

0008

BOX:

444

FOLDER:

4088

DESCRIPTION:

Haley, Dennis L.

DATE:

07/27/91



4088

0009

Witnesses:

As I am of opinion that
the value of the property
herein mentioned will
be under \$2500 dollars
I recommend the acceptance
of a Plea of Petit Larceny
by W. A. Nicoll
J. 19, W. A. Nicoll, Atty

Mr. J. B. Nicoll
37039 4th Mo

Counsel,
Filed 27 day of July 1891
Pleas, Not Guilty

THE PEOPLE

vs.

Dennis L. Haley

[Sections 528, 534 — Penal Code.]
Grand Larceny
Second Degree.

DE LANCEY NICOLL,
District Attorney.

A True Bill.

Michael J. Low
Foreman.
Jury 7/19/91
City Prison 30 days.

0010

Police Court

District.

Affidavit—Larceny.

City and County } ss:
of New York,

Richard H. Williams

of No. 242 West 95th Street, aged 50 years,
 occupation Harness Maker being duly sworn,
 deposes and says, that on the 15th day of July 1891 at the City of New York,
 in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in
 the day time, the following property, viz:

One overcoat of the
 value of ten dollars, two vests of the
 value of seven dollars, a silk
 umbrella of the value of five dollars
 and other property all of the
 value of thirty dollars

\$ 30

the property of Deponent and members of his
 family, and then in deponent's charge

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 Dennis L. Haley, now here, for
 the reason that said property was stolen
 from deponent's premises on said
 date while deponent and his family
 were absent, and deponent is informed
 by Mrs. Rebecca Craig now here, who
 is deponent's neighbor, that on said
 date the defendants obtained from
 her the keys to deponent's rooms, and
 assistance to enter said premises for the
 reason that ~~she~~ pretended to be a
 friend of deponent and that he
 would await deponent's return; that
 the defendant and another man
 not arrested then removed said property
 and the said Mrs. Craig saw defendant
 then removing property from deponent's room

Richard H. Williams

Sworn to before me this

1891

Police Justice.

0011

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 37 years, occupation Housewife of No. 242 West 35th

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

Sworn to before me, this 21st day of July 1890 Mrs Craig

John S Kelly
Police Justice.

00 12

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

2 District Police Court.

Dennis L Healey 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.

Dennis L Healey

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

New York

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

Answer.

246 West 38 Street - 14 years

Question. What is your business or profession?

Answer.

Clerk

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 -
Dennis L Healey

When before me this

21

1891

Shirley Kelly

Police Justice.

00 13

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

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

the City Prison, of the City of New York, until he give such bail.
Dated July 21 1891 John S. [Signature] Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

00 14

178
Police Court---

253
District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Richard W. Williams
242 West 35
Dennis L. Healey

2

3

4

Officer

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated

July 21 189*1*

Magistrate.

Officer.

Precinct.

Witnesses

No. *242 West 35* Street.

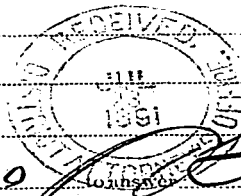
No.

Street.

No.

Street.

\$ *1,000*



[Signature]
[Signature]
9/22

00 15

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Dennis L. Haley

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *Dennis L. Haley*

of the CRIME OF GRAND LARCENY in the *second* degree committed as follows:

The said

Dennis L. Haley

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

*one overcoat of the value of ten
dollars, two vests of the value of
three dollars and fifty cents each
one umbrella of the value of
five dollars, and divers other goods,
chattels and personal property (a more
particular description whereof is to the
Grand Jury aforesaid unknown) of the
value of ten dollars*

of the goods, chattels and personal property of one *Richard W. Williams*

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

*De Lancey Nicoll,
District Attorney.*

00 16

BOX:

444

FOLDER:

4088

DESCRIPTION:

Hall, Albert

DATE:

07/16/91



4088

0017

No. 98
Wm. Langford

Counsel,

Filed

16 day of

July 1889

Pleads,

for Exclusion

THE PEOPLE

vs.

Albert Hall

Grand Larceny, Second Degree.
(From the Person.)
[Sections 528, 534 Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Nicholas J. Fort

Foreman

Sept 16/91

2:30 P.M. at S. L. & C. Aug

Pen one up

Witnesses;

0018

Police Court

7 District.

Affidavit—Larceny.

City and County } ss:
of New York,

of No.

391 West 17th

Jennie Shea

Street, aged

31

years,

occupation

Keep House

being duly sworn,

deposes and says, that on the

6

day of

July

1891

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

the following time, the following property, viz:

One purse containing gold and
lawful money of the United
States of the amount and value
of about ³⁰forty 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

Robert Hall, from Mrs. Shea
from the fact that at about the hour
of 7:30 o'clock P.M. on said date, deponent
was in an exercise yard with the foot
of great 2d St. Then the purse containing
the said money was in the pocket of
deponent's dress. Then deponent felt a
hand in her pocket and saw the defend-
ant withdraw his hand from the said
pocket and run away, and the property
was gone. Deponent immediately charged
the defendant with arrest and charge him
with feloniously taking, stealing and
carrying away the said property and for so
that he be held and dealt with as the law
directs

Jennie Shea

Sworn to before me this

of

July

1891

day

Police Justice

0019

Sec. 198—200.

CITY AND COUNTY OF NEW YORK ss.

District Police Court.

Albert Hall 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.

Albert Hall

Question. How old are you?

Answer.

Thyumsa

Question. Where were you born?

Answer.

England

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

Answer.

6254 West 35th St. 8 months

Question. What is your business or profession?

Answer.

Agent

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

Albert Hall.

Taken before me this
day of July 1900

Police Justice.

0020

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 *Twenty* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.
Dated *July 7* 18 *91* *[Signature]* Police Justice.

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

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

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

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

0021

Police Court District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

Jennie Shea
Albion Hall

2
3
4

Handwritten signature

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated July 7 1891

Magistrate.

Officer.

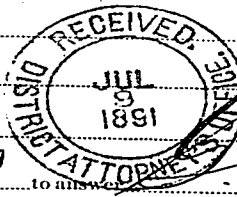
Witnesses Timothy Shea

No. 370 West 29 Street.

No. Street.

No. Street.

\$ 2000 to answer



Can file answer

0022

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Albert Hall

The Grand Jury of the City and County of New York, by this indictment accuse
Albert Hall
of the CRIME OF GRAND LARCENY in the *Second* degree, committed as follows:

The said

Albert Hall

late of the City of New York, in the County of New York aforesaid, on the *sixth*
day of *July* in the year of our Lord one thousand eight hundred and
~~eighty-ninety-one~~, in the *day* time of the said day, at the City and County
aforesaid, with force and arms, *one purse of the value of fifty cents,*

\$5.30

one promissory note for the payment of money, of the kind commonly called United
States Treasury Notes, of the denomination and value of *five* dollar; *one*
promissory note for the payment of money of the kind commonly called Bank Notes, of the de-
nomination and value of *five* dollar; *one* United States Gold Certificate,
of the denomination and value of *five* dollar; *one* United States
Silver Certificate, of the denomination and value of *five* dollar

two promissory notes for the payment of money of the kind commonly called United
States Treasury Notes, of the denomination and value of *two* dollar each; *two*
promissory notes for the payment of money of the kind commonly called Bank Notes, of the de-
nomination and value of *two* dollar each; *two* United States Gold Certificates,
of the denomination and value of *two* dollar each; *two* United States
Silver Certificates, of the denomination and value of *two* dollar each

three promissory notes for the payment of money, of the kind commonly called United
States Treasury Notes, of the denomination and value of *one* dollar each; *three*
promissory notes for the payment of money of the kind commonly called Bank Notes, of the de-
nomination and value of *one* dollar each; *three* United States Gold Certificates,
of the denomination and value of *one* dollar each; *three* United States
Silver Certificates, of the denomination and value of *one* dollar each;
divers coins, of a number, kind and denomination to the
Grand Jury aforesaid unknown, of the value of five dollars and thirty cents

of the goods, chattels and personal property of one *Jennie Shea*
on the person of the said *Jennie Shea*
then and there being found, from the person of the said *Jennie Shea*
then and there feloniously, did steal, take and carry away, against the form of the statute in such
case made and provided, and against the peace of the People of the State of New York, and their
dignity.

De Lancey Nicoll,
District Attorney.

0023

BOX:

444

FOLDER:

4088

DESCRIPTION:

Harriott, Harry W.

DATE:

07/21/91



4088

0024

Witnesses:

Peck given a
Chenac smale
Mentulles &
Refused to do so
Subscribed
F. Campbell 10/20

371
James P. Bond
Counsel, Peckham,
Filed 21 day of Decr, 1891
Plends. M. J. Bond
999

28 THE PEOPLE
Peckham, vs. P.
Emprass.
Harry W. Harvitt
Approved 11/30/92
J. R. Fellows

(MISAPPROPRIATION
Sections 528, 53 / of the Penal Code)

District Attorney

24th Nov 1892
Oct. 20/92

A True Bill.

Nicholas J. Cord
Jury 2 - Oct. 5, 1892 Foreman
Reads Guilty

0025

District Attorney's Office,
City and County of New York.

City and County } ss.
of New York, }

of No. 373 Sixth Ave Benjamin T. Schmaus Street, aged 38 years,
occupation Manager being duly sworn, deposes and says,
that on the 19th ~~24th~~ day of November ~~December~~ 1889, at the City of New
York, in the County of New York,

the following described property, to wit:
one diamond ring of the value of ^{two} ~~three~~
hundred and eighty dollars and two other
rings of the value of nine dollars each, was
stolen from the jewelry store of William Moir,
by whom deponent is employed as manager.
Deponent charges that said property was
stolen by one Harry W. Harriott from the fact
that said Harriott was employed in said
store as an engraver and said property was
given to him ^{by deponent} on said day for the purpose of
engraving certain names on ~~sanderson~~ thereon.
On the following day said Harriott disappeared,
taking with him, as deponent believes, said
property, as no trace could be found of said
property after it had been given into his
custody.

Sworn to before me }
This 21st day of July, 1891.

B. T. Schmaus

justification
comor seeds
city to every

0026

138

DISTRICT ATTORNEY'S OFFICE.
City and County of New York.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Benjamin F. Schenck

vs.
Harry W. Harriott

Offence: Grand Larceny
second degree

Dated July 21st 1891

Witnesses, Off. Alonzo

No. 60 Street,

No. Street,

No. Street,

0027

N.Y. Oct. 14/92

Dear Father.

They have had the case postponed until next Friday. Meier's head man was in to see me & says that Power promised restitution. He says that the Recorder says restitution's first & last money afterwards & says he will give me the full dose if none is made. If he can put it off indefinitely until it is done.

I do not see why Power promised that but having done so, ^{we} have raised the deuce & caused a deadlock again.

If I could have got at Tom Booth in Providence I could have made him give me the ring for what it cost him \$60.00 & saved what has been thrown away. It makes me sick to think of so much money being used for nothing at all. Schumaker (the head man)

0028

says he has written to Powers and received no answer. Moor has been talking to Recmon. Smythe Prof of course will have a great deal of influence in the case. I do not understand why Powers should have been so slow as to think they would accept promises. I tried that in Providence. (L.G.)

It begins to look as if it would have
a bottled-up story here in a way.
I wish I had known what Power was
going to do ^{and} I would have told him
I had no chance for making restitution
and the infernal business would have
been settled. I do not know what to
do now.

10
H. C. C. C.

Agnes

the α -value and β -value

0029

POOR QUALITY
ORIGINAL

No. 2 410
GRAND JURY ROOM.

PEOPLE

vs.

NA

Henry W. H. Smith

Registration on Grand

jury

of the

County of

San Francisco

State of California

March 26/92

John W. Smith

0030

COUNTY OF NEW YORK, ss.

In the Name of the People of the State of New York, To any Sheriff, Constable,
Marshal or Policeman in this State, GREETING:

An indictment having been found on the 21st day of July

1891, in the Court of General Sessions of the Peace of the County of New York,
charging Harry W. Harriott

with the crime of Grand larceny in the second degree

You are therefore Commanded forthwith to arrest the above named Harry W. Harriott
and bring him before that Court to answer the indictment; or
if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the City
Prison of the City of New York.

New York City, the 21st day of July 1891

By order of the Court,

John Sparks
Clerk of Court.

0031

New York General Sessions of the Peace.

THE PEOPLE
OF THE STATE OF NEW YORK,
against

Harry W. Harriott

BENCH WARRANT FOR FELONY.

Issued

July 21st 1891

The officer executing this process will make
his return to the Court forthwith.

0032

WILLIAM MOIR,
 Watches, Diamonds,
 Jewelry and Silverware,
 MASONIC JEWELRY,
 873 SIXTH AVE., COR. 23D ST.,
 NEW YORK.

