

0170

BOX:

322

FOLDER:

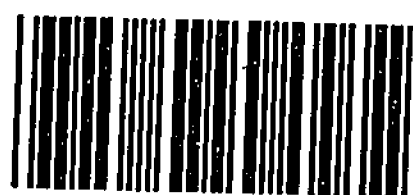
3059

DESCRIPTION:

Spaulding, Frederick

DATE:

09/13/88



3059

Witnesses:

John W. Phelps
Arch. Dist. Athy

John W. Phelps
Arch. Dist. Athy

Counsel,

Filed, 13 day of Sept 1888
Pleads, Wardly-14

THE PEOPLE,

vs.

Forgery in the Second Degree.
(Sections 511 and 521, Penal Code.)

Frederick Spaulding

JOHN R. FELLOWS.

P2 Nov. 26, 1888
District Attorney.

Indictment dismissed &
A True Bill.

W. H. Foreman.

0172

[illegible]

POOR QUALITY
ORIGINAL

0174

GENERAL OFFICE
BRUNNER'S EXPRESS COMPANY.
342 THIRD AVENUE,

OFFICES,
342 Third Avenue, Near 25th St.
877 Sixth Avenue, " 50th St.
Steamer Idlewild, Pier 24 E. R.

NEW YORK. May. 26 1888

Recd from Rudolph Hoff
\$20⁰⁰ in full payment for wagon
Sold this day

Brunners Ex. Co.
for Graham
F. Brunner

CITY AND COUNTY
OF NEW YORK, ss.

POLICE COURT, 2nd DISTRICT.

of the Legislative Office Street, aged 35 years,
occupation: Detective being duly sworn deposes and says,
that on the 4 day of August 1888

at the City of New York, in the County of New York, Louisa Bailey
and Joseph Hoff (both now here) who are
Material witnesses in a certain Complaint
of Forgery against Cyprianus Duplant
Frederick Shandling and deponent has reason
to believe said defendants will not appear
at the 1st Dist Court as such witnesses
and testify as such witnesses
wherefore deponent prays that said Defendants
may be ordered to enter into recognizance
for their appearance as such witnesses
Stephen O'Brien

Subscribed and sworn to before me, this

of

188

day

Police Justice,

POOR QUALITY
ORIGINAL

0176

Police Court-- 2 District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

Stephen O'Brien

vs.

Louisa O'Brien
Joseph Hoff

AFFIDAVIT.

Witnesses

Dated Aug 4 1888

O'Brien Magistrate.

Officer.

Witness's,

Disposition,

House of Detention in lieu of
\$ bond in 100 each

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

POLICE COURT,

2nd DISTRICT.

of No.

says that on the

day of

1888

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

Henry K. Porter

36 Third Avenue

Street, being duly sworn, deposes and

2nd

August

Ignatius Dugan

Frederick Spaulding, alias Joe Reilly
(both now here) And Joseph McEntee
not now arrested did feloniously
make forge and utter the annexed
instrument in writing, purporting to be
a mandate issued by Henry Ford a
Police Justice of the City of New York
for the discharge of one Edna Clark from
the work house, and did write and forge
to and upon said Mandate or Court order the
Name of J. Henry Ford Police Justice in
violation of Section 511 of the Penal Code of the
State of New York.

That deponent is informed and believes
that J. Henry Ford, a Police Justice of the City
of New York did on the 26th day of July 1888
commit one Edna Clark to the Work House
for three months in default of \$400 bail to
be of good behavior for the term of three months.
That on the 2nd day of August instant
Joseph Hoff of no 600 East 19th Street presented
said Annexed Mandate or order to deponent
for the discharge of said Edna Clark purporting
to have been issued and signed by the said
J. Henry Ford Police Justice.
That said Justice now here in open Court
informs deponent that the signature "J. Henry
Ford Police Justice attached to said Mandate
or Court order is a forgery and was written

Thereon without the knowledge of said Justice

Sworn to before me this

4th day of August 1887

ccy. C. mag

Police

Police Court District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

AFRIDA VIT.

38.

Dated

188

Magistrate.

Officer.

Witness,

Disposition,

POOR QUALITY
ORIGINAL

0179

Form 34.

Int. & D. C. Laws, 1864. Chap. 586.

Vagrancy Laws, 1853. Chap. 183, §2.

Police Court—

District, }

New York, }

2

August 1st 1888

CITY AND COUNTY OF NEW YORK, ss.:

To the Warden and Keeper of the City Prison of the City of New York:

You are hereby directed to discharge from
your custody Edna Clark committed by the
undersigned Police Justice July 26th 1888 for Five months
for Disorderly Conduct

J. Henry Ford Police Justice.

Commissioner of Public Charities and Correction.

POOR QUALITY
ORIGINAL

0180

May 7 ad
Walsen House
Batylon

POOR QUALITY
ORIGINAL

0 18 1

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 50 years, occupation Police Justice of No. Watson House Babylon Long Island Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Henry H. Porter and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 4th

day of August 1888

J. H. Conway
Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 24 years, occupation Watchman of No. 610 East 9th Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Henry H. Porter and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 4th

day of Aug 1888

J. H. Conway
Police Justice.

POOR QUALITY
ORIGINAL

0182

Sec. 193-200.

2

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

Ignatius Dugan being duly examined before the under-
signed 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.

Ignatius Dugan

Question. How old are you?

Answer.

38 years

Question. Where were you born?

Answer.

New York City

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

Answer.

489 Greenwich St all my life time

Question. What is your business or profession?

Answer.

Prison 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

Ignatius Dugan

Taken before me this
day of *August* 188*8*

Police Justice.

POOR QUALITY
ORIGINAL

0183

Sec. 193-200.

2

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

Fredrick Spaulding being duly examined before the under-
signed 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.

Fredrick Spaulding

Question. How old are you?

Answer.

22 Years

Question. Where were you born?

Answer.

New York City

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

Answer.

15 West 16th St one year

Question. What is your business or profession?

Answer.

Steamfitter

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

Answer.

I am guilty

Fredrick Spaulding

Taken before me this
day of *Aug* 188*8*

Police Justice.

0104

There being no sufficient cause to believe the within named defendant
Tri. 1888 guilty of the offence within mentioned, I order h to be discharged.
Dated, Sept. 7 1888 Chas. J. Mc Police Justice.

The People, &c.,

against

Ignatius Dugan.

Forgery 2nd Degree.

APPLICATION TO DISMISS INDICT-

MENT.

John M. Coman
of Deft's Counsel,
280 Broadway,
New York City.

New York City,
Oct. 3rd, 1888.

Hon. John R. Fellows,
District County,
N. Y. Co.

Sir:-

The undersigned, Counsel for Ignatius Dugan, indicted by the Grand Jury of this County on Sept. 27th, 1888, respectfully make application to you for dismissal of said indictment, which was found against said defendant for Forgery in the 2nd Degree.

The defendant was arrested on August 1st, 1888, charged with forging the name of J. Henry Ford, a Police Magistrate of this City, to a discharge from the Work House on Blackwell's Island of a person named Edna Clark duly committed by said Justice Ford. The defendant herein was jointly charged with ^{one} ~~the~~ McIntee [not arrested] and one Spaulding, alias Riley, with said crime of Forgery as aforesaid. The said Spaulding, alias Riley, confessed his guilt before Police Justice Maurice J. Power, on the ^{examination} ~~examination~~ demanded by said defendant Ignatius Dugan.

This examination was continued, on several days, before Justice Power, one of the most careful Magistrates in the City, and was thorough and exhaustive, as the minutes of the testimony (now on file in your office with the indictment found against the alleged accomplice Spaulding, alias Riley,) will show. Justice Power, after hearing

the case fully, discharged the defendant Dugan, and held the accomplice Spaulding, alias Riley, for the action of the Grand Jury. The Grand Inquest on hearing the case of said Spaulding, alias Riley, ordered a Bill of Indictment also against Dugan, hence this application for the dismissal of the Indictment against defendant Dugan.

I respectfully submit that on legal grounds the Grand Jury had no right to indict Dugan, as the only testimony against him is that of the alleged accomplice Spaulding, alias Riley, who is nowhere corroborated by such evidence as tends to connect the defendant with the Commission of the Crime.

In view of your long experience as a public prosecutor, and your well known determination never to present cases to the Court for trial, unless the evidence will support a conviction, I respectfully ask your earliest action upon this application and beg to call your attention to Counsel's brief, furnished to Justice Power [on application to dismiss the charge in Police Court], containing all the legal support the application is capable of.

Very Respectfully,

John M. Coman,

of Counsel for Deft.,

No. 280 Broadway.

POOR QUALITY
ORIGINAL

0188

District Attorney's Office.

PEOPLE

vs.

Fredrick Spaulding

Forgery in the 2^d degree

Nov 23 1888.

The defendant Spaulding was originally examined in this office by me, prior to the examination of the case in the Police Court. The Police at the time, August 1st, were in hopes of catching McIntee and it was considered desirable to secure Spaulding's testimony. Spaulding gave the Police valuable information and aided in every way to perfect the case for the People. There is no doubt that in the matter of obtaining

POOR QUALITY
ORIGINAL

0 189

these fraudulent discharges
Spanning was the tool of
Dugan.

H. D. Macdonald

POOR QUALITY
ORIGINAL

0190

My Dear Mr Maddina

As you have some know-
ledge of this case will you please look
into the papers and give me your opinion
and if possible a memo of brief of
facts

Yours truly
G. J. Goff

Answered Friday Nov 23 1888.

H. D. W.

POOR QUALITY
ORIGINAL

0191

People
of
Samlung

in Mowson

People vs
against:
Ignatius Dugan

New York October 24th 1888

Hon. John R. Felt
District Attorney

Dear Sir

In accordance with your request I have made a careful examination of the testimony in the above case, and I would respectfully report that I do not find such evidence as tends to connect the defendant with the commission of the crime as charged. I had occasion to be before the Grand Jury when this matter with the other defendants was before them, and stated that there was no evidence whatever upon which to find a bill against Dugan; and believe the majority agreed with me when I got through. The indictment ought be dismissed.

Yours Respectfully

Henry H. Thompson
Det. West District

POOR QUALITY
ORIGINAL

0193

Completed
against
Executive Order

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Fredricka Spaulding

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

Fredricka Spaulding

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

The said *Fredricka Spaulding*

late of the City of New York, in the County of New York aforesaid, on the
second day of *August*, in the year of our Lord
one thousand eight hundred and eighty-*eight*, with force and arms, at the City and
County aforesaid, feloniously did forge, and cause and procure to be forged, and willingly
act and assist in the forging a certain instrument and writing,

which said forged *instrument and writing*
is as follows, that is to say:

Act. & R. Laws, 1864. Chap 586

Sagany Laws, 1853, Chap 183, 82.

Police Court - 2 District

New York August 1st 1888

Filing and Filing of New York, N.Y.

*To the Warden and Keeper of the
City Prison of the City of New York.*

*You are hereby directed to discharge
from your custody Fredricka Spaulding committed
by the undersigned Police Justice July 26th
1888 for five months for Disordered Conduct.*

J. Henry Ford

Police Justice

with intent to defraud, 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

Fredricka Spaulding

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

The said *Fredricka Spaulding*

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, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing,

which said forged instrument and writing is as follows, that is to say:

*Int. & D. R. Sams, 1864, Chap. 586.
Vagraney Sams, 1853. Chap. 183, 62.*

*Police Court 2 District
New York, August 1st 1888*

City and County of New York, ss.:

*To the Warden and Keeper of the
City Prison of the City of New York:*

*You are hereby directed to
discharge from your custody and
custody committed by the undersigned
Police Justice July 26th 1888 for five
months for Disorderly Conduct*

*J. Henry Ford
Police Justice.*

with intent to defraud, the said *Fredricka Spaulding*, then and there well knowing the same to be forged, 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.

PHILLIPS & MOWER, 52 Nassau St., N. Y.

STENOGRAPHER'S MINUTES

First District Police Court
N. Y. SPECIAL SESSIONS.

THE PEOPLE

vs.

*Ignatius Degan &
Spradling alias
Riley alias Hart*

BEFORE

Samuel Pomeroy
Police Justice

Sept. 28th 1888
3rd Session

WITNESSES.

Direct.

Cross.

Re-called.

<i>Bernard McGill</i>	<i>48.54</i>	<i>50</i>	
<i>Michael Farrell</i>	<i>56.62</i>	<i>58</i>	

DAVID S. VEITCH,

Official Stenographer,

101 CENTRE ST., N. Y.

FIRST DISTRICT POLICE COURT.

48

-----X
The People on the Complaint of Henry
H. Porter

-----X
- against -

-----X
Ignatius Dugan and Spalding alias
Riley alias Hart.
-----X

Before
Hon. M. J. Power,
Police Justice.

August 20, 1888.

Third Session.

H. D. Macdona, Esq., for the People.

A. H. Purdy and John Coman, Esqs., for Dugan.

The Prosecution now announced that their case
was closed. Whereupon the defense called the fol-
lowing witnesses.

BERNARD MCGILL sworn.

- Q (Mr. Coman) State your occupation and address? A. I am
a keeper in the Jefferson Market Prison. I live No. 26
Greenwich Avenue.
- Q Were you on duty in Jefferson Market prison on the night
that Louise Bailey made a visit there? A. I do not know
her.
- Q You have heard her testify here, did you? A. No, sir,
not distinctly.

- Q Well, you were there the night when two women came inquiring about Edna Clark? A. I was there the night that two women came in inquiring about Edna Clark.
- Q Will you be good enough to state what transpired there on that evening; was Mr. Dugan present? Was he keeper there that night? A. Yes, sir.
- Q State what conversation you had with those women, if any? A. I did not have any.
- Q Do you remember their speaking to Mr. Dugan about Edna Clark being locked up? A. I came down to get a drink. Mr. Dugan was talking to two women when I came down. He desired me to look on the book and see if Edna Clark was there. I did so, and told her she went to the Island on that morning.
- Q Then it was you that gave her the information from the book that she went to the Island? A. Yes, sir.
- Q If she says that Dugan gave her that information she is mistaken, is that so? A. That is so.
- Q You are the person? A. I was the one.
- Q Have you had any conversation with the detectives in this case since it happened? A. No, sir.
- Q Have they visited you? A. No, sir.

0199

CORRECTION

0200

PHILLIPS & MOWER, 82 Nassau St., N. Y.

STENOGRAPHER'S MINUTES
First District Police Court
N. Y. SPECIAL SESSIONS.

THE PEOPLE
vs.

Ignatius Dorgan and
Franklin alias Reilly
alias Hart

BEFORE

Hon. M. J. Power
Police Justice

Aug 8th 25m 1888

WITNESSES.

	Direct.	Cross.	Re-called.
<i>Jos' Hoff 610 St 5th St</i>	1		32
<i>Louise Bailey 91 West Houston</i>	4.	6.32	32
<i>Joe Reilly alias Hart</i>	8.	10.19	16
<i>Maggie Smith</i>	24	24	
<i>James Finn</i>	27	30	
<i>Steph O'Brien</i>	34	40	
<i>John McCauley</i>	41	44	
<i>Michl. J. Bennett</i>	46		

DAVID S. VEITCH,
Official Stenographer,
101 CENTRE ST., N. Y.

FIRST DISTRICT POLICE COURT.

-----X
The People on the Complaint of Henry
H. Porter

-----X
 -against-

Ignatius Dugan and Frederick Spald-
ing alias Joe Riley.
 -----X

Before

Hon. M. J. Power,

Police Justice.

August 8th, 1888.

Messrs. A. H. Purdy and John Goman for the Defend-
 and Dugan.

Counsel for the defendant Dugan concedes that a com-
 mitment for the defendant Edna Clark was duly made;
 and that a discharge was thereafter made out by some
 person, and the alleged signature of Mr. Justice Ford
 thereto is a forgery.

Counsel now requested that all the witnesses for
 the people with the exception of Mr. Justice Ford and
 Mr. Porter be excluded from the examination room while
 the witness is testifying.

City and County of New York, ss:

JOSEPH HOFF, of No. 610 East 9th Street, was now
 called on the part of the Prosecution, and having been
 duly sworn, testified as follows:

Q (Court) What is your business? A. Watchman.

(Witness was now shown the discharge paper for Edna Clark attached to the Complaint in this case).

Q Did you get this discharge? Did you ever see it before?

A. Yes, sir, that is the very discharge which I handed to Mr. Blake.

Q Who did you get it from? A. From Mr. Riley here.

Q This defendant? A. Yes, sir.

Q How did you obtain that discharge from him? A. I gave him \$15.00 and the security of a wagon, a bill for a wagon for the security of the other five dollars. He wanted twenty dollars. I gave him fifteen dollars cash and a receipt for a wagon for the other five dollars.

Q And upon that he gave you this discharge? A. Yes, sir.

Q What representations did he make to you at the time? What conversation did you have with him? A. Well, I will tell you the whole story. Edna Clark was arrested on a Wednesday, the 25th of July, I believe. They sent a dispatch to me; I did not hear anything about it; I was over in Brooklyn until the following Saturday. A young man named Wilson and he said that he had a party named Riley who would get the discharge for the woman for \$20. I told him I would be over the following Monday and see this party. I went and I met him in the saloon 400 Hudson Street. I had not the money at the present time, so I

told him I would give him security for the \$20. He said he would see his partner about it. He told me he would meet me that night between six and half past six o'clock. I waited until ten o'clock that night for him and he never came. So next morning I wrote a note stating that I would meet him at three o'clock the following day. I had fifteen dollars and I gave him five dollars security for the other five dollars due. I met him the next day, and he said that he would have the discharge for me on the following day. I went up to pay him and he would not take it; but he said he would take it when I got the discharge. I met him the next morning and I got the discharge and gave him fifteen dollars and the five dollar receipt for the wagon.

