

0329

**BOX:**

350

**FOLDER:**

3295

**DESCRIPTION:**

Hirschfeld, Henry

**DATE:**

04/11/89



3295

0330

WITNESSES:

*Off. Mass.*

Counsel,

Filed

1889

Pleads

*Indignity in*

THE PEOPLE,

vs.

*B*

*Henry Dirschfeld*

*159 Lexington St.*

JOHN R. FELLOWS,

*Transferred to the Court by Spectator.*  
*Sessions for trial and final disposition.*

*Part 2 of H. B. 1889.*

**A True Bill.**

*J. M. Barry*  
*Foreman.*

*#169*

**VIOLATION OF EXCISE LAW**  
(Selling on Sunday, Etc.)  
[III Rev. Stat. (7th Edition), page 1088, Sec. 21 and  
page 1089, Sec. 6.]

0331

**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 Hirschfeld*

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

*Henry Hirschfeld*  
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

*Henry Hirschfeld*  
late of the City of New York, in the County of New York aforesaid, on the *tenth* day of *February* in the year of our Lord one thousand eight hundred and eighty-nine, 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

*Andrew Wieser*

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

*Henry Hirschfeld*  
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

*Henry Hirschfeld*  
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.

**JOHN R. FELLOWS,**

District Attorney.

0332

**BOX:**

350

**FOLDER:**

3295

**DESCRIPTION:**

Hobby, William J.

**DATE:**

04/08/89



3295



0333

**BOX:**

350

**FOLDER:**

3295

**DESCRIPTION:**

Moses, David

**DATE:**

04/08/89



3295

0334

Witnesses:

*Alia Lipkin*

*N. C. Lewis*

*Off. Carlson*

Counsel,

Filed

Pleads,

day of *April* 188*9*

*Chicago, Ill.*

THE PEOPLE

vs.

*William J. Hobbs*

*and*  
*David Moses*

JOHN R. FELLOWS,

District Attorney.

Grand Larceny *3rd* degree  
[Sections 628, 639, 640 Penal Code].

A True Bill.

*J. M. Woods*  
*April 19th*  
Foreman.

*Carroll*  
*Clarendon R. S. A.*  
*W. J. Sentence 2005.*  
*#102: Emma, Ref. P.M.*  
*91.*

0335

Police Court—4 District.

Affidavit—Larceny.

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

*Celia Lipscher*  
 of No. *310 East 116* Street, aged *30* years,  
 occupation *Married* being duly sworn  
 deposes and says, that on the *2nd* day of *April* 188*9* at the City of New  
 York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
 of deponent, in the *day* time, the following property viz:

*A pocket-book containing  
 gold and lawful money  
 of the United States of the  
 amount and value of one  
 50 dollar, one pair of diamond  
 ear-rings, one diamond ring the  
 whole being valued at about  
 five hundred dollars.*

the property of

*Deponent*

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
 and carried away by *William J. Hobby and*

*David Moses (both now here,*

*who were acting in concert for*

*the reasons following, to wit:*

*on the said date the said pocket-*

*book was on a bureau in a room*

*in deponent's premises and having*

*missed the same is informed*

*by Officer Lawrence Clarkson*

*(then present), that he Clarkson*

*found the said ear-rings in*

*the possession of the said Hobby*

*in a pawn office as he was about*

*to pawn the same, and he also*

*found in the possession of said*

Subscribed to before me, this

188

day

Police Justice.

0336

Moses the sum of ten dollars, which money the said Moses (after being informed of his rights) admits and confesses to being the money which was received from Pawn broker Hill C. Lewis of 634 2nd Avenue for said ring. The said Moses further says that he gave the said property to the said Stobby to pawn the same. Defendant has since seen the said property and identifies the same as being the property which was feloniously taken stolen and carried away.

Sworn to before me }  
this 2nd day of April 1884 } John E. Fisher  
and Owen

Police Justice

Police Justice.

188

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

There being no sufficient cause to believe the within named

Police Justice.

188

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Police Justice.

188

of the City of New York, until he give such bail.

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

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

Police Court, District.

THE PEOPLE, &c.,

on the complaint of

vs.

1

2

3

4

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

to answer

Sessions.



0337

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Laurence Clarkson*  
aged *50* years, occupation *Police Officer* of No.  
*21<sup>st</sup> Pennier Place* Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of *Colin Lipcher*  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this *3<sup>rd</sup>*  
day of *April* 188*9* } *Laurence Clarkson*

*and*  
\_\_\_\_\_  
Police Justice.



0338

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, ss.

District Police Court.

*William J. Hobby* 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.

*William J. Hobby.*

Question. How old are you?

Answer.

*16 years.*

Question. Where were you born?

Answer.

*New York.*

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

Answer.

*180 E 117<sup>th</sup> St. Since October*

Question. What is your business or profession?

Answer.

*None*

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

Answer.

*I am now fully,  
James Moses on the hundred  
and nine tenth street <sup>at about 12 o'clock.</sup> he asked  
me to go down town with him,  
which I did, when I got to  
34<sup>th</sup> street the said Moses asked  
me to pawn the ring which I  
did and received ten dollars  
from the pawn-broker which money  
I gave to Moses. I was in  
another pawn-office pawning  
the ear-rings which said Moses  
had given to me to pawn.*

*William J. Hobby*

Taken before me this

day of

188

Police Justice.

0339

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer. *David Morse.*

Question. How old are you?

Answer. *18 years.*

Question. Where were you born?

Answer. *New York*

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

Answer. *243 Can 114th St. I work.*

Question. What is your business or profession?

Answer. *Peddler.*

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 gave the ear-rings  
and the ring to the boy Hobbs  
to pawn, I stole the pocket  
book from the complainant's  
room, the said Hobbs was  
with me at the time.*

*David Morse*

Taken before me this

day of *April*

1889

Police Justice.

0340

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~~  
~~Four~~ ~~Hundred Dollars,~~ and be committed to the Warden and Keeper of  
the City Prison, of the City of New York, ~~until he give such bail.~~

Dated *April 3* 188*9* *W. D. Jones* 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.

0341

BAILED,

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

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

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

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

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

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

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

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

20  
Police Court---

425  
District

THE PEOPLE, &c.  
ON THE COMPLAINT OF

*Celia Lipcher*  
310 East 116 St

*Mrs J. Hobby*  
*David Moses*

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

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

Dated *April 3* 1889

*Law* Magistrate.

*Blarson* Officer.

*21* Precinct.

Witnesses *Officer*

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

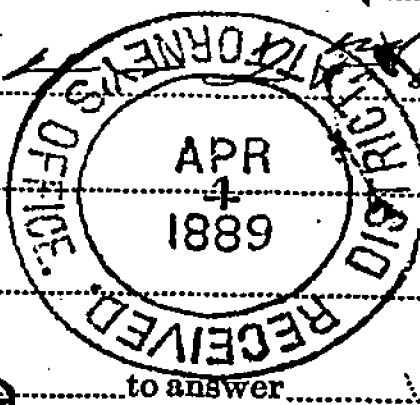
*Will C. Lewis*

No. *634* Street.

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

\$ \_\_\_\_\_ to answer

*Come without*  
*bail*





0342

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 4 DISTRICT.

*Lawrence Classon*  
of *the 21st Precinct* Street, aged *49* years,  
occupation *Police Officer* being duly sworn deposes and says,

that on the *2* day of *April* 188*9*

at the City of New York, in the County of New York, *he arrested*  
*he arrested William Stobby*  
*and David Meores (both now here)*  
*upon suspicion of the*  
*larceny of a pair of diamond*  
*earrings. Deponent prays*  
*that each of said defendants*  
*be committed to enable him*  
*to obtain further evidence*

*Lawrence Classon*

Sworn to before me this  
of *April* 188*9* day

*J. J. Barker*

Police Justice.



