

0523

BOX:

23

FOLDER:

287

DESCRIPTION:

Wadie, Mary

DATE:

10/11/80



287

0524

75

Filed 11 day of

terry
Oct. 1880

Pleads *not Guilty.*

THE PEOPLE

vs.

Mary Wadie^B

Felonious Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Chas H. Hamell

Foreman.

Part Two - Oct. 13-1880
Tried and acquitted

0525

Form

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

POLICE COURT—FIRST DISTRICT.

Nicola Pagoleti
 of No. *115 13th* Street, being duly sworn, deposes and says,
 that on the *4th* day of *October* 18*88*

at the City of New York, in the County of New York, he was violently and feloniously assaulted and
 beaten by

May Wadie now present.

*That said May did unlawfully and
 maliciously cut and lacerated
 the flesh of deponent's face
 and hands with and by means
 of a certain knife and sharp
 dangerous weapon which she
 then held then held in
 her hand*

Deponent believes that said injury, as above set forth, was inflicted by said

May Wadie
 with the felonious intent to take the life of deponent, ^{and} to do him 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 dealt with accord-
 ing to law.

Nicola Pagoleti
Shank

Sworn to, before me, this

day of *October* 18*88**Samuel Arthur*

Police Justice.

0526

Police Court—First District.

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

May Wadie being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to refuse to answer any question that may be put to ~~her~~ states as follows, viz:

Question. What is your name?

Answer.

May Wadie

Question. How old are you?

Answer.

32 Years

Question. Where were you born?

Answer.

Italy

Question. Where do you live?

Answer.

115th Baxter Street

Question. What is your occupation?

Answer.

I keep house for my husband

Question. Have you anything to say, and if so, what—relative to the charge

here preferred against you?

Answer.

I am not guilty

*her
May Wadie
mark*

Taken before me, this

day of

188

POLICE JUSTICE.

0527

COUNSEL FOR COMPLAINANT.

Name,
Address,

COUNSEL FOR DEFENDANT.

Name,
Address,

Police Court—First District.

AFIDAVIT—Felonious Assault & Battery

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Victor J. Barker
115 Portland St.
May 6, 1900

2

3

4

5

6

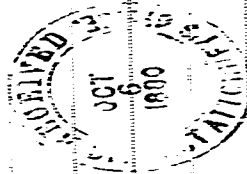
October 5, 1899

Waterson Magistrate.

Nealis Officer.

14 Clerk.

Witness,



J. H. H. to answer

at General Sessions.

Received at Dist. Atty's Office,

Filed

BAILED

No. 1, by *William J. Barker*

Residence, *115 Portland St.*

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

0528

CITY AND COUNTY } ss.
OF NEW YORK, }THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present :

That

Mary Wadie
late of the City of New York, in the County of New York, aforesaid, on the
fourth day of *October* in the year of our Lord
one thousand eight hundred and *eighty* with force and arms, at the City and
County aforesaid, in and upon the body of *Nicola Jagoletti*
in the peace of the said people then and there being, feloniously did make an assault
and *him* the said *Nicola Jagoletti*
with a certain *Knife*
which the said *Mary Wadie*

in *her* right hand then and there had and held, the same being a deadly and
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut, and wound
with intent *him* the said *Nicola Jagoletti*
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 Jurors aforesaid, upon their Oath aforesaid, do further present : That
afterwards, to wit, on the day and in the year aforesaid, at the City and County
aforesaid, the said *Mary Wadie*
with force and arms, in and upon the body of the said *Nicola Jagoletti*
then and there being, wilfully and feloniously did make an
assault and *him* the said *Nicola Jagoletti*
with a certain *Knife* which the said

Mary Wadie in *her* right hand, then and there
had and held, the same being then and there a sharp, dangerous weapon, wilfully
and feloniously, and without justifiable and excusable cause, did then and there beat,
strike, stab, cut, and wound, with intent to then and there wilfully and feloniously
do bodily harm unto *him* the said *Nicola Jagoletti*
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 Jurors aforesaid, upon their Oath aforesaid, do further present : That
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-
said, the said *Mary Wadie*

with force and arms, in and upon the body of *Nicola Jagoletti*
in the peace of the said people then and there being, feloniously, did make another
assault and *him* the said *Nicola Jagoletti*
with a certain *Knife*

which the said

Mary Wadie in *her* right
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,
and wound, the same being such means and force as was likely to produce the death
of *him* the said *Nicola Jagoletti* with intent *him* the

0529

said *Micela Jagoletti* 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.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said

Mary Wadie *Micela Jagoletti* with force and arms, in and upon the body of the said then and there being, wilfully and feloniously, did make another assault and *him* the said *Micela Jagoletti* with a certain *Knife* which the said in *her* right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously maim *him* the said *Micela Jagoletti* 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.

BENJ. K. PHELPS, District Attorney.



Paul Chase - Oct. 13-1886
found and acquitted

John H. Randall
Foreman.

A TRUE BILL.

BENJ. K. PHELPS,
District Attorney.

Mary Wadie
THE PEOPLE
vs.
Felony Assault and Battery.

75
Filed 11 day of *Oct.* 1886
Pleas not Guilty.

0530

BOX:

23

FOLDER:

287

DESCRIPTION:

Walker, George

DATE:

10/27/80



287

0531

208
Mack

Day of Trial,

Counsel,

Filed 27 day of Oct 1880

Pleads

Ind. Ex. 1

THE PEOPLE

vs.

P

George Walker

BURGLARY—THIRD DEGREE.
NOTHING STOLEN.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Chas. K. Hamell

Foreman.

Oct. 29. 1880

Jordan Pr

Geo. J. Hedges

0532

Police Court—Second District.

City and County } ss:
of New York.

David M. Samuels
of No. 325 and 327 West 15 Street, being duly sworn,
deposes and says, that the premises No. 327 West 15th Street, 16 Ward, in the City and County aforesaid, the said being a Factory
and which was occupied by deponent as a place for the manufacture
of Hats were BURGLARIOUSLY
entered by means of forcibly displacing the moving
of the lock on the door of the Gate annexed
to and forming a part of the freehold
and leading into said premises
on the night of the 18 day of October 1880
and the following property feloniously taken, stolen, and carried away, viz:
with intent to take steal, and carry
away therefrom One dozen Self
Hats of the value of Thirty dollars
and a quantity of Ladies' Hats
in all of the value of One Hun-
dred dollars or more

the property of deponent and Thomas Stapleton Copartners
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 George Walker
for the reasons following, to wit:

That deponent was so in-
formed by Thomas Blake the night
watchman of said premises as set
forth in said Blake's affidavit hereto
annexed

D M Samuels

Sworn to before me this
18 day of October 1880
[Signature]

City and County of New York ss.

Thomas Blake of No 327 West 15th street being duly sworn says deponent is night watchman of said premises that on the 14th instant at 10 O'clock P.M. deponent securely locked the gate attached to and leading into said premises - at the hour of 1.30 O'clock A.M. on the 18th instant deponent was awakened by a noise and found said gate forced open and saw George Walker and another man unknown to deponent and who escaped, in the passageway between the said gate and the outer gate of said premises - said Walker was endeavoring to get over the fence - deponent found the certain "jimmy" here shown on the ground near the said first named gate -

Thomas Blake

Sworn to before me this
18th day of October 1880

J. J. H. H. H.
Police Justice

0534

Police Court—Second District.

CITY AND COUNTY)
OF NEW YORK. } ss.

George Walker being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him states as follows, viz:

QUESTION.—What is your name?

ANSWER.—

George Walker

QUESTION.—How old are you?

ANSWER.—

Thirty years

QUESTION.—Where were you born?

ANSWER.—

New York city

QUESTION.—Where do you live?

ANSWER.—

517-8th avenue

QUESTION.—What is your occupation?

ANSWER.—

Attorney

QUESTION.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.—

I am not guilty of the charge

George Walker

Taken before me, this

18

day of October 1880

Police Justice.

0535

208

Police Court—Second District.

THE PEOPLE, &c.
ON THE COMPLAINT OF
David M. Samuels
325 + 327 W 15th St—
George Walker

Dated October 18 1880

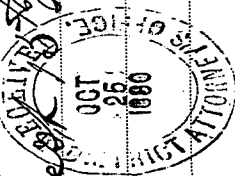
Smith Magistrate.

Murray Officer.
16 Clerk.

Witnesses:

Thomas Blake

327 West 15th Street



Committed in default of \$ 1000, Bail.

Bailed by

No. Street.

Conn.

0536

CITY AND COUNTY } ss. :
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present :

That

George Walker

late of the *sixteenth* Ward of the City of New York, in the County of
New York, aforesaid,
on the *eighteenth* day of *October* in the year of our Lord
one thousand eight hundred and ~~seventy~~ *eighty* with force and arms,
at the Ward, City and County aforesaid, the *factory* of

David M. Samuels

there situate, feloniously and burglariously did break into and enter, the said *factory*
being then and there a building in which divers goods, merchandise, and valuable things
were then and there kept for use, sale and deposit; the same being the goods, chattels,
and personal property of

David M. Samuels

goods, merchandise and valuable things in the said *factory* with intent the said
being then and there feloniously and burglariously to steal, take, and carry away then and there

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.

BENJ. K. PHELPS, District Attorney.

0537

BOX:

23

FOLDER:

287

DESCRIPTION:

Walter, Christian

DATE:

10/20/80



287

0538

163. ✓
Filed 20 day of Oct 18 90
Pleads

THE PEOPLE

vs.

P
Christian Walter
(2 case)

Felonious Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Chas H. Hamer

Foreman.

0539

Form 15.
Police Court—Third District.STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss.

Moses Fischer
 of No. *204 Hudson - now in N.Y. Hospital*
 on *Monday* the *14th* day of *September*
 in the year 18*80* at the City of New York, in the County of New York,
 being duly sworn, deposes and says, that

he was violently and feloniously ASSAULTED and BEATEN by

Christian Walter (unsub), who
struck the deponent on the head
with a stone thereby fracturing
the skull of deponent and
from which said injury deponent
has since been under treatment
at the New York Hospital

Moses Fischer

with the felonious intent to take the life of deponent, or do him 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, &c., and be dealt with according to law.

Sworn before me this
 of *Oct 13* 18*80*

A. J. Morgan
 Police Justice.

Moses Fischer

0540

Form 10
Police Court—Third District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

ABDIAH A. & B.
FELONIOUS.

Warrant

207 1/2 York

June 4 Detention

Dated

SEP 13

1888

Magistrate.

Clarence

17th Street

WITNESSES
Said officer

in the presence

\$1000 bond

Car Driver

Francis N. H. H. H.

of the H. H. H.

1888

0541

Police Court—Third District.

CITY AND COUNTY OF NEW YORK, ss.

Christian Walter being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question.—What is your name?

Answer.—

Christian Walter

Question.—How old are you?

Answer.—

fifty two

Question.—Where were you born?

Answer.—

Germany

Question.—Where do you live?

Answer.—

142 Horseyth

Question.—What is your occupation?

Answer.—

Cabinet maker

Question.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.—

The complainant came into my house drunk and sick. I did not strike him.
Christian Walter

Taken before me, this

day of

1875.

Police Justice.

0542

Form 11.

Police Court, Third District, Halls of Justice.

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

of No. 142 Broadway

Henry L. Jensen
House of Detention Street,

being duly sworn, deposes and says, that
on Monday the 14th day of September

in the year 1890, at the City of New York, in the County of New York

he was violently ASSAULTED and BEATEN by

Christian Walter
(Korlue) who struck deponent on the head with
a steel tumbler wounding deponent on the head,

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 the above assault, &c., and be dealt with according to law.

Sworn to before me, this

14th
day of September 1890

A. L. Morgan POLICE JUSTICE.

J. L. Jensen

0543

52, German, 144 Remyth an

Form 11.

THIRD DISTRICT POLICE COURT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Henry Emerson

Committed to House of Detention
in default of \$300

Christian Walter

Dated

Sep 14

1880

Morgan

MAGISTRATE.

Elbridge

OFFICER.

WITNESS:

f 300 L. M. S. G. S.

Francis N. Harkness, Jr.
Notary Public

NOTARY PUBLIC
1880

AFFIDANT, A. & B.

0544

New York Hospital,

West Fifteenth Street,

New York, Oct 22 1880

This is to certify that [“]Mrs Clocher[”] admitted Sept 14th suffering from Compound Fract Skull is now out of danger and will be ready for discharge in a few days

Francis Hollander M.D.
Chief Surgeon
W.H.

0545

New York Hospital,

• West Fifteenth Street,

New York, *Sept 16th* 1880

This is to certify that Moses Ascher
was admitted to the Surg. Ward on
Sept 14th/80 suffering from Compound
Fracture of Skull - & that while his
condition at the present time is
excellent, the injury is of a very
serious nature & dangerous symptoms
may appear at any time

Francis H. Mackintosh
House Surgeon
N.Y.H.

0546

Form 11.

Police Court, Third District, Halls of Justice.

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK. } ss.
of No. *10th Avenue* *Police* Street,

John Elterich

being duly sworn, deposes and says, that

on *Monday* the *14th* day of *September*

in the year 18*92*, at the City of New York, in the County of New York, that

Moses Ascher he was violently ASSAULTED and BEATEN by

Christian Walker

(Moses) was assaulted. As this deponent is, informed by the said Moses Ascher - that the said Christian Walker, struck the said Moses on the head with some hard instrument thereby fracturing the head of the said Moses who is now suffering from the said injury in the New York Hospital -

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

Sworn to before me, this

day of *Sept*

14th 18*92*

John Elterich
POLICE JUSTICE.

A. I. Morgan

0547

Form 11.

THIRD DISTRICT POLICE COURT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John C. Erick

vs.

Christian Walter
Mary Emma Moses & Son

Dated

Dec 14

18*80*

Morgan

MAGISTRATE.

Peltner

OFFICER.

10

WITNESS:

Nicholas Oltstadt

144 Horzly St

*Committed for further
examination to
await receipt of
fines*

AFFIDAVIT. A. & B.

CITY AND COUNTY } ss.
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present :

That

Christian Walter
late of the City of New York, in the County of New York, aforesaid, on the
fourteenth day of *September* in the year of our Lord
one thousand eight hundred and *eighty* with force and arms, at the City and
County aforesaid, in and upon the body of *Moses Acker*
in the peace of the said people then and there being, feloniously did make an assault
and *him* the said *Moses Acker*
with a certain *stone*
which the said

Christian Walter
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut, and wound
with intent *him* the said *Moses Acker*
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 Jurors aforesaid, upon their Oath aforesaid, do further present : That
afterwards, to wit, on the day and in the year aforesaid, at the City and County
aforesaid, the said *Christian Walter*
with force and arms, in and upon the body of the said *Moses Acker*
then and there being, wilfully and feloniously did make an
assault and *him* the said *Moses Acker*
with a certain *stone* which the said

Christian Walter in *his* right hand, then and there
had and held, the same being then and there a sharp, dangerous weapon, wilfully
and feloniously, and without justifiable and excusable cause, did then and there beat,
strike, stab, cut, and wound, with intent to then and there wilfully and feloniously
do bodily harm unto *him* the said *Moses Acker*
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 Jurors aforesaid, upon their Oath aforesaid, do further present : That
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-
said, the said

Christian Walter
with force and arms, in and upon the body of *Moses Acker*
in the peace of the said people then and there being, feloniously, did make another
assault and *him* the said *Moses Acker*
with a certain *stone*
which the said

Christian Walter in *his* right
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,
and wound, the same being, such means and force as was likely to produce the death
of *him* the said *Moses Acker* with intent *him* the

0549

said *Moses Ascher* 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.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said

Christian Walter with force and arms, in and upon the body of the said *Moses Ascher* then and there being, wilfully and feloniously, did make another assault and *him* the said *Moses Ascher* with a certain *stone* which the said *Christian Walter* in *his* right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously maim *him* the said *Moses Ascher* 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.

