

0353

**BOX:**

514

**FOLDER:**

4683

**DESCRIPTION:**

Wadler, Harry

**DATE:**

02/02/93



4683

Witnesses:

Henry C. Stocking  
Philip C. Elbogen  
Sarah Elbogen

Mr. Stocking informs me and the papers show that the only evidence against the defendant connecting him with the crime is that of the girl Elbogen herself. As conviction can be had on that and the probabilities of the place at which the offense is alleged to have been committed has moved away and no evidence or information is obtained from the neighbors. A plea of guilty and the imposition of a fine thereon will in my opinion be much more that could be secured on a trial of the case and I recommend accordingly.

Feb 27/93  
Stephen J. Kane  
Just.

*[Signature]*

Counsel,

2

Filed

day of

1893

Pleads,

THE PEOPLE

*[Signature]*

Harry Wadler

RAPE in the 2d Degree and  
ABDUCTION.  
(Sections 278 and 283, Penal Code.)

DE LANCEY NICOLL,  
District Attorney.

Feb 27/93

*[Signature]*

A TRUE BILL.

Indictment

*[Signature]*

Foreman.

*[Signature]*

Feb 27 1893

Feb 27. 1893 - Part I

0354

New York Dec 23<sup>rd</sup> 1892  
 Third District Police  
 Court  
 Her Attorney G. Duff  
 Residing Justice.

Philip Glentzen  
 Harry Wadler

McKinn. Here is the Doctors  
 Certificate, the people  
 claim that this  
 Defendant induced  
 the girl away from  
 home in Manhattan,  
 and took her to a  
 furnished room and  
 had sexual intercourse  
 under promise of  
 marriage then they  
 went to St. Delancy  
 Street, and there she  
 could not stand it

Q.

She asked him to take her away, they took her to 49 Green St Newark New Jersey and the Defendant went there and received the money she earned, she told me that—

Mr. Stecker... I object to this statement and ask that it be stricken out.

Philip Ellenbogen being duly sworn deposes and says I live at 217 Lehigh St I am the brother of the girl, she is 15 years and under 16 years

Stecker... He cannot testify

Q. as to her age  
How old are you?

2



Q

Q 2 21 Years  
What year were  
you born. What  
leads you to con-  
-clude that she is not  
older than 16 years?

A

My father and  
mother told me.

Signed before me }  
this 23<sup>rd</sup> day of Dec 1892 }

Price Justice

Q

H.

Leban Ebenboer  
 being only an  
 Apoor and says, I  
 am the father of this  
 girl, I live at Dy  
 Lewis St with my son,  
 I am here 11 years

Q. Is this your  
 daughter?

A. Yes Sir,  
 Q. How old is she, will  
 you answer she is  
 under 16 years

Objected to by Mr. Tucker  
 Q. Yes Sir

Q. How old are you?

A. 49 next March  
 Q. What year were you  
 born?

A. I will be 49 in  
 March

Q. How do you  
 know you are 49?

5.

A. My father told me,  
 I am the father of  
 seven children

Q. How many are  
 living?

A. Five  
 Q. Is the oldest child  
 that was born to you  
 and your wife still  
 living?

A. Yes Sir,  
 Q. The oldest child  
 that was ever born to  
 you and your wife?

A. Yes Sir  
 Q. When was that child  
 born?

A. In September  
 Q. What year was that  
 child born?

A. She was  
 born in 1868  
 Q. Who told

6

A. Yes it was 1868  
I am her father, &

Q. Where now  
A. Did you keep a  
register of their ages?

A. In Europe I  
had everything

Q. Have you got it  
here?

A. No Sir,  
Q. What year was this  
girl born in?

A. In 1874  
Q. What month

A. It was on  
either the 10th or 13th of  
Sept, she was born in  
Europe - in Schnatzow,  
Austria

Q. What Town  
or Province?

A. Metekam is the  
name of the Town  
6

4

Q. Where is the place  
in Austria near  
what City?

Q. Near Innsbruck  
Where you at home  
when the child was  
born?

Q. Yes Sir,  
Did you have a  
Doctor or Midwife  
there?

A. I had a mid-  
wife

Q. Do you know  
her name?

A. Mrs. Orban, she  
was a Christian  
German

Q. In the town  
she was born was  
the birth certificate  
registered if you  
know?

A. Yes Sir

17

P

Q. When did you  
come here?

A. Eleven (11)

Q. Years ago in June  
Did you daughter  
come here with you?

A. A year after I  
came here

Q. With whom?

A. Did she come here?  
She came with  
some countrymen

Q. What year did  
she come here?

A. 1885,  
Q. Do you know what  
ship she came in?

A. No, I do not  
Q. Do you know the  
line she came over

on?  
A. I did not come  
with her, I cannot

8



9

Tell you that,  
 sworn to before me  
 this 23<sup>rd</sup> day of Dec 1892  
 Police Justice

Mr. Steinbocker being  
 duly sworn deposes and  
 says, I and the mother  
 of the girl,

Q. Did you  
 have the question put to  
 your husband?

Q. A. No Sir,  
 Let her be sworn  
 then, so that your  
 daughter

Q. Yes Sir,

Q. What is her name?  
 A. Sarah

Q. How old is she?  
 9

10,

A She was 15 years  
on the 13<sup>th</sup> of Sept

Q. Last? Did you come  
here when they came?

A No, I came

Q. before they  
Do you  
know what ship  
your daughter came  
on?

A No she came  
with countrymen

Q. Do you know the  
line?

A No Sir  
Mr. Chester... They told me  
they came on "the  
Steamship Sophia"  
but the Agent said  
they had no such  
ship in the Hamburg  
Line.

11

Spoke to before me }  
 His 23<sup>rd</sup> day of Dec 1892 }

Police Justice

Frank Ellenbogen  
 being duly sworn  
 deposes and says

Q.

This Defendant is  
 charged with having  
 sexual connection with  
 you and your Father and  
 Mother say you are  
 under 16 years?

A.

He had connection  
 with me a good many  
 times in Lippman's  
 and Glabergs up at  
 C. Helanck St. and  
 in a furnished room  
 in Broome St. Then  
 to Newark N. J. he  
 had connection with

11

12

me there, three times  
a week

Q. Did he take  
you back?

A. No my brother  
found me

Q. Has he the  
first man you had  
connection with?

A. Yes Sir, I am  
sure, I knew him  
for a long time

Q. What statement did  
you make at the  
Horton house?

A. Objected to.  
~~Cross Examination~~ You know  
you are under oath?

A. Yes Sir,  
Q. You know if you  
commit perjury you  
can be sent to prison

12

13.

A. Yes Sir, I would  
 Q not tell a lie

You must tell  
 the truth, Did your  
 father, mother or brother  
 ask you to tell any  
 thing here?

A. Q. No Sir, I did not talk to them  
 about it?

A. Yes Sir, I  
 talked to them, I  
 was in the Societies  
 House, I talked in  
 court to them

Q. Did you say  
 when first arrested  
 you were 17 years  
 old?

A. No, I never told

Q anyone at all  
 How long  
 have you been in

14

This country?  
 Q. 2. How long has she  
 been here?  
 when you came

Q. 2. I do not know  
 Do you recollect being  
 in the ship?

Q. 2. Yes Sir,  
 Do you recollect the  
 name of the ship?

Q. 2. No Sir,  
 Or where you got on?

Q. 2. Yes Sir,  
 Do you know the  
 name of the Line?

Q. 2. Yes Sir, I was  
 a little boy,

Q. 2. How old were you?  
 Maybe 3 or 4

Q. 2. Years old  
 The whole thing  
 depends on her age

14



0370

15

You can find that  
at the Steamship  
Office

Set in \$1300. &  
Answer.

---

0371

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss:

District Police Court.

*Harry Wadler* 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.

*Harry Wadler*

Question. How old are you?

Answer.

*19 years.*

Question. Where were you born?

Answer

*Austria*

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

Answer.

*78 Clumond St*

Question. What is your business or profession?

Answer.

*None*

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  
Harry Wadler*

day of

Taken before me this

*24th*

1909

Police Justice.

0372

Sep. 13. / 92  
16 8<sup>th</sup> ocs3<sup>rd</sup> District Police Court.STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK. } ss.

Phillip Ellenbogen  
 of Number 27 Lewis Street being duly sworn,  
 deposes and says, that on the 25<sup>th</sup> day of September 1892 at the  
 City of New York, in the County of New York, at 279 Broome Street and  
No 6 Delaney St. in said City One Harry Wadler  
 (now here) did unlawfully take, receive,  
 employ, harbor and use a certain  
 female (now present) called Sarah Ellenbogen,  
 said female then and there being under the age  
 of sixteen years, to wit, of the age of fifteen  
 years, for the purpose of prostitution and  
 sexual intercourse, not being her husband,  
 in violation of the statute in such  
 case made and provided, and especially  
 in Section 282 of the Penal Code of  
 the State of New York

Wherefore the complainant prays that the said Harry  
Wadler

may be apprehended, arrested and dealt with according to law.

Sworn to before me, this

day of

22<sup>nd</sup>  
December 1892

Philip Ellenbogen

*[Signature]*  
 Police Justice.

POLICE COURT 3<sup>d</sup> DISTRICT.

THE PEOPLE, &C.,  
ON THE COMPLAINT OF

*William E. McElroy*  
*vs.*  
*Harry Wadler.*  
CRUELTY TO CHILDREN. *Allegation*

DATED Dec. 22<sup>d</sup> 1892

*Duffy* Magistrate.  
Clerk.

*McElroy* Officer.

Witnesses: S.P.C.C.

*C. Fellows Jenkins, Supt.,*

*100 East 23d Street.*

Disposition,

0373

0374

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 15 years, occupation cur-cop of No.

108 E. 23 -

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

Sworn to before me, this 22  
day of December 1897

Sarah Ellenbogen  
X  
mark

[Signature]  
Police Justice.

0375

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Lipe Ellenbogen*  
aged 48 years, occupation Sailor of No.

27 Lewis St Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of *Phillip Ellenbogen*  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 22  
day of December 1892 } *Lipe Ellenbogen*

*W. J. Murphy*  
Police Justice.



0376

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Dana Ellenbogen*  
aged 48 years, occupation Keying nurse of No.  
27 Lewis St Street, being duly sworn deposes and

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

Sworn to before me, this 22  
day of December 1892

*Dana Ellenbogen*  
X  
mark

*[Signature]*  
Police Justice.

0377

365 Lexington Avenue.

Dec 22<sup>nd</sup> '92

Hon Elbridge T Gerry,  
President of the Society for the  
Prevention of Cruelty to Children  
Dear Sir:—

I have this day  
examined Sarah Ellenbogen, aged  
15 years, of 27 Lewis Street, and find  
there has been complete penetration  
of her genital organs by some  
blunt object,

Respectfully Submitted

W. Travis Gibbs M.D.

Examining Physician

0378

Sec. 568.

District Police Court.

Undertaking to Answer.

CITY AND COUNTY OF NEW YORK, ss.

An order having been made on the 24 day of Dec 1892, by Police Justice of the City of New York, that

Harry Adler be held to answer upon a charge of

upon which he has been duly admitted to bail in the sum of Hundred Dollars.

WE, Harry Adler Defendant of No. 13 Wooster Street, Occupation Merchant; and

Benjamin Laides Surety, hereby undertake jointly and severally that the above-named Harry Adler shall appear and answer the charge above-mentioned, in whatever Court it may be prosecuted; and shall at all times render himself amenable to the orders and process of the Court; and if convicted, shall appear for judgment, and render himself in execution thereof; or if he fail to perform either of these conditions, that we will pay to the People of the State of New York the sum of Hundred Dollars.

Taken and acknowledged before me this

24 day of Dec 1892

Benjamin Laides  
POLICE JUSTICE.

0379

City and County of New York, ss.

Sworn to before me this  
day of  
189  
Benjamin Justice.

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

Benny's Saided  
26 Free  
Hundred Dollars,  
Old House and  
139 Mulberry  
St. Worth Ten thousand  
Dollars free and clear  
Benjamin Saided

Undertaking to Answer.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

vs.

Taken the day of 189

Justice.

Filed day of 189

0380

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

Arthur McIntire I order that he be held to answer the same, and he be admitted to bail in the sum of Twenty 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, Dec 22 1892 J. G. Deffy Police Justice.

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

Dated, Dec 24 1892 J. G. Deffy Police Justice.

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

Dated, Dec 24 1892 J. G. Deffy Police Justice.



038

\$ 1300 Ex. 23 Dec 9. 4th

Police Court, 3 District. 1

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Philip Ellentzen*  
*27th Lewis*  
*Harry Madler*

*Officer*  
*Ch. Madler*

BAILED,

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

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

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

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

Dated, Dec 22 1892

*Duffy* Magistrate.  
*Shalvey & Hussen* Officer.  
13 Precinct.

