *270 W 143rd* Street;
that *he* knows the above named defendant RICHARD ROE,
that the true name of said defendant is, as deponent has
learned from careful inquiry, F. W. R. WARING, under which
name he was convicted as deponent is informed and believes

0154

I

on the 8th day of August, 1887, in the Court of General Sessions of the misdemeanor of practicing medicine without license, or registration.

Deponent says that on or about the *24th* day of *November* 1888, and between the *1st* day of *November* and *24th* day of *December*

1888 the said WARING, under the name of THOMAS McGAHAN practiced medicine upon one *Mary A. Maccabe* at Number *54 W 106th St* Street

in said City and County and received for his services as a physician in attending said *Mary A Maccabe* the sum of *\$42. forty two.* Dollars.

And deponent says that said RICHARD ROE has practiced and practices medicine under the two names F. W. R. WARING and THOMAS McGAHAN, one of which is not his true name, the latter name being false or assumed.

Sworn to before me this *6th* day of February, 1889.

J. H. Maccabe

[Signature]
Police Justice.

0155

First District Police Court

People

vs

J. W. R. Waring alias
Thomas Mc Gahan.

Complaint

0156

POLICE COURT / DISTRICT.

City and County of New York, ss.:

THE PEOPLE,

vs.

Thomas W. Gahan

On Complaint of

For

James N. McGahan
Illegal Race Med

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 SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated Feb 7 1889

[Signature]

Police Justice.

Thomas W. Gahan

mark

0157

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

Thomas W. McGahan 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. *Thomas W. Gahan*

Question. How old are you?

Answer. *37 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *West 146 Street near 8th Avenue, 2 days*

Question. What is your business or profession?

Answer. *Doctor of medicine*

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

Answer. *I am not guilty*

Thomas W. McGahan
mark

Taken before me this

day of *February*

1889

W. H. Smith

Police Justice.

0158

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 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 James M. Mc Cabe of No. 270 West 143rd Street, that on the 24 day of November 1888 at the City of New York, in the County of New York,

J. M. R. Moring alias
Thomas McGahan did unlawfully at
premises 54 West 106th Street practice
physic without having a license in
violation of Section 647 of the Laws
of 1887

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 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 6th day of February 1889.

M. J. Smith POLICE JUSTICE.

0159

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.

POLICE COURT 1- DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Jas. R. Waring

v.s.

Jas. R. Waring

Warrant—General.

Dated

Feb 6- 1889

Weld Magistrate.

Jas. R. Waring Officer.
(alias J. W. Waring)

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

Jas. R. Waring Officer.

Dated

Feb 27- 1889

This Warrant may be executed on Sunday or at
night.

Police Justice.

0160

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 *Feby 7* *1889* *M. A. Brady* *Police Justice.*

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

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

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

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

0 16 1

Police Court---

236 60
District.

THE PEOPLE, &c

ON THE COMPLAINT OF

Medical Society
James H. McCabe

vs.

J. W. R. Morris
alias McCabe

3.

4.

Dated

Feb 7

1889

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

to answer

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

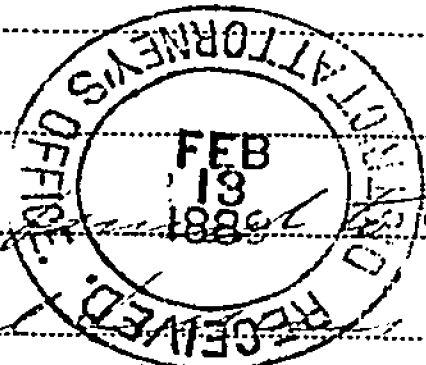
Residence

Street.

No. 4, by

Residence

Street.



Person that the Complaint
charges the Communion

No.

Street.

\$

to answer

One

0162

W. A. Harrington.

R. C. Shannon.

Offices of
Harrington & Shannon,
Counsellors at Law,
63 Wall Street,

People
v
Waring

New York March 23 1889

Hon Rufus B. Cowing
Cty Judge

Dear Sir: At the suggestion of Mr. Jerome who
presents the case in which you are to pass
sentence on Monday, I caused the enclosed
affidavits to be prepared which I venture to
send to you directly, for the reason that the de-
positions of the two McCabes were received so
late today that they could not have been
given to Mr. Jerome before Monday morning
in which case you would not have had the
time to read them as carefully as you
naturally would wish to do.

Practicing medicine under a false or assumed
name is punishable under the Medical Act
(Ch. 647 N. 1897) as false personation is under
the Penal Code (§ 512) by not more than ten years
imprisonment in a State prison.
This is the recent conviction under the Act.

