

0523

BOX:

23

FOLDER:

287

DESCRIPTION:

Wadie, Mary

DATE:

10/11/80



287

0524

75

Filed ^{terry} 11 day of Oct. 1890
Pleads *not Guilty.*

THE PEOPLE

vs.

Mary Wadie ^B

Felonious Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Chas H. Hamill

Foreman.

Part Two - Oct. 13-1890
Tried and acquitted

0525

Form

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

POLICE COURT—FIRST DISTRICT:

Nicola Jagoletti

of No. *115 Buelton* 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 Bodie

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 in her hand

Sworn to, before me, this

May of October 1888

Samuel A. ...
Police Justice.

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

May Bodie

with the felonious intent to take the life of deponent, ^{and} to do ^{her} 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.

Nicola Jagoletti

0526

Police Court—First District.

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

May Wardie being duly examined before the under-
signed, 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 Wardie

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 Wardie
ma*

Taken before me, this
John Patterson
day of *Jan*
18*88*
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

Nicola J. G. Allen
115 Portland
Ally G. Allen

BAILED
No. 1, by *William P. Bailey*
Residence, *115 Portland*

No. 2, by
Residence,

No. 3, by
Residence,

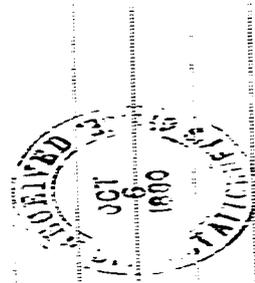
No. 4, by
Residence,

No. 5, by
Residence,

No. 6, by
Residence,

October 5 1880
Patterson Magistrate.
Nearby Officer.
14 Clerk.

Witness,



J. H. H. to answer
at General Sessions.
Received at Dist. Atty's Office, *Bailed*

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 *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 *kill* 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 *kill* 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 *kill* 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 *kill* 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 *kill* 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 *kill* the said *Nicola Jagoletti* with intent *kill* 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 *her* then and there being, wilfully and feloniously, did make another assault and *her* 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 *her* 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.



75
Filed 11 day of Oct. 1882
Pleas not Guilty.

THE PEOPLE

vs.

Mary Wadie

Felony Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

John N. Randall

Prothonotary.

Paul Court - Oct. 13-1882
found and acquitted

0530

BOX:

23

FOLDER:

287

DESCRIPTION:

Walker, George

DATE:

10/27/80



287

0531

208
New

Day of Trial,

Counsel,

Filed 27 day of Oct 1880

Pleads

J. K. Phelps

THE PEOPLE

vs.

George Walker

BURGLARY—THIRD DEGREE.
NOTHING STOLEN.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Chas. H. Howell

Juryman.

Oct. 29. 1880

Jonas Pr

Charles J. Heyden

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 coats 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

Coats of the value of Thirty dollars

and a quantity of Ladies' Coats

in all of the value of One Hun-

ded 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

0533

City and County ^{SS.}
of New York
Thomas Blake of No 327 West 15
street being duly sworn says deponent
is night watchman of said premises
that on the 17th instant at 10 o'clock
P.M. deponent securely locked the gate
attached to and leading into said prem-
ises - 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. [Signature]
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* 188*8*

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

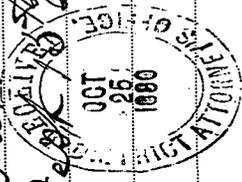
CRIMINAL
OFFENSES
BURGLARY AND LARCENY.

Date: October 18 1880

W. Smith Magistrate.

Churray 16 Clerk.

Witness:
Thomas Blake
327 West 15th Street



Committed in default of \$ 1000, Bail.

Bailed by _____
No. _____ Street.

Com.

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 1880

Pleads

THE PEOPLE

vs.

P
Christian Walter
(2 case)

Felony Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Chas H. Hamill

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 Tuesday the 14th day of September
in the year 1880 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 (worn blue), 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 N.Y. 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 13th day of Oct 1880

A. J. Morgan Moses Fischer
Police Justice.

0540

27
Police Court—Third District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
FELONIOUS.

Mark A. Redick
207 1/2 York
June 4 Decatur

Christine Waller

Dated Dec 13 1898

Magistrate.