0343

201  
Police Court 14 District.

THE PEOPLE, & c.

ON THE COMPLAINT OF

vs.

Wm. Stoby  
David Moses

Dated April 188 9

John Magistrate.

Officer.

Witness

Marheim Cohen  
611-3 Ave

Disposition,

AFFIDAVIT.

*Lacey*

*\$1000 for  
Ex. 9<sup>th</sup>  
April, 9.*

*84*

0344

Mr Justice Cowing  
Barlin

Permit me ask your  
Consideration in the Case of  
Baron Henriquez, who tries for  
petit larceny next Monday.

I ask this for the sake  
of his father's family. The father  
is at present in the city for treatment  
He lost one eye after an operation  
and is to be operated upon to try  
and preserve the other which is  
nearly obscured by cataract.

Old and thus almost blind  
he is keenly conscious of a respectable  
name thus blemished by his son.

May I hope that you will

0345

give the lad a chance to avoid  
the evil companionship of prison -  
associates, as far as possible - by  
treating him leniently in the hope  
that the lesson may be sufficient  
to reform him.

I am

with respect

Yours truly

W. L. R. L. L. L.

Minister Spanish & Portuguese  
Congress - New York

27 West 15  
April 4. 89

0346

Mr Jeff  
Hlas. Sir

I am very pleased to  
ask your consideration for  
Aaron Jennings, who has been  
sent to prison for  
petty larceny. He is a native  
of a family of respectable family, practically  
blind for he lost an eye under operation  
and the other is also operated on for cataract.  
Of course he is conscious of the  
disgrace to his family.

I would not that the lad be  
given a chance to reform, - I fear  
prison - contact will tend to confirm  
him in wrong-doing and worse habits, and  
will let you be as lenient as possible  
with him.

27 Nov 1877.

Col. S.

89

Yr respectfully

Wm. Caldwell  
Minister Daniel & Family  
Congregation - area of



0347

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 J. Hobby  
and  
David Moses

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

William J. Hobby and David Moses  
of the CRIME OF GRAND LARCENY IN THE first DEGREE, committed  
as follows:

The said

William J. Hobby and  
David Moses, both —

late of the City of New York, in the County of New York aforesaid, on the second  
day of April in the year of our Lord one thousand eight hundred and  
eighty-nine, at the City and County aforesaid, with force and arms,

two earrings of the value of  
two hundred and twenty-five  
dollars each, one ring of the  
value of sixty dollars, and the  
sum of one dollar and fifty cents  
in money, lawful money of the  
United States and of the value  
of one dollar and fifty cents —

of the goods, chattels and personal property of one

Elia Lipscher

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



0348

SECOND COUNT—

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

*William J. Hobby and David Moses*  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said *William J. Hobby and David Moses, both* —

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

*two earrings of the value of two hundred and twenty-five dollars each, one ring of the value of sixty dollars, and the sum of one dollar and fifty cents in money, lawful money of the United States and of the value of one dollar and fifty cents*

of the goods, chattels and personal property of one *Celia Lipscher*

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

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

*William J. Hobby and David Moses* —

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

JOHN R. FELLOWS,

District Attorney.

0349

**BOX:**

350

**FOLDER:**

3295

**DESCRIPTION:**

Hoffman, Henry

**DATE:**

04/16/89



3295

0350

Witnesses:

J. Polgar

Off. of the People's Court

Counsel,

Filed

16 day of April 1889

Pleads,

Copy to 17

THE PEOPLE

vs.

Henry Hoffman

Defendant

Burglary in the second degree.

[Section 496.52 and Code]

JOHN R. FELLOWS,

April 26/89 District Attorney.

Pleads Day 3 day

A TRUE BILL J.P. 4 W.S. 10 mo P.M.

C. M. McCoy

Foreman.

April 26<sup>th</sup> 1889

9.50

\$733

April 26<sup>th</sup> 1889

0351

Police Court— District.

City and County } ss.:  
of New York,of No. 106 Hester Street, aged 40 years,  
occupation Housekeeper being duly sworndeposes and says, that the premises No. 106 Hester Street, 10 Ward  
in the City and County aforesaid the said being a five story cement  
brick building and on 1<sup>st</sup> floor  
and which was occupied by deponent as her private apartments  
and in which there was at the time a human being, by this deponent  
Otto Millerwere BURGLARIOUSLY entered by means of forcibly forcing a  
rear window open and entering  
the said apartmentson the 11 day of Sept 1889 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:Fourteen Ladies Dresses  
of the Value of ONE  
Hundred Dollarsas the property of diver's person in care and charge of this apartment  
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  
Henry Hoffman (nicknamed)

for the reasons following, to wit:

That previous to said  
Burglary and attempted larceny  
the said window was reopened  
and this deponent was informed  
by Otto Miller one of her boarders that  
about the hour of three o'clock am  
on the aforesaid date he was awoken  
and found the defendant in the  
said apartments and seized



0352

Sold off him and claimed his arrest & Deposition therefore charges the said Hoffman with Burglary breaking and entering her apartments with the intent to steal the within mentioned property

SWORN TO BEFORE ME

THIS 14 DAY OF April 1889

POLICE JUSTICE.

Mrs Jennie Olson

Dated 1889 Police Justice.

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

There being no sufficient cause to believe the within named

Dated 1889 Police Justice.

I have admitted the above named

Dated 1889 Police Justice.

of the City of New York, until he give such bail.

Hundred Dollars and be committed to the Warden and Keeper of the City Prison

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

committed, and that there is sufficient cause to believe the within named

It appearing to me by the within depositions and statements that the crime therein mentioned has been

Police Court, District.

THE PEOPLE, &c.,  
on the complaint of

Offence—BURGLARY.

1  
2  
3  
4

Dated

1889

Magistrate.

Officer.

Clerk.

Witnesses.

No.

Street.

No.

Street.

No.

Street.

to answer General Sessions.



0353

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Otto Miller*  
aged 17 years, occupation Driver of No. 106 West Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of *Jane Olson*  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 11  
day of Feb 1889 *Otto Miller*

*Ed. J. Coffey*  
Police Justice.

*Otto Miller*

0354

Sec. 193-200.

3 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Henry Hoffmann* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is *his* right to  
make a statement in relation to the charge against *him*; that the statement is designed to  
enable *him* if he 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 Hoffmann*

Question. How old are you?

Answer.

*29 years*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*153 Elm St New York*

Question. What is your business or profession?

Answer.

*Nothing*

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 don't know any  
thing about the affair  
I was drunk*

*Henry Hoffmann*  
*M.H.*

Taken before me this

day of *April*

188*9*

*James J. Sullivan* Police Justice.

0355

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.....

Alfred A. Smith  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Fifteen 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 Apr 11 1889 Samuel J. C. Smith 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.

0356

Police Court---

563 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*James Owen*  
*106<sup>th</sup> Hester St*  
*Henry Hoffman*

Offence *Burglary*

BAILED,

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

Residence \_\_\_\_\_ Street: \_\_\_\_\_

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

Residence \_\_\_\_\_ Street: \_\_\_\_\_

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

Residence \_\_\_\_\_ Street: \_\_\_\_\_

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

Residence \_\_\_\_\_ Street: \_\_\_\_\_

Dated *April 11* 188*9*

*James O'Reilly* Magistrate.

*Owen Gallagher* Officer.

*11* Precinct.