Q Was there anyone else present at the time? A. A man who was behind the bar.

Sworn to before me, this)
day of August, 1888.)

Joe Hoff

Police Justice.

City and County of New York, ss:

LOUISE BAILEY, of No. 91 West Houston Street was
now called and sworn. She deposes and says:

- Q (Court) What is your age? A. I will be 22 the 24th of October.
- Q Did you visit the Jefferson Market prison? A. Yes, sir.
- Q Do you recollect the day? A. I will not say for sure whether it was on a Thursday or a Wednesday, it was on either one of the two afternoons.
- Q How long ago? A. Two weeks ago this Wednesday coming.
- Q Two weeks ago to-day? A. Yes, sir, to-day is Wednesday.
- Q That would be about what date? A. 25th of July.
- Q Did you have any conversation with any one there? A. Yes, sir.
- Q With whom? A. With this gentleman (Dugan).
- Q You had a conversation with this gentleman here, the defendant Dugan? A. Yes, sir.
- Q What did you go there for? A. I went there to bring my lady friend some supper.
- Q Who was that? A. Edna Clark.
- Q Was she a prisoner there? A. Yes, sir, she was.
- Q Relate what conversation you had with him? A. I asked this gentleman if I could send the supper up; I asked him to please send it up, and he sent another man up with it.

The other man was there quite a while, and said she had been sent to the Island. He asked me if she had anyone to take her out, and I said yes she had a friend in Brooklyn. He asked my name and address and I gave it to him.

Q Did anyone call upon you afterwards? A. Yes, sir; the next morning at ten o'clock.

Q Who called upon you? A. This gentleman here (defendant Riley).

Q Well, what conversation did you have with him.

(This question was objected to by the defense, also the answer given to the same for the reason that the conversation, if any, was held in the absence of the defendant Dugan).

A. Well, he asked me if Miss Edna Clark lived in that house. I said yes, sir, but she was locked up. He said he knew that. He said he was sent from Jefferson Market and could get her out. I told him I had sent a telegraphic dispatch to her friend in Brooklyn. I told him to call around again. I think he came four times to the house. Then he sent Mr. Hoff. That is all I know about it. He said that he could get her out for twenty dollars.

Q Did you ask Riley any questions? A. No, sir, I did not ask him any questions.

Q Did he inform you who sent him? A. No, sir, he did not

say who sent him.

Q He said he was sent from Jefferson Market? A. He said that he came from Jefferson Market.

CROSS-EXAMINED by Mr. Coman.

Q Miss Bailey, you saw another person besides the defendant Dugan, another keeper, at Jefferson Market on that evening?

A. Yes, sir; but I would not recognize his face.

Q Didn't you talk with him? A. No, sir; this is the gentleman I spoke to. (Dugan)

Q He took the supper from you? A. Dugan took the supper from me and gave it to the other man.

Q Had you been drinking on that evening when you went there? A. No, sir, I had not.

Q Was there anybody with you? A. Yes, sir, there was a lady friend of mine.

Q Did she take any part in the conversation? A. Yes, sir; she spoke to him too; she said she knew that he would get her out.

Q Did the other man speak to you at all? A. No, sir, he did not say a word. I said to him give the supper to some one else, I do not want to take it home again.

Q Do you remember his going to the book and getting the name of your friend and the date of her commitment? A. No, sir; I remember this gentleman (Dugan) going to the book.

Q Are you sure of that? A. Yes, sir.

Q And the other keeper did not have any conversation with you at all? A. No, sir, he had no conversation with me at all.

Sworn to before me, this)
day of August, 1888.)

Louise Bailey

Police Justice.

City and County of New York, ss:

JOE RILEY, being duly sworn, deposes and says:

Q (Court) Just tell us the story, if you will, of everything connected with the procurement of this discharge of Edna Clark? A. Well, it was about two weeks ago Saturday next, a man by the name of McIntee came to me with a slip of paper on which were written about five names, among which was this name was Edna Clark. He told me that they had come from Dugan----

(This was objected to by the defense; objection overruled; exception).

He came to me with this paper from Dugan. I knew they were from Dugan, and he told me there were about five names, and in Dugan's handwriting, among them was this Edna Clark. Well, the next day I took this slip of paper and with McIntee visited some of these places. Well, we went to 91 West Houston Street and there saw this lady here (Louise Bailey). I did not know her name at the time; I stated my business with her. She asked me if I was the man from Jefferson Market, and if the keeper had sent me there, and I said yes ma'am. She did not mention which keeper or anything about it. So I told her I would get her friend out for \$20. Well, I did not have any conversation there then. I came out and met McIntee. On

that afternoon McEntee saw Dugan and got the discharge.

(The latter part of this answer was objected
to and ordered to be struck from the record).

Q Well, repeat the conversation that you had with McEntee
when he gave you the discharge?

(What follows is taken under objection by the
defense).

A. Well, he told me that there was the discharge. They
told me further then that they would send to Brooklyn and
get this man Hoff to come over to see me.

Q Who said that? A. This lady here. On the following
Monday, I believe it was in the early part of the week I
saw this Hoff. I then had a written discharge signed and
everything else that McEntee had given me in case Hoff had
the money.

Q Is this the discharge? A. No, sir, that is not the dis-
charge. I will not be positive of the day, but it was
in the early part of the week -- whatever day it was Hoff
came to me between 12 and 1, and told me that he did not
have the money, but would let me know if he had the address.
I went out and met McEntee and Dugan outside. They asked
me what conversation I had with him; they both asked me
almost simultaneously. I told them that he hadn't the
money at present, but he would give me security for the \$20

They had seen me leave him on the corner and he went up Hudson Street.

Q Well, what occurred after that? A. McIntee said "We will not take that at all". He said give me the discharge and he took it and tore it up in front of the two of us there. Well, that was all about it on that day. I have those dates wrong.

Q Correct them now? A. It was the 31st.

Q (Mr. Goman) Which? A. The 31st of July.

Q What do you refer to as happening on the 31st of July?

A. Monday was the date of the first conversation, on the 30th; Wednesday I saw Hoff, and he told me that he had the money; I have forgotten a good deal of it; I have a memorandum in my pocket, whether I can use it or not I do not know.

Q Did you use it at the time? A. No, sir.

The Court: I will let you refresh your memory.

Mr. Goman: Before the introduction of this memorandum I desire to ask the witness some questions.

Q When did you make that memorandum? A. On the day before yesterday.

Q While you were under arrest? A. Yes, sir.

Q And after you had been visited by the officials or detectives from Headquarters? A. They had not visited me.

Q You had had conversations with them? A. Yes, sir.

Q Where did you make this? A. In the cell.

Q And how long had you been under arrest at the time?

A. Since last Thursday, and this Monday I made the memorandum.

Q After you had made a confession to the police officers?

A. I had made no confession. I just admitted I was guilty.

Q You made that memorandum by which you now seek to refresh your memory after admitting to the police officers that you were guilty? A. Yes, sir.

Q You know you were to testify here to-day? A. I did not know what was to take place in fact; I never was at anything of this kind before.

Q Tell us why you made a memorandum? A. In case I was called upon to tell anything; I made up my mind before that ---

Q To testify? A. Not to testify.

Q Well, to tell? A. Yes, to tell what I knew.

The Court: Now refresh your memory from the memorandum as to the day.

A. On that Monday, July 30, I met Hoff and agreed to give him the discharge, and he told me he had not any money.

At the time I had a written discharge in my pocket. When

he did not have the money I brought it to Dugan and McEntee who were on the outside.

Q Where was this? A. On the corner of Clarkson & Hudson Street.

Q Which corner? A. It was on the southwest corner.

Q Was it in the house or on the street? A. On the street.

Q Was it after the conversation you had with Hoff? A. Yes, sir, after the conversation.

Q Where was that conversation? A. In the saloon, 100 Hudson Street.

Q Did Hoff go away? A. Yes, sir, he went away up Hudson Street immediately.

Q You went outside? A. Yes, sir, with him and I walked as far as the corner; McEntee and Dugan were on the opposite corner.

Q Go on with the conversation which took place; fix the time of the day as near as you can? A. It was between 12 and 1 when Mr. Dugan was going to his dinner. On that morning I had been up to Jefferson Market and asked Warden Finn if I could see Dugan. He said if I would wait about five minutes he would call him. He called him, and Dugan walked out to the outside door with me. That was before the discharge was made out at nine o'clock in the morning. I asked him whether Edna Clark had got three or five months

He said he was sure it was five months; so I went down and I told McIntee, and he made out the discharge then. Of course that discharge was torn up.

- Q When Hoff left you you joined McIntee and Dugan? A. Yes, sir.
- Q How then begin at that point where you left Hoff and went over and joined them? A. They both asked me almost simultaneously what he had to say. I told them that he had no money but he promised to give me good security; and that would not suit; so the discharge was torn up.
- Q And that was on Monday? A. Yes, sir; between 12 and 1 o'clock. So on the following day I was out of the city, I was on an excursion. On that night, Tuesday, when I came into the saloon there was a note there.
- Q What saloon? A. 400 Hudson Street. There was a note from Hoff telling me he would meet me the next day at three o'clock; instead of that he came about half past one o'clock to Mink's saloon; I told him then I would have the discharge for him on the next day.
- Q In the meantime McIntee went off? A. Yes, sir; and came back with a blank discharge. The next day was Thursday.
- Q A paper precisely like this (shown)? A. Yes, sir, that is the discharge he came back with, but no writing on it;

that is the paper. But there was no writing on it at the time.

(Witness now identified the paper on which

was alleged to be the signature of Mr. Justice Ford).

I ^{saw the} ~~was already~~ discharged on that night. Thursday morning I met McIntee at half past eight.

Q You had seen this paper on Wednesday evening? A. Yes, sir; next morning McIntee came to me. I went with him then to the saloon corner of Leroy and Hudson Streets and he there wrote out the discharge and signed the Justice's name.

Q In your presence? A. Yes, sir; he wrote ~~all in~~ in my presence; I saw him signing the name ^{Justice} of the. I went into another room and while I was in there he signed the name. I went over then and met Hoff about 9 o'clock in the morning. He took the discharge and went up to 11th Street; and there it was discovered.

Q Was there any advice given him about the manner in which to act when he got to 11th Street? A. No, I just told him to go up; I told him if there was a commissioner there to ^{have him} sign it, and if a commissioner was not there to get a pass to the Island and a commissioner would sign it over there.

Q Is that all? A. Well, I saw Dugan coming from his din-

ner and he gave me another blank discharge with the name of another woman who had been committed to the Island by Justice Power. On that day, I believe it was, she was sent there. I gave that to McIntee. Well, that was all I saw of Dugan on that day; I did not see him on that night. I got the money from Hoff on that morning at nine o'clock. I gave McIntee ten dollars and I kept five.

Q How much money did you get altogether? A. Fifteen dollars.

Sworn to before me, this

day of August, 1888.

Michael Hart

Police Justice.

In consequence of the pressure of business before the Court, Mr. Justice Power said he would adjourn the further hearing of this case until the 9th instant at 10 o'clock A. M.

FIRST DISTRICT POLICE COURT.

-----X
The People on the Complaint of Henry
H. Porter

-- against --

Ignatius Dugan and Frederick Spauld-
ing, alias Riley, alias Hart.

: Before
: Mon. M. J. Power,
: Police Justice.
: :
: :
-----X

August 9th, 1888.

H. D. Macdona, Esq., for the People. *2^d Session*

A. H. Purdy and John Coman for Defendant Dugan.

J O E R I L E Y was now re-called for further examination

Q (Mr. Macdona) You testified yesterday afternoon, that about
two weeks ago Saturday a man named McIntee came to you
with a slip of paper on which were a number of names and
among them that of Edna Clark; and he told you that they
had been given him by Mr. Dugan? A. Yes, sir.

Q Well, is there anything further than his telling you that
they came from Mr. Dugan to make you believe that they
came from Dugan, at the time you got the list? A. I saw
they were in Dugan's handwriting.

Q What became of that list? A. Well, McIntee had it; but
the next day I got the slip of paper from Dugan with this
Mrs. Clark's name on; I have got it since yesterday.

Q Will you produce it?

(Slip of paper produced).

Q Dugan handed you this himself? A. Yes, sir; on Sunday afternoon corner of Clarkson and Hudson Streets.

Q Are you familiar with his handwriting? A. Yes, sir, I am pretty familiar with it.

Qv Was the list that McIntee gave you in the same handwriting with this? A. Yes, sir.

(This question was objected to by defendants' counsel. The Court said it would be received for what it is worth; it is marked Exhibit 1).

Q What became of the other list which was handed to you by McIntee?

(Question objected to; objection overruled; exception).

A. The list with Edna Clark's name on it I suppose was torn up.

Q Well, did you at any other time get lists from Mr. Dugan?

A. Yes, sir, of other names, about a week previous to the one I received on this Sunday.

Q Have you any other of those lists? A. Yes, sir, I have another list.

Q Let me see it?

(List produced subject to objection and excep-

tion by the defense, on the ground that it has no bearing on this transaction).

Q He gave you this list and asked you to call on these people? A. Yes, sir.

Q Do you remember the date on which this was delivered to you? A. On the 25th or 26th of July.

Q And that is in the handwriting of Dugan? A. Yes, sir.

(This paper was now offered in evidence subject to objection and exception by the defense for the reason that it has no bearing on this case; it is marked Exhibit 2).

Q Now you stated yesterday that on the morning that you met Hoff, and he told you that he could not give you any money, that he has not any money, you testified that you went out to the corner of Clarkson Street and Hudson? A. Yes, sir.

Q And that you met Dugan and McEntee there? A. Yes, sir.

Q Well, now, just let us hear what they said; who did you address first? A. They spoke to me first.

Q Which one? What did Dugan say? A. Both of them I say. They asked me how I made out with him. I said that he had no money, but he would give me good security for the \$20. McEntee said "Well, give me the discharge, we will not take any work of that kind."

Q And he tore it up? A. Yes, sir.

Q Well, what occurred after that? What did Dugan say after it was torn up? A. He said "Never mind, that fellow is good and he will show up yet."

Q And that was on the 31st? A. It was on Monday the 30th. That was the first meeting with Hoff.

CROSS-EXAMINED by Mr. Purdy.

Q Is your name Reilly? A. My right name is Hart.

Q Well, what did you swear yesterday when you swore to speak the truth? A. Well, I signed the evidence in my right name.

Q You swore to the Court that your name was Reilly; did you swear deliberately to a lie? A. Well, they did not put the question to me what my name was; it is supposed it was Reilly.

Q Are you sure the Court did not ask you your name? A. No, sir.

Q Did not call Mr. Reilly, and say "Mr. Reilly take the book" A. They might have said that.

Q Your right name is Hart? A. Yes, sir.

Q What is the first name? A. Michael.

Q When you were first arrested your name was Spaulding?

A. That is the name I gave when arrested.

Q You changed from Spaulding to Reilly and from Reilly to Hart? A. Yes, sir.

Q You have had three different names since the arrest?

A. Yes, sir.

Q Your brother was arrested with you, wasn't he? A. No, sir.

Q He was arrested with you? A. No, sir; he was taken over to Headquarters but not put under arrest.

Q Did you see him at Headquarters? A. Yes, sir.

Q You had a conversation with him there? A. Yes, sir.

Q Have you ever been arrested before? A. No, sir, never.

Q What do you say your business is? A. Steam fitting and blacksmith, both of those trades.

Q You are a steam fitter and blacksmith? A. I am not proficient at either, but I have worked at both.

Q Who did you last work for at steam fitting? A. Hitchings & Company in Mercer Street between Bleecker and 4th Streets.

Q How long ago did you work for them? A. Last Fall.

Q How long ago did you work with them? A. I worked for them about three months until the season got dull and I was laid off.

Q Who else have you worked for at steam fitting? A. Those are the only places.

Q Who did you work for at blacksmithing? A. For my father, 591 Washington Street.

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- Q How long did you work for him? A. Three years and a half
- Q Who else have you worked for, anybody? A. I have worked for Mr. Benedict, North River; he used to be a freight agent. He is dead now.
- Q Who else besides those? A. For Evans & Bros., 21 Park Place.
- Q How long ago did you work for them? A. About five or six years ago when I left school.
- Q They are there yet, are they? A. I do not know.
- Q What did you do for them? A. They were in the wholesale sheet music.
- Q What have you been doing since last Fall, since you left the steam fitting business? A. Nothing.
- Q How long have you known McEntee? A. Since I went to school.
- Q Did you go to school with him? A. I was not in the same class with him.
- Q How many years ago did you first meet him at school?
A. It must have been six years ago.
- Q Now you are guilty of this charge yourself? A. Yes, sir.
- Q You knew when you saw McEntee signing the name of Justice Ford that he was committing a forgery? A. Yes, sir.
- Q You knew when you carried that paper to the man that you were uttering a forged paper? A. Yes, sir.