BENJ. K. PHELPS, District Attorney.

Part the Oct. 22, 1880
This remitted C-13
A True Bill. Sen one year.
John H. Bennett
Foreman.
Read for the individual

BENJ. K. PHELPS,

District Attorney.

Christian Walter
(2 Cases)
142 Broadway
108
Perkins

Felony Assault and Battery.

THE PEOPLE

Filed 19 day of Oct. 1880
Pleads *John H. Bennett*

122
Dismissed

0550

127
J. J. Thompson

Filed 9 day of Oct. 1880

Pleas
John J. Thompson

THE PEOPLE

Felonious Assault and Battery.

vs.
142 Broadway
New York

I

Christian Walter

(2 Cases)

BENJ. K. PHELPS,

District Attorney.

Part No Oct. 22, 1880

Filed 10/22/80

A True Bill. See one of per.

Chas. H. Randall

Foreman.

Walter J. Thompson

BENJ. K. PHELPS, District Attorney.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said Christian Walter, with force and arms, in and upon the body of the said Mrs. Cecelia, then and there being, willfully and feloniously, did make another assault and with force and arms, in and upon the body of the said Mrs. Cecelia, which the said in his right hand then and there had and held, the same being then and there a deadly weapon, willfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there willfully and feloniously maim the said Mrs. Cecelia 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.

then and there feloniously and willfully 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.

0551

CITY AND COUNTY } ss.
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present :

That

Christian Walter
late of the City of New York, in the County of New York, aforesaid, on the
fourteenth day of *September* in the year of our Lord
one thousand eight hundred and *eighty* with force and arms, at the City and
County aforesaid, in and upon the body of *Henry Lensen*
in the peace of the said people then and there being, feloniously did make an assault
and *him* the said *Henry Lensen*
with a certain *stone*
which the said

Christian Walter
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut, and wound
with intent *him* the said *Henry Lensen*
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 Jurors aforesaid, upon their Oath aforesaid, do further present : That
afterwards, to wit, on the day and in the year aforesaid, at the City and County
aforesaid, the said *Christian Walter*
with force and arms, in and upon the body of the said *Henry Lensen*
Lensen then and there being, wilfully and feloniously did make an
assault and *him* the said *Henry Lensen*
with a certain *stone* which the said

Christian Walter in *his* right hand, then and there
had and held, the same being then and there a sharp, dangerous weapon, wilfully
and feloniously, and without justifiable and excusable cause, did then and there beat,
strike, stab, cut, and wound, with intent to then and there wilfully and feloniously
do bodily harm unto *him* the said *Henry Lensen*
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 Jurors aforesaid, upon their Oath aforesaid, do further present : That
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-
said, the said

Christian Walter
with force and arms, in and upon the body of *Henry Lensen*
in the peace of the said people then and there being, feloniously, did make another
assault and *him* the said *Henry Lensen*
with a certain *stone*
which the said

Christian Walter in *his* right
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,
and wound, the same being such means and force as was likely to produce the death
of *him* the said *Henry Lensen* with intent *him* the

0552

said *Henry Senesen* 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.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said

Christian Walter with force and arms, in and upon the body of the said *Henry Senesen* then and there being, wilfully and feloniously, did make another assault and *him* the said *Henry Senesen* with a certain *stone* which the said *Christian Walter* in *his* right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously maim *him* the said *Henry Senesen* 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.

BENJ. K. PHELPS, District Attorney.

163.1
Filed *10* day of *Oct* 187*6*
Pleas

THE PEOPLE

vs.

Christian Walter
(2 cases)

Felony Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

John H. Beavill

Foreman.

0553

BOX:

23

FOLDER:

287

DESCRIPTION:

Warneck, Henry

DATE:

10/26/80



287

0554

2187

Counsel,

Filed 27 day of Oct 1880

Pleas

THE PEOPLE

vs.

Henry Varney
and
Emma Embressenicht
Barcenty.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Chas H. Russell

Foreman.

Jan. 2. 1881.

Thos. H. Russell
Medford, N. H.

0555

Police Court—First District.

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

Charles Weils

of No. 7 Albany Street,
being duly sworn, deposes and says, that on the 11th
day of September 1880, at the City and County of
New York,

Henry Warneck (now here) being
a servant in the employ of deponent and not ^{years}
being an apprentice nor within the age of eighteen,
did feloniously embezzle and convert to his own
use good and lawful money to the amount
of thirty dollars the property of deponent
which had been received by said Warneck
in his capacity as servant aforesaid

Charles Weils

City and County } ss
of New York

John L. Bertram of
348 West 45th Street being duly sworn says that
on the 11th day of September 1880 he paid the
sum of thirty dollars to Henry Warneck on account
of Charles Weils
sworn to before me this
15 day of October 1880

John L. Bertram
Police Justice

A. W. Patterson

sworn to before me this
15 day of October 1880

Police Justice

0556

POLICE COURT—FIRST DISTRICT.

CITY AND COUNTY } ss.
OF NEW YORK }

Henry Warneck being duly examined before the undersigned,
according to law, on the annexed charge, and being informed that he was at liberty
to refuse to answer any question that may be put to him states as follows, viz:

Question. What is your name?

Answer.

Henry Warneck

Question. How old are you?

Answer.

47 years

Question. Where were you born?

Answer.

Germany

Question. Where do you live?

Answer.

on the boat

Question. What is your occupation?

Answer.

boat man

Question. Have you anything to say, and if so, what—relative to the charge here
preferred against you?

Answer.

I am not guilty

H. Warneck,

Taken before me, this

15 day of

October 1880

POLICE JUSTICE.

0557

187.
Police Court—First District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF.

Charles Wals
7 Albany St.
vs.
Henry Warrick

BAILED,

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

Offence,

Dated

16 October 1880

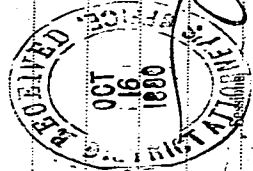
Before me, Magistrate.

Thym. on 27 Nov

Clerk.

Witnesses,

John L. Bontemps
348 W 45 St



\$ 5.00
J. Q.

to answer

at
J. Q.

Received in Dist. Atty's Office,

COUNSEL FOR COMPLAINANT.

Name,

Address,

COUNSEL FOR DEFENDANT.

Name,

Address,

0558

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

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York
upon their Oath, present :

That

Henry Warnock

late of the First Ward of the City of New York, in the County of New York, aforesaid
not being an apprentice or person within the age of eighteen years, on the *eleventh*
day of *September* in the year of our Lord one thousand eight hundred and
~~seventy-eight~~ *eighty* was employed in the capacity of a clerk and servant to one

Charles Wells

and as such clerk and servant, was entrusted to receive *a certain sum of*
money, to wit: the sum of thirty dollars
in money and of the value of thirty dollars

and being so employed and entrusted as aforesaid, the said

Henry Warnock

by virtue of such employment

then and there did receive and take into his possession *the said certain*
sum of money, to wit: the sum of thirty
dollars in money, and of the value of
thirty dollars

for and on account of

Charles Wells

his said master and employer ; and that the said

Henry Warnock

on the day and year last aforesaid,

with force and arms, at the Ward, City and County aforesaid, fraudulently and feloniously did
take, make away with and secrete, with intent to convert to his own use, and did fraudulently
and feloniously embezzle and convert to his own use, without the consent of said master and
employer, and did fraudulently and feloniously and without the consent of his said master and
employer withhold, appropriate, apply and make use of the said *certain sum*

of money, to wit the sum of thirty dollars
in money and of the value of thirty
dollars

(Over.)

0559

of the goods, chattels, personal property and money of the said

Charles Wells which said goods, chattels, personal property, and money had come into his possession and under his care, by virtue of his being such clerk and servant 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.

And the Jurors aforesaid, upon their Oath aforesaid, do further Present,

That the said

Henry Warneck

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year last aforesaid, at the Ward, City and County aforesaid, with force and arms, fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Demand Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each: sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Demand Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each: eighty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Demand Treasury Notes), of the denomination of five dollars, and of the value of five dollars each: one hundred 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: one hundred and twenty 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: one promissory note for the payment of money (and of the kind known as a bank note), being then and there due and unsatisfied, of the value of one hundred dollars: one promissory note for the payment of money (and of the kind known as a bank note), being then and there due and unsatisfied, of the value of fifty dollars: two 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: three 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: 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 three dollars each: fifteen 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 two dollars each: thirty 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 one dollar each: two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each: three gold coins (of the kind usually known as eagles), of the value of ten dollars each: six gold coins (of the kind usually known as half eagles), of the value of five dollars each: fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each: ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each: thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each: thirty silver coins (of the kind usually known as dollars), of the value of one dollar each: sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each: one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each: two hundred and forty silver coins (of the kind usually known as shilling pieces), of the value of twelve and a half cents each: three hundred silver coins (of the kind usually called dimes), of the value of ten cents each: six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each: one thousand coins (of the kind known as three cent pieces), of the value of three cents each: three thousand copper coins (of the kind known as cents), of the value of one cent each. One hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of fifty cents each, and of the marketable value of fifty cents each: two hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of twenty-five cents each, and of the marketable value of twenty-five cents each: five hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of ten cents each, and of the marketable value of ten cents each.

Divers Promissory Notes for the payment of money, the same being then and there due and unsatisfied, and of the kind known as United States Treasury notes, of a number and denomination to the Jurors aforesaid unknown, and more accurate description of which cannot now be given, of the value of *thirty dollars*

Divers Promissory Notes for the payment of money, the same being then and there due and unsatisfied, and of the kind known as Bank Notes, of a number and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot now be given, of the value of *thirty dollars*

Divers Due Bills of the United States of America, the same being then and there due and unsatisfied, and of the kind known as Fractional Currency, of a number and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot now be given, of the value of *thirty dollars*

Divers Coins, of a number, kind, and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot now be given, of the value of *thirty dollars*

\$ 30⁰⁰ 100

0560

of the goods, chattels and personal property of one

Charles Weil

then and
there being found, 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.

BENJ. K. PHELPS, District Attorney.

0561

102

Counsel,
Filed *Oct. 1890*
Pleads *Not Guilty*

and Embezzlement Larceny.

THE PEOPLE

vs.

I
Henry Warner

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Chas. H. Warner
Foreman.

[Signature]

[Signature]

0562

CITY AND COUNTY
OF NEW YORK, ss. :

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York
upon their Oath, present :

That

Henry Warneek
late of the First Ward of the City of New York, in the County of New York, aforesaid
not being an apprentice or person within the age of eighteen years, on the *eleventh*
day of *September* in the year of our Lord one thousand eight hundred and
~~seventy-~~ *eighty* was employed in the capacity of a clerk and servant to one

and as such clerk and servant, was entrusted to receive

Charles Weils a certain sum
of money to wit. *this sum of thirty*
dollars in money and of the value of
thirty dollars

and being so employed and entrusted as aforesaid, the said

Henry Warneek by virtue of such employment
then and there did receive and take into his possession *the said certain*
sum of money, to wit: *this sum of thirty*
dollars in money, and of the value of
thirty dollars

for and on account of

his said master and employer ; and that the said

Henry Warneek
on the day and year last aforesaid,
with force and arms, at the Ward, City and County aforesaid, fraudulently and feloniously did
take, make away with and secrete, with intent to convert to his own use, and did fraudulently
and feloniously embezzle and convert to his own use, without the consent of said master and
employer, and did fraudulently and feloniously and without the consent of his said master and
employer withhold, appropriate, apply and make use of the said *certain sum*
of money, to wit *the sum of thirty*
dollars in money and of the value
of thirty dollars

(Over.)

0563

of the goods, chattels, personal property and money of the said

Charles Neils which said goods, chattels, personal property, and money had come into his possession and under his care, by virtue of his being such clerk and servant 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.

And the Jurors aforesaid, upon their Oath aforesaid, do further Present,

That the said

Henry Warneck

3000
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year last aforesaid, at the Ward, City and County aforesaid, with force and arms, fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Demand Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each: sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Demand Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each: eighty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Demand Treasury Notes), of the denomination of five dollars, and of the value of five dollars each: one hundred 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: one hundred and twenty 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: one promissory note for the payment of money (and of the kind known as a bank note), being then and there due and unsatisfied, of the value of one hundred dollars: one promissory note for the payment of money (and of the kind known as a bank note), being then and there due and unsatisfied, of the value of fifty dollars: two 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: three 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: 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 three dollars each: fifteen 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 two dollars each: thirty 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 one dollar each: two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each: three gold coins (of the kind usually known as eagles), of the value of ten dollars each: six gold coins (of the kind usually known as half eagles), of the value of five dollars each: fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each: ten gold coins (of the kind usually known as dollar pieces), of the value of one dollar each: thirty silver coins (of the kind usually known as dollars), of the value of one dollar each: sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each: one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each: two hundred and forty silver coins (of the kind usually known as shilling pieces), of the value of twelve and a half cents each: three hundred silver coins (of the kind usually known as half dimes), of the value of five cents each: six hundred silver coins (of the kind usually known as three cent pieces), of the value of three cents each: three thousand copper coins (of the kind known as cents), of the value of one cent each. One hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of fifty cents each: two hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of twenty-five cents each, and of the marketable value of twenty-five cents each: five hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of ten cents each, and of the marketable value of ten cents each.

Divers Promissory Notes for the payment of money, the same being then and there due and unsatisfied, and of the kind known as United States Treasury notes, of a number and denomination to the Jurors aforesaid unknown, and more accurate description of which cannot now be given, of the value of *Thirty dollars*

Divers Promissory Notes for the payment of money, the same being then and there due and unsatisfied, and of the kind known as Bank Notes, of a number and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot now be given, of the value of *Thirty dollars*

Divers Due Bills of the United States of America, the same being then and there due and unsatisfied, and of the kind known as Fractional Currency, of a number and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot now be given, of the value of *Thirty dollars*

Divers Coins, of a number, kind, and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot now be given, of the value of

0564

of the goods, chattels and personal property of one

Charles Weils

then and
there being found, 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.