Witnesses *Owen Gallagher*

No. *11* Precinct Street.

*Otto Miller*

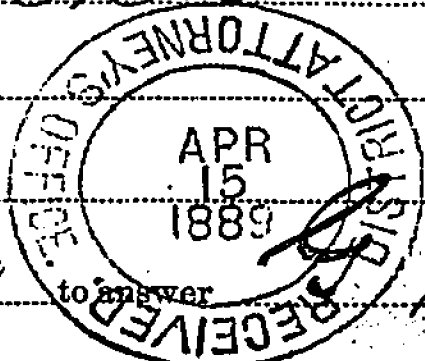
No. *106 Hester* Street.

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

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

\$ *1500* to answer

*Committed*







0358

**BOX:**

350

**FOLDER:**

3295

**DESCRIPTION:**

Hoffman, Hugo

**DATE:**

04/24/89



3295

WITNESSES:  
 D. Cragney  
 2 Commack

22

Counsel,

Filed

day of *April*

188

## Pleadings

THE PEOPLE.

22.5-

**VIOLATION OF EXCISE LAW**  
(Selling on Sunday, Etc.)  
[III Rev. Stat. (7th Edition), page 1983, Sec. 21 and  
page 1980, Sec. 5.]

Drugo Hoffman  
9.9.14

*[Handwritten signature]*

**JOHN R. FELLOWS,**

*District Attorney.*

May 13/89 W.D.

# A True Bill

For enhanced

I leave to Aunt  
 Stephen C. V. Hall  
 #30 May 1872

0360

Sec. 198, 200.

5 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer. *Hugo Hoffman*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *1613 Avenue B*

Question. What is your business or profession?

Answer. *Portender*

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. *Am not guilty of the charge  
and I demand a trial by  
jury held after examination*  
*Hugo Hoffman*

Taken before me this

day of *July* 188*8*

Police Justice.



0361

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.....

Alfred Hoffman  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 100 Hundred Dollars,..... and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated April 1st 188 9 James H. Sullivan Police Justice.

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

Dated April 1 188 9 James H. Sullivan 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.

0362

Police Court---

515 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

David Cagney  
vs.  
Hugo Hoffman

1  
2  
3  
4

Dated

188

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

to answer

BAILED,

No. 1, by

Louis Brandt

Residence

1646 a-B- Street.

No. 2, by

Residence

Street.

No. 3, by

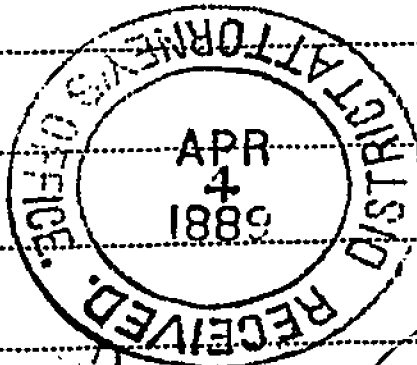
Residence

Street.

No. 4, by

Residence

Street



0363

C. J. SHARRETTS, M. D.

1626 - 1ST AVENUE,

337 E. 81ST STREET, N.Y.

May 7, 89

Hugo Hoffmann  
has an attack of  
Colic and is in  
no condition to  
leave his home

J. Sharretts

*Police Justice.*



0365

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Hugo Hoffman*

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

*Hugo Hoffman*  
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

*Hugo Hoffman*

late of the City of New York, in the County of New York aforesaid, on the *thirty first* day of *March* in the year of our Lord one thousand eight hundred and eighty-*nine*, 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

*David B. Cagney*

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

*Hugo Hoffman*

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

*Hugo Hoffman*

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.

**JOHN R. FELLOWS,**

District Attorney.

0366

**BOX:**

350

**FOLDER:**

3295

**DESCRIPTION:**

Holliday, Mary

**DATE:**

04/23/89



3295

Witnesses:

*M. W. Meets*

Counsel,

Filed, *23* day of *April*, 188*9*

Pleads, *Not guilty*

THE PEOPLE,

vs.

*B*

*Mary Holliday*

*vs. 106. 463*

MISDEMEANOR.  
(SERVING OLEOMARGARINE AS FOOD, &c.)  
[Chap. 183, Laws of 1883, (as amended by Chap. 688, Laws of 1887, § 1), § 27.]

JOHN R. FELLOWS,

RANDOLPH E. MARINE,

*72 Apr 25/89* District Attorney.

*reads guilty*

A True Bill *judged & returned*

*C. M. Kirby*

Foreman.

*70366*

0367

0368

## STATE OF NEW-YORK.

CITY OF New York

S.S.:

COUNTY OF New York

William W. Meeteer, being duly sworn, says, that he resides at number 1764 Railroad Avenue Street, in the City of New York, County of New York and State of New York, is 49 years of age, and an expert appointed by HON. JOSIAH K. BROWN, the New York State Dairy Commissioner; that, at the times hereinafter mentioned, one Mary Holliday was the keeper and proprietor, of a Restaurant a place of public entertainment and had <sup>her</sup> said Restaurant in a room in number 156 Fourth Avenue Street, in the City of New York, County of New York within this State, and occupied and controlled such room and was in charge of such Restaurant; that on the 21<sup>st</sup> day of March, 1889, deponent went to such Mary Holliday's said Restaurant and ordered a lunch consisting of wheat cakes & a cup of coffee; and the said Mary Holliday, in response thereto in <sup>her</sup> said Restaurant

then and there served to deponent as food for deponent and as a part of the said lunch so ordered by deponent, who was then a guest and customer of said Mary Holliday in <sup>her</sup> said Restaurant, a substance in imitation and semblance of natural butter, produced from pure unadulterated milk or cream of the same, which had been made out of some animal fat or animal or vegetable oils not produced from unadulterated milk or cream from the same and by mixing, compounding with and adding to milk, cream or butter such animal fats or animal or vegetable oils not produced from milk or cream, so as to produce an article, substance and human food in imitation and semblance of natural butter and which had been made in violation of the provisions of Section 7 of Chapter 183 of the Laws of 1885, as amended by Chapter 577 of the Laws of 1886; that a more particular description of such manufactured substance, the ingredients thereof and the amount of the same are unknown to deponent and cannot be stated herein for that reason; that the same was so served by said Mary Holliday in the ordinary course of <sup>her</sup> said business; and said Mary Holliday asked, and deponent then and there paid her 15 cents for such lunch; that deponent then and there took from the substance so served to him by said Mary Holliday a sample thereof for analysis in the manner required by law; and thereafter, on March 21<sup>st</sup>, 1889, deponent delivered such sample so taken by him as stated, to one Joseph F. Geisler who was and is known to deponent to have then been, and who since has been and is now, a chemist, practicing as such at number 6 Harrison Street, in the City of New York County of New York within this State, and deponent caused the said substance to be analyzed by such chemist; that the certificate of such analysis thereof, made by said chemist, is hereto annexed.

Deponent charges that the said Mary Holliday against the peace and dignity of the People of the State of New York, and the statutes in such case made and provided, wrongfully and unlawfully so served such manufactured substance and caused, procured and suffered the same to be so served to deponent, and was thereby guilty of a misdemeanor; and deponent, therefore, asks for a warrant against the said Mary Holliday for violation by him of Section 27 of Chapter 183 of the Laws of 1885, as added thereto by Chapter 583 of the Laws of 1887, and that she may be dealt with as the law directs.

Sworn to before me

this 9<sup>th</sup> day of April, 1889.

J. J. W. Meeteer  
Police JUSTICE.

William W. Meeteer



0369

Police Court  
Court of 2d District  
County of New York

THE PEOPLE, &C.

vs.

