

0048

**BOX:**

500

**FOLDER:**

4560

**DESCRIPTION:**

Stone, George

**DATE:**

10/24/92



4560

Witnesses:

Wm T Neward

Philip  
H. H. H.

1919  
J. M. H.

Counsel,  
Filed day of Dec 189

People,  
M. H. H.

THE PEOPLE

vs.

Harry Walker  
and  
George Stone

Grand Larceny, Second Degree,  
[Sections 528, 529, 530 Penal Code.]

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

B. Bookwood  
Foreman.

161897  
1919  
E. J. H. H.  
C. H. H.

Court of General Sessions.

-----o  
 :  
 The People :  
 :  
 vs :  
 :  
 George Stone :  
 :  
 -----o

City and County of New York, ss:-

HENRY STONE being duly sworn, deposes and says, that he resides at No. 166 East 64th Street, in the City of New York. That the above named defendant is deponent's brother. That up to the time of the arrest in this case had never been arrested before for any offence. That the defendant had always worked hard and industriously, and up to the present arrest had an excellent reputation.

Sworn to before me this : *Henry Stone*  
 :  
 31st day of October 1892 :

*James J. Hume*  
*Com. of Deeds,*  
*N.Y.C.*

Court of General Sessions.

-----  
 :  
 The People :  
 vs :  
 George Stone :  
 -----

City and County of New York, ss:-

JOHN MURPHY being duly sworn deposes and says, he resides at No. 166 East 34th Street in the City of New York. That he has known the above named defendant all his life and deponent boarded with the defendant for the past four years with the exception of two months. That all through his life defendant has sustained an excellent reputation for honesty and industry.

Sworn to before me this :  
 31st day of October 1892. :

*John Murphy*  
*James S. Finnan*  
 Commr. of Deeds.  
*N.Y.C.*

210

U. S. Court of Gen. Sess.

*The People*  
Plaintiff

against

*George Stone*  
Defendant

*Affidavits*

PURDY & McLAUGHLIN,  
Attorneys for *Deft*  
No. 280 BROADWAY, New York City

Due and timely service of cop of the  
within hereby admitted  
this day of 18  
Attorney.

To.....  
.....

Court of General Sessions.

-----o  
 The People :  
 vs :  
 Harry Walker :  
 -----o

City and County of New York, ss:-

CHARLES PASCHON, being duly sworn deposes and says,  
 that he resides at No. 262 West 35th Street, in the City of New  
 Merk. That he has known the above named defendant for about  
 one year. That up to the arrest in the present case, the de-  
 fendant has sustained a good reputation among all who know  
 him.

Sworn to before me this :  
 1st day of November 1892 :

*Ch. Buschong*

*James S. [unclear]  
 Commissioner of Deeds  
 [unclear]*

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

..... being duly  
sworn, says that he resides at No. .... Street, in the City of  
New York; that he is ..... years of age; that on the ..... day of .....  
18 ....., at Number ..... in the City of  
New York, he served the within ..... on .....  
the ..... by leaving a copy thereof with .....

Sworn to before me this  
day of ..... 189 }

*J. J. Linnell*

*The People*  
Plaintiff

against

*Harry Galbraith*  
Defendant

*Affidavit*

*J. PURDY & MCLAUGHLIN,*  
Attorneys for

No. 280 BROADWAY, New York City

Due and timely service of cop of the  
within hereby admitted  
this day of ..... 18  
Attorney.

To .....

0055

**PART I.**

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

*Justice of the Peace*  
SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE. 1701

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

To *Sup<sup>v</sup> Sheldon & Howard*  
of No. \_\_\_\_\_ Street \_\_\_\_\_

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of *NOVEMBER* 1892, at 10.30 o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

*Harry Walker et al*

Dated at the City of New York, the first Monday of *OCTOBER* in the year of our Lord 1892.

DE LANCEY NICOLI, *District Attorney.*

Police Court 2 District. Affidavit—Larceny.

City and County }  
of New York, }  
deposes and says, that on the 12 day of October 1892 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

William J. Newell  
of No. Hotel Normandie Street, aged 27 years,  
occupation Hotel Clerk being duly sworn,  
or about  
a quantity of jewelry  
of the value of about two hundred and  
fifty dollars \$ 250 —

the property of C. J. Left and in deponent's  
Case

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 Harry Walker and Geoff

Stone, both now here. The said property was stolen out of Room No 9 Hotel Normandie on said date. The said Stone was an slender boy in said Hotel, and the said Walker was a hall waiter, and both defendants confessed to deponent that they had stolen said property on said date, and deponent is informed by detention Jammal E. Sheehan now here that on Oct 14 1892 both the defendant also confessed to him that they had committed said larceny and they gave information on which said property was discovered in their possession.

William J. Newell

Sworn to before me this 12 day of October 1892  
John J. [Signature]  
Police Justice.

0057

CITY AND COUNTY }  
OF NEW YORK, } ss.

1877.

*Samuel G. Sheldon*

aged *46* years, occupation *Religious* of No.

*Central Ave* Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *Wm. T. Newell*

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

Sworn to before me, this

day of *October* 17, 189*2*

*Samuel G. Sheldon*

*John Ryan*  
Police Justice.

0058

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

George Stone

Question. How old are you?

Answer.

25 years

Question. Where were you born?

Answer.

England

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

Answer.

166 East 34th St 2 1/2 years

Question. What is your business or profession?

Answer.

The business

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

Answer.

I did not steal anything  
George Stone

Taken before me this 17  
day of Sept 1917  
John P. [Signature]  
Police Justice.

0059

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK.

Harry Walker

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

Question. What is your name?

Answer. Harry Walker

Question. How old are you?

Answer. 16 years. Nearly 16 years

Question. Where were you born?

Answer. N. S.

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

Answer. 267 W. 115 St, 7 months

Question. What is your business or profession?

Answer. Hack boy

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

Answer. I have nothing to say  
Harry Walker

Taken before me this

17

day of

John R. [Signature]

Police Justice.

0050

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

Henry Walba & Geo Stone

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

Dated, Oct 17 189

John Ryan Police Justice.

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

Dated, \_\_\_\_\_ 189

Police Justice.

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

Dated, \_\_\_\_\_ 189

Police Justice.

4299

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Wm J. Newell  
Fred George  
Harry Walker  
Geo Stone

Offense  
Larceny  
Felony

Dated, Oct 17 189

Bryan Magistrate.  
Sheldon Head Officer.

Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ 1000 to answer G.S.

Handwritten signature and initials

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

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

THE PEOPLE OF THE STATE OF NEW YORK

against  
*Harry Walker*  
*and*  
*George Stone*

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

*Harry Walker and George Stone*  
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed  
as follows:

The said *Harry Walker and George Stone, both*

late of the City of New York, in the County of New York aforesaid, on the *12th*  
day of *October* in the year of our Lord one thousand eight hundred and  
ninety-*two* at the City and County aforesaid, with force and arms,

*fourteen scarf-pins of the value of*  
*five dollars each, twelve studs*  
*of the value of ten dollars each,*  
*two rings of the value of ten dollars*  
*each, two pair of sleeve buttons of the*  
*value of five dollars each pair, and*  
*divers other articles of jewelry of a*  
*number and description to the Grand*  
*Jury aforesaid unknown, of the value*  
*of one hundred dollars*  
of the goods, chattels and personal property of one *Charles G. Jeff*

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

SECOND COUNT—

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

*Harry Walker and George Stone*  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *Harry Walker and George Stone, both*

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

*the same goods, chattels and personal property described in the first count of this indictment.*

of the goods, chattels and personal property of one

*Charles G. Jefft*

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

*Charles G. Jefft*

unlawfully and unjustly did feloniously receive and have; the said

*Harry*

*Walker and George Stone*

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

DE LANCEY NICOLL,

*District Attorney.*

0064

**BOX:**

500

**FOLDER:**

4560

**DESCRIPTION:**

Walker, James

**DATE:**

10/14/92



4560

Before comic of Prob-  
Served 2 yrs 11 mos - RBH

Witnesses:  
John Kehoe

.....  
.....  
.....  
.....

~~Constant~~  
Counsel,  
Filed *M. D. C.* 1892  
Pleads *Inguilty*

THE PEOPLE  
26 Foreman  
282 Jurors  
*P*  
James Walker  
Assault in the First Degree, Etc.  
(Sections 217 and 218, Penal Code.)

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*B. Leonard*  
Foreman.  
Part 3. Oct 18/92  
Pleads. Assault 2<sup>d</sup> deg  
S.P. 5-1405 - RBH

0065

Police Court - 3 District.

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

of No. 336 E 40<sup>th</sup> Street, aged 26 years,  
occupation *Carrigan Maker* being duly sworn  
deposes and says, that on the 1<sup>st</sup> day of *Sept* 1887 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

*James Walker*

who did cut and stab  
deponent in the arm  
with a pocket knife  
which he then and there held  
in his hand

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

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

Sworn to before me, this 2<sup>nd</sup> day  
of *Sept* 1887

*John Keough*  
Police Justice.

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

*James Walker*

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

Question. What is your name?

Answer. *James Walker*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *Delaware*

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

Answer. *78 3 73 22nd Street 14 months*

Question. What is your business or profession?

Answer. *Writer*

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

Answer. *Call me fully  
James Walker*

Taken before me this *7th* day of *Oct* 189*7*

Police Justice *[Signature]*

0068

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

*DeFendau*

*DeW* guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *200* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail

Dated, *Oct 3* 189*2*

*[Signature]*

Police Justice.

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

Dated, 189

Police Justice.

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

Dated, 189

Police Justice.

Ev Oct 3<sup>d</sup> 1892  
9<sup>30</sup> A.M.  
*[Signature]*

1245

Police Court, 2<sup>d</sup> District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John Kehon*  
336<sup>th</sup> & 40<sup>th</sup>  
*James Walker*

*[Signature]*  
Offense

BAILED,

No. 1, by .....  
Residence ..... Street.

No. 2, by .....  
Residence ..... Street.

No. 3, by .....  
Residence ..... Street.

No. 4, by .....  
Residence ..... Street.

Dated, *Oct 2<sup>nd</sup>* 1892

*10<sup>th</sup> Ave* Magistrate.

*Place* Officer.

Precinct.

Witnesses

*Robert Gillman*

No. *144 E 97<sup>th</sup>* Street.

*Geo. Gallagher*

No. *114 Allen* Street.

No. \_\_\_\_\_ Street.

§ *1000* to answer *[Signature]*

FORFEITED

*[Signature]*

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

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*James Walker*

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

*James Walker*

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

The said

*James Walker*

late of the City of New York, in the County of New York aforesaid, on the *first*  
day of *October* in the year of our Lord one thousand eight hundred and  
ninety-*two*, with force and arms, at the City and County aforesaid, in and upon  
the body of one *John Keough* in the peace of the said People  
then and there being, feloniously did make an assault and *him* the said  
*John Keough* with a certain *knife*

which the said  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and  
wound,

*James Walker*

with intent *kill* the said *John Keough*  
thereby then and there feloniously and wilfully to kill, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York and  
their dignity.

SECOND COUNT—

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

*James Walker*

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

The said

*James Walker*

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,  
at the City and County aforesaid, with force and arms, in and upon the body of the said  
People then and there being, feloniously did wilfully and wrongfully make another assault,  
and *him* the said *John Keough*  
with a certain *knife*

which the said  
in *his* right hand then and there had and held, the same being a weapon and  
an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully  
and wrongfully strike, beat, cut, stab and wound, against the form of the statute in such case  
made and provided, and against the peace of the People of the State of New York and their  
dignity.

*James Walker*

THIRD COUNT—

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

*James Walker*

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

The said

*James Walker*

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the said

*Keough* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault and *him* the said

with a certain *knife* *John Keough*

which *he* the said

*James Walker*

in *his* right hand then and there had and held, in and upon the

*arm* of *him* the said

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said

*John Keough*

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

*John Keough*

DE LANCEY NICOLL, District Attorney.