Witness
E. L. ...
Said office
in the presence
of \$1000 bonds

Car ...
Francis ...
of ...



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 Houghton*

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

14th
day of *July*
1875.

Wm. J. ...
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 ~~Leipner~~ Lemson
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

(Knoke) who struck deponent on the head with
a steel trowel 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

J. L. Schuster

A. I. Morgan POLICE JUSTICE.

0543

52, German, 144, Kroyth an

Form 11.

General Services
THIRD DISTRICT POLICE COURT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Henry Emerson
Committed to House of Detention
in default of \$300

832
AFFIDAVIT, A. & B.

Christian Walter

Dated

Sep 14 1880

Morgan MAGISTRATE.

Elbridge OFFICER.

WITNESS:

10th
J. J. L. S.
Francis N. ...
Notary Public
1880

0544

New York Hospital,

West Fifteenth Street,

New York, Oct 22 1880

This is to certify that [“]Moses Crocher
admitted Sept 14th suffering from
Comp. Fract Skull is now out of
danger and will be ready for
discharge in a few days

Francis Hollister M.D.
Surgeon
-1111-

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.

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*90*, at the City of New York, in the County of New York, that

Moses Archer he was violently ASSAULTED and BEATEN by *Christian Walker*

(Archer) was assaulted. As this deponent is, informed by the said Moses Archer - 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 -

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

day of *Sept*

14 18*90*

John Elterich
POLICE JUSTICE.
A. I. Morgan

0547

Form 11.

THIRD DISTRICT POLICE COURT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John Erickson

vs.

*Christian Walter
Magistrate of Peace Moses A. Scher*

AFFIDAVIT. A. & B.

Dated

Dec 14

18*80*

Morgan

MAGISTRATE.

Peter

OFFICER.

10.

WITNESS:

Nicholas Ollstad

144 Forsythe st

*Committed for further
Examination to
await receipt of
papers*

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

in *his* *Christian Walter* 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 *beat* 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.

129
Samuel

Filed *19* day of *Oct.* 18*80*
Plends *John Sully*

THE PEOPLE

57
142
Barthol

P

Christian Walter
(Ascher)

Felonious Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

Part no Oct. 22, 1880
This reminds C-13
A True Bill. Sen one year.

John N. Merrill

Foreman.

hand for this individual

0550

127
J. J. [unclear]

Filed 9 day of Oct. 1880

Pleas *John [unclear]*

Felonious Assault and Battery.

THE PEOPLE

57⁹⁵ Prayk
142
Chapman

I
Christian Walter
(2 cases)

BENJ. K. PHELPS,

District Attorney.

Part No Oct. 22, 1880

And returned Ar-B

A True Bill. See one of per.

Chas. H. Marshall

Foreman.

Walter [unclear]

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. Cocher* then and there being, willfully and feloniously, did make another assault and *kill* the said *Mrs. Cocher* 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, willfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there willfully and feloniously maim *kill* the said *Mrs. Cocher* against the form of the Statute in such case made and provided, and against the peace of the State of New York, and their dignity.

FOURTH COUNTY.

then and there feloniously and willfully *Mrs. Cocher* 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 Henry*
with force and arms, in and upon the body of the said
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 *kill* 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 *kill* 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 *20* day of *Oct*
Pleas
187*6*

THE PEOPLE

vs.

Christian Walter
(vs case)

F
Felonious Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

John N. Beavill
Foreman.

0553

BOX:

23

FOLDER:

287

DESCRIPTION:

Warneck, Henry

DATE:

10/26/80



287

0554

2187

X

Counsel,

Filed 27 day of Oct 1850

Pleas

Chas. H. Russell

THE PEOPLE

vs.

and
Embezzlement
Barcenty.

P
Amey Navech

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Chas. H. Russell

Foreman.

Jan. 2. 1850.

Thos. H. Russell
Medford, N. H.

0555

Police Court—First District.