- Q You say you got this paper (Exhibit 1) from Dugan?
A. Yes, sir.
- Q Where was it that you got it? A. On the corner of Clark-
son and Hudson Streets.
- Q When did you get it? A. Sunday, July 29th.
- Q What did you do with it then? A. I kept it in my pocket.
- Q Did you have it in your pocket yesterday? A. No, sir,
because it was in my old coat.
- Q Where was your old coat? A. I left it in the saloon,
400 Hudson St.
- Q You sent Mr. O'Brien after it? A. No, sir, I sent my
brother.
- Q Where did you see your brother? A. I saw him outside
of the prison here yesterday, on the way from the District
Attorney's office.
- Q You had a conversation with him? A. Yes, sir; and I
told him he would find that paper there if he went for it.
- Q Did you ever see Mr. Dugan write? A. Yes, sir.
- Q Well, you understand that by reason of turning States
witness, as it is called, and swearing against Dugan you
are to be liberated, are you? A. I have had no arrange-
ment with any one.
- Q You intend to plead guilty to the charge? A. Yes, sir,
I pleaded guilty from the start almost.

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Q Who did you first speak to about your testifying? A. With my brother.

Q You had a talk with him? A. Yes, sir.

Q He it was that advised you to testify, was it? A. Yes, sir.

Q Who did you communicate with then? A. The next person I spoke to was Mr. O'Brien.

Q Is that the way you became a witness? A. Yes, sir.

Police Justice.

City and County of New York, ss:

MAGGIE SMITH was now called by the Prosecution;

being duly sworn she deposes and says:

Q (Assistant Dist. Atty. Macdona) Do you remember going to the Jefferson Market jail on the 27th of July with Louise Bailey to bring a supper to Edna Clark? A. Yes, sir.

Q Who did you see there? A. There were two men there -- two keepers.

Q Well, do you see any of them around here now? A. Yes, sir.

Q Where are they? A. I see this one here (Pointing to Dugan).

Q (Mr. Purdy) Aren't they both here? A. Yes, sir.

Q (Mr. Macdona) You overheard a conversation between Louise Bailey and this man Dugan? A. Yes, sir.

Q Well, what was it? A. Well, he asked if Edna Clark had any friends that would get her out; and Louise Bailey said yes, she guessed she had a friend in Brooklyn that would get her out. He asked the number and she gave it him, 91 West Houston Street, and he took it on the books, and next morning a young man called up to the house. That is all I know about it.

CROSS-EXAMINED by Mr. Purdy.

Q You went there with your friend to carry supper to Edna

Clark? A. Yes, sir.

Q And that was on Sunday July 30th, wasn't it? A. It was on Friday night.

Q You are sure it was Friday night? A. Yes, sir.

Q You can not be mistaken about it? A. I can not be mistaken.

Q Friday night, what was the date? A. Well, it was the 27th or 28th of July.

Q And it was Friday night? A. It was on a Friday night, yes.

Q And you went with this other lady Louise Bailey? A. Yes, sir.

Q You never went there but once, did you? A. Never but once.

Q And on this occasion you took a supper there? A. Yes, sir.

Q Now did you see that other keeper, Mr. McGill? Is not that the other man that you saw? A. Well, I could not tell you. He went up stairs with the supper.

Q You went in and saw two men there? A. Yes, sir; and this man Dugan was at the desk.

Q He was at the desk, was he? A. Yes, sir.

Q Then what was the first thing which was said? A. The first thing which was said was that he thought she had been

sent to the Island on that day.

Q Who spoke first? A. The first spoken was by Louise Bailey who went in and asked for Edna Clark.

Q Who did she ask? A. She asked this man here. He said that he thought she was sent to the Island on that day, but he would look over the books and see. In the meantime he called the other keeper and sent him upstairs with the supper. The next was he asked had she any friend that could get her out. Louise Bailey said yes, she thought she had a friend in Brooklyn. That is all that took place. He took down the number of the house.

Q Did she give the number of the house? A. Yes, sir, she gave the number of the house.

Q And then you went away? A. Then we went away.

Q Now you can not be mistaken about this being Friday night?

A. I can not be mistaken.

Q What time of night was it? A. It was about nine or half past nine o'clock. He made the remark that it was rather late.

Sworn to before me, this)
)
 day of August, 1888.)

Police Justice.

City and County of New York, ss:

J A M E S F I N N, was now called on the part of the Prosecution; having been duly sworn he deposed and said:

Q (Asst. Dist. Atty. Macdonald) Mr. Finn, you are connected with the Jefferson Market prison? A. Yes, sir.

Q Do you know Mr. Dugan? A. Yes, sir.

Q Are you reasonably familiar with his handwriting? A. He never wrote much only to sign his name on the keeper's book when he would go on duty; I am not able to identify it; I cannot say positively.

Q Well, have you seen any other writing than the writing of his signature? A. No, sir, only his name.

Q You have seen that signature written on a book? A. Yes, sir.

Q Showing when he comes on in the jail? A. Yes, sir, in the prison.

Q Do you know whether he was in the jail on the night of Friday the 27th of July? A. I think he was. That was his night on, the 27th.

Q He was on? A. I think so; that is to the best of my belief; I have sent for the book.

Q Mr. Finn, I hand you paper marked Exhibit 12, can you tell whether that is in the handwriting of Mr. Dugan or not?

A. I can not say positively.

Q You would not be willing to swear; you are not familiar enough with his handwriting for that? A. No, sir; it looks like it, but I can not swear positively. It is that style of writing.

Q Well, have you any books with you that would show whether those names and addresses were entered on the books as of parties committed? A. Yes, sir.

Q Let me see that list. Have you got a Fanny Wilson there?

A. Yes, sir, on the 24th. of July committed by Justice ---

(All this evidence is taken under objection and exception by defendants' counsel).

Justice Ford, 400 dollars bail 3 months. She was sent to the workhouse July 27th from the Second District Prison; transferred to the workhouse.

Q Mary Walters? A. Mary A. Walters committed by Justice Ford; transferred to the workhouse July 27th; 400 dollars bail 3 months.

Q Kate Thomas? A. Kate Thomas, committed by Justice Ford 400 dollars bail, 3 months; transferred to the workhouse July 25th.

Q Delia Smith? A. July 25th, Justice Ford, 400 dollars, 3 months, transferred to the workhouse 26th of July.

Q Maud Smith? A. July 25, Justice Ford; 400 dollars; 3

months; transferred to the workhouse 26th of July.

- Q Was there a Lizzie Blackburn? A. Yes, sir; July 25; Justice Ford; 400 dollars bail; 3 months; Transferred to the workhouse July 26th.
- Q Was there any way of any person not connected with your prison getting a record of that kind? A. The keepers had charge of the record; no other outsiders could get them except the officers.
- Q Had Mr. Dugan access to the records? A. Yes, sir; who is one of the keepers there and had access.
- Q Did Mr. Dugan's business bring him at all into the Court room at any time during the sitting of the Court, or after they had adjourned? A. No, sir.
- Q His business did not bring him there? A. No, sir.
- Q Did you ever see him there? A. I saw him there a few times while Court was in session; I saw him on the way going in; he would come out as I was going in.
- Q Did you ever see him in the possession of blank discharges? A. No, sir.
- Q You never saw any with him? A. No, sir.
- Q Is that the book that Dugan's handwriting is in? A. Yes, sir.
- Q Refer to it and see if he was in the jail on the 27th of July? A. Yes, sir, they went on at 7 P. M. on the 27th,

keepers Dugan and McGill.

CROSS-EXAMINED by Mr. Coman.

keepers

- Q How many ~~have~~ have you got there? A. Six.
- Q They all had equal access to the books as Dugan? A. Yes, sir.
- Q Have you ever furnished parties on coming in what a Mary Jones got, what time she got or who committed her; have you ever furnished any information of that kind? A. Yes, sir.
- Q It is a part of the duty of officers there to inform people who apply for the record of a person what became of them and what disposition? A. Yes, sir; they are public documents.
- Q (Mr. Purdy) There are police officers there too? A. They are attached to the Police Court.
- Q Do they ever look at the book? A. No, sir.
- Q It is not a secretly kept book? A. No, sir.
- Q Any one can go in and examine it? A. Yes, sir; no outsider can go there.
- Q Any one who has an interest in a prisoner can go there and look at that book? A. Yes, sir.
- Q You would give them the information if they asked what became of a person? A. Yes, sir.
- Q You have done so? A. Yes, sir.

- Q In the line of your duty? A. Yes, sir.
- Q You understand that is a portion of your duty, to give to people who have a right to ask? A. Yes, sir.
- Q You would not give it to a loafer or tramp from the street, but to any respectable person you would? A. Yes, sir.
- Q You have been connected with prisons for a very long period of your life? A. Yes, sir.
- Q Don't you know that any person of respectability can go in to the Magistrate's Court and get a blank discharge from any of its clerks? A. Well, I do not know about that.
- Q (Mr. Macdonn) You are reasonably familiar with the routine of business in the police courts? A. No, sir; I consider myself a prison keeper and attend to my own business.
- Q But you are nevertheless reasonably familiar with the method of doing business in the police courts? A. I have an idea of it.
- Q Did you ever hear of a clerk in a police court giving blank discharges to anybody? A. Yes, I have heard of clerks giving a copy of an affidavit.
- Q Did you ever hear of a police court clerk handing out to any one who asked for it blank discharges? A. No, sir.
- Q (Mr. Coman) You have known clerks to make out a copy of a commitment? A. Yes, sir, and fill out a blank for the Justice's signature.

LOUISE BAILEY re-called for further examination
by the District Attorney.

Q Miss Bailey, do you remember what day it was that Edna
Clark was arrested? A. Yes, sir.

Q What day was it? A. She was arrested on Wednesday night
the 25th of July.

Q Now, then, when did you call on her? Did you call on her
the next day or the day afterwards? A. Friday night I
called upon her.

Q What day was that? A. The 28th.

Q Are you sure it was the 28th, if Wednesday was the 25th?

A. Well, I know it was Friday night anyway.

Q You went there on Friday night? A. Yes, sir.

Q It was on Friday night that you had this conversation
with Dugan, to which you have testified here before?

A. Yes, sir.

CROSS-EXAMINED by Mr. Purdy.

Q You were examined yesterday when you said it was Wednesday?

A. Yes, sir.

Q (Mr. Conan) You have been locked up since this arrest was
made? You have been in the House of Detention? A. Yes,
sir, since last Friday night.

Q Have you talked with any one about this case? A. No,
sir.

Q Have you seen Mr. O'Brien about the case? A. Why no, sir, why should I speak to him?

Q Have you talked with him about the case? A. No, sir.

Q Have you had any conversation with him about it at all? A. No, sir.

Q Not a word? A. No, sir.

Q Did not know what you were expected to testify to? A. No, sir; I did not know what I was expected to testify to.

Q Were not told what you were expected to prove? A. Yes, sir.

Q Who told you that? A. The detective.

Q Then you did talk with him about the case? A. Yes, sir.

Q When was that? A. I think it was the night I was arrested.

Q Have you talked with him since about it or had any conversation? A. No, sir.

Q Has he spoken to you about it? A. No, sir.

Sworn to before me, this)
day of August, 1888.)

Police Justice.

City and County of New York, ss:

DETECTIVE SERGEANT STEPHEN O'BRIEN was now called on the part of the Prosecution; being duly sworn he deposes and says:

Q (Mr. Macdonald) Officer, will you just state to the Court your connection with this case? A. Yes, sir; on the morning of August 2nd last I was present at Jefferson Market Court with a prisoner in another case. Justice Ford called me into his room where this man Joseph Hoff was also present. He had been brought there from the Commissioners of Charities and Corrections where he had presented a discharge calling for the discharge of Edna Clark.

Q (Mr. Conan) As you were informed? A. I had been informed by Justice Ford that he had gone there and presented that discharge.

(The defense now objected to any and all the conversation that the witness had with Justice Ford on the ground that the prisoner Pagan was not present at the time).

The Court) This was a conversation in the presence of one of the defendants then.

Mr. Purdy: Not in the presence of our client.

The Court: Go on and tell the story.

(The defense now objected on the ground that the evidence is immaterial, irrelevant, incompetent and on the ground that it was had in the absence of the prisoner Dugan, and has no relevancy to him whatever).

A. The discharge that called for Edna Clark's release had the signature of Justice Ford to it, which Justice Ford said was a forgery. He requested me to take this man Hoff in charge and bring him to headquarters, and to inform Inspector Byrnes of it, and that he wanted the parties implicated in this matter arrested from A to Z. I took this man to headquarters and questioned him in regard to how he obtained this discharge.

(The defense now objected to any conversation being given that the witness had with Hoff at police headquarters; overruled; exception).

A. He said that he got this discharge from a man named Joseph Reilly at 400 Hudson Street. He gave me a description of this man Reilly. He said he could identify him if I would arrest him. I got a young man named Michael Bennett who does considerable work for us, and he can be relied upon. We have to have that kind of people.

On that afternoon I went over with Mr. Bennett. I told him to go into that place, 400 Hudson Street, and

make an inquiry for Joseph Reilly; to tell him that he had a girl who was committed by Justice Power on that morning for three months, and if he saw him there to try and make an appointment with him to get a discharge for her on the next morning. We went over there with officer McCauley and myself. We remained in there about fifteen minutes. We waited to see that he was not followed, and then we followed him. We got about a block and a half away and he told us the result of the interview that he had with this man Reilly.

(Objected to; overruled; exception).

He had seen this man Reilly; he agreed to have a discharge for him on the next morning at half past eight o'clock for twenty dollars; that he tried to make an appointment with Reilly for that night, and that he, Reilly, said that he would have to go to Jefferson Market to see a man who was interested in getting the discharge. He said that the man Reilly told him that he did not get all this money himself, that he got only a portion of it; that there was another man that he had to go to and see at the market; and if he would be on hand at half past eight the next morning that he would have this discharge for the prisoner. We agreed to go back and cover that saloon and wait until this man Reilly would come out. We considered from the

statement of Bennett that there was more than Keilly implicated, and we wanted to get them quietly. We went into the drug store directly opposite 400 Hudson Street, Bennett, Detective McCauley and myself. We waited there about half an hour expecting Keilly to come out; but Keilly did not come out; while we were waiting for him to come out he came along the street with Keeper Dugan; and when they got in front of 400 Hudson Street they stood there. Joseph McEntee alias Evans, a professional thief, whose picture is now in the gallery, joined them.

(This was objected to by the defense; exception).

They had about fifteen minutes conversation together outside of that door. I looked at my watch. It was about seven minutes of six. They parted and Keilly and McEntee went into the saloon and Dugan walked down Hudson Street. He walked about fifty feet, when he stopped, as though he had forgotten something. He walked back to the door of 400 Hudson Street, opened the shutters partly, shoved his head in and walked back to the railing. Then Joseph McEntee came out alone and he held five minutes more conversation with him.

Q Who did? A. Dugan; he went back to the door and called McEntee out. Then they parted. Dugan went down Hudson

Street and McIntee returned to the saloon. We made up our minds then to arrest both of them. A short time after that McIntee left the saloon. I sent Detective McCauley after him if he parted with his friend, and if not not to touch him. In the meantime he came back again with the same party that he went away with. Heilly came out of the saloon and joined McIntee with his brother and some other young man. They walked down Hudson Street to the corner of Leroy. I went outside of the drug store then and looked for McCauley; I could not see him then. He had lost the people that he followed. I found McCauley and fetched him back to the liquor store. The man whom I know as Joseph Heilly was there; McIntee was not there. I arrested Joseph Heilly, alias Hart. His brother, whom I know as Jack Hart, I took with me. I brought him over to headquarters. After he got to headquarters he confessed to me the whole business. He said that he had been doing this business for the past four or five months in company with Dugan and McIntee. When ~~the~~ prisoner was arrested Dugan visited him, found out whether he had any friends, and if so he would take their names and addresses and give them to McIntee and himself.

Q You are now speaking of the admissions that Heilly made at Headquarters? A. Yes; in the presence of McCauley and

myself. I

Q In the absence of Dugan? A. Yes, sir.

Q Did you arrest Dugan? A. Yes, sir.

Q Let us have what occurred at the time you arrested him?

A. I went into the prison and sent up for Dugan. He came down stairs. I brought him into the Court before Justice Power. Justice Ford was also present. Justice Power told him what he was charged with.

Q When he came down what conversation did you have with him?

A. I did not have any. I told him Justice Power wanted to see him. He changed his uniform and came out with me to the court.

Q Did he say anything at all? A. No, sir.

Q Was it done in dumb show? A. He did not say a thing.

Q You brought him out to the court? A. Yes, sir.

Q What occurred in the court? A. I brought him to Justice Power, and I asked him to remand him till the next morning.

Q I want to know what conversation you had, if any, with Dugan. You took him out and brought him to the Court?

A. Yes, sir; and he was remanded to police headquarters until Monday.

Q You took him there? A. Yes, sir, until next morning.

Q What occurred on the way from the police station? A. Officer McCauley took him over to headquarters after the

Judge committed him.

CROSS-EXAMINED by Mr. Coman.

Q Do you remember Judge Power telling you that he had a right to see his counsel? Did you allow him to see his counsel?

A. I went outside and I tried to get the man that he said was in the prison with him. He came out with that man.

He asked me when he was brought into the room if I would go and tell that man, Brown, to come and see him. I could not find him, but I allowed a friend of his to go and see him.

Q Didn't he tell Justice Power who his counsel was? Didn't you hear him mention my name? A. Yes, sir.

Q Didn't Justice Power tell you to see that he had communication with his counsel; is not that so? A. We did not prevent him from communicating with his counsel.