0072

**BOX:**

500

**FOLDER:**

4560

**DESCRIPTION:**

Walker, Walter

**DATE:**

10/26/92



4560

Witnesses:

Witness signature lines

*[Signature]*  
Counsel  
Filed *[Signature]* day of *[Signature]* 1892  
Pleads,

Grand Larceny, (Sections 628, 637,  
Penal Code.)  
*[Signature]*

THE PEOPLE

vs.

Walter Walker

*76*  
*HINTS*

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*B Lockwood*

Foreman.

*[Signature]*  
*[Signature]* 2 day

*Pen one year*

Police Court

District.

Affidavit—Larceny.

City and County }  
of New York, } ss:

Mary E. Van Wie

of No. 41 West 49th Street, aged 47 years,  
occupation Keep Boarding House being duly sworn,

deposes and says, that on the 17 day of October 1892 at the City of  
New York, in the County of New York, was feloniously taken, stolen and carried away  
from the possession of deponent, in the day time, the following property, viz:

One Suzanne fur coat having  
the value fifty dollars and one black  
quilt of the value of Fifty dollars  
together of the value of One hundred dollars  
\$ 100.<sup>00</sup>/<sub>100</sub>

the property of deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloni-  
ously taken, stolen and carried away by Walter Walker (number)  
from the fact that said defendant  
was in the employ of deponent as a  
waiter, and deponent missed the  
said property and caused the  
arrest of said defendant by Officer  
Joseph O'Rourke of the 23 Precinct who  
informed deponent that he found concealed  
in a room occupied by said defendant in  
the premises 237 W. 47th St. Deponent has  
since seen the said property found by said  
Officer and fully and positively identified it  
as the property taken, stolen and carried  
away from deponent's possession and adds that  
said defendant may be dealt with as the law directs

Mary E. Van Wie

Sworn to before me, this

28

day

of

October

1892

at

the City of

New York

County of

New York

Justice

4759

Charles W. Stewart, Police Justice.

0075

Sec. 198-200.

X

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss:

*Walter Walker*

signed according to law, on the annexed charge, and being informed that it is his right to enable him if he sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *Walter Walker*

Question. How old are you?

Answer. *26 Years*

Question. Where were you born?

Answer. *Ind.*

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

Answer. *141 West 53 Street. 2 Years*

Question. What is your business or profession?

Answer. *Writer*

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

Answer. *I am guilty*

*Walter Walker*

Taken before me this

day of

*Dec 11 1897*

*Charles A. Switzer*

Police Justice.



1166

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Mary E. Van Dyke*  
*41 West 49*  
*Walter Walker*

*Wm. C. Carson*  
Offence

1  
2  
3  
4

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street

Dated *Oct 20* 1892

*Linton* Magistrate.

*Wm. C. Carson* Officer.

*23* Precinct.

Witnesses .....

No. .... Street.

No. .... Street.

No. .... Street.

to answer *W. C. Carson*

*Comm* *gt*

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Walter Walker

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

Walter Walker

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

The said Walter Walker

late of the City of New York, in the County of New York aforesaid, on the 17th day of October in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, with force and arms,

one quilt of the value of fifty dollars, and one fur cloake - lining of the value of fifty dollars

of the goods, chattels and personal property of one

Mary E. Van Wie

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

De Lancey Nicoll  
District Attorney

0079

**BOX:**

500

**FOLDER:**

4560

**DESCRIPTION:**

Walter, Carl

**DATE:**

10/26/92



4560

Witnesses:

Vertical lines for witness signatures.

*[Signature]*  
Counsel,  
Filed *26* day of *Oct*  
189*2*  
Plends,

Grand Larceny, *Second Degree*,  
[Sections 528, 58/  
Penal Code.]

THE PEOPLE

vs.  
*Carl Walter*

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*[Signature]*  
Foreman.

*[Signature]*  
*[Signature]*  
*[Signature]*

CITY AND COUNTY }  
OF NEW YORK, } ss.

William A. Murphy  
aged \_\_\_\_\_ years, occupation Police Officer of No. 23-Pruned Palace Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Samuel Metzger and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 22 day of Oct 1893 } William A. Murphy

Charles W. Lantier  
Police Justice.

0082

Police Court ✓ District. Affidavit—Larceny.

City and County }  
of New York, } ss:

Simon Vertzberg

of No. 157 East 50<sup>th</sup> Street, aged 33 years,

occupation Delicatessen being duly sworn,

deposes and says, that on the 12 day of October 1892 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

One Gold Watch and Chain  
a pair of silver Earrings, One Gold  
finger Ring, and gold and lawful  
money of the United States to the amount  
of forty one dollar and together of  
the value of about One hundred & twenty  
five dollars  
125.00/100

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Carl Walter (number)

from the fact that said property  
was in a room in the abovementioned  
and the said defendant was in the  
employ of deponent and being with deponent  
said defendant left deponent's employ  
on said date and after the departure  
of said defendant deponent missed  
the said property. Deponent caused  
the arrest of said defendant by Officer  
William A. Murphy of the 23<sup>rd</sup> Precinct  
who informed deponent that he found  
in the possession of said defendant  
two train tickets representing a watch and  
Chain. Deponent has seen the said

Sworn before me, this 1892 day of October 1892  
Police Justice.

Notes and chain represented by said  
pawn tickets and fully identifying them  
as part of the property taken stolen and  
carried away from deposit possession  
Said defendant admits and confesses  
that he did take said and carry  
away said property. Depositor therefore  
asks that said defendant may  
be dealt with as the law directs.

Subscribed before me this } Simon Würzburger  
22 day of October 1922 }

Charles N. Lanta  
Public Justice

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK. } ss:

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

Question. What is your name?

Answer. *Carl Walter*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *123 Bloomfield Street Hoboken N.J. 5 months*

Question. What is your business or profession?

Answer. *Waiter*

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

Answer. *I am guilty*

*Carl Walter*

Taken before me this

day of

*Nov*

189*8*

*Charles J. Daniels*

Police Justice.

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

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

Dated Oct 23 1882 Charles M. Linton Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

0088

1324

Police Court--- / District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Simon Vertzberg*  
*159 E 30*  
*Carl Walter*

*Laney*  
Offence

1  
2  
3  
4

BAILED,

No. 1, by .....  
Residence ..... Street.

No. 2, by .....  
Residence ..... Street.

No. 3, by .....  
Residence ..... Street.

No. 4, by .....  
Residence ..... Street.

Dated *Oct 22* 18*92*

*Lamton* Magistrate.

*Det. W. H. Murphy* Officer.

*23* Precinct.

Witnesses .....  
No. .... Street.

No. .... Street.

No. *500* to answer *Lil.* Street.

*Conner* *gt*

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Carl Walter

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

Carl Walter

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

The said Carl Walter

late of the City of New York, in the County of New York aforesaid, on the 13th day of October in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, with force and arms,

the sum of forty-one dollars in money, lawful money of the United States of America, and of the value of forty-one dollars, one watch of the value of fifty dollars, one chain of the value of twenty-five dollars, one pair of earrings of the value of ten dollars, one finger ring of the value of twenty dollars,

of the goods, chattels and personal property of one Simon Würzburger

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

De Launcey McCall District Attorney

0000

**BOX:**

500

**FOLDER:**

4560

**DESCRIPTION:**

Waskoski, Frank

**DATE:**

10/06/92



4560

Witnesses:

*S. W. Wojanowski*

*off Bryan*

Counsel,

Filed

Plends,

*3*  
*Am. J. A. [unclear]*  
*day of Oct 1892*

*Wojanowski*

THE PEOPLE

vs.

*Frank Waszkowski*

*H.P.*

*[Signature]*

DE LANCEY NICOLL,  
District Attorney.

Grand Larceny, (Second Degree, Sections 688, 687, Penal Code.)

A TRUE BILL.

*B. Brockwood*

Foreman.

*[Signature]*

*[Signature]*

*[Signature]*

Police Court— District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. East New York Stanislaus Wajsforsig  
Street, aged 24 years,  
occupation Laborer being duly sworn,

deposes and says, that on the 23 day of Sept 1892 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

Thirty dollars gold and lawful money of the United States

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 Frank Waszkowski (now here)

for the reason that on said date deponent asked deponent to give him the said money and that he would send the same for him to Poland. After deponent had given deponent his money deponent ran away with the same. Wherefore deponent charges the deponent with Larceny.

Stanislaus Wajsforsig  
mark

Sworn to before me, this 26 day of Sept 1892  
of [Signature]  
Police Justice.

0091

(1895)

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer. Frank Waskaki

Question. How old are you?

Answer. Seventeen years

Question. Where were you born?

Answer. Poland

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

Answer. East New York 5 months

Question. What is your business or profession?

Answer. Farmer

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

Answer. I am not guilty

Frank Waskaki

Taken before me this 20

day of 1897

Police Justice.

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

*Alford*

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

Dated, *Sept 26* 189 *h* *W. J. ...* Police Justice.

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

Dated, ..... 189 ..... Police Justice.

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

Dated, ..... 189 ..... Police Justice.

1235  
1934

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Stanislaus Wazysinski*  
vs.  
*Frank Wazyski*

Offense *Wazyski*  
*Fulm*

2  
3  
4

Dated, *Sept 26* 189 *2*  
*M. M.* Magistrate.

*Brylan* Officer.  
*Complainant* Precinct.

Witnesses *in house of detention*  
No. Street.

No. Street.

No. Street.  
\$ *1000* to answer *G.S.*

*Committed* *gk*

BAILED,

No. 1, by  
Residence Street.

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

0094

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, DISTRICT.

of No. 2nd Precinct Patrick Brogan  
occupation Physician Street, aged 41 years,  
that on the \_\_\_\_\_ day of \_\_\_\_\_ being duly sworn, deposes and says

at the City of New York, in the County of New York. Stanislaus Wojcieszyn 189

(not due) is a material witness against Frank Waskowski charged with Grand Larceny. He deposes that he came to think that the said Stanislaus will not appear in Court to testify when wanted - he proposes that he be committed to the House of Detention as a witness in default of one hundred dollars bail.

Patrick Brogan

Sworn to before me, J.P.S. of \_\_\_\_\_ 189 \_\_\_\_\_

John J. [Signature]  
Police Justice

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Frank Waskoski*

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

*Frank Waskoski*  
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed  
as follows:

The said

*Frank Waskoski*

late of the City of New York, in the County of New York aforesaid, on the *25th*  
day of *September* in the year of our Lord one thousand eight hundred and  
ninety-*two*, at the City and County aforesaid, with force and arms,

*the sum of thirty dollars in  
money, lawful money of the  
United States of America,  
and of the value of thirty  
dollars.*

of the goods, chattels and personal property of one

*Stanislaus Wajofossig*

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

*De Laurey Nicoll  
District Attorney*

0096

**BOX:**

500

**FOLDER:**

4560

**DESCRIPTION:**

Waters, Alfred

**DATE:**

10/26/92



4560

Witnesses:

*John*  
Counsel,  
Filed *26* day of *Oct* 189*9*  
Pleads, *Not guilty*

[Section 498, *De Lacey*,  
Burglary in the Third Degree.]

THE PEOPLE

*17 Court St.  
106 Cabot St.  
N.Y. City*  
*Alfred Waters*

*Part 2 - Mr. 14/189#*  
DE LANCEY NICOLL,  
District Attorney,  
*trial and counsel*  
*Erwin R.*

A TRUE BILL.

*B. Toolewood*

Foreman,  
*Part 2 - 11 Nov 1899*  
*Nov 15 4.30*  
*W. H. R.*

Police Court 1st District.