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

John L. Bertram
Attorney

Sworn to before me this
15 day of October 1880

Police Justice

of No. 7 Albany Charles Weils
being duly sworn, deposes and says, that on the 11th Street,
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 45 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

0556

POLICE COURT—FIRST DISTRICT.

CITY AND COUNTY }
OF NEW YORK } ss.

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 he 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

5 day of

October 1880

POLICE JUSTICE.

Wm. Patterson

0557

COUNSEL FOR COMPLAINANT.

Name
Address

COUNSEL FOR DEFENDANT.

Name
Address

187.
Police Court—First District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF.

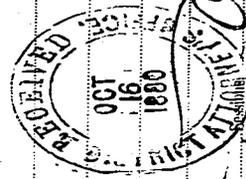
Charles Wals
7 Albany St
Henry Warrick
Inkley & Leonard

Offence,

Dated 16 October 1880

Magistrate.

Witnesses, John S. Burtshaw
348 W 45 St
Clerk.



Received in Dist. Atty's Office.

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

0558

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 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 Watneck

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.

\$ 30⁰⁰ / 100

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*

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

107

Counsel,
Filed *Oct.* *1880*
day of *Oct.*
Plends *Not guilty*

and *Embezzlement* *Larceny.*

THE PEOPLE

vs.

I
Henry Warner

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Chas. H. Keenan
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 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~~ *eleventh* day of ~~September~~ *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 Weils

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 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 Weils*

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.)

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 Narueck

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 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 quarter eagles), of the value of five dollars each: fifteen gold coins (of the kind usually known as three dollar pieces), of the value of three dollars 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 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: 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.

** 3000/100*

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.

~~ROSA K. REILLY, District Attorney.~~

0565

~~CITY AND COUNTY OF NEW YORK~~

and THE JURORS OF THE SUPREME COURT OF THE STATE OF NEW YORK
do and for the body of the City and County of New York
upon their Oath, ~~do~~ *aforsaid do* for the present

That *the said Henry Warneck*

late of the First Ward of the City of New York, in the County of New York, a ~~person~~ *deceased*
not being an apprentice or person within the age of eighteen years, on the
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

John L. DeTrain,
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 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 *John L. DeTrain*

his ~~said~~ *Henry Warneck* 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.)

Filed
Counsel,
day of

187

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 Warueak

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.

#2000
100

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.

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n,
nd

0568

BOX:

23

FOLDER:

287

DESCRIPTION:

Waxman, Emanuel

DATE:

10/28/80



287

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

W. J. ...
To day of *October* 188 *0*
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

W. J. [Signature]
16 day of *Oct* 1880
Police Justice.

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.—

Di. Washington D. C.

QUESTION.—Where do you live?

ANSWER.—

149 N. 21 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 Hebb. now present.
That said Donaldson and Hebb. 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 } *J. G. Shelton*
of *October* 18*80* }

McDonald Police Justice.

0574

POLICE COURT - Second District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

OFFENCE - Felonious Assault and Battery

John G. Shelton
487 7th Ave

vs.

Nicholas Greene
Daniel Donaldson
Rudolph Webb

Dated October 16 1880

Magistrate.

Officer.

Clerk.

Witnesses.

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

Francis N. Maxwell
Mr. Hospital
Committed in default of \$ 1000 bail.

Bailed by

No.

Street.

100
Cone
16

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

0576

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 look-
ed 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 ac-
count 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 Mar-
ket and I told them it was a sharp in-
strument 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 they

0577

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 reflection 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

0578

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

0579

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 hitting Green. 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 dark; it shined all the way up, ~~was~~ 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 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.

0580

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 3rd 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 West there. I could not say exactly what he was doing.

0581

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
F. H. Marco, M.D. House Surgeon, N.Y. Hospital.

Mr. 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

0583

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

0584

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~~ ^{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 Hell ~~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 ~~by~~

0585

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 when 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

0586

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 Smith 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

0587

cue, 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, had ten days. Have

0588

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

0589

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'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 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

0590

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 everybody 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 tenant of mine two years; he is a good behaved 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.

0591

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

Mr. 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 Welf, 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 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
per J. A. M.

