

0008

**BOX:**

444

**FOLDER:**

4088

**DESCRIPTION:**

Haley, Dennis L.

**DATE:**

07/27/91



4088

0009

*W. B. [Signature]*  
Geo. B. [Signature]  
37039 4th Mo

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

THE PEOPLE  
vs.  
Dennis L. Haley  
Grand Larceny Second Degree.  
[Sections 528, 537, Penal Code.]

DE LANCEY NICOLL,  
District Attorney.

A True Bill.

*Richard L. [Signature]*  
Foreman.  
*John [Signature]*  
City Prison 30 days.

Witnesses:

As I am of opinion that  
the value of the property  
herein mentioned will  
be under \$25.00 dollars  
I recommend the acceptance  
of a Plea of Not Guilty  
by Wm. Wauchope Esq  
J. 19, W. A. Hunt Atty

0010

Police Court 2 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 Bennis 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 Mr. Reliance Craig now here, who is deponent's neighbor that on said

date the defendant obtained from

her the key 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 Mr. Craig saw defendant

then removing property from deponent's room

Richard H. Williams

Subscribed and sworn to before me this 15th day of July 1891  
Charles L. Kelly  
Police Justice.

0011

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 37 years, occupation Housewife of No. 242 West 35<sup>th</sup> 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 21<sup>st</sup> day of July 1898 Mrs Craig

John S Kelly  
Police Justice.

0012

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*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*

Taken before me this

*Shirley Kelly*  
188

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.

0014

178 Police Court--- 2 District. 953

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Richard W. Williams  
242 West 35  
Dennis L. Hoxley

Jacemy  
Officer

2  
3  
4

BAILED.

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated July 21 1891

Magistrate.

Officer.

Precinct.

Witnesses Rebecca Craig

No. 242 West 35 Street.

No. .... Street.

No. .... Street.

\$ 1,000



Handwritten signatures and initials, including 'M' and 'R'.

0015

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  
W. J. Langford

Counsel,

Filed

16 day of July 1889

Pleads,

for Exhibit

THE PEOPLE

vs.

F  
Albert Hall

Grand Larceny, *second* Degree.  
(From the Person.)  
[Sections 528, 537 Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Nicholas J. Lovell  
Foreman

Sept 16/91

F. J. P. G. Atk. S. L. & Co. Secy

Pen one up

Witnesses;

0018

Police Court

7

District.

Affidavit—Larceny.

City and County } ss:  
of New York, }

of No. 391 West 17th 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 day time, the following property, viz:

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

Albert Hall, from her  
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 a group  
of men at that time 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 defendant  
and withdrew his hand from the said  
pocket and immediately the property  
was gone. Deponent immediately charged  
the defendant with the same and charged 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

Jemie Shea

Sworn to before me this

day of July

1891

Police Justice

*[Signature]*

0019

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK ss.

*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. *33 years old*

Question. Where were you born?

Answer. *England*

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

Answer. *6754 West 35th Street*

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 1938

Police Justice.

*[Signature]*

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..... *[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

*Jemir Shea*  
*Alber Hill*

*Paul Harvey*

2  
3  
4

BAILED,

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

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

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

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

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

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

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

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

Dated *July 7* 1891

*Magistrate*

Officer.

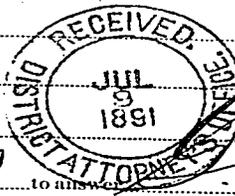
Witnesses *Emmett Shea*

No. *370 West 29* Street.

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

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

\$ *2000* to \_\_\_\_\_



*Can*  
*fit in*  
*man*

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

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

If (check):

*Dep't 9 men d*  
*Chenac & male*  
*Arbitrator &*  
*Refer to do so*  
*Subscribed*  
*Refer to do so*

*100-118*  
*B. J. [unclear]*  
*James P. [unclear]*  
*61 Canal St*  
Counsel, *Proctor,*  
Filed *2* day of *Feb*, 18*99*  
Plends. *Myself*

28 THE PEOPLE  
*Proctor,* vs. *P.*  
*Empress.*  
*Harry W. Harvitt*  
*Approved 1/13/99*  
*John R. Fellows*

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

JOHN R. FELLOWS

*247.6 [unclear]*  
*Oct. 20/99*

A TRUE BILL.

*Nicholas J. [unclear]*  
*Subscribed - Oct. 5, 1892*  
*Foreman.*  
*Plends Guilty*

0025

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

City and County } ss.  
of New York, }

of No. 373 Sixth Ave Street, aged 38 years,  
occupation Manager being duly sworn, deposes and says,  
that on the ~~19th~~ 24th day of ~~November~~ December 1891, at the City of New  
York, in the County of New York,

Benjamin T. Schmaus

the following described property, to wit:  
one diamond ring of the value of <sup>two</sup> ~~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 <sup>by Deponent</sup> on said day for the purpose of  
engraving certain names ~~on said ring~~ 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

Justices  
com. seeds  
city to own.