~~RONALD K. REILLY, District Attorney~~

0565

CITY AND COUNTY OF NEW YORK

and THE JURORS OF THE SECTIOR OF THE STATE OF NEW YORK

in and for the City and County of New York upon their Oath, *aforesaid do further present*

That

he and Henry Warneck

late of the First Ward of the City of New York, in the County of New York, *aforesaid* not being an apprentice or person within the age of eighteen years, on the *Eleventh* day of *September* in the year of our Lord one thousand eight hundred and *eighty* ~~seventy~~ was employed in the capacity of a clerk and servant to one

John L. Dertrain and as such clerk and servant, was entrusted to receive *a certain sum of money to wit: the sum of thirty dollars in money and of the value of thirty dollars*

and being so employed and entrusted as aforesaid, the said *Henry Warneck* then and there did receive and take into his possession

by virtue of such employment

the said certain sum of money to wit: the sum of thirty dollars in money and of the value of thirty dollars

for and on account of

John L. Dertrain

his said master and employer; and that the said

Henry Warneck on the day and year last aforesaid, with force and arms, at the Ward, City and County aforesaid, fraudulently and feloniously did take, make away with and secrete, with intent to convert to his own use, and did fraudulently and feloniously embezzle and convert to his own use, without the consent of said master and employer, and did fraudulently and feloniously and without the consent of his said master and employer withhold, appropriate, apply and make use of the said

certain sum of money, to wit: the sum of thirty dollars in money and of the value of thirty dollars

(Over.)

Counsel,
Filed
day of

0566

of the goods, chattels, personal property and money of the said

John L. Bertram which said goods, chattels, personal property, and money had come into his possession and under his care, by virtue of his being such clerk and servant 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.

And the Jurors aforesaid, upon their Oath aforesaid, do further Present,

That the said

Henry Warneck

\$2000
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year last aforesaid, at the Ward, City and County aforesaid, with force and arms, fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Demand Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each: sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Demand Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each: eighty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Demand Treasury Notes), of the denomination of five dollars, and of the value of five dollars each: one hundred 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: one hundred and twenty 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: one promissory note for the payment of money (and of the kind known as a bank note), being then and there due and unsatisfied, of the value of one hundred dollars: one promissory note for the payment of money (and of the kind known as a bank note), being then and there due and unsatisfied, of the value of fifty dollars: two 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: three 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: 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 three dollars each: fifteen 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 two dollars each: thirty 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 one dollar each: two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each: three gold coins (of the kind usually known as eagles), of the value of ten dollars each: six gold coins (of the kind usually known as half eagles), of the value of five dollars each: fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each: ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each: thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each: thirty silver coins (of the kind usually known as dollars), of the value of one dollar each: sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each: one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each: two hundred and forty silver coins (of the kind usually known as shilling pieces), of the value of twelve and a half cents each: three hundred silver coins (of the kind usually called dimes), of the value of ten cents each: six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each: one thousand coins (of the kind known as three cent pieces), of the value of three cents each: three thousand copper coins (of the kind known as cents), of the value of one cent each. One hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of fifty cents each, and of the marketable value of fifty cents each: two hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of twenty-five cents each, and of the marketable value of twenty-five cents each: five hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of ten cents each, and of the marketable value of ten cents each.

Divers Promissory Notes for the payment of money, the same being then and there due and unsatisfied, and of the kind known as United States Treasury notes, of a number and denomination to the Jurors aforesaid unknown, and more accurate description of which cannot now be given, of the value of *Thirty Dollars*

Divers Promissory Notes for the payment of money, the same being then and there due and unsatisfied, and of the kind known as Bank Notes, of a number and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot now be given, of the value of *Thirty Dollars*

Divers Due Bills of the United States of America, the same being then and there due and unsatisfied, and of the kind known as Fractional Currency, of a number and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot now be given, of the value of *Thirty Dollars*

Divers Coins, of a number, kind, and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot now be given, of the value of

0567

of the goods, chattels and personal property of one

John L. Bertram

then and
there being found, 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.

BENJ. K. PHELPS, District Attorney.

0568

BOX:

23

FOLDER:

287

DESCRIPTION:

Waxman, Emanuel

DATE:

10/28/80



287

0569

201
P.P.

Filed 28 day of Oct 1880

Pleads *Not Guilty*

THE PEOPLE,

vs.

I

Emmanuel Waxman

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Chas H. Kammell

Det. of the

Pleas of P.D.

Foreman.

Comm. of H. of Rep

F.D.

Friday

*Indictment for Receiving
Stolen Goods
Burrhead
3-18-80
Burrhead
Burrhead*

0570

Police Court—Second District.

CITY AND COUNTY }
OF NEW YORK. } ss.

Daniel Donaldson being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him, states as follows, viz:

QUESTION.—What is your name?

ANSWER.—*Daniel Donaldson*.

QUESTION.—How old are you?

ANSWER.—*Seventeen years.*

QUESTION.—Where were you born?

ANSWER.—*In North Carolina.*

QUESTION.—Where do you live?

ANSWER.—*115 West 25th Street.*

QUESTION.—What is your occupation?

ANSWER.—*Walter.*

QUESTION.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

ANSWER.—*I had nothing to do with either holding, striking or cutting Shelton. I was not near him,*

Daniel Donaldson

Taken before me, this

16 day of

October 1880

Police Justice.

0571

Police Court—Second District.

CITY AND COUNTY
OF NEW YORK ss

Randolph Webb being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to ~~him~~ states as follows, viz:

QUESTION.—What is your name?

ANSWER.—

Randolph Webb.

QUESTION.—How old are you?

ANSWER.—

Eighteen years.

QUESTION.—Where were you born?

ANSWER.—

In Washington D.C.

QUESTION.—Where do you live?

ANSWER.—

218 West 37 St.

QUESTION.—What is your occupation?

ANSWER.—

Do not black.

QUESTION.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.—

*I or no one else struck
Shelton. He and Green were
the only ones fighting.
Randolph Webb*

Taken before me, this

16 day of *Oct* 1880

Police Justice.

William L. G.

0572

Police Court—Second District.

CITY AND COUNTY)
OF NEW YORK. } ss.

Nicholas Green. being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him, states as follows, viz:

QUESTION.—What is your name?

ANSWER.—

Nicholas Green.

QUESTION.—How old are you?

ANSWER.—

Seventeen years.

QUESTION.—Where were you born?

ANSWER.—

Dr. Washington D.C.

QUESTION.—Where do you live?

ANSWER.—

149 W. 24 Street.

QUESTION.—What is your occupation?

ANSWER.—

Caterer.

QUESTION.—Have you anything to say, and if so, what—relative to the charge

here preferred against you?

ANSWER.—

I was playing pool. When Shelton interfered, and took a cue to strike me, and in self defence I cut him with a knife. Not intentionally. He cutting himself in trying to take the knife from me.

Nicholas Green

Taken before me, this

16 day of October 1880.

Police Justice

0573

AFFIDAVIT—FELONIOUS ASSAULT, &c.

Second District Police Court.

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

John G. Shelton of No. *457*
7 Avenue Street, being duly sworn, deposes and says
that on the *3* day of *October* in the year
18*80* at the City of New York, he was violently and feloniously assaulted and beaten by

Nicholas Green. Daniel
Donaldson. And Rudolph
Chebb. now present.
That said Donaldson and
Chebb. struck and held deponent
while said Green cut and
wounded deponent upon the
arm, hand and shoulder.
with a razor or some other sharp instrument
inflicting several serious
wounds. and.

with the felonious intent to take the life of deponent, or to do him 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 dealt
with according to law.

Sworn to before me this *16* day
of *October* 18*80*

J. G. Shelton

McDonald Police Justice.

0574

POLICE COURT—Second District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John G. Shelton
487 7th Ave

vs.

Nicholas Greene
Daniel Donaldson
Rudolph Webb

Dated October 16 1880

Magistrate.

Officer.

Clerk.

Witnesses.

Sidney Hutton
141st St. 26th St.
Richard E. Jones.
29 Madison Ave.

Francis N. Mather ill.
Mr. Hospital

Committed in default of \$ 1000 bail.

Bailed by

No.

Street.

Cone
16

OFFENCE—Felonious Assault and Battery

422-

The People
 Randolph Webb.
 Daniel Donaldson
 and
 Nicholas Green.

Court of General Sessions. Part First.
 Before Recorder Smythe. October 27. 1880.
 Indictment for felonious assault
 and battery.

John G. Shelton, sworn and examined, testified
 I live 457 Seventh Avenue; on the 2nd of Oct.,
 Saturday evening, I was employed at 124 West
 Twenty Sixth St. I was assisting the proprietor in
 the bar. I saw the prisoners there that evening.
 As near as I can remember they came
 in about eleven o'clock. Randolph Webb and
 Nicholas Green played pool to my knowledge.
 Q Go on and tell everything that passed? They
 came. Webb first played a game of pool; he
 paid for his game; next Nicholas Green played
 a game of pool. After the game was out he
 refused to pay for it. Seeing he did not have
 any money, I said to my employer, Mr.
 Clark were I him I would put them out the
 next time they came in if they could not
 pay. I was standing very close to Green and
 I suppose he overheard me. It seems he got
 angry for me wanting to put him out. He
 wanted to have a fight. Some man held me
 and somebody held Green. No blows were
 struck inside. I got up to the counter and
 talked to the proprietor about 20 minutes.
 It was after 12 o'clock. I was employed only

for the evening. I said, "I will have to get home?" Then I got to the sidewalk. I saw Green coming. He said, "Do you wish anything of me?" I said, "No, I don't want anything of you." By that I looked up; there was a great crowd came out of this bar room. I saw Webb inside of the place. Green and Donaldson forced me across the street with a crowd at their backs. Then I got across the street a friend of mine came out and tried to protect me. I was unable to on account of the crowd. The first thing I knew Donaldson had me around the neck holding me and Green was slashing and cutting at me. four blows took effect. He cut me once in the arm, which is not well yet, and twice in the hand and one on the shoulder and two slight cuts in the hand; the cut in the right shoulder is severe. I had a light fall suit on; they cut through it; the cut can be shown. What did he cut you with? That has never been found out yet to my knowledge. They asked me at Jefferson Market and I told them it was a sharp instrument of some kind. You did not see the weapon? No sir. The first I knew after that I was in the hospital. I fainted away by loss of blood. I stayed one day over two weeks. I was not acquainted with these men before then.

Webb might have been in the crowd. Did you
 see Webb at any time after Green got hold of
 you around the neck and the other man was
 slashing you? No, not after he got hold of
 me around the neck I did not see Webb.
 You did not see this man Webb near you
 while this cutting was going on? After reflect-
 ion I do not think I did, at first I thought
 I did, but now I do not think I did because
 I was excited at the time. Then Donaldson
 had his arm around your neck and Green
 cut you? Yes sir; there is no doubt or
 mistake about these two. The doctor is nowhere.
Cross Examined. The first words that passed
 were angry words in the saloon I said nothing
 to the players, I spoke to the proprietor. I told him
 were I him I would put those fellows out,
 I might have used another epithet. I said,
 were I him I would put these suckers out.
 There was no quarrel up to this time. Green
 owed half dollar for a game of pool, five
 cents. He jumped at me with a cue. Did
 he strike you with a cue? No, he did not
 because he was held, I do not know who
 held him. When he was held did you run
 after another cue? I did. I ran for the cue
 to defend myself in case I should be
 struck. Some one held me so I could not

use my cue. I did not have it in my hand; the cue was taken away from Green by men; he remained in the saloon about 20 minutes after that; peace had been restored inside. Nicholas Green came out first; he is the man that cut me in the yard of 129 West Twenty sixth St in the Court yard opposite the saloon. The crowd came out. As I said before they forced me across the street into the yard and there they commenced the cutting to tell the truth I beat a retreat across there. Donaldson held me while Green cut me; that I am positive of. Had you been drinking that night? No sir, I never drink at all; of course I drink water.

Sidney Winton sworn and examined. Where do you live? I live at 141 West Twenty sixth St. Do you know Shelton, the last witness? I know him since the night he got cut; that is all. Were you in the saloon on that night? No sir. What do you know about this transaction? I was standing over on the side of the street he got cut. What time was it about? It was about $\frac{1}{4}$ past 12 as near as I can recollect. I was standing talking to two gentlemen. I saw a crowd come out of the saloon across the street over to the restaurant right in front of where I was

standing and I saw somebody strike the other man and knock him down in the street. At that time he got across up to where I was. I ran back in the yard and Shelton ran into the yard. These fellows were shouting, "Go for him." That yard did Shelton run into? The restaurant yard in front of the saloon he came out of on the north side. At that time Shelton got behind me; he came back in the yard to keep them from him. Green ran up and struck at him over my shoulder. I shoved Shelton away from him. What did he strike at him with? It was a bright instrument, it looked to me as much as I could think it was a dark; it shined all the way up, ~~and~~ a bright instrument. I shoved Shelton away from me and jumped over the fence on the stoop out of the way. By that time Shelton backed to the restaurant door. Green ran up to him again and struck him again on the back with a knife. Then somebody else ran up and struck him. By that time they pulled him in the house. I do not think I saw any one but Green. Another one struck him; he is not here. I heard the exclamation, "Go for him, Nicholas," and he came out of the yard afterwards saying, "I got mine." I don't know what he meant.

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Richard E. Johns, sworn and examined, testified. I live in 120 West Twenty seventh St. I worked at 24 Madison Ave., on the night of the 3^d of October I happened into Clark's saloon; after I had been in there a few minutes there commenced a little row. A fight commenced over a game of pool. In about 20 minutes it was all quieted down and then they went outside. John Shelton started home about 12 o'clock or a little after and Nicholas Green followed him out. After they got outside on the street they had another fight. I followed out too. When they got out on the sidewalk Nicholas said, "Do you want anything of me?" John said, "No." At that time Nicholas jumped at him and he ran across the street in the opposite yard. There is where he got cut over across the street. Did you see the cutting? I did. Nicholas jumped at John Shelton and I caught Nicholas Green. This was across the way outside the saloon. Nicholas got away from him and then ran over into the yard. By that time Joe Donaldson caught hold of John Shelton; he caught him around the neck. When he was in that position what took place? He caught him around the neck. I saw Green cut him while he was there; he had a knife. I could not say what kind of a knife. I saw Webb there. I could not say exactly what he was doing.

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They were all together. How near was Welf that you saw to the man who was cut at the time the cutting took place? They were all right together, close together. I was close by them. Donaldson, Welf and myself were there. Welf pulled me back and said to Nicholas, "Fix him, fix him." I caught hold of Green at the time he was cutting ^{at} him. Cross Examined. I came into the saloon about 11 o'clock. I was not paying attention to what occurred in there; he left a little after 12 o'clock, the fight did not interest me at all. I was drinking Lager beer, I had only one drink there. I remained in the saloon about an hour. I did not drink any before I went into the saloon. Shelton walked out first and Green followed and then Welf and Donaldson and two others. I do not know a man by the name of Frank Paisley. The first thing I saw was Green jump at John with a knife of some kind in his hand. The saloon is on the down town side and this was in front of the saloon on the sidewalk. Then Green jumped at John, he ran across the street. I ran across and then when John went into the gate I stopped at the gate and pulled it together and Welf jerked me out of the gate. "Kick" passed in and the cutting was done over in the yard. I am positive Welf said, "Fix him." Donaldson put

his arm round Shelton's neck. How long did the entire fight occupy when they ran across the street? I do not suppose it was hardly ten minutes, I could not say how many minutes. Mr. Shelton run across the street at a pretty good gate; he was cut in the yard. [The following certificates were read:] "New York Hospital. West Fifteenth St. New York, October 3. 1880.

This is to certify that John Shelton, colored, of 457 Seventh Avenue was admitted to the surgical division of this hospital at 1.47 a.m. today suffering from incised wounds of left fore arm and right shoulder and will not be able to leave the hospital for some days.