Q Did not Justice Power give him all facilities of seeing his counsel? A. Yes, sir.

Q What facilities did you afford him? Under the law you knew he had a right to see his counsel?

The Court: You took him to headquarters and delivered him over to the jailer? A. McCaulley took him over.

Sworn to before me, this)
day of August, 1888.)

Police Justice.

Mr. Purdy, of counsel for the defendant Dugan, now moved to strike out all the evidence of the witness O'Brien with the exception of that wherein he says he saw Dugan in company with McIntee and Reilly on the occasion spoken of.

The Court: I will reserve my decision upon that for the reason that I want to read the testimony before I decide it.

City and County of New York, ss:

DETECTIVE SERGEANT JOHN McCAULEY was now called on the part of the Prosecution; having been duly sworn he deposes and says:

Q (Mr. Macdon) You are a detective sergeant connected with the municipal police? A. Yes, sir.

Q Did you take the prisoner Dugan when he was before Justice Power from Jefferson Market to the police headquarters?

A. Yes, sir.

Q Now, what conversation did you have with him on the way over? How did you go from Jefferson Market? A. We went over through West 10th to Broadway and then down Broadway.

Q Tell us what Dugan said to you and what you said to him?

A. On our way over he told me that he kind of expected to be arrested. He said on the night before he was told

by somebody that Jack Hart, brother of Joe Reilly, was going to try to have him arrested so that when he would be in trouble, he having money and friends, and one thing or another of that sort, that he would be ~~xxxx~~ bailed and assist Reilly to get out himself. He expected to be arrested for that reason he said. Well, in speaking about Reilly having gone to Jefferson Market Court he told me that there had been somebody there inquiring for him; he said that he had gone there and inquired about some woman; he thought Reilly had gone there at least, and that he came out and met him on the corner. He said he was standing on the corner of 6th Avenue and West 10th St. when Reilly met him there.

Q Well, that was just after Reilly had been there and asked for him? A. I made a mistake about Edna Clark; I meant on the day that O'Brien and I went over this house; that was on the 2nd of August.

Q Is there anything else that you think of, McCauley? A. I do not remember any other conversation I had with him bearing on the case.

Q Did that occupy all the time from the court to headquarters A. He was a kind of quiet coming over. I did not have much to say to him. We walked over quietly.

Q What was the conversation he said to you about his ability

to defend himself, and his expectation of having to help Keilly out? Is there anything further than you have given here now? A. He said that he had not done anything wrong; he said "I have not done anything wrong". He said "I am not afraid of anything". In the court some one asked him about a counsel; I heard him saying three or four times that he did not want any counsel.

Q Was that before he was all night at headquarters? A. No, sir, it was after he was at headquarters next day.

Q Did you bring him over from headquarters the next day? A. Yes, sir.

Q He was in Jefferson Market twice? A. Yes, sir.

Q What conversation did you have with him going over; do you recollect that? A. Yes, he mentioned that again, about how he expected to be collared as he said; about the same thing that he said before, that this man put up a job to have him collared so as to help Keilly out.

Q Did you take him back from the Court to headquarters again? Was he remanded to headquarters the second time? A. I do not remember now whether he was brought back that day again or not.

Q Was he locked up in Jefferson Market? A. He was committed on that day and sent down to the Tombs.

Q Did you bring him down? A. Yes, O'Brien and myself

brought him and Reilly down.

Q Did you hear any conversation between himself and Reilly on the way down, any recriminations? Did they talk to each other at all? A. Dugan asked him how he felt; he asked Reilly on the way down "How do you feel, Mike?" Hart said "All right." He said "Will you get bail?"

Q Is that all you remember of that conversation from Jefferson Market down to the Tombs? A. I do not remember anything else.

Q Did Dugan admit that he was with Hart on the day that the folks were after him, that you went to the saloon after him, to 400 Hudson Street? A. He admitted that he had been with Hart or Reilly on that day; he said that he had met him corner 10th St. and 6th Avenue and walked down the street with him.

CROSS-EXAMINED by Mr. Conan.

Q When he spoke of meeting Hart on that day didn't he say that a man wanted him to go in and inquire about some woman's time, and he refused and told him to go in himself? A. Yes, sir, he said that.

Q He met Hart there on that day and Hart asked him to go in, and he said to him to go in himself and find out? A Yes, sir.

Q And the substance of all the conversation between you and

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the defendant was that he declared his innocence to you?

A. Yes, sir.

Q And that this was put up on him by Reilly's brother, and that he had money and influence and could get out? A. Yes sir.

Q Instead of making any admissions of guilt he asserted his innocence of it? A. He did not say he was guilty.

Q. (Mr. Purdy) He said to you going over that he kind of expected this arrest? A. Yes, sir.

Q Didn't he tell you that he had been notified or warned by a man that had come to the prison on the night before or at some time on that morning and told him that Hart or Reilly's brother was putting up a job on him to get his brother out of this scrape, because he had money and friends and could get him out of it? A. Yes, sir.

Q Did he state that he was not afraid of anything and did not do anything wrong? A. He said he was not afraid.

Sworn to before me, this)
)
 day of August, 1888.)

Police Justice.

City and County of New York, ss:

MICHAEL J. BENNETT, a witness called by the Prosecution and sworn, deposes and says:

Q (Mr. Macdona) Mr. Bennett, are you acquainted with these two defendants, Dugan and Reilly? A. I have seen them.

Q Well, just tell us where and when? A. On the 2nd of last August I left the central office with detectives sergeants O'Brien and McCauley and we went over to 400 Hudson Street. I made inquiries for Joseph Reilly. The girl who was behind the bar called Reilly up. I told him I wanted to speak to him for a moment. He asked me what it was about.

(The defense now objected to the witness giving any conversation that took place between himself and Reilly or Mart in the absence of Dugan.)

I told him that I wanted to take a girl out. He said "How much will you pay?" I said I did not have much money with me. He said "Will you pay \$20.?" I said "No, sir, I will not pay more than \$15., that is all I have got." He said "Well, all right, of course it isn't all for myself I have to pay some one up in the Market." He asked me the name of the girl, and I told him Mabel Brown, that is the first name came into my head. He said he would meet me the next morning at 400 Hudson Street and we both would go up to the market, and he would get the discharge. Then

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I came out and walked to Varick Street, to Downing Street and I met O'Brien and McCauley.

Q Did you follow Reilly up to the Court? A. No, sir; I went down to Varick Street and told them the result and came out and went into the drug store opposite 400 Hudson Street. We remained there for some time and we saw Reilly coming along accompanied by Dugan, and McIntee came out of the liquor store 400 Hudson Street. They had a conversation for about ten or fifteen minutes. Dugan went down Hudson Street about fifteen feet, opened the swinging doors as if he was calling some one out, and McIntee came out. He said something to him, walked away and went towards Worston Street; McIntee went back to the liquor store.

Sworn to before me, this)
)
 day of August, 1968.)

Police Justice.

Further hearing adjourned until the 13th instant
at 10.30 o'clock A. M.

POOR QUALITY
ORIGINAL

0248

Exhibit A

N. Y. SPECIAL SESSIONS.

THE PEOPLE

Ignatius Donnelly and
Franklin alias Joe Kelly - West

Stenographer's Transcript,

Aug 8th & 9th 1888

10th & 12th Sessions

DAVID S. VEITCH,
OFFICIAL STENOGRAPHER,
101 CENTRE STREET, N. Y.

PHILLIPS & MOWER, 82 Nassau St., N. Y.

STENOGRAPHER'S MINUTES

First District Police Court
N. Y. SPECIAL SESSIONS.

THE PEOPLE
vs.

*Ignatius Degan &
Sprauling alias
Riley alias Hart*

BEFORE

*Samuel P. Power
Police Justice*

*Sept. 28th 1888
3rd Session*

WITNESSES.

Direct. Cross. Re-called.

<i>Bernard McGill</i>	<i>49.54</i>	<i>50</i>	
<i>Michael Farrell</i>	<i>56.62</i>	<i>58</i>	

DAVID S. VEITCH,
Official Stenographer,
101 CENTRE ST., N. Y.

FIRST DISTRICT POLICE COURT.

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The People on the Complaint of Henry
H. Porter

— against —

Ignatius Dugan and Spalding alias
Riley alias Hart.

Before

Hon. M. J. Power,

Police Justice.

August 20, 1888.

Third Session.

H. D. Macdona, Esq., for the People.

A. H. Purdy and John Coman, Esqs., for Dugan.

The Prosecution now announced that their case
was closed. Whereupon the defense called the fol-
lowing witnesses.

B E R N A R D M c G I L L sworn.

- Q (Mr. Coman) State your occupation and address? A. I am
a keeper in the Jefferson Market Prison. I live No. 26
Greenwich Avenue.
- Q Were you on duty in Jefferson Market prison on the night
that Louise Bailey made a visit there? A. I do not know
her.
- Q You have heard her testify here, did you? A. No, sir,
not distinctly.

- Q Well, you were there the night when two women came inquiring about Edna Clark? A. I was there the night that two women came in inquiring about Edna Clark.
- Q Will you be good enough to state what transpired there on that evening; was Mr. Dugan present? Was he keeper there that night? A. Yes, sir.
- Q State what conversation you had with those women, if any? A. I did not have any.
- Q Do you remember their speaking to Mr. Dugan about Edna Clark being locked up? A. I came down to get a drink. Mr. Dugan was talking to two women when I came down. He desired me to look on the book and see if Edna Clark was there. I did so, and told her she went to the Island on that morning.
- Q Then it was you that gave her the information from the book that she went to the Island? A. Yes, sir.
- Q If she says that Dugan gave her that information she is mistaken, is that so? A. That is so.
- Q You are the person? A. I was the one.
- Q Have you had any conversation with the detectives in this case since it happened? A. No, sir.
- Q Have they visited you? A. No, sir.

CROSS-EXAMINED.

- Q Well, now, what time was it you had this interesting conversation that the counsel has brought out? A. Well, it was on Friday night I think the 27th of July.
- Q Well now you say you came down; when you came down where were you? A. I was upstairs.
- Q What brought you upstairs? A. I belonged there.
- Q You belonged there? A. Yes, sir.
- Q Weren't you sent upstairs to look for Edna Clark to give her some dinner? A. No, sir; that was after I notified the woman, and the supper was taken back. She said "Give it to some poor unfortunate that needs it".
- Q You went up to look for Edna Clark, didn't you? A. No, sir.
- Q What brought you up there? A. I belonged up there.
- Q What brought you down? A. To get a drink of water.
- Q And when you got down there who did you find? A. Two women and Dugan.
- Q The two women who testified here the other day? A. I saw them here, but I did not know who they were; I did not know who they were on that night. I did not look at them particularly.
- Q You ~~now~~ identified the women whom you saw here as the women you saw talking to Dugan? A. No, sir, I could not.

- Q Then as a matter of fact you do not know who these women are? A. No, sir.
- Q You do not know anything about them? A. No, sir.
- Q How is it you fix the conversation then that you had with them? A. I did not have any conversation with them.
- Q Didn't you say that when you said that Edna Clark was not there that you heard one of them saying that you had better give this food to some poor person? A. I heard them saying that to Mr. Dugan.
- Q What else did you hear? Tax your memory? A. I do not know that there was anything else I heard. That is all the conversation which passed. I went upstairs and stayed upstairs. Mr. Dugan went to the door and saw them out.
- Q You went upstairs with the supper? A. Yes, sir; I gave it to a boy.
- Q You did not come down again? A. No, sir.
- Q How long were you there while the women were there talking? A. I do not suppose that it was five minutes all together.
- Q During that five minutes is that all the conversation you heard? A. Yes, sir.
- Q You heard them saying you had better give that food to some poor person? A. Yes, sir.
- Q Well, now you were frequently down in the lower part of the prison, weren't you? A. Whenever occasion required

I came down.

- Q Well, how often might occasion require you to come down ~~from~~ from upstairs during that visit? A. Whenever I felt like taking a drink of water, perhaps twice in a night.
- Q When Mr. Dugan was down stairs you were upstairs? A. Yes, sir.
- Q Now, when he was off where were you? A. I was off.
- Q You were off the same nights? A. Yes, sir.
- Q Always the same nights? A. Well, since we have been together here lately, we have been together for three or four months.
- Q Well, previous to your being together? A. Well, when he was off I was on.
- Q During any of those nights that he was off do you recall his coming to the prison while you were there? A. Yes, sir, certainly he came there.
- Q Do you recall that he went to look at the register or list when he came around there and took the copy of the names from it? A. Yes; he would come in there and go to the book.
- Q Well, how often do you suppose he did that? A. Well, I could not say how often, in fact I passed very little remarks in regard to it.
- Q When that jail is closed up in the night time nobody is

dismissed out of the jail, is there? A. Yes, sir.

Q How does that happen? A. They pay the fine.

Q How late can they do that? A. Nine, ten or eleven o'clock

Q Well, after nine ten or eleven o'clock? A. Twelve o'clock
very seldom any one comes there after half past eleven or
twelve o'clock.

Q Then there is nothing done until morning, is there?

A. It is pretty quiet after that until morning.

Q What business would any one have during any of that time
to come in there and take a copy off the books to scruti-
nize the books in the jail? A. No one comes in there to
take a copy of them except a keeper came in there, nobody
else would.

Q Could you tell us what a keeper would want with a list?
Couldn't he find it out in the morning? A. No, sir.

Q He could not find it out in the morning? A. You could
go to the book and look over the names, and I could not
tell what name he took or anything he would do.

Q Couldn't he get in the morning what he got in the night
time, the same record was there all the time? A. He
had access to the book.

Q Now, then, you say that you were there but five minutes
when Dugan and the women were talking together? A. Well,
it could not be more than that.

- Q You went upstairs but did not come down again? A. No, sir.
- Q The women were still there when you went up? A. No, sir; they were going to the door when I went up; Mr. Dugan was showing them to the door.
- Q Now, then, what was the position of Dugan and these two women when you last saw them? A. Well, the door that opens on the outside to the office -- they were standing there, and Dugan was standing with the supper in his hand.
- Q You stayed there about five minutes, and he gave you the supper and you took it upstairs? A. He went to return it to them again. He asked me to look at the book. When I told him that the woman went on the Island on that morning she returned the supper and told him to give it to some poor unfortunate who needed it.
- Q You went upstairs with the supper? A. He went to the door to show them out, and that is all I know about it.
- Q How long afterwards did you see him? A. I did not see him any more that night.
- Q Consequently you do not know how long he stood talking with them? A. No.
- Q (Re-Direct) Do you want us to understand that you saw Dugan coming in there at night, copying names off the books and writing them down? A. Yes, sir.

- Q What names, can you tell us? A. I can not tell you.
- Q Did you ever see any one else taking any names off? A. I do not know that I did.
- Q Are you sure about that? Did you ever see any other keeper taking names off the book? A. Yes, sir.
- Q You never took any off? A. No, sir.
- Q How do you know that those were names that he took off the books? A. I do not know anything about it. He went to the book and wrote on a piece of paper and put it in his pocket.
- Q You do not know what it was? A. No, sir.
- Q What book was that? A. It was a register with all the names on it that come into the prison.
- Q Of the prisoners committed? A. Yes, sir.
- Q You can not tell what names he took? A. No, sir.
- Q You do not know whether he took any names at all? A. He took a piece of paper and wrote on it.
- Q Did you see what was on the paper? A. No, sir.
- Q Or what it contained? A. No, sir.
- Q How do you know they were names from the book? A. I did not swear they were names from the book.
- Q You said awhile ago in answer to the District-Attorney that you saw him taking names from the book? A. He wrote on the book on a piece of paper he took from his pocket.

City and County of New York, ss:

MICHAEL FARRELL being duly sworn, deposes and says:

- Q (Mr. Conan) How old are you? A. Twenty-one years of age
- Q Where do you live? A. 74 Charles Street.
- Q Do you know this prisoner Hart? A. Yes, sir.
- Q What name have you known him by? A. Spaulding.
- Q How long have you known him? A. Five or six weeks before his arrest.
- Q Where did you see him the first time? A. The first time I saw him was in Jefferson Market court room, in the Police Court.
- Q Who was he with? A. No one.
- Q Did you have any conversation with him then? A. No, sir, not then. But I have seen the prisoners getting sentenced and going back into the pen. I have seen him following their friends out and talking with them very often. I was standing outside of the court room in the latter part of July and he said "Will you please go in and find out what so and so got"? The name was Lizzie Blackburn. I went into the prison and asked one of the keepers -- I do not know his name now.
- Q Did you see him afterwards? A. Yes, sir; he came to me a couple of days afterwards and he asked me if I would see how long Panny Wilson got. I went in and came out and

told him.

Q Did you see him after that again? A. Yes, sir; I saw him the latter part of July. He asked me if I would go in and see how long Katie Riley got. I asked the keeper, and he said "Are you a runner?" And I said no. He said "What are you running in and out of here so often inquiring for names?" And I told him it was for another fellow, and he said "Do not come in here any more". I told him that the keeper objected; and he said "I can get all these girls out." He said "I have an Alderman who has got weight and I can get them out. If you want a girl out at any time let me know."

Q You are in the habit of seeing him in the court room?

A. Yes, sir.

Q Have you seen him talking with people there? A. Yes, sir.

Q And calling them out? A. Yes, sir.

Q Did you ever hear any of his conversations with the people?

A. No, sir.

Q You are positive this is the man here? A. I am positive this is the man.