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: *Trans. Statute*  
*second degree*

Dated *July 21st* 18 *91*

Witnesses, *Off. Alonzo*  
*C. O.* 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 & his sentence 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, <sup>we</sup> has 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 <sup>and</sup>  
received no answer. Moir has been  
talking to Recorder Smythe <sup>and</sup> 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 turn  
a botched-up story, a scandal.  
I wish I had known what Powers was  
going to do <sup>and</sup> I would have told him  
I had no chance for making restitution  
<sup>and</sup> the infernal business would have  
been settled. I do not know what to  
do now.

"Hercules"

... write now if anything  
happens

0029

POOR QUALITY ORIGINAL

No. 2  
GRAND JURY ROOM. 410

PEOPLE

vs.

NA

*Mary W. Bennett*

*Requisition on Grand*

*jurors*

*for the*

*case of*

*John C. O.*

*et al.*

*Grand Jury*

*March 26/92*

*W. J. Bennett*

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 21<sup>st</sup> 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 21<sup>st</sup> 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 21<sup>st</sup> 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 Smyth  
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 demandd  
from Mr Booth.  
An early reply requested

Very truly  
yours  
W. L. Schindler  
for Mr. Moir

0033

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

Oct 10<sup>th</sup> 18.

Jas L Powers

Dear Sir,

In reference to Mr Harriotts 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 Harriott would return your 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 <sup>18</sup>  
favourable opportunity to offer  
such restriction to the Rec  
in your affidavit to be  
presented Friday next

Very Truly,

W. Schumann  
for the Grand

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.

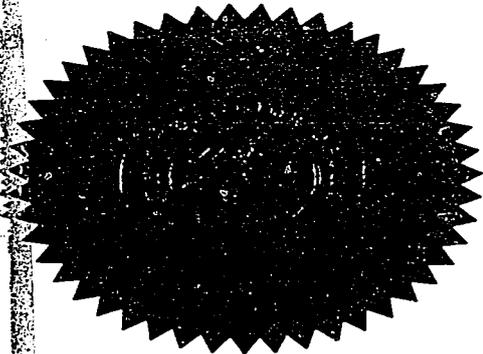
I, *Joseph A. Willard* of Boston, in said County, duly elected, qualified and sworn as clerk of the Superior Court, for and within said County and Commonwealth, dwelling in Boston in said County, said Court being a Court of record with a seal which is hereto affixed, the records and seal of which Court 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 acknowledgment, 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 instrument 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 Commonwealth, this *7th* day of *October* A. D. 189*2*

*Joseph A. Willard*  
Clerk.

*Justice of the Peace*



0037

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 <sup>the</sup> 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 W. Marshall*  
Justice of the Peace.

Gen. Sessions

The People's

MS

Stamok

Apparatch

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

#206

Witnesses:

Mock of the  
prokely pecm  
left pica  
Acem shu  
72

Counsel,

Filed 29 day of July 1891

Pleads,

THE PEOPLE

vs.

Sotfed Harup

Grand Larceny. Second Degree. [Sections 528, 581 Penal Code.]

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

Richard J. Cook

Foreman

July 30, 1891  
Pleads to S. D. 2 dy  
Almer H. S. Jr

0044

Police Court \_\_\_\_\_ District. Affidavit—Larceny.

City and County } ss:  
of New York,

of Ho. Hugh McWally 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 Stephen 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 being informed of  
his rights, admits to having  
stolen the said money.

Hugh McWally

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 1897  
of \_\_\_\_\_  
Police Justice

0045

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Godfrey Harrop*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *Copenhagen*

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

Answer. *At home.*

Question. What is your business or profession?

Answer. *Bar-tender*

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.*

*Godfrey Harrop*

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

*Joseph M. Kelly*  
186-3 Ave  
*Joseph Horns*

*James Horns*

BAILED.

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

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

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

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

2 .....  
3 .....  
4 .....

Dated *July 26 91* 1891  
*Reign* Magistrate.

*Jenley* Officer.  
..... Precinct.

Witnesses *Officer*  
No. .... Street.

No. .... Street.

No. .... Street.

\$ *Attorney's Office*



*Case*  
*James*

0048

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

523

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*

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

114  
#114

Counsel,

Filed

day of

1891

Plends,

St. G. W.