The former was that of Schwalb, tried before the Recorder Jan 23. 1868, and sentenced to two years and a half of imprisonment; the Recorder saying that he imposed that term because the case was the first that had arisen under the Act.

The present defendant has had every opportunity to desist from his unlawful practice, as his enclosed letters written in 1865 (which I sh^d like returned) will show. But he seems incorrigible. He is absolutely untruthful, and was prepared to challenge the jury and go to trial under the name of Mr. Graham. The clerk was unpunishing the jury when Mr. Jerome told his counsel that we had the real Dr. McEgahan in Court. It was not until then that he withdrew a defence necessarily involving perjury. He seems to be a hopeless drunkard. When I first caused his arrest, his then Counsel, Mr. Livingston, who had defended his former slaughter cases made no effort to procure bail, saying very wisely that it wd be better for him to recover from his alcoholism before trial. He seems also to be a woman beater as well as an infector. I shall be in Court myself on Monday. I am Your obedient Servant
W. H. Livingston
Counsel Mr. Dox. Co. 2. 4.

0164

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

F. W. Q. Waring

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *F. W. Q. Waring*
of the crime of practising physic _____ without the
license and registration provided for by law, committed as follows:

The said *F. W. Q. Waring*
late of the City of New York, in the County of New York, aforesaid, not being, and not
having been on the first day of October, 1887, lawfully authorized to practise physic _____
_____ in this State, and registered in accordance with the laws then in force, did
thereafter, to wit: on the *24th* day of *November* 188*7*, at the City
and County aforesaid, unlawfully practise physic _____ without the license and
registration provided for in a certain Act of the Legislature of this State, passed on the
twenty-third day of June, 1887, entitled "An Act to regulate the licensing and registration of
physicians and surgeons, and to codify the medical laws of the State of New York," and
which said Act was at the time of the commission of the offense and misdemeanor herein
alleged, in full force and operation throughout this State; and the said *F. W. Q. Waring*
Waring without such license and registration as aforesaid, then and there, to wit:
on the said *24th* day of *November* 188*7*, at the City and County
aforesaid, did unlawfully examine, treat and prescribe for _____
one *Mary A. Mearns* as a physician _____; 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.~~

0165

Second COUNT.

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

E. W. O. Waring

of the CRIME of

practising medicine under a
false and assumed name.

committed as follows:

The said

E. W. O. Waring.

late of the City and County aforesaid, ~~afterwards to wit:~~ On the day and in the year aforesaid,
at the City and County aforesaid, ~~afterwards, to wit:~~ on

the said 24th day of November,
1888, did gloriously practise medicine
under a false and assumed name,
to wit: the name "Thomas McFadden,"
and under such false and assumed
name did then and there gloriously
examine, treat and prescribe for one
Manfred A. MacCabe as a physician,
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. Williams,

District Attorney

0166

BOX:

344

FOLDER:

3245

DESCRIPTION:

Watts, Thomas

DATE:

02/20/89



3245

POOR QUALITY
ORIGINAL

0167

186
Counsel,
Filed 20 day of Feb 1889
Pleads Acquittal.

THE PEOPLE
vs.
Thomas Watts
[Section 235 Penal Code.]
INJURY TO PROPERTY

JOHN R. FELLOWS,
District Attorney.
March 5
Past!
A True Bill.

Foreman.
March 5/89
Plead Guilty
Pen: Two yrs.

W. R. Odell
W. R. Odell

0168

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK, }

District Police Court.

Thomas Watt 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.

Thomas Watt

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

US

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

Answer.

520 West 29th

4 years

Question. What is your business or profession?

Answer.

Blacksmith's helper

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 have nothing to say
at present*

Thomas Watt

Taken before me this

day of

January

11

1881

at

City of New York

Police Justice

John J. [Signature]

Police Justice

0 169

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.....

Thomas Watt

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 Feb 11 188 9

D. G. Dwyer

Police Justice.

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

Dated.....188

Police Justice.

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

Dated.....188

Police Justice.

0170

Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Allan Hay
vs.
Thomas Watt

Offence *Wid of sec*

635 to R & back

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

2 _____
3 _____
4 _____

Dated *Feb 11* 188 *9*

Duffy Magistrate.

Hay Officer.