Q You had seen him for some time before he spoke to you?

A. Yes, sir.

CROSS-EXAMINED.

- Q What is your business? A. I was assistant bar-tender for Mr. James Barclay.
- Q Where does he keep? A. 10th St. and 6th Avenue. I left him six or seven weeks ago.
- Q What have you been doing for six or seven weeks? A. Nothing in particular. I used to go into the court room and listen to the cases and pass away time in that way.
- Q Passing away time at Jefferson Market? A. Yes, sir.
- Q How did you support yourself? A. Well, I worked quite often. My mother does not say anything as long as I am out of work. My mother and father support me.
- Q You are living on both your mother and father? A. Yes, sir.
- Q Where are they living? A. 74 Charles St.
- Q Is your father working? A. Yes, sir.
- Q Mother too? A. No, sir.
- Q Your mother don't work? A. No, it is not necessary for her to work; my father works for her.
- Q And for you too? A. Yes, sir.
- Q Just tell us how you got into conversation with this man first? A. Well, the first time I ever got into conversation with him was, I was standing outside of the court room in the latter part of July. He asked me to find out how

long Lizzie Blackburn got. Then he came to me a couple of days afterwards. I went in and found out another name. Then the third time I went in for Kitty Boyle. The keeper asked me if I was a runner, and if I was not to keep out of there.

Q What man did you see in there? A. I could not say his name.

Q Could you tell me if you saw him? A. Yes, sir.

Q Was it that man alongside of you? A. No, sir.

Q How long have you known him? A. About two years.

Q How did you become acquainted with him? A. I do not know exactly.

Q How many times were you arrested? A. I was arrested twice.

Q In how long? A. Well, I was arrested about two years ago

Q What were you arrested for? A. For burglary.

Q Two years ago? A. Yes, sir.

Q When were you arrested the second time? A. That was before the last time; I was arrested twice; I was arrested for not going to school and the like of that; I was arrested and sent to the House of Refuge.

Q You came out of the House of Refuge, and immediately after you got out of the House of Refuge you were arrested for burglary? A. Yes, sir.

- Q How long ago is it since you were arrested? Are you sure it is two years? A. It was a year ago last September.
- Q What did you do between the time you were arrested? Were you discharged or how did you get out of the burglary snap? A. I got a year in the Penitentiary for it.
- Q When you came out that left you a year? A. Yes, sir.
- Q Now what did you do when you came out? A. I went to work for a butcher.
- Q Who was it? A. The New York Beef Company; it was a peculiar name.
- Q Where was it? A. Between 18th and 19th Streets on 8th Avenue.
- Q How long did you work there? A. A week.
- Q Well, after you left him what did you do? A. I loafed around for quite a while and then I went to work for Frank Hyde a bottle dealer.
- Q Where is his place? A. Well, he keeps his wagon corner of Jay and Christopher Streets; he is a junk man.
- Q How long did you stay with him? A. About three months.
- Q And then, after that where did you go? A. To work for Mr. James Barclay.
- Q Well, that don't account for all this time yet? A. Well, I was loafing in the courts between that time.
- Q Loafing? A. Yes, sir.

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- Q Well you worked for a week, then you took a loaf and you went to work and worked three months you say? A. Yes, sir.
- Q Then you loafed for ten months and then worked for Barclay for seven weeks? A. Yes, sir.
- Q Now in all that time, since you have been out of jail, how much money have you earned? A. I could not exactly say; I could not answer that question.
- Q You could not tell? A. No, sir.
- Q Now where were you on the 4th of August last? A. I could not say.
- Q Were you arrested about that time and fined? A. Yes, sir.
- Q What disposition was made of that charge against you? A. It was just for standing on the corner.
- Q Of the court house? A. Yes, sir.
- Q You paid your fine? A. No, sir; a friend of mine paid it.
- Q Who was it? A. Sam Ferris.
- Q Where is he to be found? A. I do not know, sir.
- Q How much did he pay? A. Eight dollars.
- Q Do you know where he got it? A. No, sir.
- Q Do you know he got it from Dugan? A. No, sir, I do not; he has an income, and I suppose that he got it from it.
- Q Does Ferris go around paying fines for you when you are arrested? A. No, sir; he only paid that one for me.

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Q What was this complaint for, disorderly conduct or drunkenness? A. It was for standing on the corner of the street.

Q (Re-direct) When was it you were arrested last you say?

A. About the 4th or 5th of August.

Q Since Mr. Dugan's arrest? A. Yes, sir.

Q Anybody else arrested with you? A. Yes, sir.

Q What time of the day or night was it? A. It was about eleven o'clock in the morning.

Q Who was the officer? A. It was Officer Copeland, of Jefferson Market.

Sworn to before me, this)
)
 day of August 1888.)

Police Justice.

The defense now rested. The case was now
adjourned until the 30th instant for argument and
decision of the Court.

POOR QUALITY
ORIGINAL

0265

First District Court
N. Y. SPECIAL SESSIONS.

THE PEOPLE

Quentin ^{vs.} *Osgan*
Spaulding *alias Riley*
alias Hart

Stenographer's Transcript,

Sept. 20th 1888

3^d Session

DAVID S. VEITCH,
OFFICIAL STENOGRAPHER,
101 CENTRE STREET, N. Y.

0266

BOX:

322

FOLDER:

3059

DESCRIPTION:

Speers, William

DATE:

09/06/88



3059

Witnesses:

Archibald Kennedy

Walter Perry

Ch. J. J.

Counsel,

Filed

Pleads,

6 Sept. 1888

THE PEOPLE

vs.

William Speers

Burglary in the Third degree.
Grand Jurors
[Section 498, 506, 528, 531]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

J. H. H. H.

Sept. 7/88

Placed at Burglary
24/16 Nov 1888

24

0268

Police Court— / District.

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

Benjamin F. Degrashe

of No. 40 King Street, aged 52 years,

occupation Coffee and lunch stand being duly sworn

deposes and says, that the premises ~~for~~ booth erected on West Street,

in the City and County aforesaid, the said being a booth used for a coffee

and lunch business

and which was occupied by deponent as aforesaid

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

were BURGLARIOUSLY entered by means of forcibly breaking a pad lock
and forcibly drawing the staples from
the door which staples were used to hold
a pad lock and both pad locks were
securely locked and the door fastened
on the 21st day of August 1888 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

A quantity of Kitchen utensils of
the value of Twenty five dollars

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

William Speers, (now here) and another

man not yet arrested

for the reasons following, to wit: that at about the hour of
2 o'clock P.M. on the 20th day of August 1888
deponent securely locked and fastened
the door leading into said booth or coffee
stand and the said property was therein.
Deponent is informed by Charles Morgan
(now here) that he, Morgan, at about the
hour of four o'clock on the morning
of the 21st August, 1888, found the defendants

0269

and said other man in front of said
booth and breaking ^{on the door leading therein} the fastening of and
he Morgan saw the defendant enter
said booth and in about two minutes
the defendant left the said booth. Deponent
has since examined the door leading
into said booth and found the broken
as aforesaid.
Sworn to before
me this 5th day of August 1888

Wm. Morgan
Police Justice

B. F. Deprunsky

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Burglary Degree.

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

0270

CITY AND COUNTY }
OF NEW YORK, } ss.

William Morgan
aged 34 years, occupation Longshore of No.

76 Sullivan Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Benjamin F. Degruccio
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 21
day of August 188

W. Morgan
made

W. Morgan

Police Justice.

0271

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

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

Question. What is your name.

Answer.

William Speers

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

Missouri

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

Answer.

160 Park Row; 4 years

Question. What is your business or profession?

Answer.

Cook

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

William Speers

Taken before me this 21
day of August 1888

Police Justice.

0272

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

Police Court--- / 1310
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Benjamin H. Hargrave
140 1/2 King St
William J. Speere

2 _____
3 _____
4 _____

Office _____
Aug 21
188

Dated _____

James J. Powell
Magistrate.

James J. Powell
Officer.

James J. Powell
Precinct.

Witnesses

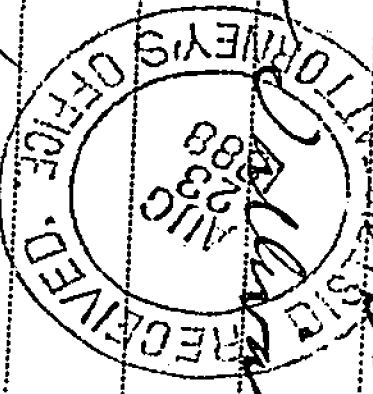
No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

No. 5, by _____
Residence _____
Street _____



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

defendant

guilty thereof, I order that he be held to answer the same and ~~he~~ be admitted to bail in the sum of *nine* 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 *Aug 21* 188

James J. Powell
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.

0273

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 Spears

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

— William Spears —

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

The said *William Spears*,

late of the Ward of the City of New York, in the County of New York, aforesaid, on the *Twenty-first* day of *August*, in the year of our Lord one thousand eight hundred and eighty-*eight*, with force and arms, at the ~~Ward~~ City and County aforesaid, a certain building there situate, to wit: the *Roach* of one

Benjamin F. Dequandre, —

feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent, the goods, chattels and personal property of the said

Benjamin F. Dequandre, —

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

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment further accuse the said
William Spear of the crime of *attempting*
 to commit —
 of the CRIME OF *Robbery* LARCENY in the second degree, committed as follows:

The said *William Spear*,

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

did unlawfully take from the person of a number
and description to the Grand Jury
aforesaid unknown of the value
of twenty six dollars,

of the goods, chattels and personal property of one

Benjamin E. Deagradie, —

in the *house* of the said

Benjamin E. Deagradie, —

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

John R. Kellogg,
Attorney

0275

BOX:

322

FOLDER:

3059

DESCRIPTION:

Spencer, William

DATE:

09/20/88



3059

POOR QUALITY
ORIGINAL

0276

Witnesses:

Counsel

Filed *20* day of *Sept* 188*8*

Pleads *Chattel Mortgage*

THE PEOPLE

vs.

B
William Spencer

POOL SELLING.
[Section 851, Penal Code]

Frank Monday of Lansing 89

Wm. R. Sabers
~~RECEIVED~~

Pr Apr 17/89 District Attorney.

May 18 requested

A True Bill.

Port 3 11/17 at
at 11/17 at
at 11/17 at

POOR QUALITY
ORIGINAL

0277

A 180 *Brighton Ass'n* JUL 13 1888
ONE EIGHTY CENTS
I desire it to be positively and distinctly understood and for this reason only do
I place in your charge my money, that you place my said money for me only on said
horse above mentioned, and at no other place than on the grounds of the said
Brighton Ass'n, during the progress of the races this day; and for this purpose
I make you my common carriers for the expense incurred by you in so placing
my said money on the said grounds of said *Brighton Ass'n*. I agree to
pay you the sum of *25* cents. *Robert W. Clonka*

A 180 *Brighton Ass'n* JUL 13 1888
ONE EIGHTY CENTS
ORDER

POOR QUALITY
ORIGINAL

0278

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

POLICE COURT,

DISTRICT.

Robert W. Clarke

of No.

44 Recimer Police

Street, being duly sworn, deposes and says,

that on the

13th

day of

July

1888

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

William Spence

(now him) did unlawfully at
premises 80 Park Row keep
a room for the purpose of
receiving bets and wagers,
and did become the custodian
for him of a bet or wager on
a contest of speed between
horses, to wit horses and man,
as a race track known as the
Brighton Beach Race Course
in violation of section 361 of
the Penal Code of the State
of New York, for the reasons
following, to wit: on the said
date the said defendant was
in said premises, and deponent
told defendant that he wished
to bet on a horse called "Pine"
which horse was to run in a
race at said Race Course.
The said defendant said we do
not make bets here, but will
take your money and send it
to the said track, and charge
you twenty-five cents commission
for so doing. Deponent then
for defendant five dollars to bet
on the said horse at odds of two
to five and also twenty-five cents

POOR QUALITY
ORIGINAL

0279

as commission. The defendant then wrote the body of the annexed card marked Exhibit "A." and defendant signed his name thereto. Defendant then gave defendant the annexed ticket marked "B." and told him that if the said horse won, to return to him the said ticket and he would pay him his money.

Sworn to before me } Robert H. Clarke
this 13th day of July 1888 }
Solon B. Smith

Police Justice

POLICE COURT—DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

AFFIDAVIT.

vs.

Dated

188

Magistrate.

Officer.

Witness,

Disposition

POOR QUALITY
ORIGINAL

0280

as commission. The defendant then wrote the body of the annexed card marked Exhibit "A." and defendant signed his name thereto. Defendant then gave defendant the annexed ticket marked "B." and told him that if the said horse won, to return to him the said ticket and he would pay him his money.

Sworn to before me } Robert W. Clarke
this 13th day of July 1888 }
Solon B. Smith

Police Justice

POLICE COURT—DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

AFFIDAVIT.

vs.

Dated

188

Magistrate.

Officer.

Witness,

Disposition

POOR QUALITY
ORIGINAL

0281

Sec. 193-200.

CITY AND COUNTY } ss.
OF NEW YORK.

District Police Court.

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

Question. What is your name?

Answer. *William Spencer*

Question. How old are you?

Answer. *28 years.*

Question. Where were you born?

Answer. *New York*

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

Answer. *77 Roosevelt St. 6 months*

Question. What is your business or profession?

Answer. *Common Carrier*

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 if held I demand
a trial. by jury*
William Spencer

Taken before me this
day of
John H. Smith
188
Police Justice.

POOR QUALITY
ORIGINAL

0282

BAILED,
No. 1, by Robert W. Hamilton
Residence 19 Grand Street
No. 2, by _____
Residence _____
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____

Police Court---
District 1094

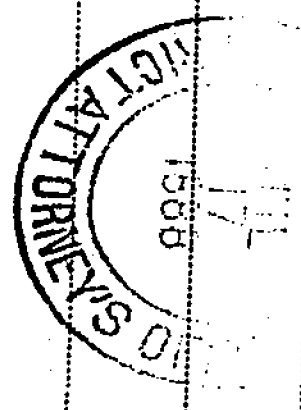
THE PEOPLE, &c.,
ON THE COMPLAINT OF

William J. Hamilton
Robert W. Hamilton
Offense Betting on races

Dated July 13 188

Smith Magistrate
Officer H. A.
Precinct 4

Witnesses
No. _____
No. _____
No. _____



No. 5089
to answer _____
Street Grand

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 July 13 188 Colon B. Smith Police Justice.

I have admitted the above-named Defendant
to bail to answer by the undertaking hereto annexed.
Dated July 13 188 Colon B. Smith 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.

POOR QUALITY
ORIGINAL

0283

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 Spencer

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

William Spencer

of the CRIME OF RECORDING AND REGISTERING A BET AND WAGER, committed as follows :

The said *William Spencer*,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *thirteenth* day of *July*, in the year of our Lord one thousand eight hundred and eighty-*eight*, at the Ward, City and County aforesaid, with force and arms, did unlawfully record and register, and cause to be recorded and registered, a certain bet and wager, then and there made by and between *Adolph*

W. Blada and a certain other person or persons to the Grand Jury unknown

upon the result of a certain trial and contest of speed and power of endurance of and between *a certain horse called "Cruiser" and several other* diverse horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at *the town of Yonkers* in the County of *Westchester* in the State of *New York*, and commonly called the *Princeton Beach* Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the said bet and wager so as aforesaid then and there made upon the same, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

Second Count.—And the Grand Jury aforesaid, by this indictment, further accuse the said *William Spencer*

of the CRIME OF RECORDING AND REGISTERING BETS AND WAGERS, committed as follows :

POOR QUALITY
ORIGINAL

0284

The said *William Spencer,*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, did unlawfully record and register, and cause to be recorded and registered, divers bets and divers wagers then and there made by and between divers persons to the Grand Jury aforesaid unknown (a more particular description of which said bets and wagers is to the Grand Jury aforesaid unknown), upon the result of divers trials and contests of speed and power of endurance of and between divers horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at *The Town of Juncos* in the County of *Juncos* in the State of *New York* and commonly called the *Brighton Beach* Race Track,

and which said trials and contests were had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trials and contests is 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.

Third Count.—And the Grand Jury aforesaid, by this indictment, further accuse the said *William Spencer of the crime of becoming the custodian and depository for hire and reward of money, stakes, wagers and pledges* of the Game of Selling a Pool upon the result of a trial and contest of speed and power of endurance of horses, committed as follows:

The said *William Spencer,*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, did unlawfully sell, and cause to be sold, to one *James the custodian and depository for hire and reward of the sum of five dollars in money lawful money of the United States and of the value of five dollars, then and there by one Robert W. Clark stakes wagers and pledged a certain pool upon the result of a certain trial and contest of speed and power of endurance of and between divers horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at *The Town of Juncos* in the County of *Juncos* in the State of *New York* and commonly called the *Brighton Beach* Race Track,*

POOR QUALITY
ORIGINAL

0285

and which said trial and contest was had, holden and run on the day and in the year aforesaid at the place and race track aforesaid (a more particular description of which said trial and contest, and of the pool upon the same so as aforesaid then and there sold, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

Fourth Count.—And the Grand Jury aforesaid, by this indictment, further accuse the said William Spencer

of the CRIME OF SELLING POOLS upon the result of trials and contests of speed and power of endurance of horses, committed as follows :

The said William Spencer

late of the Ward, City, and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, did unlawfully sell and cause to be sold to divers persons to the Grand Jury aforesaid unknown, divers pools upon the result of divers trials and contests of speed and power of endurance of and between divers horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown), thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at The Long Island Jockey Club in the County of Kings in the State of New York and commonly called the Brighton Beach Race Track,

and which said trials and contests were had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trials and contests, and of the pools aforesaid upon the same, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John R. X. [illegible]
RANDOLPH B. MARTINE

District Attorney.