City and County } ss.:  
of New York,

of No. 71 Madison Street, aged 33 years,  
occupation Fruit dealer being duly sworn

deposes and says, that the premises No. 128 1/2 Baxter Street, 6th Ward  
in the City and County aforesaid the said being a basement in the 4  
Story brien building  
and which was occupied by deponent as a Fruit basement  
and in which there was at the time <sup>no</sup> human being, ~~by some~~

were **BURGLARIOUSLY** entered by means of forcibly prying off one  
of the front doors leading to said basement  
from the hinge to which it was  
fastened.

on the 31st day of October 1899 in the evening time, and the  
following property feloniously taken, stolen, and carried away, viz:

Good and lawful money of the  
United States consisting of  
Bank notes and bills, silver and  
golden coins together of the value  
of  
Five hundred 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 <sup>accounted to be</sup> taken, stolen and carried away by

Nepred Waters (now where)

for the reasons following, to wit:

That on the night of the  
30th day of October 1899 deponent is informed  
by Giovanni Matranga of 128 1/2 Baxter  
Street who is a creditor for deponent, that  
he perceived & opened & fastened said door  
by means of loose and that said  
door was then an old hinge and said  
hinge was whole and unbroken and  
said property was in a drawer in a

table in said basement and dependent  
was performed by Dennis McCabunt a  
police officer of the 6th Precinct police  
that he found said defendant in the  
said basement of said premises about  
the hour of 1:30 o'clock am on the morning  
of the 21st day of October and found said  
door broken off of the hinge and the  
said door open and said McCabunt  
arrested him and dependent therefore  
charges said defendant with the  
Burglary of said.

I swear to before me } Salvatore Strano  
this 21st day of October }  
[Signature]

Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
of the City of New York, until he give such bail.  
Dated 1881  
Police Justice

I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1881  
Police Justice

There being no sufficient cause to believe the within named  
guilty of the offence within mentioned, I order he to be discharged.  
Dated 1881  
Police Justice

Police Court, District  
THE PEOPLE, &c.,  
on the complaint of  
vs.  
1  
2  
3  
4  
Dated 1881  
Magistrate  
Officer  
Clerk  
Witnesses  
No. Street  
No. Street  
No. Street  
to answer General Sessions.

0 100

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 27 years, occupation Clean of No. 138 1/2 Bayter Street, being duly sworn deposes and

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

Sworn to before me, this 21 day of October 1898 Giovanni Mazzuca  
Police Justice.

0-10-1

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Dennis McCahan*  
aged *38* years, occupation *Police officer* of No.

*6th Precinct* Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Salvatore Straus*

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

Sworn to before me, this *21<sup>st</sup>* day of *October* 188*8* by *Dennis McCahan*

*W. M. ...*  
Police Justice.

0102

(1835)

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court

*Alfred Waters*

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

Question. What is your name?

Answer.

*Alfred Waters*

Question. How old are you?

Answer.

*16 years.*

Question. Where were you born?

Answer.

*United States*

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

Answer.

*136 Bayler Street 13 years*

Question. What is your business or profession?

Answer.

*Printer*

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

Answer.

*I am not guilty*

*Alfred Waters*

Taken before me this

*21st*

day of *October* 189*4*

*Alfred Waters*  
Police Justice.

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

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

Dated, *Jan 21* 189..... *J. W. McNeal* Police Justice.

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

Dated,..... 189..... *J. W. McNeal* Police Justice.

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

Dated,..... 189..... *J. W. McNeal* Police Justice.

0104

Police Court--- District.

1930

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Signature Shaver*  
*71 1/2 ...*  
*Speed Water*

2  
3  
4

Offense

BAILED,

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Dated, *Oct 21* 1930  
*W. ...* Magistrate.

*W. ...* Officer.  
6<sup>th</sup> Precinct.

Witnesses *Gianna Mat...*  
No. *128 1/2 Boston* Street.

*Lucas ...*  
No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.  
\$ *3.00* to answer *...*

*C* *B...*

Court of General Sessions,  
City and county of New York.

-----x  
 The People : Before the  
 : Hon. Rufus E. Cowing  
 vs : and a jury.  
 Alfred Waters :  
 -----x

Indicted for burglary in the third degree.  
 Indictment filed October 26th, 1892.  
 Tried November 17, 1892.

-----  
 Appearances .  
 Assistant District -Attorney Bedford for the People .  
 Morris for the defence.  
 -----

S A L V A T O R E S T R A M CALLED BY THE PEOPLE BEING  
 duly sworn testified that his business was a fruit deal-  
 er at 128 1/2 Baxter street in New York; that on the  
 21st of October, 1892 there was in the basement \$500 in  
 cash and about \$200 worth of merchandise consisting  
 of fruit .. Witness left his store about 10 oclock  
 P. M. securely locked. The next day about 8 o'clock

A. M.

A. M., when witness came there the door was off its hinges and thrown down. Witness lost nothing in the store. The store was kept in the basement over which was an iron grating and the fruit was kept back of the iron grating. To get into witness's premises the door that was unhinged must be entered first. Witness did not examine the hinges the night before, but the door was in good order. It is a new iron door, and is locked with a padlock and the hinges were in good order. The door is in two pieces, and when it is locked it comes together and is locked in the centre. The door that was unhinged was the lefthand side door; the hinges were attached to a wooden frame. Did not see the party who removed the door but know from the description of the police who it is. Witness examined the upper hinge of the left hand door, the other hinges and everywhere every time that he went down into the basement, as it was his interest to do so. One hinge was like the other; the hinge in question was not broken.

There is another door in the back of the store bolted up upon which witness put besides a large size lock; and it was impossible to come through that door.

There is another door to the premises but at the time of the breaking that door was boarded up, and since witness has taken another basement he has opened said door that communicates with the two basements .

G E R O G E M A Z Z U C H E being duly sworn testified that he was employed by the fruit dealer Stram at 128 1/2 Baxter street, and was there on the night of October 20th, 1892, until 10 oclock when he locked up the place. At the time he locked the door it was on its hinges and in a proper condition; he then went to bed. At half past one oclock A. M. witness was called by a policeman and went with him down into the basement, and found the defendant inside of the basement where the \$500 was. Defendant was just behind the other half of the door with his hands crossed. At half past one o'clock A. M. there were five policemen and a brother of the defendant was there with a light. There were other people there besides from the neighborhood on the sidewalk. In the basement with the defendant were three policemen, witness and two of defendant's friends .. The defendant did not speak and the officer arrested him and took him to the Station House. Witness went to the

station house and was present at the time the officer made a charge against the defendant. Witness had met the defendant before the occurrence in question, because he refused to come every now and then and help witness do his work as an extra hand; and he was paid for his work as soon as it was done. On the day before the burglary witness saw the defendant as he helped him carry some fruit down into the basement from the street. The \$500 was kept in a till locked up in the store, part in bills and the rest in silver. The defendant was present many times when witness had taken money out of the till. The \$500 belonged to Salvatore Stram. There were six persons employed in the store. Defendant at three o'clock P. M. on the 20th of October worked for half an hour or about an hour carrying grapes from the sidewalk into the basement. There was no fixed price for defendant's labor; sometimes witness gave him 5 cents, sometimes 10 cents, and sometimes treated him to grapes. On the 20th October witness did not give defendant any thing, but opened the drawer to pay the cartman, and defendant was in basement near witness; do not know if defendant saw it.

D E N N I S M c G R O G E N being duly sworn testified that he was an officer attached to the 6th Precinct and was on duty on the night of October 20th, 1892, and answered the call or rap about half past one o'clock A. M. Witness was about half a block away from 128 1/2 Baxter street. When he arrived there, there was an officer of the 10th Precinct there and two officers from witness' precinct, defendant's mother and brother. Witness was informed there was a burglary committed and he went down in the basement, and found the iron door off the upper hinge, and there were two half doors attached by a chain and lock; and witness saw the defendant inside of the store alone. By pressure witness could get in the door. Witness asked the defendant what he was doing there, and defendant said that about 11 o'clock P. M. his brother had sent him down for cigarettes that the money had slipped out of his hand and fallen down there, and he was afraid of his brother because he lost his money, and had broke into the store and tried to get the money. The door was an iron barred door at the bottom of 6 or 7 steps from the sidewalk. That money could not drop in but could be thrown in.

Witness saw defendant's brother there with a lamp and his mother also. At the time witness conversed with defendant witness saw his brother on the sidewalk. Do not know how long the other officers had been there before witness got there. It was witness' beat.. There is an iron grating in front of the premises leading down into the cellar on either side, but anything dropped through that would not get into the store, and nobody would have to go into the store to get it. In order to get under the grating without going through the door, there is an open space in the steps, and the door is about 12 inches from the lower steps. It is altogether hidden, and you can only see it from the top. The store itself is only the basement of a tenement house. When one gets through the iron doors they do not lead under the grating but into the store. One can get in from the side of the steps; do not know of any way of a person in the store getting from the store under the grating.

ALFRED WATERS, the defendant, called by the defence, being duly sworn testified that he was 16 years old and resided at 126 Bazter street. He remember

ed

0111

ed the night of the 20th of October, 1892. At half past 11 o'clock that night defendant's brother sent him for some cigarettes and gave him five pennies and a 5 cent piece. As he was going along by the grating in front of the premises in question defendant hit his hand against a rail and felt a stinging sensation in his arm and the money fell out of his hand and rolled into the basement. Defendant started to go into the basement and found two of the pennies on the steps, and was trying to get the rest of the money with a big stick but could not reach it. Defendant discovered that the hinges on the door were loose and he went to get the money inside, but his foot got caught by a nail on the door and he cried for help. Two policemen came there and his brother came down with a light and stood by the door. One policeman hit him in the face, and he was brought to the station house by two policemen. When the policeman rapped, the other policemen came, but his mother and brother were there before that, and the other people. Defendant did not work for the last witness on the day before in the premises in question and never saw any money there. Defendant hung there

by his feet head downward calling for help only a few minutes, and the officer that first came defendant believes his name is Burk.

A boy came first and went up stairs for the Italians. The Italians came down and opened the door, and took defendant's feet out. Then defendant went inside and picked up the money and showed it to officer Burk. The door was not down on the ground. Defendant pushed the door when it was loose on its top hinges half way in, and one foot got caught in the grating. When defendant was crying for help, a young man was walking in the street, and he went for a policeman. The policeman came down to defendant and took his foot out. He only hung a few minutes. Another officer came after him and they took him to the station house. The Italians did not take his foot out.

Defendant left the Penitentiary August 28th, after being there 2 months for the crime of petty larceny. It was half past 11 o'clock when defendant left to go for the cigarettes and he lost the 10 cents; but found two of the pennies on the steps of the basement. In the meantime witness brother came down for him, and

when defendant saw him he ran up towards Grand street for fear of him, and his brother was looking all around but did not see him. It was about 12 oclock midnight when defendant ran up to Grand street. Defendant ran away from his brother because his brother would hit him if he caught defendant. His brother would think he spent the money. Defendant sometimes took money from his brother and spent it for his own purposes. When defendant got corner of Grand and Baxter streets he stood in the middle of the street to see where his brother would go, and after looking around he saw him half an hour after go into his house. Then defendant came back again and went down into the cellar hunting for his money half an hour. Could not tell ~~you~~ what time it was he found the pennies; it was before his brother put in an appearance and defendant ran up Grand street. The reason <sup>he</sup> ran was because he was afraid his brother would hit him because he was so long away with the money. The officer does not tell the truth when he says defendant was inside the store and no one else was down there when he got there. There were some po-

licemen standing there and defendant was in the store when his brother came down. Defendant's body was inside the store when he was extracted from his position, and then his whole body tumbled in and the officer came along and found him there, and at the time there were two Italians there. It was when his brother had gone up stairs that defendant got over the top of the door in the basement and caught his foot. When defendant came back the second time he found the door was loose a little bit on the top. Defendant shoved it in and he got in half ways when his foot got caught; then defendant screamed and a young man walking in the street told a policeman that defendant was down in the cellar hanging by his foot. Defendant heard the man say "What is the matter with you". Then the policeman pushed the door in and lifted defendant's foot up and defendant dropped inside. It was the officers that got the defendant inside while they were outside. Then they went up stairs for the Italian and he came down and opened the door, and then they all came inside and lit a light and there was a crowd there; it was after the whole crowd got there that the officer came. It was several

minutes before the officer came .

