

0329

BOX:

350

FOLDER:

3295

DESCRIPTION:

Hirschfeld, Henry

DATE:

04/11/89



3295

0330

Bullard

Counsel,

Filed 11 day of April 1889

Pleads *Guilty*

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1988, Sec. 21 and
page 1989, Sec. 6.]

THE PEOPLE,

vs.

B

Nevy Birchfeld

159 Burlington St.

JOHN R. FELLOWS,

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

Part of *Self* Bill... 188 G.

J. M. Barry
For exam.

#169

WITNESSES:

Off Mess

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

Witnesses:

Alia Lipka
N. C. Lewis
off. Clerk

I. Bell, Esq.
2. Frank

Counsel,

Filed

Day of *April* 188*9*

Pleads,

Chryz July 19

Grand Larceny *3rd* degree
[Sections 528, 53 & 57 Penal Code].

THE PEOPLE

vs.

William J. Hobbs
and
David Moses

John R. Fellows
District Attorney.

A True Bill

A. M. Murphy
Foreman.
John R. Fellows
D. C. S. D.
W. J. Sentence
#172. Esq. 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 1889 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

(heretofore) 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 1889 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 } Betia E. Fisher
this 2nd day of April 1884 }
and Over

Police Justice

Dated 1884 Police Justice

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

There being no sufficient cause to believe the within named

Dated 1884 Police Justice

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated 1884 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, OFFENCE—LARCENY. THE PEOPLE, &c., on the complaint of. Dated 1884 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.

21st Pennin^g 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 *3rd*
day of *April* 188*9*

Laurence Clarkson

[Signature]
Police Justice.

0338

Sec. 198-200.

of District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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 117th 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 informed that James Moses on the hundred and nine tenth street ^{at about 12 o'clock.} he asked me to go down town with him, which I did, when I got to 34th 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 h^{is} right to
make a statement in relation to the charge against h^{im}; that the statement is designed to
enable h^{im} if he see fit to answer the charge and explain the facts alleged against h^{im}
that he is at liberty to waive making a statement, and that h^{is} waiver cannot be used
against h^{im} 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. New York.*

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 Hobby
to pawn, I stole the person
book from the complainants
room, the said Hobby was
with me at the time.*

David Morse

Taken before me this

day of *June*

188

[Signature]
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~~
~~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*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

20
Police Court--- 495 District

THE PEOPLE, &c.
ON THE COMPLAINT OF

Celia Lipscher
310 East 116 St
Mr J. Hobby
David Moore

James J. Lane
Officer

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

3. _____
4. _____

Dated *April 3* 1889
Law Magistrate.
Blarson Officer.
21 Precinct.

Witnesses *Officer*

No. _____ Street.
Hill C. Lewis

No. *63* _____ Street.
W. W. Allen

No. _____ Street.

\$ _____
to answer
Committed
to bail



0342

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 4 DISTRICT.

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

that on the 2 day of April 1889

at the City of New York, in the County of New York, he arrested
he arrested William Hobby
and David Moses (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 Clason

Sworn to before me this

of

188

day

at

in

the

County

of

New

York

City

of

New

York

City

of

New

York

City

of

New

York

City

of

New

York

Police Justice,

0343

20)
Police Court 4 District.

THE PEOPLE, & c.
ON THE COMPLAINT OF

vs.

Wm. Stoby
David Moses

AFFIDAVIT.
Lacey

\$1000 for
Ex. 9th
April 4.

Dated April 9 1889

Power Magistrate.

____ Officer.

Witness
Marheim Cohen
611-3 Ave

Disposition, _____

84

0344

Mr Justice Cowing
Warrin

Permit me to ask your
consideration in the case of
Aaron Henriquez, to be tried 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. H. H. H. H.

Minister Spiritual & Temporal
Congregation - New York City

27 West 15
April 4. 89

0346

Mr Joff
W. L. L.

I will be pleased to
to ask your consideration for
Acron services, to be his name for
petit larceny. He falls in with
in years of respectable family, practically
blind for he lost an eye under operation
and the other is to be operated on for cataract.
Of course he is conscious of the
degree, 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 West 16th St.
Cot. S.
89

Yr. respectfully
W. L. L.
Minister Daniel F. Talbot
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

0351

Police Court— District.

