0455

BOX:
439

FOLDER:
4048

DESCRIPTION:
Wagner, Charles

DATE:
05/07/91

4048

56

Witnesses:

Offr George Cullom
18. Precct

formerly 27th

Counsel,

Filed 7 day of May 1899

Pleads, Not guilty

THE PEOPLE

vs.

B

Charles Wagner

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1983, Sec. 21 and page 1989, Sec. 5.]

DE LANCEY NICOLL,
~~JOHN R. FELLOWS,~~

Transferred to the District Attorney Court of Special Sessions for trial and final disposition.

Part 2. March 29, 1883.

A True Bill.

Fred Hawe
Foreman

W. L. Strong
District Attorney

POOR QUALITY ORIGINAL

0556

POOR QUALITY ORIGINAL

Court of General Sessions of the Peace,

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Charles Wagner

The Grand Jury of the City and County of New York, by this indictment, accuse Charles Wagner of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON SUNDAY, committed as follows:

The said Charles Wagner

late of the City of New York, in the County of New York aforesaid, on the nineteenth day of April in the year of our Lord one thousand eight hundred and ninety-one, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, 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 intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one George Cullum

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.

SECOND COUNT—

And the Grand Jury aforesaid by this indictment further accuse the said Charles Wagner of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said Charles Wagner

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did then and there open, and cause and procure and suffer and permit, to be open, and to remain open, 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.

DELANCEY NICOLL,
JOHN R. FELLOWS,
District Attorney.

0458

BOX:
439

FOLDER:
4048

DESCRIPTION:
Walter, Otto

DATE:
05/25/91

4048

247

A. C. W.

Counsel,

Filed 25 day of May 1899

Pleads, Not guilty

THE PEOPLE

vs.

Otto Walter

CONCEALED WEAPON.
(Section 410, Penal Code).

~~DE LANCEY NICOLL,~~
~~JOHN R. FELLOWS,~~

District Attorney.

A True Bill.

W. L. Hidmon

Foreman.

May 29/99

Pled Not Acquitted

Witnesses:

Offr Jas E O'Brien
6 Precct

POOR QUALITY ORIGINAL

6559

POOR QUALITY ORIGINAL

0460

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 1 DISTRICT.

John E. O Brien

of 6th Precinct Police ~~Street~~, aged 23 years,

occupation Officer being duly sworn deposes and says,

that on the 20 day of May 1891

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

Otto Valter (marline) on Worth Street

that being a public thoroughfare in

said City the said defendant having

that certain unlawful weapon (Slung shot) now

here shown concealed in the pocket

of the pantaloons then and there worn by

defendant with the felonious intent

to use the same in violation of the

statute in such case made and

provided. Deponent says that while

patrolling Worth Street a citizen whose

Sworn to before me, this day of 188

Police Justice.

0461

POOR QUALITY ORIGINAL

name is unknown to the
said defendant was a company with
them with said women for the
purpose of that the Wm and
said defendant and
found the aforesaid [illegible]

John E Brennan

Sworn to before me
this 21 day of May 184[illegible]
Charles N Tomlinson
Police Justice

Police Court, ... District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

AFFADAVIT.

Dated 188

Magistrate.

Officer.

Witness,

Disposition,

POOR QUALITY ORIGINAL

Sec. 198—200.

/ District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Otto Valter

Question. How old are you?

Answer. 30 years

Question. Where were you born?

Answer. Germany

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

Answer. 156 Greenwich St 1 day

Question. What is your business or profession?

Answer. Fireman

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

Otto Valter

Taken before me this 21 *day of* May *1889*

Charles Mathews *Police Justice.*

POOR QUALITY ORIGINAL

0463

681

Police Court— 1 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
vs.
1. John C. O'Brien
2. Otto Voltz
3.
4.

Offence Carrying concealed weapons

Dated May 21 1891

C. N. Tainter Magistrate.

O'Brien Officer.

6 Precinct.

Witnesses

No. Street.

No. Street.

RECEIVED DISTRICT ATTORNEY'S OFFICE MAY 22 1891

No. Street.

$ 500 to answer

Committed

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 Defendants 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 May 21 1891 Charles N. Tainter Police Justice.

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

Dated ..... 18 ..... Police Justice.

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

Dated ..... 18 ..... Police Justice.

POOR QUALITY ORIGINAL

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Otto Walter

The Grand Jury of the City and County of New York, by this indictment, accuse Otto Walter of a FELONY, committed as follows:

The said Otto Walter, late of the City of New York, in the County of New York aforesaid, on the twentieth day of May in the year of our Lord one thousand eight hundred and ~~eighty-nine~~ at the City and County aforesaid, with force and arms, feloniously did furtively carry, concealed on his person, a certain instrument and weapon of the kind commonly known as a slung-shot with intent then and there feloniously to use the same against some person or persons 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.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said Otto Walter of a FELONY, committed as follows:

The said Otto Walter late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, feloniously did possess a certain instrument and weapon of the kind commonly known as a slung-shot by him then and there concealed, and furtively carried on his person, with intent then and there feloniously to use the same against some person or persons 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,
JOHN R. FELLOWS,
District Attorney.

0465

BOX:
439

FOLDER:
4048

DESCRIPTION:
Wanamaker, John

DATE:
05/24/91

4048

Witnesses:

John Wanamaker

off Thomas Lynch 9th St

No. 35087

Counsel,

Filed 24 day of May 1901

Pleads

THE PEOPLE

vs.

P

John Wanamaker

BURGLARY IN THE THIRD DEGREE.

Petit larceny and receiving stolen goods.

[Section 498, 532, 550, Penal Code.]

Eugene A. Philbin,

~~ASA BIRD GARDINER~~,

District Attorney.

May 27/1901

Pleads P. L.

A TRUE BILL.

Abraham Bulkley

Foreman.

Pen one year & fine $400 one day for each $1 —

May 27/1901

79

Counsel Assigned .....

Age .....

Nativity .....

Residence .....

Occupation .....

Married .....

Education .....

Religious Instruction .....

Parents Living .....

Temperate .....

Before Convicted .....

POOR QUALITY ORIGINAL

0455

POOR QUALITY ORIGINAL

Form No. 7.

FIRST DIVISION

City Magistrates' Court, 2 District.

CITY AND COUNTY OF NEW YORK, } ss.:

William Mooney

aged 45 years, occupation Police Officer of No. 9th Precinct Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Abraham Levy and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 19th *day of* May 190

William J Mooney

J McCorwell

City Magistrate.

POOR QUALITY ORIGINAL

0468

Form No. 3.

Affidavit—BURGLARY.

First Division City Magistrates' Court, 2 District.

CITY AND COUNTY OF NEW YORK, } ss.:

Abraham Geiger

of No. 170 West Houston Street, aged 27 years,

occupation Grocer being duly sworn,

deposes and says, that the premises No. Basement ~~ground~~ floor of the 170 West Houston Street, Ward

in the City and County aforesaid, the said being a Five Story Brick Building

and which was occupied by deponent as a Grocery Store

and in which there was at the time no human being, by name

were **BURGLARIOUSLY** entered by means of forcibly breaking open ~~the~~ door leading from the Street into said basement with some unknown instrument

or about on the 18th day of May 1901, in the Night time, and the following property feloniously taken, stolen, and carried away, viz.:

Three Tubs of Lard and of the Value of about Fifteen Dollars $15 00/100

the property of Deponent

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

for the reasons following, to wit: That deponent on said date at the hour of 10 Pm left said premises and securely locked and fastened the same. Deponent now says that he returned to said premises at about the hour of 5 am. on the 18th day of May 1901. and discovered that said premises had been burglariously entered in the manner above described. and that the above described property had been feloniously taken stolen and carried away. Deponent is now informed

POOR QUALITY ORIGINAL

by Officer William Mooney of the 9th Precinct that he had arrested this defendant on the 18th day of May 1901. and that the said defendant had admitted and confessed to him that he had Burglariously entered said premises and Stolen said property therefrom. and that he had sold the same to one Dominick Corasso. 178 West Houston Street. Deponent further Says that he went to the said premises 178 West Houston Street and there saw Three Tubs of Lard which he fully Identified as his property by private pencil marks thereon. Wherefore deponent asks that the defendant may be held to answer

Abraham Geiger

Sworn to before me this 19th day of May 1901

City Magistrate.

POOR QUALITY ORIGINAL

SEC. 198–200.

FORM No. 182.

2

First Division City Magistrates' Court, ... District.

CITY AND COUNTY OF NEW YORK, } ss.:

John Wanamaker 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 Wanamaker

Question. How old are you?

Answer. 17 years

Question. Where were you born?

Answer. U. S.

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

Answer. 16 King Street. 5 years

Question. What is your business or profession?

Answer. Cooper

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 Wanamaker

Taken before me this 17th *day of* May *1880*

[illegible]

City Magistrate.

POOR QUALITY ORIGINAL

0471

Copy furnished to Supt. office.

35087 G

FORM No. 4.

City Magistrates' Court, 7 District,

FIRST DIVISION.

THE PEOPLE, &c.,

vs.

ON THE COMPLAINT OF

1. Abraham Langer

2. P

3.

4.

Offense Burglary

Dated May 19th 1901

Cornell City Magistrate.

Wm Mooney Officer.

Thomas Lynch 9 Precinct.

Witnesses Carl Seidgquiro

No. Street,

No. Street,

No. Street,

No. Street,

RECEIVED CLERK'S OFFICE MAY 20 1901 COUNTY GENERAL SESSIONS

$1000 K to admit

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 Fifty 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, May 190 W. H. Cornell City Magistrate.

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

Dated, 190 City Magistrate.

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

Dated, 190 City Magistrate.

POOR QUALITY ORIGINAL

0472

The Prison Association of New York,
135 East 15th Street.

CHARLTON T. LEWIS, PRESIDENT.
CORNELIUS B. GOLD, TREASURER.
EUGENE SMITH, SECRETARY.
SAMUEL J. BARROWS, COR. SEC
D. E. KIMBALL, AGENT,

NEW YORK, May 29th 1901

The People
vs
John Wanamaker } Petit Larceny

Inquiry made by this Association shows the prisoner has been arrested before and seems indifferent as to what becomes of him. In accepting his plea of guilty the court has been very lenient to him. The prisoner is but 17 years of age and it is a matter of regret that a favorable recommendation cannot be

POOR QUALITY ORIGINAL

Court of General Sessions of the Peace

IN AND FOR THE COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Wanamaker

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

John Wanamaker

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

The said John Wanamaker

late of the fifteenth Ward of the Borough of Manhattan of the City of New York, in the County of New York, aforesaid, on the eighteenth day of May in the year of our Lord one thousand ~~eight~~ NINE hundred and ~~ninety~~ one in the night time of the same day, at the Ward, Borough and County aforesaid, a certain building, to wit, the building of one

Abraham Geiger

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 Abraham Geiger 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.

POOR QUALITY ORIGINAL

SECOND COUNT—

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

of the CRIME OF Petit LARCENY committed as follows:

The said John Wanamaker

late of the Ward, Borough, and County aforesaid, afterward, to wit, on the day and in the year aforesaid, at the Ward, Borough, and County aforesaid, in the night time of the said day three tubs of lard of the value of five dollars each tub

of the goods, chattels and personal property of one Abraham Geiger

in the building of the said Abraham Geiger

there situate, then and there being found, in the building aforesaid, then and there unlawfully ~~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.

POOR QUALITY ORIGINAL

THIRD COUNT—

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

John Wanamaker

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said John Wanamaker

late of the Ward, ~~City~~ Borough and County aforesaid, afterward, to wit, on the day and in the year aforesaid at the Ward, ~~City~~ Borough and County aforesaid, the same goods, chattels and personal property described in the second count of this indictment, to which reference is hereby made and of the value there alleged, of the goods, chattels and personal property of one Abraham Geiger

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

did feloniously receive and have; the said John Wanamaker

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. Eugene A. Philbin,

~~ASA BIRD GARDINER,~~

District Attorney.

0476

BOX:
439

FOLDER:
4048

DESCRIPTION:
Warley, Charles

DATE:
05/12/91

4048

Witnesses;

Goodrich T. Coulliff
Isaac Cole
Off. Henry Haag
22 Precct

Counsel, A C

Filed 12 day of May 1891

Pleads, Mguilty 13

THE PEOPLE

vs.

Charles Warley

Assault in the First Degree, Etc.
(Manslaughter.)
(Sections 217 and 218, Penal Code.)

JOHN R. FELLOWS,

District Attorney.

May 12 1891 NLD

A True Bill.

W. L. Hickmon
Hugh Boyle
Foreman.

Guilty Acquitted

POOR QUALITY ORIGINAL

1169

POOR QUALITY ORIGINAL

Police Court— 4 District.

City and County of New York, } ss.:

Goodrich Conliff

of No. 116 West 62d Street, aged 32 years,

occupation Machinist being duly sworn

deposes and says, that on the 7 day of May 1889 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Charles Warley (now here) on West 52d Street, who then and there assaulted deponent with a knife held in his (Warley's) hand, cutting deponent in the lip

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

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

Sworn to before me, this 7 day of May 1889. } Goodrich F. Conliff

John O'Ryan Police Justice.

POOR QUALITY ORIGINAL

Sec. 198—200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Charles Warley

Question. How old are you?

Answer. 17 years

Question. Where were you born?

Answer. New York

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

Answer. 148 W 52 St — Cygnet

Question. What is your business or profession?

Answer. Work in stable

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

Answer. I am not guilty

Alfred Warley

Taken before me this 7 *day of* Dec 188[illegible]

[illegible] *Police Justice.*

POOR QUALITY ORIGINAL

0480

612

Police Court— 7th District.