Oct 14 1892

James L Powers.
 Dear Sir

I saw Mr Harriott at the toms today, I wished to learn what restitution he had to offer, he says he is powerless to do anything without outside assistance.

Mr Moir saw Recorder Smythe yesterday & the Recorder told him sentence would be deferred one week in order to allow you & Mr Harriott sr. to offer restitution, for if there is no restitution the full sentence will be given (5 yrs).

Please drop a line what you propose to do - the diamond ring is in providence it is our property & if paid for it belongs to you & should be demanded from Mr Booth.

An early reply requested Very truly
 W. L. Schindler
 for Wm Moir

0033

WILLIAM MOIR,
 Watches, Diamonds,
 Jewelry and Silverware,
 MASONIC JEWELRY,
 873 SIXTH AVE., COR. 23D ST.,
 NEW YORK.

Oct 10 th 18.

Jas L Powers
 Dear Sir,

In reference to Mr Harriett's case what
 will he do since he plead guilty? in
 your remarks to Recorder Smythe
 you mention restitution either goods
 returned or equivalent in cash.

I have learned from Mr Moir since I
 saw of a similar case in this city
 of a party by name of Dubois, had
 stolen valuable jewelry, who, when
 brought before the court plead guilty,
 Mr Moir became interested & for his
 own satisfaction interviewed the
 Recorder to ascertain what mercy
 would be shown if the thief plead
 guilty & offered restitution, the
 Recorder replied he believed in
 "restitution first & mercy afterward"
 In your remarks to the Recorder
 you said Mr Harriett would return
 our goods or equivalent in cash
 stating also where the rings were at

0034

WILLIAM MOIR,
Watches, Diamonds,
Jewelry and Silverware,
MASONIC JEWELRY,
373 SIXTH AVE., COR. 23D ST.,
NEW YORK.

II

the present time. I think it a most ¹⁸
favorable opportunity to offer
such restitution to the Rec
in your affidavit to be
presented Friday, next

Very Truly,

W. J. Schmauck Mgr
for the group

0035

Boston, Oct. 17, 1892.

Hon. Frederick Smith,

Recorder of New York.

Dear Sir:--

I inclose here letters from New York by which it seems that the persons at that end of the case are determined to misunderstand me.

After John Harriott, the father of the prisoner, had sent money enough to Mr. West, the prisoner's Atty. at Providence, to satisfy all losers, he asked me to go to N. Y. to find out and reveal the name of the present holder of the stolen property and have the prisoner plead guilty.

By these letters I am charged with making promises which were unauthorized and that were never made by me.

Mr. Booth of Providence is financially responsible. He bought the pawn ticket of the goods from the prisoner for ten dollars and paid fifty dollars more called for by the ticket. Mr. Moir, the owner, has the evidence of this. Mr. John Harriott has always performed his duty toward his son and declines to pay for goods stolen by him while drunk.

Mr. Harriott respectfully asks that his son be punished at Elmyra in the belief that it will be best for him, and as well for society.

Very Respectfully Yours,

James L. Powers
Atty. at Law
61 Court St.
Boston.

0036

Commonwealth of Massachusetts.
Suffolk, ss. Clerk's Office of
SUPERIOR COURT.

I, Jos A Willard of Boston, in said County, duly
elected, qualified and sworn as clerk of the Superior Court, for and within said County and Commonwealth, dwelling
in Boston in said County, said Court being a Court of record with a seal which is hereto affixed, the records and
seal of which Court I have the custody, do herein and hereby, in the performance of my duty as said Clerk, certify
and attest that Everett M. Marshall before whom the annexed affidavit,
proof or acknowledgment was taken and subscribed, is a Justice of the Peace for and within

said Commonwealth, duly appointed, commissioned, qualified, sworn and authorized
by the laws of said Commonwealth to act as such; and also duly authorized by the
laws of said Commonwealth to take affidavits and certify proofs of acknowledgments
of deeds of conveyances for lands, tenements, hereditaments, lying and being in said
Commonwealth; that he was at the time of taking the affidavit, proof or acknowledg-
ment, hereto annexed, such Justice of the Peace that due faith
and credit are and ought to be given to his official acts; that I am well acquainted
with his signature and handwriting, and I verily believe that the signature to the said
affidavit, proof or acknowledgment is genuine, and further, that the annexed instru-
ment is executed and acknowledged according to the laws of said Commonwealth.

Witness my hand and the seal of said Court, at Boston, in said County and Com-
monwealth, this 7th day of October
A. D. 1892

Jos A Willard
Clerk.

Justice of the Peace

I, John Harriott, on oath say that I am fifty-three years of age and am by trade a manufacturing jeweller and engraver, and that I have my place of business at No. 433 Washington St., Boston, Massachusetts. I have lived in Boston 27 years and have been engaged in said business on said street all that time. I am the father of Horace W. Harriott who has pleaded guilty to the crime of grand larceny in the second degree in the Court of Sessions in the City, County and State of New York, under the name of Henry Harriott.

My said son is twenty-eight years of age, and has up to the date of the commission of this crime borne a good moral character. He was in my employ until he was twenty-four years old and resided with me, and his conduct was good and honorable. I believe the cause of my said son's downfall to be the intemperate use of liquor and bad companions acquired after he left me.

I have visited my son in jail at Providence, R. I., several times and found him to be penitent and a fit subject for leniency. I know of no other crime committed by my son except that which is already known to the Honorable Court.

As soon as my son shall be free I shall take him home and into my employment again, and I respectfully ask that the Court send him to the state institution at ^{the} Elira, New York.

John Harriott

Suffolk. ss.

Boston, October 7, 1892.

Personally appeared John Harriott
before me and made oath to the
truth of the foregoing statements subscribed
by him

Everett W. Marshall
Justice of the Peace

0038

I, James L. Powers, Attorney at Law, of Malden in the County of Middlesex and Commonwealth of Massachusetts, having a usual place of business in Boston, on oath say that I have known Horace W. Harriott who did on Oct. 5, 1892, plead guilty to grand larceny in the second degree in the Court of Sessions, New York, under the name of Henry Harriott, fourteen years.

Up to the time of the date of the commission of said crime he has borne a good reputation and I never knew of his being suspected of dishonesty of any sort.

I have been counsel for John Harriott, the prisoner's father, in civil matters during said period and the prisoner was in the employ of this father until about four years ago, and he lived with his father. When the prisoner shall be free he will be brought home to his father's house, where he is expected to remain.

James L. Powers

Suffolk, ss.

Oct. 7, 1892.

Subscribed and sworn to
before me

Everett M. Marshall
Justice of the Peace.

0039

Gen. Sessions

The People's

vs

Hammond

Apparatus

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Harry W. Harriott

The Grand Jury of the City and County of New York, by this indictment, accuse
Harry W. Harriott
of the CRIME OF *Grand* LARCENY, in the second degree, committed
as follows:

The said

Harry W. Harriott

late of the City of New York, in the County of New York aforesaid, on the
nineteenth day of *November* in the year of our Lord
one thousand eight hundred and *Eighty-nine*, at the City and County aforesaid, being
then and there the clerk and servant of *bailee of one William*
Moir and as such bailee

and as such clerk and servant then and there having in his possession, custody and control
certain moneys, goods, chattels and personal property of the said *William Moir*

the true owner thereof, to wit:

one finger-ring of the
value of two hundred and eighty
dollars and two other finger-rings
of the value of nine dollars each:

the said

Harry W. Harriott

afterwards, to wit:

on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
did feloniously appropriate the said *goods, chattels and personal property*

to his own use, with intent to deprive and defraud the said

William Moir

of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and
personal property of the said *William Moir*

did then and there and thereby feloniously steal, 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.

Second COUNT:—

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

Harry W. Harriatt

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

The said

Harry W. Harriatt

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

*one finger ring of the value
of two hundred and eighty
dollars and two other finger
rings of the value of nine
dollars each*

of the goods, chattels and personal property of one

William Mair

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.

DeLancey Nicoll
District Attorney

0042

BOX:

444

FOLDER:

4088

DESCRIPTION:

Harup, Gotfed

DATE:

07/29/91



4088

Witnesses:

Mark. of the
Prokary Pecm
Left first
Cecum then
H

#206

Counsel,

Filed 29 day of July 1891

Pleads,

THE PEOPLE

vs.

Gotfed Harup

Grand Larceny. Second Degree. [Sections 528, 531 Penal Code]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Richard J. Call

Foreman

July 30, 1891
Pleads G. L. 2 dy
Alman Ref Dr

0044

Police Court

District.

Affidavit—Larceny.

City and County } ss:
of New York,

of No. 1866 - 3rd Avenue Street, aged 32 years,
 occupation liquor dealer being duly sworn,
 deposes and says, that on the 25 day of July 1897 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:

Good and lawful money
of the United States of
the amount and value
of Ten thousand and fifty-
dollar

the property of Lepore and John
Gardner as co-partners

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 Godfrey Harrop (number
who after time infers of
his rights, admits to having
stolen the said money.

Hugh McWally

Sworn to before me, this

day

189

Police Justice

0045

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Godfrey Harris

Taken before me this

day of

1897

Police Justice.

0046

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

Dated July 26 1891 Police Justice.

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

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

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

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

0047

#206 981
Police Court--- District.

THE PEOPLE, &c
ON THE COMPLAINT OF

Harry M. Kelly
1866-3 Ave
Geoffrey Horns
2
3
4
George Horns

BAILED.

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated *July 26 91* 1891
Reimer Magistrate.

Penley Officer.
Precinct.

Witnesses *Officer*
No. Street.

No. Street.

No. Street.

\$ *Lawyer's Office*
Chen
9 22
Penney



0048

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Gotfred Harup

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

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

The said

Gotfred Harup

200.00
late of the City of New York in the County of New York aforesaid, on the *25th* day of
July in the year of our Lord one thousand eight hundred and ninety- *one*
at the City and County aforesaid, with force and arms, in the *day* - time of said day,
divers promissory notes for the payment of money, being then and there due and unsatisfied (and of
the kind known as United States Treasury Notes), of a number and denomination to the Grand Jury
aforesaid unknown, for the payment of and of the value of *one hundred and twenty-five*
dollars; divers other promissory notes for the payment of money, being then and there due and un-
satisfied (and of the kind known as Bank Notes), of a number and denomination to the Grand Jury
aforesaid unknown, for the payment of and of the value of *one hundred and twenty-five*
dollars; divers United States Silver Certificates, of a number and denomination to the Grand Jury
aforesaid unknown, of the value of *one hundred and twenty-five*
dollars; divers United States Gold Certificates, of a number and denomination to the Grand Jury
aforesaid unknown, of the value of *one hundred and twenty-five*
dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of
the value of *fifty dollars*

of the goods, chattels and personal property of one

Hugh McNally
then and there being found,

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

DE LANCEY NICOLL,

District Attorney.

0049

BOX:

444

FOLDER:

4088

DESCRIPTION:

Harvey, James

DATE:

07/20/91



4088

0050

Witnesses;

Left me away
that he is only
15 years of age
M

Counsel,

Filed

Plends,

20 day of July 1891

St. Louis (20)

THE PEOPLE

vs.

James Harvey

Burglary in the Third degree.

[Section 498, sec. 528 & 529]

DE LANCEY W.

JOHN R. FELLOWS

District Attorney.

A True Bill.

Subscribed & sworn
July 24, 1891
Phredo P. I.
P.C. P. I.
29

0051

Police Court— 6 District.City and County } ss.:
of New York,of No. 421 Willis Avenue Street, aged 36 years,
occupation Saloon being duly sworndeposes and says, that the premises No 421 Willis Avenue Street,
in the City and County aforesaid, the said being a three story Brick Buildingand which was occupied by deponent as a Saloon
and in which there was ^{was} at the time a human being, by ~~name~~were BURGLARIOUSLY entered by means of forcibly bursting open
two doors and entering therein with
intent to commit a crimeon the 5th day of July 1891 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:gold and silver money of the amount,
and value of five dollars - and a quantity
of cigars and whiskey of the value
of thirteen dollars in all of the
value of eighteen dollarsthe property of deponent
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away byJames Harvey (one true)for the reasons following, to wit: that since the commission of
said offense the said defendant admitted
and confessed to deponent that he did
enter said premises as aforesaid and feloniously
take and carry away said propertyThomas LynchSum before me this
5 day of July 1891
Charles J. Devine, Notary Public

0052

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

6 District Police Court.

James Harvey 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. *James Harvey*

Question. How old are you?

Answer. *17 years -*

Question. Where were you born?

Answer. *New York*

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

Answer. *554 E 149th St! 1 year*

Question. What is your business or profession?

Answer. *Helper*

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

Answer. *I am guilty of the charge*
his
James & Harvey
mark

Taken before me this

12

day of

July 1891

Charles J. Deane

Police Justice.

0053

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

Dated July 12th 1891 Charles McIntire Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0054

#1146 909
Police Court--- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Thomas Lynch
421- Ellis Ave
James Hanner

Office *Burglar*

Dated

July 12th 1891

Sanctuary Magistrate.