Witnesses *call officers*  
No. Louis A. Steen Street.

No. 108 E. 23 Street.  
*Sam Ellentzen*

No. 74 Columbia Street.  
*Sarah Giveling*

\$ 1300 to Harry Madler *Madler St*  
*Greeny*

*1300*  
*Ch. Madler*



0382

2018

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 Wadden*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this  
indictment, accuse *Harry Wadden*  
of the CRIME OF RAPE IN THE SECOND DEGREE, committed  
as follows:

The said *Harry Wadden*,  
late of the City of New York, in the County of New York aforesaid, on the *Twenty Eighth*  
day of *September*, in the year of our Lord one thousand eight hundred and  
ninety-*Two*, at the City and County aforesaid, in and upon a certain female not his  
wife, to wit: one *Dorah Ellenbogen*, feloniously did make an assault,  
she the said *Dorah Ellenbogen* being then and there a female under the  
age of sixteen years, to wit: of the age of *fifteen* years; and the  
said *Harry Wadden* then and there (under circumstances  
not amounting to rape in the first degree), feloniously did perpetrate an act of sexual intercourse  
with her the said *Dorah Ellenbogen*,  
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 Wadden*  
of the CRIME OF ABDUCTION, committed as follows:

The said *Harry Wadden*,  
late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the  
City and County aforesaid, did feloniously take, receive, harbor, employ and use her, the said  
*Dorah Ellenbogen*, so being then and there a female under  
the age of sixteen years, to wit: of the age of *fifteen* years, as aforesaid,  
for the purpose of sexual intercourse, he, the said *Harry Wadden*,  
not being then and there the husband of the said *Dorah Ellenbogen*,  
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

0383

**BOX:**

514

**FOLDER:**

4683

**DESCRIPTION:**

Walsh, Edward

**DATE:**

02/01/93



4683

Witnesses:

Herman Ranch

Counsel,

Filed

Pleads,

day of

1893

THE PEOPLE

vs.

Edward Walsh

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

DE LANCEY NICOLL,

District Attorney.

VERUE BILL.

14 Feb 10 1893

Foreman.

S. J. 3 14 and 17/93

0385

Police Court—Third District.

1931

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

of No. 286 Broome Herman Rauchfuss Street, aged 24 years,  
 occupation Machinist being duly sworn,  
 deposes and says, that on the 18<sup>th</sup> day of January 1893 at the City of New  
 York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Edward Walsh  
 under the following circumstances to wit:  
That said Walsh on said day struck  
deponent on the head and face with a large  
china plate or platter thereby breaking deponent's  
nose and otherwise severely injuring  
him.

208 Broome4:30 P.M.Ke...

with the felonious intent ~~to do him grievous bodily harm~~ 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 24<sup>th</sup> day  
 of January 1893,

Herman Rauchfuss  
Police Justice.

0386

(1885)

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK, }3  
District Police Court

Edward Walsh 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.

Edward Walsh

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

N. S.

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

Answer.

128 Chrysler St.22 years

Question. What is your business or profession?

Answer.

Pipe cutter

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 guiltyEdward Walsh

Taken before me this

day of

June  
1893

Police Justice.

0387

1356

Sec. 151.

Police Court *Third* District.

CITY AND COUNTY ) *In the name of the People of the State of New York; To the Sheriff*  
 OF NEW YORK, } ss. *of the County of New York, or any Marshal or Policeman of the City of New*  
 York, GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by *William Kouchuss* of No. *286* *Brown* Street, that on the *15<sup>th</sup>* day of *January* 189*3*, at the City of New York, in the County of New York,

and *feloniously* he was violently Assaulted and Beaten by *Edward Walsh*.

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals, and Policemen, and each and every of you, to apprehend the said Defendant and bring *him* forthwith before me, at the *3<sup>d</sup>* DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this *24<sup>th</sup>* day of *February* 189*3*.

*James Kelly*

POLICE JUSTICE.



0388

Police Court 3<sup>d</sup> District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Herman Rauchfuss  
vs.  
Edmund Walsh

Warrant-A. & B.

Dated January 24<sup>th</sup> 1893.

Reach Magistrate.

Jay Officer.

The Defendant.....  
taken, and brought before the Magistrate, to  
answer the within charge, pursuant to the  
command contained in this Warrant.

..... Officer.

Dated..... 189

This Warrant may be executed on Sunday  
or at night.

[Signature] Police Justice.

*Jany 29. 93*  
*334m*  
*Fate*  
*in*  
*128 Chryse*

0389

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

len guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of  
len 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, Jan 29 1893

Arthur H. R. 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 h to be discharged.

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

Police Justice.

0391

"How long confined"

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

149  
Police Court, *Thurs* District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Herman Bauchfus*

1. *Edward Wash.*

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

Dated, *May 24* 189*3*

*Rock* Magistrate.

\_\_\_\_\_  
Officer.

*Henry*  
Precinct.

Witnesses *Pat Kayser*

No. *101* Street.

*William Schaffer*

No. *173* Street.

*George*

No. *208* Street.

\$ *10.00* to answer *G. S.*

*C*

Offense, *Assault*  
*Felony*

0391

SOUTHERN PACIFIC COMPANY.

(Morgan's Louisiana & Texas R. R. & S. S. Co.)

PIER 25 (NEW), N. R.

JNO. T. VAN SICKLE,  
AGENT.

New York, Feb 16<sup>th</sup> 1893

To whom it may concern:

I've been

Ed. Welch has been in my employ for a year, off and on, in that time I have found him sober, industrious and willing to work, and recommend him to any one looking for such a man

James Butler

Steverson

Pier 37 N. R.

0392

44/93

THE PEOPLE,

COURT OF GENERAL SESSIONS, PART 1.

vs.

BEFORE JUDGE COWING.

EDWARD WALSH.

Monday, February 13, 1893.

Indictment for ASSAULT in the SECOND DEGREE.

A Jury was empannelled and sworn.

HERMAN ROUCHFOUSS, sworn, and examined, testified:

Where do you live? 286 Broome street, in this city. Do you know this defendant, Edward Walsh? I know him by sight. Did you see him on the 15th of January, last, in a saloon at 308 Broome street, in this city, about four o'clock in the afternoon? Yes. Who was with you when you went into that saloon? Mr. Keyser, he is in court. When you went into the saloon was the defendant Walsh there? Yes. Where was he standing when you entered the saloon with Keyser? He was standing at the end of the bar, he had three men with him. Do you know who the three men were? I could identify two of them. You don't know them by name? No. Have you seen them in court? There is one here. Did yourself and Keyser go to the bar? No, we sat down at the table, and Keyser ordered two beers; we were talking, and one of his (the defendant's) friends came over and said, "Ain't you going to treat?" He addressed me, I was sitting on the end and Keyser was sitting along by the wall. I said, "No, I don't know what I would treat you for," and I pushed him away to get him out of there. The defendant came towards me. How long after this friend of his had been put away from the table? That might have been two or three minutes; they had a little conversation there, they were talking among themselves, I didn't pay any attention to them; the prisoner came over, and just as I seen him he stood in front of me;

I just went to get up, and he says to me, "What did you want to hit that fellow for?" And with that, he had that plate in his pocket half-way, and he hit me without my having a chance to raise my hand or anything. Were you sitting down when he hit you? I was sitting down. Where did he hit you, on the nose? Right on the nose. Did it knock you over off your seat? Yes, I fell right over. And the plate was broken all into pieces? Yes, broken in pieces on the floor. Where did you go immediately after that? I went to the doctor's. What did the doctor find was the matter with your nose? He said my nose was broke. Was your nose broken? Yes, there was a piece out of the nose, and I was cut in the forehead, and cut over the eye, and cut in the lip and under the eye. All you received, were they from one blow of the plate? From this one blow of the plate; I have marks on my forehead and on the lip still. A piece of your nose was taken out, was it? Yes. Who picked up the plate, you or Keyser? Keyser, and he gave it to me.

CROSS EXAMINATION, by Counsel:

What do you do for a living? I am a machinist. Are you at work at present? Yes. Who are you working for? J. T. Dill. How long have you been working for him? Six years. What was your occupation there? I am a lathe hand. Did you see the defendant in this saloon as soon as you came in on this Sunday afternoon? Yes. Had you had anything to drink that afternoon before you went into the saloon? No. What time did you get up that morning? I got up about seven or half-past seven. Were you not near or in that saloon that Sunday morning? No. Where were you about eleven or twelve o'clock Sunday morning? I was home at that time. When I got up I



went out for a walk and got shaved, and got a paper and came home, about nine o'clock, and stayed home till half-past one, till after dinner. What time did you meet this friend of yours, Mr. Keyser? I met him about half-past one, he came up in the house. Did you have dinner together? No, he had dinner at his house and he came to my house. How long did Keyser stay there? He stayed about ten minutes, and then we went out for a walk. That was between half-past one and two o'clock? Yes. Between half-past two and four o'clock what did you do? We took a walk as far as Grand street, we went as far as center, and through different side streets, and went to Broadway. Did you have anything to drink at all? No. The first saloon you had been in was the saloon where you saw the defendant? Yes. How many people were in the saloon when you went in? There might have been eight or nine persons I suppose, I didn't pay particular attention to them. Had you begun to drink your beer before the friend of the defendant came over to speak to you? No. Were you some distance from the defendant and his friend at that time? I was about five or six feet away from him. There had been no general conversation up to that time between you and any of the defendant's friends? No. The friend of the defendant came over to me and says, "Ain't you going to treat?" I knew him by sight but didn't know his name. You would know him if you saw him again, though? Yes. Were you surprised when he said that? No, not at all, because I saw he was drunk, and I didn't pay any attention to him; I only said I was not going to treat, I didn't know him, I told him to get away, I touched him and said, "Go away, I don't know you." You were sitting down at the table, were you not? Yes. When you made that motion with your hand, did you

strike him in the face or the eye? No, I put my hand on the back of his person and said, "Go away, I don't know you, what will I treat you for?" Did you say anything else? No. Did your friend have any conversation with him? No, he didn't say a word to him. How drunk was his friend at the time he came up to you? He seemed to be in an ugly mood, he didn't stagger, he talked and walked pretty straight. As soon as this man left you you say he entered into conversation with the defendant and his friends? Yes. For about how long did they talk together before the defendant came up to you, as you say he did? Three or four minutes, something like that. Did they talk in an excited way? I didn't pay any attention to them. Had you another glass of beer? No, I didn't touch the beer, I was talking with my friend, where we would go that night. Did you hear any disturbance among the crowd before he came up? No. You could not hear what he was saying? No. You were six feet from him at the time? Yes. What then occurred? The next time that I noticed him he was standing in front of me, and he says, "What did you want to hit that little fellow for?" and without saying another word he hauled off with his left hand and hit me in the face with the plate. Did you hear any movement on the part of the crowd before this man was standing in front of you? No. Didn't you see the defendant coming towards you? No, he was in front of me, he suddenly appeared in front of me, and as I looked around he spoke to me. Was the plate laying on the table? It was laying at the end of the lunch bar; I wouldn't swear that I saw him pick the plate up from the end of the bar. The plate might have been twelve or thirteen inches long. Did he have that plate in his pocket? He did not have it all in his pocket, he had it partly in his pocket

and he had his hand on the back of it, like that (illustrating). You have stated fully and truthfully everything that occurred in this saloon up to this time, have you? Yes. Your memory of the occurrence is very distinct? Yes. You were perfectly sober at the time? Yes, I was perfectly sober. When the defendant struck you were you knocked insensible? Yes, he knocked me insensible, and I fell on the floor; and when I came to he had a hold of me by the coat, (illustrating). Do you know whether the plate was broken before it fell on the floor? My witness seen that; I heard the pieces fall on the floor. Do you know whether or not that plate was broken on your face or after it left your face? Yes, it was broken on my face, I am positive of that. It might have struck the chair? No, it was a small chair, I was sitting on the back, my face was cut up. Your friend was sitting there quietly while it was going on? Yes, he sat there alongside of me. Did he make any attempt to strike this man? No. Your mind is a blank from the time you heard the pieces drop until you were standing up and the defendant had hold of you? Yes, he had hold of me, and there was two men had hold of him, pulling him away. Was he shaking you? No, he was trying to pull me over to him. And then, immediately after that, you were all ejected from the bar-room? The saloon-keeper and the bartender put the men out. The time this defendant was holding you by the coat was just before you were driven out of this bar-room? Yes. Do you wish us to understand that there was a fight in that bar-room after you were struck with the plate? No, there was no fight only the saloon-keeper and the bartender put these men out. When did you make a complaint about this? The following Monday, a week after that. Did you talk with your friend Key-

ser about this occurrence before you made the complaint?  
 Yes. Were you on the hospital? No. Do you know where  
 this defendant lives? I do, now. Where did you make the  
 complaint against him? In Essex Market Court. How far was  
 the defendant standing from you when he threw the plate at  
 you, or when you first saw him in the saloon with the plate  
 in his hand? He stood in front of me, about a foot from me.  
 You were sitting down, and he was standing over you? Yes.  
 Did you dodge your head when you saw him put his hand up?  
 I did not have a chance to, I just looked up. You saw the  
 plate in his left hand? Yes. Did you think it was funny  
 that he had a plate in his hand? No. You were not prepar-  
 ed for anything being thrown at you when you saw him coming  
 up to you with the plate in his hand? No. You didn't ex-  
 pect to be struck with the plate at all, did you, when he  
 said, "Why did you strike my friend?" No.