H E N R Y W A T E R S being duly sworn testified that he resided at 126 Baxter street and was by occupation a truck driver working at 94 Green street. The defendant is his brother. He remembered the night of the 20th of October, 1892. Witness worked late on that night and had told defendant to wait for him so that he could send him out if he wished for anything. It was about 11 o'clock P. M. when witness got home, and after supper about 11:30 witness sent defendant for se-  
garettes, and he noticed that defendant did not return and witness went in the street to look for him at about quarter to 12 o'clock and called for him several times but got no answer. Then witness returned to his apart-  
ment. After witness went to bed he heard somebody calling for assistance, and it sounded like defendant's voice. Witness then ran down stairs and found the defen-  
dant in the basement with two policemen and another young man standing there. The policeman that is in court witness did not see there until later. Neither of the Italians were there. Witness told his mother to go up stairs, and get them to bring down the keys

so as to let defendant out, and she seemed to know. Witness talked with the young man who said that defendant had his leg caught in the door, and the young man went after the officers and assisted them to get defendant down. The young man told witness that the money witness had given him had dropped in the basement, and defendant was afraid to come near witness on account of losing it. That defendant ran away when witness was looking for him. This conversation was had in the presence of the two officers. Defendant showed witness the money as soon as he came down into the basement, and told witness that he dropped the money into the basement and was trying to get it. Then defendant was taken to the station house. Witness never saw any gratings at the premises in question but four or five iron bars each bar half a foot apart. The door has iron bars from top to bottom and has a little strip of iron with which the bottom of the bars are attached. The top of the door is level with the sidewalk, and there are 6 or 7 steps leading down to it. There are two rails to guard to the basement and show window. Witness supposes the money rolled down the stairs and bounced off to

the inside. . . There is plenty of room for pennies to roll through on account of the bars being half a foot apart. On the lefthand corner of the door there seemed to be a space. The hinge was not off but loose and all the screws were laying down around the door. Witness examined and could see the big holes where the screws did not fit in tight.

When witness saw it the doors were fastened together; the lower hinge was fastened but the upper hinge was broken away and defendant was inside. The policeman had let him in there when he took his leg out. Witness was the third or fourth person that was there; then he showed me the money in the presence of the two officers .

Witness started out to find defendant at quarter to 12 o'clock, couldn't tell exactly; after that when he returned and was taking his clothes off and was going to bed a cry of distress was heard and he went down. He was down in the basement before the policeman was there. When the raps were sent out the witness was in the basement with a light in his hand; was there a few minutes before the raps were heard .

B R I D G E T W A T E R S being duly sworn, testified that she resided at 126 Baxter street and was the mother of defendant and heard him crying "For god's sake save me" . Witness said that somebody was killing her boy, and proceeded to run down stairs, but fell all the way down in her night clothes, and discovered a policeman standing there. She saw defendant inside the grating and said "What is the matter?" Defendant said he had lost his money and it was in there. The two policemen said her boy's leg would have been broken only they had shoved him in to prevent it; that he was hanging by one leg, and the officers burst in the door to save the boy's leg from being broken. When witness got there neither of the Italians were there. The defendant was in there for an hour or an hour and a half before he was taken out. The officers had rapped . Her other son came down with a lamp in his hand. At the time witness son came there with the light the officer came and defendant had been hanging there. Witness heard that defendant had looked for the pennies and was afraid to come home. Witness had put defendant in the Penitentiary two months for stealing a pair of pants belonging to one of the members of her family.

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Alfred Waters*

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

*Alfred Waters*

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

The said *Alfred Waters*

late of the *6th* Ward of the City of New York, in the County of New York aforesaid, on the *21st* day of *October* in the year of our Lord one thousand eight hundred and ninety-*two*, in the *night*-time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the *Building* of *one Salvatore Strano*

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent the goods, chattels and personal property of the said *Salvatore Strano* in the said *Building* then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

*De Lancey McCall,*  
*District Attorney*

0 120

**BOX:**

500

**FOLDER:**

4560

**DESCRIPTION:**

Waters, Rosie

**DATE:**

10/20/92



4560

0121

Witnesses:

Oct 31 1892, I have examined this case and the people are without any evidence on what to ask for a conviction, I therefore recommend that the indictment be dismissed

H. D. Macdonald  
Sect District Atty

17/14

Counsel, *A*  
Filed, *17th* day of *Oct* 1892  
Pleads, *Not ready, ex*

INJURY TO PROPERTY.  
[Section 654, Penal Code.]

THE PEOPLE

vs.

*Raise Waters*

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*B. Lockwood*  
*Alas on Justice*  
*Daisy Lee*  
*M. M. M.*  
Oct. 31/92

0122

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, DISTRICT.

*Theodore Schwack*  
of No. *199 North* Street, aged *30* years,  
occupation *Bar tender* being duly sworn deposes and says,  
that on the *7* day of *October* 188*9*  
at the City of New York, in the County of New York,

*Rosie Waters* did wilfully and maliciously break the plate glass window in department *12* at *199 North* street as said premises by throwing a bottle through said window, and doing damage to the amount of *fifty* dollars

*Theodore Schwack*

Sworn to before me this

of

*Oct 12 1889*

day

*H. J. Michael*

Police Justice.

0 12 3

Police Court, \_\_\_\_\_ District.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

vs.  
*Rosie Malin*

AFFIDAVIT.

Dated \_\_\_\_\_ 188

Magistrate.

Officer.

Witness, \_\_\_\_\_

Disposition, \_\_\_\_\_

0124

(1285)

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court

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

Question. What is your name?

Answer.

*Rosie Waters*

Question. How old are you?

Answer.

*23 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*312 E 107 St. 6 years*

Question. What is your business or profession?

Answer.

*Keep house*

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

Answer.

*I am not guilty*  
*Rosie Waters*

Taken before me this

day of *October* 189 *2*

*Adm. Justice*  
Police Justice.

0125

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

*W. J. ...*

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

Dated, July 2 189 2 *W. J. ...* Police Justice.

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

Dated,.....189..... Police Justice.

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

Dated,.....189..... Police Justice.

0128

1870 1894  
Police Court--- District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

*Henry Schwab*  
*Rosie Martin*

- 1 \_\_\_\_\_
- 2 \_\_\_\_\_
- 3 \_\_\_\_\_
- 4 \_\_\_\_\_

*W. M. Martin*  
Officer

BAILED,

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Dated, *Oct 17* 189 *Magistrate.*

*Carline* Officer.  
Precinct.

Witnesses  
No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.  
\$ *1000* to answer.

*Emmanuel*

Court of General Sessions of the Peace

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
AGAINST  
Rosie Waters

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

Rosie Waters

of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said Rosie Waters

late of the City of New York, in the County of New York aforesaid, on the *seventh* day of *October* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with force and arms,

*one pane of plate glass*

of the value of *fifty dollars* of the goods, chattels and personal property of one *Theodore Schwacke* then and there being, then and there feloniously did unlawfully and wilfully *break*

*and destroy:*

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment further accuse the said  
*Rosie Waters*  
of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* REAL PROPERTY OF ANOTHER,  
committed as follows:

The said *Rosie Waters*  
late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the  
City and County aforesaid, with force and arms,

*one pane of plate glass*

of the value of *fifty dollars*  
in, and forming part and parcel of the realty of a certain building of one *Theodore Schwacke*  
*Theodore Schwacke* there situate, of the real property of the said

then and there feloniously did unlawfully and wilfully *break and*  
*destroy:*

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.

DE LANCEY NICOLL,  
*District Attorney.*

0129

**BOX:**

500

**FOLDER:**

4560

**DESCRIPTION:**

Wawbash, David D.

**DATE:**

10/05/92



4560

0130

Witnesses:

*Off Hogan*  
*Denis Gallagher*

*McCull*  
Counsel,  
Filed, *5* day of *Oct*, 189*2*  
Plends, *Verdict*

**INJURY TO PROPERTY.**  
[Section 654, Penal Code.]

THE PEOPLE

vs.

*David D. Wambush*

*By*  
*1/2*  
*McCull*

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*B. Lockwood*

*Chapman*  
Foreman.

*Speed & Perrottes*  
*Special Assessors*

*Pen 4 on on the*

0131

Police Court, 1 District.

(1868)

City and County }  
of New York, } ss.

*Denis Gallagher*

of No. 140 Park Row Street, aged 27 years,

occupation *Cashier* being duly sworn, deposes and says,

that on the 26 day of September 1892 at the City of New

York, in the County of New York

*David Stalash (now where) did*  
*wilfully and maliciously break*  
*a plate of glass window in the*  
*front of the premises 140 Park*  
*Row, the same being the property*  
*of Robert F. Cooper, and in the*  
*charge of deponent, an amount of*  
*the value of seventy five dollars*  
*from the fact following to wit*  
*that about the hour of 12 o'clock*  
*on the morning of said day*  
*deponent who was postally*  
*detained entered the said*  
*premises which are used as a*  
*restaurant and acting in a disorderly*  
*manner and was ejected from*  
*said premises by deponent, and*  
*when deponent was in the said*  
*street he picked up a stone and*  
*threw it at the said window*  
*breaking the same and doing*  
*damage to the amount of \$75.00*  
*Deponent therefore charges him*  
*with wilful and malicious*  
*misdeed*

born to before me, this 26 day

of September 1892

*W. M. ...* Police Justice.

*Denis Gallagher*

0132

(1835)

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, } ss.

District Police Court

*David Mabash*

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

Question. What is your name?

Answer. *David Mabash*

Question. How old are you?

Answer. *50 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *190 Penn Row 5 years*

Question. What is your business or profession?

Answer. *Consenter*

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

Answer. *I am not guilty*

*D P Mabash*

Taken before me this *26* day of *March* 189*7*  
*[Signature]*  
Police Justice.

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

*Refeudant*

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

Dated, *Sept 26* 189 *W. M. L.* Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

0134

Police Court--- District

1228  
1892

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Lewis J. Galt*  
*140 Park Row*  
*David Stabinski*

2 *Wambach*  
3  
4

*officer*  
*M. J. Kelly*  
*M. J. Kelly*

BAILED,

No. 1, by  
Residence Street.

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

Dated, *Sept 26* 1892  
*M. J. Kelly* Magistrate.  
*Progan* Officer.  
*6* Precinct.

Witnesses *Thomas Hamer*  
No. *140 Park Row* Street.

No. Street.

No. Street.

\$ *100* to answer

*Cambridge*

4-1  
The People  
David S.

Court of General Sessions. Part I  
Hawbush } Before Judge Cowing. Oct. 10. 1892  
Indictment for injury to property.

Thomas Harnan, sworn and examined, testified

Where do you reside? No. 140 Park Row.

In the city of New York? Yes sir. What is your  
business? Waiter. Where are you a waiter?

In No. 140 Park Row. I asked you first where  
you lived? I am living where I work.

And sleep there? Yes. Did you ever see  
this gentleman before (the defendant) the man  
at the bar? Yes. When did you see him?

About the 26th of September? Yes, in the night.

What time of day? Half past two o'clock in  
the morning. Did he come in the restaurant  
at Park Row? Yes. Just state what he did?

He came in and he sat at the table,  
and he wanted something to eat. He  
takes out a pipe and commenced to  
smoke. What else did he do? And the

cashier politely entered and asked him  
what he was going to have? He said,  
"nothing." The cashier politely asked  
him if he would not be kind enough  
to go out. He was not out two minutes  
before he threw a stone through the  
window and broke the plate glass.

Did you see it? Yes sir.

By the Court. Did you see him throw the stone?

Yes sir.

By District Attorney. Who owns that restaurant? Mr. Crawford, he is the proprietor. He rents that establishment there and runs the restaurant? Yes.

Cross Examined. This restaurant is on the ground floor? Yes sir. There is a lodging house up stairs, that is right? A hotel.

By the Court. People sleep up stairs? The help sleep up stairs? Yes.

By Counsel. There is a restaurant and a hotel there? Yes. You are in what capacity there? A waiter. How long has this man been coming to that restaurant? Not very long to my knowledge.

By the Court. How long have you been there? About two months, I guess; he has been coming there.

By Counsel. How long have you been there? I have been there off and on for the last three years. Did you put him out of the restaurant? Nobody put him out, but he was politely told to go out. Did you not drag him and throw him out of the restaurant? No sir. Are you not known as the bouncer to that restaurant? No sir, we do not bounce any men in the restaurant. Where were you when this glass was broken? I was inside on the floor taking out two orders. I seen him deliberately go out and throw the stone through the window. You were on the

floor of the restaurant? On the floor of the restaurant; he was out, I could see him throwing the stone through the window; he was on the sidewalk in full view. I saw the stone in his hand. I took the stone to the station house. Where did he get the stone? On the sidewalk of course. Did you see him pick it up? Yes. I saw him throwing it through the window.