Thomas Bernie Officer.

33 35th Precinct.

Witnesses

Said Officer

No.

Street.

No.

Street.

No.

Street.

\$

10.00 to answer *B.S.*

Come
Burglar
P.S.

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

James Harvey

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

James Harvey

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

The said

James Harvey

late of the *Twenty-third* Ward of the City of New York, in the County of New York
aforesaid, on the *fifth* day of *July* in the year of our Lord one
thousand eight hundred and *ninety-one*, with force and arms, in the
night - time of the same day, at the Ward, City and County aforesaid, ~~the~~
~~dwelling house of one~~ *a certain building, to wit:*

the saloon of one Thomas Lynch

there situate, feloniously and burglariously did break into and enter, with intent to
commit some crime therein, to wit: with intent, the goods, chattels and personal property
of the said *Thomas Lynch*

saloon 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.

SECOND COUNT—

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

James Harvey
 of the CRIME OF *Petit* LARCENY _____, committed as follows:

The said

James Harvey

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

the sum of five
dollars in money, lawful money
of the United States, and of the
value of five dollars, one hundred
sevens of the value of five cents
each, and two gallons of whiskey
of the value of two dollars each
gallon

of the goods, chattels and personal property of one

Thomas Lynch

in the ~~dwelling house~~ *saloon* of the said

Thomas Lynch

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

He Lancy Nicols
District Attorney

0057

BOX:

444

FOLDER:

4088

DESCRIPTION:

Heidenheim, Charles

DATE:

07/22/91



4088

Witness:

The value herein of the
alleged good offices
to me to me not over
\$25.00 and I recommend
the acceptance of a plea
of not guilty
Wendrop Gym
Aug 11/91 H. A. Wentz

100-156

Counsel, *A. H. Boney*
Filed *22* day of *July* 1891
Pleads, *Not Guilty (23)*

THE PEOPLE

vs.

I

Charles Haden Kern

Grand Larceny 1st Degree.
[Sections 528, 531, 534, Penal Code.]

DE LANCEY NICOLL,
District Attorney.

A True Bill.

Indydas L. Ford
Aug 11/91
Foreman.
City Prison 30 days.

0059

Police Court

District.

Affidavit—Larceny.

City and County } ss:
of New York,

Harris Bernstein

of No. 713 Broadway Street, aged _____ years,
 occupation Wholesale Clothier being duly sworn,
 deposes and says, that on the 14 day of July 189 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 quantity of clothing of the
 value of about thirty five dollars
 \$35.00

the property of Deponent and his co-defendant

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 Charles Beidenheim, born

here, from the fact that on said date the
 defendant came to deponent and told
 deponent that he was going on the road
 to sell goods and asked deponent for some
 samples. That deponent gave him the
 said property and the defendant told
 deponent that he, defendant, had sent
 the goods to Boston. That on the 17 day
 of July the defendant came to deponent and
 tried to get more goods and told deponent
 that the said property which deponent
 gave defendant on the said date, were in
 Boston. That deponent telegraphed
 to Boston to where defendant said he

Subscribed and sworn to before me, this

189

day

Police Justice

left the said property and received goods from Boston, from the firm of J. Bennett & Co., saying that they, Bennett & Co. never received any goods from the defendant. Defendant has asked the defendant in some way and the defendant has not done so. and charge the defendant with feloniously taking, stealing, and carrying away the said property and prays that the defendant be held and dealt with as the law directs.

Snow before me & sworn
this 17th day of July 1891

John S. Kelly
Police Justice

0061

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK }

Charles Heidenheim 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. *Charles Heidenheim*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *43 Columbia St. 20 years*

Question. What is your business or profession?

Answer. *Student*

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**Charles Heidenheim*

Taken before me this

day of

June 1911

Police Justice.

0062

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

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

Dated *July 7* 18 *91* *John Speck* Police Justice.

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

Dated..... 18 Police Justice.

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

Dated..... 18 Police Justice.

0063

No. 134-936
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Carrie Bernstein
713 Broadway
Charles Friedman

James H. Hare
Officer

2
3
4

Dated *July 17* 189*1*
Kelly Magistrate.

Doyle Officer.
55 Precinct.

Witnesses *Lea Bernstein*

No. *713 Broadway* Street.

A. Littman

No. *73 Maestri* Street.

No. *1000* Street.

\$ *1000*

Wm
\$1,000. Bond July 18: 10 a.m.

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0064

119 East 65th Street.

Wednesday, Aug 11, 1881

Mr. Rufus H. Manning

My Sir,

My dear Sir
 I beg to say a word in
 favor of Thomas Gordon Lewis who
 I learn is to be sentenced by
 you this morning. The boy and
 his family have been parishioners
 of mine for many years and I
 can truly speak of them only
 in terms of the highest praise.

The boy in particular is a hard
 working and an honest fellow and
 perhaps would become a better man
 for such money which lies in
 your power to give. I trust I
 have not trespasses in your privileges

0065

by this note - and that the future
happiness of this boy will be
attributable to your pity & mercy.

Very sincerely yours

James Will
Mother of
Joseph Joseph Nelson

Court of General Sessions

In and for the City of New York

The People

Charles Heidenheim

City of New York, Office of the District Attorney

Moses Bertram

being duly sworn deposes and says that he is the sole manager and superintendent of the fur manufacturing business of C. H. Bertram of No. 101 Broome Street in the City of New York. That on the 15th day of July 1891 a certain man called on this deponent alleging that he was Charles Heidenheim and on such representation and on other references this deponent gave to this said person good wares and merchandise of the value and amounting to the sum of Forty-two hundred dollars. That he has called on the District Attorney of this City to report such theft and that his name was taken as one of the Complainants herein. That subsequently he visited this deponent

at the City Prison in this city and
~~learned~~ saw that he was not the
 same person who received these
 goods from him. That defendant
 feels sure this is an imposition
 on the name of this defendant and
 will be ready at all times to
 testify that this prisoner is not
 the person who defrauded him.
 Sworn before me this

28th day of July 1894.

Wm. H. Little
 J. W. Little
 J. W. Little
 J. W. Little

0068

COURT OF GENERAL SESSIONS,

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE

VS

CHARLES HEIDENHEIM

CITY AND COUNTY OF NEW YORK S.S.

LOUIS ROLANDS, being duly sworn
deposes and says;

That he as an attorney and counsellor at
law, practicing at #234 B'way, in the City of New York.

That he has known the above named defendent for the past
twenty(20) years, and has found him to be an intelligent,
and industrious youth. That he has never, to deponents know-
ledge committed any crime or any act in violation of the laws
of the City of New York.

Deponent feels that said defendent is repentant,
and that he would avail himself of such clemency which this
court might extend to him. The deponent further says that
the past reputation of defendent and defendents family re-
mains so unquestioned as to commend him to the utmost clemen-
cy of the court.

Sworn to before me

this 11th day of Aug. 1891.

Alfred H. [Signature]
Done at New York City

COURT OF GENERAL SESSIONS

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

-----X
THE PEOPLE

vs

CHARLES HEIDENHEIM
-----X

CITY AND COUNTY OF NEW YORK S.S.

R E V. D. L O W E N T H A L, being duly sworn deposes
and says:

That he is the R A B B I of the Congregation
"B N E E S C H O L O M", of the City of New York. That he
has known this defendant for the past six(6) years, and has
been his religious instructor during most of that time. That
he has never heard of any charge of any nature against this
C H A R L E S H E I D E N H E I M, and has always known him
to be an honest and upright youth.

Deponent verily believes that if this court ex-
tends his mercy to this defendant, he would become an up-
right and honest citizen, and that his future career would
be of such a nature as never again to place him within the
jurisdiction of any criminal court in these United States.

Deponent therefore prays this honorable court that
it show mercy and clemency in its sentence of this young man.
SWORN TO BEFORE ME :

THIS 11TH DAY OF AUG. 1891.:

Michael Lowenthal
Deputy of Deed
NYC

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

-----X
THE PEOPLE

VS

CHARLES HEIDENHEIM
-----X

CITY AND COUNTY OF NEW YORK S.S.

L. R. E. WATERS, being duly sworn deposes
and says:

That he is a veterinary surgeon in the City of New York, and has been practicing as such for the past 5 years. That he has known this defendant for nearly two years, and has always found him to be a hard working and industrious young man, and therefore recommends him to the mercy of this court. The deponent knows the defendants family, and has found that this young man has always been a good son.

Deponent therefore prays that this honorable court might extend mercy and leniency to him.

SWORN TO BEFORE ME

THIS 11TH. DAY OF AUG. 1891.:

M. R. E. Waters
James of Leeds
Aug 11

COURT OF GENERAL SESSIONS

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

-----X
THE PEOPLE

VS

CHARLES HEIDENHEIM
-----X

CITY AND COUNTY OF NEW YORK S.S.

MAX A. HERZOG, being duly sworn deposes and says:

That he is a resident of the City, County, and State of New York, and that he has known this defendant for the past ten(10) years. That in all his relations and connections with him, this defendant has proven himself an honest and industrious young man, and deponent feels that he would never deviate from the righteous path, if this honorable court would extend him some leniency and mercy in this matter.

SWORN TO BEFORE ME

THIS 11th DAY OF AUG. 1891.:

Max A. Herzog

James of Deeds
NYC

COURT OF GENERAL SESSIONS.

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

-----X
THE PEOPLE

vs

CHARLES HEIDENHEIM
-----X

CITY AND COUNTY OF NEW YORK S.S.

Maurice B. BLUMENTHAL, being duly sworn
deposes and says:

That he is an attorney and counsellor at law, practicing at #150 Nassau St., in the City of New York. That he has known this defendant for the past ten(10) years, and can testify to his previous good standing and unimpeachable conduct. That to deponents best knowledge and information this defendant has lead en exemplary life, and it is deponents belief that this defendant would become a better man for such leniency and mercy which might be extended to him by this court.

SWORN TO BEFORE ME

THIS 11TH DAY OF AUG. 1891.:

Max D. Luitman

*County of Deeds
Clerk*

: *Maurice B. Blumenthal*
:

Print of General Sessions

9 x per the City Council

The People

is

Charles W. H. H. H.

depth

0074

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Charles Weidenheim

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

of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said *Charles Weidenheim*,

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

*divers articles of clothing and wearing
apparel, of a number and description
to the Grand Jury aforesaid unknown,
of the value of about five dollars.*

of the goods, chattels and personal property of one *Haris Benaim*.

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

*De Lancey Middle,
District Attorney.*

0075

BOX:

444

FOLDER:

4088

DESCRIPTION:

Heiner, George

DATE:

07/20/91



4088

115.

4115

(30)

Witnesses:

Counsel, *Worcester*
Filed *20* day of *July* 189*1*
Pleads, *Mr. E. L. L. (21)*

THE PEOPLE

9-2-97 vs.

I

George Heiner

Attempt at Rape
[See 278, Penal Code]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Nicholas L. Col
Foreman.

July 24/91
Pleads guilty
2 y 6 mos
W. L. L. (21)

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

THE PEOPLE
VS.
GEORGE HEINER.

BRIEF FOR THE PEOPLE.

STATEMENT OF THE CASE.

THE DEFENDANT, GEORGE HEINER, is indicted for the crime of Rape upon Sophia Beuhler, aged eight years, at the premises, 164 Suffolk Street, and in the water closet of said premises in the yard. The defendant had also, just prior to the foregoing act, attempted the same crime with another child, known as Matilda Manisof, aged five years, after giving her two cents, in another closet in the same yard.

WITNESSES :

Sophia Beuhler,
Barbara Beuhler,
Isaac Manisof,
Dr. Arthur Fishmann.

SOPHIA BEUHLER, aged 8 years, of 164 Suffolk Street, will testify: That, on July 12th, 1891, about 6-30 P. M., she was sitting down on the water closet hole when the defendant entered; that he picked her up, unbuttoned her drawers, set her down on the hole again, got on top of her, and inserted his "thing" into her "thing", hurting her considerably; and that she did not scream because he said "he would give her five cents when he got through". That, after he got through, he got up; that then she got up and went out of the water closet, followed by the defendant; that she, however, turned around, locked the water closet door and then went upstairs to her mamma. That when she got there her mamma was talking to her aunt, so that she did not have any chance to tell her what had happened. That in the meantime, Mrs. Manisof came upstairs and told her mamma what had happened to her (Sophia) in the water closet; and that her mamma went downstairs and had the defendant arrested.

MRS. BARBARA BEUHLER will testify that on the day in question a lady, by the name of Mrs. Manisof, who resides in the same house, stated that a man had been seen coming out of the water closet with her daughter, and also that her son, Isaac Manisof, had seen the man coming out of the water closet with the child; that while this lady was talking, the child came into the room to her; that she immediately ran downstairs into the yard, where Mrs. Manisof pointed out the defendant; and that she (Mrs. Beuhler) grabbed hold of the man and held him until the police officer arrived.