THE PEOPLE &c.,
ON THE COMPLAINT OF

Patrick Murphy
226 - 63 W 63 St
Geo. Worley

2.
3.
4.

Offence Pol. Assault

Dated May 7 1881

Ryan Magistrate

Officer.

Precinct.

Witnesses Albert Lyons
No. 623 W. 58 Street.
William Lyons
No. 623 W. 58 Street.
Michael Forde
624 W 52 St N.Y.
No. 5 Street.

$ 500. Cash to Answer.

RECEIVED MAY 1881 ATTORNEY'S OFFICE

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 May 7 *188*1 John Ryan *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.*

POOR QUALITY ORIGINAL

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Charles Warley

The Grand Jury of the City and County of New York, by this indictment, accuse Charles Warley of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said Charles Warley late of the City of New York, ~~in~~ the County of New York aforesaid, on the seventh day of May in the year of our Lord one thousand eight hundred and ninety-one, with force and arms, at the City and County aforesaid, in and upon the body of one Goodrich T. Cunliffe in the Peace of the said People then and there being, feloniously did make an assault and ~~to, at and against~~ him the said Goodrich T. Cunliffe, with a certain ~~pistol then and there loaded and charged with gunpowder and one leaden bullet,~~ knife which the said Charles Warley in his right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there ~~shoot off and discharge,~~ strike, stab, cut and wound, with intent him the said Goodrich T. Cunliffe thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said Charles Warley of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Charles Warley late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said Goodrich T. Cunliffe in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and ~~to, at and against~~ him the said Goodrich T. Cunliffe with a certain knife ~~a certain pistol then and there charged and loaded with gunpowder and one leaden bullet,~~ which the said Charles Warley in his right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully ~~shoot off and discharge,~~ strike, stab, cut 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.

JOHN R. FELLOWS,
District Attorney.

0482

BOX:
439

FOLDER:
4048

DESCRIPTION:
Watson, William

DATE:
05/25/91

4048

Witnesses:

Henry Lee

230

Counsel,

Filed 25 day of May 1891

Pleads, Not guilty 26

THE PEOPLE

vs.

William Watson

Assault in the First Degree, Etc.
(Misdemeanor.)
(Sections 217 and 218, Penal Code).

~~JOHN R. FELLOWS~~,

District Attorney.

A True Bill.

W. L. Skidmore
Foreman.

Part II June 3/91 –
Examination taken
and fully bound into
the grand jury
Now insane

Insane

Hudson River State Asylum
for Insane at Poughkeepsie
B.M.

Please enclose postage stamp in letters of inquiry.

3
R

Hudson River State Hospital

Poughkeepsie, N.Y. May 7th 1892.

Hon Delancy Nicoll,
District Attorney.

Dear Sir:

I desire to notify you that William Watson who was admitted to this hospital on the 5th day of June 1891 as a Criminal patient from your County on the order of Hon R. B. Martine, Justice of General Sessions was this day transferred to Asylum for Insane Criminals at Matteawan, N.Y. on the order of Hon J. F. Barnard, Justice of the Supreme Court.

Yours truly Joseph M. Chamberlain
Supt.

POOR QUALITY ORIGINAL

E860

POOR QUALITY ORIGINAL

Police Court— 1 District.

City and County of New York, } ss.:

Henry Lee

of No. 38. Park Row Street, aged 35 years,

occupation Hotel Clerk being duly sworn

deposes and says, that on 20 day of May 188 9 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

William Watson (now here) who did willfully and maliciously Stab and cut deponent on the right side of the body. with a knife then and there held in his hand. and Threw a Stone Chamber at deponent, striking and cutting him on the head.

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

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

Sworn to before me, this 20 day of May 188 9. } Henry Lee

Charles N Tomlinson Police Justice.

POOR QUALITY ORIGINAL

Sec. 198—200.

14 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. William Watson

Question. How old are you?

Answer. 31 years -

Question. Where were you born?

Answer. New York

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

Answer. 306 West 26 Street - 1 day -

Question. What is your business or profession?

Answer. Shoemaker

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 admit striking the Complainant - but I done it in mistake, as my life had been threatened by others - and I thought the Complainant was one of those who had threatened me

William Watson

Taken before me this 29 day of May 1888

Geo. W. Hendrickson Police Justice.

POOR QUALITY ORIGINAL

0486

Police Court 1 **District.** 681

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Edward Lee
38 Oak St
William Nelson

2.
3.
4.

Offence Assault

Dated May 20 1891

Magistrate.

Officer.

Precinct.

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Witnesses

No. Street.

No. Street.

No. Street.

No. Street.

§ to answer

RECEIVED MAY 1891 DIST. ATTORNEY'S OFFICE

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 Alexander

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 May 20 *18*91 Charles Name *Police Justice.*

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated *18* *Police Justice.*

There being no sufficient cause to believe the within named

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

Dated *18* *Police Justice.*

POOR QUALITY
ORIGINAL

Adelaide Walters
Taunton
May 20-11
Indexed May 25
Found to be Hudson
Martine June 4 -
Hudson Park
State Insane Asylum
Poughkeepsie

POOR QUALITY ORIGINAL

COURT OF GENERAL SESSIONS, PART III.

The People of the State of New York, against William Watson.	Before Randolph B. Martine, and a Jury.

Indictment filed 1891.

Indicted for assault in the first degree.

New York, June 3, 1891.

A P P E A R A N C E S:

For the People,

Asst. District Atty. Gunning S. Bedford;

For the Defendant,

Charles E. LeBarbier, Esq.

CHARLES K. MAGEE, a witness for the defendant, sworn, testified:

I am a physician practicing in the County of New York. I know the defendant now at the bar. I have had interviews with him. I believe him to be now insane. That opinion is based on the fact that he has hallucinations. He believes that people are following him and about to kill him. When I saw him first he was very irritable. He was excitable and nervous, so much so that on my rounds I told the attendant to watch him carefully and he was placed in the Hospital cell. On the night of May 20 he became delirious and very violent, so much so that we had to put the straps on him and tie him to the bed, as is customary in such cases. I think about the

POOR QUALITY ORIGINAL

sixth day he gave indications of becoming rational, and since that time he has been in about his present condition. He has not been violent since the time I speak of and has, in fact, given no indications of being violent since that time. He has been allowed the liberty of the cell without physical restriction of any kind.

Q Do you believe that he is in such a state of mind that he does not know that he is before Judge Martine; that you are testifying as regards his sanity or insanity; that I am sitting here representing the People; that his counsel is representing him, and that the Jury is sworn here to try the question of whether he is sane or insane: Do you believe that he is so bereft of reason as not to know anything about what is going on? A I think he appreciates those facts. I think he is now suffering from the after effects of dipsomania. I think he has one or two hallucinations now which makes me believe that he is now insane. I believe he is insane.

Q What form of insanity is he suffering from? A I think he is suffering from the after effects of dipsomania.

Q Every man who has delirium tremens, in your opinion, is insane ? A No, sir.

Q Why do you say this man is insane? A Because he has hallucinations, and on that ground I consider him insane. I think he appreciates what is now going on. I do not consider him capable of advising his counsel in this case or of making any defense. He has the physical appearance

POOR QUALITY ORIGINAL

of a man who is insane; that is, his pupils are dilated and he is nervous. I judge him to be suffering from alcoholism. He has suffered from delirium tremens and he is now gradually recovering from that state. I repeat that I consider that the man in insane at the present time. I am not prepared to state whether he can distinguish between right and wrong. I have examined him at least eight or ten times in the Tombs. I understood from the attendants that he was very violent at times.

MATTHEW D. FIELD, a witness for the defendant, sworn, testified:

I am a physician practicing in this city. I know the defendant at the bar. I have examined him and have had interviews with him. The result of my examination is that he is at this moment insane. My opinion is based, in the first place, on the fact that the man is dazed. He has a rather heavy expression, combined with melancholia. He failed to recognize a gentleman who called at the Tombs to see him whom he had known previously for some time. It was with some difficulty that he was made to recognize him. In all his statements he showed that he had a bad memory. He had been in court, I think, the day before and he didn't know whether he had an attorney or not, and we wanted to find out the address of his attorney, but he had no idea of what the attorney's address was. He did not know how long he had been in the Tombs. While I was talking with him there was a lit-

POOR QUALITY ORIGINAL

tle noise in the hall of two keys striking together. He looked around in the most terrified way and on asking him for an explanation of his conduct he said that people were trying to do him an injury; that they were trying to injure him every night.. He told me he heard that noise every night, but that it didn't trouble him during the day. He recited that he didn't know just how he got there. He said that people had been chasing him about the streets for a time; that he was somewhere on Chambers Street in a car and that a man who was a starter would be a good witness for him. He said that this man saw the people coming down after him; that he went to the Police Precinct in the City Hall Park and asked for protection; that they told him to go somewhere and lie down and that he went to this lodging house in Park Row. He said that he got a room and that people were coming after him. He heard them cry out "They are here"; that some one came into the room but he didn't know who it was. He said that there was a pistol there. From the of this case I am informed that there was no pistol. I should say that the man has been suffering from delirium tremens. I know the nature of the charge against the man. He told me that people were trying to injure him and insisted that they were injuring him. In my judgment the defendant is now insane, because he is still subject to hallucinations and delusions.

POOR QUALITY ORIGINAL

CROSS-EXAMINATION:

Q Some people may have hallucinations and delusions on some things, and with regard to everything else be as sane as you are at this moment ? A I never have met such an individual.

Q Do you know that there is a certain person confined in an asylum who believes himself to be our Saviour ? A I have seen Christ nearly every day in the week.

Q Do you recognize the form of insanity known as monomania? A Yes, monomania is a man who has delusions in a given direction. The man Dougherty who killed Dr. Lloyd in Brooklyn had a delusion in one line towards a certain woman, and yet in regard to other things his talk was quite connected.

Q What do you say this man is suffering from? A Alcoholic insanity.

Q Do you say that he is insane as the result of the excessive use of alcohol? A Yes, sir; he has had delirium tremens which was the effect of alcohol.

Q Has this man delirium tremens now ? A No, sir.

Q He has had them? A Yes, sir.

Q Do you think this man is a dangerous person? A I think that there is no more dangerous man than one with delirium tremens.

Q You think that this man is dangerous? A Yes, sir.

Q And it would be unsafe for him to be at liberty? A Yes, sir; he has delusions of persecution.

POOR QUALITY ORIGINAL

Q Do you think his disease is curable ? A Yes; I think he may be cured at any time. I don't call his temporary insanity. I consider it curable insanity.

Q Can you determine, from one man's examination, his condition? A I can, as far as I have testified to it.

Q What test did you apply to him? A I heard his story, talked with him and watched him carefully. I looked at his general condition.

Q Are you prepared to say that what he told you of his being pursued was not true ? A No, sir.

Q What evidences do you see of insanity? A I see that his eye-lids are heavy. The lines of his face are heavy as in melancholia. When you talk to him his face does not light up as is usual with persons when they are in a normal condition.

Q Is he capable of instructing counsel as to his defense? A I don't think he is.

Q Why ? A Because, in the first place, he is affected with delusions. He has hallucinations, and furthermore his memory is defective.

Q You say that these hallucinations are hallucinations in the night. It is now the day-time and he would not be affected by those hallucinations ? A Yes, sir; he is conscious of what occurs to him at night.

Q Were you in Court to-day when he was arraigned at the bar ? A Yes, sir.

Q Did you hear the statement he made in relation to his

POOR QUALITY ORIGINAL

counsel? A I understood him to say something about counsel.

Q Don't you think he can talk with his counsel now ? A No, sir.

Q Can he talk coherently? A Fairly so; yes, sir.

Q Is this man capable of distinguishing between right and wrong ? A At the present time I think it would be a matter of doubt.

Q You understand there is a distinction between what is known as a medical and legal definition of insanity? A Yes, sir.

Q Do you consider this man insane within the medical definition or the legal definition? A I understand both definitions. We would not call a case of acute delirium tremens insane; that is, I would not send a man to the Asylum. I think it would be a grievous mistake.

Q Do you consider this man incapable of distinguishing between right and wrong ? A I think so, as an abstract proposition.

WILLIAM WATSON, the defendant, sworn, testified:

I am 32 years of age. Before my arrest I lived at 310 West 26th. Street. My business was that of a shoe-maker. I am a sane man. I do not know where I am now. The book which the Clerk handed me I think was David Copperfield. I do not know what the Clerk said to me. The paper which is shown me contains my signature. This place here looks like a theatre. This thing seems clearer to me now. I remember the night of this assault.

POOR QUALITY ORIGINAL

I was chased from 14th. St. and 8th. Avenue down to Chambers St. by a crowd of thirty men. If the starter who stands at the corner of Chambers St. and Broadway were here he could tell you that my life was in danger. I was frightened. I was near crazy by getting chased so far. I went over to the City Hall Station to ask for Police protection, but they would not give it to me. They told me to go somewhere and go to sleep. I went to a lodging house and got a room and tried to go to sleep. When I was in the room the same crowd of men bursted in the door and wanted to attack me.

HENRY LEE, a witness for the People, sworn, testified:

I am a hotel clerk at No. 88 Park Row. I remember the night of the 20th. of May. At about half past two the prisoner came upstairs and asked for a room. He was in an excited condition and said that some men had been chasing him from uptown all the evening. I gave him a room and he retired. A short time afterwards I heard him walking loudly in his room. I went to the door and knocked and he would not be quieted. In a few moments I burst the door open and went into his room. As soon as I got in there he grabbed hold of me, stabbed me twice in the side with something sharp and struck me over the head. The cuts were not very serious. As soon as the man came out into the office he apologized for having struck me and said he had made a mistake. He told me he thought I was one of the men who had chased him from up-

Indictment filed May 25 1891

COURT OF GENERAL SESSIONS

Part III.