Mary Holliday

Affidavit:

William H. Meeten

288 GREENWICH ST.  
NEW YORK CITY.

Witnesses:

Jim L. O'Brien

Residence, 288 GREENWICH STREET,  
NEW YORK CITY.

Residence Joseph F. Guelin

6 Harmon St.

Residence

0370

Sec. 103-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Mary Halliday* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is h right to  
make a statement in relation to the charge against h ; that the statement is designed to  
enable h if he 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.

*Mary Halliday*

Question. How old are you?

Answer.

*28*

Question. Where were you born?

Answer.

*MS*

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

Answer.

*156 4th Avenue 5 years*

Question. What is your business or profession?

Answer.

*Restaurant*

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

Answer.

*I am not guilty and I  
demand a trial  
by jury Mary Halliday*

Taken before me this

day of *June* 188*9*

Police Justice.

*J. J. Williams*

0371

OFFICIAL CHEMIST  
TO THE  
N. Y. MERCANTILE EXCHANGE.

New Series, No. 2320

Office and Laboratory  
JOSEPH F. GEISLER, Ph. C., F.C.S.  
Analytical and Consulting Chemist,  
N. Y. MERCANTILE EXCHANGE BUILDING.

## Certificate of Analysis.

State of New York,  
CITY OF NEW YORK } ss.  
COUNTY OF NEW YORK.

I, Joseph F. Geisler, a chemist,  
practising in the City of New York, County and State of New York, do hereby certify that I  
have analyzed the sample duly sealed and marked #1257 H. 156 Fourth Avenue N.Y. City March 21<sup>st</sup> 1889. From S.O. Brown  
received from Mr. William H. Mactear  
on March 21<sup>st</sup>, 1889.

THE SAMPLE CONTAINS:

WATER.	8.33 %
ANIMAL AND BUTTER FAT,	88.35 %
CURD,	.98 %
SALT,	2.34 %
	<u>100.00 %</u>

ANALYSIS OF THE FAT:

INSOLUBLE FATTY ACIDS,	95.54 %
SOLUBLE " "	.19 %
SPECIFIC GRAVITY OF THE	
FAT AT 100 deg. F.,	9059

This sample is composed mainly of animal fat, and was not produced from unadulterated milk, or cream from the same. It was not produced from milk or cream alone. It contains coloring matter, whereby it is made to resemble butter, the product of the dairy, and is in imitation and semblance of butter, produced from pure unadulterated milk or cream from the same.

I further certify that the foregoing is a true statement of the analysis of such sample so made by me as stated.

Respectfully yours,

Dated March 26<sup>th</sup>, 1889.

New York

Joseph F. Geisler  
Chemist.

State of New York,  
CITY OF NEW YORK, } ss.  
COUNTY OF NEW YORK.

On the 30<sup>th</sup> day of March, in the year  
one thousand eight hundred and eighty nine, before me, the subscriber  
personally came Joe F. Geisler, to me well known to be the same  
person described in and who executed the foregoing instrument, and who  
acknowledged that he executed the same.

H. G. Hurry  
Notary Public 38  
N.Y.C.

0372

Sec. 151.

Police Court 2<sup>d</sup> 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 to any Marshal or Policeman of the City of New York, GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police  
Justices for the City of New York, by William H. Meeten  
of No. 1764 Railroad Avenue Street, that on the 21<sup>st</sup> day of March  
1889 at the City of New York, in the County of New York, one Mary Holliday then being  
the keeper & proprietor of a restaurant at No. 156 Fourth  
Avenue in said City unlawfully kept and served in her said  
restaurant and served to complainant as food while  
complainant was a guest in said restaurant, a certain man-  
ufactured substance known as oleomargarine made  
and colored in imitation and resemblance of natural butter  
the product of the dairy, and not made from unadulterated milk  
or cream 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 her  
forthwith before me, at the 2<sup>d</sup> DISTRICT POLICE COURT, in the said City, or in case of my absence  
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to  
be dealt with according to law.

Dated at the City of New York, this 9<sup>th</sup> day of April 1889.

J. J. [Signature] POLICE JUSTICE.



0373

140 P.M. 38. M. N. S. Restaurants - 8. Yes 15-6. 40-6. 40-6. 40-6.

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

156-4  
Police Court 2<sup>d</sup> District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William M. Meeker

vs.

Mary McEliday

156 Fourth Avenue

N. Y. City

Warrant-General.

Dated April 9 1889

James Wilbur Magistrate

Ramsey M. Campbell Officer.

The Defendant, Mary McEliday  
taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

Ramsey M. Campbell Officer.

Dated April 10 1889

This Warrant may be executed on Sunday or at  
night.

\_\_\_\_\_  
Police Justice.

0374

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.....

*Mary Halliday*

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

Dated *April 10* 188*9* *J. R. Smith* Police Justice.

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

Dated *April 10* 188*9* *J. R. Smith* 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.

0375

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court---

543 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Wm. H. Meeten

288 Greenwich St

Mary Halliday

2

3

4

Admission  
Offence

Food

Dated

April 10

1889

Kilbreth

Magistrate.

Ronald Campbell

Officer.

Court

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

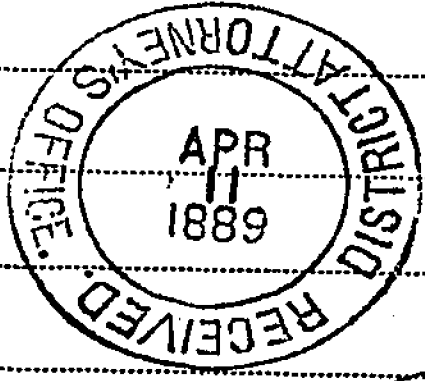
300

to answer

GS

Bailed

also  
Restaurant



0376

Petition for Hab. Corp.

J. Reid Gould, Law Blank Publisher and Stationer, 163 Nassau St., N. Y.

To the Honorable Justice of the Supreme Court

The Petition of Jacob Selig shows that1st. — That your petitioner is imprisoned or restrained in his liberty in Blackwell's Island Prison New York

2d. — That he has not been committed, and is not detained by virtue of any judgment, decree, final order, or process specified in section 2016 of this Act.

3d. — The cause or pretence of the imprisonment or restraint, according to the best knowledge and belief of the Petitioner is as follows:

On the 17<sup>th</sup> day of April 1889, the said Mary Miller was arrested by a police officer brought before the Hon. J. G. Duffy, a Police Justice in the City of New York and committed to the Workhouse at Blackwell's Island for one month in default of seven hundred dollars bail. That bail has been offered to the said Justice Duffy and refused. That the bondsman who offered to qualify is Jacob Kramer and that the said Kramer is a freeholder in this City and worth at least the sum of thirty thousand dollars. Therefore petitioner prays that the said application for bail be considered by this Court and further

wherefore your Petitioner prays that a writ of Habeas Corpus issue directed to the Warden or Superintendent of the Workhouse at Blackwell's Island commanding him to produce the said Mary Miller

in the Court Room of the Court of Oyer and Terminer on the 26<sup>th</sup> day of April 1889 at 10 1/2 o'clock in the forenoon of said day.

Dated the 24<sup>th</sup> day of April 18 89Jacob Seligbeing duly sworn, doth depose and say, that the facts set forth in the above petition, subscribed by him are true.Sworn before me, this 24<sup>th</sup> dayof April 18 89

George Repper  
Notary Public  
at New York

Jacob SeligJacob Selig



0377

U.S. Supreme Court  
In the matter  
of the application  
of  
Jacob ~~Levin~~  
for a writ of  
Habeas Corpus  
in behalf of  
Mary Miller

Petition for Hab. Corpus.