ISAAC MANISOF will testify: That he saw the girl, Sophia Beuhler, coming out of the water closet, followed by the defendant. That he did not take any action at the time, because he did not know anything had happened.

DOCTOR FISHMANN will testify as to the medical examination of the child, Sophia Beuhler.

N. Y. GENERAL SESSIONS

THE PEOPLE

AGAINST

GEORGE HEINER.

Attorney at Law

PENAL CODE, § 100.

BRIEF FOR THE PEOPLE.

N. Y. July 29th 1891

Dear Sir
 I have known George Heine
 since Childhood and I have
 always known him to be
 Honest Sober and Trustworthy
 and I have known his
 folks for Twenty Five
 years and is the support
 of his Widowed Mother.

Respectfully Yours
 Williams

0080

New York July 29/91

To whom it may concern I
have known George Heine for
about 5 years I have known him
to be a honest and peaceable
young man. Steady worker and
the support of his widowed
mother

Trusting that is all
that is required in regards to
his character

Remain Yours Respect-
fully Michael Fuchs 614 E 9th St.

New York July 28th 1891

To whom it may concern
Mr George Heiner
has been employed on my wagon
the last 2 months during which
time he has fulfilled his duties
in a Satisfactory way

John Nick.
511 E 11st,

0082

D. 113
4-91-5000

MEMORANDUM.

FROM
EDISON GENERAL ELECTRIC COMPANY.
Nos. 292-298 AVENUE B,
NEW YORK WORKS.

To *Whom it may concern*

July 25 1891

*Geo. Skinner was under my supervision
for three years as bench hand. I found
him to be an industrious & honest boy.
Respectfully.*

*Foreman
J. Standinger*

0083

DR. A. FISHMANN,

OFFICE HOURS:

7 TO 9 A. M.
1 TO 3 P. M.
6 TO 7.30 P. M.

138 RIVINGTON STREET,

New York, July 12th 1891

This is to testify that Sophie Pider a girl, 8 years of age, living with her parents at No 164 Suffolk St, City, was brought to my office by her mother, accompanied by James Conner a police officer of the eleventh Precinct.

The child said that somebody assaulted her.

I, the undersigned, a duly practicing Physician then made a thorough examination of the said child, and found the symptoms of a recently attempted assault on the genital organs of that child. There is a hyperaemia, and a dilated condition of the soft parts of the genital organs distinctly noticeable, caused by some solid body having been pushed and pressed towards and into the genital organs. There are no symptoms that can

0084

entrance was effectuated, and therefore
there is no injury done that would be
liable to be of serious consequences.

The child is otherwise in good health
and well developed according to its age.

Signed,

W. H. Thompson, M.D.
M.D.

No 144 Divington St.

0085

Police Court, 3 District.City and County } ss.
of New York,

of No. 100 East 23rd Street, aged 29 years,
 occupation Officer being duly sworn, deposes and says,
 that on the 12 day of July 1891, at the City of New
 York, in the County of New York,

George Steiner (now dead),
 did feloniously attempt to
 have sexual intercourse with
 and ravish the person of one
 Sophie Puchler aged 8
 years of No 164 Suffolk
 Street. Dependent is informed
 by said Sophie that at about
 6 P.M. Aelbert of said date
 while she was in the water
 closet in the yard of premises
 No 164 Suffolk Street defendant
 came into said closet and
 took her off of the seat and
 opened her drawers and then
 inserted his penis into her
 private parts, thereby causing
 injury to said Sophie as
 set forth in the Certificate
 hereto attached.

Wherefore dependent
 prays that defendant be
 held to answer and be
 dealt with as the law directs

Sworn to before me
 this 13th day of July 1891
 J. M. Ryan
 Police Justice

Edward Becker

0086

CITY AND COUNTY }
OF NEW YORK, } ss.

Sophie Buchler
aged 8 years, occupation School girl of No.

164 Suffolk Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Edward Becker

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

Sworn to before me, this 23

day of July 1890.

Sophie Buchler

John Pagan
Police Justice.

0087

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss.

District Police Court.

George Herries 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. *George Herries*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *No 620 East 9th St* *Brooklyn*

Question. What is your business or profession?

Answer. *Helper in an Ice wagon*

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

George Herries
mark

Taken before me this

day of

1891

Police Justice.

0088

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

Dated July 13 1891 John R. Ryan Police Justice.

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

Dated 18 Police Justice.

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

Dated 18 Police Justice.

0089

Bail ordered

#115
Police Court--- District. 922

PEOPLE, &c..

ON THE COMPLAINT OF

Edward [illegible]
George [illegible]

Attorney
Rope

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Dated

July 13 91

Magistrate.

Officer.

Precinct.

Witnesses

No.

No.

No.

\$

to answer

2000

Y.S.

See other side

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Fitzgerald Steiner

The Grand Jury of the City and County of New York, by this
Indictment accuse *Fitzgerald Steiner* —

of the crime of *attempting to commit the*
crime of Rape, —
committed as follows:

The said *Fitzgerald Steiner*,

late of the City of New York, in the County of New York, aforesaid, on the
Twelfth day of *July*, in the year of our Lord one thousand
eight hundred and ~~eighty~~ *ninety-one*, at the City and County aforesaid,

in and upon a certain female, not
his wife, to wit: one *Sophie Buehler*,
who was then and there under the
age of sixteen years, to wit: of the
age of eight years, feloniously did
make an assault, and did then and
there wilfully and feloniously attempt
to perpetrate an act of sexual
intercourse with her the said *Sophie*
Buehler, against the form of the
Statute in such case made and
provided, and against the peace

By the People of the State of New
York, and their delegates.

James M. Hill,

~~Attorney~~

0092

BOX:

444

FOLDER:

4088

DESCRIPTION:

Hendrick, Chauncey J.

DATE:

07/08/91



4088

Witnesses;

Counsel, *J. Berkey*

Filed *day of July 1891*

Pleas, *Not Guilty (13)*

THE PEOPLE

vs.

I

Channey J. Hendrick

Edw. M. Neill
JOHN R. FELLOWS

District Attorney.

[Sections 528, 537 of the Penal Code].
(MISAPPROPRIATION.)
Grand Larceny

A True Bill.

Indulgas L. Carr
Foreman.
July 22. 1891
Orick and convicted
G. L. 2 de
H. M. J. M. J. J.
Pr.

0094

State of New York,
City and County of New York,

ss.

Robert H. Spriggs

of No. *216 Thompson* Street, being duly sworn, deposes and says,

that *Chauncy Hedrick* (now present) is the person of the name of

William Hedrick mentioned in deponent's affidavit of the

day of *July* 18*94*, hereunto annexed.

Sworn to before me, this

day of *July* 18*94*

Robert H. Spriggs

[Signature]
POLICE JUSTICE.

0095

Police Court

District.

Affidavit—Larceny.

City and County } ss:
of New York,

of No. 210 Thompson Street, aged 60 years,
 occupation House Painter being duly sworn,
 deposes and says, that on the 23rd day of July, 1898 at the City of New York,
 in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in
 the day time, the following property, viz:

One Good Watch valued
One Hundred and Twenty Dollars
\$ 120.00

the property of

Dr. H. H. Spriggs

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 H. H. Spriggs

from the fact that deponent employed
the defendant as a horse trainer that
as such employs deponent placed
said watch in the care of defendant,
that deponent has requested and
demanding said property from defendant
and that defendant has failed and
refused to give deponent said watch.
Deponent therefore charges the
defendant with having stolen said
property and must have been
arrested and tried to answer

Robert H. Spriggs

Sworn to before me, this

189

Police Justice.

0096

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Chauncey Hedrick 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.

Chauncey Hedrick

Question. How old are you?

Answer.

39 years old

Question. Where were you born?

Answer.

Illinois

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

Answer.

Shipphead Bay, L.I.

Question. What is your business or profession?

Answer.

Fire training

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

C. J. Hedrick

Taken before me this
day of July 189

Police Justice

0097

Sec. 151.

Police Court _____ District. ^{1st}CITY AND COUNTY } ss. *In the name of the People of the State of New York; To the Sheriff of the County*
OF NEW YORK. } *of New York, or any Marshal or Policeman of the City of New York:*

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 Robert A. Sprague
of No. 216 Thompson Street, that on the 23 day of August
1890 at the City of New York, in the County of New York, the following article to wit:

One Gold Watch
of the value of Two Hundred and Seventy Dollars,
the property of Dr. Bonner
was as taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by William Sedrick

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 every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 2nd 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 1st day of July 1891

[Signature]
POLICE JUSTICE.

0098

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

Dated July 18 91 Police Justice.

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

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

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

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

0099

Ex July 2nd 3 PM,

Police Court--- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Robert A. Briggs
216 Thompson
Wm. Hendrick

1

2

3

4

Officer

18

Dated

July 2 1891

Armstrong & Co. Officer.

Precinct.

Witnesses John Brynes

No. 216 Thompson Street.

Benjamin Stanley

No. Conny Island Race Track

No. Street.

\$ 7

RECEIVED JUL 2 1891 DISTRICT CLERK

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

For Defendant
Chauncey Hendrick
Conny Island Race Track

District Attorney's Office,
City & County of
New York.

Wich 17/1884

Chauncey Hedrick was convicted
on July 20th of stealing
a gold watch from Spriggs.
On the trial Spriggs swore he
gave the watch to Kearns
who advanced him money
on it and knew it was stolen
and from whom it was
stolen.

It is stated Kearns admits
the facts above mentioned.
Kearns disposed of the watch,
Spriggs wants Kearns indicted
and can get no satisfaction
in the Police Court. He
asks the Dist. Atty to take
up the case.

Mr. M. J. F. had the case
indigently

0 10 1

OSCAR J. HOCHSTADTER,

Attorney and Counsellor at Law,

34 PARK ROW,

ROOMS 28 AND 29.

NEW YORK.

District Court.

State of New York
City and County of New York.

Robert H. Spriggs being duly sworn says: On or about the 20th day of August 1891. one Chauncey Hedrick was in Part 1. of the Court of General Sessions convicted of Grand Larceny in having stolen one gold stop watch and the property of defendant of the value of Two hundred and seventy dollars. On the trial said Hedrick swore and the Record of said Court shows - that one Neams - who keeps a Saloon at Fortham Jerome Avenue made advances to said Hedrick knowing the property to be not that of said Hedrick but having been stolen from defendant. That said Neams admitted on the witness stand in said proceeding that he knew that said Hedrick was not the owner of the property - but in spite of which he gave him the money. That after the trial of said case and the conviction of the thing a Subpoena duces tecum was issued out of the District Attorney's office to said Neams to produce said property and he was given to until August 24th 1891 to produce the same - which he agreed to do in the presence of Detective Armstrong - but has not done - and defendant avers that said Neams has said stolen property in his possession or under his control - for which he prays that a warrant

for the arrest of said Kearns he issued, and
 deponent asks leave to refer to the records of
 the Court of General Sessions regarding the state-
 ments hereinbefore verified: That the prosecution
 of the case was conducted by Asst Dist Attorney
 McIntyre who as deponent is informed by his
 attorney remembers the facts upon the Trial regard-
 ing the guilty knowledge of said Kearns at
 the time of coming into possession of the
 watch aforementioned. Deponent further
 shows that as he is informed and verily believes
 said Kearns has no property to answer in a
 civil action for the recovery of said chattel -
 and unless compelled to return deponent's
 property deponent will be forever deprived
 of the same.

I now believe me this

21st day of September 1891

W. C. Carpenter

Clerk of Court

1891-1892

Robt. H. Spriggs.

State of New York
City and County of New York:

Oscar Stockholm being
duly sworn says: That he was in court on the
trial of one Chauncey Hedrick for Grand Larceny
before Recorder Smyth in the July term in Part 1 of
the Court of General Sessions of the peace of the city of
New York - That he heard the evidence there given by
the prisoner that was as follows: "I told Keams
at the time of asking for a loan on this property
that it was not mine but belonged to Pop. or to
the old man." That said Keams knew that he Keams
had charge of Spiro's estate and knew that said
Spiro owned the gold watch in question. This
evidence was admitted by Keams who was
called by the People as a witness - and who
upon the conviction of said Hedrick received
a Culpagna Dues Pecunia) to produce said
property & who appeared in court and with the
District Attorney consent (Mr. McIntyre) was given
to August 24th 1891 - ^{to produce said watch} He failed to appear in the
District Attorney's office & now claims that he does
not know where the property is claiming that he
has disposed of the same - That deponent saw
Mr. Bromie the attorney for Mr. Keams on Saturday
September 19th 1891 and was informed by him that
his client was insolvent - had no money - and that
he asked again of him about the return of the
watch. That said Bromie was present at the

Thus Means agreed with the District Attorney to
 produce said property which he has failed to do.
 That a warrant is respectfully asked for under
 the Penal Code - for receiving & holding property
 with guilty knowledge of the fact that it was stolen.