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

of No. 106 Hester Street, aged _____ years,
occupation Housekeeper being duly sworn

deposes 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 the 1st floor
and which was occupied by deponent as her private apartments
and in which there was at the time a human being, to wit deponent
Otto Miller

were **BURGLARIOUSLY** entered by means of forcibly forcing a
rear window open and entering
the said apartments

on the 11 day of April 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 Dollars

as the property of deponent's person in her 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 secured
fasten and this deponent was informed
by Otto Miller one of her boarders that
about the hour of three o'clock on
on the aforesaid date he was awoken
and found the defendant in the
said apartments and seized

0352

Sold off him and claimed his arrested
Department therefore charges the said
Hoffman with Burglariously breaking
and entering her apartments with
the intent to steal the within mentioned
property

SWORN TO BEFORE ME

THIS 14 DAY OF April 1889

To J. C. [Signature]

POLICE JUSTICE.

Mrs Jennie Olson

Dated _____ 1889 Police Justice.

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

There being no sufficient cause to believe the within named

Dated _____ 1889 Police Justice.

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

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
_____ vs.
1 _____
2 _____
3 _____
4 _____

Offence—BURGLARY.

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.

206 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 Apr 1889

Otto Miller

Ed. J. ...
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
H.H.

Taken before me this
day of *April* 188*8*
John W. [Signature]
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...

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* 188*9* *John J. ...* 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 3 District 563

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Owen
106th Hester St
Henry Hoffman

Offence *Burglary*

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 *April 11* 1889

Samuel Kelly Magistrate.

Owen Gallagher Officer.

Witnesses _____ Precinct. _____

Owen Gallagher

No. *11* Precinct _____ Street.

Otto Miller

No. *106* Hester _____ Street.

No. _____ Street.

\$ *1500* to answer _____



Committed

0357

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 H. H. H. H.

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

Henry H. H. H. H.

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

The said *Henry H. H. H. H.*,

late of the *South* — Ward of the City of New York, in the County of New York aforesaid, on the *seventh* day of *April*, in the year of our Lord one thousand eight hundred and eighty-*nine*, with force and arms, about the hour of *three* o'clock in the *night* time of the same day, at the Ward, City and County aforesaid, the dwelling house of one *Jane Brown*,

there situate, feloniously and burglariously did break into and enter, there being then and there some human being, to wit: *The said Jane Brown.*

within [the said dwelling house, with intent to commit some crime therein, to wit: the goods chattels and personal property of the said *Jane Brown.*

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away;

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

John R. Kellom,
Attorney

0358

BOX:

350

FOLDER:

3295

DESCRIPTION:

Hoffman, Hugo

DATE:

04/24/89



3295

0359

WITNESSES:

D. Clagney
C. Camerich
PA

LB

Counsel,

Filed 24 day of April 1889

Pleads

H. Hoffmann

THE PEOPLE,

vs.

Hugo Hoffman

1613
C. Camerich

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

JOHN R. FELLOWS,

District Attorney

May 13/89 MRS.

A True Bill.

Forehan.

W. H. Forehan
J. H. Forehan
J. H. Forehan
J. H. Forehan
J. H. Forehan

0360

Sec. 198, 200.

5 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Hugo Hoffman 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. *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. *I am not guilty of the charge and I demand a trial by jury to be 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.....

August 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* *[Signature]* Police Justice.

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

Dated *April 1* 188 *9* *[Signature]* Police Justice.

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

Dated..... 188 Police Justice.

0362

Police Court--- 515 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

David Cagney

vs. Hugo Hoffman

~~James Hoffman~~

Dated April 1st 1889

Magistrate. Officer. Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ to answer



James Hoffman

Magistrate.

Officer.

Precinct.

Street.

Street.

Street.

to answer

Boston

Street.

Street.

Street.

Street.

Street.

Street.

BAILABLE, 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. SHARRETT, M. D.

1626 - 1ST AVENUE,

337 E. 81ST STREET, N. Y.

May 7, 89

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

J. Sharrett

0364

Excise Violation-Selling on Sunday.

POLICE COURT- 5 DISTRICT,

City and County } ss.
of New York,

of No. 1013 Avenue B Street

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 31 day
of March 1888 in the City of New York, in the County of New York,

at premises No. 1013 Avenue B Street,

Augo Hoffman (now here)
did then and there SELL, CAUSE, SUFFER and ^{to deponent} permit to be sold, and GIVEN AWAY under his
direction or authority strong and spirituous liquors, ^{to the whiskey} ~~wine, ale and beer~~, being intoxicating liquors,
to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

WHEREFORE, deponent prays that said Augo Hoffman
may be arrested and dealt with according to law.

Sworn to before me, this 1st day of April 1888

David E. Cagney
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

0367

Witnesses:

M. M. M. M.

Counsel,
Filed, *23* day of *April*, 188*9*
Pleads, *Atty. Gen.*

THE PEOPLE,

vs.