W. G. G. G.  
Attorney for Petitioner

0378

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Mary Holliday*

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

*Mary Holliday*

of a Misdemeanor committed as follows:

The said

*Mary Holliday*

late of the 15th Ward of the City of New York, in the County of New York aforesaid, on  
the twenty-first day of March in the year of our Lord one  
thousand eight hundred and eighty-nine, at the Ward, City and County aforesaid,  
the keeper and  
being proprietor of a certain restaurant

there situate,  
did therein unlawfully keep, use and serve to one William W. Meeter  
then being a guest, patron, and customer — of the said  
*Mary Holliday* at said restaurant a quantity of a  
certain article, substance and compound in imitation and semblance of natural butter produced  
from pure, unadulterated milk, or cream of the same, the said article, substance and compound  
so sold as aforesaid, being rendered, manufactured and produced out of divers animal fats and  
oils not produced from unadulterated milk, or cream from the same, the said article substance  
and compound not having been manufactured prior to, and not being in process of manufacture,  
on the sixteenth day of June, in the year of our Lord one thousand eight hundred and eighty  
seven, (a more particular description of which said article, substance and compound, is to the  
Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in  
such case made and provided, and against the peace and dignity of the said people.

*John R. Fellows*  
RANDOLPH B. MARTINE,

District Attorney.

0379

**BOX:**

350

**FOLDER:**

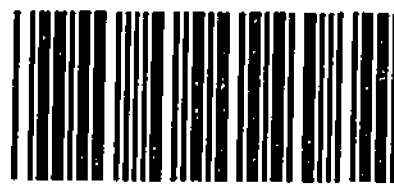
3295

**DESCRIPTION:**

Horn, John

**DATE:**

04/08/89



3295

0380

Witnesses:

Mary Sheehan  
Thomas Sheehan  
Phil Brady  
Joe Kennedy

WAK

Counsel, J  
Filed 9 day of April 188 9  
Pleads, Indigently

THE PEOPLE  
vs.  
John Horn  
(7 cases)

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

JOHN R. FELLOWS,

District Attorney.

pr Apr 10/89  
Jury & notified Assn. 3d  
with return to me  
**A TRUE BILL.**

J. M. Kelly  
Foreman.

Per: J. M. Kelly

No. 84.



0381

Police Court—4 District.

City and County } ss.:  
of New York,

of No. 557 West 57<sup>th</sup> Street, aged 40 years,  
occupation Reverend being duly sworn

deposes and says, that on the 2<sup>nd</sup> day of April 1889 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by John Horn  
(now here) who cut and stabbed  
deponent on the head with  
the blade of a knife which  
he then held in his hand

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

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

Sworn to before me, this 3<sup>rd</sup> day }  
of April 1889 }

Chas Sheppard

Edw Owen Police Justice.

0382

Sec. 199-200.

CITY AND COUNTY  
OF NEW YORK, } ss.

*H* District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty*  
*John J. Horn*  
*man*

Taken before me this

day of

188

Police Justice.

0383

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 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 April 3 188 7 see & over 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.

0384

Police Court---

496 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

1

2

3

4

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street

Dated

188

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

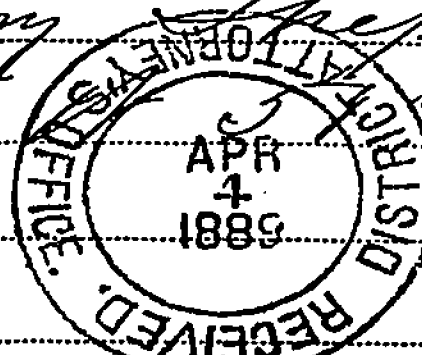
Street.

No.

Street.

\$

to answer





0385

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

John Horn

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

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

The said

John Horn

late of the City of New York, in the County of New York aforesaid, on the  
second day of April - in the year of our Lord  
one thousand eight hundred and eighty-nine, with force and arms, at the City and  
County aforesaid, in and upon the body of one Thomas Sheppard  
in the peace of the said People then and there being, feloniously did make an assault,  
and the said Thomas Sheppard  
with a certain knife

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

with intent him the said Thomas Sheppard  
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

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

The said

John Horn

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 Thomas Sheppard  
in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make another assault, and the said  
Thomas Sheppard  
with a certain knife

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

0386

THIRD COUNT—

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

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

The said John Horn  
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  
Thomas Sheppard in the peace of the said People then  
and there being, feloniously did wilfully and wrongfully make another assault, and  
with the said Thomas Sheppard  
with a certain knife

which he the said John Horn  
in his right hand then and there had and held, in and upon the head  
of him the said Thomas Sheppard  
then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and  
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-  
fully inflict grievous bodily harm upon the said Thomas Sheppard

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.

Witnesses:  
 Jos. Shephard  
 Mary Shephard

There were two cases  
against the defendant one  
for stabbing Mary Sheppard  
and the other for stabbing the  
husband of Mary Sheppard  
(the within case) the  
defendant was convicted  
and sentenced on the other  
case and the stabbing all  
occurred in the same  
place.

Part 2 April 15<sup>th</sup> 1889

Wm. Lawrence  
Deputy Secy

**Counsel,**

Filed

## Pleads:

88

Pleads, Guilty

THE PEOPLE

vs.

John S. Brown

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

JOHN R. FELLOWS,

JOHN R. FELLOWS, District Attorney  
p2 Apr 15/84 d.

Indicement dismissed  
11/13/84  
District Attorney

# A True Bill.

**FOR THE**  
*J. M. Avery*  
*Foreman.*

no. 8

0388

X-----X  
:  
: The People :  
:  
: v. :  
:  
: JOHN HORN. :  
:  
X-----X



0389

COURT OF GENERAL SESSIONS.

-----X  
The People

v.

John Horn,

Indictment filed *April 18, 1889*

Indicted for Assault in  
the *first* degree.

Tried April 15th, 1889, before

The Hon. Henry A. Gildersleeve  
and a Jury.

-----X  
Assistant District Attorney Jerome, for the people.  
Joseph F. Moss, Esq., for the Defense.

-----  
M A R Y S H E P H A R D, the complainant, testified that she was a married woman and lived at 557 West 51st Street, and resided there on the 2d of April, 1889. She lived on the first floor above the street, and he on the second floor. She was the janitress of the building, and went into the cellar between seven and eight o'clock of the evening to clean up, and the defendant's little boy was in the cellar breaking some wood. She saw that the axe that he was using belonged to her and she went over to him and she said, "Jimmie, where did you get that axe," and he said, "It is my fa-

0390

2

ther's," and she said, "Where did your father get it; we have lost it for about two months?" It belongs to us." The boy said, "You can't have it." She, the complainant, called her husband to identify the axe, and her husband said, "It belongs to me," and took it, and then the boy went up and brought his father and mother down, and Horn, the defendant, stood on the lowest step, and the complainant and her husband were in the cellar, and Mr. Horn said, "How dare you take the axe from the boy; give it back to him/" And the complainant's husband said, "No, it is my axe; where did you get it?" and the defendant said, "It is no matter to you; give it back to the boy," and the complainant's husband said, "no, I will not," and she, the complainant said, "Why should he get the axe; it don't belong to you or your wife." The defendant's wife then knocked her, the complainant, down and the complainant's husband picked her up and pushed the defendant's wife from the complainant. She, the defendant's wife, slipped or fell, and Horn made a rush and put his hand in his pocket and said that he would cut the heart out of the complainant's husband. He drew a knife, but his hand covered the handle. She, the complainant, saw the blade of the k

knife. He made a rush for the complainant's husband, and she, the complainant, said, "Oh, Tom, he has a knife." The defendant struck the complainant's husband on the head with the knife. Then she, the complainant, ran in and put up her right hand to catch the knife, and she received a blow right across her arm, the left arm. There were eight stitches put in the wound. She was taken to Roosevelt Hospital, where her arm was dressed. When her husband was struck with the knife he clinched with the defendant, and both men fell and her husband struck the defendant with his fist while they were down. Her husband did not strike the first blow, but Horn struck the first blow with the knife. She received her wound when Horn tried to strike her husband the second time with the knife, and she warded off the blow with her left arm.