20 Precinct.

Witnesses *Thomas J. Maloney*

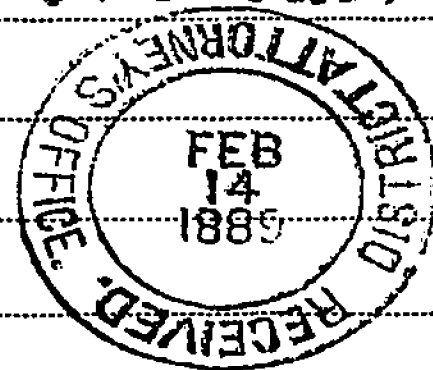
No. *20th Precinct* Street.

No. _____ Street.

No. _____ Street.

\$ *1000* to answer *9/11*

Com



0171

CITY AND COUNTY
OF NEW YORK, ss.

POLICE COURT, 2 DISTRICT.

Allan Hay

of No. 20th Precinct

occupation Policeman

Street, aged 26 years,

that on the 10th

being duly sworn deposes and says,

day of

February

1889

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

Thomas Watt

now here did unlawfully place an
obstruction on the track of the Belt
Line R.R. Company. Dependent saw
the defendant in the act of carrying
a stone weighing about 25 pounds
and he placed the said stone on
the said ^{track} near West Twenty-ninth street
in violation of Section 635 of the
Penal Code of this state.

Allan Hay.

Sworn to before me, this

11th

day

1889

[Signature]
Police Justice.

0172

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Thomas Watts

The Grand Jury of the City and County of New York, by this
Indictment accuse Thomas Watts

of the crime of placing an obstruction upon
the Knickerbocker railway.

committed as follows:

The said Thomas Watts,

late of the City of New York, in the County of New York, aforesaid, on the
Xenth day of January in the year of our Lord one thousand
eight hundred and eighty-nine, at the City and County aforesaid,

did unlawfully place upon the
Knickerbocker railway there,
operated, maintained and used
by a certain corporation called the
Central Park, North and East River
Road Road Company, the same
being a railway operated by
horses, an obstruction, to wit: a
certain stone, whereby the safety
of drivers persons whose names are
to the Grand Jury aforesaid unknown,
then riding and travelling upon and

0173

along the said railway, was en-
dangered 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 H. Adams,

Attorney General

0174

BOX:

344

FOLDER:

3245

DESCRIPTION:

Wheeler, Melvin J.

DATE:

02/13/89



3245

0175

Witnesses:

J. Lighten Eyer

C. St. John

Wm. A. Gaudin

Wm. A. Gaudin - Jr

18

Buttner

Counsel,

Filed 13 day of Feb 1889

Pleads, Not guilty

THE PEOPLE

vs.

Melvin J. Wheeler

#7
Prisoner

LARCENY, (False Pretenses),
[Section 528, and 529, Penal Code].

JOHN R. FELLOWS,

Pr. Feb 15/89 District Attorney.

Filed & Entered 25.

A True Bill.

J. M. Herbert

Foreman.
547-5-1-1889

0176

Police Court-1-District.

Affidavit—Larceny.

City and County } ss.:
of New York,

Michael C. Meagher

of No. 241 Canal Street, aged 53 years,
occupation Tailor being duly sworndeposes and says, that on the 5 day of January 1889 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 cloth coat, vest and pants-
loose of the value of thirty eight
dollarsthe property of William and Joseph Meagher co-
partners and in care 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 Melvin J. Wheeler (now here) for
the reason that previous to said day
the defendant came to deponent's firm
at above premises and ordered the above
clothing to be made up at the price
above stated. That on said 5th January
1889, the above property was delivered
to the defendant by deponent and
defendant presented in payment there-
for the annexed check drawn by
the defendant to the order of deponent's
said firm on the Hamilton Bank of
New York City for the sum of Thirty
eight dollars. Deponent believing the
said check to be good and would be

Sworn to before me, this
day
188

Police Justice.

0177

paid upon presentation deponent parted
with the said property and delivered the
same to defendant. Deponent is informed
by Carroll St. John (now here) that he
St. John is the Cashier of the said Hamilton
Bank upon which said check is drawn
and that the defendant has no account
or funds in said Bank and that payment of
said check is refused. Wherefore deponent charges the
defendant with the larceny of said
property by means of the above fraud-
ulent representation.

Sworn to before me }
29 January, 1889 } Wm L. Meagher
J. H. H. }
Police Justice

0178

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 44 years, occupation Cashier of No. 278 N. 125th Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Michael C. Meagher and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 29
day of January 1887

Carroll St. John

Police Justice.

0179

Sec. 108-200.-

District Police Court.

CITY AND COUNTY
OF NEW YORK } ss.

Melvin J. Wheeler 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. *Melvin J. Wheeler*

Question. How old are you?