0286

BOX:

322

FOLDER:

3059

DESCRIPTION:

Stark, George F.

DATE:

09/14/88



3059

0207

Well! One year.

2

POOR QUALITY
ORIGINAL

0288

Police Court District.

Affidavit—Larceny.

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

30
of No. 39 Bond Street, aged 53 years,
occupation Real Estate Broker being duly sworn
deposes and says, that on the 4 day of June 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 day time, the following property viz:

Twenty one
dollar in good and lawful
current money of the United
States of the sum and value
of \$21.)

the property of A Hempel
and his deponent's care
at the time

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 George F. Stark (now

here) for the reason that on
certain day and date, said
deponent was in deponent's
employ; and was his clerk,
that a Registered Letter came
to deponent's Office for this
deponent, and said letter
contained said sum of money,
that said deponent opened
and took said money from
said letter and signed for
the same and kept said
money for his own use
and purpose and never

of
188

Police Justice.

0209

Sworn to before me }
 this 13th day of July 1888 } A. Heupel
 J. Hennepin }
 Police Justice

Police Court, _____ District.

THE PEOPLE, &c.,
on the complaint of

vs.

1 _____
2 _____
3 _____
4 _____

Office—LARCENY.

Dated _____ 188 _____

Magistrate. _____
Officer. _____
Clerk. _____

Witnesses, _____
No. _____ Street, _____
No. _____ Street, _____
No. _____ Street, _____
No. _____ to answer _____ Sessions. _____

POOR QUALITY
ORIGINAL

0290

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss.

3 District Police Court.

George F. Starke
signed 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. *George F. Starke*

Question. How old are you?

Answer. *37 Years of age*

Question. Where were you born?

Answer. *Germany*

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

Answer. *7 Manhattan St (9 Months)*

Question. What is your business or profession?

Answer. *Clerk*

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 an immediate trial by my Geo. F. Starke.*

Taken before me this

day of

188

Police Justice.

New York May 21/88
Second District Police
Court. Hon. Henry Ford
Presiding.

August Hempel }
G. F. Stark }
Ct.

2 August Hempel, being
duly sworn deposes and
says, I am a Real Estate
Broker at 39 Bond St
New York City. I have
been there for three
and a half years.

Q. How many stolen from
you?

A. 2. When? Jas. Sir.

A. On the 4th of
June 1888

2 Under what

Q

Circumstances was it
taken?

A. I received a
letter from Lake George
dated June 2nd 1888,
with Registered Letter for
the sum of twenty one
dollars, or it was addres-
sed to me

Q. From whom?
A. Mr. Alden

Q. When did
you receive that letter?
A. No Sir,

Q. Nor did you receive
the contents of that letter?
A. No Sir,

Q. Was the defendant in
your employ?
A. Yes Sir.

Q. As clerk
When did you
first learn that the
letter was received at
Q

(3)

Q. Your Office?

From a letter
I got from Mr J. E. Alden

Q.

Is this the Letter?

A. Yes Sir.

Q.

Is this the envelop?

A. Yes Sir.

(Marked A and B)

Counselor Hathaway objects
on the ground that
the hand writing is
not proved.

Court - Objection overruled.

2. It was by that means
that Gen obtained the
information that the
Letter (Registered) was
received at Gen's office
by the Defendant?

A. Yes Sir.

Q.

Gen remembering being
present before Judge
Ford at which hearing
the Defendant, his Counsel

3

4

And the letter carrier
were present, —
A Bathmanay — He admit
the signing for the letter.

2

I show you
a letter and ask you
in whose hand writing
is it?

A The Dependants
I am positive of that.

2

Did you receive that
letter from Alden?

2

A Yes Sir, (G-6)
Did you authorize the
writing of that letter?

2

A No Sir.
Did you know that it
was written till you
received the information
from Mr Alden?

2

A No Sir.
Is any such entry on
your Book?

A No Sir, I have
the Book here

(5)

Q Now that Book in his
Charge while he was in
your employ?

A Yes Sir, he
had sole Charge of it.
All the entries, from the
time he came are in
his hand writing, and
that particular entry is
not there.

Cross Examination

Q Were you in the habit of
dictating and he writing
your letters?

A No Sir.

Q Did you ever dictate to
him a letter to be written
by him for your correspond
ents?

A Not as I know of
Q Was he in the habit of
receiving for Registered
Letters in your absence?

3

(6)

Q

No Sir,

Q

Did he ever do it with your permission?

Q

No Sir.

Q

Did you ever know him & if it till this instance?

Sworn to before me
this 21st day of May 1888

Police Justice

George H. Stark being duly sworn, deposes and says, that he is 34 years of age lives at 124 N. 1st St. and a Clerk.

Q

While you were in the employ of the Complainant, did you receive a letter from Mr. Alden?

A

I must have; the receipt shown by the Letter Carrier, I must

(7)

Q have signed, but I did not sign for the letter from Lake George.

Q Is this letter in your hand writing (Exh. 5)?

Q Yes Sir, do you recollect when and where you wrote it?

A Yes Sir, he dictated it to me on the day of its date.

Q Did you ever receive twenty one dollar from Mr. Alden?

A I received many times twenty one dollar.

Q Did you receive this sum?

A Yes Sir, I do not know.

Q Did you appropriate any of his money to your own use?

7

(S)

A I never have?

Sworn to before me }
This 21st day of Aug 1888 }

Police Justice

Court - The defendant is held
in three hundred dollars

W. J. Peacy
Stenographer.

0299

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

Copy of Receipt of the
Registered Letter.

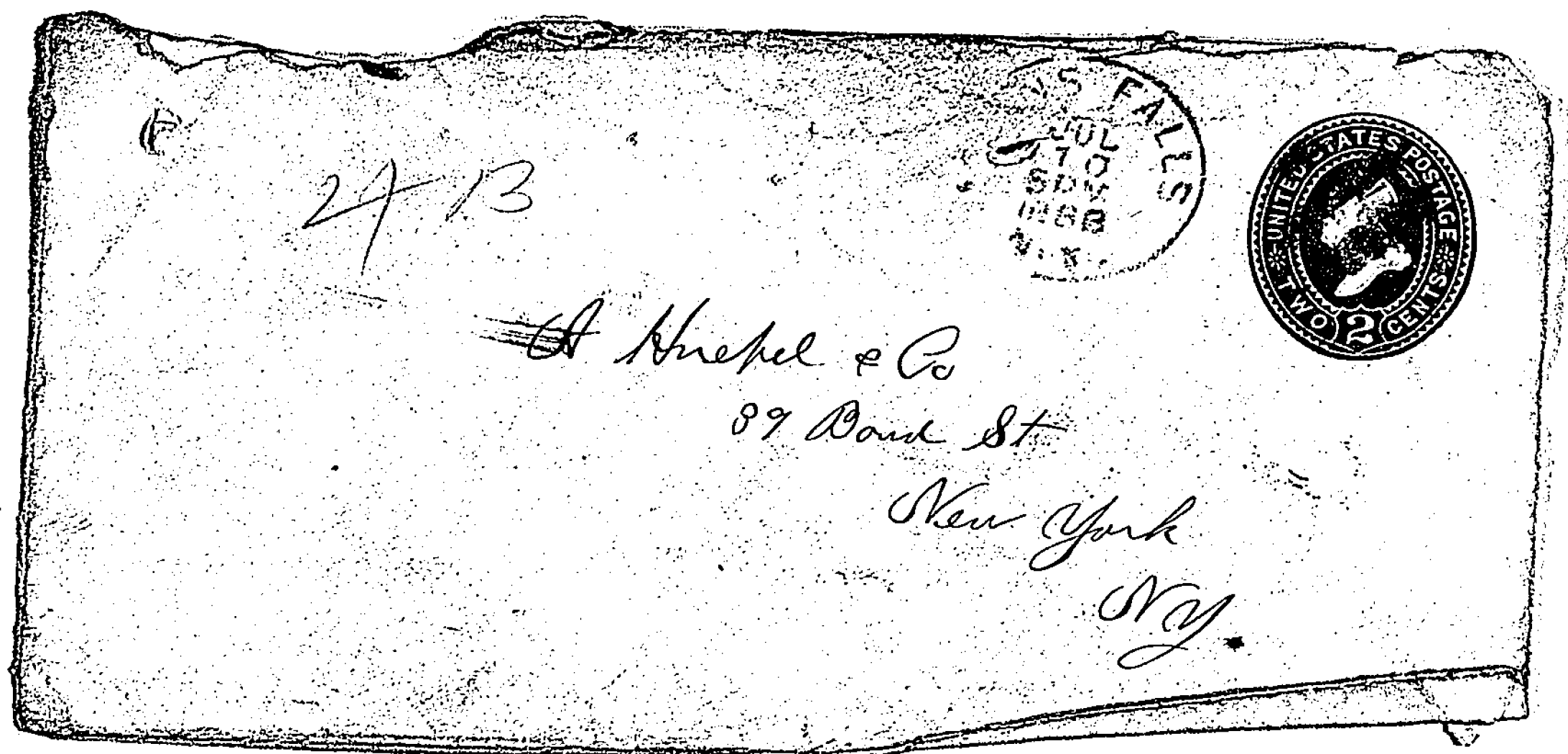
"188 Registered Letter 57016"
Dated 4th from Saratoga
New York State, Dated
June 2nd, 1888 4.50 P. O. E
Received from the Post
Master New York the
Above Registered Letter
Addressed to A. H. Hempel
100 39 Broadway
Stem—

Sign here. A. H. Hempel
per Stark
Signature admitted.

Q Q

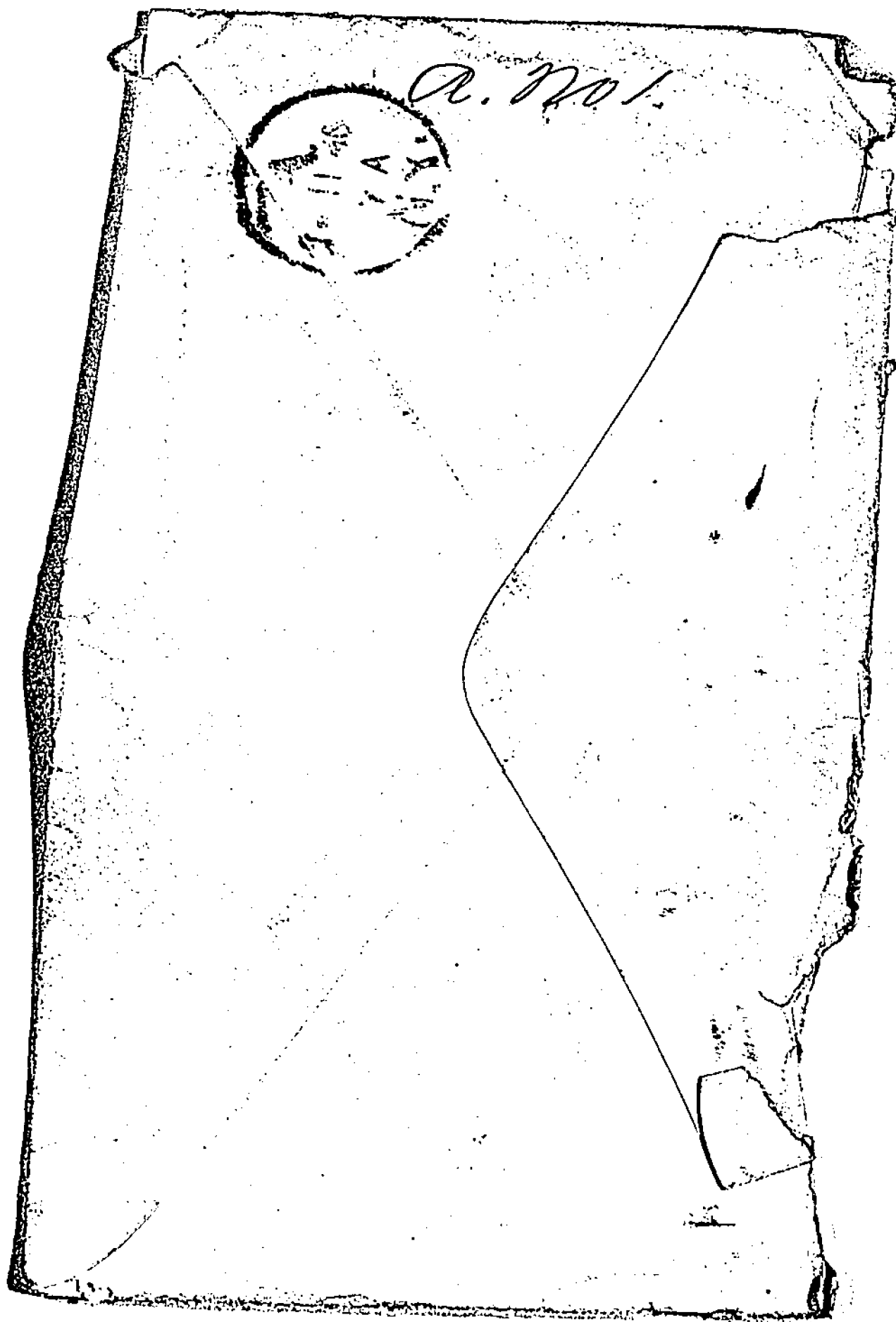
POOR QUALITY
ORIGINAL

0301



**POOR QUALITY
ORIGINAL**

0302



POOR QUALITY
ORIGINAL

0303

Sec. 192.

3d District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Henry Ford a Police Justice
of the City of New York, charging Kemp A. Starks Defendant with
the offence of Larceny.

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

We, George A. Starks Defendant of No. 7
Stanton Street; by occupation a Clerk
and John Lindland of No. 110 East 14th Street
Street, by occupation a Cigar Dealer Surety, hereby jointly and severally undertake that
the above named Kemp A. Starks Defendant
shall personally appear before the said Justice, at the 3d District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of Three
Hundred Dollars.

Taken and acknowledged before me, this 13th

day of July

1888

Geo. F. Stark

Henry Ford POLICE JUSTICE.

John Lindland

POOR QUALITY
ORIGINAL

0304

CITY AND COUNTY
OF NEW YORK, } ss.

John Lindlaw
1881
1888

Sworn to before me, this

13th

the within named Bail and Surety being duly sworn, says, that he is a resident and *House*
holder within the said County and State, and is worth *Twenty* Hundred Dollars,
exclusive of property exempt from execution, and over and above the amount of all his debts and
liabilities, and that his property consists of *Store and fixtures of*

legis business no 110 East Houston
Street, in the City of New York worth
Eight thousand Dollars free and clear
of all incumbrances

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Undertaking to appear
during the Examination.

vs.

Taken the day of 188

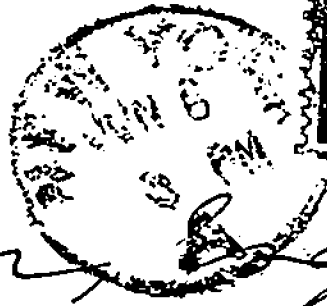
Justice.

John Lindlaw

POOR QUALITY
ORIGINAL

0305

International Patent Agency
A. HEUPEL & CO.
9 Bond Street,
NEW YORK.