BY DISTRICT ATTORNEY: Why was it that you allowed all the time be-  
 tween that Sunday and the next week to elapse before you  
 went to the court about it; were you sick? I was home at  
 that time, sick. You were under the doctor's care, dress-  
 ing your broken nose? Yes, I was not allowed to go out.

BY THE FOREMAN: Did you ever know the defendant at all before this,  
 had you ever seen him? No. You never had any altercation  
 with him of any kind? No.

BY DISTRICT ATTORNEY: What was his condition as to sobriety? He  
 was staggering drunk.

HENRY KEYSER, sworn and examined, testified:

Where do you live? No. 101 Ludlow street. Do you know the  
 complainant in this case? Yes. Were you in the saloon  
 308 Broome street with him, about half-past four, on the

15th of January last, and did you see this defendant there? Yes. Did you see any others with him? Three or four, I guess, something like that. You went in there with the complainant, to get a drink, and sat down at the table? Yes. We ordered beer, and the bar-keeper brought it over, and just as we were going to drink a little fellow came over and asked the complainant to treat, and he told him no, he didn't know him, something of that kind, and pushed him away. With that the prisoner came over and deliberately hit the complainant in the face with the plate. Did he have the plate in his hand? I didn't see where he had it, he possibly might have had it in his pocket or behind his back; I saw him cut him, I didn't see the plate though, it was done so quick. When your friend was hit in the face with the plate, the plate broke on his face? It broke all over, I heard the pieces fall; he fell over and he (the defendant) rushed at him again and grabbed him, and the proprietor interfered, and I went in between them. You tried to stop the fight? Yes. After this row did you pick up some of the pieces off the floor? Yes, I was the one that picked them up. What did you do with the pieces that you picked up? I put them in my pocket. And you gave them afterwards to the complainant? Yes. Are those the pieces of that plate (showing them)? Yes; I am sure they are.

(The fragments of the plate were offered in evidence)

CROSS EXAMINATION:

How long had you been with the complainant that afternoon? From about two o'clock I should say. Did you have anything to drink with him that day, or did you have anything to drink yourself that day? No. When you came into the saloon where were those people standing, the defendant and two or three

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others that you saw? At the end of the bar. How many people did you see in the saloon altogether? I don't know how many; there was a group of three or four and the proprietor and two or three others, further down. We sat on this table and there was some more sitting on another table, I don't know how many. You knew this young man by sight who came up and spoke to you, did you not? Yes, the little fellow, he asked the complainant to treat; he pushed him away, and the defendant came over and hit him in the face, with the plate. I am a friend of the complainant, and have known him for some time. What do you do for a living? I am a painter and decorator. How many minutes had elapsed from the time this young man spoke to your friend and the time the defendant came up? No minutes at all; he just turned around and said a word to him, and with that he (the defendant) came over and hit him; there is only one step to come over, I saw him standing at the bar. He came over and hit him in the face with the plate. Was he as many as six feet away from him? No. Did you hear him say anything or do anything before he left the place where he was standing and came up to you? No, I only saw that he had his hands behind his back or possibly in his pocket, I didn't see his hands. Did you see where he got the plate from? No. The first you saw of the plate was when the plate struck the complainant on the face? Yes. Can you swear positively that this defendant threw the plate or had the plate in his hand? He hit him in the face and I heard the splinters rattle, I didn't know what it was until afterwards. When the complainant fell down did the defendant rush up to him at once? As soon as he staggered back he fell, and the defendant rushed for him; and I saw his full face there full of blood, and the proprie-



tor and the bar-keeper interfered. Did the complainant fall on the ground? No, he didn't fall on the ground, but he fell backward and recovered himself; there proprietor caught him by the coat and he was pulling him around; there was no general scuffle. Weren't they fighting and hitting one another? No, not that I seen, I ran out to get a policeman but could not find any. Can you tell how far your friend was standing from the defendant when he struck him with the plate? He was right up to him. You are sure that the plate was broken on the complainant's face? Yes, I am sure of that.

By District Attorney: And these pieces you picked up right under where your friend was sitting? Yes, afterward; after they were put out. Did you see Mr. Schaffer this morning? No, I didn't see him this morning. After I came back looking for the policeman they were in the place yet.

DISTRICT ATTORNEY: That is the case for the People.

#### THE CASE FOR THE DEFENCE.

THOMAS BOYLAN, sworn and examined, testified:

Do you know the defendant, Walsh? Yes. How long have you known him? About ten or fifteen years. Do you remember that Sunday afternoon, in the saloon where that trouble spoken of occurred? Yes. Tell us what occurred? I and three more went into that place on the day in question; I went over, and jokingly, as a young boy would, said, "what do you say, are you going to do anything?" That means "Are you going to treat?" So he [the complainant] says, "No, go away;" and with that he put out his hand and he threw me back. Then I got a cut on the eye, I was stunned for the time being, the blood got on my eye, and I couldn't see any more. Did you

see any quarrel or any general disturbance? No, I had my back turned, I didn't see any fight. How long had you been in the saloon before the complainant came in? I might have been half an hour, may be. Was this defendant drunk at the time? No; I don't think anybody was drunk in there. Did you go back after being struck by this complainant and say anything to the defendant? That I don't recollect.

CROSS EXAMINATION:

Did you know this complainant? I saw him every evening around there, I used to say good-evening. You had been in the saloon half an hour, and hadn't drank; is that right? I guess we might have one or two; I was with friends in there, Fred Henson is one, and Joseph Foy is another. I didn't see any blows struck by either of the parties.

BY COUNSEL: What do you do for a living? A. I work.

EDWARD WALSH, sworn and examined, testified:

You are an uncle of this defendant? Yes. You have known him a good many years? Since he was a child. Do you know what his general reputation for peace and quiet is? As far as I know -- I don't know anything wrong about him; I know him to be working right along for a living, up to the time of his becoming of age; his father left him a thousand dollars when he was of age. He worked for his living, so far as you know? Yes, he worked with a plumber at the time of this occurrence; previous to that he had been working over on the North River.

JOSEPH FOY, sworn and examined, testified:

What is your business? Assistant book-keeper for the London Needle Company. Were you in the saloon 308 Broome street

the night this took place? Yes. Did you see the defendant there that night? Yes. Was he drunk or sober? Sober; from his appearance, he was not intoxicated. He didn't look as if he had been drinking anything. How long have you known this defendant? Five years.

CROSS EXAMINATION:

Do you know Boyland, and was he in that saloon too? Yes. You are quite certain about that? Yes, because I treated him that day. Do you know Boylan's young brother? Yes.

EDWARD WALSH, SWORN AND EXAMINED, TESTIFIED:

How old are you? Twenty-two. You have lived in the city all your life? Yes. Have you ever been arrested? No. Tell us what occurred in the saloon 308 Broome street on Sunday evening, January 15th? I went into the saloon to get a drink, I was going up to see a friend of mine in 86th street and while I was in this saloon this man I had the trouble with was in there, and his friend Keyser, I mean the complainant in the case. They were very quarrelsome, they were drinking at the time, and they insisted upon fighting; he came over to me, and I told him I didn't want to have anything to do with him, because I was no fighting man, I mind my own business; he would insist upon fighting all the time, and I told him to go away three or four times; he pushed me and I pushed him; then we had words; we clinched and the words led to blows; and he seen I was getting the best of him; I hit him two or three times, and when he seen I was getting the best of him he gets one of the bar knives, that is used to cut pickles and cheese with, and when I seen him do that I thought my life was in danger, and I picked up this plate in self-defence, and struck him with the plate.

You have heard what this man has testified to? Yes. You swear that you did not go up and strike him in the face with the plate without provocation? Yes. How many drinks had you had that night? I was just after leaving the house, I had my supper, it was between eight and nine o'clock in the evening. The complainant swears it was between four and five in the evening? I have got a witness to prove it was between eight and nine o'clock in the evening; it was very dark. What do you do for a living? I am a pipe cutter. Were you working the week before this thing occurred? Yes. Who were you working for? A man in South Fifth avenue; for three weeks I worked for him. I left the Morgan Line Steamship Company because they were getting very slack, I wanted to get something else. When the complainant fell down did you run at him again? No. You saw a knife in his hand distinctly? Yes. Which hand did he hold it in? His right hand. Where did you pick the plate from? The lunch counter.

CROSS EXAMINATION, by District Attorney:

Why didn't he cut you with the knife? Because he didn't have a show, I kept out of his way, he would have cut me with the knife. How long do you think it took from the time he grabbed the knife until you shoved him off and grabbed the plate and smashed him with it? It didn't take very long at all, a minute or two. Was it in that scuffle that your friend, Boylan, got cut? I couldn't say. You don't know how Boylan got cut, do you? No, I don't. You swear positively that Boylan was there that day? Yes, I will swear that. That is as true as all the other things you have sworn to? Yes. Who was the fourth man that was in your party? There was no fourth man; there was only three in the party when I seen them, and I couldn't say whether or not

there was a fourth man there. There might have been some strangers standing alongside in the place. Were there any other men there, in the saloon? Yes, there was about fifteen in the saloon at the time. Were there any men talking with Foy beside Boyland? No, only ourselves.

COUNSEL: That is the case for the Defendant.

REBUTTING EVIDENCE.

HERMAN ROUCHFOUSS, recalled by District Attorney, testified:

This defendant says you reached for the knife over the counter to stab him, and had a scuffle; is there any truth in that? No, I didn't get out of the chair. You didn't get out of the chair at all? No. Were you in court this morning when a witness named Boylan was examined? Yes. Was that person who was on the stand here and took the oath, in that saloon at 308 Broome street, at any time during this occurrence you have testified to? No, he was not.

BY COUNSEL: How long have you known the man that came up and spoke to you that evening? I knew him about two or three years, by sight.

BY DISTRICT ATTORNEY: He is the brother of the man who took the oath? Yes, the brother. Have you ever seen the man who took the stand here before? Yes, I have seen him before.

BY COUNSEL: And all your testimony is as true as the testimony you have just given in regard to that boy not having been in the saloon, is it? Yes.

HENRY KEYSER, recalled:

Did you see Boyland, the man who was sworn for the defendant here this morning? Yes. Were you in court when he gave his

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testimony? Yes, I was here. How long have you known him?  
By sight, a year or two years, something like that. Do you  
know his brother? Yes, I know his brother also by sight,  
for about the same length of time. Was the man who took the  
stand this morning, and swore in behalf of this defendant,  
the man who was in the saloon on that Sunday? No, he was  
not the man.

The Jury rendered a verdict of GUILTY.





# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Edward Walsh*

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

*Edward Walsh*

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

The said

*Edward Walsh*

late of the City and County of New York, on the *fifteenth* day of *January* in the year of our Lord one thousand eight hundred and ninety-*eight*, at the City and County aforesaid, in and upon one

*Herman Rauchfus*

in the peace of the said People then and there being, feloniously did wilfully and wrongfully did make an assault; and the said

*Edward Walsh*

with a certain

*plated*

which

the said

*Edward Walsh*

in *his* right hand then and there had and held, the same being then and there a weapon and an instrument likely to produce grievous bodily harm, *he*, the said *Herman Rauchfus* then and there feloniously did wilfully and wrongfully strike, beat, *and* bruise 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.

## SECOND COUNT—

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

*Edward Walsh*

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

The said

*Edward Walsh*

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, in and upon the said *Herman Rauchfus*

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault; and the said *Edward Walsh* the said *Herman Rauchfus* with a certain *stick*

which *he* the said

*Edward Walsh*

in *his* right hand then and there had and held, in and upon the *head and face* of *him* the said *Herman Rauchfus* then and there feloniously did wilfully and wrongfully strike, beat, *and* bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said *Herman Rauchfus* to the great damage of the said *Herman Rauchfus* 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.*

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**BOX:**

514

**FOLDER:**

4683

**DESCRIPTION:**

Ward, John

**DATE:**

02/09/93



4683

04 10

**BOX:**

514

**FOLDER:**

4683

**DESCRIPTION:**

Smyth, Richard

**DATE:**

02/09/93



4683

04 11

**BOX:**

514

**FOLDER:**

4683

**DESCRIPTION:**

Russell, Thomas B.