Answer. *47 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *Aster House 4 days*

Question. What is your business or profession?

Answer. *Contractor*

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

Answer. *I am not guilty*

Melvin J. Wheeler

Taken before me this

29

day of *January* 188*8*

Wm. J. Wheeler
Police Justice.

0180

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 1 DISTRICT.

of No. 241. Avenue Street, aged 21 years,

occupation... being duly sworn deposes and says,

that on the 28. day of January 1889

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

deposes

that upon the arrest of Melvin

Wheeler (nowhere) charged

with having feloniously obtained

from deponents the money

of the value of thirty eight dollars

by means of a false check. deponents

prays that the said Wheeler may

be committed for examination in order

to enable deponents to procure proper

evidence against the said Wheeler

J. Meagher

Sworn to before me, this 29 day

of January 1889

Wm. H. Kelly Police Justice,

0181

Police Court-- District.

THE PEOPLE, & c.

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated

188

Magistrate.

Officer.

Witness,

Disposition,

Sp 2. Dec. 29th

0182

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

defendant
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Twenty-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 *June 29* 1889.....*[Signature]* Police Justice.

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

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

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

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

0183

100

Police Court---

190 District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Michael C. Meagher
241 vs. Canal St
Melvin J. Wheeler

2

3

4

Office
James J. [unclear]

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street

Dated

Jan 29

188

Wade

Magistrate.

McConno

Officer.

CO

Precinct.

Witnesses

Carroll St. John

No.

278 W. 125

Street.

Philip Lutz

No.

241 Canal

Street.

Charles Noble

Sherwood Rightmeyer

No.

348 W. 48 St

Street.

John H. Newman

New. [unclear]

\$ 2500 to answer

Michael [unclear]

308 [unclear] St

0184

278 West 125th Street, near 8th Avenue.

New York, *Jan'y 5th* 188*9* No. *4*

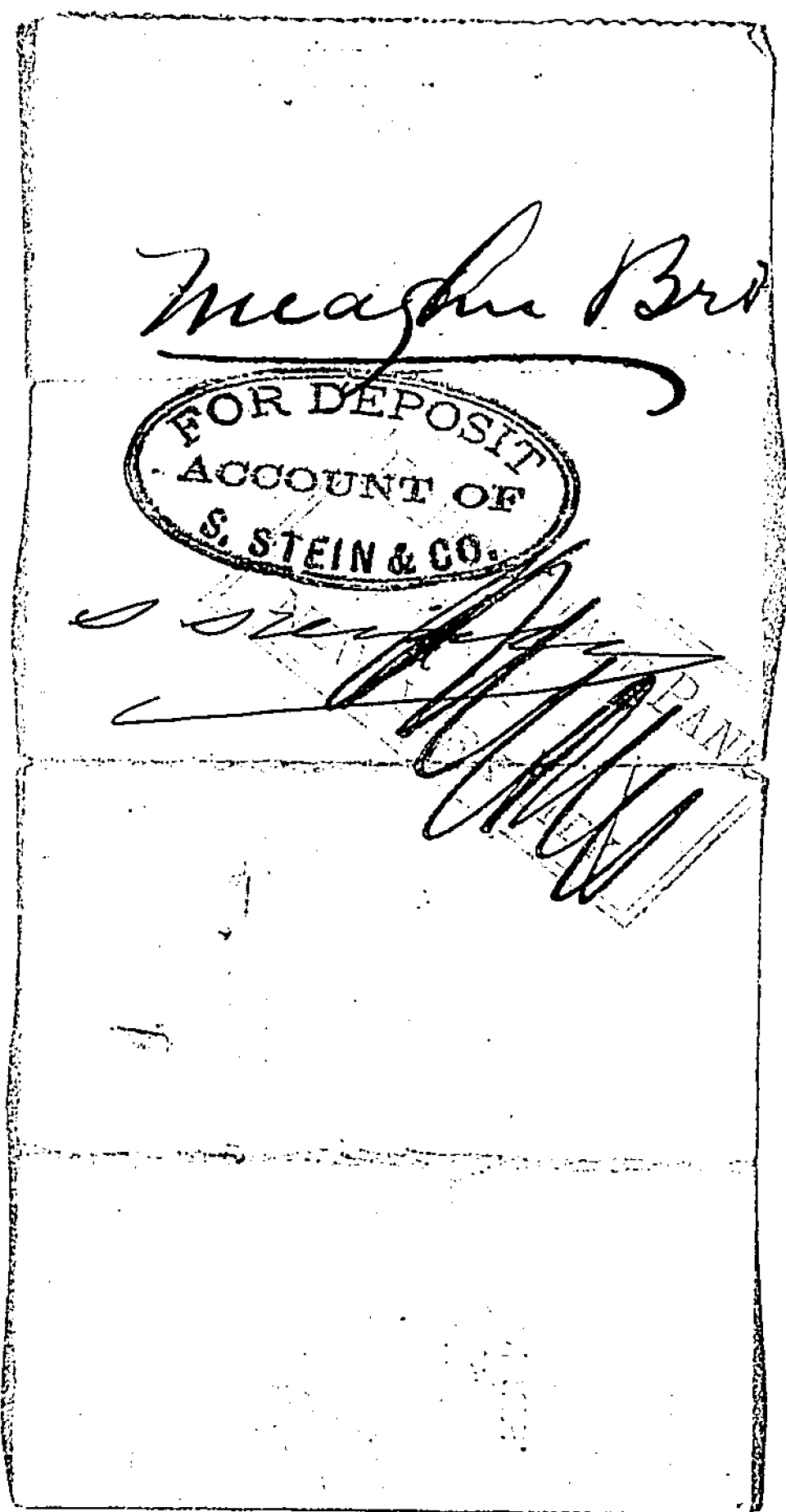
HAMILTON BANK,
OF NEW YORK CITY.