THE PEOPLE

vs.

James Harvey

Burglary in the Third degree.  
Walt Karsney

[Section 498, sec. 528, etc.]

DE LANCEY W.

JOHN R. FITZGON'S

District Attorney.

A True Bill.

Andrew G. Cook

Foreman.

July 24, 1891

Phredo P. I.

R. C. Brown

29

Witnesses;

Left me over  
that he is only  
15-year young  
A. M.

Police Court— 6 District.

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

Thomas Lynch

of No. 421 Willis Avenue Street, aged 36 years,  
occupation Saloon being duly sworn

deposes and says, that the premises No 421 Willis Avenue Street,  
in the City and County aforesaid, the said being a Three Story Brick Building

and which was occupied by deponent as a Saloon  
and in which there was <sup>was</sup> at the time a human being, by ~~name~~

were **BURGLARIOUSLY** entered by means of forcibly knocking open  
two doors and entering therein with  
intent to commit a crime

on the 5<sup>th</sup> day of July 1891 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

gold and lawful 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 dollars

the property of deponent

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

James Harvey (one true)

for the reasons following, to wit: That since the commission of  
said offense the said deponent admittes  
and confesses to deponent that he did  
enter said premises as aforesaid and feloniously  
take and carry away said property

Thomas Lynch

*James Harvey one true  
May 2 1891  
Charles J. Devine  
Police Justice*

0052

Sec. 198-200.

6

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*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 149<sup>th</sup> 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. Decker*

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 12<sup>th</sup> 1891 Charles M. Smith 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 - Hill's Ave*  
*James Kearney*

*Edward*  
Offence

Dated *July 12<sup>th</sup>* 1891

*James* Magistrate.

*Thomas Bernie* Officer.

*33 35<sup>th</sup>* Precinct.

Witnesses, *Said Officer*

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

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

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

§ *10111* to answer *B.S.*

*Com*  
*Bund*  
*P.S.*

BAILED,

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

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

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

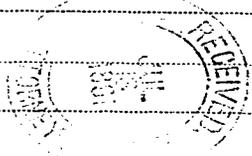
Residence \_\_\_\_\_ Street.

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 cigars 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*

there situate, then and there being found, *in the saloon* ~~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 Lincey Nicols  
District Attorney*

0057

**BOX:**

444

**FOLDER:**

4088

**DESCRIPTION:**

Heidenheim, Charles

**DATE:**

07/22/91



4088

~~100-154~~

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The value herein of the  
alleged food offered  
to me to me not over  
\$25.00 and I recommend  
the acceptance of a Plea  
of Not Guilty  
Wahrope Lynn  
Aug 11 / 1911  
H. A. Minkley

Counsel, *A. W. Boyce*  
Filed *22* day of *July* 189*1*  
Pleads, *Not Guilty (23)*

THE PEOPLE

vs.

*I*

*Charles Herndon*

Grand Larceny ~~2nd~~ Degree.  
~~Sections 528, 521, 534, Penal Code.~~

DE LANCEY NICOLL,  
District Attorney.

*H. C. Minkley*

A True Bill.

*Indybas*  
*Aug 11/91*  
*City Prison 30 days*

0059

Police Court 7 District.

Affidavit—Larceny.

City and County } ss:  
of New York, }

Harris Rousten

of No. 713 Broadway Street, aged \_\_\_\_\_ years,  
occupation Wholesale Clothier being duly sworn,  
deposes and says, that on the 14 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 :

A quantity of clothing of the  
value of about thirty five dollars  
\$ 35.00

the property of deponent and his co-partner

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 H. Sedgwick, 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<sup>th</sup> 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, was in  
Boston. That deponent telegraphed  
to Boston, where defendant said he

Sworn to before me this 14<sup>th</sup> day

1891

Notary Public

Left the said property and received <sup>in question</sup>  
from Boston, from the firm of A Bennett  
& Co, saying that they, Bennett & Co, never  
received any goods from the defendant.  
Department has asked the defendant  
to account for the said property 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

Done & reformed & sworn  
this 17<sup>th</sup> day of July 1891

John Kelly  
Police Justice

0061

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK } ss.

*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 N.Y. 20 years*

Question. What is your business or profession?

Answer. *Insurance*

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*

*John S. Kelly*  
Taken before me this 17  
day of June 1931

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 Kelly* 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. 154 *936*  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Harris Bernstein*  
*713 Broadway*  
*Charles Ruderman*

*officer Paul Harvey*

2  
3  
4

Dated *July 7* 189*1*  
*Kelly* Magistrate.

*Dwyer* Officer.  
*25* Precinct.