**DATE:**

02/09/93



4683



04 12

**BOX:**

514

**FOLDER:**

4683

**DESCRIPTION:**

McGuire, Jacob

**DATE:**

02/09/93



4683

04 13

**BOX:**

514

**FOLDER:**

4683

**DESCRIPTION:**

Martin, Charles

**DATE:**

02/09/93



4683

POOR QUALITY  
ORIGINAL

Witnesses:

off Browning Central  
W. J. Bennett  
off Robinson Central  
Allen Nugent  
E Bracken

by R. J. Haire.  
#33  
Apr 24 1893  
Counsel, J. A. [unclear]  
Filed 9 32 day of Feb 1893  
Pleads, [unclear]  
THE PEOPLE,  
vs. [unclear]

1. John Ward, alias McGuinness,
2. Richard Smyth,
3. Thomas B. Russell,
4. Jacob McGuinness,
5. Charles Martin

[Lapping, Telegraph wire, etc.  
[Sec. 639, sub 7, Penal Code]

DE LANCEY NICOLL,  
District Attorney.

*[Handwritten notes and signatures]*  
as to [unclear]  
March 16 1893

POOR QUALITY  
ORIGINAL

Witnesses:

off Crowley Central  
W. J. Bennett  
off Roberson Central  
Allen Mygatt  
E Brecken

Counsel,

Filed

Pleads,

day of

1893

THE PEOPLE,

vs.

1. John Ward, alias McGuinness,
2. Richard Smyth,
3. Thomas B. Russell,
4. Jacob McGuinness,
5. Charles Martin

DE LANCEY NICOLL,

District Attorney.

*[Handwritten notes and signatures]*  
March 16 1893

Police Court, First District.

City and County of New York, ss:-

W a l t e r C. H u m s t o n e, of No. 195 Broadway, by occupation a Superintendent, being duly sworn, deposes and says, that on or about the 28th day of January, 1893, at the City of New York, in the County of New York, in violation of the provisions of section 639 of the Penal Code of the State of New York, a certain telegraph line or wire belonging to, used, operated, maintained, managed and controlled by the Western Union Telegraph Company, a corporation sending and receiving telegraphic messages and dispatches for the general public, and which said line or wire at said time, was connected to a fixture on and passed over the roof of premises known and designated as No. 77 University Place, and in easy reach from said roof, and which said line or wire, and roof were adjacent to and of easy access from the roof of the premises known and designated as the Spingler House, at the Southeast corner of University Place and 14th Street, in said City, was unlawfully and willfully cut, broken, tapped and connected with a certain telegraph receiver, telegraphic instrument or apparatus, which was then and there in a room known and designated as 12-A, on the top floor of the said Spingler House, and thisdeponent, has reason to suspect and does suspect that the said line or wire was so cut, broken, tapped and connected as aforesaid, by John Ward (alias McGinnis), Richard Smyth, Thomas B. Russell (alias Thomas Barrett), Jacob McGuire, (alias Russ. Dougherty) and Charles Martin, (alias Frank Bray) (all now here), all acting in wrongful

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and unlawful concert together, and with each other, and who conspired together and with each other, and who so wrongfully and unlawfully aided, abetted and assisted each other in the cutting, breaking, tapping and connecting of the said line or wire as aforesaid, and who unlawfully and wilfully occupied a room together and with each other, for the purposes aforesaid, and who permitted and allowed to be used certain telegraphic instruments for the purposes aforesaid, for the reasons following, to wit:- That deponent has been informed by one Mrs. Hillen, the wife of the proprietor of the said Spingler House, and verily believes, that on the 26th day of January, 1893, she rented the said room known and designated as 12 A, in said House, to a person whom this deponent believes to be one of the above-named defendants, and that said room continued to be so rented until the 28th day of January, 1893, when all of the above-named defendants were arrested. Deponent is further informed by the said Mrs. Hillen, and verily believes, that on the 26th day of January, 1893, she discovered two men descending from the roof of the said Spingler House, and who said, in response to her inquiry as to where they had been and what they had been doing, that they were linemen and had been upon the roof for the purpose of looking after and fixing some wires. That on the 27th day of January, 1893, between the hours of 11 and 12 in the forenoon, two men, one of whom she recognized as the defendant Richard Smyth, came together to the said Spingler House. That at said time, they had with them three pieces of paper, which the said defendant Smyth, represented to her were orders,



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and stated to her that they were linemen and requested permission to go upon the roof of the said Spingler House for the purpose of making repairs to some wires; and that believing the statements of the defendant Smyth to be true, she permitted them to and they did go upon the said roof, and after remaining there for a time, descended and left the house. That on the day when the said room was rented, as aforesaid, the party to whom it was rented, as aforesaid, informed her that a trunk would be brought to the room during the day; that within a short time thereafter, a trunk was brought to the said Spingler House, and taken to the said room, and that since the arrest of said defendants, the said trunk has been taken possession of by the Police Authorities, and is now at Police Headquarters. Deponent further says, that he has been informed by the said Mrs. Hillen, that a key taken from the person of the defendant John Ward, (alias McGinnis), she recognizes and identifies as the key to room 12-A in said Spingler House.

Deponent is further informed by Edward M. Bracken and John Traynor, that on Saturday, January 28th, 1893, they followed the defendant Thomas B. Russell (alias Barrett), from the premises No. 205 East 29th Street, to the corner of Lexington Avenue and East 125th Street, where he entered a Western Union Telegraph office. That he remained in the said telegraph office for about ten minutes, when he came out, stood on the corner for a time and then returned. That he again came out, took a cable car and rode to 7th Avenue and 125th Street, and entered a house.

4.

In about fifteen or twenty minutes the said defendant again appeared on the said corner of 7th Avenue and 125th Street, with a package. That said defendant then took a cable car to 125th Street and 3rd Avenue, where he took an Elevated Railroad train and rode to 42nd Street, then left said train and entered the Commission rooms at Nos. 152 and 154 East 42nd Street, and in about fifteen or twenty minutes came out with the same package, ran over to the downtown station of the Elevated Railroad, took a train and rode to East 14th Street, where he left said train and entered Kearns' liquor store at the northwest corner of 14th Street and 3rd Avenue, came out and walked through 14th Street to University Place, and down to the corner of 13th Street, where he met the defendant John Ward, (alias McGinnis), and gave him the package. That said defendants conversed together for a few minutes and then separated, the defendant Russell, (alias Barnett), going into the Commissionroom, No. 74 University Place, and the defendant Ward, (alias McGinnis) going down University Place.

+ Deponent is also informed by James F. Kennedy, and verily believes, that he saw the defendant Russell, (alias Barrett) give the said package to the defendant Ward (alias McGinnis) and that said defendant walked to the west side of University Place, between 13th and 14th Streets, where he met the defendant Jacob McGuire, (alias Dougherty). That they conversed together for a few minutes and then walked up University Place, towards 14th Street. That when about opposite No. 74 University Place, the defendant Ward (alias McGinnis), handed the package aforesaid, to the defendant

5.

McGuire, (alias Dougherty), and then entered the Commission room, No. 74 University Place.

Deponent is further informed by the aforesaid Bracken and Traynor, and verily believes, that at this point they followed the defendant McGuire (alias Dougherty) up University Place and saw him enter the Spingler House Cafe. In about five or ten minutes, they entered the said Cafe, and not seeing the said defendant McGuire, (alias Dougherty) returned again to the street. In about fifty minutes after the defendant McGuire (alias Dougherty) had entered the Cafe of the Spingler House, as aforesaid, they observed the said defendant Ward (alias McGinnis) standing on the west side of University Place and opposite the said Spingler House. That he looked up towards the roof of the said Spingler House, made a motion with his hand, entered the Spingler House and disappeared. Deponent is further informed by the said Kennedy, that when the defendant Ward, (alias McGinnis) entered the said Spingler House, as aforesaid, he, the said Kennedy, went upon the roof of the building next adjoining the said Spingler House, and saw two copper wires, covered with paraffine, and connected with the telegraph line or wire of the Western Union Company, which was fastened to a fixture on, and ran across or over the roof of premises known and designated as No. 77 University Place. That the said two wires so fixed or fastened, as aforesaid, to the said line or wire of the said Western Union Telegraph Company, passed along north, from said place of connection, around a chimney on the roof of

6.

the premises known and designated as the Butterick Building, down and over the roof of said building, to the window of the room 12-A, aforesaid, on the top floor of the said Spingler House, where they were fastened.

Deponent is further informed by the aforesaid Bracken and Taylor, and verily believes, that after the aforesaid Kennedy had gone upon the roof of the Butterick Building, that the said defendant McGuire (alias Dougherty) came out of the said Spingler House with the said package, which he had previously carried in with him, and walked down University Place to the northwest corner of 12th Street, where he entered a saloon and placed said package behind the bar. He then came out and after standing on the corner for a short time, was joined by the defendants Ward (alias McGinnis), Russell, (alias Barrett), Smyth and Martin (alias Bray). That they all entered the saloon together, remained inside for a few minutes and again returned. That shortly after they re-entered the saloon and were arrested. That deponent is also informed by one Michael J. Bennett that he was at 12th Street and University Place, on the day in question, and saw the defendants Smyth and McGuire, (alias Dougherty) talking together for about twenty minutes when they were joined by defendant Ward (alias McGinnis), who had a package with him. That the three defendants conversed together for a while when Ward (alias McGinnis) and McGuire (alias Dougherty), left defendant Smyth, and walked upmtowards 13th Street, where Ward, (alias McGinnis) gave said package to McGuire (alias Dougherty). They then separated, and defendant Ward (alias McGinnis) entered the Commission room No. 74 University

0422

7.

Place, the defendant Russell (alias Barnett) having entered said place before him. That shortly after the defendant Ward (alias McGinnis), had entered said Commission room, the defendant Russell (alias Barrett) came out, was joined by the defendant Smyth, and after conversing together, separated and the defendant Russell (alias Barrett) re-entered said Commission room. That shortly thereafter, the defendant Ward, (alias McGinnis) came out of said Commission room, walked to the middle of the block between 13th and 14th Streets, and when opposite the Spingler House, made motions to some person or persons, with his hands.

Deponent is also informed by John Traynor, and verily believes, that after the arrest of the defendants, he went to the saloon at 12th Street and University Place, and took from behind the bar, the package which the said defendant McGuire (alias Dougherty) had taken into and carried away from the Spingler House, and took the same to Police Headquarters, and upon investigating the contents thereof, said package was found to contain a telegraph instrument commonly used for the sending and receiving of telegraphic messages or dispatches.

Deponent is further informed by one Albert Nugent, a lineman in the employ of the Western Union Telegraph Company, that on Sunday, the 29th day of January, 1893, he visited the Spingler House, and went to the said room 12-A and saw two wires fastened to a hook on the side of the window of said room, and that said wires ran up the side of, around the chimney, on and across the roof of the But-terick Building and on to the roof of the premises known

8.

and designated as No. 77 University Place, where they were fastened to and connected with a telegraph line or wire of the Western Union Telegraph Company, which said line or wire had been cut, broken and tapped as aforesaid, and as deponent believes, and charges the fact to be, by the defendants herein.

Deponent is further informed by one David B. Mitchell, wire chief for the Western Union Telegraph Company, and verily believes, that he has seen the trunk that was taken from ~~xx~~ the room 12-A in the Spingler House, and that it contained about 60 Cells of batteries, used in telegraphing; that there was also found in said room, immediately after the arrest of the defendant, one Box-Relay, used for ~~and sending and one relay, used for receiving messages,~~ receiving messages; one key and relay, mounted on a box, also used for receiving and sending messages; two button switches, used in switching from one wire to another and a quantity of covered wire, all used in the business of sending and receiving messages and dispatches by telegraph, and also a quantity of paper sheets with large numbers printed upon them, all of which deponent is informed and verily believes, were used and employed by the defendants for the purposes aforesaid.

Wherefore, the deponent prays  
that the said defendants may be dealt with according to law.  
Sworn to before me this 31st)  
day of January, 1893.

*John A. Ryan*  
Police Justice.



Police Court-- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Charles C. Hemmerson*

vs.

- 1 *John Edward*
- 2 *Richard Dwyer*
- 3 *Thomas B. Russell*
- 4 *Jacob W. Guire*
- 5 *Charles Martin*

Offence,

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street.

to answer Sessions

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

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

Dated 188

Police Justice.

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

Dated 188

Police Justice.

There being no sufficient cause to believe the within named

guilty of the offence within mentioned, I order he to be discharged.

Dated 188

Police Justice.

0425

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before John J. Ryan a Police Justice  
of the City of New York, charging Richard Smith Defendant with  
the offence of Interfering with telegraph wires

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

We, Richard Smith Defendant of No. 338  
East 13<sup>th</sup> Street; by occupation a Lineman  
and Arthur J. McQuade of No. 313 East 13<sup>th</sup>  
Street, by occupation a Paper Stock Dealer Surety, hereby jointly and severally undertake  
that the above named Richard Smith Defendant  
shall personally appear before the said Justice, at the 1 District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York the sum of Three  
Hundred Dollars.

