

No. 32

January SESSIONS, 1889
Commonwealth

David Curzic and
Henry Roddy

INDICTMENT.

Agg. Assault & Battery

Assault & Battery

Jan'y the 10 1889. true Bill.

*Return to 1889 cont to Jan'y 16 1889
David Curzic Jan'y 16 1889 cont to Jan'y 18 1889
Henry Roddy cont to April 18 1889
with Dist Recog. 10 1889.*

Plea of _____ entered the
day of _____ 1889

April 30th 1889 the Court

sentence the *Def't Henry Roddy to be
chained to Jail for 10 days & for costs*

Court Tuesday Oct 22 1889

No. 32

January SESSIONS, 1889
Commonwealth

vs.
David Cuzzig and
Henry Long

INDICTMENT.

Aggr. Assault & Battery

Assault & Battery

January the 10 1889. A true Bill.

*Henry 10, 1889 Court to Jan 16, 1889
Recog. to Jan 16, 1889 Court to Jan 18, 1889
Jan 17, 1889 Court to April 18, 1889
Recog. to 1889.*

Plea of _____ entered the
day of _____ 188

April 30th 1889 the Court
sentence the *Def't Henry Long to 80*
days to fine & costs to be paid

YORK COUNTY, SS:

The Commonwealth of Pennsylvania,

To Susan Moore, Doct^r Philip Moore, Sarah Jones, Wm Hillend, Mary ~~Witzel~~ Margaret Mathews, Levi S. Loucks, Dr Chas Spangler, Daniel Miller

GREETING:

You and each of you are hereby required that setting all business and excuses aside, you be and appear in your proper person before our judges at York, at our County

Court of General Quarter Sessions of the Peace there to be held on Thursday

the 10th day of January 1889 at 9 o'clock, in the forenoon of

said day, to testify to the truth according to your knowledge in a certain charge

Aggravated Assault & Battery

in our said Court, before the Judges thereof, undetermined, and then and there to be

tried between said Commonwealth and

David Einsig & Henry Long Defendant on part of the

Commonwealth

and this you are not to omit under penalty of one hundred pounds.

WITNESS the Judges of said Court, at York, the 29th day of December in the year of our Lord, one thousand eight hundred and eighty nine

Levi S. Loucks
Levi S. Loucks CLERK.

YORK COUNTY, SS:

*Personally appeared before me at
New York*

in and for said County, *Edward L. Louch* who being duly *sworn*
according to law, doth depose and say, that he served the within Subpoena on the within named parties according to law.

Edward L. Louch and subscribed to before me

this *7th* day of *January* A. D. 188*9*
Edward L. Louch

SUBPOENA.

No.

January Sessions, 188*9*

COMMONWEALTH

vs.

David Einsig

Henry Long

OFFICERS' FEES:

Service.....*8*.....15 c. \$ *1.20*

Mileage.....*14*.....6 c. *1.08*

Edward L. Louch
Constable.

Sueto

YORK COUNTY, SS:

The Commonwealth of Pennsylvania,

To Susan Moore Prop: Philip Moore = Sarah¹⁰ Jones =
M^{rs} Holland = Mary Mitzel = Margaret Matthews = Levi S. Loucks =
Dr. Chas. Spangler = Daniel Bollet. Robert. Blum
Lizzie¹⁰ Blum Sarah Eisenhart

GREETING:

You and each of you are hereby required that setting all business and excuses aside, you be and appear in your proper person before our judges at York, at our County

Court of General Quarter Sessions of the Peace there to be held on Thursday

the 18th day of April 1889 at 9 o'clock, in the forenoon of

said day, to testify to the truth according to your knowledge in a certain indictment

No. 32 January Sessions, 1889

in our said Court, before the Judges thereof, undetermined, and then and there to be

tried between said Commonwealth and David Emzig and

Henry Long Defendant on part of the

Commonwealth

and this you are not to omit under penalty of one hundred pounds.

WITNESS the Judges of said Court, at York; the 16th day of March in
the year of our Lord, one thousand eight hundred and eightynine

Lewis D. Sell CLERK.

YORK COUNTY, SS: Personally appeared before me a Deputy of the Court
in and for said County, Levi S. Loucks who being duly sworn

according to law, doth depose and say, that he served the within Subpoena on the within named parties according to law.

sworn and subscribed to before me
this 14 day of April A. D. 188 9
Levi S. Loucks
Deputy of the Court

SUBPOENA.

No.
..... Sessions, 188 9.

COMMONWEALTH
vs.

David Evinger
Henry Long

OFFICERS' FEES:

Service.....15 c. \$ 1.80
Mileage.....6 c. 1.86

Levi S. Loucks
Constable.