Witnesses *Lea Bernstein*  
No. *713 Broadway* Street.

*A. Littman*  
No. *73 Maestri* Street.

No. *1000* Street.

*Wm. J. Kelly*

*\$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 65<sup>th</sup> Street.

Wednesday, Aug 11, 1891

Mr. Rufus H. Manning

14. 1891.

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 been passed in your privileges

0065

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

Very sincerely yours

James Will  
M.D.  
Simple People School

Court of General Sessions

In and for the City of New York

The People

vs  
Charles Heidenheim

City of New York, Office of the District Attorney

Moses Bettram

being duly sworn deposes and says that he is the sole manager and superintendent of the fur manufacturing business of C. H. Bettram of no. 101 Wooster Street in the City of New York. That on the 15<sup>th</sup> day of July 1871 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 to before me this }  
 29<sup>th</sup> day of July 1894. } L. W. Little  
 Minister of the Gospel  
 Care of No. 114

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.

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 defendents 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.

*[Signature]*

*[Signature]*  
*Done at Dec. 5, 1891*  
*(N.Y. 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 defendent 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 extends his mercy to this defendent, he would become an upright 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.:

*Handwritten signature: Daniel Lowenthal*  
*Handwritten signature: Court of Deed*  
*Handwritten initials: nyg*

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. C.* W A T E R S , 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 defendent 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 deponents knows the defendents 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.:

*Wm. R. C. Waters*  
*Com. of Deeds*  
*1891*

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.

M A X A. H E R Z O G , 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 defendent for the past ten(10) years. That in all his relations and connections with him, this defendent 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*

*Max A. Herzog*  
*Com. 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 defendent 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 defendent has lead en exemplary life, and it is deponents belief that this defendent 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. Leitman*

*County of Deeds  
Clerk*

: *Maurice B. Blumenthal*  
:  
:

Print of General Sessions

9 x for the City & County of St. Louis

The People

vs

Charles H. Merriam

deph

FILED  
U.S. DEPARTMENT OF JUSTICE  
ST. LOUIS, MO.



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 *David Benjamin*.

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 Hill,  
District Attorney.*

0075

**BOX:**

444

**FOLDER:**

4088

**DESCRIPTION:**

Heiner, George

**DATE:**

07/20/91



4088

0076

115.

*Handwritten notes and scribbles at the top left of the page.*

(30)

Witnesses:

Four horizontal lines for witness names.

Counsel, *Worret & Co*  
Filed *20* day of *July* 189*1*  
Pleads, *Mr. Billings (21)*

*9-2-91*  
THE PEOPLE  
vs. *I*  
*George Heiner*  
*Attempt at Rape*  
*[See 278, Penal Code]*

DE LANCEY NICOLL,  
*District Attorney.*

A TRUE BILL.

*Nicholas J. Cor*  
Foreman.

*July 24/91*  
*Pleads guilty*  
*24 in 6 mos. Pen.*  
*W. J. [unclear]*

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.

0078

**N. Y. GENERAL SESSIONS**

**THE PEOPLE**

**AGAINST**

**GEORGE HELMER.**

*Attorney at Law*

PENAL CODE, §

**BRIEF FOR THE PEOPLE.**

0079

N. Y. July 29<sup>th</sup> 1791

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  
Folk 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 Heins 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

fully I Remain Yours Respect-  
fully Michael Fuchs 614 E 9<sup>th</sup> St.

0081

New York July 28<sup>th</sup> 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 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 12<sup>th</sup> 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. Humphreys, M.D.

No 144 Livingston St.

0085

Police Court, 3 District.

City and County } ss.  
of New York,

of No. 100 East 23<sup>rd</sup> 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,

Edward Becker

George Steiner (now dead),  
did feloniously attempt to  
have sexual intercourse with  
and ravish the person of one  
Sophie Becker aged 8  
years of No 164 Suffolk  
Street. Dependent is informed  
by said Sophie that at about  
6 P.M. A closet 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.

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

Sworn to before me  
this 13<sup>th</sup> day of July 1891  
John J. Ryan  
Police Justice

Edward Becker

0086

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Sophie Buchler*  
aged 8 years, occupation Schoolgirl 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 Ryan*  
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 3 months*

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*  
*sworn*

Taken before me this

day of *July* 1891

*J. W. Nelson*

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

Twenty ~~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 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 order*

Police Court---

922 District.

PEOPLE, &c..

ON THE COMPLAINT OF

*Edward [redacted]*

*George [redacted]*

*George [redacted]*  
Offence *[redacted]*

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*

*Ryan* Magistrate.

*Corvett* Officer.

11 Precinct.

Witnesses *Sophie Puell*

No. *162 Suffolk* Street.

