0547

BOX:
214
FOLDER:
2121
DESCRIPTION:
Edwards, John

DATE:
04/09/86

2121

No. 49.

Counsel,

Filed 9 day of April 1886

Pleads

THE PEOPLE

vs.

John Edwards

Grand Larceny in the Second degree.
(MONEY.)
(*Sec. 528 and 531, Penal Code.*)

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

J. H. Brown
Apl 9/86

Foreman.

Plead Guilty
Fy. 6 Mos S.P.

No. 49-

Witnesses:

Hatie Richter

Jaus Oberne Officer

Alf Hardwell

A true copy

Counsel,

Filed 9 day of April 1886

Pleads

THE PEOPLE

vs.

John Edwards

Grand Larceny in the Second degree.
(MONEY.)
(*Sec. 528 and 531, Penal Code.*)

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

W H Brown
4/9/86

Foreman.

Leave Guilty
Sy. 6 Mos S.P.

No. 49-

Counsel,

Filed 9 day of April 1886

Pleads

THE PEOPLE

vs.

John Edwards

Grand Larceny in the second degree.
(MONEY.)
(Sec. 528 and 531, Penal Code.)

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

W H Brown
Apl 9/86

Foreman.

Pleads Guilty
Apl 6 Mks 5 P

Police Court— 1 District. Affidavit—Larceny.

City and County of New York, } ss.:

Katie Richter

of No. 1075 Second Avenue ~~Street~~, aged 30 years, occupation Housekeeper being duly sworn deposes and says, that on the 7 day of April 188 6 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:

a box containing jewelry of the value of ten dollars and good & lawful money of the United States of the same & value of one hundred & forty dollars & all of the value of a bank one hundred & fifty dollars $150.00

the property of deponent Frederick W. Richter & in charge of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by John Edwards (now here) from the following facts to wit:- That deponent is the keeper of a confectionery store at the above mentioned number. That the above described property was in a closet behind the counter of said store. That deponent left said store for a short space of time, & when she (deponent) returned to said store she found defendant standing behind the counter therein having the above described property in his (defendant) pos-

Sworn to before me this 7 day of April 188 6

~~Police Justice~~

-ession. That when defendant saw deponent he (defendant) threw said property away and attempted to escape.

B. Kohler

Sworn to before me
this 7th day of April 1886
Andrew J White
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 ______ 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.

Police Court, ______ District.

THE PEOPLE, &c.,
on the complaint of

vs.

1 ______
2 ______
3 ______
4 ______

Offence—LARCENY.

Dated ______ 188
______ Magistrate.
______ Officer.
______ Clerk.
Witnesses, ______
No. ______ Street,
No. ______ Street,
No. ______ Street,
$ ______ to answer ______ Sessions.

Sec. 198—200.

4th District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

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

Question What is your name?

Answer John Edwards

Question. How old are you?

Answer 25 years

Question. Where were you born?

Answer. United States

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

Answer. 245 West 19th Street. 15 years

Question What is your business or profession?

Answer Milkman

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

his
John X Edwards
mark

Taken before me this 2 *day of* March 1887

Charles Meyer

Police Justice.

0554

463

Police Court— 2d District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Katie Reeves
1075 7th Ave

1 John Clayton
2
3
4

Offence Grand Larceny

Dated April 7 1886

Magistrate
Officer,
Precinct.

BAILED,

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

Witnesses

No. Street.
No. Street.
No. Street,
$1000 to answer

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

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

Dated April 7 188 *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 he to be discharged.

Dated 188 *Police Justice.*

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
John Edwards

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

of the crime of GRAND LARCENY IN THE second DEGREE, committed as follows:

The said John Edwards,

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the seventh day of April, — in the year of our Lord one thousand eight hundred and eighty-nine, at the Ward, City and County aforesaid, with force and arms, in the day — time of the same day, three — promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each; five promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each; ten promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each; ten promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each; ten promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each; five promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars each; ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each; ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each; and divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of ten dollars, and divers articles of jewelry, of a number and description to the Grand Jury aforesaid unknown, of the value of ten dollars. —

of the proper moneys, goods, chattels, and personal property of one — ~~on the person of the said~~ Frederick W. Richter, then and there being found, ~~from the person of the said~~ — 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.

RANDOLPH B. MARTINE,
District Attorney.

0556

BOX:
214
FOLDER:
2121
DESCRIPTION:
Elliott, John

DATE:
04/12/86

2121

Witnesses:

Emanuel Pick
Gustave Wolf
Frank Mangin - Sergt

Officer Sam
Deft. has
behaved well
since he came
out of J.P.
FD

No. 61.