THE PEOPLE &c.

against

WILLIAM WATSON.

Abstract of testimony on question of sanity of the defendant New York June 3rd 1891.

POOR QUALITY ORIGINAL

9660

POOR QUALITY ORIGINAL

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

William Watson

The Grand Jury of the City and County of New York, by this indictment, accuse William Watson of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said William Watson late of the City of New York, in the County of New York aforesaid, on the twentieth day of May, in the year of our Lord one thousand eight hundred and ~~eighty-nine~~ ninety-one with force and arms, at the City and County aforesaid, in and upon the body of one Henry Lea in the peace of the said People then and there being feloniously did make an assault and ~~to, at and against~~ him the said Henry Lea, with a knife and also with a certain stone vessel a certain ~~pistol then and there loaded and charged with gunpowder and one leaden bullet~~, which the said William Watson in his right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there strike, beat, stab, cut and wound ~~shoot off and discharge,~~ with intent him the said Henry Lea thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said William Watson of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said William Watson late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said Henry Lea in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and ~~to, at and against~~ him the said Henry Lea with a certain knife and also with a certain stone vessel ~~a certain pistol then and there charged and loaded with gunpowder and one leaden bullet,~~ which the said William Watson in his right hand then and there had and held, the same being a weapon and ~~an~~ instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, beat, cut, stab and wound ~~shoot off and discharge~~, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0498

BOX:
439

FOLDER:
4048

DESCRIPTION:
Webster, Jacob

DATE:
05/11/91

4048

Witnesses:

The facts recited in the sworn affidavit of defendant and letter of complainants Attorneys, show, ~~that~~ as contended by defendant at the outset, that this criminal proceeding was merely instituted as an aid to recovery of settlement of a civil action. The lapse of time and the conduct of the parties in settling their case out of court and the result of the civil action indicate it impossible to secure a conviction in this case and I recommend that the indictment be dismissed.

Nov 25/96

Nov 30 96 Filed. Bailey. Ass't D.A.

623

98

N. Y. Sessions

Bw. May 11/91

120 May 11

Counsel,

Filed 11 day of May 11 189

Pleads, Guilty

On motion of District Attorney indictment dismissed

B

Nov. 11th 1898. Sup. Ct.

Jacob Webster

Assault in the second degree.

(Section 218 Penal Code.)

De Lancey Nicoll,

District Attorney.

See endorsement

A True Bill.

W. L. Skidmore

Foreman.

Application to dismiss indictment denied

Dec 14/96.

4 B

POOR QUALITY ORIGINAL

6660

POOR QUALITY ORIGINAL

0500

Police Court— 1 District.

CITY AND COUNTY OF NEW YORK, } ss.

Arthur M. Mercer

of No. 266 W 121st Street, aged 30 years,

occupation Clerk being duly sworn, deposes and says, that

on the 23 day of January 1891 at the City of New York,

in the County of New York,

he was violently **ASSAULTED** and **BEATEN** by Jacob Webster who then and there struck deponent with some hard substance several violent blows on the head and face causing deponent severe and painful injury

without any justification on the part of the said assailant

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

Sworn to before me, this 3rd day of April 1891 } (Signed) Arthur M. Mercer

(Signed) Charles Welde Police Justice.

POOR QUALITY ORIGINAL

0501

CITY AND COUNTY OF NEW YORK } ss. POLICE COURT, 5 DISTRICT.

Albert C. Heyman

of No. 331 West 145th Street, aged 39 years,

occupation Merchant being duly sworn, deposes and says

that on the 28 day of January 1891

at the City of New York, in the County of New York Five days after the assault

Arthur M. Munch was assaulted and beaten by the said Jacob Webster the said Arthur M. Munch states to deponent, that the said Jacob Webster did strike him a violent blow upon the left temple with his clenched fist thereby knocking him against the corner of some shelving injuring the back of said Munch's head - and thereby causing concussion of the brain - that the said Arthur M. Munch has been confined to his home - since said assault was committed and is unable to appear in court to make formal complaint in consequence of said injuries inflicted as aforesaid -

(Signed) A. C. Heyman

Sworn to before me, this 4th day of March 1891

(Signed) Charles Weide Police Justice.

CITY AND COUNTY OF NEW YORK } ss. POLICE COURT, 5 DISTRICT.

Charles Stein

of No. 427 East 80th Street, aged 19 years,

occupation Salesman being duly sworn, deposes and says

that on the 23rd day of January 1891

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

did violently assault and beat Arthur M. Munch of No 266 W 121st St - that on said day deponent was in the premises No 46 Walker St and saw the said Jacob Webster seize violently hold of the arms of said Arthur M Munch and did shake him violently, that said said assault deponent has been informed that the said Arthur M. Munch has been and is at present confined to his home and unable to be absent from the result of said assault

(Signed) Charles Stein

Sworn to before me, this 4th day of March 1891

(Signed) Charles Weide Police Justice.

POOR QUALITY ORIGINAL

Sec. 151.

Police Court J District.

CITY AND COUNTY OF NEW YORK, } ss. *In the name of the People of the State of New York; To the Sheriff 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 Charles Stein

of No. 427 E 80th Street, that on the 23 day of January 1891 at the City of New York, in the County of New York,

Arthur M Munch

~~he~~ was violently **Assaulted** and **Beaten** by Jacob Webster

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 J 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 4 *day of* March 1891

(Signed) Charles Meade POLICE JUSTICE.

POOR QUALITY ORIGINAL

Exhibit a.

State of New York
City & County of New York } s.s.

Alexander Rixa being duly sworn states that he is a practising physician in the City of New York at 126 x Livingston Avenue, and has been in the practice of his profession since 19 years – that heretofore to wit: on the 23rd day of January last about 6 O'clock P.M. Arthur M. Munch was brought to his office in a very feeble condition, and that upon making an inspection he discovered the fact that he had received several severe blows upon the head and below the eye, from the effects of which said blow, immediately after reaching deponents office he fainted, and that his appearance was that of a man who had concussion of the brain, that he was very pale and nervous, dizzy and unable to speak, that he prescribed for him and when he was sufficiently well him home to 266 W 121st St, where he has been in daily attendance upon him from that day to this, that so serious and critical did the condition of said patient become that deponent felt it to be his duty and did call in Dr George W. Borkowitz a surgeon of repute in consultation, and that whether the patient is out of danger or not cannot be safely affirmed as it may depend upon contingencies that may or may not happen

(Signed) Dr Alexander Rixa

Sworn to before me this 26 day of February 1911
(Signed) E. J. McCaney
Notary Public
N.Y.C.

POOR QUALITY ORIGINAL

0504

(W)

Police Court--- 9 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles Stein

vs.

1. Frank Wright
2.
3.
4.

Offence Larceny

on authority Brennan

Dated March 5 1891

Magistrate.

Officer.

Precinct.

Witnesses Albert C. Hayman

No. 331 Lafayette St. Street.

No. Street.

Complainant's residence, Street.

Accusing party's residence Street.

No. Street.

$ 5 bail 24th 2 PM -

Copy -
Borough Clerk

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

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 18 Police Justice.

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

Dated 18 Police Justice.

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

Dated 18 Police Justice.

POOR QUALITY ORIGINAL

0505

623

BAILED, Jan 14 1891

No. 1, by Jacob Lockert

Residence 166 E 95 Street.

No. 2, by James Wolf

Residence Julius Allmond 452 E 116 Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court---.....**District.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Lothar M. Mundt

vs.

1. Jacob W Elster
2.
3.
4.

Offence Assault

Dated May 11 1891

Magistrate.

Officer.

Precinct.

Witnesses, Louis Mann

No. 1271 E 60th Street.

No. 1264 Lex ave Street.

No. [illegible] Street.

$ [illegible] to answer

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

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..... *18* .....*Police Justice.*

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

Dated..... *18* .....*Police Justice.*

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

Dated ..... *18* .....*Police Justice.*

POOR QUALITY ORIGINAL

Court of General Sessions
The People of
— against —
Jacob Webster
City & County of New York, ss.

I Jacob Webster the above named defendant being duly sworn deposes & says

That on the 2nd day of February 1891 Arthur Mundt the complaining witness herein commenced a suit against me in the Superior Court of the City of New York to recover damages alleged to have been sustained by him to the extent of $10,000 for the same alleged assault for which the indictment herein was subsequently found - and which said Civil suit is now at issue and still pending in the said Superior Court.

Sworn to before me this 2nd day of June 1891
Thomas H. Coleman
Comm of Deeds
N.Y. Co.

Jacob Webster

General Sessions

The People

— v —

Jacob Webster

=

affidavit of defts counsel Dist Attorney

==

Robert Lawrence
def's atty
120 Broadway
N.Y.

POOR QUALITY ORIGINAL

0507

POOR QUALITY ORIGINAL

City and County of New York, Ss:- Arthur M. Mundt of No: 266 West 121st. Street being duly sworn deposes and says: That on the 23rd. day of January 1891 I went over to the Office of Jacob Webster of No: 46 Walker Street to collect a bill from him due Siegmund M. Mundt of the sum of $52.50 I handed him a statement and told him I wished to collect that amount. He asked me and said, "Do you want to collect $52.50 from me and at the same time, he put his hand in his pants pocket and took something out of his pocket which was shiny and struck me several times on my left temple and eye, from the effects of which I fell over. My head struck the edge of a counter.

From the effect of said assault I was compelled to remain at home for about three months, was in bed suffering from the effects of his blows for eleven or 12 weeks, was compelled to employ two physicians, one of whom was Dr. Alexander Rixey, and the other George W. Boskowitz, and I am under treatment to this day from the effects of such assault.

I had concussion of the brain and to this day my brain is effected and my heart is also effected thereby.

Sworn to before me this :::
11th. day of May 1891 :::

Arthur M. Mundt.

Jacob Meyer
Commissioner of Deeds
N.Y. City.

POOR QUALITY ORIGINAL

W. BOURKE COCKRAN,
120 BROADWAY,
EQUITABLE BUILDING.

New York, February 13th, 1893

The People (Mundt complainant)vs Jacob Webster. Assault, 2nd degree

Dear Sir:-

I have your favor of Saturday. Owing to previous engagements, I am unable to see you to-day, but I presume you wish to know the situation of the case. The indictment is for assault in the second degree, (with a weapon.) The action in the Superior Court was for simple assault and battery, although involving the same transaction. When the complainant was before the Grand Jury, in order to make a more serious offense, he imagined that he was struck with "something shiny," my client having in the meantime failed in business, and the plaintiff's civil suit probably not being of any avail. The Recorder, when the case was up before him, ordered that the trial of the indictment be stayed until the civil suit was disposed of, and this is understood by the other side. The civil suit was tried last month before Judge Freedman in the Superior Court, and the jury stood six to six for some time, but finally compromised on $250. verdict for the plaintiff, although the plaintiff swore to actual damages in money laid out and wages lost of from fifteen hundred to twenty-five hundred dollars, and ~~his~~ that testimony was entirely uncontradicted. The evidence on the trial preponderated very largely in favor of the defendant, (the plaintiff having no witnesses as to the actual assault) so much

POOR QUALITY ORIGINAL

W. BOURKE COCKRAN,
120 BROADWAY,
EQUITABLE BUILDING.

New York, ... 18

so, that on the rendition of the verdict, Judge Freedman promptly set it aside as clearly against the weight of evidence and the circumstances of the case, and therefore the result was a mistrial, and the case will come up for trial again, probably next month, when we shall be ready to dispose of it.

If you desire any further explanation, I shall be happy to call and see you at any time.

Very respectfully yours,

Wales F. Severance

To

Hon. Gunning S. Bedford,

Assistant District Attorney,

City.

POOR QUALITY
ORIGINAL

0511

Letter from
Terrance
Feb 13 73
while serving
[illegible]

POOR QUALITY ORIGINAL

WALES F. SEVERANCE,
120 BROADWAY.
EQUITABLE BUILDING.

New York, September 24th, 1891.

The People &c., v. Jacob Webster.

Dear Sir,--

In this case, which I understand will be on the calendar for to-morrow, for the purpose of having a day set for trial, you may remember that it was on the calendar for trial before Recorder Smyth on June 2nd last, when, it being made to appear by affidavits that a civil action was pending in the Superior Court for Ten thousand Dollars damages for the same assault charged in the indictment, the Recorder marked the case off, stating that the civil case must be first disposed of.

I have inquired in the Superior Court, and find that such case is No. 2204 on the jury calendar. No. 1034 is the highest number reached, and the Clerk informs me that it cannot be reached before the 1st of January, for trial.

I write this, in order that our labors may be simplified to-morrow.

Very truly yours,

W. F. Severance

To
Henry Macdona, Esq.,
Assistant District Attorney,

Letter of
Wm. Florence
120 Broadway
that a civil
action was
pending in
Supreme Court
1891 —

POOR QUALITY
ORIGINAL

E150

POOR QUALITY ORIGINAL

N. Y. COURT OF GENERAL SESSIONS.

The People etc.

against

Jacob Webster.

City and County of New York, ss:-

Jacob Webster being duly sworn deposes and says, that he is the defendant above named; that he has a witness by the name of Sigsmund Baehrens who is a necessary and material witness for the defendant in the trial of this action; that he was present when the alleged assault was committed and that he cannot safely proceed to trial without his attendance; and that the said Behrens is a travelling man and is now upon his regular trip and is in the City of Chicago; and deponent was informed yesterday morning that his case would be moved to-day the 26th inst., and he went immediately in search of said Behrens and ascertained that he was out of town; that said witness will return to this city in about three weeks.