B
Mary Holiday

vs.
106. 4. 69

MISDEMEANOR.
(SERVING OLEOMARGARINE AS FOOD, &c.)
[Chap. 183, Laws of 1883, (as amended by Chap. 698, Laws of 1887, § 1), § 27.]

JOHN R. FELLOWS,
RANDOLPH B. MARINE,

P 2 Apr 27 89
peas & gins
District Attorney.

A True Bill *judgt. proceeds*

C. M. Kirby
Foreman.

70366

0368

STATE OF NEW-YORK.

CITY OF New York }
COUNTY OF New York } S.S.:

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 ^{his} 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 21st 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 ^{his} 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 ^{his} 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 ^{his} 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 21st, 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 9th day of April, 1889.
J. J. [Signature]
Police JUSTICE.

William W. Meeteer

0369

Police Court
Court of S.D. District
County of New York

THE PEOPLE, &C.

vs.

Mary Holliday

Affiant:

William H. Meeten

288 GREENWICH ST.
NEW YORK CITY.

Witnesses:

Jim S. O'Brien

Residence, 288 GREENWICH STREET,
NEW YORK CITY.

Residence Joseph F. Sullivan

6 Harmon St.

Residence

0370

Sec. 108-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *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*8*

10

Police Justice.

A. Williams

0371

OFFICIAL CHEMIST
TO THE
N. Y. MERCANTILE EXCHANGE.

Office and Laboratory
JOSEPH F. GEISLER, Ph. C., F.C.S.
Analytical and Consulting Chemist,

New Series, No. 2320

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 21st 1889, from S. O. Brien
received from Mr. William H. Mactear
on March 21st, 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,

Joseph F. Geisler
Chemist.

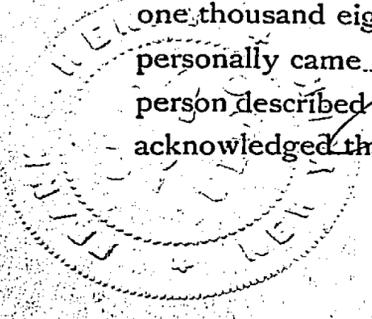
Dated March 26th, 1889.

New York

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

On the 30th day of March, in the year
one thousand eight hundred and eighty nine, before me, the subscriber
personally came Joseph 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^d 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 21st day of March

1889 at the City of New York, in the County of New York, one Mary H. Friday 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 manufactured 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^d 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 9th day of April 1889.

J. J. [Signature] POLICE JUSTICE.

0373

140 P.M. 38. W. N. S. Restaurants - 8. Yes 156. 40. Avenue

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

156-7

Police Court 2^d District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF
 William M. Meeter
 vs.
 Mary Arcliday
 156 Fourth Avenue
 N. Y. City

Warrant-General.

Dated April 9 1889

James Wilbur Magistrate

Ramsey M. Campbell Officer.
 The Defendant, Mary Arcliday
 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 1889 J. Phillips Police Justice.

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

Dated April 10 1889 J. Phillips 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

Police Court--- 543 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

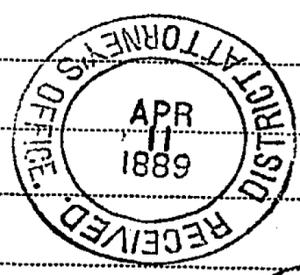
Wm H Meeten
288 Greenwich St
Mary Halliday

Offence Adultery
of for

2
3
4

Dated April 10 1889
Kilbreth Magistrate.
Romus Campbell Officer.
Court Precinct.

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



\$ 300 to answer JS

Bailed also Restaurant

BAILED,
No. 1, by James Curick
Residence 292 Madison Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

0376

Petition for Hab. Corp.

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

To the Presidency Justice of the Supreme Court

The Petition of Jacob Selig shows that

1st. That your petitioner ^{Mary Miller} is imprisoned or restrained in his liberty in Blackwells 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 17th day of April 1889, the said Mary Miller was arrested by a police officer brought before the Hon. F. G. Duffy, a Police Justice in the City of New York and committed to the Workhouse at Blackwells 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

wherefore your Petitioner prays that a writ of Habeas Corpus issue directed to the Warden or Superintendent of the Workhouse at Blackwells Island

commanding him to ^{body of the} produce the said Mary Miller in the Court Room of the Court of Oyer and Terminer on the 26th day of April 1889 at 10 1/2 o'clock in the forenoon of said day

Dated the 24th day of April 18 89

Jacob Selig

Jacob Selig

being duly sworn, doth depose and say, that the facts set forth in the above petition, subscribed by him are true.