Counsel,

Filed 12 day of April 1886

Pleads, Not Guilty 13.

THE PEOPLE

vs.

John Elliott

Burglary in the Third Degree.
Grand Larceny, 2nd degree
[Sections 498, 506, 528, 531 & 550 P.

RANDOLPH B. MARTINE,
District Attorney.

A True Bill.

S B H Brown
Foreman.

Plea — not guilty
Apl 21/86
Tried & Convicted of
Petit Larceny
Order Deft
FD

The People
vs.
John Elliott.

Court of General Sessions, Part I.
Before Recorder Smyth.

April 21, 1886.

Indictment for burglary in the third degree, etc.

Emmanuel Pick sworn. I live at 17 Great Jones Street in this city and remember the 11th of March last, I occupy the front hall bed-room, top floor, I remember going out on the morning of the 11th of March after ten o'clock, I locked my place with a key and took the key along, I had a coat and vest in the room and saw it hanging there before I left, it is worth to me thirty dollars because it cost me forty, I came back towards evening, I went in through two bed-room and through the large room; when I got in the room, I always hang up my clothes, it was lying on my bed-cover and I turned around, it was strange to me, I didnot see that in the morning when I left and it struck me somethingmust be wrong and I saw that my coat ad vest were gone, I saw the oat and vest again in the evening of the 31st in a pawn office in Houston Street and identified them as my property, I gave nobody permission to pawn my clothes or take them out of my room, I never saw the defendant to my knowledge. I remember distinctly that this was the morning of the 11th because a brother-in-law who lives with me gave a reception on that night and I went for my coat and vest and they were not there. I am a tailor and am working at my home. What time was the reception that you speak of? In the evening at eight o'clock. And you went in the morning to get your clothes? No, not to look for my clothes, I had the key of the front door in my pocket.

Gustav Wolf sworn. I am a pawn broker's clerk 49 East Houston Street, the proprietor is J. Metzler. I remember the IIth of March last, I saw the prisoner in front of the counter on that day in our pawn office between the hours of twelve and three, I do not know exactly the minutes. He pawned a coat and vest which was identified, he received five dollars on the coat and vest, I remember Mr Pick the complainant coming around to our place I showed him the coat and vest that Elliott pawned and he identified it as his property. Between sixty and ninety people pawned property that day sometimes more, sometimes less. The prisoner gave me the name of Smith residing in Great Jones Street. The reason why I am able to identify the prisoner is that there is a man who works for a tailor In Broadway who lives above our loan office and I looked at the name on the coat and then looked at the prisoner. If it had not been Mr Appler's name I never would have taken notice of the coat and vest. I never have seen the prisoner at any other time. I next saw him either the 12th or 13th of March at Inspector Byrne's office, Sergeant McGuire came over and showed me the prisoner to see if he was the man that pawned that coat and vest and he was.

James McGuire sworn. I am a detective sergeant connected with the central office and arrested the prisoner on the 12th of March last on suspicion of committing furnished room robberies, I visited the pawn office of Mr Wolf and saw a coat there and brought wolf to police Headquarters, I brought the complainant to the pawn office and he identified the coat and vest, wolf identified the prisoner as the man who pawned the coat. The prisoner denied all knowledge of it.

John Elliott sworn and examinedin his own behalf, testified: I reside No .2I Second Street and am thrity-one years old. I did not enter the premises of Mr Pick on the 11th of March at I7 Great Jones Street and did notsteal a coat andvest from those premises, I didnot receive the coat and vest after it had been stolen and did not pawn it in Houston Street. I was in thepawn shop some time in March and pawned my coat and vest, I pawned it in the Bowery at Klosman's, I wanted five dollars on the coat but the witness on the stand refuse d to give it to me and then I pawned it at the place in the Bowery. I was arrest ed that same night and was discharged three or four days after. I was arrested about ten years ago but have not been charged with crime since that time. I have tried to earn an honest living but have been sick two or three years, I had a surgical operation performed upon me, I pawned my coat and vest for the purpose of,paying my rent.

Cross Examined. I lived about four week at 2I Second Street, I can't recollect the lady's name who kept the place, then I lived at 2I4 I3th Street about six months the name of the lady who kept the house was Mrs. Ralahan, her husband works at Shepard Knapp & Co.'s, he has been a number of years head man in the carpet department. My wife took care of me pretty near two or three years, she lives corner of Sixth Avenue and 3rd Street, I have been away from my wife about nine months, I worked at a place called the Brighton as a waiter in Great Jones Street, I was paid a dollar a night, I was under medical treatment, I got out of State Prison six years ago., I was sent there for a larceny committed in Great Jones Street.