Seem to be for me this

21st day of September 1891

Wm C Carpenter

Camp & Co

Oscar Hochstadt

0106

Police Court—

3rd

District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No.

216 Thompson

Street, aged

years,

occupation

being duly sworn

deposes and says, that on the 30th day of July, 1890 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

One gold stop watch of the value
of five hundred and seventy (270)
Dollars

the property of

him said Robert H. Spriggs

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 one Medier who pledged the same

with one Thomas Reams of Jerome Avenue
Brooklyn, New York, and who has concealed
and secreted the same, although having
had notice of said watch being the
property of this affiant

Robert H. Spriggs

of

Sworn to before me, this

18

day

Police Justice.

Section 530. Penal Code.

A person who buys or receives any stolen property, or any property which has been wrongfully appropriated in such a manner as to constitute larceny according to this chapter, knowing the same to have been so stolen or who corruptly, or conceals withholds or aids in concealing same or appropriated wrongfully is guilty of criminally receiving such property &c.

Intending for percentage for return of stolen property constitutes offence of receiving. *Peo v Willey*. 3 Hill. 194.

Possession not necessary. *State v St Clair*. 17 D. 149. 40 Conn.

The fact that deft, intended to restore property is no ground of defense or mitigation of punishment, if not restored before complaint made to magistrate charging the commission of crime.

District Police Court.

In re Complaint

Robert Briggs

-b-

Thomas Hearn.

Defendants.

I think there ought to be an indictment in this case. The defendant is clearly guilty of receiving stolen goods. I was the agent for the stolen goods disclosed the same that he used the watch in person to Briggs what Briggs knew of an stolen. *Wm. M. Taylor*
March 12, 1892

THE PEOPLE

vs.

CHAUNCEY J. HENDRICK.

COURT OF GENERAL SESSIONS, PART I.

BEFORE RECORDER SMYTH.

Tuesday, July 21, 1891.

Indictment for grand larceny in the second degree.

ROBERT H. SPRIGGS, sworn and examined.

What is your business? I have been running a stable and race horses since 1887, I live 216 Thompson Street, I know the defendant at the bar. I employed him on the 9th of May, 1890 to train my horses; on the 9th of May, 1890, I owned a gold watch, a split second fly back; I had it about two years and paid two hundred and seventy dollars for it; I let the defendant have the watch either in June or July, he had a watch himself, it was a fly back but you could only get the time of one horse with it and he said it was not very accurate, mine was a split second, you could time two horses at one time with it; he said he put a lady on a good thing on that track and she made him a present of that watch, she gave eighty dollars for it and while it was a good time piece it was not a very good timer for horses; he wanted me to take that and use it as I was not timing horse and let him have mine to time the horses by and I let him have it and he used it for some time and afterward I missed it; I asked him what he done with it, he laughed and finally said, "you must not get mad with me, I put it in hock", he meant that he pawned it. He said the stableman next to him told him that a certain horse could not lose and he wanted to borrow some money on it and he lost it---- the boy "sat up" the horse and throwed the race away. He told me he got one hundred dollars on it, I demanded the watch

back but he did not give it to me, I never got it back since; the Defendant said he pawned it with a gentleman who kept a restaurant somewhere near the race track.

CROSS EXAMINED.

Before I moved to 216 Thompson Street I lived in Grand Street between Varick and Sullivan, I did not keep a saloon on Thompson Street. I lived in Grand Street and kept a saloon there. I never saw the defendant in my life to know him until the 9th of last May a year ago. At the time the defendant got my watch he had charge of two of my horses, I was not in Saratoga that season, he carried one horse to Saratoga, I presume he run him in a race because I saw him entered on several occasions; I think the horse was there a couple of months. During the time that she was up there did you ever give him any money to pay for stable hire, feed, etc.? That was not the arrangement, I sent him twenty-five dollars once. The arrangement I had to compensate him was that he was to train my horses and receive twenty-five percent of what the horse won at a race; he was training for another man beside me. He was to feed the horses and I was to bear all the other expenses-- the jockey fees and the entrance money to be paid when you run a horse. He took that mare on his own responsibility to Saratoga because when he proposed to me to go to Saratoga I said, "I have always understood that it is the hardest place on earth to win a race and I am in no condition to send a horse up there, I do not propose to take any chance to lose any money in Saratoga, but if you feel yourself sufficient to take Remembrance I am not afraid to trust you and you can have half what she wins, I will takeno

responsibility." I never sent him any telegrams there but he sent me telegrams, I did not send him the telegram shown me. I do not think I actually missed the watch until he came from Saratoga which was between the last of August and the first of September, it was shortly after the races closed in Saratoga last year. And all the time you carried his watch? No sir, the man that that watch belonged to sent for it and I sent it to him; it belonged to a man in Boston, and the man is in Court that came with Longfellow to get the watch. Who did you give the watch to? I gave it to Stanley in the presence of Longfellow. Longfellow is the defendant? Yes, he is known on the race track as Longfellow. When was this that you gave the other watch back to Stanley? I could not tell you, I never set down no dates, it is four or five months ago. I said to him when he came for the watch ----- Stanley says, "Jacobs took that watch in hock from the man and the man now wants his watch and he will give it to Longfellow and he wants it now." I says, "all right, Stanley I will send the watch home. Chauncey Longfellow was with him; I says, "Longfellow, when are you going to get my watch? I am mighty tired waiting for my watch." He said, "as soon as I can raise some money, my stable is getting in good condition, I will win a race and I will give it to you." Did not he tell you who had the watch? I do not remember, I know he said some gentleman kept a restaurant but I do not remember where it was, near some race track. Do you know Kearns has your watch? No sir, I do not know who had the watch, I do not know a man of the name of Kearns.

0111

Did not he tell you that he left the watch with a man named Kearns who keeps a restaurant on the road to the track at Saratoga and that he got one hundred dollars on it? I could not say that he did, I remember that he told me a gentleman had the watch that kept a restaurant near the race track. I did not know where my watch was. Did not he tell you at the time what he done with the hundred dollars that was loaned to him on the watch? Yes, he told me he bet it and lost it on a horse. Did not he tell you that he paid ^{five} jockey fees amounting to ^{fifty} ~~ten~~ dollars and the rest he paid for hay, feed and for the stabling of the horses? No sir. He had at Saratoga one race horse and one buggy horse, he took them both on his own responsibility, he said he would take them and have somebody back him.

Can you tell us how it was that you did not have him arrested until fourteen months after you gave him the watch?

He was in my employ and had my horses and he kept promising to get the watch and of course I did not want to crush him. I wanted to give him all the chance to live that I could. I would not have done it now in all probability if he had not stolen a horse, he stole a horse from me that I gave a thousand dollars for and sold it for six hundred, that is the reason I did not do it. How long since you gave up that saloon in Grand Street? since Capt. Thompson took charge of that precinct? No sir, I have been there sometime, I sold the house, ground and everything else.

Do you remember since then Capt. Thompson ordered you to leave the precinct? Capt. Thompson never told me to leave.

JOHN BROYLES, sworn and examined.

I live at 216 Thompson Street and train race horses for the old man there, the complainant Spriggs, the last witness. I know the defendant at least ten years, I was present when an arrangement was made by Spriggs to employ the defendant. He was to take his horses just as I turned them loose, I got sick and had a hemorrhage, I was losing blood, it was too much exposure to stay there to attend to them, I had to give the job up; the defendant took them and was to have twenty-five percent of the winnings, just the way I had them. I saw the defendant have a watch belonging to the complainant, I had the same watch, I used it for a couple of months, it was a split second watch; I saw the watch in the possession of the defendant after the old man gave it to him. I heard a conversation between the complainant and the defendant about the watch.

The complainant asked him where it was and he said he would like to have his watch. The defendant said he had pawned it with some man, I did not understand the name of the man and that he would get it as soon as he had money; the complainant said, "I have been waiting long enough and I think you ought to get it being that I returned one that I had that you gave me." The defendant said he got one hundred dollars on the watch. Was anything said about what he had done with the money? Yes, that some boy or another told him about how he could bet on a race and he bet the money on the race and happened to lose; this was about two or three months ago.

CROSS EXAMINED.

This conversation took place in the complainant's house 216 Thompson Street; there was nobody present at that conversation besides me, the old man, and the defendant. I seen Mr. Stanley there other times with him, I have often heard him speak of the watch when nobody was around only me and him. Was not Mr. Stanley there on this occasion? When the old man asked him for the watch he was, when he gave up this watch that the old man had Stanley was there. What do you do now for a living? I had some horses for Mr. Connery in Buffalo, they proved to be of no account and let them break down, got lame and turned them out and since then I have not done anything much only attend a couple of wagon horses for the old man, I am now in his employ. I never heard any talk between the complainant and the defendant about salary. The complainant asked me if I recollected the agreement between the defendant and him; I said I certainly did, I said I would be a witness.

THOMAS KEARNS, sworn and examined.

I live at 169 NINTH Street, and Jerome Avenue; and I am a caterer. I know the defendant for eight or ten years. He pawned a watch with me about twelve months ago, I loaned him a hundred dollars on it and I sold it to get the hundred dollars back, it was a split second gold watch; I gave him the hundred dollars in greenbacks at three different times, fifty dollars at one time and two payments of twenty-five dollars each.. I hardly think he told me what he needed it for. Did not he tell you that he had to pay

some stable boy for riding, I think he told me that previous to that but not at that time. I sold the watch to a man named Knight, I don't know what his other name is, he is around the race track, I told Longfellow about two or three weeks ago when he came to me looking after the watch that I would try and hunt it up and find it for him, I did not hear anything about it since and let it go. The defendant came to me some three weeks ago before his arrest and asked me about the watch; he said he wanted to redeem it and I said I would try and find the man to whom I sold it.

EDWARD J. ARMSTRONG, sworn and examined.

I am sergeant of police connected with the central office, I arrested the defendant on the complaint of Mr. Spriggs at Sheepshead Bay race track. I told the defendant that I was an officer from Inspector Byrnes's office and that I wanted him; I told him what my mission was at the Sheepshead Bay track and that I had a warrant and wanted him to come to New York. He said that he had pawned this watch with a gentleman named Kearns for a hundred dollars.

I asked him what he done with the money and he said that he had to use it for the use of horses, for feed, etc. After I found out who this Kearns was I went up and saw Kearns and he told me that the defendant borrowed money at three different times, that he borrowed fifty dollars the first amount, saying that he had a "cinch". I went there to try to get the watch but did not get it. Did the defendant say anything about having a "cinch"? No.

CHAUNCEY J. HENDRICK, sworn and examined, in his own behalf:

My business is training race horses and I have been doing that for about sixteen years, I am thirty-nine years old, I know Spriggs the complainant. I did not hire out to him for at the time I was training for Jacobs but I was at liberty to take training at a public stable if I liked.

I made an agreement to train horses for Spriggs, I made an agreement with him at his house about ten o'clock one night, no one was present but him and I, the witness Broyles was not there. The complainant spoke to me about taking his race mare; he said that he had heard some people speak about me and he thought he would like me to take her. I told him I guessed I would take her. I told him that I would take the mare for twenty-five percent if he would pay a boy's board and pay for the feeding of the mare and all those expenses. Was anything said about any compensation for you outside the twenty-five percent? Nothing only money to pay for the boy's board and to pay for the feed bill and all that. Did he send you any money all the time you were there? At Saratoga, not a cent. You took the mare up and her name was Remembrance? Yes. Was the other horse a race horse? No sir, I took the buggy horse to Saratoga simply to fatten for him, that was the agreement, he was to pay the bill. As I understand it you were to take this mare and you were to receive for your compensation twenty-five percent of what the mare won? Yes sir.. He was to pay a boy's board and feed the horses? Yes sir, and all other expenses. Did you pay the

feed bill for the buggy horse and for Remembrance? Yes.
 Did Remembrance win any race in Saratoga? No sir. I paid
 the jockey fees for riding Remembrance five times, ten
 dollars each time. The money that you got from Kearns,
 what did you do with it? I paid boys for riding and I paid
 twenty or twenty-five dollars for aboard bill for the boy,
 I was up there two months; I paid for bringing the buggy
 horse down from Saratoga to New York. The complainant
 gave me the watch at his house 218 Thompson Street and at
 the same time I gave him mine. When I came back from Sar-
 atoga I told Spriggs what I did with the watch; he did not
 say anything; only he told me that he wanted me to get it;
 not to lose his watch. I told him I would not and as soon
 as I was able to get hold of a hundred dollars I would get
 it. At this time Spriggs owed me about two hundred dol-
 lars; I kept a memorandum of the expenses at Saratoga.
 They call me Longfellow. The letter now shown me is a
 letter I received from Spriggs in Saratoga. The letter
 was dated July 29, 1890. He never gave me money for my
 expenses, I came back on the 29th of August and told him
 where the watch was.