J. H. Marco, M.D. House Surgeon, N.Y. Hospital. New York Hospital, West Fifteenth St. New York, October 11. 1880. This is to certify that John Shelton, colored, was admitted to the surgical wards on Oct. 3 suffering from incised wounds of forearm and shoulder and that he is now out of danger. Francis H. Marco, M.D. House Surgeon, New York hospital."

Nicholas Green, sworn and examined, testified. I work at 107 Twenty fourth St. for Jones the caterer. I had been working a week there then; on the night in question I was in this saloon 124 West 26th St. I was playing pool there. Mr Shelton was there; the boss has a

m. H. H.

bar tender by the name of Billy Gillen. Then we
 first commenced to play the proprietor himself
 came around; we all gave him five cents each.
 I thought it was a single game of pool; every man
 paid five cents; we played the game out; when
 the game was ended I was the lowest man, I
 did not care whether I lost or not. Then the pro-
 prietor came around he had given us tickets; he
 was standing around. So Shelton called upon the
 proprietor to collect the money for the game when
 he found out that I was stuck. It seems he
 had something in for me the first time he ever
 saw me come in the saloon. The proprietor
 came down, I do not remember what he said.
 Before the proprietor had a chance to say a
 word Shelton jumped in and said something,
 if he had his way (he did not say 'suckers')
 he mentioned another name; he called me
 a son of a b - he said if he had his way
 with those fellows he would put them all out
 and never let them in. I went over and spoke
 to one of the boys that was sitting over on the
 corner. Shelton thought I said something about
 him. He asked me what I did say! I told him I
 did not say anything. He went to the cue rack
 to strike me. The man that was up for a
 witness caught hold of him. The bar tender told
 me I had better go out of the saloon; he is

a friend of mine. I left the saloon first and went across the street. When Shelton said he left the saloon first, it is not so? No sir. When I got across the street I sat over on the stoop so as to wait for some more fellows to come down my way. Shelton came out; no one was following him. I was sitting over on the stoop. Shelton saw me; he stooped down to pick up something, I don't remember whether he did or not. He came across the street; he had something in his hand. I do not know what he had; it looked as though he were going to strike me; he said if he had his way he would break my nose. A boy named Frank Paisley was standing alongside. He said, "Don't you let him do anything to you; he is bigger than you." So then he gave me the knife. "If he does anything to you, cut him." Then Shelton "seen" him giving me the knife, when he went to take the knife away from ^{me} ~~them~~ he got cut in the wrist. I don't know how he got cut in the shoulder. I had no intention of cutting him. Were Donaldson and Webb ~~there~~ when Paisley gave you the knife? I was on the other side, I could not see inside of the saloon, but they were not coming out of the saloon. I am seventeen years old. I have never been arrested ~~before~~.

When I was about seven years old I was arrested for breaking a pane of glass. Since then I have never been arrested. Cross Examined. You dont know how he got ~~his~~ shoulder cut? No sir. After this struggle where he cut his wrist what did you do? I did not do anything, I stood on the sidewalk. I did not think he was cut. How do you know he was cut? Because I saw him in the hospital; he could not have got cut in any other way; he was trying to get the knife away from me; because the knife blade twisted over to his wrist he was cut in the shoulder. What did you run away for? I did not run away, I stood right on the sidewalk. Where were you arrested? At my home. I was in bed. I was arrested the next morning, Sunday morning. It was a little pen knife that I held in my hand. I gave it back to Frank Paisley, at least I did not give it back to him, it fell down on the ground and Paisley the owner of it picked it up. The knife was open, I guess Paisley must have opened it; he handed it to me open; he ran off after me. I was sitting over on the stoop across the street. Shelton did not run after me, he went in the restaurant; that is the last I saw of Shelton. Didnt you see him when he was being taken to the hospital? No sir. I went home. I do not know where Paisley is, I am slightly acquainted with him only by seeing

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him in the saloon there. I have not seen him since because I have been locked. I don't know where he lives. Where do you live? No 149 Twenty Fifth St. What does this man Paisley do? I don't know where he works. Was Paisley in the game of pool? No sir. Daniel Donaldson sworn and examined testified. Where do you live? No 115 West Twenty Fifth St. I was working for Miss Gallagher 101 West Twenty Sixth St. I have been working for her off and on about a year. Do you remember the night of this row when Shelton was hurt? I do. I did not play pool in this social game. I was in the saloon. The first I saw of this man Shelton there was a young fellow in there named Dave Harris that had taken a great interest in playing pool; he paid a quarter to let this young man play because he did not have any money; this young man Nicholas Green went in the game. After the end of this pool game what occurred there? This man Shelton says to Green, "any man that plays a game and don't pay for it is a dirty son of a b". Those were the first hard words that were used there. I heard Green return the same words back to him, anyway the meaning of the same words. So then I saw Shelton make a rush for Green. So he made a rush for Green he was stopped by his friend and then he ran for a

case, and as he ran for the cue and got
 his hand on it his friend ran and took
 his hand off the cue. By that time Green had
 taken the cue and the bar keeper told him
 to wait outside, to make no fuss. He said,
 "If you will make a fuss in the place it will
 be the cause of never letting you in again."
 He told Green to go out and he went out. They
 all started to play the game over again, to play
 another game; afterwards I saw them make
 a rush; there was about twenty in this saloon.
 Green was across the street on the stoop. I saw
 Shelton go over to him. That is after you got
 out of the saloon? Yes sir. Green was across on
 the stoop and I saw Shelton come over to him.
 Then I saw them commence to do something
 there, I don't know that Green cut him or did
 anything. I was on the opposite side. Did you
 take hold of Shelton that night and put your
 arm around his neck? I did not have any-
 thing to do with the fight, it did not concern
 me in the least. I did not say a word the whole
 time the fight was going on. Did you put
 your arm around Shelton's neck at any time.
 No sir, I did not have anything to do with it.
 I was arrested about a year and a half ago.
 A newsboy of the name of Murphy and me
 were fighting at that time, had ten days. Have

never been arrested before for anything.

Randolph Webb, sworn and examined testified Webb, what do you do for a living? Black boots. Where at? Twenty Third St. and Eighth Avenue.

You have got a stand there, haven't you? Yes sir.

Now do you remember the night that this affray occurred in the saloon in Twenty sixth St. were you in Clark's saloon that night? Yes sir.

You played pool there? Yes sir. Now when did this trouble first commence with Shelton, what first

caused the trouble? The trouble commenced over a game of pool. What did Shelton say, if anything, or anybody else say? I could not say what Shelton said because I was not there at the time,

I was down by the bar. Did you and Shelton have any words in that saloon? No sir.

Green and Shelton had words, didn't they, did you hear that? No sir, I was down by the bar.

Did you at any time assault Shelton on that night? No sir. Did you at any time say, "Give it to him, Nick," on that night? No sir.

Did you see the row that occurred on the opposite side of the street from this saloon? When I got over there Shelton was going in the basement and the trouble was all over with.

Have you ever been arrested before? No sir.

By the Court Now do you know this man Richard Johns? No sir.

Do you know the man that was on the stand here a minute ago? No sir. I do not. Did you

cross the street over to the other house where Shelton
 had gone into the yard? I did after the first
 was over out in the street. Did you get near the
 yard where Shelton was cut? Yes sir when I got
 there. Did you take hold of the gate and hold it
 open? No sir, I did not. Did you say at any
 time, "Go for him, Nick, cut him"? No sir, I
 did not. Did you know that Green had a knife?
 No sir, I did not. Cross Examined. You did
 not see anything of this anyhow, did you? All
 I know about the first I heard when I got there
 the man that was cut was going in the base-
 ment. You were playing pool? I was in before
Nicholas Green commenced, I had paid for
 my game. Were't you in the game with
 him? No sir. Did you hear anybody say, "Go
 for him, Nick? No sir, I did not. You say
 when you went out of the saloon the fight was
 all over? Yes sir. Henry Green, sworn. That
 is your business? My regular business is
 waiter. You are the father of Nicholas Green?
 Yes sir. Do you know what your son works at?
 He generally waits around and works in stores
 as a porter. How long has he worked for
 himself, supported himself? He has been support-
 ing himself about five years. He has worked
 all the time whenever he gets a position?
 Yes sir. Has he ever been arrested to your

Knowledge before? He was arrested once before
 in Twenty sixth St. for throwing stones, I think
 it was. How long ago was that? That must
 have been about two years ago. How old is
 he now? He will be 14 the 11th of next month.
 Do you know what his character is among
 people who know him? Yes sir. Do you know
 other people that know him? Pretty much every
 body up town knows Nicholas. Do you know
 what his character is? I have never heard
 nothing bad about him, only he is mischievous
 like most boys. He is not vicious? No sir.
 When was he arrested, it was not seven years
 ago? O, no sir, I think it has been about two
 years ago. Does he live at home with you?
 Yes sir. I cannot tell how late he stays out.
 I generally go to bed myself about 10 o'clock;
 his room is off from mine, I never bothered
 myself to know what time he did come in.
 Robert Green sworn. My business is laundry
 man at 153 West Thirty first St. and 466 Eighth
 ave. I know Webb. I know other people who know
 him; the mother of that boy has been a ten-
 ant of mine two years; he is a good behav-
 ed boy; he is a boot black by trade corner
 of Twenty third St. and 8th avenue.
 Virginia Webb sworn. This is my boy, he is a
 boot black; he never gave me a day's trouble

before in my life; he has never been arrested before; he supports me.

Mr. M. Johnson testified. I have known Weff for over ten years and never knew him to get in any trouble; he has worked for me pretty near two years.

Green and Donaldson were found guilty of an assault with intent to do bodily harm and were each sent to the State prison at hard labor for four years and six months. Weff was convicted of simple assault and battery and was sent to the penitentiary for one year.

0592

Testimony in the case
Rundolph Webb, Daniel
Smulson and Nicholas
Green filed Oct. 22.

0593

New York Hospital,

West Fifteenth Street,

New York, Oct 3 1880

This is to certify that John Shelton
(Colored) of 457 Avenue 7 was admitted
to the Surgical Division of this
Hospital at 1.47 am today suffering
from incised wounds of Left forearm
and right shoulder and will
not be able to leave the Hospital
for some days

J. A. Macdonald M.D.
House Surgeon
N. Y. Hospital
for C.P.

0594

New York Hospital,

West Fifteenth Street,

New York, Oct 11th 1880

This is to certify that John Shelton
(Col^l) was admitted to Surg. Wards on Oct 8th
suffering from Incised Wound of Forearm
& Shoulder - and that he is now out
of danger

Francis H. Mallory M.D.
House Surgeon
N.Y.H.

CITY AND COUNTY } ss.
OF NEW YORK.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present :

That *Randolph Webb, Daniel Donaldson and Nicholas Green* each late of the City of New York, in the County of New York, aforesaid, on the *Third* day of *October* in the year of our Lord one thousand eight hundred and eighty with force and arms, at the City and County aforesaid, in and upon the body of *John G. Shelton* in the peace of the said people then and there being, feloniously did make an assault and *him* the said *John G. Shelton* with a certain *Razor* which the said *Randolph Webb, Daniel Donaldson and Nicholas Green* in *their* right hands then and there had and held, the same being a deadly and dangerous weapon, willfully and feloniously did beat, strike, stab, cut, and wound with intent *him* the said *John G. Shelton* then and there, feloniously and willfully 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 Jurors aforesaid, upon their Oath aforesaid, do further present : That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said *Randolph Webb, Daniel Donaldson and Nicholas Green* each with force and arms, in and upon the body of the said *John G. Shelton* then and there being, willfully and feloniously did make an assault and *him* the said *John G. Shelton* with a certain *Razor* which the said *Randolph Webb, Daniel Donaldson and Nicholas Green* each in *their* right hands then and there had and held, the same being then and there a sharp, dangerous weapon, willfully and feloniously, and without justifiable and excusable cause, did then and there beat, strike, stab, cut, and wound, with intent to then and there willfully and feloniously do bodily harm unto *him* the said *John G. Shelton* 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 Jurors aforesaid, upon their Oath aforesaid, do further present : That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said *Randolph Webb, Daniel Donaldson and Nicholas Green* each with force and arms, in and upon the body of *John G. Shelton* in the peace of the said people then and there being, feloniously, did make another assault and *him* the said *John G. Shelton* with a certain *Razor* which the said *Randolph Webb, Daniel Donaldson and Nicholas Green* in *their* right hands then and there had and held, willfully and feloniously did beat, strike, stab, cut, and wound, the same being such means and force as was likely to produce the death of *him* the said *John G. Shelton* with intent *him* the

0596

said *John G. Shelton* then and there feloniously and willfully 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.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said *Randolph Webb, Daniel Donaldson and Nicholas Green* each of them with force and arms, in and upon the body of the said *John G. Shelton* then and there being, willfully and feloniously, did make another assault and the said *John G. Shelton* with a certain *Razor* which the said *Randolph Webb, Daniel Donaldson and Nicholas Green* in their right hands then and there had and held, the same being then and there a deadly weapon, willfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there willfully and feloniously main *him* the said *John G. Shelton* 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.

BENJ. K. PHELPS, District Attorney.

173.

John H. Kappelman

Filed at City of Cal.

Placed at City of Cal.

1880

THE PEOPLE

vs.

Randolph Webb

Daniel Donaldson

Nicholas Green

Felony Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

Filed for Oct. 22, 1880

A TRUE BILL.

John H. Kappelman

Del. 27, 1880

Deputy

Deputy of the Court

Charles and Prater

John H. Kappelman

Del. 27, 1880

0597

CORRECTION

0598

201
P.C.

Filed 28 day of Oct 1880

Pleads
J. S. Gentry

THE PEOPLE,

vs.

Indictment for Receiving
Stolen Goods

I

Emanuel Waxman

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Chas H. Hamell

Atty. Gen.

Pls. J. S. G.

Foreman.

Comm. of Ref

FD

Friday

0599

POLICE COURT—*First* DISTRICT.City and County
of New York, } ss:of No. *63 Baxter* Street, being duly sworn,deposes and says, that the premises No. *63 Baxter*Street, *Sixth* Ward, in the City and County aforesaid, the said being a *brick**building*and which was occupied by deponent as a *dwelling*were **BURGLARIOUSLY**entered by means *forcibly pushing open a window*
which leads from the hallway into said
premises and entering thereinon the *day* of the *1st* day of *October* 1880

and the following property feloniously taken, stolen, and carried away, viz:

one gold watch and chain and
locket in all of the value of
one hundred and sixty 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, andcarried away by *Emanuel Waxman* now presentfor the reasons following, to wit; *that said defendant**acknowledged and confessed to deponent**in the presence of Officer James Quinn**that he did burglariously enter said**premises as aforesaid and did take**steal and carry away the aforesaid**property and pawned the same**at Simon Segal**Sworn to before me this*
16 day of October 1880
J. M. McCann
Police Justice

0600

City and County
of New York } ss

Rachel Waxman 74 Baxter
Street in said city being duly sworn says that
on the 15th day of October 1880. Emanuel Waxman
(now here) acknowledged and confessed that the
watch described in the foregoing affidavit was
pawned with one Goodulan corner of Centre and
Duane Streets and the Gold chain described in the
aforegoing affidavit was pawned with one Simpson
in Chatham Square

Sworn to before me this }
17th day of October 1880 }

Rachel ^{her} Waxman
_{mark}

J. M. Patton Police Justice

City and County
of New York } ss

Simon Segal being recalled
and being duly sworn says that he found the
property in the pawn shops described in Rachael
Waxman affidavit and being informed by her
deponent went to said pawn shops in person
and fully identifies said property as his
property stolen from him Simon Segal

Sworn to before me this
17 day of October 1880

J. M. Patton Police Justice

0601

POLICE COURT—FIRST DISTRICT.