Taken and acknowledged before me this 29

day of August

1893

John J. Ryan POLICE JUSTICE.

0426

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Sworn to before me, this 29th day of May, 1893.*  
*[Signature]*  
Justice

*Arthur J. McQuade*

the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth *Six* Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of *house and lot 535*

*East 13th Street worth Five thousand dollars over all encumbrances.*

*A. M. Quade*

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Undertaking to appear  
during the Examination.

vs.

Taken the ..... day of ..... 18

Justice.

0427

CITY AND COUNTY }  
OF NEW YORK, } ss.

1021

aged 43 years, occupation Wine chuf of No. 195 Broadway Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Walter C. Humstone and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 31<sup>st</sup> day of January 189 3 } David B. Mitchell  
John Ryan Police Justice.

0428

Police Court, / District.

City and County } ss.  
of New York,

Michael Crowley

of No. Central Office Street, aged 41 years,  
 occupation Detective Sergeant being duly sworn, deposes and says,  
 that on the 28 day of January 1893, at the City of New  
 York, in the County of New York, he arrested

John Ward

Richard Smith

Thomas B. Russell

Jacob Maguire and

Charles Martin (all now here) charged  
 with interfering with and tampering with  
 telegraph wires - defendant prays that the  
 said five defendants be held to enable him  
 to procure further evidence.

Done to before me this

29<sup>th</sup> day of January 1893

Michael Crowley

John Ryan

0429

Sec. 198-200.

District Police Court.

1882

City and County of New York, ss:

*Charles Martin* 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*Chas Martin*

Taken before me this

day of

189

Police Justice.



0430

Sec. 198-200.

City and County of New York, ss:

1882  
District Police Court.

*John McGinness* 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*John McGinness*

Taken before me this

day of

189

Police Justice.

0431

*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, ----- 189 ----- 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.*

0432

No Ex Jan 31. 2. PM

Police Court---

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Michael Crowley

John Ward

Richard Smith

Thomas B. Russell

Leet Ingram

Charles Martin

Dated, Jan 29 1893

Magistrate.

Crowley Officer.

C. C. Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

to answer

No 1 + 2 Bond

Now 3. 4. 5. 7. 2 Remand

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0433

Sec. 198-200.

1882

City and County of New York, ss:

District Police Court.

*Thomas B Russell* 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am your friend*  
*Thomas B Russell*

Taken before me this

day of

189

Police Justice.

0434

Sec. 198—200.

1883

District Police Court.

City and County of New York, ss:

*Jacob M. McGuire* 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. *Jacob M. McGuire*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *United States Hotel, 1000*

Question. What is your business or profession?

Answer. *Speculator*

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 now free.*

*Jacob M. McGuire*

Taken before me this

day of

189

Police Justice.

0435

Sec. 198-200.

1882  
District Police Court.

City and County of New York, ss:

*Richard Smythe* 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.

*Richard Smythe*

Question. How old are you?

Answer.

*34 years.*

Question. Where were you born?

Answer.

*Ireland*

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

Answer.

*335-E-13<sup>th</sup> St. N. 25 years.*

Question. What is your business or profession?

Answer.

*Electrician*

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*  
*R. Smyth*

Taken before me this

day of *Sept* 189 *21*

Police Justice.



0436

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

Richard Smith, John Russell, and John McLean  
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, Jan 31<sup>st</sup> 1893

John Ryan Police Justice.

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

Dated, Feb 1<sup>st</sup> 1893

John Ryan 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.

1891

043

Police Court---

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Walter Humstone*  
Es. 195/1894  
*John Ward*  
*Richard Smith*  
*Thos Russell*  
*Jacob Maguire*  
*Charles Martin*

*Indefinite*  
*with release*  
*145*

BAILED,

No. 1, by *Matthew Clune*  
Residence *Vanderbilt St. 47* Street.

No. 2, by *Arthur J. McQuade*  
Residence *313 - E - 13* Street.

No. 3, by *Marcell Williams*  
Residence *1709 - 3 Ave* Street.  
*Tremont*

No. 4, by *Julia Busch*  
Residence *16 Somerset* Street.

*No 2 to bring bail*  
*July 1 - 12*

*No of Matthew Clune*  
*Vanderbilt St.*  
*47*  
*St. James Ave*  
*City*

Def. 1.

*ent. July 1894*  
*June 29*

*James J. Ryan* 189 3  
Magistrate.  
*Emily M. Mann* Officer.  
Precinct.

Witnesses *Names of interest*

No. *herts attached* Street.

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

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

\$ *1000* to answer *G. S.*

*James*

- ✓ Edward M. Bracken  
 221 East 58th St  
 ✓ John Tragan  
 " 305 E 129 St  
 ✓ James F. Kennedy  
 440 E 58 St  
 John Winkler  
 58 University Place  
 ✓ Michael J. Bennett  
 207 Hudson  
 ✓ Officer Martin T. Robinson  
 Police head quarters  
 ✓ Sarah Galligan  
 434 West 19 St  
 ✓ Albert Morgan  
 57 Bay St  
 ✓ David B. Mitchell  
 748 Jefferson Ave  
 Thomas J. Hall  
 728 Willow Ave  
 Henry Lang  
 Police head quarters  
 Michael Lerowley

0439

*Law Department*  
*Western Union Telegraph Company.*

*195 Broadway,*

*New York.*

February 6th, 1899.

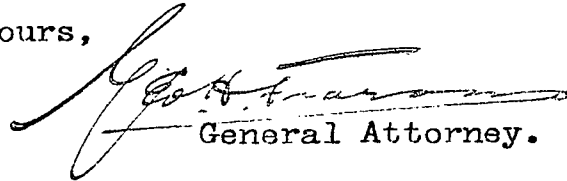
*George H. Tarrant,*  
*General Attorney.*

John Schwarzkoff, Esq.,  
Dep. Asst. Dist. Atty.,  
Criminal Court Building,  
New York City.

Dear Sir;-

Answering your favor of the 2nd instant, in the matter of indictments against Ward, Smyth, Russell, McGuire and Martin, and to the conversation had with you to-day by a representative from my office, I have to say that I have no objection to make to the men above named being released on their own recognizances, and the Western Union Telegraph Company hereby consents to such release, as the matter has been held up so long in the District Attorney's office.

Very truly yours,

  
General Attorney.

0440

*Law Department*  
*Western Union Telegraph Company,*  
*195 Broadway,*

*George H. Parsons,*  
*General Attorney,*

*New York, October 25th, 1893*

Mr. Delancey Nicoll,  
District Attorney,  
New York City.

My dear Sir:--

One Richard Smythe, formerly an employe of the American District Telegraph Company, was indicted in this County with others for alleged wire tapping. The indictment is still in force, and we beg to submit the following reasons why it should be dismissed.

Richard Smythe has been known to us through employment by the said American District Telegraph Company for the period of about ten years, during which time he rendered satisfactory service, and was a law-abiding citizen.

The offense with which he is now charged was so far as we know or have been able to discover, his first criminal act. Our investigation as I remember it, connected him with his indicted associates only upon the day on which the wires were cut, and then only in having been seen with them on a public street corner. He was not seen or recognized in the building upon which the wires were cut.

In view of the above circumstances, if you can properly see



0441

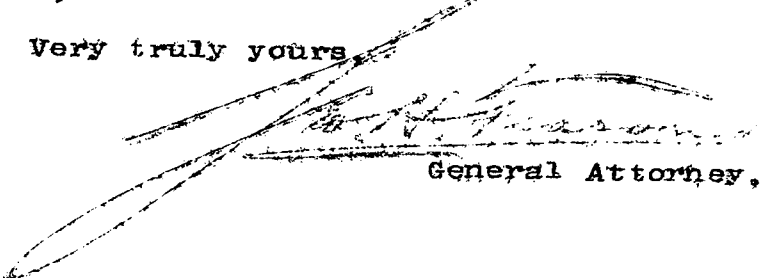
Mr. D.N.

#2.

your way to doing so, we consent to his not being prosecuted.

I am with respect,

Very truly yours,



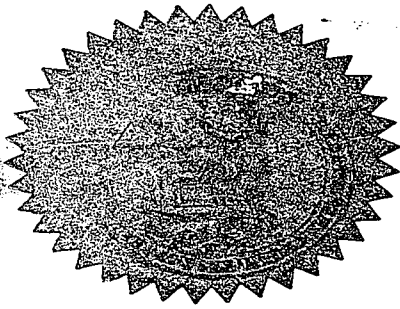
General Attorney.



0442

cells - 1000  
Synth -  
Fiducial paper

0443



COURT OF GENERAL SESSIONS OF THE PEACE.  
CITY AND COUNTY OF NEW YORK.

*November 9* 1897  
*undisturbed*

I Certify that the annexed is a copy of *a* certain affidavits now on File in the Clerk's Office, and that the same has been compared by me with the original, and is a correct transcript therefrom, and of the whole of said original

*John H. Kane*  
Clerk of Court.

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

An indictment having been found on the 9<sup>th</sup> day of February 1893, in the Court of General Sessions of the Peace of the City and County of New York, charging John McGinnis Indicted as John Ward with the crime of Tampering with Telegraphic Wires &c, and he having been duly admitted to bail in the sum of Ten hundred dollars:

We, John McGinnis indicted as John Ward defendant, residing at No. 200 East 20th Street, and Matthew Clune residing at No. Vanderbilt Hotel - 42<sup>nd</sup> St & Lexington Ave Street, Occupation: Hotel Keeper, surety, hereby jointly and severally undertake that the above-named John McGinnis, Indicted as John Ward shall appear and answer the indictment above mentioned, in whatever Court it may be prosecuted, and shall at all times render himself amenable to the orders and process of the Court; and if convicted, shall appear for judgment and render himself in execution thereof; or if he fail to perform either of these conditions, that we will pay to the People of the State of New York the sum of Ten hundred dollars.

Taken and acknowledged before me, }  
this 25<sup>th</sup> day of February 1897. }

John McGinnis indicted as }  
John Ward Principal. }  
Matthew Clune Surety. }

Randolph B. Martine

Judge of the Court of General Sessions



0445

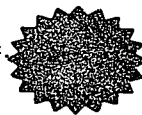
STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, } SS.:

1708

*Matthew Crane* the surety mentioned in the annexed undertaking to answer, do hereby authorize and empower any Policeman of the City of New York, or  
or either of them, in my name, place and stead, to take, seize and surrender the said *John M. Linnas Indicted as John W. Linnas* (in the said undertaking held as defendant) to the Court wherein he is bound to appear for trial, or deliver him to the custody of the authorities of said city and county, in my exoneration as surety therein.

Dated *November 10<sup>th</sup>* 189*7*

*Matthew Crane* Surety



NEW YORK

Court of General Sessions of the Peace.

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

vs.

*John W. Linnas*  
*John M. Linnas*

Undertaking to Answer.

Taken the *25* day of *Feb* 189*3*

Approved as to Form and Sufficiency.

Dated *Feb* 25 189*3*

*De Lancey Wood*  
District Attorney.

Identified by *Edw. J. Bradley*

Filed *28* day of *Feb* 189*3*

THE PEOPLE

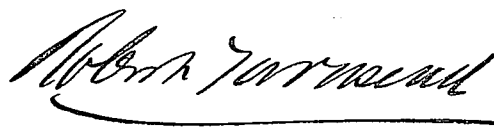
against

JOHN WARD, RICHARD  
SMYTH, THOMAS B. -  
RUSSELL, JACOB McGUIRE  
and CHARLES MARTIN.

This indictment was found in February, 1893, more than six years ago. It has been pending in this office ever since and none of the defendants has ever been brought to trial. In fact, as to defendant Smyth, the indictment has been dismissed. As to the other defendants, a conviction at this late date is extremely improbable.

Moreover, the People are unable to procure the attendance of a number of necessary witnesses. At the suggestion of the complainant's attorney, as evidenced by the enclosed letter, I hereby recommend the discharge of the defendants, each upon his own recognizance.

New York, February, 8th, 1899.