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 }
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 *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

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 *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 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

Placed in my of *CP*

Placed out of my custody -

1880

THE PEOPLE

vs.

Randolph Webb

Daniel Donaldson

Nicholas Green

BENJ. K. PHELPS,

District Attorney.

Part No. 1 Oct. 22, 1880

A TRUE BILL.

John H. Kappelman

Oct 27, 1880

Deverman

Deverman

Charles and Prater

John H. Kappelman

Oct 19, 1880

243. 4. 9. 6 am 1880

0597

CORRECTION

0598

Filed 28 day of Oct 1880

Pleads Not Guilty

THE PEOPLE,

vs.

Emmanuel Waxman

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Chas. H. Namell

Atty. Gen.

Pleads P. G.

Foreman.

Commodore of Key

FD

Friday

Indictment for Receiving Stolen Goods

John Lawrence

201
CCC

0549

POLICE COURT First DISTRICT.

City and County }
of New York, } ss:

Simon Segal

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

and ^{were} **BURGLARIOUSLY**
entered by means forcibly pushing open a window
which leads from the hallway into said
premises and entering therein

on 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, and
carried away by Emanuel Wayman now present

for 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
to Simon Segal

*16 days of testimony
before me this
16 days of testimony
before me this
1880
Police Quarters*

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
pawnd with one Goodman corner of Centre and
Duane Streets and the Gold chain described in the
aforegoing affidavit was pawnd with one Simpson
in Chatham Square

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

Rachel ^{her} Waxman
_{mark}

J. M. Pardon 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 Rachel
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. Pardon Police Justice

0601

POLICE COURT—FIRST DISTRICT.

CITY AND COUNTY }
OF NEW YORK. } ss.

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 by states as follows, viz:

Question. What is your name?

Answer. Emanuel Waxman

Question. How old are you?

Answer. 13 years

Question. Where were you born?

Answer. England

Question. Where do you live?

Answer. 74 Baxter Street

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
Emanuel Waxman

Taken before me, this
13th
day of July
J. M. P. [Signature]
POLICE JUSTICE.

1880

0602

201 N. J. DISTRICT.
POLICE COURT - DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Simon Dejad
68 Baxterfield St.
vs.
Emmanuel Newman

OFFENCE:
BURGLARY AND LARCENY.

Dated 16 October 1880
Patterson Magistrate.

Quinn Officer.
H. P. Poe Clerk.

James Quinn
14 Second
Richard Chapman
74 Baxterfield St.

Committed to default of \$ 1000 Bail.
Dated by Court
No. Street.



Emmanuel Newman
68 Baxterfield St.

0603

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

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~~ *eighty* 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 ^{aforsaid} 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:~~ *aforsaid as 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.
Wm a Koffmann

Filed 22 day of Oct. 1880
all Plead not guilty -

18
1870
THE PEOPLE
vs. P
Randolph Webb
Daniel Donaldson
Nicholas Green
Felonious Assault and Battery.

17-149724
BENJ. K. PHELPS,
District Attorney.
Part two Oct 22, 1880

A True Bill.

Chas H. Kamm
Oct. 27, 1880 Foreman.
(all)
Tried & Ac. 1. convicted of
Assault and Battery.
Ac. 2 & 3 convicted on second
Ac. 1 & 2
2+3. 4. 5. 6. 7. 8. 9. 10.

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 *April* 1880

Police Justice.

W. W. ...

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.—*215 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

W. C. ...
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 N. 2d 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.

[Signature]
Police Justice.

0612

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 } *J. G. Shelton*
of *October* 18*80* }

McW... 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 Webb

Dated October 16 1888

Magistrate.

Officer.

Clerk.

Witnesses,

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

Francis J. Moller
M. H. Spectator
Committed in default of \$1000 bail.



Bailed by

No.

Street.

16

422
 The People
 Randolph Nett,
 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 Nett and
 Nicholas Green played pool to my knowledge.
 Q Go on and tell everything that passed? They
 came. Nett 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 would I think 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

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 look-
ed 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 ac-
count 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 Mar-
ket and I told them it was a sharp in-
strument 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.