CITY AND COUNTY } ss.
OF NEW YORK.

Emanuel Waxman being duly examined before the undersigned,
according to law, on the annexed charge, and being informed that he was at liberty
to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

Emanuel Waxman

Question. How old are you?

Answer.

18 years

Question. Where were you born?

Answer.

England

Question. Where do you live?

Answer.

74 Baxter Street

Question. What is your occupation?

Answer.

Printer

Question. Have you anything to say, and if so, what—relative to the charge here
preferred against you?

Answer.

I am not guilty
Emanuel Waxman

Taken before me, this

day of

1880

POLICE JUSTICE.

0602

201 N. J.
POLICE COURT - DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Simon Deard
63 Baxter St.
vs.

Emmanuel Newman

Dated 16 October 1880

Patterson Magistrate.

Quinn Officer.

14 Peer Clerk.

James Quinn
14 Friend

Richard Chapman
74 Baxter St.

Commitment of \$ 100 Bail.

Comd

No. Street.



Remanded to Court 17th 9th 1880

0603

CITY AND COUNTY } ss.
OF NEW YORK.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

Emanuel Waxman

late of the *Sixth* Ward of the City of New York, in the County of New York, aforesaid, on the *fourteenth* day of *October* in the year of our Lord one thousand eight hundred and ~~seventy-eight~~ with force and arms, about the hour of *twelve* o'clock in the *day* time of the same day, at the Ward, City and County aforesaid, the dwelling house of

Simon Segal

there situate, feloniously and burglariously did break into and enter ~~by means of forcibly~~

he the said

Emanuel Waxman

then and there intending to commit some crime therein, to wit: the goods, chattels, and personal property of

Simon Segal

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.

And the jurors aforesaid, upon their oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County aforesaid, the said

Emanuel Waxman

late of the Ward, City, and County aforesaid,

One watch of the value of one hundred dollars

One chair of the value of sixty dollars

One pocket of the value of five dollars

of the goods, chattels, and personal property of the said

Simon Segal

in the said dwelling house then and there being, 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.

BENJ. K. PHELPS, District Attorney.

0604

~~CITY AND COUNTY~~
~~OF NEW YORK,~~

And ^{aforesaid} THE JURORS ~~OF THE PEOPLE OF THE STATE OF NEW YORK,~~
~~in and for the body of the City and County of New York,~~
upon their Oath, ~~present:~~ aforesaid do further present

That Emanuel Waxman

late of the First Ward of the City of New York, in the County of New York, aforesaid,
on the ~~fourteenth~~ day of ~~October~~ in the year of our Lord
one thousand eight hundred and ~~seventy~~ eighty with force and arms, at the
Ward, City and County aforesaid,

One watch of the value of one hundred
dollar

One chain of the value of sixty dollar

One locket of the value of five dollar

of the goods, Chattels and personal property of

Simon Segal

by a certain person or

~~and certain other~~ persons, to the Jurors aforesaid unknown, then lately before feloniously
stolen of the said

Simon Segal

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have
(the said

Emanuel Waxman

then and there well knowing the said goods, chattels, and personal property to have
been feloniously stolen), against the form of the Statute in such case made and pro-
vided, and against the peace of the People of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

0605

BOX:

23

FOLDER:

287

DESCRIPTION:

Webb, Randolph

DATE:

10/22/80



287

0606

BOX:

23

FOLDER:

287

DESCRIPTION:

Donaldson, Daniel

DATE:

10/22/80



287

0607

BOX:

23

FOLDER:

287

DESCRIPTION:

Green, Nicholas

DATE:

10/22/80



287

0608

BENJ. K. PHELPS, DISTRICT ATTORNEY.

Oct 21

173.

vs. M. A. Koffmann

Filed 22 day of Oct. 1880
all
Pleads Not Guilty -

18
- 2187

THE PEOPLE

vs.

P

Randolph Webb

2 Daniel Donaldson

3 Nicholas Green

Felonious Assault and Battery.

17. 149724

BENJ. K. PHELPS,

District Attorney.

Part Mrs Oct 22. 1880

A True Bill.

Chas H. Kamm

Foreman.

Oct. 27. 1880

(all)

Found guilty of
Assault and Battery.

As 2 & 3 convicted on record

101. 149724

2 & 3. 14. 7. 6 2nd 5th

0609

Police Court—Second District.

CITY AND COUNTY }
OF NEW YORK. } ss.

Daniel Donaldson being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him, states as follows, viz:

QUESTION.—What is your name?

ANSWER.—*Daniel Donaldson*.

QUESTION.—How old are you?

ANSWER.—*Seventeen years.*

QUESTION.—Where were you born?

ANSWER.—*In North Carolina.*

QUESTION.—Where do you live?

ANSWER.—*115 West 25th Street.*

QUESTION.—What is your occupation?

ANSWER.—*Walter.*

QUESTION.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

ANSWER.—*I had nothing to do with either holding, striking or cutting Shelton. I was not near him,*

Daniel Donaldson.

Taken before me, this

16 day of

October 1880

Police Justice.

0610

Police Court—Second District.

CITY AND COUNTY
OF NEW YORK

Randolph Webb being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him states as follows, viz:

QUESTION.—What is your name?

ANSWER.—

Randolph Webb.

QUESTION.—How old are you?

ANSWER.—

Eighteen years.

QUESTION.—Where were you born?

ANSWER.—

In Washington D.C.

QUESTION.—Where do you live?

ANSWER.—

218 West 37 St.

QUESTION.—What is your occupation?

ANSWER.—

Do not black.

QUESTION.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

ANSWER.—

I or no one else struck Shelton. He and Green were the only ones fighting.
Randolph Webb

Taken before me, this

16 day of *October*

1880

Police Justice.

0611

Police Court—Second District.

CITY AND COUNTY)
OF NEW YORK.) ss.

Nicholas Green. being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him, states as follows, viz:

QUESTION.—What is your name?

ANSWER.—

Nicholas Green.

QUESTION.—How old are you?

ANSWER.—

Seventeen years.

QUESTION.—Where were you born?

ANSWER.—

In Washington D.C.

QUESTION.—Where do you live?

ANSWER.—

149 W. 24 Street.

QUESTION.—What is your occupation?

ANSWER.—

Caterer.

QUESTION.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

ANSWER.—

*I was playing pool. when
Phellon interfered. and took
a cue to strike me. and in self
defense I cut him with a knife.
not intentionally. he cutting him-
self in trying to take the knife
from me.*

Nicholas Green

Taken before me, this

16 day of October 1880.

Police Justice.

06 12

AFFIDAVIT—FELONIOUS ASSAULT, &c.

Second District Police Court.

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

John G. Shelton of No. *457*
7 Avenue Street, being duly sworn, deposes and says
that on the *3* day of *October* in the year
18*80* at the City of New York, he was violently and feloniously assaulted and beaten by

Nicholas Green. Daniel
Donaldson. And Rudolph
Chebb. now present.

That said Donaldson and
Chebb. struck and held deponent
while said Green cut and
wounded deponent upon the
arm, hand and shoulder.
with a razor or some other sharp instrument
inflicting several serious
wounds. and.

with the felonious intent to take the life of deponent, or to do him 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 dealt
with according to law.

Sworn to before me this *16* day
of *October* 18*80*

J. G. Shelton

William D. [Signature]
Police Justice.

0613

POLICE COURT—Second District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

OFFENCE—Felonious Assault and Battery

John G. Shelton
467 7th Ave

vs.

Nicholas Greene
Daniel Donaldson
Rudolph Well

Dated October 16 1880

Magistrate.

Officer.

Clerk.

Witnesses.

Sidney Norton
141st St. 26th St.
Richard E. Jones.
29 Madison Ave.

Francis H. Markovitz
Wick Hospital
Committed in default of \$1000 bail.

Bailed by

No.

Street.

16

1

422

The People
 Randolph Webb,
 Daniel Donaldson
 and
 Nicholas Green

Court of General Sessions. Part First.
 Before Recorder Smythe. October 27. 1880.
 Indictment for felonious assault
 and battery.

John G. Shelton, sworn and examined, testified
 I live 457 Seventh Avenue; on the 2nd of Oct.,
 Saturday evening, I was employed at 124 West
 Twenty Sixth St. I was assisting the proprietor in
 the bar. I saw the prisoners there that evening.
 As near as I can remember they came
 in about eleven o'clock. Randolph Webb and
 Nicholas Green played pool to my knowledge.
 Q Go on and tell everything that passed? They
 came. Webb first played a game of pool; he
 paid for his game; next Nicholas Green played
 a game of pool. After the game was out he
 refused to pay for it. Seeing he did not have
 any money, I said to my employer, Mr.
 Clark were I him I would put them out the
 next time they came in if they could not
 pay. I was standing very close to Green and
 suppose he overheard me. It seems he got
 angry for me wanting to put him out. He
 wanted to have a fight. Some man held me
 and somebody held Green. No blows were
 struck inside. I got up to the counter and
 talked to the proprietor about 20 minutes.
 It was after 12 o'clock. I was employed only

0615

for the evening. I said, "I will have to get home?" Then I got to the sidewalk. I saw Green coming. He said, "Do you wish anything of me?" I said, "No, I don't want anything of you." By that I looked up; there was a great crowd came out of this bar room. I saw Webb inside of the place. Green and Donaldson forced me across the street with a crowd at their backs. Then I got across the street a friend of mine came out and tried to protect me. I was unable to on account of the crowd. The first thing I knew Donaldson had me around the neck holding me and Green was slashing and cutting at me. Four flaws took effect. He cut me once in the arm, which is not well yet, and twice in the hand and one on the shoulder and two slight cuts in the hand; the cut in the right shoulder is severe. I had a light fall suit on; they cut through it; the cut can be shown. What did he cut you with? That has never been found out yet to my knowledge. They asked me at Jefferson Market and I told them it was a sharp instrument of some kind. You did not see the weapon? No sir. The first I knew after that I was in the hospital. I fainted away by loss of blood. I stayed one day over two weeks. I was not acquainted with these men before this.

Webb might have been in the crowd. Did you
 see Webb at any time after Green got hold of
 you around the neck and the other man was
 slashing you? No, not after he got hold of
 me around the neck I did not see Webb.
 You did not see this man Webb near you
 while this cutting was going on? After reflect-
 ion I do not think I did, at first I thought
 did, but now I do not think I did because
 I was excited at the time. Then Donaldson
 had his arm around your neck and Green
 cut you? Yes sir; there is no doubt or
 mistake about these two. The doctor is no there.
Cross Examined. The first words that passed
 were angry words in the saloon I said nothing
 to the players, I spoke to the proprietor. I told him
 were I him I would put those fellows out,
 I might have used another epithet. I said;
 were I him I would put these suckers out.
 There was no quarrel up to this time. Green
 owed half dollar for a game of pool, five
 cents. He jumped at me with a cue did
 he strike you with a cue? No, he did not.
 because he was held, I do not know who
 held him. When he was held did you run
 after another cue? I did. I ran for the cue
 to defend myself in case I should be
 struck. Some one held me so I could not

use my cue. I did not have it in my hand; the cue was taken away from Green by men; he remained in the saloon about 20 minutes after that; peace had been restored inside. Nicholas Green came out first; he is the man that cut me in the yard of 129 West Twenty sixth St in the Court yard opposite the saloon. The crowd came out. As I said before they forced me across the street into the yard and there they commenced the cutting to tell the truth I beat a retreat across there. Donaldson held me while Green cut me; that I am positive of. Had you been drinking that night? No sir, I never drink at all; of course I drink water.

Sidney Winton sworn and examined. Where do you live? I live at 141 West Twenty sixth St. Do you know Shelton, the last witness? I know him since the night he got cut; that is all. Were you in the saloon on that night? No sir. What do you know about this transaction? I was standing over on the side of the street he got cut. What time was it about? It was about $\frac{1}{4}$ past 12 as near as I can recollect. I was standing talking to two gentlemen. I saw a crowd come out of the saloon across the street over to the restaurant right in front of where I was

0618

standing and I saw somebody strike the other man and knock him down in the street. At that time he got across up to where I was. I ran back in the yard and Shelton ran into the yard. These fellows were shouting, "Go for him." What yard did Shelton run into? The restaurant yard in front of the saloon he came out of on the north side. At that time Shelton got behind me; he came back in the yard to keep them from him. Green ran up and struck at him over my shoulder. I shoved Shelton away from him. What did he strike at him with? It was a bright instrument, it looked to me as much as I could think it was a dark; it shined all the way up, ~~and~~ a bright instrument. I shoved Shelton away from me and jumped over the fence on the stoop out of the way. By that time Shelton backed to the restaurant door. Green ran up to him again and struck him again in the back with a knife. Then somebody else ran up and struck him. By that time they pulled him in the house. I do not think I saw anyone but Green. Another one struck him; he is not here. I heard the exclamation, "Go for him, Nicholas," and he came out of the yard afterwards, saying, "I got mine." I don't know what he meant.

Richard E. Johns, sworn and examined, testified. I live in 120 West Twenty seventh St. I worked at 29 Madison Ave., on the night of the 3^d of October I happened into Clark's saloon; after I had been in there a few minutes there commenced a little row. A fight commenced over a game of pool. In about 20 minutes it was all quieted down and then they went outside. John Shelton started home about 12 o'clock or a little after and Nicholas Green followed him out. After they got outside on the street they had another fight. I followed out too. When they got out on the sidewalk Nicholas said, "Do you want anything of me?" John said, "No." At that time Nicholas jumped at him and he ran across the street in the opposite yard. There is where he got cut over across the street. Did you see the cutting? I did. Nicholas jumped at John Shelton and I caught Nicholas Green. This was across the way outside the saloon. Nicholas got away from him and then ran over into the yard. By that time Joe Donaldson caught hold of John Shelton; he caught him around the neck. When he was in that position what took place? He caught him around the neck. I saw Green cut him while he was there; he had a knife. I could not say what kind of a knife. I saw Webb there. I could not say exactly what he was doing.

They were all together. How near was Wells that you saw to the man who was cut at the time the cutting took place? They were all right together, close together. I was close by them. Donaldson, Wells and myself were there. Wells pulled me back and said to Nicholas, "Fix him, fix him." I caught hold of Green at the time he was cutting ^{at} him. Cross Examined I came into the saloon about 11 o'clock. I was not paying attention to what occurred in there; he left a little after 12 o'clock, the fight did not interest me at all. I was drinking lager beer, I had only one drink there. I remained in the saloon about an hour. I did not drink any before I went into the saloon. Shelton walked out first and Green followed and then Wells and Donaldson and two others. I do not know a man by the name of Frank Paisley. The first thing I saw was Green jump at John with a knife of some kind in his hand. The saloon is on the down town side and this was in front of the saloon on the sidewalk. Then Green jumped at John, he ran across the street. I ran across and then when John went into the gate I stopped at the gate and pulled it together and Wells jerked me out of the gate. "Kick" passed in and the cutting was done over in the yard. I am positive Wells said, "Fix him." Donaldson put

his arm round Shelton's neck. How long did the entire fight occupy when they ran across the street? I do not suppose it was hardly ten minutes, I could not say how many minutes. Mr. Shelton ran across the street at a pretty good gate; he was cut in the yard. [The following certificates were read:] "New York Hospital. West Fifteenth St. New York, October 3. 1880.