Assistant District Attorney

# 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 Ward, otherwise called  
John McElginness, Richard  
Dunphy, Thomas B. Russell,  
George Melgine and  
Charles Martin*

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

indictment accuse *John Ward, otherwise called John  
McElginness, Richard Dunphy, Thomas B. Russell,  
George Melgine and Charles Martin*

of the crime of *intentionally and willfully transporting  
and maintaining a connection with a telegraph wire,*  
committed as follows:

Heretofore, to wit: *on the 26th day of January,  
1893, at the City and County aforesaid, the  
said John Ward, otherwise called John  
McElginness, Richard Dunphy, Thomas B. Russell,  
George Melgine and Charles Martin, all late of the City and County  
aforesaid, feloniously did unlawfully  
and willfully take and make connection  
with a certain telegraph wire belonging to the  
certain corporation called the Western Union  
Telegraph Company, the said wire being a  
portion of a certain telegraph line owned  
and operated, maintained and used by the  
said corporation, against the terms of the  
Statute in such case made and provided,  
unlawfully, feloniously and against the said Statute.*  
*De J. J. Sullivan, District Attorney.*



P1 March 20 1899

District Attorney's Office,  
 County of New York,  
 The People *re.* } Indict'd Feb. 9. 1893  
*vs.* } for  
 John Ward } Violating § 639 P.C.  
 & others }

From a careful examination into the facts of this case, I am convinced of the absolute innocence of defendant Smyth; this belief is shared by complainant's attorney (vide letter of Geo. H. Dearons, hereto attached)

I, therefore, recommend that this indictment be dismissed as to defendant Smyth.

October 26. 1896

Approved, *John Schwarzkopf*  
 S.D.A.D.A.

*Wm. Bird Hardiney*  
 District Attorney.

0449

**BOX:**

514

**FOLDER:**

4683

**DESCRIPTION:**

Weil, Adolph

**DATE:**

02/24/93



4683

Witnesses:

Officer Lowderby  
30 Apr 1893

Counsel,

Filed, 24 day of Decy 1893

Pleads,

THE PEOPLE

vs.

B

Adolph, Lueel

Violation of the Excise Law,  
Sec. 1, Chap. 201, Laws of 1892, § 82.  
[Chap. 201, Laws of 1892, § 82.]  
Violations for civil and business purposes  
Part 2, Dec. 29, 1893

Dr LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John S. Fair  
Foreman.

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Adolph Weil*

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

*Adolph Weil*

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

The said

*Adolph Weil*

late of the City of New York, in the County of New York aforesaid, on the *eight* day of *January* in the year of our Lord one thousand eight hundred and ninety-*three*, 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

*Adolph Weil*

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

The said

*Adolph Weil*

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

*John S. Bowery*

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.*

0452

**BOX:**

514

**FOLDER:**

4683

**DESCRIPTION:**

Weissman, Rosa

**DATE:**

02/10/93



4683

Witnesses:

Officer B. Donahue  
23d Precinct

Part I

Feb 16<sup>th</sup> 1893

No value above

\$25 can be established  
within case, therefore  
recommend that a  
plea of Petit Larceny  
be accepted

W.D. Macdonald  
Asst

Counsel,

Filed

day of

1893

Pleads,

13

THE PEOPLE

vs.

Rosa Weissman

Degree.  
Penal Code.]

Grand Larceny,  
[Sections 628, 629]

DR LANCEY NICOLL,

District Attorney.

A TRUE BILL.

W.D. Edgell

Foreman.

Feb 16/93

Pleaded

City Prison 10 days

0453



0454

(1305)

Police Court—4 District.

Affidavit—Larceny.

City and County } ss.  
of New York,

of No. 13-8 East 56 Street, aged 29 years,  
occupation Superintendent being duly sworn,  
deposes and says, that on the 30 day of Jan 1893 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 time, the following property, viz:

Twenty three pieces of silks and dress  
goods all together of the value of  
seventy four 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 Roxie Weissman (now here) for the

reason that on said date deponent missed  
the above described property from the afore-  
said premises. Deponent was in deponent's  
employ as a domestic and admitted to  
deponent in the presence of Officer Joseph  
O'Donohoe that she did steal, carry away  
and take some of the aforesaid property  
and left some of said property at number  
160 Stanton Street. Deponent visited said  
premises in company with said Officer  
O'Donohoe and found a portion of said stolen  
property, which he identified as being stolen from  
him. Wherefore deponent charges defendant with  
the larceny of all the said property.

Henry M. Fanger

Sworn to before me, this  
7th day of  
July 1893

William J. Smith  
Justice

0455

CITY AND COUNTY }  
OF NEW YORK, } ss.

1877

aged 29 years, occupation Joseph O'Donohue  
Policeman of No. 23rd Police Precinct Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of Henry M. Kanzer  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this 7 day of July 1893 } Joseph O'Donohue

Commend  
Police Justice.

0456

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Rosa Weissmann*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *Austria*

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

Answer. *Home*

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 of stealing twenty three pieces I only took twelve pieces*

*Rosa Weissmann*

Taken before me this

7

1898

Police Justice

0457

Sec. 793.

4 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

of Henry M. Fanger Street, aged 39 years,  
 occupation Superintendent being duly sworn, deposes and says, that on the  
30 day of January 1883 at the 19 Ward of the City of  
 New York, in the County of New York, was feloniously taken, stolen, and carried away, the following  
 property:

Nine pieces of dress  
goods valued at twenty  
dollars

the property of deponent

and that the deponent has a probable cause to suspect, and does suspect, that the said property has  
 been feloniously taken and stolen by

Rosie Weissman  
 and that the said property, or part thereof, is now concealed in the dwelling house of

Bertha Stick  
 situate on a lot of ground fronting on No. 160 Stanton Street, in the  
10<sup>th</sup> Ward of said City. Wherefore, process is requested by this deponent, to search the

house of the said Bertha Stick for the said property.

Sworn to before me, this 6<sup>th</sup>

day of February 1883

Oliver A. McNamee  
 Police Justice.

Henry M. Fanger

0458

Police Court-- L. District.

THE PEOPLE, ETC.,  
ON THE COMPLAINT OF

H. M. Tanager  
vs.

Bertina (John)

Affidavit for S. Warrant.

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

W. W. W. W. Justice.

\_\_\_\_\_  
Officer.

0459

Sec. 797.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

In the name of the People of the State of New York, To any Policeman of said City:

Proof by affidavit having been this day made before me Wm. Meade Esquire,  
Police Justice of said City, by Henry M. Tazig of No. 158-6-56<sup>th</sup>  
Street, in the said City, that the following property, to wit:

Five pieces of dress frocks  
valued at twenty dollars

\$20.00  
20/100

Has been feloniously taken, stolen, and carried away by

Rosie Weissman  
and that he has a probable cause to suspect, and does suspect that the said  
or part thereof is now concealed in the dwelling house or premises of Bertha Shick  
situate on a lot of ground fronting on No. 160 Stanton Street, in the  
1<sup>st</sup> Ward of said City.

THESE ARE THEREFORE, in the name of the People of the State of New York, to command  
and authorize you, with proper assistance in the day time, to enter into the house or premises of the  
said Bertha Shick situate as aforesaid, and there make immediate  
search for the said dress frocks and if the same, or any part thereof  
shall be found, then you are likewise commanded to bring the same so found, together with the said

Bertha Shick

or the person in whose custody the same shall be so found, before me or some other Police Justice in  
and for the said City and County, to be dealt with as the law directs. This Warrant unless executed  
within five days after its date is void.

Given at the City of New York aforesaid, under my hand and seal,  
this 6<sup>th</sup> day of February one thousand  
eight hundred and eighty nine - 1899.

George Meade Police Justice



0460

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

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

Dated, July 8 1893 \_\_\_\_\_ 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.

046

14 <sup>7</sup> Police Court--- 4 District. 157

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Henry M. Ranzler  
158 E. 5th

1. Rosie Weissmann

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

Offense Larceny  
Fulamy

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Dated, Feb 7 189 3

Meade

Magistrate.

O'Donohue

Officer.

23

Precinct.

Witnesses Joseph O'Donohue

No. 23rd Precinct Street.

Brother Writers

No. 160 Standard Street.

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

\$ 1000 to answer G.S.

Accompanied by 4 day 8-2 P.M.  
Cof. officer

0462

505

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Rosa Weissman

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

Rosa Weissman

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

The said Rosa Weissman

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

*fifteen pieces of silk of the value of three dollars each piece and fifteen pieces of cloth of the value of three dollars each piece*

of the goods, chattels and personal property of one

*Henry M. Fanger*

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 McCall,  
District Attorney.*

0463

**BOX:**

514

**FOLDER:**

4683

**DESCRIPTION:**

Wiederhold, Haus

**DATE:**

02/02/93



4683

Witnesses:

*Official Seal*

Counsel,

Filed,

day of

*July*

1893

Pleads,

*Wm. H. H. H.*

THE PEOPLE

vs.

*B*

*Hans Wiedershold*

VIOLATION OF THE EXCISE LAW.  
Selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 32.]

*May 11 1893*

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*J. Cathin*

Foreman.

0465

**Court of General Sessions of the Peace**

2967

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
against

*Hans Wiedenhold*

**The Grand Jury of the City and County of New York**, by this indictment, accuse  
*Hans Wiedenhold*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND  
BEER ON SUNDAY, committed as follows:

The said

*Hans Wiedenhold*

late of the City of New York, in the County of New York aforesaid, on the *eight*  
day of *January* — in the year of our Lord one thousand eight hundred and  
ninety-*three*, 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

*Hans Wiedenhold*

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

The said

*Hans Wiedenhold*

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 *John Long* 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.*



0466

**BOX:**

514

**FOLDER:**

4683

**DESCRIPTION:**

Wilkuis, Joseph

**DATE:**

02/13/93



4683

Witnesses:

*Officer Henry*  
*Robert*

Counsel,

Filed,

day of

1893

Pleads,

THE PEOPLE

vs.

B

*Joseph Wilkins*

*James P. 93*

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Lothrop*

Foreman.

VIOLATION OF THE EXCISE LAW.  
Selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 32.]

**Court of General Sessions of the Peace**

2067

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
against

*Joseph Wildnis*

**The Grand Jury of the City and County of New York**, by this indictment, accuse  
*Joseph Wildnis*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND  
BEER ON SUNDAY, committed as follows:

The said

*Joseph Wildnis*

late of the City of New York, in the County of New York aforesaid, on the *eight*  
day of *January* — in the year of our Lord one thousand eight hundred and  
ninety-*three*, 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 spiritu-  
ous 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

*Joseph Wildnis*

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

The said

*Joseph Wildnis*

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

*Adam Lang*  
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.*

0469

**BOX:**

514

**FOLDER:**

4683

**DESCRIPTION:**

Williams, John

**DATE:**

02/24/93



4683

0470

**BOX:**

514

**FOLDER:**

4683

**DESCRIPTION:**

Sullivan, Francis

**DATE:**

02/24/93



4683

0471

Witnesses:

Philip Blair

Peter F. Manning

Counsel

Filed

Day of

189

Pleas

THE PEOPLE

vs.

John Williams

and

Francis Sullivan

Grand Larceny, (Sections 528, 531, Penal Code.)

De LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John Stark

Foreman.

March 193

John Stark

Every V. Larceny of  
Each V. Larceny  
Pen one year



0472

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 18 years, occupation Lithographer of No. 945 Union Avenue Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Peter J. Manning

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

Sworn to before me this July day 1893 of P. C. Blase

A. J. White Police Justice.

0473

1913

Police Court— District.

Affidavit—Larceny.

City and County of New York, ss.

*Peter J. Manning*  
 of No. *23 Barclay* Street, aged *38* years,  
 occupation *Maker and umbrella* being duly sworn,  
 deposes and says, that on the *20* day of *July* 189*3* 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 *night* time, the following property, viz:

*Umbrellas of the value of  
 thirty nine dollars*

*\$39.00*

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 *John Williams and*  
*Francis Sullivan, both men here,*  
 while acting in concert, for the  
 following reasons: That the said prop-  
 erty was in a show case outside of  
 deponent's place of business at the  
 above address. That deponent found  
 that the said show case had been broken  
 open and the said property taken. That  
 deponent is informed by *Philip*  
*Glass of 445 Union Avenue,* that on  
 said date about the hour of 6:30 o'clock  
 P.M., *Glass* saw the defendants  
 while in company with each other  
 feloniously take, steal and carry  
 away the said property from the

Sworn to before me this  
 189*3*

Police Justice.

0474

said show case. Therefore deponent  
prays that the defendant be dealt  
with according to law

Given & before me this 28. 7. 1893  
21. Day of February 1893

A. J. White  
Justice of the Peace

0475

Sec. 198-200.

District Police Court.

City and County of New York, ss:

*John Williams* 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 Williams*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *23 North Moore St one year*

Question. What is your business or profession?

Answer. *Ice grader*

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 Williams*

Taken before me this

day of

Police Justice.

0476

Sec. 198-200.

District Police Court.

City and County of New York, ss:

*Francis Sullivan* 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.

*Francis Sullivan*

Question. How old are you?

Answer.

*54 years*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*437 Pearl St. 6 years*

Question. What is your business or profession?

Answer.

*Laborer*

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**F. Sullivan*

Taken before me this

day of *July* 189*7**Police Justice*

0477

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 Alfred Smith each be held to answer the same, and they be admitted to bail in the sum of Five Hundred Dollars, each and be committed to the Warden and Keeper of the City Prison of the City of New York, until they give such bail.