W H E R E F O R E deponent asks that the said case be postponed until such times as said witnesses' attendance can be secured.

Sworn to before me this
26th day of May 1891

Jacob Webster

Lanit L. Prim
Commr. of Deeds.
~~Notary Public~~
New York County.

POOR QUALITY ORIGINAL

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

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

.....

.....

.....

Sworn to before me this
day of 189 }

U. S. Circuit Court

The People &c.
Plaintiff

against

Jacob Metzler.
Defendant

.....

PURDY & ~~MCLAUGHLIN~~,
Attorneys for McMahon
No. 280 BROADWAY, New York City

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

Attorney.

To.....

POOR QUALITY ORIGINAL

GENERAL SESSIONS OF THE PEACE.

The People, on the complaint of Arthur M. Mundt, --against-- Jacob Webster.	Charge, Assault in the second degree.

Defendant held to bail in one thousand dollars.

May 15th, 1891, plea of not guilty entered.

May 26th, case on for trial before Recorder Smyth; not called. Case passed on calendar to June 2nd, when defendant attended with counsel and on application of defendant on affidavits, case was marked off term by the Recorder, and he announced from the bench that as a civil action was pending in the Superior Court of the City of New York by Mundt against Webster to recover damages for the same assault charged in the indictment, that this indictment would not be tried until that civil suit was disposed of.

September 25th. Indictment was on in Part 2 before Judge Cowing. On consent of the Assistant District Attorney and of Charles Steckler, who is interested in the prosecution as counsel for Mundt, and on it being made to appear to the Assistant District Attorney that Recorder

POOR QUALITY ORIGINAL

Smyth had made the announcement above referred to, the case was marked off.

Note.- I am informed by the Clerk of the Superior Court that this case cannot be by any possibility, reached for the first time on the day calendar until after January 1st, and it is desired to arrange that this indictment shall not come up until after that time. Mr. Webster, the defendant, has important business in the South and West which he desires to attend to, and does not desire to have the indictment pressed and his bail forfeited, possibly, while he is away.

Wales F. Severance,

Attorney for Defendant,

120 Broadway, N.Y. City

POOR QUALITY ORIGINAL

W. Reid Gould, Law Blank Publisher and Stationer,
139 Nassau Street, cor. of Beekman, and 120 Broadway, N. Y.

No. 230.

The People of the State of New York,

TO The District Attorney of the County of New York GREETING:

We Command You, That all business and excuses being laid aside, you appear and attend before Hon David McAdam one of the Justices of the Superior Court at Part III thereof in the County Court House N.Y. City

SUBPŒNA DUCES TECUM.

on the 3d day of October 1893 at 10.30 o'clock in the forenoon, to testify and give evidence in a certain action now pending undetermined in the said Court, between Arthur M. Mundt plaintiff

and Jacob Webster defendant

and that you bring with you and produce, at the time and place aforesaid, a certain Indictment for assault found in April & May 1891 and all papers from Police Court therewith: affidavit of Charles Stein, verified March 4th 1891: affidavit of A. C. Hyman verified same days and also affidavits of Boscowitz & Riley physicians

now in your custody, and all other deeds, evidences and writings, which you have in your custody or power, concerning the premises. And for a failure to attend, you will be deemed guilty of a contempt of Court, and liable to pay all loss and damages sustained thereby to the party aggrieved, and forfeit FIFTY DOLLARS in addition thereto.

Witness, Hon John Sedgwick, Chief Justice of this Court at the County Court House N.Y. City, October 1893

Charles G. Severance Attorney
120 Broadway N.Y.

Thomas Bosse Clerk.

POOR QUALITY ORIGINAL

against — *Plaintiff* / *Defendant*	*Affidavit of Service.* (Subpœna Duces Tecum.)

.....**County of**.....**ss.**

..... being duly sworn, says that .....

..... on the..... day of..... .....18.....
he served the within, Subpœna Duces Tecum upon.....
the witness named therein, by delivering to and leaving with him personally a true copy thereof, and at the same time and place exhibiting to him the within original, and paying to him the sum of.....
....., his fees for traveling to and from the place where he was required to attend in and by the said Subpœna Duces Tecum, and for one day's attendance thereat: and that he knew the said.....to be the individual mentioned and described in said Subpœna Duces Tecum as such witness.

Sworn to before me, this.....*day of*..... 18.....

N.Y. Superior Court

Cotton M. Reynolds

vs

Jacob Webster

Copy

SUBPŒNA,

DUCES TECUM.

Mahlon Sherman
Defts Atty
124 Broadway
N.Y. City

To District Attorney

POOR QUALITY ORIGINAL

against — *Plaintiff* / *Defendant*	*Affidavit of Service.* (Subpœna Duces Tecum.)

.....County of.....ss.

.....being duly sworn, says that.....

.....on the.....day of.....18.....

he served the within, Subpœna Duces Tecum upon.....
the witness named therein, by delivering to and leaving with him personally a true copy thereof, and at the same time and place exhibiting to him the within original, and paying to him the sum of.....
....., his fees for traveling to and from the place where he was required to attend in and by the said Subpœna Duces Tecum, and for one day's attendance thereat: and that he knew the said.....to be the individual mentioned and described in said Subpœna Duces Tecum as such witness.

Sworn to before me, this.....*day of*.....18.....

M. Superior Court
Arthur M. [illegible]
vs
Jacob Ferber
Copy
SUBPŒNA,
DUCES TECUM.
Malcolm Sherman
Defts Atty
124 Broadway
N.Y. City
To
District Attorney

POOR QUALITY ORIGINAL

0521

Police Court— 5 District.

CITY AND COUNTY OF NEW YORK, } ss,

Arthur M. Mundt

of No. 266-W- 12, 21 Street, aged 30 years,

occupation Clerk being duly sworn, deposes and says, that

on the 23 day of January 1891 at the City of New York,

in the County of New York,

he was violently **ASSAULTED** and **BEATEN** by Jacob Webster

who then and there struck deponent with some hard substance, several violent blows on the Head & face, causing deponent severe and painful injury

without any justification on the part of the said assailant.

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

Sworn to before me, this 3 day of April 1891 } Arthur M. Mundt

W. Wade Police Justice.

POOR QUALITY ORIGINAL

0522

District Police Court.

New York, March 9 1891

This is to certify that Arthur M. Mundt is under my medical treatment for an injury he received January 23 9, 1891. and that he is unable to appear before the court with out danger to his life.

Dr P. Ling
1264 Lexington Ave

POOR QUALITY ORIGINAL

0523

Sec. 192.

5th District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY OF NEW YORK, } ss.

An information having been laid before Charles Felde a Police Justice of the City of New York, charging Jacob Webster Defendant with the offence of

Assault

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, Jacob Webster Defendant of No. 145 Lexington Avenue Street; by occupation a Retired and Jacob Weicht of No. 166 - E - 93 - St Street, by occupation a Gents Furnisher Surety, hereby jointly and severally undertake that the above named Jacob Webster Defendant shall personally appear before the said Justice, at the 5th 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 Five Hundred Dollars.

Taken and acknowledged before me, this 5th *day of* March 188[illegible]

Jacob Webster

Jacob Weicht

Chas. Felde POLICE JUSTICE.

POOR QUALITY ORIGINAL

0524

CITY AND COUNTY OF NEW YORK, } ss.

Jacob Hecht

the within named Bail and Surety being duly sworn, says, that he is a resident and free holder within the said County and State, and is worth Twenty 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 of land at premises 166 East 93rd Street valued at $5,000 free and clear. Jacob Hecht

Sworn to before me this 5 day of May 1888

M. C. Mitchell Police Justice.

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear during the Examination.

Taken the day of 188

Justice.

POOR QUALITY ORIGINAL

CITY AND COUNTY OF NEW YORK } ss. POLICE COURT, 5th DISTRICT.

Charles Stein

of No. 427 East 81st Street, aged 19 years,

occupation Salesman — being duly sworn, deposes and says

that on the 23rd day of January 1891

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

did violently assault one beat Arthur M. Munds of No 266 W. 121st St that on said day deponents was in the premises No 46 Walker Street and saw the said Jacob Webster seize violently hold of the arms of said Arthur M. Munds and did shake him violently, that said said assault deponent has been informed that the said Arthur M. Munds has been and is at present confined to his home and unable to be absent from the results of said assault

Charles Stein

Sworn to before me, this 4th day of March 1891

W. H. Smith

Police Justice

NEW YORK SUPREME COURT
PLFF'S EX. 1
PAGE 2

CITY AND COUNTY OF NEW YORK } ss. POLICE COURT, 5 DISTRICT.

Albert C. Hymans

of No. 331 West 145th Street, aged 39 years,

occupation Merchant — being duly sworn, deposes and says

that on the 28 day of January 1891

at the City of New York, in the County of New York — five days after the said Arthur M. Munds was assaulted and beaten by the said Jacob Webster — the said Arthur M. Munds stated to deponent that the said Jacob Webster did strike him a violent blow upon the left temple with his clenched fist thereby knocking him against the sharp corner of some shelving injuring the back of said Munds head and thereby causing concussion of the brain — that the said Arthur M. Munds has been confined to his home since said assault was committed and is unable to appear in court to make formal complaint in consequence of said injuries inflicted as aforesaid —

A. C. Hymans

Sworn to before me, this 4th day of March 1891

W. H. Smith

Police Justice.

POOR QUALITY ORIGINAL

Exhibit A.

State of New York

City and County of New York S. S.

Alexander Rixa being duly sworn states that he is a practicing physician in the City of New York, at 1264 Lexington Avenue, and has been in the practice of his profession some 19 years. That heretofore towit, on the 23rd day of January last about 6 o'clock P. M Arthur M. Mundt was brought to his office in a very feeble condition, and that upon making an inspection he discovered the fact that he had received several severe blows on the head and below the eye, from the effect of which said blow, immediately after reaching deponent's office he fainted, and that his appearance was that of a man who had concussion of the brain. That he was very pale and nervous, dizzy and unable to speak. That he prescribed for him, and when he was sufficiently revived sent him home to 266 West 121st Street, where he has been in daily attendance upon him from that day to this. That so serious and critical did the condition of said patient become that deponent felt it to be his duty and did call in Dr. George W. Beskowitz a surgeon of repute in consultation, and that whether the patient is out of danger or not cannot be safely affirmed as it may depend upon contingencies that may or may not happen

Sworn to before me this 26th day of February 1891.

E. G. Delaney Dr Alexander Rixa
Notary Public
N.Y.C.

POOR QUALITY ORIGINAL

Sec. 151.

Police Court 5th District.

CITY AND COUNTY OF NEW YORK, } ss. *In the name of the People of the State of New York; To the Sheriff 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 Charles Steine

of No. 427 East 80th Street, that on the 23rd day of January

1891 at the City of New York, in the County of New York,

Arthur M. Munch

he was violently **Assaulted** and **Beaten** by Jacob Webster

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 5th 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 4th *day of* March 1891

M. Kelly POLICE JUSTICE.

Police Court ..... District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

.....

vs.

.....

.....

Warrant—A. & B.

Dated 188

.....*Magistrate*

.....*Officer.*

The Defendant.....

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

.....*Officer.*

Dated..... 188

This Warrant may be executed on Sunday or at night.

.....*Police Justice.*

The within named

.....

having been brought before me under this Warrant, is committed for examination to the WARDEN and KEEPER of the City Prison of the City of New York.

Dated..... 188

.....*Police Justice.*

POOR QUALITY ORIGINAL

0528

POOR QUALITY ORIGINAL

0529

The Magistrate presiding since please hear and determine the within case in my absence —

McAdde
Police Justice

BAILED.

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Ex April 3d
2 30 P.M.

(N)

623

Police Court--- 5 District.

THE PEOPLE,
ON THE COMPLAINT OF

Charles Stein

vs.

1 Jacob Webster
2 .....
3 .....
4 .....

Offence Assault & Battery on William McMunich

Dated March 5 1891

McAdde Magistrate.

McCabe Officer.

Court Precinct.

Witnesses Albert C. Hagman

No. 331 W 145th Street.

No. Adjourned, awaiting decision of civil suit. Street.

No. April 24th 2 P.M. Street.

$ ..... to answer

Committed to await the result of Supreme Ct. 9th

April 3 2 30 P.M.

1000 Bail made Bailed 2 P.M.

POOR QUALITY ORIGINAL

0530

The magistrate presiding in this place hereon may determine the within case in my absence —

McAdoo
Police Justice

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street

Ex April 3d
2 30 P.M.

(N) 623

Police Court--- 5 District.

THE PEOPLE,
ON THE COMPLAINT OF
Charles Stein
vs.
1 Jacob Webster
2 .....
3 .....
4 .....

Offence Assault & Battery on William Ryan

Dated March 5 1891

McAdoo Magistrate.

McCabe Officer.

Comm Precinct.

Witnesses Albert C. Hyman

No. 331 W 145th Street.

No. Adjourned, awaiting decision of civil suit.

No. ..... Street.

$ ..... to answer Apr 24th 2 P.M.
Committed to await the result of suit
Apr 9 P.M. 9
apr 3 2 30
1000 Bail
Bailed mch 30 2 PM

POOR QUALITY ORIGINAL

Alfred Steckler. Charles Steckler.

Steckler & Steckler,
Attorneys and Counsellors at Law,
World Building,
Cor. Park Row and Frankfort Street.

Rooms 31 and 32, New York, November 24, '96 189

The People (Arthur M. Mundt, Complainant, against Jacob Webster, Defendant)

Indictment for Assault in the Second Degree.