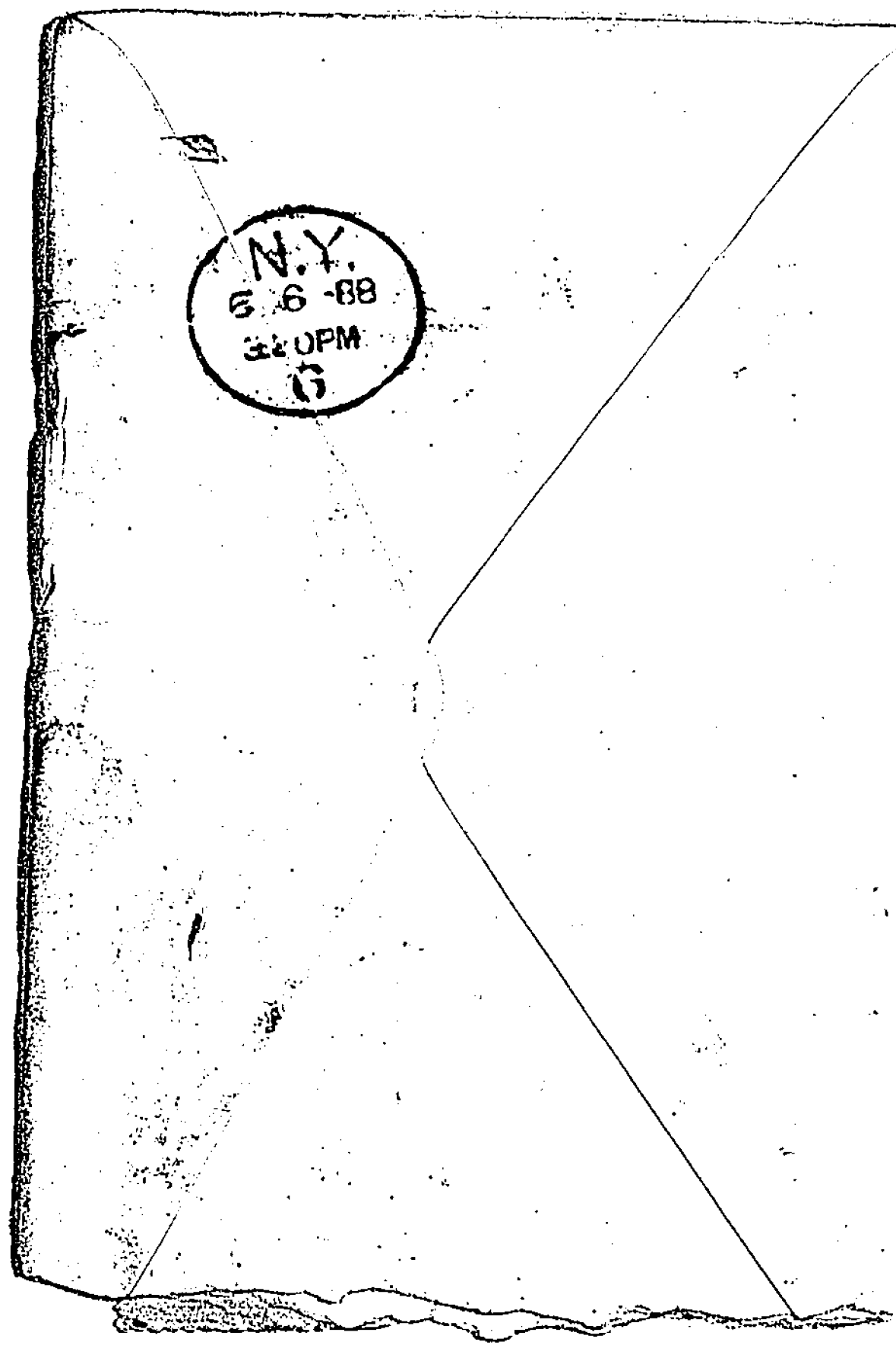


John E. Alden, Esq.

*Lake George,
N. Y.*

**POOR QUALITY
ORIGINAL**

0306



POOR QUALITY
ORIGINAL

0307

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

George F. Skoda

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

of the CRIME OF *Exhibit* LARCENY, —
as follows:

committed

The said *George F. Skoda*,

late of the City of New York, in the County of New York aforesaid, on the
Fourth day of *June*, — in the year of our Lord
one thousand eight hundred and eighty*eight*, at the City and County aforesaid, being
then and there the clerk and servant of *one August Hempel*.

and as such clerk and servant then and there having in his possession, custody and control
certain moneys, goods, chattels and personal property of the said

August Hempel,

the true owner thereof, to wit: *the sum of Twenty one*
dollars in money lawful money
of the United States, and of the
value of Twenty one dollars.

the said *George F. Skoda*, afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
did feloniously appropriate the said *sum of money* —

to his own use, with intent to deprive and defraud the said *August Hempel*,

of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and
personal property of the said *August Hempel*,

did then and there and thereby feloniously steal, 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.

(over)

Second COUNT.

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

George E. Starks —

of the CRIME of Petite Larceny —

committed as follows:

The said George E. Starks,

late of the City and County aforesaid, afterwards to wit: On the day and in the year aforesaid, at the City and County aforesaid, the sum of twenty one dollars in money, lawful money of the United States and of the value of twenty one dollars, of the proper money, goods, chattels and personal property of one August Henzel, then and there being found, then and there unlawfully did steal, take and carry away, against the form of the Statute in such case made and provided and against the peace of the People of the State of New York, and their dignity.

John R. Hellous,

District Attorney

0309

BOX:

322

FOLDER:

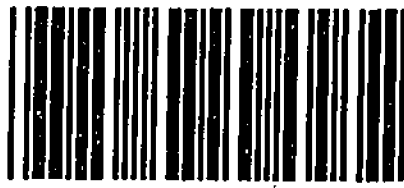
3059

DESCRIPTION:

Steven, Annie

DATE:

09/11/88



3059

POOR QUALITY
ORIGINAL

0310

#126 O K Kennen

Counsel,

Filed

day of

1888

Pleads,

Not guilty - 12/15

THE PEOPLE

vs.

Annie Stevens

John R. Fellows

JOHN R. FELLOWS,

District Attorney.

Grand Larceny Second degree
[Sections 528, 58/530 Penal Code.]

A True Bill.

Foreman.

Sept 14/88

John R. Fellows

John R. Fellows
District Attorney

Witnesses:

Repts Heston
an honest
Man. Mr. Bennett
asked that Cleary
be represented by
Fellows

POOR QUALITY
ORIGINAL

0311

Police Court—

14 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

I, John T. Cuff
of No. 23rd Street
occupation Police Officer being duly sworn

deposes and says, that on the 13 day of June 1888 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of John R. Bennett in the day time, the following property viz:

One silk dress of the value of
fifty dollars

the property of

John R. Bennett

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 Annie Stephens from her

from the fact that deponent was
informed by William Stephens
of 310 West 49th Street that his
wife, the defendant, while he had
in his charge and care the
keys of a house 53 West 54th Street
had taken the same & opened the
house 53 West 54th Street and abstracted
therefrom a quantity of wearing
apparel & jewelry the above described
dress apart—that deponent perceived
said dress from a pawn broker
that the same has been identified
by William Stephens as having been
stolen and carried away by Annie
Stephens
John T. Cuff

Sworn to before me, this

day

Police Justice.

POOR QUALITY
ORIGINAL

0312

Police Court—14 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. The 23rd Precinct
occupation Police Officer being duly sworn

deposes and says, that on the 13 day of Jan 1885 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 silk dress of the value of
Twenty-five dollars

the property of John R. Bunch

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 Annie Stephens from her,

from the fact that deponent was
informed by William Stephens
of 310 West 149th Street that his
wife, the defendant, while he had
in his charge and care the
keys of a house 53 West 54th Street
had taken the same opened the
house 53 West 54th Street and abstracted
therefrom a quantity of wearing
apparel of which the above described
dress a part. That deponent perceived
said dress from a pawn broker
that the same has been identified
by William Stephens as having been
stolen and carried away by Annie
Stephens
John T. Buff

Sworn to before me, this
day of Jan 1885

Police Justice.

POOR QUALITY
ORIGINAL

0313

Sec. 198-200.

X District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

Amie Stephens being duly examined before the under-
signed 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 *h* 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. *Amie Stephens*

Question. How old are you?

Answer. *38 years*

Question. Where were you born?

Answer. *Canada*

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

Answer. *310 W 49 Street.*

Question. What is your business or profession?

Answer. *Married*

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.*

Amie Stephens

Taken before me this

day of *August* 189*8*

Police Justice

POOR QUALITY
ORIGINAL

0314

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

Police Court--- 1368
District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Offence

Dated

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

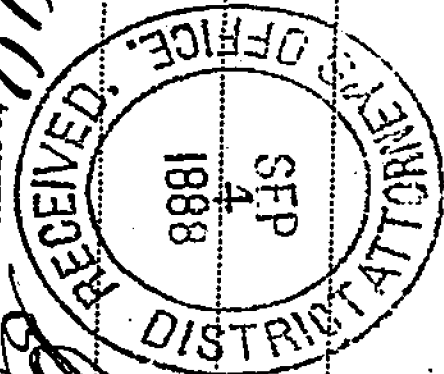
Street.

No.

Street.

No.

Street.



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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Two 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 Sept 30 1888 A. White 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.

POOR QUALITY
ORIGINAL

03 15

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 39 years, occupation Butcher of No. 310 West 49th Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of John V. Cuff
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 3rd day of August 1888 by William S. Tenen

A. J. White
Police Justice.

POOR QUALITY
ORIGINAL

0316

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Annie Stevens

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

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

The said

Annie Stevens

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

one dress of the value of fifty
dollars

of the goods, chattels and personal property of one

John R. Bennett

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.

POOR QUALITY
ORIGINAL

0317

SECOND COUNT—

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

Annie Stevens

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said

Annie Stevens

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 dress of the value of fifty
dollars*

of the goods, chattels and personal property of one

John R. Bennett

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

John R. Bennett

unlawfully and unjustly, did feloniously receive and have; the said

Annie Stevens

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.

03 18

BOX:

322

FOLDER:

3059

DESCRIPTION:

Stratz, William C.

DATE:

09/17/88



3059

POOR QUALITY
ORIGINAL

0319

#208 Van Wagner

Counsel,

Filed

day of

1887

Pleads,

THE PEOPLE

vs.

William C. Stratton

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wagner
Foreman.

Witnesses;

Burglary in the Third degree.
[Section 498, Code 528, 534, 553]

Recd-I-27

0320

32

of No. 204 Broadway Street, aged 68 years,
occupation Manufacturer being duly sworn
deposes and says, that the premises No. 304 Broadway Street, 6 Ward
in the City and County aforesaid the said being a Three story brick
building, a room on the first
and which was occupied by deponent as a ~~bed~~ ^{no} ~~room~~ ^{no} ~~bed room~~
and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly *Hamming*
the front and Office Door.
fastening

A quantity
of Gold pens and holders of
the Total Value of Five (\$5.00)
hundred Dollars

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

BURGLARY was committed and the aforesaid property taken, stolen and carried away by Adrian Carl Stratz (now here

for the reasons following, to wit:

for the reasons following, to wit: On said date and
night about the hour of
half past five P. M. Dependent
looked, bolted and expectorally
closed said premises. On the
morning of the 26th of Feb last
past, Dependent on going to
said premises found that
said premises had been

broken into and said property
stolen; portions of said property
were found in the neighborhood
around by Officer Louis Mott of
the 14th Precinct Police, and now
dependent charges said defendant
with unlawfully entering said
premises and taking, stealing
and carrying away said property
and prays that he be dealt
with as the law directs,

Sworn to before me
this 30th day of Aug 1888
John S. Purdy
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1888
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1888
There being no sufficient cause to believe the within named
guilty of the offence mentioned, I order he to be discharged.
Dated 1888
Police Justice.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

1. 2. 3. 4.

Offence—BURGLARY.

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.

POOR QUALITY
ORIGINAL

0322

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 34 years, occupation Policeman of No.

The 14th Precinct Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

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

Sworn to before me, this

day of

188

Police Justice

POOR QUALITY
ORIGINAL

0323

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK,

3 District Police Court.

William Strat being duly examined before the under-
signed 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

William Carl Strat

Taken before me this
day of *March* 18*98*

Police Justice.

POOR QUALITY
ORIGINAL

0324

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

Police Court District.

THE PEOPLE, vs.,
ON THE COMPLAINT OF

John J. Murphy
3047 13th St
Brooklyn

Date _____ 188

Offence

Robbery

Magistrate.

Officer

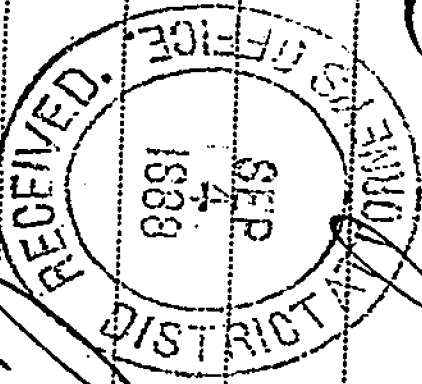
Resident

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____



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

Defendant

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

POOR QUALITY
ORIGINAL

0325

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 R. Stratford

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

William R. Stratford

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

The said *William R. Stratford*

late of the *Sixth* Ward of the City of New York, in the County of New York, aforesaid, on the *26th* day of *February*, in the year of our Lord one thousand eight hundred and eighty-*eight*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *Building* of one

John S. Curran

feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent, the goods, chattels and personal property of the said

John S. Curran

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

POOR QUALITY
ORIGINAL

0326

SECOND COUNT—

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

William R. Skelton

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

The said *William R. Skelton*

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

Three
hundred gold coins or the value

of *two* dollars each, and *three*

hundred silver dollars of the

value of *five* dollars each.

of the goods, chattels and personal property of one *John S. Purdy*

in the *building* of the said *John S. Purdy*.

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

POOR QUALITY
ORIGINAL

0327

THIRD COUNT—

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

William C. Shady —

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *William C. Shady*,

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

*Three hundred gold pens of the
value of two dollars each, and
Three hundred pen holders of the
value of five dollars each.*

of the goods, chattels and personal property of one *John S. Purdy* —

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said *John S. Purdy* —

unlawfully and unjustly, did feloniously receive and have; the said

William C. Shady —

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.

0328

BOX:

322

FOLDER:

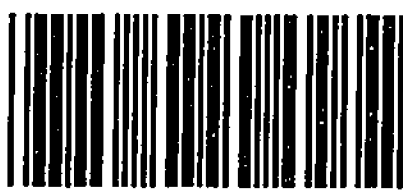
3059

DESCRIPTION:

Strock, Walter


DATE:

09/06/88



3059

0329



Chitgauli-7

vs.

Walter Stock

District Attorney.

A True Bill.

Proper Foreman

Foreman.

D. L. Lewis Perry 2000
 1000 1000 1000
 1000 1000 1000

0330

3

District.

City and County } ss.:
of New York,
of No. 8 East 10th Street, aged 43 years,
occupation Manager of International Publishing Company being duly sworn

deposes and says, that the premises No. 80 East 10th Street, 17 Ward

in the City and County aforesaid the said being a three story brick
building and the ground floor of which
and which was occupied by deponent as, a Shedroom and dwelling
and in which there was at the time ^{no} human being, by name

were BURGLARIOUSLY entered by means of forcibly *bursting open*

the door of the basement facing tenth street
and entering through said basement and passing
therefrom into the ground floor of the 78 East
10th Street.

on the 26 day of August 1888 in the night time, and the following property feloniously taken, stolen, and carried away, viz:

Two Musical Albums, one Case of
plated silverware and twelve books;
altogether of the Value need amounting
to sixteen dollars

1800

the property of the International Publishing Company
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away by

Walter Street (runs here)

for the reasons following, to wit:

for the reasons following, to wit: On the ~~above mentioned date~~ ^{date preceding the day above mentioned} about the hour of 2 o'clock in the afternoon Defendant securely locked and fastened the door of said basement in premises No 80 East 16th Street. That at about the hour of 8.30 o'clock on ~~Said date~~ ^{the day following} Defendant was informed by "Police" Officer Christian Thron of the 14th precinct that he arrested said defendant.

POOR QUALITY
ORIGINAL

0331

on suspicion and found the above-
described property in the possession
of said defendant. That defendant
has since seen said property so
found in the possession of said
defendant and fully identifies the
same as the property stolen from
his possession.

Sworn to before me
this 26th day of August 1888
J. P. Duffy
Police Justice.

Carl Spring

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1888
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1888
There being no sufficient cause to believe the within named
guilty of the offence mentioned, I order he to be discharged.
Dated 1888
Police Justice.

Police Court, District, _____

THE PEOPLE, &c.,
on the complaint of _____

1 _____
2 _____
3 _____
4 _____

Offence—BURGLARY.

Dated 1888 _____

Magistrate. _____

Officer. _____

Clerk. _____

Witnesses, _____

No. _____ Street, _____

No. _____ Street, _____

No. _____ Street, _____

to answer General Sessions.

POOR QUALITY
ORIGINAL

0332

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 24 years, occupation Police Officer of No.

14th Street

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Carlo Spurio

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

Sworn to before me, this 26
day of August 1888

Christian F. Thon

P. J. Murphy

Police Justice.

POOR QUALITY
ORIGINAL

0333

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Walter Strock

Question. How old are you?

Answer. 19 years

Question. Where were you born?

Answer. Germany

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

Answer. I have no residence

Question. What is your business or profession?

Answer. Bookkeeper

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

Answer. I am guilty of the charge.

Walter Strock

Taken before me this

day of March 1888

Police Justice

POOR QUALITY
ORIGINAL

0334

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Police Court---

District.

THE PEOPLE &c.,
ON THE COMPLAINT OF

Walter Davis
787, 50 East 10 St
Walter Street

Offence

Burglary

Dated

August 26 188*8*

Magistrate.

Officer.

Precinct.

Witnesses

Christian Allen

No. 1

Edward Porter

No.

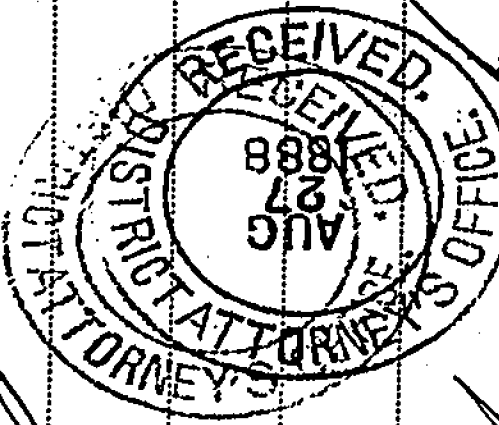
Street.

No.

Street.

No.

Street.



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

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 *August 26* 188*8*

Police Justice.

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

Dated *August 26* 188*8*

Police Justice.

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

Dated *August 26* 188*8*

Police Justice.

Court of General Sessions
City & County of New York

The People of the
State of New York

vs
Walter Struck

City & County of New York ss
Charles H. Gersch
being duly sworn de-
poses & says that he
is a resident of the City
of New York for the last
seven years and knows
the defendant (Walter
Struck) for the last
two years, that your
Exponent was employed
as Book-Keeper for Ber-
nard Brown of 184 Bor-
ery, and that said Wal-
ter Struck was employed
there as Clerk, after having
charge of the Business and
Cash of the House, and
that during the fifteen
months during which time

The said Walter Drock
was so employed your
opponent knew him to be
diligent in his duties
Milling and strictly
honest.