Sworn before me, this 24th day

of April 18 89

George Repper
Notary Public
et cetera

Jacob Selig

0377

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

Petition for Hab. Corpus.

W. G. Cochran
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

NAK

Counsel,
Filed 9 day of April 1889
Pleads, Arrogancy

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
Arria + convicted Asslt 3rd
with Acem to marry
A TRUE BILL.

J. M. [Signature]
Foreman.

Geo. [Signature]

No. 54

Witnesses:

May Shepard
Thomas Shepard
Edw. [Signature]
Geo. Kennedy

0381

Police Court— H District.

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

Thomas Shephard,
of No. 557 West 57th Street, aged 40 years,
occupation hairier being duly sworn
deposes and says, that on the 2nd 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 Kern) who cut and struck
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 3rd day }
of April 1889. }

Thos Shephard

Edw Owen Police Justice.

0382

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

H District Police Court.

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

Question. What is your name?

Answer. *John Horn.*

Question. How old are you?

Answer. *53 years.*

Question. Where were you born?

Answer. *Ireland.*

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

Answer. *557 West 57th Street, S. No.*

Question. What is your business or profession?

Answer. *Junk dealer.*

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

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

Taken before me this

day of

188

Police Justice.

Apr 1888
J. J. Benson

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..... *ed & Co* 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

27
496
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas Shephard

vs.
1 *John Stone*
2
3
4

John Stone
Accault

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
John Stone Magistrate.

Kennedy Officer.
22 Precinct.

Witnesses *Patrick Brady*
No. *557-1157* Street.

Mary Shephard
No. *557* Street.



No. _____ Street.

\$ *100* to answer *by*

Com

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 Horu

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

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

The said

John Horu

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~~^{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 *him* the said *Thomas Sheppard*
with a certain *knife*

which the said *John Horu*
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

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

The said

John Horu

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 *him* the said
Thomas Sheppard
with a certain *knife*

which the said *John Horu*
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 a certain

knife

which

in

he the said John Horn
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.

0387

Witnesses:

Mr. Shepherd
May Shepherd

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

Paul P. April 15 1889
Wm. Weaver
deputy clerk

7

NOR

Counsel, *J. G. Boyd* 188
Filed
Pleads, *Guilty*

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

THE PEOPLE

vs.

P

John Horn

JOHN R. FELLOWS,
Apr 15 1889 District Attorney.
Indictment returned

A True Bill.

J. M. May
Foreman.

No 85

0388

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

0389

COURT OF GENERAL SESSIONS.

-----X	:
The People	:
v.	:
John Horn,	:
Indictment filed <i>April 8, 1889</i>	:
Indicted for Assault in	:
the first degree.	:
-----X	:

Tried April 15th, 1889, before
The Hon. Henry A. Gildersleeve
and a Jury.

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

MARY SHEPHARD, 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

0391

3

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

0392

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 ~~wikxxxxxxj~~ 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

0393

5

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

0394

6

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 Shephards axe. I borrowed it several times." Then Horn pulled a

0395

7

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.

0397

Police Court— 4 District.

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

of No. 557 West 51st Street, aged 32 years,

occupation Housekeeper being duly sworn

deposes and says, that on 2nd 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 deponent 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 2nd day of April 1889. Mary her Shepherd
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*, *Ray 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.

0399

21 496
Police Court--- District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

Mary Shephard.
657 West 57 St
John Horn

Officer
Thomas Cross

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 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.

There being no formal ex-

amination, the prisoners ex-

amination was not held

in writing.

\$ 50 to appear



See Affidavit against Horn on oath of Mrs. 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 Horu

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 Horu
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 ~~beat~~ the said *Mary Sheppard* with a certain *knife*

which the said

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

The said

John Horu
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 ~~beat~~ the said *Mary Sheppard* with a certain *knife*

which the said

John Horu
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

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

Mary Sheppard in the peace of the said People then

and there being, feloniously did wilfully and wrongfully make another assault, and

her the said Mary 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 arm

of her the said Mary 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 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

0403

Witness:
Hugh Martin

Counsel,
Filed, 16 day of April 1889
Pleads, *Magically 17*

THE PEOPLE,
vs.
B
John Dubochman
Magically

VIOLATION OF EXCISE LAW
(Keeping Open on Sunday.)
(III Rev. Stat. (7th Edition), Page 1889, Sec. 5.)

JOHN R. FELLOWS.
District Attorney.

A True Bill.

R. M. Moody
Foreman.

241.