*Isaac Mann*

No. *164 Suffolk* Street.

*Barbara Puell*

No. *162 Suffolk* Street.

\$ *2000* to answer *G.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

*George Steiner*

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

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

The said *George Steiner,*

late of the City of New York, in the County of New York, aforesaid, on the  
*Twenty* 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*  
*this indictment, 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 maliciously 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*

of the People of the State of New  
York, and their dignity.

James M. Hill,

Attorney.

0092

**BOX:**

444

**FOLDER:**

4088

**DESCRIPTION:**

Hendrick, Chauncey J.

**DATE:**

07/08/91



4088

#36

Counsel, J. Berkey  
Filed day of July 1891  
Pleas, M. E. Kelly (13)

THE PEOPLE vs. Channey J. Hendrick  
vs.  
John R. Fellows  
District Attorney.

[Sections 528, 587 of the Penal Code.]  
(MISAPPROPRIATION)  
Grand Larceny

A True Bill.

Indubas F. Cott Foreman.  
July 22, 1891  
Orick and convicted  
S. L. 2 day  
H. G. W. of M. K. S. P.  
Pr.

Witnesses;

0094

State of New York,

City and County of New York,

ss.

*Robert A. 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*91*, hereunto annexed.

Sworn to before me, this

day of

*Robt. H. Spriggs*

*[Signature]*  
POLICE JUSTICE.

0095

Police Court

District.

Affidavit—Larceny.

City and County } ss:  
of New York,

Robert H. Spriggs

of No. 210 Thompson Street, aged 60 years,

occupation Horse Trainer, being duly sworn,

deposes and says, that on the 23<sup>rd</sup> 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 Gold watch valued  
One Hundred and twenty dollars  
\$ 120.00

the property of Dr. Bennett

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 Tedrice

from the fact that deponent employed the defendant as a horse trainer and as such employed deponent placed said watch in the care of defendant. That deponent was requested and demanded said property from defendant and that defendant has failed and refused to give deponent said watch. Deponent therefore charges the defendant with larceny of said property and must have been arrested and held to answer

Robert H. Spriggs

Sworn to before me, this

of July

1898

Police Justice.

*[Handwritten signature]*

0096

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Chauncey Hedrick* 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. *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. *Sheepshead 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* 188*9*  
*[Signature]*  
Police Justice

0097

Sec. 151.

Police Court 1<sup>st</sup> District.

CITY AND COUNTY OF NEW YORK } ss. *In the name of the People of the State of New York; To the Sheriff of the County of New York, or 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<sup>rd</sup> 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. Brown was 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 2<sup>nd</sup> DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 1<sup>st</sup> 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 11* 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 2<sup>nd</sup> 3 PM

Police Court--- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Robert A. Briggs  
216 Thompson  
Wm. Hadrick

1  
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.

For Defendant  
Chauncey Hedrick  
Conny Blum Race Track

Dated July 2 1891

Magistrate.

Armstrong & Co. Officer.

Precinct.

Witnesses John Brynes

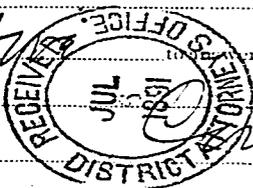
No. 216 Thompson Street.

Benjamin Stanley

No. Conny Blum Race Track Street.

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

\$ \_\_\_\_\_



G.S.

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

Wichy 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 disposes 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. W. J. F. had the case  
indigently

0101

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. Spiggs being duly sworn says: On or about the 20<sup>th</sup> 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-wit August 24<sup>th</sup> 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 & said  
 deponent asks leave to refer to the records of  
 the Court of General Sessions regarding the state-  
 ments heretofore 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.

Done before me this

21<sup>st</sup> day of September 1891

W. C. Carpenter

Clerk of Court

1891

Robt. H. Briggs

State of New York  
City and County of New York:

Oscar Hochelator 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 Hedrick  
had charge of Spijfs estate and knew that said  
Spijfs 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. McHenry) was given  
to August 24<sup>th</sup> 1891 - <sup>to produce said watch</sup> He failed to appear in the  
District Attorney 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 19<sup>th</sup> 1891 and was informed by him that  
his client was insolvent - had no money - and that  
he would again see him about the return of the  
watch. That said Bromie was present at the

That Klaus 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  
21<sup>st</sup> day of September 1891  
Wm C Carpenter  
Carpenter & Co

Oscar Hochstadt

0106

Police Court - 3rd District.

Affidavit - Larceny.