06 16

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 reflection 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 not here. 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

0617

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 75 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. Donallson 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.

0619

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 3rd 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.

0620

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 "Nick" passed in and the cutting was done over in the yard. I am positive Wells said, "Fix him." Donaldson put

0621

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
F. 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. When 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. When 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 Wells ~~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

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 don't know how he got his shoulder cut? No sir. After this struggle when 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 Fourth 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

cue, 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, had ten days leave

0627

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, did not 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

0629

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 753 West Thirty first St. and 466 Eighth
ave. I know Nell. 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 Nell 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
Rudolph Welf, Daniel
Smalson 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 C 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. Mackay 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^l) was admitted to Surg. Wards on Oct 3rd
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 }
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 *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* each 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

0635

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 *John G. Shelton* 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 *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 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.

173.1

Wm A. Keffersham

Filed *27* day of *Oct* 188*0*
Pleas *not guilty*

THE PEOPLE

vs

Randolph Webb
Daniel Donaldson
Nicholas Green

Felonious Assault and Battery.

17. 149th St
BENJ. K. PHELPS,

District Attorney.

Printed by Oct 22, 1880

A True Bill.

John W. Bennett

Foreman

Oct 27, 1880

James O. Bennett & Co
Printers and Stationers
243 Broadway

149th St
Oct 22, 1880

0636

BOX:

23

FOLDER:

287

DESCRIPTION:

Welch, Michael

DATE:

10/07/80



287

0637

49.

Counsel
Filed 7 day of Oct 1880
Pleads

THE PEOPLE
Michael Welch
INDICTMENT
Larceny of Money, &c., from the person
in the night time & see it
29 from 08.

BENJ. K. PHELPS,

District Attorney.

Printed Oct 5, 1880

Filed
A True Bill, S. 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 *the 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 (number)*
*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 moneys
in his possession, that before said Pocket-Book
containing said moneys was so taken.*

Sworn to before me this

Police Justice

he deponent had it in the right hand
Pocket of the Pantaloons then and there
worn by deponent as a part of his bodily
clothing.

Deponent 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

Edwrd. Duffin

State of New York
City and County of New York) SS

James Flynn an officer attached to
the 27th Precinct 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

Sworn to before me this 3d
day of October 1880

Wm. J. [Signature] Justice

Sworn to before me this
3d day of October 1880

Wm. J. [Signature] Justice

0640

Police Court—First District.

CITY AND COUNTY } ss.
OF NEW YORK.

Michael Welch

being duly examined before the under-
signed, 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. No. 220 Broadway, Mulhousburg

Question. What is your occupation?

Answer. Labour

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

Answer. I found the Pocket ^{Book} 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

9th

day of October

18 80

Police Justice

0641

Police Court—First District.

THE PEOPLE, &c,

ON THE COMPLAINT OF

Alvert Keese
Wm. of Detection

Michael Meak

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

A Affidavit Larceny.

from the prison

COUNSEL FOR COMPLAINANT.

Name,

Address,

COUNSEL FOR DEFENDANT.

Name,

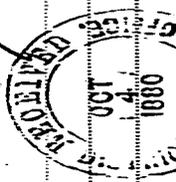
Address,

John C. ...

James Glynn Officer.

27th Precinct

James Glynn 27th Precinct



500 to *General Comd*

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,*

701
100

One pocket book of the value of one dollar

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

aforsaid
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~~ *eighty* at the Ward, City and County aforesaid, with force 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), 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 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 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,

12/10

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 provided, 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

0646

POLICE COURT DISTRICT.

City and County of New York, } ss:

George W. McGrath
of No. 82 Mulberry Street, being duly sworn,
deposes and says, that the premises in aforesaid
Street, 6th Ward, in the City and County aforesaid, the said being a

dwelling where
and which was occupied by deponent as a dwelling where
deponent lives with his family, attempted to be BURGLARIOUSLY
entered by means of framing open a window
leading from the rear to the apartments
occupied by deponent

on the 13th day of October 1880
and the following property feloniously taken, stolen, and carried away, viz:

A quantity of clothing consisting
of men and women's wearing
apparel and things 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 2:30
o'clock on the aforesaid night deponent
was awakened by Mr. Leahy
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 W. McGrath

From Deponent's 1st day of October 1880

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 1860

J. M. Patterson
Notary Public

0648

POLICE COURT—FIRST DISTRICT

CITY AND COUNTY OF NEW YORK

William West
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.