By District Attorney. The old man I suppose he was a little bit intoxicated? Not that I am aware of.

By Counsel. There was nobody had him down on the street at all? No sir, not a soul. You saw no one else? No sir.

Dennis Gallagher, sworn and examined.  
By District Attorney. What is your name? Dennis Gallagher. Where do you live? No. 140 Park Row.

What is your business? Cashier. Will you describe to the jury the kind of plate glass that was broken? I believe it cost seventy-five dollars, the proprietor told me.

Describe it to the jury? It is a large window in the restaurant. How many feet about? It is about the size of them two there (pointing to the windows in the Court room).

By the Court. A large plate glass? Yes sir.

By District Attorney. State what you saw there?

that night? The gentleman came in there and sat down. I asked him what he was going to have to eat? He told me he did not want anything. I told him it was out of place to smoke in the dining room and I politely asked him to go out. He went outside and picked a cobble stone from the sidewalk and knocked it through the window. Did you see him do it? Yes sir. Was he somewhat intoxicated that night? No, I could not say he was. What he came of that stone, was it taken to the station house? Yes sir. Did you call an officer and have him arrested? Yes sir.

Counsel

I ask your Honor to strike from the record his belief in the amount that was paid for this plate glass.

The Court

Strike that out. Have you got any proof beside this witness of the value of the plate glass?

District Attorney

No sir

Counsel

I will concede it is worth twenty five dollars. Officer Propane was called.

The Court

That is enough. If we need you we will call you.

District Attorney

That is the case for the people.

David G. Hawthorn, sworn and examined in his own behalf testified. How old are you? I am a little over fifty. How long have you been going to this restaurant? About six years steady. Tell this jury all about this occurrence, did you break that window? No sir. Did you fire a stone through that window? No sir. Tell this jury all about your troubles there? After I came from church Sunday night, August 23<sup>rd</sup> it was about half past ten at night when I went into the saloon. Says I to Gerry (he is the cashier) I will have to finish my smoke first before I want my second supper. I did not want much because it was late when I ate my first supper; the first supper I generally eat from five to six o'clock. He had not been there that hour of the night till eight o'clock at night. He attends there at night but not in the day time. So during the time that I was smoking I was leaning my hand upon the counter just like that (showing); the counter was very low, and I was there probably for five or eight minutes a few minutes after ten at night, and the first thing I heard my hat comes right down in my head. This was done by the

same fellow who nearly three weeks before that went down and passed me quick on the same block and knocked the pipe out of my mouth. So Sunday night this same fellow after coming down stairs knocked the hat down on my head. I turned round to the cashier and said, "I am not going to allow this thing any longer, I have been insulted for your accommodation. I do not know that man, nor I never spoke to him. I told you three weeks ago I had been insulted by one of your waiters. I had to go out from the table and I came back two or three nights afterwards and paid you for my supper. Now say so, when I come here for my dinner as soon as I see the proprietor I am going to make a complaint. I am going to tell him about whiskey drinking in this place."

By Journal. Got down to the 26<sup>th</sup>? Yes. This was on the 25<sup>th</sup> and then this Benny came around from behind the counter and said, "you dirty son of a b h, I will break your damned head;" and he collared me and swung out for his "bouncer" the other fellow, who was half

way up in the saloon, and he came running down, and he collared me on the other side, and just as I was going out of the saloon, the "barman" put his foot like that and tripped me. I was half way in and half way out of the door lying on my belly, and they were pretending and kicking me, the pair of them. Says the "barman" to him, "Stat him, nut him" they first had me down shoving and kicking me, and they put their hands right behind me and ripped the pants clean off me; you can see it hear yet (showing the pants loose), and whilst I was down the crowd came running up and picked me up, and in goes the glass, the glass smashes

By District Attorney. Just tell me how that glass got smashed? I do not know. I did not do it.

By Counsel. When you heard the crash where were you? They had me down and both on top of me. After I got up they could not find out who broke the glass. They said, "Arrest him anyhow; we will call an officer. Then the officer came I did not throw a stone. This was about half past ten o'clock at night

## Rebutting Evidence

John J. Profano, sworn and examined by District Attorney. Officer do you remember the night on which you arrested this old man? Yes. What time of night was it? It was 2.30 a.m. in the morning. He says it was half past ten? It was 2.30 in the morning. Is that a matter of record in your station house? Yes Sir. How far away were you when you heard the crash of the glass? About fifty feet. Did you turn immediately and look? Yes Sir. What did you see of this defendant when you heard the crash? I saw Hamman having hold of the old gentleman and I ran right up and took hold of him from his hand. Was Hamman pounding or beating him? No. Was there any marks of violence on him? No Sir. Was the old gentleman sober or not? He was sober, he was slightly intoxicated, he was sober enough to walk along and give his name and address in the station house. The cashier was at the door when I came upon the scene and Hamman was holding the defendant; there was nobody else around the window.

The jury rendered a verdict of guilty of larceny to property of the value of twenty five dollars.

Testimony in the  
case of  
David S. Warbach

filed

Oct 1992

2008

0144

Court of General Sessions of the Peace

517

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
AGAINST

*David D. Wawbark*

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

*David D. Wawbark*

of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said *David D. Wawbark*

late of the City of New York, in the County of New York aforesaid, on the *26th* day of *September* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with force and arms,

*one pane of plate glass*

of the value of *seventy-five dollars* of the goods, chattels and personal property of one *Robert G. Crawford* then and there being, then and there feloniously did unlawfully and wilfully *break*

*and destroy*

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment further accuse the said *David W. Wawbush* of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* REAL PROPERTY OF ANOTHER, committed as follows :

The said *David W. Wawbush*

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

*one pane of plate glass*

of the value of *seventy - five dollars* in, and forming part and parcel of the realty of a certain building of one *Robert F. Crawford* there situate, of the real property of the said

*Robert F. Crawford* then and there feloniously did unlawfully and wilfully *break*

*and destroy;*

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.

DE LANCEY NICOLL,  
*District Attorney.*

0 146

**BOX:**

500

**FOLDER:**

4560

**DESCRIPTION:**

Weber, Frank

**DATE:**

10/27/92



4560

Witnesses:

Vertical lines for witness signatures.

~~M. P. Blumenthal~~  
Counsel,  
150 Chambers  
Filed day of Oct 1892  
Pleads, *Not guilty*

THE PEOPLE

14  
124 Attorney  
vs.  
Substantially  
R  
Frank Weber

Burglary in the Third Degree  
[Section 498, 506, 526, 527, 528]

Dr LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

B. J. J. J. J.  
Part 2 - 10-9-92  
Foreman.  
Pleads with Foreman  
Not suspended

Court of General Sessions

The People of the State of New York

against

Frank Weber

City and County of New York SS:

C. V. Stumpf of said

City being duly sworn deposes and says, I reside at No. 126 Attorney Street. I know Frank Weber the defendant herein for over four years, and during that time have seen him very often. He resides at 124 Attorney Street, which is immediately adjacent to my residence, and I have therefore come in contact with him very often. I know him to be honest and trustworthy in every respect and would not hesitate even now to entrust him with a large sum of money.

Sworn to before me this

3rd day of November 1892.

*C. V. Stumpf*

*Max D. Quirk*

COMMISSIONER OF DEEDS,  
NEW YORK CITY.

Frank Weber

Defendant

The People of the State of New York

Court of General Sessions

The People of the State of New York

against

Frank Weber

City and County of New York SS:

William Saeger - - - being duly sworn deposes and says, I reside at No/ 2312 Second Avenue I have known the defendant for nine years since he was a little more than an infant in arms. He has always been obedient, and well behaved, and has never to my knowledge committed any act which might reflect discredit upon him. Were he released from custody under the charge made against him, I would be willing to give him employment and to take charge of him.

Sworn to before me this

3rd. day of November 1892.

*Wm. Saeger*

*Wm. D. Fickens*

COMMISSIONER OF DEEDS,  
NEW YORK CITY.

Frank Weber

deposes

The People of the State of New York

The People of the State of New York  
against  
Frank Weber

City and County of New York SS:

Frances Simon of said City  
being duly sworn deposes and says, I reside at No. 124  
Attorney Street with my family and am 55 years of age.  
I have known the defendant Frank Weber for over six years:  
During that time on various occasions I have sent him on  
errands to deliver and collect money for me as well as to  
make purchases for me. I have entrusted him during that time  
with sums of money and in every instance he returned a  
proper account to me, and proved himself in every wise  
honest and trustworthy. His reputation in the neighborhood  
is excellent, and he has always been regarded as a law  
abiding young man.

Sworn to before me this  
3rd. day of November 1892.

*Frances K. Simon*  
mark

*Wm. D. Githens*

COMMISSIONER OF DEEDS,  
NEW YORK CITY.

seal

The People of the State of New York

Court of General Sessions

The People of the State of New York

against

Frank Weber

City and County of New York SS:

Gustav H. Bernt - being duly sworn deposes and says, I reside at <sup>23</sup> 237 East 4th. Street I have known the defendant for eight years since he was a little more than an infant in arms. He has always been obedient, and well behaved, and has never to my knowledge committed any act which might reflect discredit upon him. Were he released from custody under the charge made against him, I would be willing to give him employment and to take charge of him.

Sworn to before me this 3rd. day of November 1892.

} Gustav H. Bernt

Max D. Quintman

COMMISSIONER OF DEEDS,  
NEW YORK CITY

Frank Weber

deposes

The People of the State of New York

The People of the State of New York

against

Frank Weber

City and County of New York SS :

Samuel Neff of said City being duly sworn deposes and says, I reside at No. 124 Attorney Street. I have known the defendant for over three years. He has always been obedient and well behaved and has never to my knowledge committed any act which might reflect discredit upon him. Were he released from custody under the charge made against him, I would be willing to give him employment and to take charge of him.

Sworn to before me this 3rd. day of November 1892.

*his*  
Samuel Neff

*mark*  
M. D. Zitzman

COMMISSIONER OF DEEDS,  
NEW YORK CITY

attest

The People of the State of New York

The People of the State of New York

against

Frank Weber

City and County of New York SS:

Balsar Spin of said City

being duly sworn deposes and says, I reside at No. 141 Attorney Street. I have known the defendant for over five years. He has always been obedient and well behaved and has never to my knowledge committed any act which would reflect discredit upon him. Were he released from custody under the charge made against him, I would be willing to take charge of him, and give him employment.

sworn to before me this

3rd. day of November 1892.

*Balsar Spin*

*Max D. Gintman*

CLERK OF THE COURT OF DEEDS,  
CITY OF NEW YORK

Frank Weber

Witness

The People of the State of New York

The people of the State of New York

against

Frank Weber

-----

City and County of New York SS:  
 Louis Simon of said City being duly sworn deposes and says,  
 I reside at No. 124 Attorney Street. I know the defendant  
 Frank Weber for over six years. He has always been obedient  
 and well behaved, and has never to my knowledge committed  
 any act which might reflect discredit upon him. Were he  
 released from custody under the charge made against him  
 I would be willing to take charge of him  
 sworn to before me this

3rd. day of November 1892

*[Signature]*  
*Max D. Justice*

COMMISSIONER OF DEEDS,  
CITY OF NEW YORK

COUNTY OF

SS:

being duly sworn says that he is \_\_\_\_\_ years of age and upwards.  
That on the \_\_\_\_\_ day of \_\_\_\_\_ 189 \_\_\_\_\_ between the hours of \_\_\_\_\_ M. and \_\_\_\_\_  
M., at \_\_\_\_\_  
in the \_\_\_\_\_ of \_\_\_\_\_ he served the foregoing  
upon \_\_\_\_\_

\_\_\_\_\_ in this action by delivering to and leaving with  
personally, a true copy thereof

Deponent further says, that he knew the person \_\_\_\_\_ served as aforesaid to be the person  
mentioned and described in \_\_\_\_\_

Sworn to before me this \_\_\_\_\_ day }  
of \_\_\_\_\_ 189 \_\_\_\_\_ }

*Court of General Sessions  
County of the State of  
New York*

*R. J. Weber*

*Affidavit*  
MAURICE B. BLUMENTHAL,  
Attorney for *Defendant*  
150 NASSAU STREET,  
NEW YORK CITY.