Dated, July 31 1893 [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.



0478

Police Court---

212 District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Peter J. Manning*  
*John Williams*  
*Francis Sullivan*

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

3

4

Dated,

189

Magistrate.

Officer.

Precinct.

Witnesses

No.

No.

No.

Street.

\$

to answer

4-4/93

The People  
 John Williams  
 and Francis Sullivan } Court of General Sessions. Part I  
 Before Judge Lewis. March 2. 1893

Indictment for grand larceny in the second degree.

testified: Peter J. Manning, sworn and examined.  
 That is your business? Hats and umbrellas.  
 Where do you carry on that business? No. 23  
 Barclay corner of Church Street, New York.  
 You have a show case outside your place  
 of business? Yes, on Church Street, attached  
 to the side of the house, probably about nine  
 feet tall. What did it contain on the 20th  
 of February? Hats and umbrellas. On the  
 20th of February did you lose any property  
 from that show case? I did, eleven um-  
 brellas. What was the value of those eleven  
 umbrellas that were missing? Thirty nine  
 dollars. Was the show case opened or was  
 the glass broken? The show case door was  
 pried open. You saw marks of violence  
 upon it? I seen marks of what appeared to  
 me to be some sharp instrument - an  
 ice pick, for instance, or a jimmy. You  
 have not seen any of the property since?  
 There is four or five umbrellas at the  
 station house which were found hid  
 behind a packing box by the watchman  
 and which I identified. Do you know  
 where that packing box was located?

On Church street, I believe, one or two blocks round the corner.

Cross Examined. Further than what you have testified to you know nothing at all about this larceny? I did not see the act. That time in the day was it that you discovered that the show case had been tampered with? I closed up at 6.30 in the evening. I turned the corner of Church street. There are no windows on either side of the show case. Can the show case be seen from the interior of your store? No. You could not see from the inside whether it had been tampered with or not? No.

Do you know what was in that show case at the time when you opened your place of business on that morning of the 20th?

I do. Will you say that eleven umbrellas were missing when you went to close your place of business? Personally I do not know, but my clerks, those in charge of dressing the show case do know. Can you tell yourself how many were missing? Only on the testimony of my people. I do not know personally. What was the value of the umbrellas in the show case, do you know? Those that were claimed to be missing? Thirty nine dollars.

Phillip Bloss, sworn and examined, testified  
 What is your business? Lithographer. Where  
 do you live? No. 945 Union Avenue, New York

Were you in the neighborhood of No 23 Barclay street on the night of the 20th of February?  
 Yes. You know the store of Peter J. Manning at that number? Yes. You have seen that show case in front of his store as he has described it? Yes. Did you see there two defendants there on that night? Yes.

What were they doing there at that show case when you saw them? Taking umbrellas from the case. The tall one, John Williams, was handing them to the other fellow. How many did you see him take and hand down to the other defendant? Four. What became of those two men then? They walked up Church street about a block and a half. Did they take the umbrellas with them? Yes. They went down Church St.; they went up Church street about a block and a half, crossed over to the other side and came back again on the other side; they went north on the east side and came back on the west side. Did they come back into the immediate neighborhood of Mr. Manning's store? Yes, right opposite. What did they do when they got opposite? Stood there

and looked at the case and then walked over to Park Place and at Broadway the watchman had them locked up by the policeman. In the mean time you had given information? Yes. As soon as they left the case I told the watchman. When they came back they did not have the umbrellas with them, did they? No.

Cross Examined. I am employed as a lithographer by Knapp & Co. Nos. 49 and 51 Barclay street. What time of day was this? Between half past six and a quarter to seven o'clock. You were coming through North street, if I understood you correctly, when you say that you saw this Williams standing and taking those umbrellas? Coming through Barclay St. Is this place on Barclay St.? Yes, right on the corner of Church St. I came to the corner and saw them. What did you say? I did not say anything, I simply stood there and watched their operations. How long did it take them to take the four umbrellas? Not three minutes. You saw them take four umbrellas? Yes. The show case door was open. After they took the four umbrellas you saw them walk through Church St. Yes; they walked up to the next corner

above Park Place and Murray street, I think. You followed them all the way? No, I stood on the corner of Park Place and watched them. At the time you stood at the corner of Park Place they still had umbrellas in their hands? Yes, one had four - the other had none. They went up as far as Murray st. and then they crossed to the west side up Church st.? Yes. and then came down through Church st. to the immediate neighborhood of Mr. Mannings store. You had your eye on them all the time and saw what they did? No. I saw them coming up to Murray st. and when they crossed over on the other side, it was dark and I could not see them until they came down to Park Place; then I saw them. How long a time elapsed from the time they reached the west side of Church street until you saw them again? I could not say exactly. I should say about two minutes. Sufficient time for them to walk from Church st and Murray down on the west side where you were? Yes. You did not see them place umbrellas anywhere? No. You did not see them go to any dry goods box and place them? No. But you did see them take four out of the show case belonging to the complainant? Yes sir.



It was rather dark that evening. At the time you were standing on the corner of Church and Barclay streets how far were they away from you when you were taking these umbrellas? About seventy five or a hundred feet. It was between half past six and a quarter to seven o'clock and it was dark. How far behind them were you when you walked after them up toward Park Place? About half a block. Then you stopped at Park Place and went on toward Murray street? Yes. From Park Place to Murray street I should judge was about three hundred feet. There were a number of other people on the street? Yes; they were returning from work; the street was not extra crowded. You say you saw the two men that you saw taking these umbrellas reach Murray street, cross over and then you lost sight of them about two minutes? Yes. Do you mean to tell this jury that you can positively swear that the two men you saw return on the west side of Church St. to the immediate vicinity of this man's place were the two men you saw taking those umbrellas? Yes. You cannot be mistaken? No. The policeman arrested

Them in Broadway, I found the watchman corner of Park Place and Church St. He went with me as far as Park Place and Church St. They were about a block ahead of him still having the umbrellas. I am sure the defendants are the men. When these men crossed to the west side of the street one of them had the bundle of umbrellas in his possession, and when they came back again they did not have any umbrellas.

James Connor, sworn and examined. I am an officer attached to the Second Precinct. I arrested Williams and Sullivan on Park Place near Broadway on the night of the 20th, it was about a quarter to seven o'clock as near as I can judge. I arrested them upon information that I had received that a crime had been committed. I went back over the route that was described to me these men had passed through Church St. Between Park Place and Murray St. I found five umbrellas behind a crockery crate at the side of the building. I took the umbrellas to the station house and Mr. Manning came there and identified them as the umbrellas which were taken from his show case.

Cross Examined. I brought the prisoners to the station house and they were locked up. I received information about the taking of the umbrellas from the watchman and the young man. The umbrellas were lying down flat; they were concealed from the view of persons passing. Francis Sullivan, sworn and examined in his own behalf testified. I work in a mail agency place, the Russell building, in Rose street. I work on a prohibition paper "The Voice." I have been working there for the last three months two days in the week. I was down to the Battery and on my way up Church street I turned up through Park Place and met Williams and asked him to have a drink. We turned down Murray street and were arrested.

By Counsel Mr. Bloss says that he saw ~~Williams~~ reach up and take four umbrellas from the show case of Mr. Manning and hand them to you? No. Did you have any umbrellas in your hand that day or did you take any? No. I was arrested two years ago for disorderly conduct and fined ten dollars. I live at 432 Pearl street. The jury rendered a verdict of guilty of petty larceny.

Testimony in the  
case of  
John Williams  
and  
Francis Sullivan

filed 7<sup>th</sup>  
Feb. 1943

20 1/2

0488

505

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 Williams  
and  
Francis Sullivan

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

John Williams and Francis Sullivan  
of the CRIME OF GRAND LARCENY IN THE Second DEGREE, committed  
as follows:

The said

John Williams and Francis Sullivan, both  
late of the City of New York, in the County of New York aforesaid, on the twentieth  
day of February in the year of our Lord one thousand eight hundred and  
ninety-three, at the City and County aforesaid, with force and arms,

seven umbrellas of the value  
of four dollars each

of the goods, chattels and personal property of one

Peter F. Manning

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.

0489

**BOX:**

514

**FOLDER:**

4683

**DESCRIPTION:**

Williams, Moses

**DATE:**

02/08/93



4683



Witnesses:

John Burton

Counsel,

Filed

day of

1893

Pleas,

THE PEOPLE

vs.

Moses Williams

Grand Larceny, (Sections 528, 537, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

19th Feb 14

Feb 16  
A TRUE BILL.

Geo. Bagall Foreman

Feb 17 1893

Head C. G. 2nd

Emm. R. J.

0491

(1885)

Police Court—21 District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 266 West 23rd Street, aged 57 years,  
 occupation Carpet Cleaner being duly sworn,  
 deposes and says, that on the 1st day of January 1893 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 diamond ring worth One hundred  
dollars and one watch and chain of the  
value of fifty dollars all together  
the value of One hundred and fifty  
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 Moses Williams (now here) for

the reason that on said date deponent missed  
 the above described property from premises  
232 West 62nd Street. Deponent has  
 admitted to deponent in the presence of  
 Detective Officer Walter M. Stafford that  
 he did take the above described property  
 and that he pawned the same. Wherefore  
 deponent charges the defendant with  
grand larceny.

his  
John + Burton  
mark

Sworn to before me, this

day

of

July1893

William H. H. H.  
 Justice

0492

CITY AND COUNTY }  
OF NEW YORK, } ss.

1877.

Walter M. Stafford  
aged 28 years, occupation Policeman of No. 24th Precinct Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of John Burton  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this

day of

189 3

Walter M. Stafford

Commence  
Police Justice.

0493

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Mrs Williams* 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. *Mrs Williams*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *U. S.*

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

Answer. *207 West 61st St. 3 years*

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.*  
*Morris Williams*

Taken before me this

day of

1884

Police Justice.

0494

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

Defendant

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

Dated, July 5 189 2

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.

0499

148

Police Court--- 14 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John Burton  
266 23. 14 53  
Miss Williams

Offense Larceny

Felony

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated, Feb 5 1893

Meade Magistrate.

Stafford Officer.

24 Precinct.

Witnesses Walter M. Stafford

No. 24 Precinct Street.

No. Street.

No. 1000 G. S. Street.

\$ to answer

412



0496

505

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Moses Williams*

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

*Moses Williams*

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

The said

*Moses Williams*

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

*one finger ring of the value of  
one hundred dollars, one  
watch of the value of thirty  
dollars and one chain of the  
value of twenty dollars*

of the goods, chattels and personal property of one

*John Burton*

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 Laurens Nicoll,  
District Attorney.*

0497

**BOX:**

514

**FOLDER:**

4683

**DESCRIPTION:**

Williams, Thomas

**DATE:**

02/01/93



4683

Witnesses:

Margaret Adams  
Louis Sachs

Counsel,

Filed

Pleads,

day of

1893

THE PEOPLE

vs.

Thomas Williams

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

J. Carlin  
Foreman.

July 1/93

Alfred D. ...  
247 ...  
Feb. 10/93

Burglary in the Third Degree.  
Section 498, N.Y. Penal Code.

0499

Police Court— 3 District.City and County { ss.:  
of New York,Margaret Adams  
of No. 24 East Broadway ~~Street~~, aged 24 years,  
occupation Dressmaker being duly sworndeposes and says, that the premises No 24 East Broadway, 7<sup>th</sup> Ward  
in the City and County aforesaid the said being a dwelling house; thecellar of which  
~~and which~~ was occupied by deponent's family and other tenants for  
~~and in which there was at the time a furnace being by name~~  
storage purposes, was~~were~~ BURGLARIOUSLY entered by means of forcibly removing a  
pad lock used in fastening the  
door leading from the hallway to  
the cellaron the 25<sup>th</sup> day of January 1893 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:A wash tub, a pair rubber boots,  
several remnants of carpets and a piece  
of zincAll of the value of about Two  
dollarsthe property of ~~deponent's family~~ and in deponent's care  
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 byThomas Williams (now here)for the reasons following, to wit: That deponent saw her mother  
securely lock and fasten said door  
by means of a hasp and pad lock.  
Deponent is informed by Louis Sachs  
a tenant that at about the hour of  
nine o'clock at night he met the de-  
fendant in the hallway carrying said  
property and caused his arrest and  
deponent examined said door and

0500

found the box broken and that  
said celler had been entered  
sworn to before me  
this 26<sup>th</sup> January, 1893

*M. J. [Signature]*  
Police Justice

*Margaret Adams*

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

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

Offence—BURGLARY.

1.  
2.  
3.  
4.

Dated 1888

Magistrate.

Officer.

Clerk.

Witness.

No.

Street.

No.

Street.

No.

Street.

\$ to answer General Sessions.

0501

CITY AND COUNTY }  
OF NEW YORK, } ss.