Sworn to before } Charles T. Gersch.
me this 17th day
of Sept 1888.

David Hirschfield
Notary Public
N. Y. Co.

Court of General Sessions
City of New York

The People of the
State of New York

^{vs}
Walter Strook

City County of New York ss
Charles Brunk be-
ing duly sworn deposes
& says that he is a
resident of the City of Brook-
lyn N.Y. and knows Wal-
ter Strook who is his Bro-
ther-in-Law - That said
Strook has been in this
County for the last five
years and is nineteen years
old to your Deponent's
knowledge. That this is
the first time said Strook
has been arrested, and
your Deponent avers that
he, said Strook has ^{hitherto} al-
ways borne an unblem-
ished Character, and
reputation for honesty.

POOR QUALITY
ORIGINAL

0338

a integrity.

Sworn to before me
this 17th Day of Sept
1888.

Chas. J. Brunck

David Hirschfield,
Notary Public,
N. Y. Co.

Court of General Sessions
City County of New York

The People of the
~~State~~ of New York
is
~~Walter~~ Strock

City County of New York
Bernard Hoener
being duly sworn deposes
and says that he is a
resident of the City of
New York for the last year
and a Book Publisher
doing business at No
164 Bowny in the City
of New York, that he
knows the Defendant
Walter Strock for a
period of two years &
that said Walter Strock
for a period of fifteen
months was in the em-
ploy of your Depovent
during which time he
had charge of the Busi-
ness & Cash of the House

of your deponent, and
that had said Walter
Struck been dishonestly
in which he could have
stolen ^{worth of property & cash} hundreds of dol-
lars from your deponent

But your deponent
alleges that during the
time he was in his em-
ploy he always found
him industrious willing
and strictly honest in
every respect.

Wm. H. H. H.

Sworn to before
me this 17th day
of Sept 1888
David Hirschfeld
Notary Public
N. Y. Co.

County of General Sessions
City & County of New York

The People of the
State of New York

— against —
Walter Strock

City & County of New York ss.

George P. King being
duly sworn deposes and
says that he has lived
in New York City for the
last thirty years, and
is a Brother-in-Law of
Walter Strock the defen-
dant. That he has known
the said Strock since he
came to this country five
years ago; That said Strock
is an orphan, and that
during the time afore-
said he has always heard
him spoken of by his em-
ployers as an industrious
honest young man, and
your deponent saw and
does aver that hitherto the

said Struck has born
an unblemished Character
and reputation for honesty.
and has never before been arrested
prior to before me
this 17th day of Sept
1888.

Geo P Hunt

David Hirschfield
Notary Public
U. Y. Co.

Court of
General Sessions

The People of
the State of
New York

vs

Walter Struck

Officially of
Witnesses on
Character of
Defendant

W. H. Johnson

Atty for Def.

335 Broadway

Room 81.

N.Y.

POOR QUALITY
ORIGINAL

0343

ay
Mil. Gr. 35
Aufzug 1000
E. Waller 1000

~~Aut. 1000~~
mit. 1000. General
Waller 1000

Wapten Gier Torach!
 Ich bin jetzt in dem Landes an
 Centre str of New-York
 To might in die Welt
 was Gerechtigkeit zu haben
 bis in Tressenheit worden
 das die Zeit ist zum Telleren
 dann das ich das Geld geben
 um das was was was was
 Gold. Ich bitte die Herren
 die Jafod und Jafod
 die den Herrn Jafod
 für mich Jafod zu haben
 das das Jafod ist Jafod
 das ich nicht Jafod
 und Jafod Jafod Jafod
 Jafod Jafod die
 Jafod Jafod zu
 Jafod. Bitte Jafod die Jafod
 Jafod zu den Jafod
 Jafod Jafod, was
 mit Jafod Jafod Jafod
 Jafod Jafod

0345

Mr. L. P. Strack
34 Church St.

Chas. P. Kirby
28 Essex St

Mr Gersch
104 E. 4 St

Chas Frank
34 Burger
St Brooklyn

POOR QUALITY
ORIGINAL

0346

Widderle from Doech
Lilly Komman Tin Moynan
zu aus den is juba
den Geis nicht gesehen
samen Tin Komman brigen
Tin wir ein rannet Gant
und mullacht #1 ²³ #2 00
für Dauty und is auch
Tin nicht mehr balustiger
Clifford, Calif
W. J. K. 1909

POOR QUALITY
ORIGINAL

0347

CABLE ADDRESS: HAEHNER.

N. Y. EXPORT
PUBLISHING AND PRINTING HOUSE,
E. HAEHNER & CO., Prop's.

English and German Magazines and Periodicals.

No. 184 BOWERY;

New York, Sept 12th 1888

Hon. J. Smyth.
City.

Dear Sir,

In accordance with the
request of Walter Frank for a
recommendation, We herewith in-
form you that the young man has
been in our employ for 14 months
has showed himself straightforward
& to our knowledge honest during
this time.

Respectfully,
N. Y. Export Publ Co
E. H.

POOR QUALITY
ORIGINAL

0348

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Walter Schroder

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

Walter Schroder —

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

The said Walter Schroder,

late of the Seventeenth Ward of the City of New York, in the County of New York, aforesaid, on the 26th day of August, in the year of our Lord one thousand eight hundred and eighty-eight, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the dwelling of one

— Paul Squire. —

feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent, the goods, chattels and personal property of the said

Paul Squire. —

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

POOR QUALITY
ORIGINAL

0349

SECOND COUNT—

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

of the CRIME OF

Water Street
Police
~~of~~ LARCENY —

committed as follows:

The said

Water Street

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

Two musical albums of the value
of twenty dollars each, one case of
silver plated ware, (a more
particular description whereof is
to the Grand Jury aforesaid
unknown) of the value of six
dollars each, and twelve printed
books of the value of twenty
cents each,

of the goods, chattels and personal property of one *Paul Spino*, —

in the ~~building~~ of the said *Paul Spino*, —

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

John H. Kellows,

Attorney

0350

BOX:

322

FOLDER:

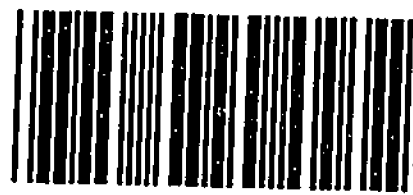
3059

DESCRIPTION:

Stuart, James

DATE:

09/05/88



3059

0351

BOX:

322

FOLDER:

3059

DESCRIPTION:

Thurston, Herbert

DATE:

09/05/88



3059

0352

#35-*Leutamen*
Counsel,
5 *Sept*
Filed day of 188
Pleads, *Wynne*

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

THEY/PEOPLE

vs.

James Stuart

Herbert Thurston

JOHN R. FELLOWS,

14 District Attorney.

A True Bill

Foreman.

No. 1. *Sept 13/88*
foreman.

Plowdr. 1/200
Mars Map 1/200
Recap 1/200

[illegible]

0353

[illegible]

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

Ms.

JOHN R. FELLOWS,

14 District Attorney.

A True Bill.

Foreman.

I have already
 made up the
 Receipts for

POOR QUALITY
ORIGINAL

0354

Police Court 11 District.

City and County } ss.:
of New York,

of No. 2321 St Avenue Street, aged 20 years,

occupation Barber being duly sworn

deposes and says, that on the 25th day of August 1888 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by James

Stuart Herbert Hurston
(7th Avenue) thus the said
Stuart willfully struck deponent
in the right arm and left wrist
with a Barber's Hatchet then and
there held in the hands of the said
Stuart cutting deponent's arm
and wrist and the said Hurston
struck deponent in the head with
his Crucifix Hammer.

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

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

Sworn to before me, this 26th day
of August 1888

Charles L. Seltenreich
James
Police Justice.

POOR QUALITY
ORIGINAL

0355

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK, }

District Police Court.

James Stewart being duly examined before the under-
signed 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.

James Stewart

Question. How old are you?

Answer.

34 years -

Question. Where were you born?

Answer.

Ireland

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

Answer.

446 - 3rd Ave. 5 weeks

Question. What is your business or profession?

Answer.

Lather

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 of the charge
James Stewart*

Taken before me this

26

day of

Sept

188*8*

Police Justice.

POOR QUALITY
ORIGINAL

0356

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

5th
District Police Court.

Herbert Hunter being duly examined before the under-
signed 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.

Herbert Hunter

Question. How old are you?

Answer.

43 years

Question. Where were you born?

Answer.

Dublin

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

Answer.

8th Avenue, 14 years

Question. What is your business or profession?

Answer.

Lather

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 of the charge
Herbert Hunter
mark

Taken before me this

26

day of *August* 188*8*

Police Justice

POOR QUALITY
ORIGINAL

0357

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

Police Court... 01 1328
District... New York

THE PEOPLE, &c,
ON THE COMPLAINT OF

Charles D. Thompson
2221 W. 8th Ave
Charles D. Thompson
Charles D. Thompson
Offence _____

Dated _____ 188

Charles D. Thompson
Magistrate

Charles D. Thompson
Officer

Charles D. Thompson
Precinct

Witnesses *Charles D. Thompson*

No. *Charles D. Thompson*
Street

No. *Charles D. Thompson*
Street

No. *Charles D. Thompson*
Street

No. *Charles D. Thompson*
Street

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

James Stuart A. Herberth Thurston

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, *each* and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated *Aug 26* 188 *A. J. White* 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.

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

James Stewart and
Herbert Thurston

As complainant in the above case, I beg to recommend the defendants 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. My reasons for asking for their discharge, are as follows, viz:

- 1st James Stewart has an invalid sister depending on him for support, whom I am informed he has supported for over three years past. And 2nd At the time of the Commission of the Offense charged, the above named persons were under the influence of liquor, and there is some doubt as to whether Stewart inflicted the injury on me, as all was excitement and there three of them, engaged in the fracas.
- 3rd Herbert Thurston has a wife & five children depending upon him for support, none of his children being to this day able to earn anything.
- 4th I feel also they have both been greatly punished already for their many foul acts, having been in the Tombs since August 25. last.

I would respectfully ask that they be discharged - I am informed that they have never been arrested before.

and both of them are hard working
industrious men.

Witness
John F. Wolman
229 Broadway

Charles Seltenreich
2224 8th Ave

State of New York
City & County of New York

Charles Seltenreich being
dysnom. dep. that he has heard read
the foregoing statement, and that the same
is true of his own knowledge, except the
matter therein stated in his information and
belief and as to those matters he believes them
to be true.

Subscribed and sworn to
September 13, 1888

Charles Seltenreich

John F. Wolman
Justice of the Peace
N.Y. City

New York Gen. Sessions

People ex rel Seltscheich
against
James Stewart and
Herbert Thurston

State of New York
City County of New York. ss.

I, Thomas Hines
being duly sworn say; I reside No. 613.
8th Avenue in this City; I am a born
plaster lather and have been such
in this City for the past twenty
years. I am personal acquainted with
James Stewart and Herbert Thurston,
the above named defendants,
They have worked for me as jour-
neyman lathers for the past
twenty years, and ~~Thurston~~
~~and Thurston~~ learned his trade
with my brother and myself.
I have always known them as
hardworking, industrious men.
They are men whom I have
entrusted with taking charge
of jobs of work for me in my
absence, and are thoroughly

worthy and lioble men. I
am willing, and will put them
to work steadily, as soon as they
are discharged from prison.

I know of my own knowledge that
they are quiet, peaceable and
industrious men, neither vicious
~~or~~ evil disposed; ~~and~~ I have ^{never} known
them or either of them to have
committed a breach of the peace,
unless becoming intoxicated may
be considered a breach of the peace.
If troubled, insulted or interfered
with, they will take their own
part.

If further say, that I know of my
own knowledge that Thurston is
a married man; his family con-
sisting of a wife and five children
who are wholly dependent upon
him for support; his children
ranging from 18 months to 18
years; his eldest child, is a
sickly girl, unable to do more than
assist her mother about the house.
I know also that Thurston has
always supported his family ^{and}
taken good care of them. That

He is kind to them & mother a wife & child beater. I am at the present time living in the same house with him, and state the above facts from my own knowledge.

I further say that James Stewart leased his trade with my brother and myself on fifteen years ago, and since and during that time has worked the greater portion of the time for myself and brother. He is a thoroughly trustworthy, and industrious man, I have frequently entrusted him also with jobs of work, and have always found him competent and careful in looking after the same; in fact they are the most reliable men under our, & the men whom I invariably entrust with my most important work. I am informed that Stewart supports an invalid sister & has for several years past, & that she is dependent upon him for support.

Further say. that I have
never known of Stewart having
committed any wrongful act before;
his onfrakness is, that he is
generous with his money and
now and then drinks more
beer than is good for him.
I have never known or heard
of his having been arrested
before for anything wrong.

I have ~~had~~ seen them both,
several times since their arrest,
and I am satisfied the pun-
ishment they have received
will be ^{to} them a wholesome lesson,
and I would respectfully
petition for their discharge.
For I really believe, that to
imprison them might be of
great harm to them, and if
discharged, will be better men
in the future; if imprisoned, may
become men hereafter.

I will put them to work at
once, if discharged, and be glad
to get them back into my em-
ploy, as ^{I have} every confidence in them.
Yours to before me

September 13. 1888
John Coleman
Federal Indent Ch
N.Y. City

City & County of New York ss

I, Alexander Stewart
being duly sworn says; that I reside
at No. 514, West 20 Street; and am
a brother of James Stewart, and
I know of my own knowledge that
he has never been arrested for
anything before; I have an invalid
sister whom my brother James
supports, he being unmarried.
and she resides with him.

My brother has always been a
hard working industrious person,
his amusements being, fond-
ness for drink at times.

He has worked for Mr. Thomas
Winn a great many years, &
one of his trusted men; in fact
he learned his trade with Mr.
Winn.

I have also known Herbert
Thurston for many years, & he is

a personal friend of my brother
James; Henry has a wife &
5 children wholly dependent
upon him for support.

I need not respectfully
petition for their discharge, for
I know the lesson they have
received & the punishment
suffered by their imprisonment
in the Penitentiary has been a
most wholesome lesson to
them. I feel that ^{to} re-
form them, would be likely to ruin
them, morally and socially.

They are both hard working, in-
dustrious men, & put for beer
would not be where they now
are.

Seen to before me } James Smith
Replied to 13. 1888 } Alexander Stuart
John J. Worman
Justice of the Peace Ch.
W. L. L.

New York General Sessions

People ex rel
Selteneich

^{vs.}
James Stewart and
Herbert Thurston

State of New York.

City and County of New York, ss.

I, Susan Thurston

being duly sworn dep., that I am
the wife of Herbert Thurston
above named, and my family
consists of my husband, and
five children, the youngest being
18 months old and the eldest
child in her 18th year and sickly
suffering from some heart trouble.
My husband has always sup-
ported me & my children, and
been a kind and indulgent
father, and husband; his only
weakness being, that at times
he will take a drink more
beer than he should do, but
even then he is not right for
me or the children.

Myself and children
and wholly dependent
on him for our living and
support. My husband
is not an idler, and
his employer Mr. Thomas
Henig gives him work most
all the time. He ~~has~~ worked
for Mr. Henig before I ever
married to him, and since
our marriage he has worked
the greater part of his time
with Mr. Henig who lives
in the same house with
us at this time. Mr.
Henig does jobbing and con-
tract work, & my husband
frequently takes charge of
job of work for him; in fact
he is one of Mr. Henig's trusted
men.

Mr. Henig tells me that he
will put my husband to
work as soon as he is dis-
charged, and I do most
humbly pray, that my
husband may be speedily
released from imprisonment.

POOR QUALITY
ORIGINAL

0368

and return to myself and
my children,

I can not help but feel, that
he has already been punished
greatly for any offence he may
have committed agst the Law.

Done before me,

September 12th 1888

John J. Nolan

Judge of the Judicial Court

New York City

Susan X Thurston
mark.

General Sessions

People's Panel

apt
James Stewart
Herbert Huntington

Affidavit re an
Application for Emergency

John Goodman
of Council
229 Biny

POOR QUALITY
ORIGINAL

0370

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

*James Stuart and
Herbert S. Munson*

The Grand Jury of the City and County of New York, by this indictment, accuse
James Stuart and Herbert S. Munson
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *James and Herbert, both* —

late of the City of New York, in the County of New York aforesaid, on the
Nineteenth day of *August*, in the year of our Lord
one thousand eight hundred and eighty *eight*, with force and arms, at the City and
County aforesaid, in and upon the body of one *Charles S. Kennerly*,
in the peace of the said People then and there being, feloniously did make an assault,
and *with* the said *Charles*, *with both the hands*
with a certain *of them the said James and*
Herbert, and also with a certain hatchet
which the said *James and Herbert* —
in *their* right hands 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 and means and force*
as were likely to produce the death of
the said Charles,
with intent *to kill* the said *Charles*,
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
James Stuart and Herbert S. Munson
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *James and Herbert, both* —

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 *Charles S. Kennerly*,
in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make another assault, and *with* the said
Charles,
with a certain *hatchet* —

which the said *James and Herbert* —

in *their* right hands 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.

John H. Bellows,

Attorney