To the Hon. John R. Fellows,

District Attorney,

Dear Sir:

On or about May 15th, 1891, on the complaint of our client, Mr. Mundt, an indictment was found against Mr. Webster for assault in the second degree.

At the same time we had pending a civil action for damages by reason of the assault in favor of our client against Webster in the Superior Court of the City of New York.

On September 25th, 1891, Recorder Smyth directed that the trial of the indictment be stayed until the civil suit was disposed of. The latter was tried before Justice Freedman and a Jury and resulted in a verdict in favor of the plaintiff for Two hundred and fifty dollars, which upon its rendition was set aside on the application of the defendant.

The cause came up for trial again in May of this year and the parties having concluded to settle the case, it was disposed of by the payment of a small sum by Mr. Webster, who received a

POOR QUALITY ORIGINAL

Alfred Steckler. Charles Steckler.

Steckler & Steckler,
Attorneys and Counsellors at Law,
World Building,
Cor. Park Row and Frankfort Street,
Rooms 31 and 32, New York, 189

general release and a direction to you that he did not desire to prosecute.

We have no objection to a "nolle" being entered on this indictment.

Very truly yours,

A. & C. Steckler

POOR QUALITY ORIGINAL

Fol. 1.

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

THE PEOPLE (ARTHUR M. MUNDT),
COMPLAINANT,
-vs-
JACOB WEBSTER,
DEFENDANT.

City and County of New York, ss.:

JACOB WEBSTER, being duly sworn, says:-

FIRST:- I reside at 1453 Lexington Avenue in the City of New York, and am the defendant above named.

SECOND:- On January 23d, 1891, I was engaged in the mercantile business at #46 Walker Street in the City of New York, on which date the above named complainant came

" 2. to my office to collect a bill, and before he left we got into a wordy altercation, and he claims that I drew something shiny from my pocket and struck him over the head with it, and that he was confined to his residence by reason thereof for several months, and was unable to do work for about a year, and lost his wages and was put to large expense for Dr's. bill, drug store bills, etc. There were several witnesses present at the time above referred to, who saw what occurred, and they testified that the statements made by Mundt were untrue, on a subsequent

POOR QUALITY ORIGINAL

" 3. trial of a civil action brought by him against me to recover damages by reason of the alleged assault.

THIRD:- Within a month after this date the said complainant brought a civil action against me in the Superior Court of the City of New York, to recover Ten Thousand Dollars damages for assault and battery arising out of the facts aforesaid. Shortly after the commencement of such action, I failed in business, and then the above named complainant through his Counsel, Messrs. Alfred and Charles Steckler, on or about May 13th, 1891, obtained

" 4. my indictment in this Court, for assault in the second degree, and I was held in One Thousand Dollars bail. The said indictment has not been tried, and I am still under the same bail. On May 15th, 1891, I attended and entered a plea of not guilty. On May 26th, 1891, the indictment was called for trial before his Honor, Recorder Smyth, and the case was marked off. On June 2d, the indictment was again called for trial before Recorder Smyth, and was marked over the term. On September 25th, the indictment was again on the calender for trial before his Honor

" 5. Recorder Smyth, and on my application through Counsel, the trial of the indictment was marked ~~staid~~ "Stayed" by the Hon. Recorder, until the above mentioned civil suit was disposed of, and the indictment has remained in that condition ever since. The civil action was tried on January 12th, 1892, in the Superior Court of the City of New York, before the Hon. John J. Freedman and a jury, and

POOR QUALITY ORIGINAL

lasted about all day, and the jury being unable to agree within a reasonable time, they were ordered to bring in a sealed verdict the next morning. On the trial of this

" 6. action the plaintiff swore to actual money damages sustained by him, by reason of his injuries, as claimed by him, arising from the alleged assault, in upwards of Fifteen hundred dollars, for Dr's. bills, drug store bills and loss of wages. He claimed that he was confined to his house for several months, and was not able to work for nearly a year, and ~~that~~ if he was entitled to any damages, he was entitled to at least from Fifteen hundred to Two Thousand Dollars actual damages, and under the charge ~~cahrge~~ of the Judge, the jury had a right to award him vindictive

" 7. damages, because of the alleged unprovoked, malicious and brutal assault which he testified I committed upon him. Upon the trial of this action, the complainant was represented by his Counsel, Alfred Steckler. The jury returned a sealed verdict the next morning in favor of the plaintiff, for the sum of Two hundred and fifty dollars. I am informed that this was a compromise verdict, and that a majority of the jury were originally in favor of a verdict for the defendant. On the rendition of the verdict, my Counsel moved to set aside the same, as against the weight of

" 8. evidence and on the usual grounds, which motion the Justice immediately granted, saying in substance that the verdict was a most peculiar one, and that the same was clearly against the

POOR QUALITY ORIGINAL

weight of evidence, and that the plaintiff's story was entirely uncorroborated. On several occasions after that, the case was set down for trial, and on ~~tew~~ two occasions I had my witnesses in Court, and was actually ready to try the case, but the plaintiff did not seem to be very anxious to try the same. The cause was finally set down on the Day calender, Supreme Court, for trial, for

" 9. May, 1896, and was on the Day calender for several days, when I was ready for trial. During this time the plaintiff made several suggestions of settlement, but I declined to pay anything in settlement. Finally, on May 13th, 1896, while my Counsel in the action was engaged in the trial of a case in another Court, I was approached by a mutual friend of the plaintiff and myself, who suggested that it would be better for me to pay a small sum to get rid of the annoyance of the litigation, and finally dispose of the matter, and accordingly, without

" 10. the advice of my Counsel, and without his being present or being represented, I went to the office of the Messrs. Steckler, and paid them One hundred and twenty-five dollars, which was represented to be for their fees in the case, in the form of a check to their order, and I obtained then and there, a general release from all claims, in due form, from the plaintiff, and a direction to the District Attorney that he did not desire to prosecute the indictment above referred to.

POOR QUALITY ORIGINAL

" 11. I therefore respectfully pray, that the above indictment be dismissed, and my bail released.

Sworn to before me this 19th day of November, 1896. : Jacob Webster

A. V. Clark,
Com. of Deeds,
N. J. City.

POOR QUALITY ORIGINAL

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Jacob Webster

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse

— Jacob Webster —

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

The said Jacob Webster,

late of the City and County of New York, on the ~~twenty~~ - ~~third~~ day of January, in the year of our Lord one thousand eight hundred and ~~eighty~~ ninety one, with force and arms, at the City and County aforesaid, in and upon one

— Arthur H. Mundt —

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

with a certain instrument and weapon to the Grand Jury aforesaid unknown, which he the said

— Jacob Webster —

in his right hand then and there had and held, the same being then and there a weapon and an instrument ~~and weapon~~ likely to produce grievous bodily harm, him, the said Arthur H. Mundt, then and there feloniously did wilfully and wrongfully strike, beat, 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.

POOR QUALITY ORIGINAL

SECOND COUNT—

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

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

The said Jacob Webster,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the said Arthur M. Mundt, —

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault; and the said Jacob Webster, — the said Arthur M. Mundt, with a certain instrument and weapon to the said Grand Jury aforesaid unknown, which he the said Jacob Webster — in — his — right hand then and there had held, in and upon the — head — of him the said Arthur M. Mundt, —

then and there feloniously did wilfully and wrongfully strike, beat, bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said Arthur M. Mundt to the great damage of the said Arthur M. Mundt, — 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.

DeLancey Nicoll,
~~JOHN R. FELLOWS,~~
District Attorney.

0540

BOX:
439

FOLDER:
4048

DESCRIPTION:
Weinberger, Charles

DATE:
05/11/91

4048

POOR QUALITY ORIGINAL

0541

This indictment is the outgrowth of a labor strike which took place more than five years ago. It was found upon complaint made in the heat and prior attends and passion engendered by the struggle, and was made by a complainant who cannot be found. Upon the merits and the disappearance of complainant (see annexed affidavit) the People cannot further prosecute and I recommend deft discharged on his own recognizance.

Dec 27 /97

R. Wanner
Dep. [illegible]

Recommend
L. S. Van Deen
D.A.

~~Bail fixed at $2500~~

Witnesses:

Bail fixed on requisition of Decy at $1500
May 13/91 P/

~~[illegible]~~
~~Ignatz Klaus~~
188 Stanton St
NY

Bailed By
Chas. Weinberger
169 Rivington
and
Jacob Kraemer
169 Rivington St,
City

#90 Hok Bn. May 11/91

622

Counsel,
Filed 11 day of May 1891
Pleads, Not guilty 12

THE PEOPLE
vs.
B
Charles Weinberger

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

De Lancey Nicoll
~~JOHN R. FELLOWS,~~
District Attorney.

Cmd May 12/91

A True Bill.

W. L. Skidmore
Foreman.

Oct 27/97
Bail Discharged

Part III

~~Bail fixed at $2000~~

Witnesses:

Bail fixed on Magistrate's Decay at $1500
May 13/91

~~Gottlieb~~
~~Ignatz Kuck~~
188 Stanton St
NY

Bailed by
Chas. Weinberger
169 Rivington
and
Jacob Kraemer
169 Rivington St
City

$90 Bail BM. May 11/91

Counsel,

Filed 11 day of May 1891

Pleads, Not guilty 12

THE PEOPLE

vs.

B

Charles Weinberger

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

~~JOHN R. FELLOWS,~~
De Lancey Nicoll

District Attorney.

Cmd Colby 12/91

A True Bill.

W. L. Skidmore
Foreman.

Oct 27/91
Bail Discharged

Part III

This indictment is for a cutting affray. It appears that the complainant is the brother of the defendant's wife. The complainant testified that he was cut by the defendant in the presence of his wife. The defendant testified that he was cut by the complainant in the presence of his wife. The defendant's wife testified that she was present and saw the affray. The defendant's counsel moved to dismiss the indictment on the ground that it was not found upon the testimony of a competent witness. The motion was denied. The defendant's counsel excepted.

Defendant's Exception.

POOR QUALITY ORIGINAL

2450

POOR QUALITY ORIGINAL

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 3 DISTRICT.

Michael Rooney

of No. B District Police Street, aged ..... years,

occupation Police Officer being duly sworn deposes and says,

that on the 19th day of February 1891

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

visited Ignatz Schren at his residence at no 61 Scholes St. Brooklyn. and saw the said Schren sitting in the basement of his residence with his family. and apparently in good condition. and that his Schrens doctor informed deponent that if nothing happened Schren would be out in a few days.

Michael Rooney

Sworn to before me this 20 day of February 1891

Police Justice.

Police Court

POOR QUALITY ORIGINAL

Police Court, _____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

_____

vs.

_____

AFFIDAVIT.

Dated _____ 188

_____ *Magistrate.*

_____ *Officer.*

Witness, _____

Disposition, 1000 Bail
Fix Examination

POOR QUALITY ORIGINAL

Brooklyn N.Y. Feb 18/59

This is to certify that Frank Schum residing at No 61 Schole St Brooklyn N.Y. is under my professional care suffering from contused & lacerated wound of the forehead produced by a blow to the part.

William McGuire M.D.
115 Sumner St
Brooklyn N.Y.

POOR QUALITY ORIGINAL

0546

Police Court. 3 District.

CITY AND COUNTY OF NEW YORK, } ss:

Ignatz Schoen

of No. 96 Cannon Street, aged 38 years,

occupation Tailor being duly sworn, deposes and says, that

on the 18 day of February 189/ at the City of New York,

in the County of New York,

he was violently ASSAULTED and BEATEN by Charles Weintraub who struck deponent on the head with a walking stick then and there held in his hand, cutting deponents head

without any justification on the part of the said assailant.

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

Sworn to before me, this 18 day of Feby 189/

Ignatz Schön

Police Justice.

POLICE COURT 3 DISTRICT.

City and County of New York, ss.

THE PEOPLE

vs.

Chas Weintraub

On complaint of Ignatz Schoen

For Assault

After being informed of my rights under the law, I hereby waive a trial by Jury on this complaint, and demand a trial at the COURT OF SPECIAL SESSIONS OF THE PEACE, to be holden in for the City and County of New York.

Dated Feby 189/

Karl Wanbergh

Police Justice.

POOR QUALITY ORIGINAL

Sec. 151.

Police Court 3 District.

CITY AND COUNTY OF NEW YORK, } ss. *In the name of the People of the State of New York; To the Sheriff 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 Ignatz Schoen of No. 96 Canal Street, that on the 18 day of Feby 1891 at the City of New York, in the County of New York,

he was violently **Assaulted** and **Beaten** by Charles Weinberger

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 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 18 *day of* Feby 1891

[illegible] POLICE JUSTICE.

POOR QUALITY ORIGINAL

0548

Police Court 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Ignatz Schoen
vs.
Charles Weinberger

Warrant—A. & B.

Dated Feb 18th 1891

Murray Magistrate

Bonney Officer.

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

Officer.

Dated 188

This Warrant may be executed on Sunday or at night.

Police Justice.

The within named

having been brought before me under this Warrant, is committed for examination to the WARDEN and KEEPER of the City Prison of the City of New York.

Dated 188

Police Justice.

July 18/91
40 Austrian
Dann
142. 2 wos

POOR QUALITY ORIGINAL

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name.

Answer. Charles Weinberger

Question. How old are you?

Answer. 40 years

Question. Where were you born?

Answer. Austria

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

Answer. No 197 Second St. Brooklyn

Question. What is your business or profession?

Answer. Dresser on Clothes

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

Karl Weinberger

Taken before me this 14 *day of* Oct 188 9

Police Justice

POOR QUALITY ORIGINAL

0550

committed for trial to result.