This is to certify that John Shelton, colored, of 457 Seventh avenue was admitted to the surgical division of this hospital at 1.47 a.m. today suffering from incised wounds of left fore arm and right shoulder and will not be able to leave the hospital for some days. J. H. Marco, M.D. House Surgeon, N.Y. Hospital.

p. H. H.

New York Hospital, West Fifteenth St. New York, October 11. 1880. This is to certify that John Shelton, colored, was admitted to the surgical wards on Oct. 3 suffering from incised wounds of forearm and shoulder and that he is now out of danger. Francis H. Marco, M.D. House Surgeon, New York hospital."

Nicholas Green, sworn and examined, testified. I work at 107 Twenty fourth St. for Jones the caterer. I had been working a week there then; on the night in question I was in this saloon 124 West 26th St. I was playing pool there. Mr. Shelton was there; the boss has a

0622

bar tender by the name of Billy Gillen. Then we first commenced to play the proprietor himself came around; we all gave him five cents each. I thought it was a single game of pool; every man paid five cents; we played the game out; when the game was ended I was the lowest man, I did not care whether I lost or not. Then the proprietor came around he had given us tickets; he was standing around. So Shelton called upon the proprietor to collect the money for the game when he found out that I was stuck. It seems he had something in for me the first time he ever saw me come in the saloon. The proprietor came down, I do not remember what he said. Before the proprietor had a chance to say a word Shelton jumped in and said something, if he had his way (he did not say 'suckers') he mentioned another name; he called me a son of a b - he said if he had his way with those fellows he would put them all out and never let them in. I went over and spoke to one of the boys that was sitting over on the corner. Shelton thought I said something about him. He asked me what I did say? I told him I did not say anything. He went to the cue rack to strike me. The man that was up for a witness caught hold of him. The bar tender told me I had better go out of the saloon; he is

0623

a friend of mine. I left the saloon first and went across the street. Then Shelton said he left the saloon first, it is not so? No sir. Then I got across the street I sat over on the stoop so as to wait for some more fellows to come down my way. Shelton came out; no one was following him. I was sitting over on the stoop. Shelton saw me; he stooped down to pick up something. I don't remember whether he did or not. He came across the street; he had something in his hand. I do not know what he had; it looked as though he were going to strike me; he said if he had his way he would break my nose. A boy named Frank Paisley was standing alongside. He said, "Don't you let him do anything to you; he is bigger than you." So then he gave me the knife. "If he does anything to you, cut him." Then Shelton "seen" him giving me the knife, when he went to take the knife away from ~~him~~^{me} he got cut in the wrist. I don't know how he got cut in the shoulder. I had no intention of cutting him. Were Donaldson and Webb ~~there~~ when Paisley gave you the knife? I was on the other side. I could not see inside of the saloon, but they were not coming out of the saloon. I am seventeen years old. I have never been arrested.

0624

Then I was about seven years old I was arrested for breaking a pane of glass. Since then I have never been arrested. Cross Examined. You don't know how he got ~~his~~ shoulder cut? No sir. After this struggle where he cut his wrist what did you do? I did not do anything. I stood on the sidewalk. I did not think he was cut. How do you know he was cut? Because I saw him in the hospital; he could not have got cut in any other way. He was trying to get the knife away from me, because the knife blade twisted over to his wrist he was cut in the shoulder. What did you run away for? I did not run away. I stood right on the sidewalk. Where were you arrested? At my house. I was in bed. I was arrested the next morning, Sunday morning. It was a little pen knife that I held in my hand. I gave it back to Frank Paisley, at least I did not give it back to him, it fell down on the ground and Paisley the owner of it picked it up. The knife was open. I guess Paisley must have opened it; he handed it to me open; he ran off after me. I was sitting over on the stoop across the street. Shelton did not run after me, he went in the restaurant; that is the last I saw of Shelton. Did not you see him when he was being taken to the hospital? No sir. I went home. I do not know where Paisley is. I am slightly acquainted with him only by seeing

0625

him in the saloon there. I have not seen him since because I have been locked. I don't know where he lives. Where do you live? No 149 Twenty Ninth St. What does this man Paisley do? I don't know where he works. Was Paisley in the game of pool? No sir. Daniel Donaldson sworn and examined testified. Where do you live? No 115 West Twenty fifth St. I was working for Miss Gallagher 101 West Twenty Sixth St. I have been working for her off and on about a year. Do you remember the night of this row when Shelton was hurt? I do. I did not play pool in this social game. I was in the saloon. The first I saw of this man Shelton there was a young fellow in there named Dave Harris that had taken a great interest in playing pool; he paid a quarter to let this young man play because he did not have any money; this young man Nicholas Green went in the game. After the end of this pool game what occurred there? This man Shelton says to Green, "any man that plays a game and don't pay for it is a dirty son of a b". Those were the first hard words that were used there. I heard Green return the same words back to him, anyway the meaning of the same words. So then I saw Shelton make a rush for Green. So he made a rush for Green he was stopped by his friend and then he ran for a

0626

case, and as he ran for the cue and got his hand on it his friend ran and took his hand off the cue. By that time Green had taken the cue and the bar keeper told him to wait outside, to make no fuss. He said, "If you will make a fuss in the place it will be the cause of never letting you in again." He told Green to go out and he went out. They all started to play the game over again, to play another game; afterwards I saw them make a rush; there was about twenty in this saloon. Green was across the street on the stoop. I saw Shelton go over to him. That is after you got out of the saloon? Yes sir. Green was across on the stoop and I saw Shelton come over to him. Then I saw them commence to do something; there, I don't know that Green cut him or did anything. I was on the opposite side. Did you take hold of Shelton that night and put your arm around his neck? I did not have anything to do with the fight, it did not concern me in the least. I did not say a word the whole time the fight was going on. Did you put your arm around Shelton's neck at any time. No sir. I did not have anything to do with it. I was arrested about a year and a half ago. A newsboy of the name of Murphy and me were fighting at that time, I had ten days I have

never been arrested before for anything.

Randolph Webb, sworn and examined testified Webb, what do you do for a living? Black boots.

Where at? Twenty third St. and Eighth Avenue.

You have got a stand there, haven't you? Yes sir.

Now do you remember the night that this affray occurred in the saloon in Twenty sixth St. were

you in Clark's saloon that night? Yes sir. You played pool there? Yes sir.

Now when did this trouble first commence with Shelton, what first caused the trouble? The trouble commenced over

a game of pool. What did Shelton say, if anything, or anybody else say? I could not say what

Shelton said because I was not there at the time, I was down by the bar. Did you and Shelton have

any words in that saloon? No sir. Green and Shelton had words, didn't they, did you hear that?

No sir, I was down by the bar. Did you at any time assault Shelton on that night? No sir. Did

you at any time say, "Give it to him, Nick," on that night? No sir. Did you see the row that

occurred on the opposite side of the street from this saloon? When I got over there Shelton was going

in the basement and the trouble was all over with. Have you ever been arrested before? No sir.

By the Court Now do you know this man Richard Phrus? No sir.

Do you know the man that was on the stand here a minute ago? No sir. I do not. Did you

0628

cross the street over to the other house where Shelton had gone into the yard? I did after the first was over out in the street. Did you get near the yard where Shelton was cut? Yes sir when I got there. Did you take hold of the gate and hold it open? No sir, I did not. Did you say at any time, "Go for him, Nick, cut him?" No sir, I did not. Did you know that Green had a knife? No sir, I did not. Cross Examined. You did not see anything of this anyhow, did you? All I know about the first I heard when I got there the man that was cut was going in the basement. You were playing pool? I was in before Nicholas Green commenced, I had paid for my game. Were 'nt you in the game with him? No sir. Did you hear anybody say, "Go for him, Nick?" No sir, I did not. You say when you went out of the saloon the fight was all over? Yes sir. Henry Green, sworn. That is your business? My regular business is waiter. You are the father of Nicholas Green? Yes sir. Do you know what your son works at? He generally waits around and works in stores as a porter. How long has he worked for himself, supported himself? He has been supporting himself about five years. He has worked all the time whenever he gets a position? Yes sir. Has he ever been arrested to your

Knowledge before? He was arrested once before
 in Twenty sixth St. for throwing stones, I think
 it was. How long ago was that? That must
 have been about two years ago. How old is
 he now? He will be 17 the 11th of next month.
 Do you know what his character is among
 people who know him? Yes sir. Do you know
 other people that know him? Pretty much every
 body up town knows Nicholas. Do you know
 what his character is? I have never heard
 nothing bad about him, only he is mischievous
 like most boys. He is not vicious? No sir.
 When was he arrested, it was not seven years
 ago? O, no sir, I think it has been about two
 years ago. Does he live at home with you?
 Yes sir. I cannot tell how late he stays out.
 I generally go to bed myself about 10 o'clock;
 his room is off from mine, I never bothered
 myself to know what time he did come in.
 Robert Green sworn. My business is laundry
 man at 153 West Thirty first St. and 466 Eighth
 Ave. I know Webb. I know other people who know
 him; the mother of that boy has been a ten-
 ant of mine two years; he is a good behav-
 ed boy; he is a boot black by trade corner
 of Twenty third St. and 8th Avenue.
 Virginia Webb sworn. This is my boy, he is a
 boot black, he never gave me a day's trouble

0630

before in my life; he has never been arrested before; he supports me.

Mr. M. Johnson testified. I have known Webb for over ten years and never knew him to get in any trouble; he has worked for me pretty near two years.

Green and Donaldson were found guilty of an assault with intent to do bodily harm and were each sent to the State prison at hard labor for four years and six months. Webb was convicted of simple assault and battery and was sent to the penitentiary for one year.

0631

Testimony in the case
Rundolph Webb, Daniel
Smulson and Nicholas
Green filed Oct. 22.

0632

New York Hospital,

West Fifteenth Street,

New York, Oct 3 1880

This is to certify that John Shelton
(Colored) of 457 Avenue was admitted
to the Surgical Division of this
Hospital at 1-47 am today suffering
from incised wounds of Left forearm
and right Shoulder and will
not be able to leave the Hospital
for some days.

J. B. Murphy M.D.
House Surgeon
N. Y. Hospital
Oct. 3, 1880.

0633

New York Hospital,

West Fifteenth Street,

New York, Oct 11th 1880

This is to certify that John Shelton
(Col.) was admitted to Surg. Wards on Oct 3rd
suffering from Incised Wounds of Forearm
& Shoulder - and that he is now out
of danger

Francis H. Barker M.D.
House Surgeon
N.Y.H.

CITY AND COUNTY } ss.
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That *Randolph Webb, Daniel Donaldson and Nicholas Green each*
late of the City of New York, in the County of New York, aforesaid, on the
Third day of *October* in the year of our Lord
one thousand eight hundred and eighty *—* with force and arms, at the City and
County aforesaid, in and upon the body of *John G. Shelton*
in the peace of the said people then and there being, feloniously did make an assault
and *him* the said *John G. Shelton*
with a certain *Razor*
which the said *Randolph Webb, Daniel Donaldson and Nicholas Green*
in *their* right hands then and there had and held, the same being a deadly and
dangerous weapon, willfully and feloniously did beat, strike, stab, cut, and wound
with intent *him* the said *John G. Shelton*
then and there, feloniously and willfully 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 Jurors aforesaid, upon their Oath aforesaid, do further present: That
afterwards, to wit, on the day and in the year aforesaid, at the City and County
aforesaid, the said *Randolph Webb, Daniel Donaldson and Nicholas Green each*
with force and arms, in and upon the body of the said *John G. Shelton*
then and there being, willfully and feloniously did make an
assault and *him* the said *John G. Shelton*
with a certain *Razor* which the said *Randolph Webb, Daniel Donaldson and Nicholas Green each*
in *their* right hands then and there
had and held, the same being then and there a sharp, dangerous weapon, willfully
and feloniously, and without justifiable and excusable cause, did then and there beat,
strike, stab, cut, and wound, with intent to then and there willfully and feloniously
do bodily harm unto *him* the said *John G. Shelton*
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 Jurors aforesaid, upon their Oath aforesaid, do further present: That
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-
said, the said *Randolph Webb, Daniel Donaldson and Nicholas Green each*
with force and arms, in and upon the body of *John G. Shelton*
in the peace of the said people then and there being, feloniously, did make another
assault and *him* the said *John G. Shelton*
with a certain *Razor*
which the said *Randolph Webb, Daniel Donaldson and Nicholas Green*
in *their* right
hands then and there had and held, willfully and feloniously did beat, strike, stab, cut,
and wound, the same being such means and force as was likely to produce the death
of *him* the said *John G. Shelton* with intent *him* the

0636

BOX:

23

FOLDER:

287

DESCRIPTION:

Welch, Michael

DATE:

10/07/80



287

0637

49.

Counsel

Filed 7 day of Oct 1880

Pleas

THE PEOPLE

vs. Michael Weld

vs.

27 Nov 1880

27 Nov 1880

INDICTMENT.
Larceny of Money, &c., from the person
in the night time, &c. &c. &c.

BENJ. K. PHELPS,

District Attorney.

Part No Oct 5. 1880

Weld. Phelps.

A True Bill. J. P. Two years & 4

John H. Marshall

Foreman.

0638

Form 112.

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

Police Court—First District.

Albert Kessel
 of *House of Detention* Street, being duly sworn, deposes
 and says, that on the *2^d* day of *October* 18 *80*
 at the City of New York, in the County of New York, was feloniously taken, stolen, and carried
 away from the possession of deponent, *and from his person*

the following property, viz: *a Pocket Book containing*
good and lawful moneys consisting of
one National Bank Bill of the denomination
and value of two dollars, one Silver trade
dollar, two fifty cent Silver pieces, and
twenty cents in various pieces of Coins
all.

Being of the value of *twelve and 7/100* Dollars,
 the property of *deponent*

and that this deponent has a probable cause to suspect, and does suspect, that the said property
 was feloniously taken, stolen, and carried away by *Michael Welsch (naylor)*
from the fact that deponent was informed by
William Flynn of the 27th Precinct Police, that
he deponent was shouting and making a great
noise in Barclay street in said city at about
the hour of 5:15, o'clock, P.M., on said day, that
at said time said Flynn saw said Welsch
walking away from the direction of deponent
that said Flynn followed him said said
Welsch placed him under arrest and found
the above described Pocket Book and money
in his possession, That before said Pocket Book
containing said money was so taken.

Subscribed to before me this

18

Police Justice

he deponent had it in the right hand, Pocket of the Pantalons then and there worn by deponent as a part of his bodily clothing. Deponent further says that he has

Dependent further says that he has since seen said Pocket Book, which contained said money and identified the same as that which was taken stolen and carried away from his possession; and therefore asks that he said Welsh may be held to answer and dealt with according to law.

Charles B. Smith.