To \_\_\_\_\_ Esq.,  
Attorney for \_\_\_\_\_

Due and timely service of a copy of the within  
\_\_\_\_\_ is hereby admitted.

Dated, New York, \_\_\_\_\_ 189 \_\_\_\_\_

Sir: Take notice, that the within is a copy  
of \_\_\_\_\_ this day duly filed and  
entered in this action in the office of the  
Clerk of this Court.  
Dated, N. Y., \_\_\_\_\_ 189 \_\_\_\_\_

Yours &c.,  
MAURICE B. BLUMENTHAL,  
Attorney for  
150 Nassau Street,  
New York City.

To \_\_\_\_\_  
Attorney for \_\_\_\_\_

General Sessions Court.

The People

vs

Frank Weber.

REPORT OF THE NEW YORK SOCIETY FOR  
THE PREVENTION OF CRUELTY  
TO CHILDREN.

100 EAST 23D STREET,

New York, Oct. 24<sup>th</sup> 1892.

CASE NO. 68,400.

DATE OF ARREST Oct. 22.

CHARGE Burglary.

OFFICER Louis A. Steen.

AGE OF CHILD 14 years

RELIGION Catholic

FATHER Frederick

MOTHER Anna

RESIDENCE 124 Attorney Street

AN INVESTIGATION BY THE SOCIETY SHOWS THAT Frank resides with his parents at said address & where they have a comfortable home & keep as well as parents are given an excellent reputation and boy has not previously been arrested.

All which is respectfully submitted,

To District attorney.

Mary E. Stockring,  
ass: sub: 1

Court of

General Sessions

The People

vs

Frank Wilson

PENAL CODE, §

100

Report of the New York Society  
for the Prevention of Cruelty  
to Children.

ELBRIDGE T. GERRY,

President, &c.,

100 East 23d Street,

NEW YORK CITY.

Police Court— 3rd District.

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

of No. 239 East 30th Street, aged 27 years,  
occupation Saloon Keeper being duly sworn

deposes and says, that the premises No. 124 Attorney Street, 17 Ward  
in the City and County aforesaid the said being a five story dwelling  
the 3rd floor of  
and which was occupied by deponent as a Liquor Store  
and in which there was at the time a human being, by name Carroll Cooper

were **BURGLARIOUSLY** entered by means of forcibly opening the door  
leading from the cellar into the said  
premises.

on the 22 day of October 1892 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:

Two boxes of cigars of the value  
of three dollars and good and  
lawful money to the amount of  
twenty two dollars cents together  
of the value of three dollars  
and twenty two cents.  
(\$ 3<sup>22</sup>/<sub>100</sub>)

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

Frank Weber (overheard)  
for the reasons following, to wit: that the defendant had  
access to the cellar of said premises  
that at about six o'clock a.m.  
deponent was in the rear of the said  
premises when he saw the said  
defendant come up through the  
trap door leading from the cellar  
and feloniously enter steal and  
carry away the said property

That the said defendant was about  
removing the said premises with  
the said property. When defendant  
I caught him and caused his arrest  
I am to inform me  
the 22nd day of Oct. 1892

x Aaron Eokes

*[Handwritten signature]*  
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been  
committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
of the City of New York, until he give such bail.  
Dated 1892  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1892  
There being no sufficient cause to believe the within named  
guilty of the offence within mentioned, I order he to be discharged.  
Dated 1892  
Police Justice

Police Court, District  
THE PEOPLE, vs.,  
on the complaint of  
vs.  
1  
2  
3  
4  
Dated 1892  
Magistrate.  
Officer.  
Clerk.  
Witnesses,  
No. street,  
No. Street,  
No. Street,  
\$ to answer General Sessions.

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

*Frank Weber*

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

Question. What is your name?

Answer.

*Frank Weber*

Question. How old are you?

Answer.

*14 years*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*124 Attorney St. 5 years*

Question. What is your business or profession?

Answer.

*Work in a grocery store*

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

Answer.

*I have nothing to say.  
Frank Weber*

Taken before me this

day of

189

Police Justice.

*[Signature]*

0 16 1

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

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

Dated Oct 22 1892 [Signature] Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

Police Court--- 3 District. <sup>1373</sup>

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Armed Locks  
Frank Weber

1  
2  
3  
4

Engling  
Officer

BAILED.

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated Oct 22 1892

Keenan Magistrate.  
Pat Dugan Officer.  
13 Precinct.

Witness Bill Abraham

No. 33 Pitt Street.

Louis A. Steen  
No. 108 E. 23 Street.

No. \_\_\_\_\_ Street.

\$ 500 to answer L.S.

COMMITTED Bing P.H.

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

THE PEOPLE OF THE STATE OF NEW YORK  
*against*

*Frank Weber*

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

*Frank Weber*

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

The said *Frank Weber*

late of the *17<sup>th</sup>* Ward of the City of New York, in the County of New York aforesaid, on the  
*twenty second* day of *October* in the year of our Lord one  
thousand eight hundred and ninety-*two*, in the *day* -time of the same day, at the  
Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of  
one *Aaron Ecker*

there situate, feloniously and burglariously did break into and enter, with intent to commit some  
crime therein, to wit: with intent the goods, chattels and personal property of the said *Aaron*  
*Ecker* in the said *store*  
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.

0164

SECOND COUNT—

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

*Frank Weber*

of the CRIME OF *Petit* LARCENY

committed as follows:

The said

*Frank Weber*

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

*two boxes of cigars of the value of one dollar and fifty cents each box, and divers coins of a number kind and denomination to the Grand Jury aforesaid unknown, of the value of twenty-two cents*

of the goods, chattels and personal property of one

*Aaron Ecker*

in the

*store*

of the said

*Aaron Ecker*

there situate, then and there being found, in the *store* 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.

*De Lancey Nicoll*  
*District Attorney*

0165

**BOX:**

500

**FOLDER:**

4560

**DESCRIPTION:**

Wegner, August

**DATE:**

10/07/92



4560

Witnesses:

*off Farnell*

Counsel,

Filed,

7<sup>th</sup> day of

*Dec*

1892

Pleas,

*As guilty*

THE PEOPLE

vs.

*B August Wegner*

VIOLATION OF THE EXCISE LAW.  
[Sec. 401, Laws of 1892, § 33.]  
[Laws of 1891, § 33.]

Transferred to the Court of Sessions for trial and final disposal.

Part 2 of the ... 1892

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

*B. Lockwood*

Foreman.

0167

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*August Wegner*

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

of the CRIME OF *August Wegner* SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *August Wegner*

late of the City of New York, in the County of New York aforesaid, on the day of *August* <sup>21<sup>st</sup></sup> in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

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

SECOND COUNT—

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

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *August Wegner*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

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

DE LANCEY NICOLL

*District Attorney.*

0 168

**BOX:**

500

**FOLDER:**

4560

**DESCRIPTION:**

Weller, Ernest

**DATE:**

10/06/92



4560

0169

Witnesses:

*Matthew F. Penn*

*E. S. Walker*

31

Counsel,

Filed

day of

1892

Pleads,

THE PEOPLE

vs.

*Ernest Walker*

Grand Larceny, Second Degree.  
[Sections 528, 529, Penna Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*B. Lockwood*

Foreman.

*[Signature]*

*[Signature]*

*[Signature]*

7

0170

D. Vredenburgh.

Vredenburgh & Brooks  
Importing Tailors.

N. F. Ferris

104 Fifth Avenue  
New York.

October 6 1892

Case of N. F. Ferris against Ernest Meller  
Dear Sir,

After a thorough investigation into  
the character of Ernest Meller, we are convinced  
that up to this act he was perfectly honest,  
and we believe, that it was through the influence  
of wicked, and much older boys that he was  
led to commit this crime, and we feel that  
if your Honor, will give him the opportunity  
that he will prove himself worthy of your  
kindest consideration. We beg that sentence  
be suspended.

Very Respectfully Yours

Nathan F. Ferris  
Vredenburgh & Brooks

20  
Hon Rufus B. Gowling  
32 Chambers St.

ERNEST G. WELLER,  
488 Sixth Ave.,  
NEW YORK.

Oct. 6/97

To the Hon.

Judge Bowring,  
General Sessions.

Dear Sir,

Permit me to thank you from the bottom of my heart, for the leniency you have so far extended to my Son Ernest Weller, who pleaded guilty to Grand Larceny to day before you. - Believe me only the father and mother in such a case, fully realize and appreciate the clemency exercised by your Honor. - I am particularly grateful, <sup>in</sup> <sup>place</sup> of my dear wife, who has not been well mentally for the last year, and you can imagine that this has been a great shock to her, Ernest was her first born and has been a good Boy, until he got in to bad company, by going swimming

in the North River, this summer.

I will give my word, that whenever Ernest is restored to me, I will find means to keep him out of evil and make a good man and useful citizen out of him.

I am sure he feels his position keenly, and deeply regrets the disgrace he has brought on us and himself. He has been locked up since Sept. 27<sup>th</sup> which should be a lesson to him for all his life.

Had this not been his first offence and considering his youth, I would not dare to plead so earnestly in his behalf.

He is a remarkable big Boy for his age, on May 12/92 he was 15. years old, which I proved by a Certificate of Birth, in Jefferson Market on the Day of committal.

I beg to remain, with best of wishes

Yours very sincerely  
Ernest G. Meller.  
and wife.

0173

**YOUNG & SCHMINKE,  
PRACTICAL \* PLUMBERS \* AND \* GAS \* FITTERS,**

**NO. 1 PERRY STREET,  
NEAR GREENWICH AVE.,**

**Branch,—Arlington, N. J.**

**WM. YOUNG,  
CHAS. SCHMINKE.**

*New York, Oct 6 1891*

*To whom it may concern +*

*Ernest Wecker Jr was in my  
employ as a Plumbers Helper in  
1891 during the six months that he  
was with me I found him honest  
and faithful he left of his own  
accord to join the Trade School.*

*Yours respectfully  
William Young*

0174

Form No. 51

OFFICE OF THE

WESTERN UNION TELEGRAPH COMPANY,

New York Oct 5<sup>th</sup> 1892

To whom it may concern.

Ernest Keller Jr was in my employ as Office Boy from June 19<sup>th</sup> 1891 until November 3<sup>d</sup>, 1891 when he resigned.

As far as I know he was reliable and honest.

J. W. English  
Manager - Bookkeeping Dept.  
NEW YORK

0175

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

Grand  
Jury Room

Oct 6 1892

Hon R. B. Cowing  
Dear Sir

In the matter of the  
indictment against  
Ernest Walker for  
larceny found by  
this Grand Jury it  
has been suggested that  
as this is the first  
offense by the young  
man your clemency  
in dealing with this  
case is hereby

District Attorneys Office  
City & County of  
New York. n

189

invoked

Benoni Lockwood  
Foreman

Edw C Oppenheim  
Secretary

District Attorneys Office  
City & County of  
New York

189

# 31 —

Prople vs  
Ernest Weller

Alimony

0178

Court of  
General Sessions

The People v. c. c.

Ernest Weller

REPORT OF THE NEW YORK SOCIETY FOR  
THE PREVENTION OF CRUELTY  
TO CHILDREN.

100 EAST 26D STREET,

New York, Sept 29<sup>th</sup> 1892

CASE NO. 67,448 OFFICER Deubert  
DATE OF ARREST Sept 27<sup>th</sup> 1892.  
CHARGE G. L.

AGE OF CHILD 15 years  
RELIGION Catholic  
FATHER Ernst G.  
MOTHER Nettie  
RESIDENCE 484, 6<sup>th</sup> Ave.

AN INVESTIGATION BY THE SOCIETY SHOWS THAT Society has  
no record of boy heretofore, has worked for a  
number of people who all feel sorry for boy.  
has been away from home 3 weeks. parents  
very respectable, father has Barber shop on 6<sup>th</sup>  
Ave. and very nice home. reputation of boy  
up to time of arrest fairly good. - see letters.  
in officers opinion its a case of Pool-room  
and Horses. - see certificate of birth.