BAILED,
No. 1, by Gustav Eisenhauer
Residence 124 Essex Street.

No. 1, by Jacob Reinhaumer
Residence 121 Allen Street.

Residence ..... Street.

No. ..... by .....
Residence ..... Street.

The magistrate presiding at the Third District Police Court, will hear and determine the within case, by reason of my absence

Thos. Mulvey
Police Justice

Police Court ---- 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Samuel Schoeck
vs.
Chas. Reinhaumer
2. .....
3. .....
4. .....

Offence Assault

Dated May 9 1891

Thomas Mulvey Magistrate.
Conroy Officer.
Comm Precinct.

Witnesses Samuel Schoeck
General Sessions
No. ..... Street.
RECEIVED
MAY 21 1891
DISTRICT ATTORNEY'S OFFICE
No. ..... Street.
Mary
No. Mary ..... Street.
$500 to answer
Filed May 20 1891
Discharged

It appearing to me by the within ac[illegible] and sta[illegible] herein mentioned ha[illegible] committed, and that there is sufficient cause to [illegible]lieve the within named [illegible]

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 May 9 1891 [illegible] Police Justice.

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

Dated May 9 1891 [illegible] Police Justice.

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

Dated ..... 18 ..... Police Justice.

POOR QUALITY ORIGINAL

0551

Committed for trial
to
result.

BAILED,
No. 1, by Peter Buchman
Residence 124 Cedar Street.

No. 1, by Peter Schinkmann
Residence 131 Allen Street.

No. ..... by .....
Residence ..... Street.

No. ..... by .....
Residence ..... Street.

The magistrate presiding at the Third District Police Court, will hear and determine the within case, by reason of my absence

Thos. Mackellar
Police Justice

Police Court ---- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Samuel Schwab
vs.
Guy Mannington
2 .....
3 .....
4 .....

Offence Assault

Dated May 19 1891
Magistrate. Officer.
Precinct.

Witnesses Samuel Schwab
Complainant
No. ..... Street.
No. ..... Street.

RECEIVED
MAY 21 1891
DISTRICT ATTORNEY'S OFFICE

No. ..... Street.

May 9 a M
No. ..... Street.
5.30 P M
10 HISWOR
Tues day
May 12 at 3.30 P M

It appearing to me by the within deposition and statements that the offence therein mentioned has been committed, and that there is sufficient cause to believe the within named Guy Mannington

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 May 9 1891 A O Wheeler Police Justice.

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

Dated May 9 1891 A O Wheeler Police Justice.

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

Dated ..... 18 ..... Police Justice.

POOR QUALITY ORIGINAL

Brooklyn N.Y. Feb 18/51

This is to certify that Ignatz Schorn residing at No 61 Scholes St is under my professional care suffering from Contused + Lacerated wound of the forehead produced by a blow to the head

William Martin MD
US Arsenal St
Brooklyn N.Y.

POOR QUALITY ORIGINAL

Sec. 192.

3 District Police Court

Undertaking to appear during the Examination.

CITY AND COUNTY OF NEW YORK, } ss.

An information having been laid before Henry Murray a Police Justice of the City of New York, charging Charles Weinberger Defendant with the offence of assault

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, Charles Weinberger Defendant of No. 242 Second Street; by occupation a Presser and Juda Birnbaum of No. 137 Allen Street, by occupation a Liquor Surety, hereby jointly and severally undertake that the above named Charles Weinberger Defendant shall personally appear before the said Justice, at the 3 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 Ten Hundred Dollars.

Taken and acknowledged before me, this 20 day of February 1887.

Karl Weinberger
Juda Birnbaum

Police Justice.

POOR QUALITY ORIGINAL

CITY AND COUNTY OF NEW YORK, } ss.

Juda Birnbaum

the within named Bail and Surety being duly sworn, says, that he is a resident and house holder within the said County and State, and is worth twenty 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 stock of wines, liquors and segars and fixtures, contained in premises 131 allen Street, and worth five thousand dollars free and clear.

Juda Birnbaum

Sworn to before me, this 26 day of Feb 1891

[illegible] Justice.

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear during the Examination.

Taken the ..... day of ..... 188 .....

..... Justice.

POOR QUALITY ORIGINAL

C. R. 3603

SUBPŒNA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

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

To Ignatz Schoen

of No. 196 Common Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the New Criminal Court House on Centre Street, between Franklin and White Streets, in the City of New York, on the 27 day of OCTOBER 1897, at 10 o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Chas. Spielberger

Dated at the City of New York, the first Monday of

in the year of our Lord 189

WILLIAM M. K. OLCOTT, *District Attorney.*

PART I.

THE COURT ROOM IS IN THE SECOND STORY

If this Subpœna is disobeyed, an attachment will immediately issue.

Bring this Subpœna with you, and give it to the officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

POOR QUALITY ORIGINAL

96 [illegible]

Should the case not be called on for trial, and no reason assigned in Court, please inquire in the District Attorney's Office about it, and you may save time.

If inconvenient to remain, and you prefer another day, state this early to the District Attorney, in the Court.

If ill when served, please send timely word to the District Attorney's Office.

If you know of more testimony than was produced before the Magistrate, or if a fact which you think material was not there brought out, please state the same to the District Attorney or one of his Assistants.

POOR QUALITY ORIGINAL

PART I.

THE COURT ROOM IS IN THE SECOND STORY

If this Subpœna is disobeyed, an attachment will immediately issue.

Bring this Subpœna with you, and give it to the officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

C. R. 3603

SUBPŒNA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

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

To Jacob Kramer Defendant

of No. 169 Rivington St Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the New Criminal Court House on Centre Street, between Franklin and White Streets, in the City of New York, on the 27 day of OCTOBER 1897, at 10 o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against Chas Steubinger

Dated at the City of New York, the first Monday of OCTOBER in the year of our Lord 189

WILLIAM M. K. OLCOTT, *District Attorney.*

POOR QUALITY ORIGINAL

169 Pennington

Should the case not be called on for trial, and no reason assigned in Court, please inquire in the District Attorney's Office about it, and you may save time.

If inconvenient to remain, and you prefer another day, state this early to the District Attorney, in the Court.

If ill when served, please send timely word to the District Attorney's Office.

If you know of more testimony than was produced before the Magistrate, or if a fact which you think material was not there brought out, please state the same to the District Attorney or one of his Assistants.

POOR QUALITY ORIGINAL

0559

C. R. 3602

SUBPŒNA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

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

3 Dis Pol. Court

To Jeff Kinney No Police Officer

of No. ..... Street Knowa

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the New Criminal Court House on Centre Street, between Franklin and White Streets, in the City of New York, on the 27 day of ..... 189 7, at 10 o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Chas. Wiebogen

Dated at the City of New York, the first Monday of

in the year of our Lord 189

WILLIAM M. K. OLCOTT, *District Attorney.*

PART I.

THE COURT ROOM IS IN THE SECOND STORY

☞ If this Subpœna is disobeyed, an attachment will immediately issue.

☞ Bring this Subpœna with you, and give it to the officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

POOR QUALITY ORIGINAL

0560

Henry A. Gildersleeve. Arthur C. Palmer. John W. Boothby.

Law Offices

Gildersleeve, Palmer & Boothby.

Stewart Building 280 Broadway.

Telephone. Murray 705.

New York, May 8th, 1891.

My Dear Nicoll:-

Permit me to hand you the evidence taken before Police Justice Meade in the matter of The People agst. Charles Weinberger, on the complaint of Ignatz Schoen.

An examination of the evidence will show that Weinberger is clearly guilty of a feloneous assault, and yet the Magistrate held him for simple assault only. It is another one of those cases in which members of the Cloakmakers' Union, to which Weinberger belonged, forced an entrance into Schoen's place of business, where Schoen was employed upon non-union work, and committed most outrageous and unprovoked assaults. Schoen was nearly killed by Weinberger, and for weeks was confined to his bed, unable to appear before the Magistrate and substantiate the charge made at the time of the occurence.

If you will kindly direct one of your assistants to examine these papers and report, I believe you will conclude that the interest of Justice demands that the charge against Weinberger should be submitted to the Grand Jury.

Very truly,

Hon. DeLancey Nicoll,

POOR QUALITY ORIGINAL

0561

DIRECTIONS.

☞ The Grand Jury Rooms are in the third story of large brown stone Building in Chambers Street, near Centre Street, adjoining the New Court House in the Park.

☞ When you arrive at the witness room, hand this Subpœna to the officer or Clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

2072

SUBPŒNA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF GENERAL SESSIONS.

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

Ask to see Mr. Bedford
At 11½ o'clock A. M.

To Ignatz Schwen

of No. 96 Bleecker Street

YOU ARE COMMANDED to appear before the Grand Jury of County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 24 day of February 1893 at the hour of 10½ in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Chas. Weinberger

Dated at the City of New York, the first Monday of in the year of our Lord 1893

Asst. 2nd 1891

DE LANCEY NICOLL, District Attorney.

POOR QUALITY ORIGINAL

The Grand Jury calls witnesses in whatever order its Foreman pleases. The Foreman knows best for the public good. If you wait patiently on the day of attendance until your turn comes, it may save you waiting hereafter.

If it is very inconvenient for you to attend on the day designated, let the District Attorney's Officer or Clerk *in the witness room* know this at an early moment.

If you do not obey this Subpœna, or do not explain your absence, the Court will enforce your attendance by attachment, and fine you.

If you are ill when served, send timely notice of that fact to the District Attorney.

If other witnesses in this case are called, *and another case taken up*, you may know—unless otherwise advised—that the Grand Jury do not care to examine you; and you may then retire, *mentioning your withdrawal to the officer or clerk.*

If the Grand Jury adjourn, and you have not been called without explanation, inquire of the Chief Clerk in the District Attorney's office, if you are wanted again and when.

Just Known
by the Near Jail
in the Hawaii

POOR QUALITY ORIGINAL

Court of General Sessions.

THE PEOPLE

vs.

Chas. Weinberger

City and County of New York, ss: Jas. H. Shannon being duly sworn, deposes and says: I reside at No. 217 Mulberry Street, in the City of New York. I am a Subpœna server in the office of the District Attorney of the City and County of New York. On the 23rd day of Feby 1893 I called at 96 Cannon St. the alleged residence of Ignatz Schoen the complainant herein, to serve him with the annexed subpœna, and was informed by the people in the house that no one of that name lived there & could give me no information in regard to him

Sworn to before me, this 24th day of February 1893

H. W. Illwitzer
Com. of deeds
N. Y. Co

Jas H. Shannon
Subpœna Server.

Court of General Sessions.

THE PEOPLE, *on the Complaint of*

vs.

Chas. Weinberger

Offense:

~~JOHN R. FELLOWS~~,

DeLancey Nicoll *District Attorney.*

Affidavit of

Jno. H. Shannon

Subpœna Server.

Failure to find Witness.

POOR QUALITY ORIGINAL

0554

Court of General Sessions.

THE PEOPLE, *on the Complaint of*

vs.

Chas. Weinberger

Offense:

~~JOHN R. FELLOWS~~,

De Lancey Nicoll *District Attorney.*

Affidavit of

Jno. H. Shannon

Subpœna Server.

Failure to find Witness.

POOR QUALITY ORIGINAL

0555

POOR QUALITY ORIGINAL

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Charles Weinberger

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse

— Charles Weinberger —

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

The said Charles Weinberger,

late of the City and County of New York, on the Eighteenth day of February, in the year of our Lord one thousand eight hundred and ~~eighty-ninth one~~ with force and arms, at the City and County aforesaid, in and upon one

— Timothy Sullivan, —

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

with a certain — Knife — which he the said

— Charles Weinberger —

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

POOR QUALITY ORIGINAL

SECOND COUNT—

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

— Charles Weinberger —

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

The said Charles Weinberger,

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

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault; and the said Charles Weinberger, the said Timothy Dohoen, —
with a certain stick —
which he the said Charles Weinberger —
in — his — right hand then and there had held, in and upon the
— head — of him the said Timothy Dohoen, —

then and there feloniously did wilfully and wrongfully strike, beat , ——
bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said Timothy Dohoen, to the great damage of the said Timothy Dohoen; —
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.

DeLancey Nicoll,
~~JOHN R. FELLOWS,~~
District Attorney.

0568

BOX:
439

FOLDER:
4048

DESCRIPTION:
Weiss, Joseph L.

DATE:
05/06/91

4048

0569

BOX:
439

FOLDER:
4048

DESCRIPTION:
Bazar, Joel

DATE:
05/06/91

4048

0570

BOX:
439

FOLDER:
4048

DESCRIPTION:
Bazar, Joel

DATE:
05/06/91

4048

Witnesses;

Max Strelitz

~~Bestie~~ Mishkey Beetie

Officer Richard Sullivan 12 Precinct

In my opinion the evidence in this case does not warrant a conviction of Defts Weiss & Bazar & I recommend their discharge upon their own recognizance.

June 9/91.

V. M. Davis
Asst

35

J. B. a
Wm. Murphy

Counsel,

Filed 6 day of May 1891

Pleads, Not guilty

THE PEOPLE

vs.

Joseph L. Weiss
and
Joel Bazar

Burglary by the Third degree
Grand Larceny, second degree
Receiving stolen goods
[Section 403, 528, 527, 457 P. C.]

JOHN R. FELLOWS,

District Attorney.

May 12, 1891 V. M. D.

June 2

A True Bill.

W. L. Ridgway
Foreman.

Part 2 - May 13, 1891.
No. 1 Trial Jury disagree
June 9/91
Both Discharged on their own recognizance
10a.
2c.

POOR QUALITY ORIGINAL

0574

POOR QUALITY ORIGINAL

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 3rd DISTRICT.