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

James Flynn an officer attached to the 27th Meuse Police being duly sworn deposes and says that he has heard the foregoing affidavit - read and that portion of said affidavit - which refers to deponent is true of his own knowledge

William Flynn

Admon to reform me this 3d

Sept-October 1870

I will be very obsequious

Sumner to lecture me this
3^d night October - 1880

3d August 1880

John W. Brown
Price per piece

0640

Police Court—First District.

CITY AND COUNTY } ss.
OF NEW YORK.

Michael Welch

being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

Michael Welch

Question. How old are you?

Answer.

27 years of age

Question. Where were you born?

Answer.

Ireland

Question. Where do you live?

Answer.

N^o 220 Broadway Williamsburg

Question. What is your occupation?

Answer.

Labourer

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.

I found the Pocket ^{Pork} in an Ash Barrel which was along side of the Complainant. The Complainant was very much intoxicated, & said before that it was an Ash Barrel it was not a Barrel it was a Box.

Michael Welch

Taken before me, this

27

day of

October

18

80

Police Justice.

0641

Police Court—First District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Robert Kessel
Wm. of Detention

Michael Meade

BAILED

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

Affidavit—Larceny.

COUNSEL FOR DEFENDANT.

Name

Address

Robert Kessel 1898

James Kessel 1898

James Kessel 1898

James Kessel 1898

James Kessel 1898

James Kessel 1898

James Kessel 1898

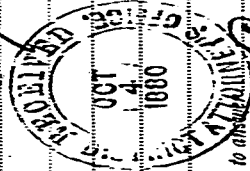
James Kessel 1898

James Kessel 1898

James Kessel 1898

James Kessel 1898

James Kessel 1898



James Kessel

James Kessel

James Kessel

James Kessel

Received at Dist. Atty's office

0642

CITY AND COUNTY }
OF NEW YORK, } ss.THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York, upon
their Oath, present :

That

Michael Welch

late of the First Ward of the City of New York, in the County of New York, aforesaid,

on the *Second* day of *October* in the year of our Lord one thousand eight hundred and eighty *at the Ward, City and County aforesaid, with force and arms, in the night time* of said 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 one thousand dollars, and of the value of one thousand dollars each: 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 five hundred dollars, and of the value of five hundred dollars each: twenty 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 hundred dollars, and of the value of one hundred dollars each: thirty 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 fifty dollars, and of the value of fifty dollars each: fifty 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: sixty 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: eighty 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: ninety 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 three dollars, and of the value of three dollars each: one hundred 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: one hundred and twenty 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: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one hundred dollars: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of fifty dollars: two 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: 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 three dollars each: fifteen 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 two dollars each: thirty 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 one dollar each: bank bills of banks to the jurors aforesaid unknown, and of a number and denomination to the jurors aforesaid unknown, of the value of one thousand dollars. Two gold coins (of the kind usually known as eagles), of the value of twenty dollars each: three gold coins (of the kind usually known as eagles), of the value of five dollars each: six gold coins (of the kind usually known as half eagles), of the value of five dollars each: ten gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each: ten gold coins (of the kind usually known as dollar pieces), of the value of one dollar each: gold coin of the denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of one thousand dollars. Sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each: one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each: three hundred silver coins (of the kind usually called dimes), of the value of ten cents each: six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each: one thousand silver coins (of the kind known as three cent pieces), of the value of three cents each: silver coin of a denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of fifty dollars. Three thousand coins (of the kind known as cents), of the value of one cent each: five hundred coins (of the kind known as two cents), of the value of two cents each. One hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of fifty cents each, and of the marketable value of fifty cents each: two hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of twenty-five cents each, and of the marketable value of twenty-five cents each: five hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of ten cents each, and of the marketable value of ten cents each,

One pocket book of the value of one dollar

of the goods, chattels, and personal property of one *Albert Kessel* on
the person of the said *Albert Kessel* then and there being found,
from the person of the said *Albert Kessel* 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.

Michael Welch

0643

CITY AND COUNTY
OF NEW YORK

aforesaid
 And THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
 in and for the body of the City and County of New York, upon
 their Oath, *aforesaid* do further present

That *Michael Welch*

in the County of New York, aforesaid on the *Second* late of the First Ward of the City of New York,
 of our Lord one thousand eight hundred and ~~seventy eight~~ *October* day of *October* in the year
 and arms, 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 one thousand dollars, and of the value of one
 thousand dollars each: 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 five hundred dollars, and of the value
 of five hundred dollars each: twenty 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 hundred dollars,
 and of the value of one hundred dollars each: thirty 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 fifty dollars,
 and of the value of fifty dollars each: fifty 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: sixty 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: eighty 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: ninety 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 three dollars, and of the value of three dollars each:
 one hundred 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:
 one hundred and twenty 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: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due
 and unsatisfied, of the value of one hundred dollars: one promissory note for the payment of money (and of the kind
 known as bank notes), being then and there due and unsatisfied, of the value of fifty dollars: two 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: three promissory notes for the payment of money (and of the kind known as bank notes), be-
 ing 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: ten
 promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsat-
 isfied, of the value of three dollars each: fifteen 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 two dollars each: thirty 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 one dollar each: bank bills of banks to the jurors aforesaid unknown, and of a number and denomination to the
 jurors aforesaid unknown, of the value of one thousand dollars. Two gold coins (of the kind usually known as
 double eagles), of the value of twenty dollars each: three gold coins (of the kind usually known as eagles), of the
 value of ten dollars each: six gold coins (of the kind usually known as half eagles), of the value of five dollars each:
 fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each: ten gold
 coins (of the kind usually known as three dollar pieces), of the value of three dollars each: thirty gold coins (of the
 kind usually known as dollar pieces), of the value of one dollar each: gold coin of the denomination to the jurors
 unknown, and a more particular description whereof cannot be given, of the value of one thousand dollars. Sixty silver
 coins (of the kind usually known as dollars), of the value of one dollar each: sixty silver coins (of the kind usually
 known as half dollars), of the value of fifty cents each: one hundred and fifty silver coins (of the kind usually known as
 quarter dollars), of the value of twenty-five cents each: three hundred silver coins (of the kind usually called dimes),
 of the value of ten cents each: six hundred silver coins (of the kind usually known as half dimes), of the value of five
 cents each: one thousand silver coins (of the kind known as three cent pieces), of the value of three cents each: silver
 coin of a denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value
 of fifty dollars. Three thousand coins (of the kind known as cents), of the value of one cent each: five hundred coins
 (of the kind known as two cents), of the value of two cents each. One hundred due bills of the United States of Amer-
 ica, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomi-
 nation of fifty cents each, and of the marketable value of fifty cents each: two hundred due bills of the United States
 of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the
 denomination of twenty-five cents each, and of the marketable value of twenty-five cents each: five hundred due bills
 of the United States of America, the same being then and there due and unsatisfied (and of the kind known as frac-
 tional currency), of the denomination of ten cents each, and of the marketable value of ten cents each,

One pocket book of the value of one dollar

of the goods, Chattels and personal property of

Albert Kessel

by *some person or*

~~and certain other~~ persons, to the Jurors aforesaid unknown, then lately before feloniously
 stolen of the said

Albert Kessel

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have
 (the said

Michael Welch

then and there well knowing the said goods, chattels, and personal property to have
 been feloniously stolen), against the form of the Statute in such case made and pro-
 vided, and against the peace of the People of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

0644

BOX:

23

FOLDER:

287

DESCRIPTION:

West, William

DATE:

10/26/80



287

0645

174

Counsel,
Filed *Oct.* day of *Oct.* 1877
Pleads

THE PEOPLE

vs.

17 *pro* *ind* *P*
William West

Att. Burglary—First Degree, and

BENJ. K. PHELPS,

District Attorney.
Perk Mo Oct. 26. 1877.

Pleads guilty.
A True Bill S. P. Thompson.

Chas R. Randall
Foreman.

Verdict of Guilty should specify of which count.

0646

POLICE COURT—DISTRICT.

City and County
of New York, } ss:

George M. Grath
of No. *82* *Brubaker* Street, being duly sworn,
deposes and says, that the premises *are* *aporesaid*
Street, *6th* Ward, in the City and County aforesaid, the said being a

in front
and which was occupied by deponent as a *Dwelling where*
deponent resides with his family *attempted to be* **BURGLARIOUSLY**
entered by means *forcing open a window*
leading from the rear to the apartments
occupied by deponent

on the *Night* of the *13th* day of *October* 1880
attempted to be
and the following property feloniously taken, stolen, and carried away, viz:

A quantity of clothing consisting
of men and women's wearing
apparel and of value in all
of the value of two hundred dollars
or more

the property of *deponent*
and deponent further says *that he has great cause to believe, and* *attempted to be*
the aforesaid **BURGLARY** was committed and the aforesaid property taken, stolen, and
carried away by *William Henry West*

for the reasons following, to wit: *That at about 9:30*
o'clock on the aforesaid night deponent
was awakened by Mr. Leary
who said to deponent that he
found the prisoner on the fire escape
immediately in front of said window
and that he was endeavoring to effect
an entrance to said room and
deponent believes the same to be true
George M. Grath

William Henry West
1st day of October 1880
John J. Sullivan

0647

City and County,
of New York

Michael Leary of No 82
Mulberry Street being duly
sworn says that at about
2:30 o'clock on the aforesaid
night he saw the prisoner
pass through the hallway leading
to the rear of premises No 82
Mulberry Street and saw him
subsequently upon the fire
escape directly in front of the
window leading to the apartments
occupied by the complainant and
as the prisoner stood there with
his shoes off - defendant saw
him trying to effect an entrance
to said apartments by forcing
open the window leading from the
fire escape to said apartments

Michael Leary
made

Subscribed before me this
16th day of October 1880

J. M. Patterson J. P. of the City and County

0648

POLICE COURT—FIRST DISTRICT

CITY AND COUNTY
OF NEW YORK

William West being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

William West

Question. How old are you?

Answer.

17 Years

Question. Where were you born?

Answer.

This City

Question. Where do you live?

Answer.

47 North Street

Question. What is your occupation?

Answer.

Fireman

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.

I and others were playing on the street when some one shouted Cheese it the Cops. I then ran

away and did pass through the hallway of 82 Mulberry Street but it was for the purpose of escaping from the policeman who I believed was after us that I went on the fire escape and not for the purpose of attempting to enter the Complainant's apartments or of doing anything in violation of law. I am not guilty of the charge.

Wm West

Taken before me this

16th day of September 1880

POLICE JUSTICE.

0649

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POLICE COURT - DISTRICT.

THE PEOPLE, &c.

ON THE COMPLAINT OF

George McGowan
82 Mulberry St.

OFFENCE:
BURGLARY

William West

Date: October 16 1880

Datterson Magistrate.

Officer.

14

Clerk.

Witnesses

Michael Leary
82 Mulberry Street

Committed in default of \$1000. Bail.

Dated by

Street.

No.

John

0650

CITY AND COUNTY } ss.
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

William West

late of the *sixth* Ward of the City of New York, in the County of
New York, aforesaid,

on the *fifteenth* day of *October* in the year
of our Lord one thousand eight hundred and ~~seventy~~ *eighty*
with force and arms, about the hour of *2* o'clock in the *night* time
of the same day, at the Ward, City and County aforesaid, the Dwelling-house of

George McBrath ^{attempt to}
there situate, feloniously and burglariously did break into and enter by means of
forcibly breaking open an outer window of said dwellinghouse
whilst there was then and there some human being to wit, one

George McBrath within the said dwelling-house he, the said
William West

then and there intending to commit some crime therein, to wit, the goods, chattels, and
personal property of *George McBrath*

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.

~~And the jurors aforesaid, upon their oath aforesaid, do further present: That
afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County
aforesaid, about the hour of o'clock in the time of said day,
the said~~

~~late of the Ward, City, and County aforesaid,~~

~~of the goods, chattels, and personal property of~~

~~in the said dwelling-house of one
, 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.~~

BENJ. K. PHELPS, District Attorney.

0651

BOX:

23

FOLDER:

287

DESCRIPTION:

Williams, Henry

DATE:

10/22/80



287

0652

144

Day of Trial,
Counsel,
Filed *22* day of *Oct* 188*0*
Pleads

Violation of Lottery Laws.

THE PEOPLE

vs.

28
6. Regan
By

B

Henry Williams

BENJ. K. PHELPS,
District Attorney.

Part No Oct 22 1880

plead & guilty
A TRUE BILL. Filed *22* day of *Oct* 188*0*
Chas H. Marshall Foreman.

0653

6376

0654

**464
SCHEME.**

**Two Dollar Drawing
EXTRAORDINARY.**

Supplement to Royal Havana.

Saturday, Sept. 4th, 1880.

18,000 TICKETS ONLY.

1 Prize		\$7,600
1 "		1,500
1 "		600
1 "		300
10 "	\$125 each	1,250
12 "	75 "	900
486 "	12 "	5,832

Approximation Prizes.

9 Approximations of \$40---	360
9 " " 25---	225
2 " " 25---	50

532 Prizes, amounting to \$18,617

Chase & Co.,

GENERAL AGTS.,

NEW HAVEN, CONN.

0655

Form 16.

POLICE COURT—FIRST DISTRICT.

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

James O'Connor

of No. 1

Pre cinch

Street

being duly sworn, deposes and says,

that on the

31

day of

August

1880 at the City

of New York, in the County of New York,

at the premises No 82

Nassau street in said city

Henry Williams (now here)
did vend and sell the lottery ticket
hereto attached for which defendant paid
said defendant the sum of fifty cents
as a bet and wager and for the
chance of a prize in any of the
draws of the State of New York

Sworn to, this

31

day of

August

1880

before me,

Police Justice.

James O'Connor

0656

Form 10.

144 208
Police Court—First District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James O'Connor
vs. 1st Precinct
Henry Williams



Dated Aug 31 1880

Smith Justice.

O'Connor Officer.
1st Precinct

500 dollars
Bailed

Bailed by
Luther Horton
257 W. 54th St

AFFIDAVIT—No return made

0657

CITY AND COUNTY }
OF NEW YORK, }

Know all men by these presents, that the Jurors of the People of the State of New York, in and for the body of the City and County of New York, upon their Oath, present:

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

Henry Williams

late of the _____ Ward, in the City and County aforesaid, on the *Thirtieth*
day of *August*, in the year of our Lord, one thousand eight hundred and
Eighty, at the Ward, City and County aforesaid, with force and arms, did
unlawfully and knowingly vend, sell, barter, furnish, and supply to one _____

James O'Connor

and did procure and cause to be procured for the said _____

James O'Connor

a certain paper and instrument, being and purporting to be a ticket of a certain lottery,
to wit:

The Little Havana Company

the same being a lottery for the purpose of exposing, setting to sale, and disposing of
certain moneys, in a manner to the jurors aforesaid unknown, and in an amount to the
jurors aforesaid unknown, which said paper and instrument _____

Called a lottery ticket

is as follows, that is to say:

The Little Havana Company
Extraordinary Drawing
Saturday Sept. 4. 1886

will
Draw at Havana

This ticket entitles the Holder thereof to such
prize as may be drawn to its number as
per schedule endorsed hereon, to be decided
by the Havana drawing if presented for payment
before the expiration of six months from date of
same drawing

6376

P. Roman
Propt.

SEAL AND SIGN

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.