19 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 took

away and did pass through the hallway of 80 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

William West
Taken before me this *16th* day of *October* 1880
POLICE JUSTICE.

0649

174
A
POLICE COURT - DISTRICT.

THE PEOPLE, &c.
ON THE COMPLAINT OF
George McEwen
vs.
82 Mulberry St.
William West

DATE: October 16 1880
D. Paterson
Magistrate.

Officer: Fische 14
Clerk: Michael Dean

Witness: J. Mulberry Street

Committed in default of \$ 100.00 Bail.
JUL 18 1880
Bailed by
Street.
No.

John

attorneys at
BURGLARY OFFENSE

0650

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

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
there situate, feloniously and burglariously did ^{attempt to} 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
61 *Reynolds*

B

Henry Williams

BENJ. K. PHELPS,

District Attorney.

Part No Oct 2 1880

plea de guilty
A TRUE BILL. Filed *16* *1880*

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 Precinct 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 lotter 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 lottery
by the laws of the State of New York

James O'Connor

Sworn to this 31 day of August 1880
before me

William H. ...
Police Justice.

0656

144 208

Form 10.

Police Court--First District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James O'Connor
vs. 1 Precinct

Henry Williams



AFFIDAVIT - No return taken

Dated Aug 31 18 80

Smith Justice.

O'Connor Officer.
1st Prec

500 to O'Connor
Bailed

Bailed by
Luther Horton
257 W. 54th St

0657

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 Williams

late of the _____ Ward, in the City and County aforesaid, on the *Thirtyfirst*
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. 1880*

*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
said drawing*

6376

*P. Rouan
Propt.*

*Quoted Ticket
JTC*

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.

0658

In case of any defect or error in the foregoing, 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 11, 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 issue drawing

6376
P. Roman Proprietor

Quarter Ticket
50 Cts.

1067

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.

CLERK OF THE DISTRICT COURT

BENJ. K. PHELPS, District Attorney.

0659

BOX:

23

FOLDER:

287

DESCRIPTION:

Williams, William

DATE:

10/29/80



287

0660

178 ✓

Day of Trial,

Counsel,

Filed 29 day of

Oct 1880

Pleas

THE PEOPLE

vs.

William M. Williams

William M. Williams

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Chas. N. Marshall

Foreman.

John L. ...
Each guilty

Pen on the year
of fines \$100

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.—

Sailor

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 N. Y.
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 commu-
nication hereto attached and marked
A for identification - said commu-
nication 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 witness-
es 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. [Signature] Police Justice

0663

228
64

Police Court - Second District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

Samuel H. Woodward
12 N. 29th

William H. Williams

Dated, *October 22* 1880

Smith Justice

Williamson Officer,
Central Office

Witnesses,



Committed in default of \$ *500* surety.

Bailed by

No

Street.

Com

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 Patchelder 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
if you send an answer
through post and remember
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, governing
as much as in him lay to set and away one
Alvin M. Woodward, and without thereby to
derive pecuniary benefit for himself and to extract
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 he 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 H. Williams was and it is now,
that is today:

"New York 19th 1880.

Dr Woodard

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 you 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 you 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 Nevada
and their dignity

Benjamin L. Phelps
District Attorney

0669

BOX:

23

FOLDER:

287

DESCRIPTION:

Wilson, Thomas

DATE:

10/11/80



287

0670

74
Crown

Counsel,
Filed 11 day of Oct. 1882
Reads

INDICTMENT
Larceny from the person.

THE PEOPLE

vs.

Thomas Wilson

[Signature]

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Chas. H. Starnes

Foreman.

[Signature]

Jordan

[Signature]

2.9.6 Mad *[Signature]*

0671

Police Court—Third District.