City and County of New York, ss.

of No. 216 Thompson Street, aged Robert H Spriggs - 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 two hundred and seventy 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 Medley who pledged the same with one Thomas Reams of Jerome Avenue Fordham 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

Sworn to before me, this 18th day of

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.

Intent to return for percentage for return of stolen property constitutes offence of receiving. Peo v Willy. 3 Hill. 194.

Possession not necessary. State vs St Clair. 17 D. 149. 40th.

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

Electric Police Court.

In re Complaint

Robert H. Briggs

-b-

Thomas Stearns

Affidavit.

Edmund Stearns myst. ltr.

am in receipt as above

The defendant is clearly guilty

of receiving stolen goods, &

has the goods

in his possession & he should

be held to watch in per-

son to Briggs what Briggs knows

of in return.

W. H. 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 <sup>five</sup> jockey fees amounting to <sup>fifty</sup> ~~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.

0112

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 <sup>me</sup> ~~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 <sup>I</sup> 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.

0123

TS

Faint, mostly illegible text, possibly a header or introductory paragraph.

INCL: I AGENT OASL GHT... (mirrored text)

Main body of faint, illegible text, appearing to be a letter or document.

*Testimony in the case of  
Channey J. Kendrick.*

*filed July 1891.*

5008

0124

West Chester, N. Y. July 20 1891

Bought of THOMAS H. DOTY & CO.,  
 DEALERS IN

HAY, STRAW, FEED, & C.  
 RACE TRACK, WEST CHESTER.

July 1	Am't of Bill rec'd	1337
21	4 Bp Cab \$1.70	6.80
21	4 488" Straw 1/4	6.12
"	224" Hay 1/2	2.24
6	5 Bp Cab 1 1/4	8.50
11	472" Hay 1/4	4.72
"	10" Flax seed	1.00
"	205" Hay	2.05
"	3 Bp Cab	5.10
17	1 " Bp Cab	.70
21	495" Straw 1/2 25	6.19
"	215" Hay 1/4	2.15
Mar 6	473" "	4.73
"	1 Bp feed	.65
Apr 1	2 " \$7.00	1.40
"	4 " Cab \$1.90	7.60
		<u>73.32</u>

0125



Paterson, N. J. *July 2* 1891

R. Spriggs Esq.  
Enclosed herewith bill  
for goods del'd to your stable  
on Sheephead Trunk. Kindly  
 remit check and oblige.  
Geo K Smith Co.

0126



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

Supr. Hedrick

Clerk's Office

NY 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.

0127

New York July 29<sup>th</sup> 1890

Longfellow

It seems you are going from Bad to worst with the Man she won a Race at Clifton in 18<sup>th</sup> yesterday I see she got Beate way off in 17 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 the Seeling Race and to Honor 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 or 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. perhaps so if he told you not to = and at the same time you will send him tips or Probble Advices to help him pay his Expenses

That is all alright he is one man and I am another = 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 time 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 = 23/90

I regret to see it has  
Happen write just as I  
expected = I advised  
you not to go to Saragatua and  
Told you that I was not  
in any position to  
matter to take the  
in the absence of your  
going I had to  
obbligations I had made and  
if you want you will  
of your own responsibility  
I thought the  
be Horsing this  
that she would  
until this

winter and I think now  
 that I was right and  
 I am sure I am  
 not now better but you  
 intended your going you  
 would have been  
 in New York - you thought  
 you being in that I was  
 that that I was the  
 track was the same as  
 the same as it has been  
 in your case  
 the money you ask me to  
 you have I have not got  
 I have got a paper in  
 ago look at a note on some  
 I have sent you what I  
 mean I will show to you  
 I don't know you well

0130

Come home and stay here  
 when you get home  
 there is no work at the  
 he in the city. I'll send  
 me has seen all the  
 we are going to do  
 make it easy  
 I don't want you  
 when you come home or  
 come or you can

Yours  
 [Signature]  
 No. 215 [Address]  
 [City]

0131

Paterson, N.J. *June 30 1891*

*Az R Spriggs*

BOUGHT OF

**Geo. K. Smith**



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

P.O. Box 71.  
TELEPHONE 257

*FOLIO*  
*Debt. to have on Shropstead track*

<i>May 6.</i>	<i>2 Bales Hay</i>	<i>425</i>
<i>13</i>	<i>3 Bags Oats</i>	<i>585</i>
	<i>1 " Salt</i>	<i>15</i>
	<i>2 Bales Hay</i>	<i>360</i>
<i>16</i>	<i>2 Bags Oats</i>	<i>390</i>
	<i>1 Bale Hay</i>	<i>470</i>
		<i>1995</i>

Spiggo.