The Jury rendered a verdict of guilty of petty larceny.

Testimony in the case
of
John Elliott
filed April
1886.

Police Court— 1 District.

City and County of New York, } ss.:

Emanuel Pick

of No. 17 Great Jones Street, aged 43 years, occupation Tailor being duly sworn deposes and says, that the premises No 17 Great Jones Street, in the City and County aforesaid, the said being a Dwelling House

and which was occupied by deponent as a Dwelling House

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

were BURGLARIOUSLY entered by means of forcibly opening the front bedroom door leading from the hallway of the top floor of said premises with false keys

on the 11 day of March 1886 in the day time, and the following property feloniously taken, stolen, and carried away, viz:

One cloth Coat and Vest of the value of Thirty dollars

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid BURGLARY was committed and the aforesaid property taken, stolen, and carried away by John Elliott (now here)

for the reasons following, to wit: That deponent is informed by Gustave Wolf that said defendant pledged the aforesaid property at the loan office no 49 East Houston Street in said City on March 11. 1886

Emanuel Pick

Sworn to before me
this 7th day of Mch 1886
Saml E Rudd Police Justice

CITY AND COUNTY
OF NEW YORK, } ss.

Gustave Wolf

aged 37 years, occupation Clerk of No.
49 East Houston Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Emanuel Peck
and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this
day of 188 } Gustave Wolf

Daniel O'Reilly
Police Justice.

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

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

Question What is your name?

Answer John Elliott

Question. How old are you?

Answer 31 years

Question. Where were you born?

Answer. New York

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

Answer. 21 Second St 3 weeks

Question What is your business or profession?

Answer Waiter

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

Answer.

I am not guilty

John Elliott

Taken before me this 7 *day of* April 1886

Daniel O'Reilly Police Justice.

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street

No. 4, by _____

Residence _____ Street.

Police Court — 1 — District.

471

THE PEOPLE, &c,

ON THE COMPLAINT OF

Emanuel Peck

17 Great Jones St.

1 John Elliott

2 _____

3 _____

4 _____

Offence Burglary

Dated April 7 188 6

D. O. Reilly Magistrate.

James McGuire Officer.

C. O Precinct.

Witnesses Gustave Wolf

No. 49 E Houston Street.

_____

No. _____ Street.

_____

No. _____ Street.

$ 1500 to answer G S

Committed

_____

Appearing to me by the written 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 Fifteen Hundred Dollars _____ and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated _____ 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.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
John Elliott

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

John Elliott —

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

The said John Elliott,

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

Emanuel Ridder,

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

Emanuel Ridder

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

SECOND COUNT—

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

— John Elliott —

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

The said John Elliott,

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 daytime of the said day, with force and arms,

one coat of the value of Twenty five dollars, and one vest of the value of ten dollars,

of the goods, chattels and personal property of one

Emanuel Rich,

in the dwelling house of the said

Emanuel Rich,

there situate, then and there being found, in the dwelling 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.

THIRD COUNT—

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

John Elliott

of the Crime of CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said John Elliott,

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,

one coat of the value of twenty five dollars, and one vest of the value of ten dollars,

of the goods, chattels and personal property of one

Emanuel Cide,

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

Emanuel Cide,

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

John Elliott,

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.

RANDOLPH B. MARTINE,
District Attorney.

0569

BOX:
214
FOLDER:
2121
DESCRIPTION:
Ellison, Charles

DATE:
04/29/86

2121

Witnesses:

I am informed by Officer Dawson, who is the complainant in this case, that the defendant has been leading an honest, sober and peaceable life during the past ten years, has a wife and family whom he takes proper care of and that in his opinion further proceedings upon the indictment would accomplish no special good. As the officer was the aggrieved party, in view of the defendant's subsequent good conduct, I recommend that the indictment be dismissed.

Nov 3rd 1897

DeLancey Nicoll
District Attorney

No 242 [illegible]

Counsel, [illegible]

Filed 29 day of April 1886

Pleads [illegible]

THE PEOPLE

vs.

Charles Ellison

Assault in the Second Degree, etc.
(Resisting Arrest.)
(Section 218, Penal Code, etc.)

Indictment [illegible]

RANDOLPH B. MARTINE,
District Attorney.