Thomas Wilson

being duly examined before the under-
signed, 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.—*Headwaiter*

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

3rd

day of

Oct

1911

Police Justice.

W. J. Gallagher

0672

GLUED PAGES

0673

AFFIDAVIT—Larceny.

POLICE COURT—

COUNTY } ss.
NEW YORK }

James H. Harrison (Glover)

73. Navy Street Brooklyn 145. Degray St. Buchanan Land Brooklyn

being duly sworn, deposes and says, that on the 3 day of October 1880
at the ~~in~~ ~~City~~ ~~of~~ ~~New~~ ~~York~~, City of New York,
in the County of New York, was feloniously taken, stolen and carried away from the possession

of ~~the~~ ~~deponent~~ ~~person~~

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

the property of the 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
A. J. Morgan
Police Justice.

0674

DISTRICT POLICE COURT

THE PEOPLE, & OF
ON THE COMPLAINT OF

AFFIDAVIT
Larceny

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

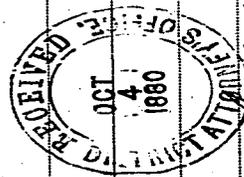
James Wilson

DATED *Oct 3* 1980

Maguire MAGISTRATE.

Seapleton OFFICER

WITNESSES: *Sgt. Warden 7 Oct 11*



DISPOSITION *\$1500 bond*

0675

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 *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 *Oct* 1880
Pleas *Not Guilty* with leave
to withdraw

Violation of Lottery Laws.

THE PEOPLE

vs.

Wm. H. Whitcomb
Defendant

BENJ. K. PHELPS,

District Attorney.

A True Bill.

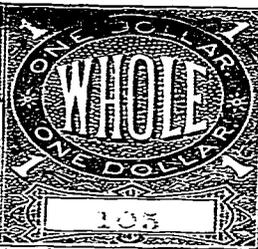
Foreman.

Chas. R. Hamill

James P. ...
Foreman

Filed

0678

 <p>CLASS</p> <p>I</p>	<p>ONE DOLLAR</p>	<p>KENTUCKY STATE LOTTERY COMPANY</p> <p>TO BE DRAWN AT COVINGTON, KY. } Tues., Aug. 31, '80.</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>	 <p>ONE DOLLAR</p> <p>WHOLE</p> <p>ONE DOLLAR</p> <p>105</p> <p><i>J. Birds. Jr. & Co.</i></p>
--	-------------------	--	--

0579

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

0580

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

William F Mc Gram
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 ^{Licket} ~~Policy~~, and which said Lottery ^{Licket} ~~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 19
day of August 1880

[Signature]

Police Justice.

William F. Mc Gram

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 Wright

Taken before me this

day of

Police Justice

1887

0682

Form 96

130

Police Court—First District.

COUNSEL FOR COMPLAINANT.

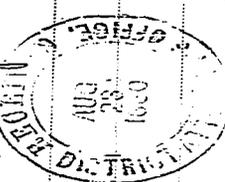
Name, *Edwards*
Address, *Division St.*

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William M. Lamm
Central Office

vs. *Charles Knight*



Violation of Ordinance
Office, *Central Office*

BAILED,

No. 1, by *Joseph Bourne*

Residence *46 Division St.*

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

Dated *19 August* 18*90*

W. M. Lamm Magistrate.

W. E. Lamm Officer.

CO Clerk.

COUNSEL FOR DEFENDANT.

Name, _____
Address, _____

\$ *1000* to answer.

General Sessions *Bailey*

Received in Dist. Atty's Office,

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

Charles Wright

late of the Eighth Ward, in the City and County aforesaid, on the fifteenth
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'Connell

and did procure and cause to be procured for the said

William O'Connell

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

is commonly called a lottery ticket

is as follows, that is to say:

\$ 1000
 2
 1
 m
 A

Lohedraon
 at Georgetown
 Ticket entitles the holder to the prize
 drawn by its number, if applied for
 within twelve months from date.
 Payable without deduction.

Ticket No 39915

one dollar
 whole
 one dollar
 /
 /
 Paddy
 J. Huidt 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.