2 <sup>Hedrick</sup> 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 2<sup>nd</sup> & 3<sup>rd</sup>  
 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

*Thomas J. Hendricks*

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

The said *Thomas J. Hendricks*,  
late of the City of New York, in the County of New York aforesaid, on the  
*Twenty third* day of *July*, 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 J. ...*

*Robert W. Briggs*

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

*Robert W. Briggs*  
the true owner thereof, to wit: *one watch of the value*

*of two hundred and twenty*  
*dollars,*

the said *Thomas J. Hendricks* 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 W. Briggs*  
of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and  
personal property of the said *Robert W. Briggs*.

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

679

Counsel,  
Filed *23* day of *July* 189*7*  
Plends, *Agreement by West*  
*with paper to purchase by 2/2/1897*

*Middleman*  
[Lester of 1888]

THE PEOPLE  
vs.

*Charles O. C. Hennessy*

**DE LANCEY NICOLL, Jr.**  
District Attorney.

A TRUE BILL,

*William L. ... Foreman*

*on recem. of writ. Att.*  
*indict. chs. R.B.M.*  
*July 5/97*

(90)

Witnesses:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Sailed by*  
*Wm. McDaniel*  
*457 E. 11th*

*The statute upon which this*  
*indictment was founded*  
*having been repealed without*  
*any intimation or saving clause*  
*the prosecution is formally*  
*void. - See Statute 2674*  
*167. St. Paul's recommends*  
*that the indictment be*  
*dismissed. DeLancey Nicoll*  
*July 5. 97*      *Sub. Att.*



COURT OF GENERAL SESSION OF THE  
PEACE,

THE PEOPLE, &c.,

against-

CHARLES O' C. HENNESSEY.

DEMURDER.

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 misdemeanor,

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 County of New York, in the City of New York, the said Charles O. R. Hammer, being lawfully summoned to appear in the County of New York, did unlawfully and feloniously murder in the first degree, committed after the first day of January in the year of our Lord one thousand eight hundred and ninety-one, and thereupon sentenced to the punishment of death, and such other proceedings to law, and the punishment of death was then

and there inflicted upon the said  
George Wood, Maria O. Sinder, James  
J. Doan and Sidiada Quain in  
the manner and form recited in laws.

And it is further to be noted 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  
a certain, the said Charles O. Hammer,  
Mayor of the City and County aforesaid,  
did understandly 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,  
recording the statement of the fact  
that the said George Wood, Maria  
O. Sinder, James J. Doan and  
Sidiada Quain were on the said  
last mentioned day duly executed  
according to laws of the said City,  
which said account is as follows, to wit:  
in the name:

**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 they 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 whir 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 brick 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 through, 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 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 balliard 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 statute in  
such case made out provided, and  
against the form of the statute of  
the State of New York, and their  
signing

prison cemetery.  
three men will be buried in quicklime in the  
claimed by his wife. The remains of the other  
to take away unless the remains were  
called at the prison this afternoon with a coffin  
Underaker E. Halberstam of West 125th st.  
entirely in the prison, or that they would have left  
they had been kept prisoners, practically speak-  
by both Doctors Daniels and Southwick. That  
to take away unless the remains were  
of the condemned men away with them  
at 12:30, carrying portions of the vital  
only date. He and Dr. Southwick left  
the report. I figure for you something in  
Dr. Daniels subsequently said when seen by  
fore P. M.  
plead, said that they would not be buried  
at noon from the earlier would be com-  
Dr. Halberstam the prison physician when asked  
copies could not be ascertained.  
was a statement. The exact date of the  
the announcement that the remains of  
at the prison cemetery, and that the  
that the new government should get his  
in his official responsibility, and so  
the new government should get his  
the new government should get his  
At noon it looked as if no authorities  
NO OFFICIAL STATEMENT MADE  
remains were in the prison cemetery  
plead the doctor in order to limit  
men to the death chamber. The manner of  
guard to the cell and followed the command  
and traps. The witness accompanied the  
in the cell and followed the command  
All of the men quietly submitted to their  
taking him to the chair.  
expended in removing the body, he said.  
used no hammer. There is absolutely no truth  
condemned the witness supposed to have been  
The current had been in the cell for  
arrangements which had been made by Alden  
death sentence in the case of Kemmerer.  
The execution was made this afternoon  
for an entire absence of any of the imple-  
The electric chair was used, there be-  
There were attempts to represent, but the  
There were attempts that the electric chair  
At 10:15 A. M. the execution  
men were executed.  
The execution was made this afternoon  
for an entire absence of any of the imple-  
The electric chair was used, there be-  
There were attempts to represent, but the  
There were attempts that the electric chair  
At 10:15 A. M. the execution  
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The execution was made this afternoon  
for an entire absence of any of the imple-  
The electric chair was used, there be-  
There were attempts to represent, but the  
There were attempts that the electric chair  
At 10:15 A. M. the execution  
men were executed.