Under Cross Examination, the complainant testified that she had never had a hard word in her life with the defendant or his family before. She did have some difficulty with the Horns on Thanksgiving day because Mrs. Horn took her sister to her room and gave her liquor. She, the complainant, did not assault her sister or put



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4

her out into the street on that day. She forbid her sister to go into Mrs. Horn's rooms, because she did not think that Mrs. Horn was a fit companion for her. She and her husband were not drinking on the day of the difficulty, and neither she nor her husband were in the habit of drinking.

T H O M A S J. S H E P H A R D, the husband of the complainant, testified that he had just finished his supper on the evening of April 2d, 1889, after coming in from his work, when his wife went down in the cellar to clean up. He, the witness, lost an axe in the early part of the winter that he used to break wood with. He asked everybody in the house for it and could not hear anything of it. He asked Horn, the defendant, and his son whether they had seen it, and they said no. After his wife had been down in the cellar some little while she came back and told him that she had seen the axe in the cellar in the hands of Horn's boy. He went down and claimed the axe, and Horn's boy said, "No, Father brought this axe home ~~xxxxxxx~~ in the junk," and he, the witness, said, "no, he did not; he took it out of that cellar, and you know I asked you several ~~times~~ times for it, and you knew nothing at all about it," and



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the boy said, "No, my father brought this home in the junk." Then he asked the boy for the axe and he hollered out to his father and his stepmother and they came down. He told the witness to give the boy the axe, calling out at the top of his voice. He the witness, said, "No, I won't give the boy the axe. Where did you get it? You know I asked you several times for the axe and you said you didn't know where it was, and if it wasn't mine I wouldn't say it was." The neighbors heard the noise in the cellar and Patrick Brady came down, and he, the witness, said, "Brady, ain't that my axe?" and Brady said, "Yes," and the defendant put his hand in his pocket and Mrs. Horn said, "Give the boy that axe," and then she attacked the witness's wife, and he went to pull Mrs. Horn away from his wife, and she screamed and Horn stabbed him, the witness, in the head, and said, "You son of a bitch, I will cut the heart out of you." His, the witness's wife, was in the family way, and he told her to go up out of the cellar and get out of the trouble, and then Horn made another attempt to cut him, and his wife received the blow on her left arm. His, the witness's wound was dressed in the station house. He, the witness, struck the defendant

several times then and they clinched and fell down and then the neighbors separated them. He, the witness, did not see a knife, but he felt a cut.

Under Cross Examination, the witness testified that he was a laboring man and drove a cart for Anderson & sons, builders. He had been employed by them for two years at two dollars a day. He, the witness, had not been drinking that day. He did not attack the defendant with the axe, and he did not kick him. He did not knock the defendant's tooth out, but he did strike his fist against the tooth.

P A T R I C K B R A D Y testified that when he went down into the cellar he heard Mrs. Horn saying to Mrs. Shephard, "I will knock that young one out of you, you so and so." He, the witness, said, "You ought to be ashamed of yourself to talk that way to a woman. Shephard asked him, the witness, if he had ever seen that axe before, and he, the witness, said, "Yes, I will swear it is your axe; you and I tied the copper wire around it." Then Horn said, "I will cut the heart out of you; you have nothing to do with the case," and he, the witness, said, "No, you won't; I will swear that that is Shephard's axe. I borrowed it several times." Then Horn pulled a

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knife with his left hand and changed it from his left to his right hand, and he said to Shephard, "I will cut the heart out of you," and Mrs. Shephard saw the knife and so did the witness, and she ran to save her husband, and then the defendant made an attempt to strike Shephard with the knife and stabbed the complainant in the arm. Neither the complainant nor her husband were intoxicated.

Under Cross Examination, the witness testified that the only part that he took in the fight was that he identified the axe, and that when he saw Mrs. Shephard's arm bleeding he went and got a piece of rag to tie around her arm. He did not strike or kick or in any way assault the defendant.

OFFICER JOHN KENNEDY testified that he was going through 51st Street at about eight o'clock in the evening of the 2d of ~~xxx~~ April, when he heard screams, and he ran over to the house where the assault took place, and saw the Shephards and the Horns on the stairway of the cellar. He arrested all hands and took them to the station house. The men were locked up and the complainant was sent to the hospital. He locked up Brady, the witness, as well as the others, because



0396

9

he wouldn't, and as he was going upstairs he met his, the defendant's wife coming down, and Shephard caught hold of her and dragged her into the cellar. He, the defendant, turned back to separate them, and the first thing he knew Shephard gave him a blow in the teeth. He couldn't tell what Shephard hit him with, but he lost some of his teeth and he was knocked down, and Brady and Shephard kicked him. Shephard sat down on him, and he couldn't tell what happened. He was knocked senseless, and then when he got up he went upstairs and the first thing he knew he was arrested. He was kicked in the head and about the body. He did not cut either the complainant or her husband. They might have been cut by the hook on his badge which he had been accustomed to wear as a junkman. He also carried a long stemmed pipe down in the cellar. He lost his badge and his pipe was broken in the cellar.

K A T E H O R N, the defendant's wife, corroborated her husband.

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0397

Police Court—4 District.

City and County } ss.:  
of New York,

Mary Shepard.  
of No. 557 West 51<sup>st</sup> Street, aged 32 years,

occupation Housekeeper being duly sworn

deposes and says, that on 2<sup>nd</sup> day of April 1889 at the City of New

York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by John Horn  
who cut and stabbed de-  
ponent on the arm with  
the blade of a knife which  
he then held in his hand

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

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

Sworn before me, this 2<sup>nd</sup> day of April 1889. Mary Shepard  
mark.

Police Justice.

0398

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

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

Dated *April 3* 188 *8*, *Mag Omer* 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.

0399

21  
Police Court---

496  
District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

Mary Shephard.  
557 West 57 St  
John Horn

Officer  
Solomon Cross

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated April 3, 1889

Power Magistrate.

Kennedy Officer.

22 Precinct.

Witnesses Patrick Brady

No. 557 - W - 57 St Street.

Thomas Shephard

No. 557 - W - 57 St Street.

Then being no formal ex-

amination, the prisoners ex-

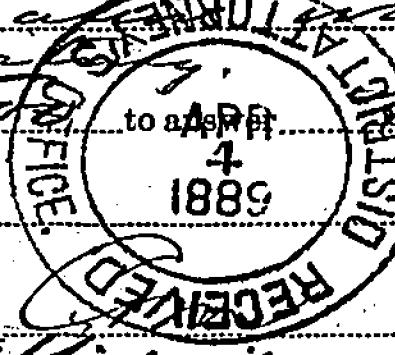
amination, the prisoners ex-

in writing.

to appear

See Affidavit against Horn

on oath of Thos Shephard.