All which is respectfully submitted,

To Dist attorney.

Henry E. Strickling,  
asst Supt.

0179

*Wells*

*Genl Sessions*

*The People & Co.*

*no*

*Ernest Weller*

*Grand Juror*

PENAL CODE, §

**Report of the New York Society  
for the Prevention of Cruelty  
to Children.**

**ELBRIDGE T. GERRY,**

*President, &c.,*

100 East 23d Street,

NEW YORK CITY.

Police Court 2<sup>nd</sup> District.

Affidavit—Larceny.

City and County }  
of New York, } ss:

of No. 164 Fifth Avenue - Street, aged 36 years,  
occupation Sailor

deposes and says, that on the 24 day of September 1892 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

Three suits of Men's Clothing, consisting of three coats, three vests and three pair of pantaloons - and two sack

Coats - in all of the amount and of the value of Three hundred dollars

the property of Frederickburgh & Brooks - and of which Firm deponent is Co-partner - and in his care and custody

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 Ernest Peller (now

here) from the following facts to wit: That the defendant was in the employ of deponent as an Errand boy, and by virtue of said employment was entrusted by deponent, with the delivery of clothing to various customers of deponent, and that the defendant after being advised of his rights - admitted and confessed in open Court to deponent in presence of Officer Charles D. Kemp - of the 19<sup>th</sup> Precinct Police that he had taken stolen and carried away the aforesaid property - and that he had pawned and pledged part of the same. Deponent therefore asks that the defendant may be held to answer

Nathan L. Fern

Sworn to before me this 24 day of September 1892 at New York Police Justice.

0181

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Charles D. Kemp*

aged \_\_\_\_\_ years, occupation *Police Officer* of No. *19<sup>th</sup> Precinct Police* Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *Matthew J. Fenn*

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

Sworn to before me, this *24* day of *September* 1890, } *Charles D. Kemp*

*A. J. [Signature]*  
Police Justice.

(1335)

Sec. 198-200

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

*Ernest Weller*

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

Question. What is your name?

Answer. *Ernest Weller*

Question. How old are you?

Answer. *15 years -*

Question. Where were you born?

Answer. *New York City -*

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

Answer. *517-6-Avenue - 4 years -*

Question. What is your business or profession?

Answer. *Grand Boy*

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

Answer. *I am guilty*

*Ernest Weller.*

Taken before me this *24* day of *September* 189*4*  
*H. J. White*  
Police Justice.

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

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

Dated, April 20 189 [Signature] Police Justice.

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

Dated,.....189..... Police Justice.

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

Dated,.....189..... Police Justice.

0 184

1232  
1894

Police Court--- 2 --- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Nathan J. Fenn  
164 5th ave  
Ernest Weller

Jarcom  
Officer  
Belong

2  
3  
4

Dated, Sept 28 1894

White Magistrate.

Kemp Officer.

19 Precinct.

Witnesses Jacob Deubert  
D. P. G. Street.

No. Ernest G. Weller

No. 484 6th ave Street.  
barber shop

No. Street.

to answer.

BAILED,

No. 1, by.....

Residence ..... Street.

No. 2, by.....

Residence ..... Street.

No. 3, by.....

Residence ..... Street.

No. 4, by.....

Residence ..... Street.

at 2

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Ernest Weller

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

Ernest Weller

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

The said Ernest Weller

late of the City of New York, in the County of New York aforesaid, on the 24th day of September in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, with force and arms,

three coats of the value of forty-five dollars each, three vests of the value of fifteen dollars each, three pair of trousers of the value of twenty dollars each pair, and two other coats of the value of thirty dollars each

of the goods, chattels and personal property of one Nathan F. Ferron

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

Wm. Lancy Nicoll, District Attorney.

0186

**BOX:**

500

**FOLDER:**

4560

**DESCRIPTION:**

Whalen, John

**DATE:**

10/05/92



4560

Witnesses:

*off Stevens*

.....  
.....  
.....

*J. H. [unclear]*  
Counsel,  
Filed *5 Oct* 189*0*  
Pleads *guilty*

THE PEOPLE

vs.  
*John [unclear]*  
Assault in the First Degree, Etc.  
(Sections 217 and 218, Penal Code.)

DE LANCEY NICOLL,  
District Attorney.

*60*  
*W. [unclear]*

A TRUE BILL.

*M. Lockwood*

Foreman.

*Robert [unclear]*  
*Henry [unclear]*  
*S. P. 2 1/2 yrs.*

Police Court— / District.

1981

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

James Daley  
of No. 27 Washington Street, aged 50 years,  
occupation Plasterer being duly sworn,  
deposes and says, that on the 24 day of September 1892 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

John Whalen (now here) who stabbed  
and cut him, with a cotton hook  
on the neck, which cotton hook  
deponent then and there held in  
his hand

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

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

Sworn to before me, this 25 day }  
of Sept 1892 } James Daley  
his  
mark  
A. Mahan Police Justice.

(1885)

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *John Whalen*

Question. How old are you?

Answer. *50 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *25 Washington St - 10 years*

Question. What is your business or profession?

Answer. *Songshorman*

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

Answer. *I am not guilty*  
*John Whalen*

Taken before me this

day of *Sept*

1892

Police Justice.

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

*Oliver East*

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

Dated, *Sept 25* 189*1* *W. J. ...* Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

Police Court--- 1 District. 1208

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James Daley  
27 Washington  
John Whalen

Offense: *Tellorians*  
*Assault*

2  
3  
4  
Dated, *Sept 25* 189*2*  
*7th* Magistrate.  
*Stevens* Officer.  
*2* Precinct.

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

Witnesses  
No. .... Street.  
No. .... Street.  
No. .... Street.  
\* *Wm* to answer *Y.S.*  
*Committed*

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

John Whalen

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

John Whalen

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

The said

John Whalen

late of the City of New York, in the County of New York aforesaid, on the twenty-fourth day of September in the year of our Lord one thousand eight hundred and ninety-two, with force and arms, at the City and County aforesaid, in and upon the body of one James Daley in the peace of the said People then and there being, feloniously did make an assault and beat the said

James Daley with a certain collar-hook

which the said

in his right hand then and there had and held, the same being a deadly and dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and wound,

with intent to kill the said James Daley thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT-

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

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

The said

John Whalen

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said

James Daley in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and beat the said

James Daley with a certain collar-hook

which the said

in his right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT—

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

*John Whalen*

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

The said

*John Whalen*

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the said

*James Daley* in the peace of the said People then and there being, feloniously did wilfully (and wrongfully make another assault and *him* the said with a certain *cut-throat razor* *James Daley*

which *shot* the said *John Whalen*

in *his* right hand then and there had and held, in and upon the *neck* of *him* the said

then and there feloniously did wilfully and wrongfully strike, *James Daley* beat, stab, cut bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said *James Daley*

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.

DE LANCEY NICOLL, District Attorney.

0194

**BOX:**

500

**FOLDER:**

4560

**DESCRIPTION:**

White, Nellie

**DATE:**

10/20/92



4560

0 195

**BOX:**

500

**FOLDER:**

4560

**DESCRIPTION:**

Thomas, Lizzie

**DATE:**

10/20/92



4560

Witnesses-

Frank A. School  
off Jim McChoy

~~James H. [unclear]~~  
Counsel,  
Filed 26 day of Oct 1892  
Pleadst. Wizant

Grand Larceny, 5 (From the Person), 5 (Sections 528, 530, Penal Code.)  
Degree.

26  
:4  
vs.

THE PEOPLE

Hellie White  
and  
Lizzie Thomas

DE LANCEY NICOLL,  
District Attorney.

Sept 2 - Jan. 22, 1892  
No. 1 tried and convicted

1892  
A TRUE BILL. 2892

B. [unclear]

Foreman.  
Oct 25/92

No. 2.  
Spied & acquitted  
M. W. [unclear] Adm.

Police Court— 3 District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

Frank Bechol  
Smith

of No. 279 East Broadway Street, aged 31 years,  
occupation Bar tender

deposes and says, that on the 8<sup>th</sup> day of October 1892 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of a person of deponent, in the night time, the following property, viz:

One pair gold watch, chain  
and locket and a diamond  
ring all of the value of about  
Two hundred 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 Nellie White and Lizzie Thomas (both now here) and an unknown woman not arrested known as Joi Cameron who were in company with each other and acting in concert for the reasons that deponent met the said Nellie and Lizzie on the corner of 9<sup>th</sup> Street and 3<sup>rd</sup> Avenue and at about the hour of two o'clock in the morning. Deponent being acquainted with Nellie and was stopped by Nellie who requested deponent to treat them to drinks. Deponent escorted them to the liquor saloon situated at corner of 9<sup>th</sup> Street and 3<sup>rd</sup> Avenue

Sworn to before me, this  
10th day of  
October 1892  
at the City of New York  
Justice

When they and deponent partook a number of drinks of which possibly 7 to 10 drinks. Deponent while there was joined by the unknown woman and while in their company deponent had said watch and chain worn on his person and the ring worn on his finger. Deponent was several hours in the defendants company when deponent fell asleep on a chair and shortly thereafter awoke and saw the defendant in company with each other passing out of the door to leave the room; deponent immediately missed said property.

That by reason of the circumstances deponent charges the defendant with committing said larceny.

Sworn to before me this 10 October 1893 at Hall's Smith,

J. Lee J. P.  
John J. Baker

0199

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK ss:

*Mellie White*

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

Question. What is your name?

Answer. *Mellie White*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *England*

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

Answer. *43 East 12 St.*

Question. What is your business or profession?

Answer. *Domestic*

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

Answer. *I am not guilty and demand an examination*

*Mellie White*

Taken before me this 11th day of 1899

*[Signature]*

Police Justice.

0200

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

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

Question. What is your name?

Answer. *Lizzie Thomas*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *535 E. 10th*

Question. What is your business or profession?

Answer. *Domestic*

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

Answer. *I am not guilty,  
and demand an examination*

*Lizzie Thomas*

Taken before me this

day of

189

*Paul [Signature]*  
Police Justice.

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

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

Dated, Oct 10 189 John C. [Signature] Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

0200

1000. Cash Ex Oct 11/10 am.  
11 2/2  
15 10 a m

BAILED,

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

Police Court,

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Frank Decker  
277 E. Broadway  
Nelle White  
Gazze Thomas

1287  
Office, *Harvey*  
*Smith*

Dated, Oct 10 1892

*Duff* Magistrate.  
*McEvoy* Officer.  
14 Precinct.

Witnesses  
No. Peter DeLahm Street.  
311 3 Avenue

No. .... Street.  
No. .... Street.

\$ 1000 to answer G B

Committed

OC  
17  
1892

11  
12

Court of General Sessions.

City and county of New York.

-----x	:	
The People	:	Before the
vs.	:	Hon. Rufus B. Cowing
Nellie White	:	And a jury.
-----x	:	

Indicted for grand larceny in the first degree.

Indictment filed October 20, 1892 .

Tried November 22, 1892 .

-----  
Appearances :

Assistant District-Attorney Bedford for the people.

Mr. for the defence.  
-----

F R A N K B E C H D O L called by the People, being  
duly sworn testified that he lived at 279 East Broadway  
and was a bar tender. On October 8th at about 2 o'  
clock A. M. on 3d avenue near 9th street New York, com-  
plainant met two women, one of whom was the defendant  
and the other Lizzie Thomas. Complainant was going  
home when defendant stop him at the place mentioned and  
she said "Are you going to treat?" Complainant said

"Yes, if you want a drink, all right." All three went into a saloon on the corner of 3d avenue and 9th street. They had several drinks there during which time another woman came in and drank with them until about 7 o'clock A. M., at which time an Italian came in to clean up the place; whereupon they all adjourned to another room. Complainant was in a private room with the women and nobody else was there except the waiter who brought the drinks. Upon entering the second room after leaving the private room they all took drinks. Complainant then felt a stupid feeling come over him which had never come over him before, and he could not realize what the feeling was, and thought they had drugged him and he sat down. When he woke up complainant missed his watch, chain and diamond ring. Complainant slept or was in a stupor 7 or 8 minutes during which time complainant's companions disappeared and one of them has not been heard of since. The watch and chain were worth about \$100 and the ring was worth \$100. Complainant had his jewelry on his person at the time of leaving the private room at 7 o'clock A. M. and knew what he was doing all the time until he took the drink in the second room, and then he went to sleep, and the girls and the property disappeared

while he was in that condition. Complainant don't know whether somebody else came in while he was asleep and took his property.