York County, ss:

COMMONWEALTH OF PENN'A.

vs.

David Eising
Henry Long

Information 30
Oath and Entry 30
Warrant 80
Recog. Pros 50
2 " Deft 1.00
Subpoena 2 25
Oaths 2 20
Hearing 40
1st Commitment 2 80
2nd " 1 40
3rd " 450
Ret. of Recog 450
Const. Gov. & Council on War. p. 372
Const. " " " " on Subp.
Comth. Witnesses

Susan Moore 50
Philip Moore 50
Sarah Jones
Wm. Hollander
Mary Mittel
Margaret Mathias
Lew. J. Lougher
Dr. Chas. T. Spangler

Before me, the subscriber, one of the Justices of the Peace in and for the said County, personally came

Susan Moore
of the Township of Spring Garden in said County, who upon her solemn oath according to law, saith that on the night of the 5th day of November 1888, at the Township of Spring Garden in the County aforesaid,

a certain David Eising and Henry Long made an aggravated assault on this deponent did then and there throw her with stones in the face and further saith:

her
Susan X Moore
November 5th 1888 Defendants arrested. most Henry Long
one of the Deft was committed to jail to answer at January Session 1889. The other Defendant David Eising was committed to jail for a hearing in November 8th 1888 at 2 o'clock P.M. November 8th 1888 hearing had Prosecutor sworn. Philip Moore sworn on part of Commonwealth after hearing the Defendant was re-committed to answer at January Session

Same day prosecutor tent in \$100 to prosecute, &c., at January Sessions, 1889.
Sworn and subscribed to before me this 5th day of November 1888

Edmund Dietz
Justice of the Peace.

WE David Eising defendant and
Frederick Meyers bail
each acknowledge ourselves to owe and be indebted to the Commonwealth of Pennsylvania, in the sum of Five hundred dollars, lawful money, to be levied of our goods and chattels, lands and tenements, jointly and severally, upon condition that David Eising defendant, be and appear at a Court of Quarter Sessions of the Peace, to be held at York, in and for the County of York, on the first Monday of January next, A. D., 1889, then and there to answer all such charges as shall be objected against him, and not depart said Court without leave, then this recognizance to be void, otherwise to be and remain in full force and virtue.

Witness our hands and seals this 14th day of November A. D., 1888.
David Eising [SEAL]
Frederick Meyers [SEAL]

Taken and acknowledged before me this 14th day of November A. D., 1888.
Edmund Dietz J. P.

WE defendant and
..... bail
each acknowledge ourselves to owe and be indebted to the Commonwealth of Pennsylvania, in the sum of dollars, lawful money, to be levied of our goods and chattels, lands and tenements, jointly and severally, upon condition that defendant, be and appear at my office No. 17 East Market street, Second Ward, York Borough, for a hearing at o'clock M., on the day of A. D., 188..... then and there to answer all such charges as shall be objected against him, and not depart said office without leave, then this recognizance to be void, otherwise to be and remain in full force and virtue.

Witness our hands and seals this day of A. D., 188..... [SEAL.]

Taken and acknowledged before me this day of A. D., 188..... J. P.

Thursday

January Sessions 1889

Commonwealth

vs.

David Eysig
Henry Long

Pros. P. O.

Dfts. P. O.

* Information.

Aggravated
assault

From ~~D. BEAVERSON,~~
E. Dietz J. P.

Filed Dec 31, 1888

X

COMMONWEALTH

vs.

David Einsig +
Henry Leong

No. 32 January Sessions 188 9

Indictment, *Bigga Assault + Battery*
Assault + Battery

April 20 188 9 case ordered

to trial. Counsel in the case.

Jurors Sworn to Try the Case.

- 1 ~~O. B. Giegler~~
- 2 ~~Henry Ginter~~
- 3 John A. Barton
- 4 ~~Hezekiah L. Lane~~
- 5 John K. Miller
- 6 Emanuel Young
- 7 Edward Rupp
- 8 ~~Jesse A. [unclear]~~
- 9 ~~Daniel Henton~~
- 10 Michael Smyser
- 11 John W. Hill
- 12 ~~Walter B. Ruby~~
- 12 - Mary Atland,
- 12 ~~Jacob D. Hansen~~
- 12 - Daniel R. Snyder,
- 12 ~~Gustav H. [unclear]~~
- 12 ~~Albert [unclear]~~
- 12 Mathias Rigant Jr
- 12 - Levi B. Shaffer.
- 12 Wm Beck

21 Ganner For Com.
Bittinger For Def.

Court - 2

Susan Moore (sw) 1
Dr. C. F. Spangler (sw) 2
Philip Moore (sw) 3
Sarah Jones (sw) 4
Dr. Am. Holland (sw) 5
Mrs Meitzell (sw) 6
Levi S. Baucko

Court - 1

Court - 4

Court - 3.