CROSS EXAMINED.

I got a hundred
 dollars on the watch ---- I got fifty dollars once and
 twenty-five dollars each time after that. Why did you di-
 vide the payments that were made to you on the watch? Be-
 cause boys came to me and some of them were going home and
 wanted the money for riding the mare, I simply went and got
 money enough to pay them, I did not have to pay the feed
 bill until I got ready to go away from Saratoga. I pledged

the watch I guess about the 24th or 25th of August, I took the horse to Saratoga about the first of July. Where did you get the money previous to the 25th of August to maintain the horse? I had Mr. Jacobs horses and he pays his way of course. Where did you get the money to maintain Sprigg's horse before you pledged the watch? I used my own money, I could not tell you exactly how much I spent for Sprigg's horse up to the 24th of August because I got the mare along about the first of May and went to Long Branch, to Guttenburg, to Morris track and Sheepshead, back and forth. Spriggs paid the feed bill at Long Branch on the Monmouth track. I suppose I got money from Spriggs to pay the expenses at guttenburg; I went to Saratoga from Guttenburg. Remembrance did not win any race at Guttenburg or anywhere else, I never won a race with her in my life. I did not take the horse on my own account to Saratoga.

He told me he wanted me to get the buggy horse fat and to drive him around and he would pay the bills; there was no definite arrangement made about Remembrance; the buggy horse was not a stallion, I had charge of a stallion for Spriggs when I first got Remembrance; he gave him to a Dr. McCrow in Brooklyn. I understand the stallion died and the man is dead also to whom the stallion was given..

Remembrance is sold and the man to whom she was sold has her, Mr. Spears, I sold her at Sprigg's request and got six hundred dollars for her. What did you do with it? Paid bills with it, I done exactly as he told me. How much of the six hundred dollars did you spend? He is behind now for money that I paid out for him; I sold Remembrance at his request and used up the six hundred dollars in paying

bills, I had Remembrance and another one of his race horses I left him out at Mr. Jacobs stable. I guess it is close on to a month now since I sold Remembrance, I have had her ever since last April a year ago. There is one bill I paid, which is a receipt for \$6.00 in full for express and office fees on one box of stable traps, June 5, 1891.

I spent the six hundred in the payment of bills for taking care of these horses, Spriggs authorized me to sell the horse. Did he tell you to keep the money? He told me to pay the bills and if there was anything left to do right by him. You have spent that six hundred dollars within the last month? Yes sir, probably that money had to go for the whole of the year last winter. You have spent it within thirty days, haven't you? Yes. . Who have you paid the money to, give me the names of the people? It cost me \$114.00 to get away from the race track -- Gloster.

What did it cost you \$114.00 for? The boy that had her down there he had been down there a good while with her, he was boarding there, him and another boy, the fellow I sent her down there with and he ran her down there once and I had to go down and settle all that up before I could get the mare away from there, I paid the boy that rode her last year at the Branch. Did not you get a receipt for the money that you expended at Gloster? I got a receipt from the Justice of the Peace there but I can't find it, he had an attachment on Remembrance for board and for feed and the wages that the other boys claimed. Did Spriggs tell you to take the horse down to Gloster? He told me whatever I done with the horse was satisfactory to him.

You never brought the horse back to New York after you had him in Saratoga? Yes, certainly, I had him at Westchester part of the time and part of the time at Guttenburg and at Clifton and Why didn't you take the horse to Spriggs stable? Because I was not authorized to take her there. You knew that he kept horses in Thompson Street? She was a racing mare. Do you remember when you went to Kearns to pledge the watch that you told him that it was your father's watch? I do not know as I told him it was my father's, I told him it was the old man's watch. I don't know as I told Kearns what I wanted the money for. I did not tell him about having a "cinch" on the track, nothing of the kind. How much time elapsed from the time that you got the first fifty dollars and the time that you got the last twenty-five? It was about two or three days I guess. Is it not a fact that it was within two hours? No. Did not you lose the fifty dollars that you got first on a race? No. Spriggs never complained to me about pledging a watch until along towards the latter part of February or the first of March. I told him when I first came from Saratoga where the watch was and he knew where it was. What did you do with the colors of that stable? Anybody is liable to lose a set of colors, I never lost but one and that boy never brought them back. I had two or three blankets I guess there at the stables. I do not know whether or not Mr. Spriggs paid the bill now shown me. Look at this bill of Thomas H. Doty for \$73.72 and tell me whether he paid that? I cannot tell anything about this bill, the last bill I got from Doty was not that much, I do not know how that bill is added up. What became of

that horse that was driven in a buggy? He has got him I guess, I gave him back to him last Fall.

By Counsel: What are the colors? The uniform that they ride in.

A boy is liable to lose a set of colors. What are they worth? They average from fifteen to twenty-five dollars and higher; I don't know what these colors were worth, they had not been worn very much. You do not know where the watch is now? NO. Did you intend to steal this watch? No sir, if I intended to steal it of course I would not have spoken to him about it, Mr. Spriggs knows just as well as he knows I am living I did not intend to steal that watch. I went to him and explained to him; he said he sent me twenty-five dollars to Saratoga, he never sent me a cent. I have not got ten dollars since Christmas. If I have meals it costs something and it costs something to feed the horses and to feed boys. At the time that Spriggs gave his friend back the watch belonging to you did he say that he would have you arrested, was he angry? No sir. He knew where his watch was? Yes sir.. Is there any explanation you want to make about the sale of Remembrance? No more than this, Mr. Stanley, him and I the last time that I was in Sprigg's house, I went down to him for money, I was going to ship at that time from She pehead back to Morris Park and I told ^{me} ~~him~~ that I would never pay out another cent on the horse; I said "I told you off and on to sell that mare and you haven't tried to sell it."

I says, "I can't sell that mare, I cannot make people buy horses. Spriggs is in debt to me now. Do you know Mr. Bruce? Mr. Bruce is a horse dealer. I don't know that he offered a thousand dollars for Remembrance. He told me when

I first got that mare all along that there was a demand for all mares at a thousand dollars. When he spoke to me about selling her after I had taken to Guttenburg he told me to take her to Morris Park. I says, "No, you say you can sell the mare to Bruce for a thousand dollars; she is of no account." He said, "I will go and see Bruce tomorrow." He did not go. I came back to New York. I said, "did you go to see Mr. Bruce?" He saw Mr. Bruce about the mare. You got a good price for the mare, didn't you?

Yes sir.

BENJAMIN F. STANLEY, sworn.

I am a horse trainer, I was present at the time Spriggs returned the watch belonging to the Defendant, that was at Sprigg's house, I received the watch and I returned it to the person that it belonged to. As near as I can remember the only conversation there was between the defendant and Spriggs concerning the watch after I talked to Spriggs and explained to him where the watch was he says, "if ^I you will give up this watch if you will return mine." Hendricks said, "I will, as soon as possible." That was about all that was said between the two at that time.

CHAUNCEY J. HENDRICK recalled by Counsel.

I was arrested on the race course at Sheepshead Bay and at that time was in Jacobs' and Spriggs' employment; I never was arrested in my life before.

ROBERT H. SPRIGGS, recalled.

I did not send any money to the defendant at Saratoga to bring Remembrance back, he left the mare at Saratoga and I gave him forty-five dollars to go after her and I paid ten dollars for friehgt. I suppose Remembrance had been sold about a week before I found it out, that was a couple of weeks ago, I never authorized the Defendant too sell my watch in order to raise funds to pay for the expenses incurred for keeping the mare, I paid the bills incurred upon the tracks in New Jersey. Longfellow was taken sick at Clifton and the boy who took chare of the mare told me that she was in good condition and ready to win a race and that it was a pity to keep tle re without running her. I went over and there was \$26.00 and some odd cents owing for feed bill and before I could get the mare I had to pay it; I paid it to Smith and it is on his books, and I paid between eight and nine dollars for a board bill. I paid the expenses also at Monmouth. I told him that he would have to take the horse on his own responsibility to Saratoga. Remembrance did win a race, he brought one hundred and ten dollars, the race was at Guttenburg, he drew that money and spent it.

The Jury rendered a verdict of guilty.

Testimony in the case of
Chauncey J. Wendrick.

filed July, 1891.

... 500

NGL: I AGENT CASE CHARGEABLE AGENTS TO THE BOMB OF THE

0124

West Chester, N. Y. July 20 1891

Bought of *Mr. R. W. Sprigg*
Wendick
THOMAS H. DOTY & CO.,

DEALERS IN

HAY, STRAW, FEED, & C.

RACE TRACK, WEST CHESTER.

July 1	Am't of Bill paid	1337
21	4 Bp. Club	680
21	4 488" Straw	612
"	224" Hay	224
6	5 Bp. Club	850
11	472" Hay	472
"	10" Flax seed	100
"	205" Hay	205
"	3 Bp. Club	510
17	1. " Bp.	70
21	495" Straw	619
"	215" Hay	215
Mar 6	473" "	473
"	1 Bp. feed	65
Apr 1	2 " \$70	140
"	4 " Club \$1.90	760
		<u>7332</u>

0125



Paterson, N.J. *July 2* 1891

R. Spriggs Esq.
Enclosed herewith bill
for goods deld to your stable
on Sheephead Inuar. Kindly
 remit check and oblige.
Geo K Smith Co.

0126



WILLIAM F. MOORE, JUSTICE.
WILLIAM H. CORSA, CLERK.

In re Hedrick

Clerk's Office

N.Y. July 16th 1891.

Mr Weeks!

The complainant in above matter my client Robert H. Spiggs is actually engaged in this court in a jury trial (which cannot be adjourned) We will hasten down to your Court as soon as we get through here & meanwhile ask you kindly to hold it.

Very truly yours
J. Hochstadt
Att'y for R. H. Spiggs.

New York July 29th 1890

Longfellow

It seems you
are going from Bad to worst with the
Mare she won a Race at Clifton in
18th yesterday I see she got Beate way off
in 19 was absolutely fast in a Field of 10 or 12
Horses = From this I don't think you will or can
do much with him =
Again I ask you not to enter any Horse in 122
Selling Race and to Run in the name of the
West Side Stable and Run in my own colors
The best part of this Request you have violated
Such treatment I don't like if I can't have my
Say in the management of my own property I have
better not have it at all =
you must remember I am a man and am
paying my way or trying to = as well as
Mr Jacobs = I can see you don't treat me as
you do him by no means you would not dare
to enter his Horse in a Race in the name
of any Person but his = his permission so if he told
you not to = and at the same time you will
send him tips or trouble him to help
him pay his expenses
That is all alright he is one man and I am a
nother = I think Remembrance is going from
Bad to worst so I think you can get along
better with Mr Jacobs Horses alone and not
be Bothered with that little old man
of mine
when you don't think and have not the right
to let me know when you start him in a Race
at the same time it cost you nothing to
Telegraph from there it always is pay
at this end
Wm 216 Thompson St
New York C.T.

Robt H Spriggs

New York City = 23⁵⁰/70

Songfellow it has
 Happen with Fort as = 2
 Exhorted = I advised
 you not to go to Sargatia and
 told you that I was not
 in any position to bring
 matters to take the business
 in the absence of your
 going. I know I have to
 meet my own obligations
 obligations I had made and
 if you want you would go
 at your own responsibility
 I thought the same would
 be holding this summer
 that she would go to
 you until this fall

winter and I think now
 that I was right and
 I am sure I am
 not alone in this but you
 intended of being you
 would have been in
 in New York - you remember
 your letter saying that I was
 that the Brooklyn Race
 Track was the place where
 you were with the other
 people and it has been
 demonstrated in your case
 the money you ask me for
 you have I have not got it
 I have got a paper to
 go back as a note on some
 to you I suggest in some
 I have sent you what I
 can but I have to go
 I hope to see you soon

0130

Come home and stay here
when you get home
I am as soon as you can
be in the City. I am now
and has seen all the things
we are doing with the
single expenses.
I don't see twenty five
pounds you come home or
I am as you can

Yours
H. J. H. H. H. H. H.
H. J. H. H. H. H. H.
H. J. H. H. H. H. H.
H. J. H. H. H. H. H.

0131

Paterson, N.J. June 30 1891

A2 R Spriggs

BOUGHT OF

Geo. K. Smith

MIDLAND
VALLEY

GRAIN
AND HAY

RAILROAD AVE.
ERIE & D.L. & W.
TRACKS.

P.O. Box 71.
TELEPHONE 252

Folio Deld. to Haverhill Shropshire Track

May 6.	2 Bales Hay	425
13	3 Bags Oats	585
	1 " Salt	15
	2 Bales Hay	360
16	2 Bags Oats	390
	1 Bale Hay	270
		1995

Spiggo.

2 ^{Hedrick} Did you ever present a bill to you for
feed or claim that you owed him any
money whatever.

1 Did you ever authorize him to sell
the Mare or did you know that he had
sold it & how did you learn the fact.

Hedrick left Remembrance at Saratoga
& I paid \$45 to him to bring her back.
& an additional \$10 to pay the freight.