1021

aged 26 years, occupation Waiter of No. 24 East Broadway Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Margaret Adams and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 26 day  
of January 1893

[Signature]  
Police Justice.

Louis Sachs



0502

(1385)

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

3 District Police Court

*Thomas Williams*

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.

*Thomas Williams*

Question. How old are you?

Answer.

*47 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*136 Chrystie St. 8 months*

Question. What is your business or profession?

Answer.

*Driver*

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*  
*Thomas X Williams*  
*mark*

Taken before me this

*26*day of *February* 189*3*

Police Justice.

0503

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

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

Dated, July 26 189 2 Thompson 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 h to be discharged.

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

0504

120

Police Court,

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Margaret Adams  
Thomas Williams

2  
3  
4

Offense  
Burglary

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated

January 26 1893

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$ 1000 to answer

0505

483

**Court of General Sessions of the Peace**

**OF THE CITY AND COUNTY OF NEW YORK.**

THE PEOPLE OF THE STATE OF NEW YORK

*against*

*Thomas Williams*

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

*Thomas Williams*

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

The said

*Thomas Williams*

late of the *Seventh* Ward of the City of New York, in the County of New York aforesaid, on the *twenty-fifth* day of *January* in the year of our Lord one thousand eight hundred and ninety-*three*, 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 *Margaret Adams*

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 *Margaret Adams* 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.

## SECOND COUNT—

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

*Thomas Williams*

of the CRIME OF *Petif* LARCENY committed as follows:

The said

*Thomas Williams*

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

*one wash-tub of the value of fifty cents, one pair of rubber boots of the value of one dollar, five pieces of carpet of the value of twenty five cents each piece, and one piece of zinc of the value of twenty-five cents*

of the goods, chattels and personal property of one

*Margaret Adams*

in the

*building*

of the said

*Margaret Adams*

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

## THIRD COUNT:

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

*Thomas Williams*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

*Thomas Williams*

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

one wash-tub of the value of fifty cents, one pair of rubber boots of the value of one dollar, five pieces of carpet of the value of twenty-five cents each piece, and one piece of zinc of the value of twenty-five cents

of the goods, chattels and personal property of

*Margaret Adams*

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

*Margaret Adams*

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

*Thomas Williams*

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

DE LANCEY NICOLL,

*District Attorney.*



0508

**BOX:**

514

**FOLDER:**

4683

**DESCRIPTION:**

Williams, Thomas S.

**DATE:**

02/03/93



4683

0509

**BOX:**

514

**FOLDER:**

4683

**DESCRIPTION:**

Wallace, James

**DATE:**

02/03/93



4683

Witnesses:

Officer Lewis

The officer in this case in open Court states that the complainant has moved away and cannot be found. He is informed that Joseph L. Brown at New London, Conn. the felonious taking of the property cannot be established, nor its ownership. I therefore recommend the acceptance of a plea guilty of theft. Lawrence R. Brown and the dis-charge of J. L. Brown on his plea of acquittal. Feb. 7, 1893 Stephen J. O'Hare

Arch

Counsel

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

P.

Thomas S. Willard

Ans. P.

James Wallace

DE LANCEY NICOEL,

District Attorney.

Make special effort to find

the complainant in this case.

Indigence present to do it.

Feb 10, 1893

A TRUE BILL.

U. S. D.

pp. 1 J. Catlin

Foreman.

W. D. Dwyer

Pen 30 days

his own responsibility

05 10

0511

Police Court—5 District.

City and County } ss.:  
of New York,

George F. Hamburger  
of No. 1688 Second Avenue Street, aged 34 years,  
occupation Shoe-business being duly sworn

deposes and says, that the premises No. 1688 Second Avenue, 12 Ward  
in the City and County aforesaid, the said being a

four story brick building  
and which was occupied by deponent as a dwelling house  
and in which there was at the time a human being, by name George F. Hamburger  
Wife and Children  
were **BURGLARIOUSLY** entered by means of forcibly breaking  
a large plate glass window

on the 30 day of January 1893 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

Three Shoes, together of the  
value of Three-dollars and  
sixty five cents.

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

Thomas Williams & James Wallace

for the reasons following, to wit, that at the hour of 12.15  
A.M. Officer Lewis of the 27th Precinct  
saw these defendants leaving said  
premises together, said Williams  
having the said property in his  
possession, which property deponent  
identifies as that belonging to him,  
wherefore deponent asks that these defendants  
may be held and dealt with according  
to law.

Geo. F. Hamburger.

Examined by me this  
30th day of January 1893  
at New York City  
David J. [unclear]

05 12

CITY AND COUNTY } ss.  
OF NEW YORK,

1877

aged \_\_\_\_\_ years, occupation Joseph A Lewis  
Officer of No. 27 Precinct

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

Sworn to before me, this 20  
day of January 1893.

Joseph A Lewis

Genl F. H. M. M. M.

Police Justice.

05 13

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss:

5 District Police Court.

*Thomas Williams* 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.

*Thomas Williams*

Question. How old are you?

Answer.

*22 years old*

Question. Where were you born?

Answer.

*New York City -*

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

Answer.

*233 East 74 St Six years*

Question. What is your business or profession?

Answer.

*Brick layer*

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 -*  
*Thomas Williams*

Taken before me this

day of

*30*

*1894*

Police Justice.



05 14

Sec. 198—200.

5

District Police Court.

CITY AND COUNTY } ss:  
OF NEW YORK, }

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

Question. What is your name?

Answer.

*James Wallace*

Question. How old are you?

Answer.

*28 years old*

Question. Where were you born?

Answer

*New York City*

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

Answer.

*233 East 74th St. 6 years*

Question. What is your business or profession?

Answer.

*Master Bricklayer*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—**James Wallace*

Taken before me this

*30th*day of *January* 189*3**James Wallace*

Police Justice.

05 15

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.....

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

Dated, *November 20* 189*0* *James R. [Signature]* Police Justice.

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

Dated, ..... 189..... *[Signature]* 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..... *[Signature]* Police Justice.

05 18

Police Court---

132 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

George F. Burkholder  
1688 2<sup>nd</sup> Ave  
Thomas Williams  
James Wallace

Officer  
D. W. Con

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Dated

January 30

1893

L. Burke  
Lewis

Magistrate.

Officer.

Precinct.

Witnesses

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

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

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

\$ 1000 Eyde to answer

Com

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Thomas S. Williams*  
and *James Wallace*

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

*Thomas S. Williams and James Wallace*

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

The said *Thomas S. Williams and James Wallace*, both —

late of the *Twelfth* Ward of the City of New York, in the County of New York aforesaid, on the *thirtieth* day of *January*, in the year of our Lord one thousand eight hundred and ninety-*three*, in the *night* time of the same day, at the Ward, City and County aforesaid, the dwelling house of one

*George E. Stambarger.*

there situate, feloniously and burglariously did break into and enter, there being then and there a human being within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels and personal property of the said

*George E. Stambarger.*

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away, *the said Thomas S. Williams and*

*James Wallace, and each of them, being*  
*then and there arrested, by a confederate*  
*actually present, to wit: each by the*  
*other.*

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  
*Thomas S. Williams and James Wallace*  
 of the CRIME OF *ROB* LARCENY, — committed as follows:

The said *Thomas S. Williams and James Wallace, both*  
 late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
 at the Ward, City and County aforesaid, in the *night* time of the said day, with force and arms,  
*three pieces of the value of one dollar*  
*and twenty five cents each,*

of the goods, chattels and personal property of one *George F. Hombarger,*  
 in the dwelling house of the said *George F. Hombarger.*

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

## THIRD COUNT:

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

*Thomas S. Williams and James Wallace*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Thomas S. Williams and James Wallace, both*

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

*three pieces of the value of one dollar and twenty five cents each,*

of the goods, chattels and personal property of one *George F. Homburger,*

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

unlawfully and unjustly did feloniously receive and have; the said *Thomas S. Williams and James Wallace*

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.*



0520

**BOX:**

514

**FOLDER:**

4683

**DESCRIPTION:**

Wines, Martin

**DATE:**

02/16/93



4683

Witnesses:

Officer Hallman  
29th Prec.

Counsel,

Filed, 16 day of July 1893

Pleads, Subpoena, 20

THE PEOPLE

vs.

VIOLATION OF THE EXCISE LAW,  
Selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 82.]

B

Martin Weiss

De Lancey Nicoll

De LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Foreman.

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
against

*Martin Wines*

**The Grand Jury of the City and County of New York**, by this indictment, accuse  
*Martin Wines*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

*Martin Wines*

late of the City of New York, in the County of New York aforesaid, on the *twenty-fifth* day of *December*, 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  
*Martin Wines*  
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*Martin Wines*

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

*Thomas W. Hallinan*

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.*

0523

**BOX:**

514

**FOLDER:**

4683

**DESCRIPTION:**

Wohlers, John

**DATE:**

02/24/93



4683

Witnesses:

*Alfred Bink*  
*W. Priest*

Counsel,

*24*  
Filed,

day of *July* 1893

Pleads,

*legally & properly*

THE PEOPLE

*vs.*  
*B*

*John Luchera*

*Transferred to the Court of Sessions for trial and final disposition*

*Part 2... May 23... 1893*

VIOLATION OF THE EXCISE LAW.  
Selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 32.]

DR LANCEY NICOLL,

District Attorney.

A TRUE BILL

*John T. Ford*  
Foreman.

0524

0525

5838

# 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 Wothers*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*John Wothers*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

*John Wothers*

late of the City of New York, in the County of New York aforesaid, on the day of *February* *3<sup>rd</sup>* in the year of our Lord one thousand eight hundred and ninety-*three*, 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

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

The said

*John Wothers*

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

*Joseph E. Burke*  
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.



0526

**BOX:**

514

**FOLDER:**

4683

**DESCRIPTION:**

Wrasti, Antonio

**DATE:**

02/02/93



4683

Witnesses:

Officer Blaker

Counsel,

Filed,

day of

1893

Pleads,

THE PEOPLE

vs.

B B

Antonio Lucasti

Complained and is the owner  
of Special Possession

Grand Jury 22-93

VIOLATION OF THE EXCISE LAW.  
Selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 32.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

J. Cathin

Foreman.

0528

**Court of General Sessions of the Peace**

2067

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
against

*Antonio Verasti*

**The Grand Jury of the City and County of New York**, by this indictment, accuse  
*Antonio Verasti*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND  
BEER ON SUNDAY, committed as follows:

The said

*Antonio Verasti*

late of the City of New York, in the County of New York aforesaid, on the — *15<sup>th</sup>* —  
day of *January* — *three* — in the year of our Lord one thousand eight hundred and  
ninety-*three* —, 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 spiritu-  
ous 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  
*Antonio Verasti*  
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,  
WINES, ALE AND BEER, committed as follows:

The said

*Antonio Verasti*

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

*John F. Colarici*  
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.*

0529

**BOX:**

514

**FOLDER:**

4683

**DESCRIPTION:**

Ziekendorf, Emil

**DATE:**

02/20/93



4683

0530

POOR QUALITY  
ORIGINAL

Witnesses

Officer Dofel  
11 PM

710  
Counsel,

Filed,

day of

1893

Pleads,

THE PEOPLE

vs.

*B*  
Emil Giekendorf

*May 11 1893*

VIOLETION OF THE EXCISE LAW.  
(Illegal Sales Without License.)  
[Chap. 401, Laws of 1892, § 31.]

DE LANCEY NICOLL.

District Attorney.

A TRUE BILL.

*John F. Card*

Foreman.

0531

POOR QUALITY  
ORIGINAL

Witnesses:

*Officer Doherty*  
*11. P.M.*

310  
Counsel,

Filed,

20 day of July

1893

Pleads,

THE PEOPLE

vs.

*Emile Doherty*

*July 21 93*

VIOLATION OF THE EXCISE LAW.  
(Illegal Sales Without License.)  
[Chap. 401, Laws of 1892, § 31].

DE LANCEY NICOLL.

District Attorney.

A TRUE BILL.

*John A. Card*

Foreman.



**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against *Emil Ziekendorf*

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

*Emil Ziekendorf*

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINE, ALE AND BEER, IN QUANTITIES LESS THAN FIVE GALLONS AT A TIME, WITHOUT HAVING A LICENSE THEREFOR, committed as follows:

The said

*Emil Ziekendorf*

late of the City of New York, in the County of New York aforesaid, on the *30<sup>th</sup>* day of *January* in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, certain strong and spirituous liquors, and certain wine, 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, in quantities less than five gallons at a time, to

certain *other* *one Dietrich W. H. Oebel and* persons whose names are to the Grand Jury aforesaid unknown, without having a license granted to him in pursuance of any law of this State permitting him to sell either strong or spirituous liquors, wines, ale or beer, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

DE LANCEY NICOLL,

*District Attorney.*