A True Bill.

[illegible]
Foreman.

Jan 7th
G.S.B

POLICE COURT—SECOND DISTRICT.

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

Police Officer Jacob W. Fess

of the 20th Police Precinct ~~Street~~ being duly sworn, deposes

and says, that on the 24th day of April 188 6

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

on 36th Street between 9th and 10th avenues, deponent was violently assaulted and beaten by Charles Ellison (now here) who struck deponent a violent blow on the right side of the face with his said Ellison's fist. That the said Ellison aided by another man then seized hold of deponent by the collar of his coat and threw deponent down on the street —

That deponent was assaulted as aforesaid by said Ellison while deponent was in uniform and in the discharge of his duty as an officer of the Municipal Police of the City of New York, and that deponent had in his custody at the time of said assault a prisoner — And that said prisoner made his escape from the custody of deponent at the time of said assault.

Wherefore deponent prays that said assailant be dealt with according to law. Jacob W. Fess.

Sworn to before me this 24th day of April 1886

[illegible]
Police Justice

Sec. 198—200.

2nd District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

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

Question What is your name?

Answer Charles Ellison

Question. How old are you?

Answer 29 Years

Question. Where were you born?

Answer. New York City

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

Answer. No. 549 West 37th Street 6 about one year

Question What is your business or profession?

Answer Printer

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

Answer. I am not guilty

Charles Ellison

Taken before me this 12 *day of* [illegible] 188[illegible]

[illegible] *Police Justice.*

0573

BAILED,

No. 1, by Charles Oei

Residence 530 East 36th Street.

No. 2, by Alice Stewart

Residence 555 East 36th Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

(Signature)

Police Court 2nd District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Mary O'Neil
20 Street

Charles Oei

1 Charles Oei

2

3

4

Offence Assault on an officer

Dated April 24 1886

Magistrate

Officer.

20 Precinct.

Witnesses

No. Street.

No. Street,

No. Street,

$ to answer

RECEIVED DISTRICT ATTORNEY'S OFFICE. APR 25 1886

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

Dated April 25 188 6 *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 he to be discharged.*

Dated _____ 188 _____ *Police Justice.*

Grand Jury Room.

PEOPLE

vs.

Charles Ellison

Mr Nicoll,

Officer Fox ~~[illegible]~~ tells me that he is anxious to have this case dropped.

He says the defendant has been leading an honest sober and peaceable life during the past six years, has a wife and family whom he takes good care of, and that in his opinion further proceedings on this indictment would be a hardship.

As he was the only aggrieved party, and no good could come of putting the deft on trial now, I think the motion should be dismissed.

[illegible]

0575

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Rhoades Ellison

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

— Rhoades Ellison —

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

The said Rhoades Ellison,

late of the City of New York, in the County of New York aforesaid, on the ~~twenty-fourth~~ day of August, —— in the year of our Lord one thousand eight hundred and eighty-five at the City and County aforesaid, with force and arms feloniously made an assault in and upon one

Jacob W. Ross, —

then and there being a policeman of the Municipal Police of the City of New York, and as such policeman being then and there engaged in the lawful apprehension of a certain person whose name is to the Grand Jury aforesaid unknown, —

and the said Rhoades Ellison, —

him, the said Jacob W. Ross, —

then and there feloniously did beat, strike, wound and otherwise illtreat, with intent then and there and thereby to prevent and resist the lawful apprehension of said person, —— as aforesaid, 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.

~~RANDOLPH B. MARTINE,~~
~~District Attorney.~~

(over)

Second COUNT. [Sec. 280, N. Y. City Consolidation Act of 1882.]

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

of the CRIME OF USING PERSONAL VIOLENCE UPON A MEMBER OF THE POLICE FORCE, WHEN IN THE DISCHARGE OF HIS DUTY, WITHOUT JUSTIFIABLE OR EXCUSABLE CAUSE, committed as follows:

The said Charles Ellison, —

late of the City and County aforesaid, afterward, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon one Jacob W. Fees, — being then and there a member, to wit: a patrolman — of the police force of the City of New York, and then and there being in the discharge of his duty as such patrolman, unlawfully did make an assault, and did then and there unlawfully, wilfully and without justifiable or excusable cause, use personal violence upon the said — Jacob W. Fees, — so being in the discharge of his duty as aforesaid, and him the said Jacob W. Fees, — did then and there unlawfully and wilfully strike, beat, wound and illtreat; 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.

RANDOLPH B. MARTINE,

DISTRICT ATTORNEY.