Not a single receipt but all feed Bills
sent to Spiggo.

3 The Mare Remembrance got 2nd & 3rd
money at Gutterberg in between May 1 - 14
& Hedrick drew \$110 & pocketed same &
admitted same to me - afterwards he said
he boarded her at Westch County at
\$16 a month & I then ascertained
he had sold her -

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Pharmey G. Mendinda

The Grand Jury of the City and County of New York, by this indictment, accuse
Pharmey G. Mendinda
of the CRIME OF *Grand* LARCENY, in the second degree, committed
as follows:

The said *Pharmey G. Mendinda*,

late of the City of New York, in the County of New York aforesaid, on the
Twenty Third day of *April*, in the year of our Lord
one thousand eight hundred and *ninety*, at the City and County aforesaid, being
then and there the clerk and servant of *James M. Dwyer*

Robert M. Dwyer.

and as such *clerk* and servant then and there having in his possession, custody and control
certain ~~moneys~~ *goods*, chattels and personal property of the said

Robert M. Dwyer.

the true owner thereof, to wit: *one watch of the value*

of two hundred and seventy

dollars,

the said *Pharmey G. Mendinda* afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
did feloniously appropriate the said *watch*

to his own use, with intent to deprive and defraud the said

Robert M. Dwyer.

of the same, and of the use and benefit thereof; and the same ~~moneys~~ *goods*, chattels and
personal property of the said *Robert M. Dwyer*.

did then and there and thereby feloniously steal, 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
JOHN R. FELLOWS,

District Attorney.

0134

BOX:

444

FOLDER:

4088

DESCRIPTION:

Hennessey, Charles O'C.

DATE:

07/23/91



4088

669

(30)

Witnesses:

Counsel,

Filed

day of

189

Pleas,

with plea to jurisdiction by 2nd

THE PEOPLE

vs.

Charles O'C. Hennessy

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Wm. L. G. [Signature]

on recm. of Dist. Atty.

indict. chs. B.M.

July 5/92

[Signature]

Sealed by
Wm. L. G. [Signature]

1578 [Signature]

The statute upon which this indictment was founded having been repealed without application or saving clause the prosecution necessarily fails. - See Statute 26/94

167. Therefore recommends that the indictment be dismissed Delancey Nicoll
July 5/92 Sub Atty.

[Signature]

Folio 1. COURT OF GENERAL SESSION OF THE PEACE.

THE PEOPLE, &c.,
-against-
CHARLES O'C. HENNESSEY.

The defendant herein demurs to the indictment found by the Grand Jury in the above entitled action on the grounds:--

FIRST: That the facts stated do not constitute a crime.

" 2

SECOND: That the indictment contains matter which if true would constitute a legal justification or excuse for the acts charged.

THIRD: That the indictment contains matter which if true would constitute a legal bar to the prosecution.
Dated New York, July 14th 1891.

By J. Stein,

Attorney for Defendant,

Office and Post Office Address, 51-53 Park Row,
New York City.

To

" 3

De Lancey Nicoll, Esq.,

District Attorney of the County of New York.

COURT OF GENERAL SESSION OF THE
PEACE.

THE PEOPLE, &c.,

-against-

CHARLES O' C. HENNESSEY.

DEMURGER.

MYER J. STEIN,

Attorney for.....Defendant,
31-32 Park Row,
NEW YORK CITY.

To

De Lancey Nicoll, Esq.,

District Attorney of
the County of New

York.

Filed July 27, 1891.

0137

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Charles O. R. Hammer

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

Indictment accuse *Charles O. R. Hammer* of

a *murderer*,

~~of the crime of~~

committed as follows:

Heretofore, to wit:

on the seventh day of July
in the year of our Lord one thousand
eight hundred and ninety-one, within the
city and county of New York, the State Prison
of the State of New York at Sing Sing,
against David, Maria A. Smith, James
of St. Louis and John A. Smith, each of
whom had been heretofore in due form
of law convicted in the said City and
County of New York of the crime of
murder in the first degree, committed
after the first day of January in the
year of our Lord one thousand eight
hundred and ninety-nine, and thereupon
sentenced to the punishment of death,
now duly executed according to law, and
the punishment of death was then

and there inflicted upon the said
 Alfred Wood, Maria A. Smider, James
 J. Starnum and Editha Quigley in
 the manner and form recited in said

And afterwards, to wit: on the
 said seventh day of July, in the year
 of our Lord one thousand eight
 hundred and ninety-one, at the City
 of New York, in the County of New York
 of record, the said Charles O. Hammer, Clerk
 of the City and County of record,
 did not only fully publish, and cause
 and procure to be published, in a
 certain newspaper published in the
 said City of New York, called the "New
 York Daily News," a certain account
 of the details of the said execution,
 beyond the statement of the fact
 that the said Alfred Wood, Maria
 A. Smider, James J. Starnum and
 Editha Quigley were on the said
 last mentioned day duly executed
 according to law at the said prison,
 which said account is as follows, to wit:

ELECTROCUTED!
 Four Murderers
 Pay the Death

0140

no to name

ELECTROCUTED!

**Four Murderers
Pay the Death**

Penalty.

Slocum Led the Quartette in the Early Morning.

Smiler, Wood and Jugigo Follow.

Witnesses Call it a Great Success.

Slocum, who killed his wife, Smiler, who killed his mistress, Wood, who killed a fellow workman, and Jugigo, who killed a fellow sailor, to-day were, according to law, killed by electricity, in the State prison at Sing Sing in the order named. The witnesses of the execution of the law's sentence say that death was instantaneous in each case. The men were shocked to death, not roasted, as Kemmler was.

Up to within a short time before the executions there was no indication outside the prison walls that active preparations for the executions were going on within. The Warden had not slept all night, nor had he had any sleep the night before.

Late at night he had told the witnesses to go to bed in rooms assigned to them. They would be called, he said, when the time for the execution arrived. None of them knew what the hour would be, but all of them supposed that it would be shortly after daybreak.

It was near midnight when most of them went to their rooms to get a little sleep, while the warden sat down in his office and waited for any legal summons which might delay the execution of the condemned men.

Shortly after 3 o'clock the attorney for Wood, Lawyer Haire, left the Warden, after a fruitless hour spent in trying to convince him that the petition which he had filed in the Federal Court, should act as a stay of execution.

Deputy Attorney General Hogan, who had sat up with the Warden, decided the disputed legal question for him, and the condemned man's last hope was extinguished when, shortly after 3 o'clock, the Warden lay down on a couch in his parlor to get a little rest.

Outside the prison walls the group of newspaper reporters which had watched all through the night remained on guard. The guards paced slowly up and down the roadway. At 3:30 o'clock the lights in the town and the lights in front of the Warden's house went out suddenly.

It was a half hour before the usual time for extinguishing these lights, and the fact that they had gone out, indicated that the power used in generating the electric current for them was to be used in operating the dynamo attached to the execution apparatus.

A few minutes later the whirr of the dynamo sounded through the still morning air. It was 4 o'clock and the Warden had risen from his couch and sent one of his assistants to rap softly on the doors of the sleeping rooms upstairs to waken the witnesses.

Some of them had retired half-dressed and they were quickly downstairs. The two priests and the prison chaplain had been summoned more than an hour before, and after drinking a cup of prison coffee had gone down to the cells of the condemned men.

They had been awake most of the night. When the Warden visited them at midnight, all of them were wide awake, and evidently expecting the end to come soon. They knew that

Kemmler had been killed on the second morning, and they did not believe that their time would be delayed much longer. There had been no increase of the guard.

The regular watchers, Partridge and Baxter, had remained with them from 6 o'clock last night. Most of them were awake when, shortly before 4 o'clock, the priests and the chaplain appeared. Chaplain Edgerton spoke a few words of comfort to Jugigo when he told him that the end was near; but the Jap did not receive them in a grateful spirit and the chaplain passed on

to Smiler's cell while the two priests busied themselves respectively with Slocum and Wood. The condemned men took very calmly the announcement that the sentence was about to be executed. They were dressed when the chaplain and the priests entered. Their clothing was much alike—a suit of dark diagonal, white shirt and collar and black tie.

HOW THE KILLING WAS ARRANGED.

The witnesses to the execution gathered in the prison parlor shortly before the hour fixed for the first electrocution to take place. The warden led the way and the witnesses went in no particular order out of the door of the warden's house.

Through the short passage, then with a turn to the right through the door in the prison wall. With another quick turn to the left, they skirted the wall of the condemned men's cells, turned to the right, and entered the little frame building in which the apparatus of death had been placed.

Opposite the entrance of the chamber and facing it was the death chair. It was of almost exactly the same pattern as the chair in which Kemmler was executed—a plain wooden chair with perforated wood seat, the back having a slight incline. Near the top of the chair-back was a beveled cushion of rubber for the prisoner's head and neck to rest against. Above this extended a wooden "figure four" the long arm of which was clamped with two wooden set-screws to the back of the chair.

In front of the chair extended a foot-rest to which the legs of the prisoner were to be bound. This was the only important particular in which the chair differed from the Kemmler chair. Kemmler's legs were separated and fastened to the front legs of the chair in which he sat.

The chair was placed on a rubber mat to insulate it. Behind the chair, built against a partition wall which divided the building into two apartments, was a closet opening at the top, about seven feet high. In this closet was the switchboard which was to be used in turning the current into the condemned man. Before the entrance of the witnesses the executioner had entered this closet from the other room and sat waiting for the signal from the warden to turn the switch. Who he was is not known, and will not be known authoritatively.

It is generally supposed that the executioner was a convict from the prison, detailed for the duty. On the right of the witnesses, as they entered, was the massive iron door which closed the passage leading into the prison for the condemned. It was almost as massive and impenetrable as the brick walls about it, and as impervious to sound.

Seated in their cells with only the walls and the iron door between them and the engine of death, the condemned men heard nothing of the busy preparations going on in the execution chamber. They knew that their last minutes were being measured off, though, for their spiritual advisors had been with them for some hours giving them such consolation as they could.

The electrodes were not applied, as in the Kemmler case, to the top of the skull and the base of the spine, but were bound to the foreheads of the condemned men and the calves of their legs. The current was turned on in each case for 20 seconds.

The voltage was about 1,500 and 1,600. In each case there were apparent evidences of revival as in the Kemmler case, and in each of these four cases the current was turned on a second time. In spite of the fact that the sponges were kept constantly wet, all of the executed men were burned by the current, and especially about the calves of the legs.

The medical men present agree that death came on first contact, and that the seeming revival was merely a reflex muscular action. None of the witnesses was overcome by fright, and all of them who have spoken have made the statement that the electrodes were successful, and death in all cases was instantaneous and painless.

SCENES WITHOUT THE PRISON GATES.

The chirping of sparrows and the occasional rumble of a railroad train through the tunnel were the only noises that disturbed the world outside the tomb-like prison at daylight this morning. The buzz of conversation among the newspaper men on watch and the tread of some prison guard armed with a loaded Winchester were the only other unusual things at the hour when most of the population of Sing Sing was sound asleep.

Shortly after the gray of dawn had departed and the sun was coming through a bank of steel-gray clouds in the east, the unusual sight at that early hour was noticed of big volumes of black smoke and hissing steam issuing from the factory of the prison. This was taken as a sign that the electrocution of the condemned men was to take place before the 1,200 prisoners confined in the frowning pile were released from their cells.

This interpretation of the unusual early bustle of the prison was apparently confirmed a few minutes later when all the guards in front of the prison, with the exception of those in the towers, two immediately in front of the prison and another on the trestle, south of the prison, were called in.

The solitary guard on the trestle south of the prison was the only one of the three outside the prison who carried a Winchester. The repeating rifle was loaded, too, and its owner prided himself on being able to hit a 25-cent silver piece at 500 yards distance. At the approaching signs of the electrocution the newspaper men in waiting, who had had two nights of almost ceaseless vigil, sighed with relief.

If the executions were to take place, they thought, the sooner the better, and their suspense was further relieved a little later when slowly and in spurts a white flag suggestive of a flag of truce was raised upon the ballard of the pole upon the roof of the warden's residence on the southeast corner of the prison.

Warden Brown in the kindness of his official heart had promised the newspaper men that the

against the form of the State in such case made out provided, and against the race of the people of the State of Texas, and their progeny.

[illegible]

0 145

BOX:

444

FOLDER:

4088

DESCRIPTION:

Herd, Mary

DATE:

07/08/91



4088

Indef

Witnesses,
Sworn for

Mrs. Herd
George Cumberland
Hollie Cumberland

all at
Humboldt

George Cumberland
Dr. Havermayes
D. E. H. Havermayes
Mrs. Farnum
163 E. 31

Her brother &
drinks my that
the war was
before arrested
H. H.