Pay to the order of *Magpies Bros* \$ *38*^{*00*}

Twenty Eight Dollars.

M. J. Wheeler

0185



0186

COURT OF GENERAL SESSIONS OF THE PEACE:
City and county of New York.

The People
vs.
Melvin J. Wheeler
Indicted for Grand Larceny in the
Second Degree.
Indictment filed, Feb 13th 1889.

Before;
Hon. Frederick Smyth,
and a Jury.

Tried, Feb'y 15th., 1889.

APPEARANCES:

Assistant District Attorney Davis, for the People;
Mr. Buttner, for the Defence.

MICHAEL C. MEAGHER, the complainant, testified
that he lived at Pleasant Valley and that he was a
tailor at 241 Canal Street, under Earle's Hotel. He

2.

worked for his sons William and Joseph Meagher. He saw the defendant on the 5th~~th~~ of January 1889 in the shop at Earle's Hotel. On that day the defendant selected a piece of cloth for a suit of clothes and asked him the complainant, if he required cash or a cheque. He, the complainant, took his, defendant's measurement for the clothes several days before. He ordered ~~the~~ a suit of casimere clothing and he, the complainant made a suit for him. The price was to be \$40. but the complainant reduced it to \$38. When the clothes were done, the defendant was to come for them and pay for them. He, the complainant, gave ^{the} clothes to the defendant and the defendant gave him a cheque. Then the defendant walked out of the hotel. The defendant said that he would give him a cheque then or cash on the following day. When he received the cheque he believed that the defendant had funds in the bank to meet the check. The check was not paid. He, the complainant, had never been paid for his suit of clothes.

UNDER CROSS-EXAMINATION the complainant testified

0188

3.

that he had met the defendant in the hotel but he, the complainant, didn't live there. He, the complainant, did not solicit the defendant's trade.

CARROL St JOHN testified that he lived at 343 Lennox Avenue in the City of New York and that he was cashier of the Hamilton Bank of this City. The check in evidence had been presented to the clearing house agent of the bank. There were no funds in the Bank to meet it.

UNDER CROSS-EXAMINATION, the witness testified that he recognized the bankbook in the possession of the defendant. It showed an entered credit of \$150. on December 26th. What the witness meant was that the entry was made in the book on the ground that the funds as given by the depositor were good. As a matter of fact, the defendant never had any cash in the bank. The credit was given for the deposit of the check on the American Loan and Trust Company, purporting to be signed by one John S. Morris. He, the witness, knew of no

0189

4

such person. On the day after the deposit of this check was made, the bank paid \$10. in money on a check drawn by the defendant. The bank had never got that money back.

SHERWOOD RIGHTMEYER, testified that he was book-keeper at the Hotel Yoyal in the City of New York. On the 19th. of January he cashed a check for \$40.- which was in evidence,- for the defendant. The check was deposited in the bank on the same day and was returned marked "Not good" At the time that the witness cashed the check for Wheeler, Wheeler paid him \$7. for a week's board.

UNDER CROSS-EXAMINATION, he testified that he had known the defendant for 15 or 16 years. He had not seen him for many years, until he registered at the hotel on January 9th.