D. B.

April 22, 1889. Verdict guilty
in manner and form as
they stand indicted

Law } Motion for New
David Eising } Trial

Mr. Bittenger for Rule
Not evidence that DE
committed the wrong
Ined to instruct jury

Mrs. Eising confirmed at the
midway trial + testimony
last

32 Jan Tassidos
1889

Smith
vs
Dan. Buisson
Henry Long

Motion in arrest
of judgment and
for a new trial

Filed April 22, 1889

April 23. rd 1889
application for new
trial as to Henry Long
withdrawn by leave
of court
By the court

Paterson

Comth
vs
David Eisinger &
Henry Long

In the Court of Quarter
Sessions of the Peace
of York County Va

No 32 January Session
1889

April 22 1889. Grand Jurors

April 22 1889

Defendants move the Court in arrest
of judgment and for a new trial in
the above case for the following
reasons

- 1st The verdict is against the evidence
- 2^d The Courts charge did not sufficiently
impress upon the jury the evidence for
the defendants but chiefly committed
on the testimony of witnesses for the Comth
by which the jury were moved to find
a verdict of guilty
- 3^d The Court erred in saying to the jury
that the evidence showed the defendant
was drunk at the time of the alleged
commission of the offense.

4 The defendants were greatly injured
and prejudiced by the confinement by
Childbirth of *Frederica Emsig* the
wife of the defendant, on Saturday
after the adjournment of the Court, which
^{and witness} was in attendance on said day
but not examined, by reason of not being
reached. The said witness being one
of the most mutual witnesses for
their defence.

The defendants reserve the right to file
further and additional answers

David Emsig

Henry Lowry

York Camps

Before me came the former
James Davidson and Henry Long
and having been duly sworn & asked the
following questions in answer of which they answered
for a mutual no fault and true to the
best of their knowledge and belief
I am to wit Subscribed
before me this 22nd day of June 1889
Lewis D. Seel
Clerk

David Lindsay

Henry Long

Witnesses.

No. 32

January Sessions, 1889

Commonwealth of Pennsylvania,

vs.

David Binzig ^{and}

Henry Long.

(1) Aggravated Assault & Battery.

(2) Assault & Battery.

January 10 1889

A True Bill.

Joseph K. Hollander
Foreman.

April 20th 1889

The Defendant & plead innocently
and guilty and for
that put themselves
upon their country of law
with the like issue and
relief for trial.

PROS.

Susan Moore

Phillip Moore.

Sarah Jones.

W^m Holland

Mary Mitzel

Margaret Matthews

V. Levi S. Loucks.

Dr. Chas Spangler.

~~Wm. H. ...~~

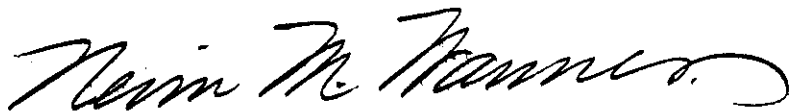
In the Court of Quarter Sessions of the Peace for
the County of York.

JANUARY SESSIONS? 1889.

YORK COUNTY, S. S.

THE GRAND INQUEST of the Commonwealth of Pennsylvania, inquiring for the county of York, upon their respective oaths and affirmations, do present, that DAVID EINZIG, and HENRY LONG, late of said county yeomen, on the fifth day of November, in the year of Our Lord, one thousand eight hundred and eighty eight, at the county aforesaid, and within the jurisdiction of this court with force and arms, &c, in and upon one Susan Moore, in the peace of God, and of the said Commonwealth then and there being, did make an assault, and then and there unlawfully wilfully, and ~~and~~ maliciously, did cut, strike, wound, and inflict ~~injury~~ upon her the said Susan Moore, greivous bodily harm, Contrary to the form of The Act of The General Assembly in such case made and provided, and against the peace and dignity of The Commonwealth of Pennsylvania.

AND THE GRAND INQUEST aforesaid, inquiring for the county aforesaid, upon their oaths and affirmations aforesaid, do further present, that the said David Einzig, and Henry Long, on the day and year aforesaid, at the county aforesaid, and within the jurisdiction of this court, with force and arms, &c, in and upon one, Susan Moore, in the peace of the said Commonwealth then and there being did make another assault, and her the said Susan Moore, then and there did beat, strike, wound, and otherwise illtreat, to the great damage of her the said Susan Moore; Contrary to the form of the Act of The General Assembly in such case made and provided, and against the peace and dignity of The Commonw alth of Pennsylvania.



District Attorney.