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 Hubschman

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

accuse

John Hubschman
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 Hubschman
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

1889

12 day of *April*
Pleads *Intently*

THE PEOPLE,

vs.

B
Henry Humeck

Transferred to the Court of Sessions for trial and final disposition

Part 2. S.N. 29. 1893

F.R. H. H. H. H. H.

VIOLETION 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. Moby
Foreman.

#186

WITNESSES:

J. P. Nugent

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

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*, 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

0410

Counsel,

Filed 24 day of April 1889

Pleads, *Not guilty - w.*

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

THE PEOPLE

vs.

Michael Hughes
John Maloney

JOHN R. FELLOWS,

District Attorney.

P. 2 May 13/89

With plea 321 d y
Book No 1 - Henry of Ref
" 2 - ~~Henry of Ref~~
A TRUE BILL

RBM

J. W. Kirby
Foreman.

P. 2 May 2/89

in 1 Mile and 1/2
Mr. Henry 2 1/2 miles
" 2 horse of Ref

RBM

411

Witnesses

A. H. [unclear]

Edw. J. James

In consequence of doct
with he is permitted
to withdraw his plea
of 224. 1st. & plead to
224. 2d. RBM,
May 21/89

04111

Police Court-- 15 District.

CITY AND COUNTY }
OF NEW YORK, } 88

Henry Hodges

of No. 3 James Street, Aged 43 Years

Occupation Confectioner, being duly sworn, deposes and says, that on the

13 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 Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away, by force and violence as aforesaid by

Michael Hughes and John Malmsey (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 violently 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 deponents
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 Hodget

John 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 _____

vs.

1 _____
2 _____
3 _____
4 _____

Dated 1889 _____

Magistrate. _____

Officer. _____

Clerk. _____

Witnesses, _____
No. _____ Street, _____

No. _____ Street, _____

No. _____ Street, _____

\$ _____ to answer General Sessions.

Offence—ROBBERY.

0413

Sec. 198-200.

First District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

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 *April*

188*9*

Thomas J. ...
Police Justice.

0414

Sec. 198-200.

First District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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. Painter

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

Answer. I am not guilty of the charge
Michael Hughes

Taken before me this

14 1889

day of April

John J. ... 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 14th 188 9 Wm. J. Kinnear 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
3. James
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 14th* 188*9*
Gorman Magistrate.
Forney Officer.
4th Precinct.

Witnesses *Thomas White*
No. *3 James* Street.
Daniel H. Ding
3 James
No. *Avery & Clarkson* Street.
100 E 23rd
No. _____ Street.
\$ *5.00*



Committed

0417

Police Court--- ⁵⁶⁸ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry Hodges
3 James
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 14th* 1889

Gorman Magistrate.

Farmey Officer.
H⁵ Precinct.

Witnesses *Thomas White*

No. *3 James* Street.

Daniel H. Ding
3 James

No. *Henry Johnson* Street.

100 E 23rd

No. _____ Street.

\$ *5.00*



Committed

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 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

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 C.

0419

New York, 13. 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 PROTECTORY,

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:

Good. Has measles
Catarrh

That the mental condition of the child is as follows:

Idiot

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

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

..... M. D.

J. J.

May 24 1889
21. General Sessions of the Peace.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Maloney
May 13th 1889.

COPY OF SENTENCE TO

HOUSE OF REFUGE.

New York Catholic Protectory

At a Court of General Sessions of the Peace,
held 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 }
Henry Dodge. }
On conviction by Confession of Grand Larceny
in the first degree, goods to, of

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

21. N. General Sessions of the Peace.

THE PEOPLE

OF THE STATE OF NEW YORK

against

Michael Hughes

May 13th 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 17th 89. Max Seymour

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 Madoney

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

Michael Hughes and John Madoney

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

The said Michael Hughes and John Madoney,

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 night 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, 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 Madoney, 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. Kellogg
District Attorney

0423

BOX:

350

FOLDER:

3295

DESCRIPTION:

Hurson, Beruard

DATE:

04/23/89



3295

0424

Counsel,
Filed 23 day of April 1889
Pleads *Chattel*

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[Ill. Rev. Stat. (7th Edition), Page 188, Sec. 21 and
page 189, Sec. 5.]

THE PEOPLE,
vs.

B
Bernard Hurson

May 1/93
Examined by Special
Examining for trial, by request
of (Comptroller for Defendant)

W. H. J. D. N.

JOHN R. FELLOWS,
District Attorney.

A True Bill.

C. A. McHenry
Foreman.

W. H. J. D. N.

358

WITNESSES:
W. H. J. D. N.

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.