MICHAEL FAY, testified that he was a contractor

4.

and that he had in his possession a draft given to him by the defendant on January 25th. On the same day the witness deposited it in his bank in Harlem. It was returned as worthless within a week and he never got any money upon it. Wheeler gave him the draft to put it through his, witness' bank so that he, Wheeler could draw the money. He, the witness, gave Wheeler \$105 on account of the draft. He, the witness, was to give Wheeler the remainder when he got a notification that the draft was good. He got a notice that the draft was protested.

UNDER CROSS-EXAMINATION the witness testified that he the defendant, first showed him the draft and asked for a loan of \$100. The defendant had taken him up into the northern part of the State to buy stone. They were together about a day and a half. The \$105. was, the witness supposed, partly for the purpose of paying the expenses of the trip. He, the witness paid some of the expense and the defendant the other part. He, the witness, paid his own expenses. The defendant ~~intre-~~

0191

8
induced him to go to the northern part of the State, because he, the defendant, said that he was connected with the aqueduct and that he knew of some fine blue stone that could be bought cheap for him, the witness, in Sullivan County. He, the witness, went with the defendant and the defendant showed him a number of quarries. The defendant said that he was acquainted with the people who owned the quarries, but he, the complainant, did not see anybody who seemed to know the defendant; the defendant seemed to know everybody.

UNDER CROSS-EXAMINATION, the witness testified that he did not tell the defendant's counsel, that if the defendant were acquitted he would like to engage him to go into the part of the State to buy stone for him.

JOHN H. NEWMAN, cashier of the New York Hotel, testified that he knew the defendant by sight. The defendant had been a guest at the hotel for about nine days. He believed that the defendant lived there on the 3rd. day of December 1888. The defendant gave him no

0192

check or draft but simply left the hotel.

6.

DETECTIVE SERGEANT CHARLES O'CONNOR testified that he arrested the defendant on the 28th. day of Jan'y 1889 on the complaint of Mr. Meagher at the Astor House. He, the witness, told the defendant that he was charged with passing a worthless check on Mr. Meagher for a suit of clothes and swindling Mr. Meagher out of \$38. The defendant said that he thought the check was good and that he had a bank account at the Hamilton Bank. The defendant also said that he had deposited a check at the Hamilton Bank for collection for \$150.

FOR THE DEFENCE, the defendant testified that he had been residing in the City of New York for about two years steady. He had lived in the State of New York all his life, except 4 years when he was in Chicago. He was a contractor. He received a check from a man by the name of Morris who was a contractor and a railroad builder. He had known Mr. Morris about 4 or 5 years.

0193

7.

Morris was the President of the Flagstaff & County Canyon Railroad Company. He got the check from Morris some time in December-- about the middle. He deposited the check in the Hamilton Bank in 125th Street, near 8th? Avenue. The bank gave him a pass book which showed a credit of \$150.. On the 27th. day of December, the following morning- he drew a check for \$10. The check was honored by the Bank. He gave the check to a person to whom he was indebted and he was informed that the bank had paid the check. He gave the check to the complainant believing it to be good. He had not given any checks in excess of \$150.

UNDER CROSS-EXAMINATION he testified that there was a rough memorandum on the front page of the book as to the checks that he had given out. He had drawn out \$133. altogether. He deposited the check for \$150. on December 26th. and the same evening he gave a check to a Mr. Franklyn for \$10. He had not received any notice from the bank that check which he deposited was not honored. He had moved around considerably in the

0194

8.

interval. He had expected to take charge of some work at Spuyten Duyvil for a contractor. He told the receiving teller at the Hamilton Bank that his address would be at Spuyten Duyvil. He did not stay there because he failed to get the work and came down town and stayed at the Astor House.

IN REBUTTAL, Mr. StJohn testified that when the \$150. check was deposited he had a conversation with Mr. Wheeler. Wheeler was a stranger to him, the witness, but Wheeler had been seen in the Bank with Dr. Gildersleeve. Wheeler then referred to Dr. Gildersleeve and he, the witness, was ^{not} satisfied with the identification and decide not to accept the account until he could see Dr. Gildersleeve. Wheeler said, "You don't know that this check is good; I know that it is good; when will this be cashed to me?" He, the witness, said, "Not until three o'clock tomorrow" He, Wheeler said, "I am short of funds and would like to draw \$10. or \$20.00 on it." He, the witness, said, "Mr. Wheeler, if you

0195

9.

have any bills to pay, mail them, so that they will not be received until after three o'clock to-morrow, when we will know whether the check is good." Wheeler gave his address at the Bank as Kingsbridge. The check was dishonored on the following day. The Assistant Cashier wrote to Wheeler, addressing him at Kingsbridge. The letter was duly mailed and gave Wheeler notice of the dishonoring of the check.