Richard Sullivan

of No. 12th Precinct Street, aged ..... years,

occupation Officer being duly sworn deposes and says,

that on the 2nd day of May 188

at the City of New York, in the County of New York, he arrested Joe Bazar (now here) on suspicion of having acted in concert with defendant Joseph L. Miss and together with him committed the herein mentioned Burglary, defendant (Bazar) being identified by Beckie Mishkey of No. 14 Suffolk Street, as being one of the two men, mentioned in the affidavit of Max Stolitz of No. 52 Cannon Street, on information of said Beckie Mishkey, as having been together with said defendant Miss, when both called together at her father's place

Sworn to before me, this ..... day of 188

..... Police Justice.

Police Court, _____ District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

_____

vs.

_____

_____

AFFADAVIT.

Dated _____ 188

_____ *Magistrate.*

_____ *Officer.*

Witness, _____

_____

_____

_____

_____

_____

Disposition, _____

_____

_____

read over and corrected as amended by my hand,
this 2 day of March 1893
Richard Sullivan
Clerk
Police Court.

POOR QUALITY ORIGINAL

E159

POOR QUALITY ORIGINAL

0574

Police Court— 3rd District.

City and County of New York, } ss.:

Max Strelitz

of No. 52 Cannon Street, aged 36 years, occupation Button hole maker being duly sworn deposes and says, that the premises No. 138 Delancey Street, 13 Ward in the City and County aforesaid the said being a factory building and which was occupied by deponent as a button hole manufactory and in which there was at the time no human being, by ~~name~~

were BURGLARIOUSLY entered by means of forcibly unlocking the lock of a door leading to said premises

on the 26th day of April 1891 in the day time, and the following property feloniously taken, stolen, and carried away, viz:

Twenty four coats, pltr value of four hundred Dollars which coats were in an unfinished state,

the property of in care and charge 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 Joseph Miss (now here) and another not yet arrested, who acted in concert with ~~the~~ another

for the reasons following, to wit: Deponent says — said property was in said premises, having been brought there on said morning by Herman Zwilling of No. 135 Delaney Street, as deponent is informed by said Zwilling, who also informed deponent that ~~shortly after~~ about half past 6 am said premises leaving said property therein and locked the said door leading thereto and when he returned, deponent having

the meanwhile returned to said premises said property was found to be missing. Deponent further says he is informed by Beckie Mishkey of No. 14 Suffolk Street that on said date defendant and another not yet arrested, called at No 14 Suffolk St. and left a quantity of coats to be repaired by her husband, and has identified defendant in the presence of officer Richard J. Sullivan of the 12th Prec who arrested defendant as being the identical man who had accompanied said man not arrested on said date, and left said coats at her address. Wherefore deponent prays that defendant be held and dealt with as the law directs.

Sworn to before me
this 1st day of May 1893

[illegible] Shultz

C W Meade
Police Justice

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

Dated ______ 188 . ______ Police Justice.

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

Dated ______ 188 ______ Police Justice.

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

Dated ______ 188 ______ Police Justice.

Police Court, ______ District.

THE PEOPLE, &c.,
on the complaint of ______
vs.
1. ______
2. ______
3. ______
4. ______

Offence—BURGLARY.

Dated ______ 188

______ Magistrate.

______ Officer.

______ Clerk.

Witnesses, ______

No. ______ Street,

No. ______ Street,

No. ______ Street,

$ ______ to answer General Sessions.

POOR QUALITY ORIGINAL

CITY AND COUNTY OF NEW YORK, } ss.

Bertie Mishkey

aged 26 years, occupation married of No. 14 Dutchess Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Max Hirsch and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 1st *day of* May 1896, } Bertie Mishkey

A. Connally

Police Justice.

(3692)

CITY AND COUNTY OF NEW YORK, } ss.

Herman Zwilling

aged 26 years, occupation Porter of No. 231 Delancey Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Max Hirsch and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 1 *day of* May 1896, } Herman Zwilling

A. Connally

Police Justice.

(3692)

POOR QUALITY ORIGINAL

Sec. 198—200.

3rd District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Joe Bazar 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. Joe Bazar

Question. How old are you?

Answer. 21 years

Question. Where were you born?

Answer. Austria

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

Answer. 16 Clinton St — 5 days

Question. What is your business or profession?

Answer. Tailor

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

Joel Bazar

Taken before me this 2nd *day of* May 1889

[illegible] *Police Justice.*

POOR QUALITY ORIGINAL

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Joseph L. Miss 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. Joseph L. Miss

Question. How old are you?

Answer. 18 years

Question. Where were you born?

Answer. Roumania

Cohen
Cohen

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

Answer. 28 Orchard St — 2 years

Question. What is your business or profession?

Answer. Shirt Operator

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 had nothing to do with it,

Joe L. Weiss.

I had nothing to do with it
I had nothing
I had my
Joe L. Weiss

Taken before me this 7 day of May, 1887

Police Justice.

POOR QUALITY ORIGINAL

0579

Prager Complt the crat, Mashlay

BB BB BB BB AND 13 13 13 13

BAILED,

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

Residence .....

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

Residence .....

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

Residence .....

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

Residence .....

17 3 2 5 6 7 8
9 10 11 12 13 14.

17 3 2 4 9 3 6 5
3 2 1 6 9 1 1 0 2 1
4 3 9 4 0 0 3 2 1
4 2 7 3 0 0 7 0

3 2 1 0 0 3 0 2 7
6 9 0 3 2 1 1 2 1
9 9 9 1 0 1 1 1 2
2 0 1 0 2 2 5 6 7 0

Police Court--- 2 --- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Max Hellig 152 Bowery
Joseph Meier
Joe Bogar

3. .....

4. 5 X

Offence Burglary

Dated May 1 1891

Magistrate.

Officer John Reilly & Richard

Officer.

12 Precinct.

Witnesses Richard Sullivan

No. 12 Pell Street.

Reuben Weiss Husband
14 Pell Street

No. 3 Hermann Grillly Street.

235 Delancey St
Joseph Grinaker
No. 74 Eldridge St

$1000 to answer.

Grand Jury

Warrant May 1 1891

PETITIONER'S ATTORNEY

ATTORNEYS

No. 2 Ann Mag Pct

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 Defendants Joseph Weiss and

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

Dated May 1 18 91 Police Justice.

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

Dated May 1st 1891. Police Justice

~~He is admitted the above named~~

~~to bail to answer by the undertaking hereto annexed.~~

Dated ..... 18 ..... Police Justice.

There being no sufficient cause to believe the within named .....

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

Dated ..... 18 ..... Police Justice.

POOR QUALITY ORIGINAL

0580

Rachel Bazar

My Dear Mother be so kind & procure me a lawyer from the Skollege Society & try to save me for I am dead I have not eaten anything since last Saturday I think the Skollege Society will not refuse to procure me a lawyer for $10.00 that I should get out, he was led me astray he stole Coats & Pants & he says that I have done it but he gave me the bundles to carry & paid me so I should not tell anybody he wants to prosecute me & I dont know what for I beg of you dear Mother that you should have pity as a mother to a child & try to help me

× Joe Bazar.

Joseph Weiss went to 161 Attorney St & took in a bag 34 Coats & sold them for $18.00. also at 138 Delancey St he took 24 Coats & sold them for $18.00 & took 2 bundles of Pants but dont know what he done with them. Consequently you should go to Lugotch he should get me a lawyer. the bearer will tell you everything

× × × ×

O

POOR QUALITY
ORIGINAL

POOR QUALITY ORIGINAL

0582

בעט איך פון לעבעדיגן גאט ער [illegible]
[illegible] געלעבט חתונות [illegible] וואס ער
גוטער [illegible] ער [illegible] איך געלעבט
מיט [illegible] קינדער [illegible] ~~[illegible]~~

ואכל בהנאה

ער ווייסט וואס ~~[illegible]~~ איך.
[illegible] איין 161 [illegible] [illegible]
איין [illegible] [illegible] איין ער [illegible] 34
[illegible] איין [illegible] [illegible] [illegible] 18
טויטע איין 138 [illegible] [illegible] 24
[illegible] איין [illegible] [illegible] [illegible] 18
טויטע איין [illegible] [illegible] [illegible]
[illegible] וואס איך [illegible] וואר
[illegible] איין [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] איין [illegible]
[illegible] [illegible] [illegible] איין [illegible] [illegible]
ער [illegible] וואס [illegible] [illegible]

POOR QUALITY ORIGINAL

PART I.

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

431

SUBPŒNA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

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

To Mr. Mishkeef

of No. 14 Suffolk Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 9 day of June. 189/ at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Joseph L Weiss et al

Dated at the City of New York, the first Monday of June.
in the year of our Lord 189/

DE LANCEY NICOLL, *District Attorney.*

PART I.

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

431

SUBPŒNA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

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

To Rachie Mishkeef

of No. 14 Suffolk Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 9 day of June. 189/ at the hour of 10½ in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Joseph L Weiss et al

Dated at the City of New York, the first Monday of June.
in the year of our Lord 189/

DE LANCEY NICOLL, *District Attorney.*

POOR QUALITY ORIGINAL

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Joseph L. Weiss
and Joel Bazar

The Grand Jury of the City and County of New York, by this indictment, accuse Joseph L. Weiss and Joel Bazar of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said Joseph L. Weiss and Joel Bazar, both late of the Thirteenth Ward of the City of New York, in the County of New York aforesaid, on the twenty-sixth day of April in the year of our Lord one thousand eight hundred and ninety-one, with force and arms, in the — day — time of the same day, at the Ward, City and County aforesaid, ~~the dwelling house of one~~ a certain building, to wit: the factory of one Max Strelitz 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 Max Strelitz in the said ~~dwelling house~~ factory 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.

POOR QUALITY ORIGINAL

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment further accuse the said Joseph L. Weiss and Joel Bazar of the CRIME OF Grand LARCENY in the second degree, committed as follows:

The said Joseph L. Weiss and Joel Bazar, 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 day time of said day, with force and arms, twenty-four coats of the value of ten dollars each

of the goods, chattels and personal property of one Max Strelitz in the ~~dwelling house~~ factory of the said Max Strelitz there situate, then and there being found, ~~from the dwelling house~~ in the factory 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.

POOR QUALITY ORIGINAL

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said Joseph L. Weiss and Joel Bazar of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said Joseph L. Weiss and Joel Bazar, both 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, twenty-four coats of the value of ten dollars each

of the goods, chattels and personal property of Max Strelitz

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

unlawfully and unjustly, did feloniously receive and have; (the said Joseph L. Weiss and Joel Bazar

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.

DELANCEY NICOLL

JOHN R. FELLOWS,

District Attorney.

0587

BOX:
439

FOLDER:
4048

DESCRIPTION:
Welsh, Louis

DATE:
05/21/91

4048

0588

BOX:
439

FOLDER:
4048

DESCRIPTION:
Mead, Michael

DATE:
05/21/91

4048

Witnesses:

Frank Fragg

Off^r John C McAndrews

6 Prect

213

Counsel, Moss (No 1)

Filed 27 day of May 1891

Pleads, Not guilty

THE PEOPLE

vs.

I

Louis Welsh

and I

Michael Mead

Robbery, ~~2nd~~ degree.

[Sections 224 and 228, Penal Code].

~~JOHN R. FELLOWS,~~ De Lancey Nicoll

District Attorney.

A True Bill.

W. L. Skidmore

Foreman.

Def 2 – Bran 28th 1891.

Both Tried and Acquitted

POOR QUALITY ORIGINAL

0589

POOR QUALITY ORIGINAL

FIRST DISTRICT POLICE COURT.

CITY AND COUNTY OF NEW YORK. } ss.

Recognizance to Testify.

BE IT REMEMBERED, That on the

Twelfth day of May in the year of our Lord 18 91

Frank W. Dempsey

of No. 202 Mannetta St. New Haven Street, in the City of New York,

and James H. Fitzgerald

of No. 54 Cosby Street, in the said City,

personally came before the undersigned, one of the Police Justices in and for the City of New York, and acknowledged themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say; the said

Frank W. Dempsey

the sum of One **Hundred Dollars;**

and the said James H. Fitzgerald

the sum of One **Hundred Dollars,**

seperately, of good and lawful money of the State of New York, to be levied and made of their respective goods and chattels, lands and tenements, to the use of said People, if default shall be made in the condition following, viz:

The Condition of this Recognizance is such, That if the person, first above recognized, shall personally appear, at the next COURT OF General SESSIONS of the Peace, to be holden in and for the City and County of New York, and then and there *Testify* and give such evidence, in behalf of the people of the State of New York, as he may know, concerning an OFFENCE or MISDEMEANOR, said to have been lately committed in the City of New York aforesaid by

Louis Welch & Michael Breed

And do not Depart thence, without leave of the Court, then this Recognizance to be void, otherwise to remain in full force and virtue.

Taken and acknowledged before me, the day and year first above written. }

Frank J. Dempsey

James H. Fitzgerald

Charles N. Tainter

POLICE JUSTICE.

POOR QUALITY ORIGINAL

0591

CITY AND COUNTY OF NEW YORK, } ss. James S. Fitzgerald

the within-named Bail, being duly sworn, says, that he is a Free holder in said City, and is worth Two Hundred Dollars, over and above the amount of all his debts and liabilities; and that his property consists of

The lot of land situated at 276 Mott Street and is worth Six Thousand dollars also is free of all encumbrances

Jas Fitzgerald

Sworn before me this day of May 18 91

Police Justice.

New York Sessions.

THE PEOPLE, &c.,

vs.

RECOGNIZANCE TO TESTIFY

Police Justice.