0400

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

John Horn

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

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

The said

John Horn  
late of the City of New York, in the County of New York aforesaid, on the  
second day of April in the year of our Lord

one thousand eight hundred and eighty-nine, with force and arms, at the City and  
County aforesaid, in and upon the body of one Mary Sheppard  
in the peace of the said People then and there being, feloniously did make an assault,  
and here the said Mary Sheppard  
with a certain knife

which the said

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

with intent

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

SECOND COUNT—

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

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

The said

John Horn  
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 Mary Sheppard

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

Mary Sheppard  
with a certain knife

which the said

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



0401

THIRD COUNT—

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

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

The said

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

with a certain

which

in

the said

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

of

the said

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

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.

0402

**BOX:**

350

**FOLDER:**

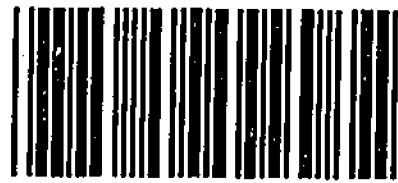
3295

**DESCRIPTION:**

Hubschman, John

**DATE:**

04/16/89



3295

Witness:

*Hugh Martin*

Counsel,

Filed, 16 day of April 1889

Pleads, May 17

THE PEOPLE,

vs.

VIOLETION OF EXCISE LAW  
(Keeping Open on Sunday.)  
[III Rev. Stat. (7th Edition), Page 1889, Sec. 8.]

*B*  
*John Rubachman*

*et al*

JOHN R. FELLOWS.

District Attorney.

A True Bill.

*R. M. Morley*  
Foreman.

241.

0403

0404

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*John Hubbschman*

The Grand Jury of the City and County of New York, by this indictment,  
accuse *John Hubbschman*  
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 *John Hubbschman*  
late of the City of New York, in the County of New York aforesaid, on the  
*twentieth* day of *January* in the year of our Lord one  
thousand eight hundred and eighty-*nine*, 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 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.

JOHN R. FELLOWS,

*District Attorney.*



0405

**BOX:**

350

**FOLDER:**

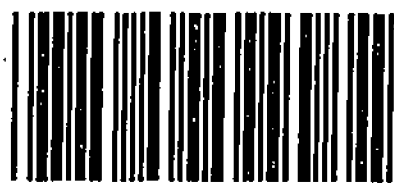
3295

**DESCRIPTION:**

Huenecke, Henry

**DATE:**

04/12/89



3295

0406

Selling on Sunday.

Counsel,

Filed

day of

1889

Pleads

THE PEOPLE,

vs.

Henry Haenecke

Transferred to the Court of Sessions for trial and final disposition

Part 2. Nov. 29, 1893

FILED

VIOLATION OF EXCISE LAW  
(Selling on Sunday, Etc.)  
[III Rev. Stat. (7th Edition), page 1883, Sec. 21 and  
page 1889, Sec. 6.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

A. M. Morby  
Foreman.

WITNESSES:

J. P. Nugent

#186

0407

**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 Huenecke*

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

*Henry Huenecke*  
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

*Henry Huenecke*

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

*Peter Nugent*

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

*Henry Huenecke*

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

*Henry Huenecke*

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.

**JOHN R. FELLOWS,**

District Attorney.

0408

**BOX:**

350

**FOLDER:**

3295

**DESCRIPTION:**

Hughes, Michael

**DATE:**

04/24/89



3295



0409

**BOX:**

350

**FOLDER:**

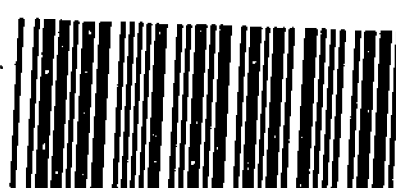
3295

**DESCRIPTION:**

Maloney, John

**DATE:**

04/24/89



3295

**Witnesses:**

Witnesses: 

Patricia J. Jolley

In consequence of doct's

with he is permitted  
to stand in his place

W. D. L. 1st. I plead to

Y.A. 2-  
May 21/89

**Counsel,**

Filed 24

Pleads:

day of *April* 1889

Pleads, Wagmiller-W-

THE PEOPLE

7

21

Michael Hughes

Mr. W. H. W. W. W.

John Maloney

Robbery, *degree*, [Sections 224 and 228, Penal Code].

JOHN R. FELLOWS,

P2 Day, 13/87

Both plead BLS d. 29.  
R. H. W. / June 22/91

**A True Bill!**

12.11.

*P. W. Murphy*  
Foreman

P. 2 May 24/88.

no, please! 6/2 20

Mr. Henry 2nd

112 nurse of 187

10

0410

0411

Police Court--15 District.CITY AND COUNTY }  
OF NEW YORK, } ssHenry Hodgesof No. 3 James Street, Aged 43 YearsOccupation Confectioner, being duly sworn, deposes and says, that on the13 day of April 1889, at the 4 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:

Good and lawful money of the United  
States of the value of about thirty  
cents~~of the value of~~~~DOLLARS,~~the property of Deponentand 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 MichaelHughes and John Maloney (both  
now here) who were in company with  
each other and acting in concert  
for the reason that about the hour  
of ten o'clock on the night of said  
day deponent was on James Street  
and deponent had said money in  
the change pocket of the overcoat then  
worn on his person and part of his  
bodily clothing. That the defendants  
Hughes came behind deponent and  
seized violent hold of deponent's  
body and held deponent and that

day of

Sworn to before me, this

188

Police Justice.

0412

while being so held the defendant  
Maloney violently and without deponent's  
will and consent, inserted his Maloney's  
hand into said pocket and took, stole  
and carried away said money.

Sworn to before me  
this 14th April 1889

Harry Hodges

John J. Curran  
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 1889  
Police Justice.

I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1889  
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 1889  
Police Justice.

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

Offence—ROBBERY.

ss.

1  
2  
3  
4

Dated 1889

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.



0413

Sec. 198—200.

First District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK }

John Maloney being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is his right to  
make a statement in relation to the charge against him; that the statement is designed to  
enable him if he 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 Maloney

Question. How old are you?

Answer. 14 years

Question. Where were you born?

Answer. New York City

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

Answer. 42. Catherine Street, about three years

Question. What is your business or profession?

Answer. Printer

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

Answer.

I am not guilty of the charge  
John Maloney  
his mark

Taken before me this

14

day of August

1889

Police Justice

0414

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

First District Police Court.

Michael Hughes being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is his right to  
make a statement in relation to the charge against him; that the statement is designed to  
enable him if he 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. Michael Hughes

Question. How old are you?

Answer. 16 years

Question. Where were you born?

Answer. New York (state)

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

Answer. 16 1/2 Hamilton Str., about two years

Question. What is your business or profession?

Answer. Pin-tuner

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

Answer. I am not guilty of the charge  
Michael Hughes

Taken before me this

14<sup>th</sup>

day of April 1889

John J. McNamee Police Justice

0415

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

Dated April 14<sup>th</sup> 188 9 Wm. J. Kenna 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.

0416

Police Court--- *568* District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Henry Hodges*  
*S. James*  
1. *Michael Hughes*  
2. *John Maloney*  
3. \_\_\_\_\_  
4. \_\_\_\_\_

*Robbery*  
Offence

BAILED,

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

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

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

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

Dated *April 14<sup>th</sup>* 188*9*

*Gorman* Magistrate.

*Farmey* Officer.

*4<sup>th</sup>* Precinct.

Witnesses *Thomas White*

No. *3 James* Street.  
*Daniel H. Ding*  
*S. James*

No. *Henry S. Johnson* Street.