UNDER CROSS-EXAMINATION the witness testified that the Bank was not in the habit of opening accounts with persons who were not introduced but that he had been seen with Dr. Gildersleeve and the supposition was that he was a friend of Dr. Gildersleeve.

-----ooo-----

0196

New York Feb 15/89

Recd from John Sparks clerk
of Court. Check drawn
by me & Wheeler favor Richard
Meares for Forty dollars &c.
Hamilton Bank N.Y. City

Wm W. Meyer

Book Keeper Hotel Royal

0197

012 R 1/30/89

867. #



New York Dec 24th 1888
At sight without grace Pay to the
order of S. I. Spelman
Eight hundred sixty seven Dollars.
Value received and charge to the account of

to First National Bank

No. of Middletown, N.Y.

M. J. Wheeler

0198

PAY *Wm. D. Dwyer*
Cashier on Order for Cash
HIGHLAND NATIONAL
BANK
ARTHUR VILLAGE

FOR COLLECTION OF ACCOUNT
OF
J. H. McAllister
Michael Long

Pay to the order of *Wm. D. Dwyer*
Or order, for collection
for Account of
THE TWELFTH WARD BANK
NEW YORK CITY.
G. H. McAllister Cashier.

FOR COLLECTION OF ACCOUNT
OF
Wm. D. Dwyer

0199

UNITED STATES OF AMERICA, } ss.
STATE OF NEW YORK.

On the 30th day of January 1889, at the request of the

First National Bank, of Middletown, Orange County, New York, I, *Wm B. Rye*

a Notary Public, duly appointed and sworn, dwelling in the City of Middletown, did present the original *Note*
Draft hereunto annexed, to the *Teller* of the First National Bank, of Middletown, N. Y., at
said Bank, and then and there demanded **Payment** thereof from said *Teller* of said Bank, which
was refused.

Whereupon, I, the said Notary Public, at the request aforesaid, did **Protest**, and by these presents do
publicly and solemnly **Protest** as well against the **Drawer** and **Endorsers** of the said *Note Draft*
as against all others whom it doth or may concern, for exchange, re-exchange, and all costs, damages and interest,
already incurred, and to be hereafter incurred for want of payment of the same.

I FURTHER CERTIFY, That on the same day I notified the parties to the said *Note Draft*

as follows:

Notice for <i>M. J. Whelan</i>	directed to <i>J. Anderson</i>
" <i>S. P. Apollan</i>	" <i>Cashier</i>
" <i>Michael Fay</i>	" <i>153 East 125th St</i>
" <i>J. Anderson Cash</i>	" <i>New York City</i>
" <i>A. W. Sherman Cash</i>	" <i>New York City</i>
" <i>William H. Cash</i>	" <i>Albany N.Y.</i>
" <i>Arthur Wilson Cash</i>	" <i>Jacobson N.Y.</i>
" <i>First Nat Bank Macallan</i>	" <i>Macallan N.Y.</i>

Thus done and Protested, in the City of Middletown

aforesaid, as witness my hand and Official Seal.

Wm B. Rye

Notary Public.

0200

July 1 37

First National Bank,

MIDDLETOWN, N. Y.

M. J. Wheeler

\$ 867.00

Protest, ..75

Notices,50

Postage, ...10

1.35

\$

For

William

0201

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
AGAINST

William J. Wheeler

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

William J. Wheeler

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

The said *William J. Wheeler*,

late of the City of New York, in the County of New York aforesaid, on the *25th*
day of *January*, in the year of our Lord one thousand eight hundred and
eighty-*nine*, at the City and County aforesaid, with force and arms, with intent to
deprive and defraud *William Meagher and Joseph*
Meagher, partners in trade then
and there doing business in and by
the firm name and style of
Meagher Brothers,

of the ~~proper moneys~~ goods chattels and personal property hereinafter mentioned, and of
the use and benefit thereof, and to appropriate the same to *his* own use, did then and
there feloniously, fraudulently and falsely pretend and represent to *the said*
William Meagher and Joseph Meagher,

That a certain paper writing in the
words and figures following to wit:

New York, Jan 25th 1889 No. 4

Hamilton Bank,

San Francisco,

Pay to the order of Meagher Bros \$384

Twenty Eight Dollars

W. J. Wheeler

which the said William J. Wheeler

0202

then and there produced and delivered
to the said William Meagher and Joseph
Meagher, was then and there a good
and valid order for the payment of
money and of the value of twenty
eight dollars,