18

Filed day of

POOR QUALITY ORIGINAL

0592

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 1 DISTRICT.

Patrick Corcoran

of ~~the~~ 6th Precinct Police ~~Street, aged~~ years,

~~occupation~~ being duly sworn deposes and says,

that ~~on the~~ day ~~of~~ 188

~~at the City of New York, in the County of New York,~~ Frank Dempsey

the within named Complainant is a necessary and material witness against Louis Welch and Michael Meade — Deponent says that said Complainant is a non resident and asks that he give security for his appearance to testify

Patrick Corcoran

Sworn to before me this 17 day of May 1881

P. Callahan Police Justice.

POOR QUALITY ORIGINAL

0593

Police Court— 1st District.

CITY AND COUNTY OF NEW YORK, } ss

Frank Dempsey

of No. 202 Hamilton St New Haven Conn Street, Aged 38 Years

Occupation Blacksmith being duly sworn, deposes and says, that on the 17 day of May 1891, at the 6th Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the following property, viz:

One silver Watch with gold Chain attached

of the value of Thirty five ($35) 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 force and violence as aforesaid by

Louis Welch and Michael Meade (both white) Deponent says that he is informed by Frank Frago that said Welch tripped him up in Chatham Square and he fell down on the sidewalk and while down said Meade assisted him in getting up and while so doing said Welch caught hold of the chain that was attached to said Watch which was contained in the pocket of the pantaloons then and there worn

Sworn to before me this day of 188

Police Justice.

POOR QUALITY ORIGINAL

0594

by deponent the chain ~~a~~ said breaking said piece from the chain falling on the sidewalk when the officers came along and took both defendants in custody

Frank J Dempsey

Sworn to before me
this 17 day of May 1891

[illegible] Police Justice

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

Dated ________ 188 ________ Police Justice.

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

Dated ________ 188 ________ Police Justice.

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

Dated ________ 188 ________ Police Justice.

Police Court, ________ District.

THE PEOPLE, &c.,
on the complaint of

vs.

1
2
3
4

Offence—ROBBERY.

Dated ________ 188
________ Magistrate.
________ Officer.
________ Clerk.

Witnesses, ________
No. ________ Street,
No. ________ Street,
No. ________ Street,

$ ________ to answer General Sessions.

POOR QUALITY ORIGINAL

CITY AND COUNTY OF NEW YORK, } ss.

Frank Fraqo

aged 16 years, occupation Bad Black of No. 48 Mulberry Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Frank Dempsey and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 17 *day of* May 1889

his
Frank X Fraqo
mark

Police Justice.

POOR QUALITY ORIGINAL

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Luke Welch 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. Luke Welch

Question. How old are you?

Answer. 18 years

Question. Where were you born?

Answer. [illegible]

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

Answer. Globe House Park Row 3 weeks

Question. What is your business or profession?

Answer. Painter

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

Luke Welch

Taken before me this 17 *day of* May 1897

[illegible] *Police Justice.*

POOR QUALITY ORIGINAL

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Michael Meade

Question. How old are you?

Answer. 7 years

Question. Where were you born?

Answer. U - S -

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

Answer. 78 Vesey St 4 years

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

Michael Mead

Taken before me this 17

day of May 188

[illegible] *Police Justice.*

POOR QUALITY ORIGINAL

0598

655

Police Court--- 1 **District.**

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Frank Dempsey
vs.
1. Lena Welch
2. Sarah Head
3.
4.

Offence Robbery

Date 1 May 17 1891

Witnesses Frank Dempsey
No. 48 Mulberry Street.
Officer Grean McCadden
Precinct 6th
Witnesses Frank Dragos
No. 48 Mulberry Street.
Officer Hy Ellis
Precinct 20th Detect Detectives
Witnesses Anthony Allen
No. Entry Street.
Witnesses Lizzie Allen
No. Entry Street.
to answer

Commd

CITY MAGISTRATES' OFFICE

BAILED,

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

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

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

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

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 Defendants

guilty thereof, I order that the 4 *be held to answer the same and* the 7 *be admitted to bail in the sum of* ..... *Hundred Dollars,* Each *and be committed to the Warden and Keeper of the City Prison, of the City of New York, until* the 4 *give such bail.*

Dated May 17 *18*91 ..... *Police Justice.*

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

Dated ..... *18* ..... *Police Justice.*

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

Dated ..... *18* ..... *Police Justice.*

POOR QUALITY ORIGINAL

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Louis Walsh and
Michael Mead

The Grand Jury of the City and County of New York, by this indictment, accuse Louis Walsh and Michael Mead

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

The said Louis Walsh and Michael Mead, both —

late of the City of New York, in the County of New York aforesaid, on the seventeenth day of May, in the year of our Lord one thousand eight hundred and ~~eighty~~ ninety-one, ~~in the~~ ~~time of the said day~~, at the City and County aforesaid, with force and arms, in and upon one Frank Dempsey, in the peace of the said People, then and there being, feloniously did make an assault, and

one watch of the value of twenty dollars, and one chain of the value of eighteen dollars,

of the goods, chattels and personal property of the said Frank Dempsey from the person of the said Frank Dempsey against the will, and by violence to the person of the said Frank Dempsey, — then and there violently and feloniously did rob, steal, take and carry away, the said Louis Walsh and Michael Mead, and each of them, being then and there aided by an accomplice, 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.

De Lancey Nicoll,
District Attorney.

0600

BOX:
439

FOLDER:
4048

DESCRIPTION:
Wertheim, Henry

DATE:
05/19/91

4048

0601

BOX:
439

FOLDER:
4048

DESCRIPTION:
Schmidt, Henry

DATE:
05/19/91

4048

128

Witnesses;

Abraham Rosenblum
J. Hirschberg.
Off. Wm. Mooney
11. Precct.

Not guilty
Out of Evidence
in Connection
of Burglary

Counsel,

Filed 19 day of May 1891

Pleads, Mullen

THE PEOPLE

vs.

Henry Wertheim

alias

Henry Schmidt

Burglary in the Third degree.
Grand Larceny second degree & Receiving
[Section 498, 506, 528, 53 / 528 1.

JOHN R. FELLOWS,

District Attorney.

A True Bill.

W. L. Hickmon

Foreman.

Plead Guy 3 deg
4497. R. Mod 5 P

POOR QUALITY ORIGINAL

0090

POOR QUALITY ORIGINAL

3

Police Court— District.

City and County of New York, } ss.:

Abraham Rosenblum

of No. 173 Orchard Street, aged 34 years, occupation Clothing Store being duly sworn deposes and says, that the premises No 58 Orchard Street, 10th Ward in the City and County aforesaid the said being a four story brick building in fact and which was occupied by deponent as a place of business and in which there was at the time ~~a~~ human beings ~~by name~~

were BURGLARIOUSLY entered by means of forcibly prying open the shutters of the windows in the rear of the first or ground floor and entering therein with intent to commit a felony ~~rapt~~

on the 30 day of April 188 in the ~~night~~ time, and the following property feloniously taken, stolen, and carried away, viz:

Twenty Eight Suits of Mens Clothing Two Spring Over Coats Eight boys Over Coats and one Sack Coat all together of the value of One hundred and twenty Eight dollars ($128 00/100)

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 Harris McGill, Henry Mecheim alias Henry Schmidt and another person not yet apprehended

for the reasons following, to wit: That at about the hour of Six Oclock P.M. on April 29th 1891 deponent securely locked and fastened all the doors and windows leading into the first or ground floor of said No 58 Orchard Street that deponent did not again return to said Clothing store until April 30th at about 5 Oclock P.M. when

POOR QUALITY ORIGINAL

he discovered that said store had been broken into and said property was missing, that said Meisel has been previously arrested for Committing this same burglary and has since been indicted and is now awaiting trial. Deponent is informed by Isaac Hirschberg of No 32 Ludlow Street that he saw each of said defendants Acting in Concert together on the Corner of Ludlow and Hester streets at about 3 o'clock a.m. May 3rd 1891 saw defendant Wertheim alias Schmidt (now here) with a bundle of Clothing in his possession. Wherefore deponent prays that defendant Wertheim alias Schmidt (now here) be held to answer and be dealt with as the law directs.

Sworn to before me } Abraham Rosenblum
this 7th day of May 1891

C. E. Meade
Police Justice

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

Dated ______ 188 ______ Police Justice.

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

Dated ______ 188 ______ Police Justice.

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

Dated ______ 188 ______ Police Justice.

Police Court, ______ District.

THE PEOPLE, &c.,
on the complaint of ______
vs.
1. ______
2. ______
3. ______
4. ______

Offence—BURGLARY.

Dated ______ 188
______ Magistrate.
______ Officer.
______ Clerk.

Witnesses, ______
No. ______ Street,
No. ______ Street,
No. ______ Street,
$ ______ to answer General Sessions.

POOR QUALITY ORIGINAL

CITY AND COUNTY OF NEW YORK, } ss.

Isaac Hirschberg

aged 17 years, occupation Peddler of No. 37 Ludlow Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Abraham Rosenblum 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* May 1899, } Isaac Hirschberg

Connelly

Police Justice.

(3692)

POOR QUALITY ORIGINAL

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Henry Schmidt 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. Henry Schmidt

Question. How old are you?

Answer. 20 years

Question. Where were you born?

Answer. Germany

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

Answer. Kingston Lodging House E Broadway & Chatham Sq.

Question. What is your business or profession?

Answer. Painter

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
Henry Schmidt

Taken before me this 7 day of Nov 1887

Police Justice

POOR QUALITY ORIGINAL

0607

612

Police Court--- 3 **District.**

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Nicholas Pesenbrun
123 Orchard St.
Henry Mentkin
2 Olive
Henry Schmidt
4

Offence Burglary

Dated May 7th 1891

Magistrate.

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

William Murray Officer.

11 Precinct.

Witnesses Louis Kirschenbaum

No. 93 Ludlow Street.

No. Street.

No. Street.

No. Street.

$ 1000 to answer

RECEIVED
1st DIST.
MAY 1
1891
ATTORNEY'S OFFICE

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 Defendants

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

Dated May 7 *18* 91 *Police Justice*

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated *18* *Police Justice.*

There being no sufficient cause to believe the within named

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

Dated *18* *Police Justice.*

POOR QUALITY ORIGINAL

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Henry Wertheim, otherwise called Henry Schmidt

The Grand Jury of the City and County of New York, by this indictment, accuse Henry Wertheim otherwise called Henry Schmidt

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

The said Henry Wertheim otherwise called Henry Schmidt

late of the Tenth Ward of the City of New York, in the County of New York aforesaid, on the thirtieth day of April in the year of our Lord one thousand eight hundred and ninety-one, with force and arms, in the night-time of the same day, at the Ward, City and County aforesaid, ~~the dwelling house of one~~ a certain building, to wit: the building of one Abraham Rosenblum

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 Abraham Rosenblum

in the said ~~dwelling house~~ 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.

POOR QUALITY ORIGINAL

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment further accuse the said Henry Wertheim, otherwise called Henry Schmidt of the CRIME OF Grand LARCENY in the second degree, committed as follows:

The said Henry Wertheim, otherwise called Henry Schmidt —— 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,

twenty-nine coats of the value of two dollars each, twenty-eight vests of the value of one dollar each, twenty-eight pair of trousers of the value of one dollar each pair, two overcoats of the value of three dollars each, eight other overcoats of the value of two dollars each

of the goods, chattels and personal property of one Abraham Rosenblum in the dwelling house of the said Abraham Rosenblum there situate, then and there being found, from the dwelling house aforesaid, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

POOR QUALITY ORIGINAL

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said Henry Wertheim, otherwise called Henry Schmidt of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said Henry Wertheim, otherwise called Henry Schmidt 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, the same goods, chattels and personal property described in the second count of this indictment

of the goods, chattels and personal property of Abraham Rosenblum

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

unlawfully and unjustly, did feloniously receive and have; (the said Henry Wertheim, otherwise called Henry Schmidt

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.

NICOLL,
JOHN R. FELLOWS,
District Attorney.

0611

BOX:
439

FOLDER:
4048

DESCRIPTION:
White, Bella

DATE:
05/19/91

4048

Witnesses;

~~Off Beat B Curtain~~

off Wm C Nolan

15 Precct

Counsel,

Filed 19 day of May 1891

Pleads, Not guilty

THE PEOPLE

vs.

B

Bella White

Maysly

[illegible] Court [illegible]
Motions for trial, by request
of Counsel for Defendant.

KEEPING A HOUSE OF ILL FAME, Etc.
[Sections 322 and 385, Penal Code.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

W. L. Hidmow

Foreman.

POOR QUALITY ORIGINAL

0512

POOR QUALITY ORIGINAL

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Bella White

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

(Sec. 302, Penal Code.) of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL-FAME, committed as follows:

The said Bella White

late of the fifteenth Ward of the City of New York, in the County of New York aforesaid, on the twelfth day of May in the year of our Lord one thousand eight hundred and ninety-one, and on divers other days and times, as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said Bella White

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offences on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of and against good morals and good manners, 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 Bella White

(Section 385, Penal Code). of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said Bella White

late of the Ward, City and County aforesaid, afterwards, to wit: on the twelfth day of May in the year of our Lord one thousand eight hundred

POOR QUALITY ORIGINAL

and ninety-one, and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep and maintain a certain common, ill-governed house, and in her said house, for her own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, then and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common nuisance of the said citizens, 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 Bella White

(Section 322 Penal Code.) of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said Bella White

late of the Ward, City and County aforesaid, afterwards, to wit: on the twelfth day of May in the year of our Lord one thousand eight hundred and ninety one and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for her own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in her said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, 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,

~~JOHN R. FELLOWS~~,

District Attorney.