W. H. Havermayes
Counsel,
Filed
Pleads,
day of July 1891

THE PEOPLE

vs.
Mary Herd

Grand Larceny
Second Degree.
[Sections 528, 587, Penal Code.]

DE LANCEY NICOLL,
District Attorney.

A True Bill.

Nicholas J. Call
July 10, 1891
Pleads I do
Judge Over
July 14, 1891

0147

Police Court—4th District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 329 E. 37th Street, aged 24 years,
 occupation Keep house being duly sworn
 deposes and says, that on the 18th day of March 1899 at the City of New
 York, in the County of New York, was feloniously taken, stolen and carried away from the possession
 of deponent, in the day time, the following property, viz:

One watch and chain of the
value of Fifty dollars

the property of deponent

and that this deponent
 has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
 and carried away by Mary Nerd (now here)

for the reasons that deponent
 had said watch in a drawer
 in her room at the above
 address and the defendant was
 a servant in the employ of
 deponent's aunt with whom
 deponent was living. The defendant
 suddenly left said situation and
 said property was immediately
 missed. The defendant is informed
 John Graham (now here) that the
 defendant has acknowledged and
 confessed to him, that she stole
 said property.

Garak. Graham

Sworn to before me, this

4

day

of

1899

Police Justice.

0148

CITY AND COUNTY }
OF NEW YORK, } ss.

aged _____ years, occupation _____ of No. _____

2433 Precinct Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *John Graham*

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

Sworn to before me, this *4* day of *July*, 189*9*, } *John Graham*

Henry S. ...
Police Justice.

0149

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Mary Herd*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *163 East 31st 1 month*

Question. What is your business or profession?

Answer. *Servant*

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

Answer. *I am guilty*

Taken before me this

*17th*day of *July* 188*8*

Police Justice.

0 150

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 *\$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 *July 1* 188*9* *Wm. H. Murray* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0 15 1

23.
Police Court--

876
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Sarah Graham
329. 23. E 37 St
Mary Kerd

2

3

4

offense
Larceny

Dated

1891

Murray Magistrate.

Shankam Officer.

21 Precinct.

Witnesses

No.

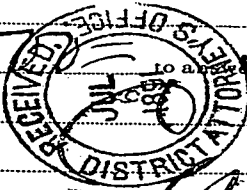
Street.

No.

Street.

No.

Street.



BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

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 Herd

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

of the CRIME OF GRAND LARCENY in the *second* degree committed as follows:

The said

Mary Herd

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

*one watch of the value of
thirty-five dollars, and one
chain of the value of fifteen
dollars*

of the goods, chattels and personal property of one

Sarah Graham

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.

*He Lamey Nicoll,
District Attorney.*

0 153

BOX:

444

FOLDER:

4088

DESCRIPTION:

Herman, William

DATE:

07/30/91



4088

Witnesses:

Edmond Geeser

Charles De Jure

Went for the

Rocky whr

as the chief

47

Counsel,

Filed day of

189

Pleads,

THE PEOPLE

(Sections 278 and 218, Penal Code.)

William Herman

De LANCEY NICOLL,

District Attorney.

Coan Day

A TRUE BILL.

Nicholas L. Coan

Part 3. Sept 10 1891
Pleads of Hampton

Lynne W. Bow
Sept 15 1891

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

THE PEOPLE

VS.

BRIEF FOR THE PEOPLE.

WILLIAM HERMAN.

CHARGE - - - - - RAPE.

STATEMENT OF CASE.

Defendant is charged with rape upon one Celesta De Lucca, aged 9 years, on the 22nd day of July, 1891.

WITNESSES:

Celesta De Lucca,
Maria De Lucca,
Officer Becker,
Officer Herlich.

CELESTA DE LUCCA, aged 9 years, residing at 142 Cherry Street, will testify: That on July 22nd, 1891, between 2-00 and 3-00 o'clock in the afternoon, while coming upstairs, after leaving some ashes on the street, she met the defendant, who is the house-keeper's son, on the first floor, where he was working in an entry room. That defendant motioned to her with his hand, and that he said "Come here, I want to tell you something". That she then went into the room to him and that he closed and bolted the door after her. That he then laid her on the floor. That she resisted him in this but that he succeeded in getting her down. That he then lifted up her dress, unbuttoned her drawers, and pulled them down somewhat. That defendant then unbuttoned his pantaloons, took out his penis and laid on top of her. That she (witness) attempted to scream; but that defendant placed one of his hands over her mouth and with the other inserted his penis into her private parts. Witness again endeavored to scream; and that she did scratch his face. That she said nothing about the affair to her mother until the next morning. That her mother in dressing her the next morning saw blood on her drawers and chemise. That her mother questioned her; and that then she (the witness) told her mother what defendant had done to her.

MARIA DE LUCCA, mother of Celesta, will testify: That on the 23rd of July, 1891, on dressing her daughter, Celesta, she noticed blood spots on the child's drawers and chemise. That she questioned Celesta, and that the latter told her what the defendant had done with her. That she thereupon went to look for Herman; but that he did not come around the house that day. That on the next day she saw the defendant and caused his arrest.

OFFICER BECKER will further testify: That, on July 25th, when defendant was arraigned before Justice Duffy, he pleaded guilty, adding "But I want to tell you I did not do it all the way; when I saw the blood coming, I stopped".

NAME _____ **DATE** _____ **PERIOD** _____

N. Y. GENERAL SESSIONS	
THE PEOPLE	PENAL CODE, "
AGAINST	
WILLIAM HERMAN.	
BRIEF FOR THE PEOPLE.	

0158

Gustav Dreyer

Slate * and * Metal * Roofer

224 DIVISION STREET,

New York, Sept 12. 1891

William Hemman has been
working for me, for the
last two years and I can
recommend him as an
honest, & industrious young
man.

Gustav Dreyer

Court of General Sessions

The People

vs
William Herman.

City & County of New York, ss:

Christopher Cook, of
No 54 James Street, in said City
Hottel Keeper, being duly sworn depose
and says; that he has been acquaint-
ed with Herman, the defendant
herein for the past 21 years, since
his childhood.

That his general charac-
ter for good conduct and morality
has always been excellent, and have
at different times employed him.

That this is the first time
I have ever heard of his having been
arrested or charged with any crime.

Sworn to before me this
14 day of September 1891. Christian Cook
J. H. Hoyer
Notary Public
N.Y.C.

Court of General Sessions.

The People vs
William Herman. }

City & County of New York:

Nicholas Schroder
of No 86 Oliver Street, in said City, Ins-
cruteman, being duly sworn deposes and
says that I have known the above named
defendant for the past five years, during
three years of which time he was in
my employ.

I have always found
him to be a hardworking, honest
industrious & sober young man, and
that his moral character has al-
ways been very good.

I have never heard of
his having been arrested or charged
with the commission of any crime
prior to this.

I am acquainted
with others who know the defendant
and his general character amongst
his neighbors has always been
above reproach.

Sworn to before me this
 14 day of September 1891. J. H. Colson, Sec. State
 J. H. Colson
 Notary Public
 Mylar.

County of General Janin

The People

10

William Herman

Applicants

Office

Secretary

90 Cent

Mylar

0162

126 East 45th Street

July 25 91

Mr Ellbridge T. Gerry Esq
President of the Society
for the Prevention of
Cruelty to Children
Dear Sir

I have to-day
examined Celesta
De Lucca and
consider it extreme-
ly doubtful that
there has been any
penetration of the

0 163

Julia of this girl
by any blunt instru-
ment. There is not
one slight spot of
~~tealys~~ congestion
on the left labium
which does not
look as if it were
marked enough to
have given rise to
any hemorrhage

Sincerely yours

W. W. W. W.

0164

Police Court, 3rd District.

City and County } ss.
of New York,

of No. 100 East 23rd Street, aged 29 years,
 occupation Officer being duly sworn, deposes and says,
 that on the 22nd day of July 1881, at the City of New
 York, in the County of New York,

Elegetta De Lucca a
 child of the age of nine years charges
 William Sterman (now deceased)
 who did wilfully and feloniously have
 sexual intercourse and carnal knowledge
 of the person of said child and ^{and forcibly} ~~and~~ said
 child against her will and without her consent
 in violation of Section 278 of the Penal Code
 of the State of New York
 for the reasons following to wit; That at
 about the hour 2 o'clock & thirty minutes P.M.
 on said date while said child was in the act
 of going up stairs in the house no. 42 Cherry
 Street where said child resides said defendant
 called the said child into the room where he
 defendant ~~was~~ on the first floor in said house
 and when said child went into said room where
 defendant was he defendant closed the door
 and bolted said door and defendant caught
 hold of said child and forcibly threw said
 child on the floor and embattered the drawers
 said child was wearing at the time and pulled
 down the front part of said drawers and
 defendant forcibly held said child down
 on the floor and opened the front of defendant's
 pantaloons and took out his defendant's penis
 and inserted his penis into the said child's
 Vagina and said child resisted as well
 as she said child was able and said child
 resisted and scratched said defendant's
 face

Sworn to before me this
 25th day of July 1881

Edward Becker
 Justice

0 165

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 9 years, occupation School girl of No. 142 Lehigh Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Edward Becker and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 25 day of July 1899.

Lucasta De Lucca
Sworn

[Signature]
Police Justice.

0166

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK

3

District Police Court.

William Herman 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 Herman

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

New York City

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

Answer.

142 Cherry St 7 years

Question. What is your business or profession?

Answer.

Ironmith

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 having connections with her

William Herman

Taken before me this

day of

20

Police Justice.

0 167

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.....

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

Dated *July 25* 18*99* *J. J. DeLoe* Police Justice.

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

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

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

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

0168

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Edward Decker
100 - B. 23 St.

1 William Herman

2 _____

3 _____

4 _____

Offence

Dated July 25 1891

J. Duffey Magistrate.

Henry Herlick Officer.

7th Precinct.

Witnesses Celesta DeLuca

No. 100 - B. 23 St.

Call the officer

No. Mary DeLuca Street.

100 Cherry St

No. 3000 Street.

\$ Roundell Clark

7th Precinct

0169

496

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 Herman

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *William Herman*
of the CRIME OF RAPE, committed as follows:

The said *William Herman*,
late of the City of New York, in the County of New York aforesaid, on the *Twenty-second*
day of *July*, in the year of our Lord one thousand eight hundred and
ninety- *one*, at the City and County aforesaid, with force and arms, in and upon
a certain female not his wife, to wit: one *Rebeka De Zucca*,
then and there being, wilfully and feloniously did make an assault, and her
the said *Rebeka De Zucca*, then and there, by force and with violence to
her the said *Rebeka De Zucca*, against her will and with-
out her consent, did wilfully and feloniously ravish and carnally know, against the form of the
Statute is such case made and provided, and against the peace of the People of the State of New
York and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further
accuse the said *William Herman*
of the CRIME OF ASSAULT IN THE SECOND DEGREE, com-
mitted as follows:

The said *William Herman*
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 a certain female not his
wife, to wit: her the said *Rebeka De Zucca*, then and there being,
wilfully and feloniously did make another assault with intent her the said *Rebeka*
De Zucca, against her will and without her consent, by force and violence, to then
and there wilfully and feloniously ravish and carnally know, against the form of the Statute in
such case made and provided, and against the peace of the People of the State of New York and
their dignity.

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further
accuse the said William Herman
of the CRIME OF RAPE, committed as follows:

The said William Herman,
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 a certain female not his wife,
to wit: her the said Rebecca De Zucca, then and there being, wilfully and
feloniously did make another assault, and an act of sexual intercourse with her the said
Rebecca De Zucca, then and there wilfully and feloniously did
commit and perpetrate, against the will of the said Rebecca De Zucca,
and without her consent; 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.

FOURTH COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further
accuse the said William Herman
of the CRIME OF ASSAULT IN THE SECOND DEGREE, com-
mitted as follows:

The said William Herman,
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 a certain female not his
wife, to wit: her the said Rebecca De Zucca, then and there being,
wilfully and feloniously did make another assault, with intent an act of sexual intercourse with
her the said Rebecca De Zucca, against her will and without her
consent then and there wilfully and feloniously to commit and perpetrate, against the form of
the Statute in such case made and provided, and against the peace of the People of the State
of New York and their dignity.

~~DE LANCEY NICOLL, District Attorney~~

Eight COUNT:—

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

of the CRIME OF PERPETRATING AN ACT OF SEXUAL INTER-
COURSE WITH A FEMALE UNDER THE AGE OF SIXTEEN YEARS,
NOT HIS WIFE, committed as follows :

The said William Herman,

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 a certain
female not his wife, to wit: her, the said Celesta De Sessa —
then and there being, wilfully and feloniously did make another assault, she, the said
Celesta De Sessa, being then and there a female under the
age of sixteen years, to wit: of the age of nine — years; and the said
William Herman, — then and there
wilfully and feloniously did perpetrate an act of sexual intercourse with her, the said
Celesta De Sessa —, 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,
JOHN R. FELLOWS, District Attorney.