P A T R I C K L A M B Being duly sworn testified that he kept a saloon on the corner of 3d avenue and 9th street and tended bar on the night in question and served drinks to defendant and the women; and was there on the morning of October 8th with the complainant and defendant. The defendant and two other women were there at 2 o'clock A. M., one of whom was called Big Joe, and the other Lizzie Thomas. Witness did not know the names at the time. Don't know personally that any of the women took the property of complainant; didn't see them take it; but they drank and made free with the complainant. About 7 o'clock in the morning they all went into another room, and witness saw that they were all feeling pretty happy while going out. After they left witness went in the room to take the glasses off the table, which witness does as a rule; and there witness saw the complainant in a half doze, and witness shook him up and said in fun "Get out of here". Witness thought it was time for him to get out as the glasses were empty and complainant was full. The complainant gazed

around, and asked what time it was. Witness said it was about 7 o'clock. Complainant looked for his watch, chain and ring and they were gone. From the time the women left complainant, witness don't know that anybody went in there; there might possibly some one have entered, and got away with the jewelry. Nobody came to get a drink at the bar at 7 o'clock A. M. and did not see anybody enter the saloon from the time the girls left until witness went into the second room where complainant was. It was about quarter to half a minute after the girls left that witness went into the room where complainant was, and no customer came in at that time. The room was half boarded up to the ceiling; it faced the other end of the bar. The porter that cleans up, did not go into the room while complainant was asleep as witness knows of, and witness would have probably noticed it if he had .

W I L L I A M Mc A V O Y being duly sworn testified that he belonged to the 14th precinct and arrested the defendant about 7 o'clock on October 10th asleep in bed in a building in 12th street, the second door from the corner of University Place. When witness arrested

the defendant he told her that she had been accused of stealing a watch, chain and ring. Defendant dressed herself, and replied, before she left her room, "There were three in it." After defendant had said there were three in it, witness told defendant that he had arrested Lizzie Reilly or Thomas, who charged defendant with the crime. Don't know who subsequently sent the pawn tickets for the jewelry to complainant, but witness got them from him. \$25 was advanced on the watch \$10 on the chain and \$50 on the diamond ring by Simpson No. 181 Bowery. Lizzie Thomas said that the defendant took the watch and chain from the complainant and big Joe took the ring.

N E L L I E W H I T E, the defendant, called by the defence and duly sworn, testified, that she knew the complainant for about 4 years and spoke to him every time she met him. She did not take complainant's jewelry on the night in question. Defendant was in the saloon mentioned and drank whiskey with the others from 2 o'clock A. M. till 7 o'clock A. M. and felt pretty good when she went out. The next thing defendant knew was when the officer came to arrest her at 34 East 12th

street. The officer knocked and defendant opened her door. The officer said he wanted defendant, and defendant asked him what for. The complainant was with him. The officer said complainant had lost a watch, chain and diamond ring, and she (defendant) was in his (complainant's) company. He (complainant) thinks you (defendant) know something about it. The officer said "I have Lizzie and am going to get Big Joe". Then defendant dressed and went with him. Defendant told the officer that there were three of them there, and she meant that there were three women who were drinking with the complainant. Defendant did not take the jewelry in question, and didn't see anybody touch it. Didn't know anything about the pawn tickets until the defendant saw them with the officer. Defendant knew big Joe by sight; never spoke to her but twice; she did not speak to defendant at all when she came in. Complainant turned around and said to big Joe "Will you have a drink?" She did not know complainant at all, and she said yes, and after that we had several drinks. Defendant is an unfortunate girl of the town and was never arrested before for anything else than soliciting.

Defendant is not particular what time she goes home  
nights; the officer never spoke to her (defendant)  
about Lizzie Thomas charging her (defendant) with steal  
ing the jewelry until she heard it down stairs in the  
court, at Lizzie's trial.

#####

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

THE PEOPLE OF THE STATE OF NEW YORK

against  
Nellie White  
and  
Lizzie Thomas

The Grand Jury of the City and County of New York, by this indictment, accuse  
Nellie White and Lizzie Thomas  
of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said Nellie White and Lizzie Thomas, both

late of the City of New York, in the County of New York aforesaid, on the eighth  
day of October in the year of our Lord one thousand eight hundred and  
ninety-two, in the night time of the said day, at the City and County aforesaid,  
with force and arms,

one watch of the value of  
seventy five dollars, one chain of the  
value of forty dollars, one locket  
of the value of thirty-five dollars,  
one finger ring of the value of  
fifty dollars

of the goods, chattels and personal property of one Frank Bechdol  
on the person of the said Frank Bechdol  
then and there being found, from the person of the said Frank Bechdol  
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.

De Laurey Nicoll,  
District Attorney.

0211

**BOX:**

500

**FOLDER:**

4560

**DESCRIPTION:**

Wienman, Isaac

**DATE:**

10/31/92



4560

Witnesses:

Richard J. Harris

CP Williams

.....  
.....  
.....

Counsel,

Filed, 31<sup>st</sup> day of Oct

1892

Pleas *M. J. Kelly - for*

THE PEOPLE

vs.

B

Isaac Wienman

*Isaac Wienman*  
~~GOVT LARCENY,  
(False Pretenses)~~  
[Section 528, and 532, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Bockwood*

*Dec 7/92*

*M. J. Kelly*

*Don 6 mrs B.M.*

Police Court Fourth District.

Affidavit—Larceny.

City and County } ss:  
of New York, }

Richard K. Morris

of No. 42 West 65<sup>th</sup> Street, aged 38 years,  
occupation Police Dept City of New York being duly sworn,  
deposes and says, that on the Third day of October 1892 at the City of New York,  
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in  
the day time, the following property, viz:

gold and lawful currency of the United States of America  
consisting of three one and bills of three denomination  
and one silver coin of one dollar and eighty cents

the property of this deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and  
carried away by Isaac Wienerman (a man known)

And deponent further says that the facts upon which this affidavit  
is based are as follows: That deponent holds <sup>three</sup> certain policies  
of assurance issued by the Metropolitan Life Insurance Company  
upon which there is payable each week a premium to said  
Insurance Company. That upon the said third day of October  
A.D. 1892 the said Isaac Wienerman came to deponent at  
said address and thereupon stated to deponent that he the  
said Wienerman was the agent of the said Metropolitan Life Insurance  
Company for the collection of the premiums there and there due and to  
be due upon the policies issued by the said Metropolitan Life  
Insurance Company. That thereupon deponent and relying upon  
the trust of the representation of said Wienerman as aforesaid  
deponent gave to said Wienerman and did give to said Wiener-  
man the said sum of one dollar and eighty cents and he received

Sworn to before me this  
day of October 1892  
Police Justice

same in payment of such said premium then and then due  
and thereafter to become due to the said Western Fire Insurance  
Company, which said sum of money the said Macmillan then  
and there received as the agent of the said Company and agrees to  
be paid to me for the same in the premium receipt book issued to  
me by the said Company.

And deponent further says that he is informed by Charles P.  
Mallaire the Superintendent of said Company that on the said third  
day of October a large said Macmillan was not an agent of  
said Company and was not the employ of said Company in any capacity  
and that he was not authorized, collect or receive money  
for or on account of said Company and that he the said Macmillan  
has not accounted for any paid said sum one dollar & fifty cents  
received by him as of or for said Company but the Company  
think deponent over that he said Macmillan has appropriated the  
same to his own use with intent to defraud the deponent of the  
premium thereof.

Subscribed and sworn to before me by Richard J. Morris  
on this 1st day of Oct. 1892

Charles N. Linton

Notary Public

0215

Sec. 198-200.

*L*

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss:

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

Question. What is your name?

Answer. *Isaac Weisman*

Question. How old are you?

Answer. *25 Years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *1675 Lexington Avenue 6 months*

Question. What is your business or profession?

Answer. *Agent Furniture Dealer*

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

Answer. *I am not guilty and if held demand a trial by jury.*  
*I Weisman*

*I Weisman*

Taken before me this *27*  
day of *Sept* 189*1*

*P. M. L. [Signature]*  
Police Justice.

02 16

1877.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Clark P. Williams

aged 39 years, occupation Superintendent of No. 2 West 14<sup>th</sup> St

Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Richard J. Morris and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 22<sup>d</sup> day of October, 1892

Clark P. Williams

Charles J. Linton  
Police Justice.

0217

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 3 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Oct 26 1882 J. H. [Signature] Police Justice.

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

Dated Oct 26 - 92 1882 J. H. [Signature] Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

0218

22

1337

Police Court--- 4 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Richard J. Norris  
42 vs. 65  
Isaac Krieweman

Offence  
Larceny

2  
3  
4

BATFED,  
No. 1, by Julius Levine  
Residence 23 E. 72d Street.

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

Dated Dec 26 1892  
Sampson Magistrate.  
Amstutz Officer.

Witnesses Clark P. Williams  
No. 2 West 14 Street.

No. Street.

No. Street.

\$ 300 to answer 48

Bailed

02-19

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK !

AGAINST

*Isaac Winman*

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

*Isaac Winman*

of the CRIME OF  *Petit* LARCENY,

committed as follows:

The said *Isaac Winman*,

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 ninety-*two*, at the City and County aforesaid, with force and arms, with intent to deprive and defraud *one Richard G. Harris, then owner of the holder of three certain policies of insurance issued by a certain corporation known as the Metropolitan Life Insurance Company, upon which the premiums were regularly paid to the said Metropolitan Life Insurance Company,* of the proper moneys, goods, chattels and personal property hereinafter mentioned, and of the use and benefit thereof, and to appropriate the same to *his* own use, did then and there feloniously, fraudulently and falsely pretend and represent to *the said Richard G. Harris,*

That *the said Isaac Winman was then and there the authorized agent and collector of the said Metropolitan Life Insurance Company, and was then and there authorized by the said company to collect and receive from the said Richard G. Harris the premium then due and owing by him to the said company upon the said policies of insurance, for and on*

of the said Metropolitan Life Insurance Company.

By color and by aid of which said false and fraudulent pretenses and representations, the said

Isaac Weisman

did then and there feloniously and fraudulently obtain from the possession of the said Richard

of Morris, the sum of one dollar and eighty cents in money, lawful money of the United States of America, and of the value of one dollar and eighty cents,

of the proper moneys, goods, chattels and personal property of the said Richard of Morris, (the same being the amount of the premium due due and owing by the said Richard of Morris to the said Metropolitan Life Insurance Company upon the said policies) with intent to deprive and defraud the said Richard of Morris

of the same, and of the use and benefit thereof, and to appropriate the same to his own use.

**Whereas,** in truth and in fact, the said Isaac Weisman was not then and there the authorized agent or collector of the said Metropolitan Life Insurance Company, and was not then and there authorized by the said Company

to collect or receive from the said Richard  
J. Norris the premiums then due and  
owed for him to the said company  
upon the said policies of insurance, for  
and on behalf of the said Metropolitan  
Life Insurance Company.

*[A large diagonal line is drawn across the page, crossing out the text above it.]*

**And Whereas,** in truth and in fact, the pretenses and representations so made as afore-  
said by the said Grace W. Wrennan  
to the said Richard J. Norris — was and were  
then and there in all respects utterly false and untrue, as she the said  
Grace Wrennan  
at the time of making the same then and there well knew;

**And so the Grand Jury Aforesaid,** do say that the said  
Grace Wrennan  
in the manner and form aforesaid and by the means aforesaid, the said proper moneys, goods,  
chattels and personal property of the said Richard J. Norris,  
then and there feloniously did STEAL, against the form of the statute in such case made and pro-  
vided, and against the peace and dignity of the said people.

DE LANCEY NICOLL,  
District Attorney.