*100 E 23<sup>rd</sup>*  
No. \_\_\_\_\_ Street.  
\$ *5.00*



*Committed*



0417

Police Court--- <sup>111 568</sup> District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Henry Hodges*  
*S. Jamb*  
1 *Michael Hughes*  
2 *John Maloney*  
3  
4

Offence *Robbery*

BAILED,

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

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

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

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

Dated *April 14<sup>th</sup>* 188*9*

*Gorman* Magistrate.

*Farmey* Officer.  
*4<sup>th</sup>* Precinct.

Witnesses *Thomas White*

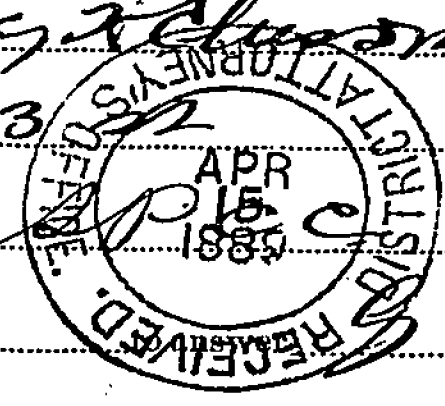
No. *3 James* Street.  
*Daniel H. Ding*  
*3 James*

No. *Henry Thompson* Street.

*100 E 23*

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

\$ *5.00*



*Committed*

0418

TORN PAGE

At a Court of General Sessions of the Peace,  
holden in and for the City and County of New York, at the  
City Hall of the said City, on Monday  
the thirteenth day of May in the year  
of our Lord One Thousand Eight Hundred and eighty nine.

PRESENT,

The Honorable Randolph B. Martin }  
Judge of the said Court of the City of New York. } Justice of the  
Sessions.

THE PEOPLE OF THE STATE OF  
NEW YORK

against

John Maloney }  
On conviction by Confession of Grand Larceny  
in the first degree, goods  
of Henry Hodges.

The Court being satisfied by sufficient proof that the  
said John Maloney is fourteen years of age,  
Whereupon it is ORDERED and ADJUDGED by the Court, that the  
said

John Maloney

for the felony aforesaid, whereof he is convicted, be sent to the  
New York Catholic Protective  
~~HOUSE OF REFUGE~~, there to be dealt with according to Law.

A true Extract from the Minutes.

J. M.

Sec 713 Penal Code

0419

May 4<sup>th</sup> 1889  
21.340  
J. J. General Sessions of the Peace.

THE PEOPLE  
OF THE STATE OF NEW YORK

against

John Maloney

May 13<sup>th</sup> 1889.

COPY OF SENTENCE TO

HOUSE OF REFUGE.

New York Catholic Protection

New York, 13<sup>th</sup> V 1889

I hereby certify, pursuant to Section 3, Chapter 633, Laws of 1886, that I have this day examined, at the request of the Officers of the N. Y. Catholic Protection,

John Maloney

a.....male child, age 1 1/2 yrs. That such child is.....apparently suffering with Diphtheria, Scarlet Fever, Measles, Whooping Cough, or any contagious or infectious Disease, especially of the Eyes or Skin, which might be communicated to the other inmates of the Institution. That the physical condition of the child is as follows:

Encephalitis Inoculosa  
Cathart

That the mental condition of the child is as follows:

Low

That there is the presence of.....hereditary or other constitutional Disease.

And also.....deformity or abnormal condition, which I find upon examination to exist.

D. J. Kelly M. D.

I order the discharge of the within child from strict quarantine from the other inmates of the Institution, pursuant to Section 4, Chapter 633, Laws of 1886, and certify that such child has remained in quarantine from

day of.....188 ; the date of its discharge therefrom.

M. D.

Jr



At a Court of General Sessions of the Peace,  
 holden in and for the City and County of New York, at the  
 City Hall of the said City, on Monday  
 the thirteenth day of May in the year  
 of our Lord One Thousand Eight Hundred and eighty nine.

PRESENT,

The Honorable Rudolph B. Martin }  
 Judge of the said Court of the City of New York. }  
 Justice of the  
 Sessions.

THE PEOPLE OF THE STATE OF  
NEW YORK

against

Michael Hughes }  
 On conviction by Confession of Grand Larceny  
 in the first degree, goods to, of  
 Henry Dodge.

The Court being satisfied by sufficient proof that the  
 said Michael Hughes is fifteen years of age.  
 Whereupon it is ORDERED and ADJUDGED by the Court, that the  
 said

Michael Hughes  
 for the felony aforesaid, whereof he is convicted, be sent to the  
 HOUSE OF REFUGE, there to be dealt with according to Law.



0421

20599 4 Jun

H. H. General Sessions of the Peace.

THE PEOPLE

OF THE STATE OF NEW YORK

against

Michael Hughes

May 13<sup>th</sup> 1889.

COPY OF SENTENCE TO

**HOUSE OF REFUGE.**

This boy has been twice committed to the House of Refuge before this.

The record shows his age to be 17 years in June next. He is therefore returned to Court for other disposition.

My 17/89, Isaac S. Brown, Jr.

0422

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Michael Hughes  
and John Maloney

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

Michael Hughes and John Maloney

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

The said Michael Hughes and John Maloney, both

late of the City of New York, in the County of New York aforesaid, on the thirteenth day of April, in the year of our Lord one thousand eight hundred and eighty-nine, in the light-time of the said day, at the City and County aforesaid, with force and arms, in and upon one Henry Hodges, in the peace of the said People, then and there being, feloniously did make an assault, and one silver coin of the United States of America, of the kind called a quarter-dollar, of the value of twenty-five cents, three silver coins of the United States of America, of the kind called dimes, of the value of ten cents each, five nickel coins of the United States of America of the kind called five-cent-pieces, of the value of five cents each, and ten coins of the United States of America, of the kind called cents, of the value of one cent each,

of the goods, chattels and personal property of the said Henry Hodges, from the person of the said Henry Hodges, against the will, and by violence to the person of the said Henry Hodges, then and there violently and feloniously did rob, steal, take and carry away, Michael Hughes and John Maloney, 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.

John R. Callahan,  
District Attorney

0423

**BOX:**

350

**FOLDER:**

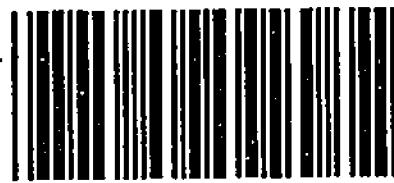
3295

**DESCRIPTION:**

Hurson, Beruard

**DATE:**

04/23/89



3295



0424

Counsel,  
Filed 23 day of April 1889  
Pleads *Not Guilty*

THE PEOPLE,

vs.

**VIOLATION OF EXCISE LAW**  
(Selling on Sunday, Etc.)  
[Ill. Rev. Stat. (7th Edition), Page 1883, Sec. 21 and  
page 1889, Sec. 5.]

*Bernard Hurson*

*May 1/93*  
Grant this Court of Special  
Pardon for trial, by request  
of Counsel for Defendant.

*64743 DV*

JOHN R. FELLOWS,

*District Attorney.*

**A True Bill.**

*C. A. McHenry*  
Foreman.

*C. J. McHenry*

*358*

WITNESSES:

*C. J. Dorian*



0425

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Bernard Hurson*

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

The said

*Bernard Hurson*

late of the City of New York, in the County of New York aforesaid, on the  
*third* day of *March* in the year of our Lord one  
thousand eight hundred and eighty-*nine*, 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

*Thomas Dolan*

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

*Bernard Hurson*

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

*Bernard Hurson*

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.

**JOHN R. FELLOWS,**

District Attorney.