Quoted Ticket
OTC

0658

And the Jurors aforesaid, upon their oath aforesaid, do further present

That the said

Henry Williams

late of the Ward City, and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, with force and arms, at the Ward, City and County aforesaid, did unlawfully and knowingly vend, sell, barter, furnish and supply to one

James O'Connor

and did procure and cause to be procured for the said

James O'Connor

a certain paper and instrument being and purporting to be a part and share of a ticket of a certain lottery, to wit:

The Little Havana Company

the same being a lottery for the purpose of exposing, setting to sale, and disposing of certain moneys, in a manner to the jurors aforesaid unknown, and in an amount to the jurors aforesaid unknown, which said paper and instrument

concerning
called a lottery ticket

is as follows, that is to say:

The Little Havana Company
will Extraordinary drawing
draw at Havana Saturday, Sept 14, 1880

This ticket entitles the Holder thereof to such prize as may be drawn to its number as per schedule endorsed hereon. To be decided by the Havana drawing if presented for payment before the expiration of six months from date of said drawing

6376
P. Roman Proprietor

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.

BENJ. K. PHELPS, District Attorney.

Quarter Ticket
37 Cts.

0659

BOX:

23

FOLDER:

287

DESCRIPTION:

Williams, William

DATE:

10/29/80



287

0660

Day of Trial,

Counsel,

Filed 29 day of

Pleads

Oct 1880

THE PEOPLE

vs.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Chas. H. Russell

Foreman.

Each guilty

Pen on the year
of fines \$150

0661

Police Court—Second District.

CITY AND COUNTY)
OF NEW YORK, ss.

William H. Williams being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him states as follows, viz:

QUESTION.—What is your name?

ANSWER.—

William H. Williams

QUESTION.—How old are you?

ANSWER.—

Twenty Three years

QUESTION.—Where were you born?

ANSWER.—

New York city

QUESTION.—Where do you live?

ANSWER.—

139 Forsyth Street

QUESTION.—What is your occupation?

ANSWER.—

Tailor

QUESTION.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.—

I am guilty of the charge

William H. Williams

Taken before me, this

23

day of *October*

1880

Police Justice.

0662

POLICE COURT—SECOND DISTRICT.

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

Alvin M. Woodward M.D.
of 52 West 39th Street, being duly sworn, deposes
and says, that on the 20th day of October 1880
at the City of New York, in the County of New York,

William H. Williams
(now here) under the assumed name
of G. Hibbard did unlawfully
attempt to extort from deponent
the sum of Two Hundred dollars
under the following circumstances
to wit— that on the said date the
said defendant delivered at the said
premises the certain written commun-
ication hereto attached and marked
A for identification— said commun-
ication purporting to be a threat
against deponent for an alleged
offence and demanding the said
sum of Two Hundred dollars—
under threat of exposure if de-
ponent failed to comply with
said demand— that said defend-
ant admitted in the presence of witnes-
ses and in open Court that he had
written and delivered the said
communication

Alvin M. Woodward
Sworn to before me this
22nd day of October 1880
J. J. Cunningham
Police Justice

0663

Police Court - Second District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

Samuel H. Woodward
12 N. 29th

William H. Williams

October 22 1880

Dated,

Smith

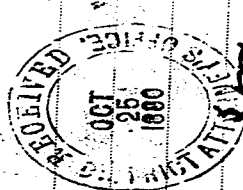
Justice

William H. Williams

Officer

Central Office

Witnesses,



Committed in default of \$ *500* surety.

Bailed by

No

Street

Coram

0664

A.
New York 19th 18.80

Dr Woodward

Dear Sir

Being in full possession of the facts in relation to what has been in the past and present between you and Miss Dyer. at present Mrs Batchelder I ask you for the loan of Two hundred dollars \$200.00. which I must have at once or I shall expose the whole thing to your wife & Church I have ample proof of all I say have witnesses. If you wish to see me I will stay awhile on the corner of 29th & Broadway and I want some money to night. If you cannot see me answer and send money through post

0665

tomorrow for if I recieve no
letter to-morrow I shall send
your wife a letter The next
day I also know your
church If you come to the
corner to night bring ~~any~~
as I can't wait I will hold
a newspaper in my hand
off you send an answer
through post and return
I am not to be trifled with
address. J. Hibbard

General Post Office
N. Y. city

City and County
of New York.

The Jurors of the People of the State of New York,
in and for the body of the City and County of New York
upon their oath present:

That heretofore, to-wit: on the nineteenth day
of October in the year of our Lord one thousand eight
hundred and eighty, at the City of New York in the County
of New York aforesaid, William N. Williams, going
as much as in him lay to vex and annoy one
Alvin M. Woodward, and with intent thereby to
derive pecuniary benefit for himself and to extort
moneys from him the said Alvin M. Woodward, did then
and then prepare and write a certain communication,
and did thereafter on the said nineteenth day of
October in the year aforesaid, at the City and County
aforesaid, cause the said communication to be received by
him the said Alvin M. Woodward; And that the said
William N. Williams did then and there in and by the said
communication in writing, knowingly and wilfully
threaten to thereafter publish and cause to be published and
made known certain statements touching and concerning
him the said Alvin M. Woodward, which said statements
were alleged to be, and were, of such nature and character
as to be injurious to the personal reputation of him the said
Alvin M. Woodward; which said written communication
was as aforesaid prepared and written by him the said

0667

William A Williams was and it as follows,
that is today:

"New York 19th 1880.

Dr Woodman

Dear Sir:

Being in full possession of the facts
in relation to what has been in the past and present
between you and Miss Dyer, at present Mrs Batchelder,
I ask you for the loan of Two hundred dollars \$200.00
which I must have at once or I shall expose the
whole thing to your wife & church. I have ample
proof of all I say have witnesses. If you wish
to see me I will stay awhile on the corner of 29th &
Broadway. Send I want some money tonight. If you
cannot see me answer and send money through post
tomorrow for if I see no letter tomorrow I shall
send your wife a letter the next day I also know
your church. If you come to the corner tonight
bring money as I cannot wait I will hold a news-
paper in my hand

If you send an answer through post
and return I am not to be trifled with
address of Miss Dyer

General Post Office
New York

against the form of the statute in such
case made and provided and against

0668

the peace of the people of the State of New York
and their dignity

Benj. K. Phelps
District Attorney

0669

BOX:

23

FOLDER:

287

DESCRIPTION:

Wilson, Thomas

DATE:

10/11/80



287

0670

74
Coram

Counsel,
Filed 11 day of Oct. 1882
Reads

THE PEOPLE
vs.
INDICTMENT
Larceny from the person.
Thomas Wilson

BENJ. K. PHELPS,
District Attorney.

A True Bill.

Chas. H. Starnes

Foreman.
Oct. 18. 1882

Ward
Harris attempted
2.46 read
7.0

0671

Police Court—Third District.

CITY AND COUNTY OF NEW YORK, ss.

Thomas Wilson

being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question.—What is your name?

Answer.—

Thomas Wilson

Question.—How old are you?

Answer.—

Twenty five

Question.—Where were you born?

Answer.—

Massachusetts

Question.—Where do you live?

Answer.—

313 E. 13

Question.—What is your occupation?

Answer.—

Mechanic

Question.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.—

I deny the charge. I never put my hand near the man.

Thomas Wilson

Taken before me, this

day of

Oct 11

Police Justice.

De L. Morgan

0672

GLUED PAGES

0673

AFFIDAVIT—Larceny.

POLICE COURT—

COUNTY } ss.
YORK,

James H. Harrison (Glover)
 73. Navy Street Brooklyn 145. De Graaf St. Buchanan ^{Brooklyn}
 Street.
 ing duly sworn, deposes and says, that on the 3 day of October 1880
 at the in the City of New York,
 in the County of New York, was feloniously taken, stolen and carried away from the possession
 of person
 of deponent,

the following property, viz.: one silver watch and metal chain
of the value of ten dollars.

the property of this 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 Thomas Wilson (now here)

for the reason that as deponent was passing through
 said street on or about eight A.M. he was
 approached by the accused. Deponent saw the
 accused in the act of taking the watch and
 carrying away from his person the above mentioned
 property
James H. Harrison
 his mark

Sworn before me this

day of

October 1880

Police Justice.

0674

DISTRICT POLICE COURT

THE PEOPLE, & c^t

ON THE COMPLAINT OF

James H. Harris
173 1/2 Ave. W. Brooklyn

James H. Harris

DATED

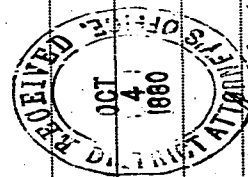
Oct 11 1880

MAGISTRATE.

OFFICER

WITNESSES:

See Warden Oct 11



DISPOSITION

\$1500 bond

[Signature]

AFFIDAVIT Larceny.

0675

CITY AND COUNTY }
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

Thomas Wilson

late of the First Ward of the City of New York, in the County of New York, aforesaid,

on the *thirteenth* day of *October* in the year of our Lord one
thousand eight hundred and eighty — at the Ward, City, and County aforesaid,
with force and arms,

*One watch of the value of eight
dollars*

One chain of the value of two dollars

of the goods, chattels, and personal property of one *James A. Harrison*
on the person of the said *James A. Harrison* then and there being found,
from the person of the said *James A. Harrison* 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.

BENJ. K. PHELPS, District Attorney.

0676

BOX:

23

FOLDER:

287

DESCRIPTION:

Wright, Charles

DATE:

10/29/80



287

0677

130
W. H. Whitcomb

Day of Trial,

Counsel,

Filed *Oct* 29 day of *1880*
Pleads *Not Guilty* with leave
to withdraw

THE PEOPLE

vs.

Violation of Lottery Laws.

James M. Wilson

David A. Wood

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Foreman.


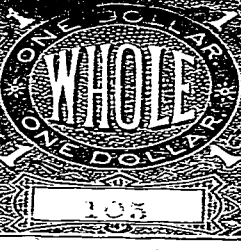
Chas. R. Hamill

James J. Jones

Charles D. Smith

John H. Smith

0678

 CLASS I	39915	<p>KENTUCKY STATE LOTTERY COMPANY.</p> <p>TO BE DRAWN AT } Tues., Aug. 31, '80. COVINGTON, KY. }</p> <p>THIS TICKET ENTITLES THE HOLDER TO THE PRIZE DRAWN TO ITS NUMBER IF APPLIED FOR WITHIN TWELVE MONTHS FROM DATE. PAYABLE WITHOUT DEDUCTION.</p> <p>TICKET NO. *39915*</p>	 105 <i>J. Hinds, Jr. & Co.</i>
--	-------	---	--

0679

LIST OF PRIZES.

1 Prize of \$15,000 is.....	\$15,000
1 Prize of 5,000 is.....	5,000
1 Prize of 2,500 is.....	2,500
1 Prize of 2,000 is.....	2,000
5 Prizes of 1,000 are	5,000
10 Prizes of 500 are	5,000
10 Prizes of 250 are . . .	2,500
20 Prizes of 100 are	2,000
100 Prizes of 50 are	5,000
200 Prizes of 20 are	4,000
500 Prizes of 10 are	5,000
1,000 Prizes of 5 are	5,000

APPROXIMATION PRIZES.

9 Approx. of \$150 each, are	\$1,350
9 Approx. of 100 each, are	900
9 Approx. of 50 each, are	450
<hr/>	
1,876 Prizes, amounting to	\$60,700

0680

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

William F Mc Grann
of ~~the~~ Central office Police 300 Mulberry Street,
being duly sworn deposes and says, that on the 19 day of
August 1880 at No. 599 Broadway
Street, in the City and County of New York,

Charles Wright now present
did unlawfully and feloniously sell and vend to

deponent

a certain paper and document, the same being what is commonly known as,
and is called a Lottery ^{Ticket} ~~Policy~~, and which said Lottery ^{Ticket} ~~Policy~~, writing, paper,
and document is as follows, that is to say:

(document annexed)

Wherefore deponent prays that the said Charles Wright
may be dealt with according to law.

Sworn to before me, this

day of

19
August

1880

Police Justice.

William F. Mc Grann

0681

Police Court—First District.

CITY AND COUNTY }
OF NEW YORK, } ss.

Charles Wright being duly examined before the undersigned,
according to law, on the annexed charge, and being informed that he was at liberty
to refuse to answer any question that may be put to him he states as follows, viz:

Question. What is your name?

Answer. Charles Wright

Question. How old are you?

Answer. 30 years

Question. Where were you born?

Answer. N. Y.

Question. Where do you live?

Answer. 599 Broadway

Question. What is your occupation?

Answer. Clerk

Question. Have you anything to say, and if so, what—relative to the charge here
preferred against you?

Answer. I am not guilty
John P. Wright

Taken before me, this

day of

Police Justice

0682

Form 10

130

Police Court—First District.

COUNSEL FOR COMPLAINANT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William M. Grant
Central Office

vs.
Charles Knight



BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

Dated

19 August 1890

Magistrate.

W. E. Grant, Officer.

C O

Clerk.

Witnesses,

COUNSEL FOR DEFENDANT.

Name,

Address,

1000 to answer

General Sessions Baled

Received in Dist. Atty's Office,

That

Charles Wright
late of the Eighth Ward, in the City and County aforesaid, on the Nineteenth
day of August, in the year of our Lord, one thousand eight hundred and
Eighty, at the Ward, City and County aforesaid, with force and arms, did
unlawfully and knowingly vend, sell, barter, furnish, and supply to one _____

William O. M. Gann

and did procure and cause to be procured for the said

William & M. Graham
a certain paper and instrument, being and purporting to be a ticket of a certain lottery,
to wit: Kentucky State Lottery Company

the same being a lottery for the purpose of exposing, setting to sale, and disposing of certain moneys, in a manner to the jurors aforesaid unknown, and in an amount to the jurors aforesaid unknown, which said paper and instrument _____

jurors aforesaid unknown, which said paper and instrument commonly called a lottery ticket

is as follows, that is to say:

is as follows, that is to say:

	Kentucky State Lottery Company	
\$	Lobedraon	Tues. Aug 31. 80
at	Boughtonly	one dollar
2	The ticket entitles the holder to the prize	whole
tax	drawn by its number, if applied for	one dollar
I	within two months from date.	/
6	Payable without deduction.	/
m		Page
A	Ticket No & 39915	J Hinds Treas

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.

0684

And the Jurors aforesaid, upon their oath aforesaid, do further present
That the said

Charles Wright

late of the Ward City, and County aforesaid, afterwards, to wit: on the day and in
the year aforesaid, with force and arms, at the Ward, City and County aforesaid,
did unlawfully and knowingly vend, sell, barter, furnish and supply to one

William McGraw

and did procure and cause to be procured for the said

William McGraw

a certain paper and instrument being and purporting to be a part and share of a ticket
of a certain lottery, to wit:

Kentucky State Lottery Company

the same being a lottery for the purpose of exposing, setting to sale, and disposing of
certain moneys, in a manner to the jurors aforesaid unknown, and in an amount to the
jurors aforesaid unknown, which said paper and instrument

purportedly called a lottery ticket

is as follows, that is to say:

Kentucky State Lottery Company
Tobacco and
Cincinnati Ky. Tues. Aug. 31. '80.

This ticket entitles the holder to the prize drawn to
its number of applied for within twelve months
from date. Payable without deduction

One Dollar
Whole
One Dollar
Payable

Ticket no 39915

J. Hinds Treas

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.

BENJ. K. PHELPS, District Attorney.