And the said William Meagher and Joseph
Meagher
then and there believing the said false and fraudulent pretenses and representations so made
as aforesaid by the said Medwin F. Wheeler

and being deceived thereby, was induced, by reason of the false and fraudulent pretenses and
representations so made as aforesaid, to deliver, and did then and there deliver to the said
Medwin F. Wheeler, one sack of the
value of twenty dollars, one sack
of the value of eight dollars, and
one pair of trousers of the value of
ten dollars.

of the ~~proper moneys~~ goods, chattels and personal property of the said William
Meagher and Joseph Meagher

And the said Medwin F. Wheeler
did then and there feloniously receive and obtain the said ~~proper moneys~~ goods, chattels, and
personal property, from the possession of the said William Meagher
and Joseph Meagher
by color and by aid of the false and fraudulent pretenses and representations aforesaid, with
intent to deprive and defraud the said William Meagher and
Joseph Meagher
of the same, and of the use and benefit thereof, and to appropriate the same to his own use

Whereas, in truth and in fact, the said paper writing
which he the said Medwin F. Wheeler
as aforesaid then and there produced
and delivered to the said William Meagher

0203

and Joseph Meagher, ~~as~~ was not
then and there a good and valid order
for the payment of money, and was
not then and there of the value of thirty
eight dollars, or of any value whatever
but was in truth then and there wholly
void and worthless;

And Whereas, in truth and in fact, the pretenses and representations so made
as aforesaid by the said William J. Wheeler
to the said William Meagher and ~~was and were~~
Joseph Meagher was and were
then and there in all respects utterly false and untrue, as he the said
William J. Wheeler
at the time of making the same then and there well knew

And so the Grand Jury Aforesaid, do say that the said
William J. Wheeler
in the manner and form aforesaid, by the means aforesaid, the said ~~proper moneys~~, goods,
chattels and personal property of the said William Meagher
and Joseph Meagher
then and there feloniously did STEAL, against the form of the Statute in such case made and
provided, and against the peace and dignity of the said people.

JOHN R. FELLOWS,

District Attorney.

0204

BOX:

344

FOLDER:

3245

DESCRIPTION:

Wichmann, Charles

DATE:

02/14/89



3245

WITNESSES:

Off. John F. Tappan

Counsel,

Filed

14 day of

1889

Pleads

Guilty

THE PEOPLE,

VIOLATION OF EXCISE LAW

(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1083, Sec. 21 and
page 1089, Sec. 5.]

216 No. 104th St.
Brooklyn, N.Y.

Charles Michmann

JOHN R. FELLOWS,

District Attorney.

A True Bill.

John R. Fellows

Foreman.

Part III 7 January 1889

Pleading Guilty

Fine \$30.00 P.M.

0205

0206

Sec. 198—200.

2 District Police Court.

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

Charles Wickham 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 Wickham

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

Germany

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

Answer.

1128 E - 10th St New York 6 months

Question. What is your business or profession?

Answer.

Barber

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 and demand a trial by Jury
Charles Wickham

Taken before me this

day of

188

Police Justice.

0207

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.....

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

Dated

Dec 31 188*8*

[Signature] Police Justice.

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

to bail to answer by the undertaking hereto annexed.

Dated

Dec 31 188*8*

[Signature] 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

188

[Signature] Police Justice.

0208

Police Court--- 2 31 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John W. Sapp

vs.

Chas Wickman

2

3

4

Offence Sec of M.C.

Prison Sec

BAILED,

No. 1, by

Herman Gordon

Residence

1118 Third Avenue

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

Dec 31

188

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

100

to answer

G.S.

Bailed

0209

Excise Violation-Selling on Sunday.

POLICE COURT- 2 DISTRICT.

City and County } ss.
of New York,

of No. 300 Mulberry Street,
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 30 day
of December 1888, in the City of New York, in the County of New York, at
premises No. 1128 3rd Avenue Street,

Charles Wickmann (now here)
did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his
direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors,
to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

WHEREFORE, deponent prays that said Charles Wickmann
may be ~~arrested and~~ dealt with according to law.

Sworn to before me, this 31 day
of January 1888.
John F. Tappin
Police Justice.

02 10

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Charles Wichmann

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

Charles Wichmann
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

Charles Wichmann

late of the City of New York, in the County of New York aforesaid, on the *thirtieth* day of *December* in the year of our Lord one thousand eight hundred and eighty-eight, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one

John F. Tappin

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

SECOND COUNT—

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

Charles Wichmann

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

Charles Wichmann

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, 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.