0145

**BOX:**

444

**FOLDER:**

4088

**DESCRIPTION:**

Herd, Mary

**DATE:**

07/08/91



4088

Deceit

Witnesses:  
Sworn for

Mrs. Mend  
George Cumberland  
Hollie Cumberland

all at  
Humboldt St

VanCott - over  
George Cumberland  
at Havermeysers Regard  
Deft. notified for  
Mrs. Fann  
163 E. 31

Her brother &  
died by that  
she was here  
before arrested  
F.D.

McKays

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

Pleas F. I.  
Judge Over P.  
July 24, 1891

24



0148

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged \_\_\_\_\_ years, occupation John Graham Police officer of No. \_\_\_\_\_

~~2433~~ 2433 Recruiter

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, 1899, } John Graham

Henry S. ...  
Police Justice.

0149

Sec. 198-200.

2 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 he right to  
make a statement in relation to the charge against he; that the statement is designed to  
enable he if he see fit to answer the charge and explain the facts alleged against he  
that he is at liberty to waive making a statement, and that he waiver cannot be used  
against he 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 31<sup>st</sup> 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

July 16<sup>th</sup> 1887  
[Signature]

Police Justice

0150

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* 18*91* \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18*8* \_\_\_\_\_ 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*8* \_\_\_\_\_ Police Justice.

0151

23.  
Police Court-- 876 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Sarah Mahony*  
*329. 23. E 37 St*  
*Mary Kerd*

*Lacey*  
Offense

2  
3  
4

Dated *July 24* 189*1*

*Murray* Magistrate.

*Shankam* Officer.

*21* Precinct.

Witnesses *officer*

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

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

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

\$ \_\_\_\_\_

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*J.P.*

*Mr*

*8/21/91*

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.

*Wm Lancy Nicoll,  
District Attorney.*

0153

**BOX:**

444

**FOLDER:**

4088

**DESCRIPTION:**

Herman, William

**DATE:**

07/30/91



4088

Witnesses:

Edward Gecken

Charles De Juan

Ident for the  
No copy wh  
es the chief  
= 47

~~175~~  
178  
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200

Counsel,

Filed 20<sup>th</sup> day of July 189  
Plends. *[Signature]*

THE PEOPLE

*[Signature]*  
William Herman  
H. A. H. E.  
(Sections 278 and 218, Penal Code.)

De LANCEY NICOLL,

District Attorney.

Evans Day

A TRUE BILL.

*[Signature]*

Witness.

Part 3. Sept 10 1897  
Pleas of Memphis, Tenn

*[Signature]*  
Sept 15 1897

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 penes 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 penes 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.



0157

**N. Y. GENERAL SESSIONS**

**THE PEOPLE**

**AGAINST**

**WILLIAM HERMAN.**

PENAL CODE, "

**BRIEF FOR THE PEOPLE.**

0158

*Gustav Dreyer*

Slate \* and \* Metal \* Roofer

224 DIVISION STREET,

*New York, Sept. 12. 1891*

*William Hermon 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 before  
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 I 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. W. Hoyer  
Notary Public  
New York

Court of General Sessions.

The People  
vs  
William Herman. }

City & County of New York, ss:

Nicholas Schroder  
of No 86 Oliver Street, in said City, Gro-  
ceryman, 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 had 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 have seen 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. Colan, Sec. State  
J. H. Colan  
Vol. 10, P. 116  
Myler.

Court of General Jurisdiction

The People

vs

William Herman

Applicant

vs

Deputy

of

Myler

0162

125 East 45<sup>th</sup> Street

July 25 91

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

I have today  
examined Celesta  
DeLucca and  
consider it extreme-  
ly doubtful that  
there has been any  
penetration of the

0 163

Tulva of this girl  
by any blunt instru-  
ment. There is not  
one slight spot of  
~~tealypus~~ 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. Crabley M.D.

Police Court, 37<sup>th</sup> District.

City and County } ss.  
of New York,

of No. 100 East 23<sup>rd</sup> Street, aged 29 years,  
occupation Officer being duly sworn, deposes and says,  
that on the 22<sup>nd</sup> day of July 1887, at the City of New  
York, in the County of New York, Celesta De Luca a

Edward Becker

child of the age of nine years charges  
William Sherman (now blue)  
who did wilfully and feloniously have  
sexual intercourse and carnal knowledge  
of the person of said child and <sup>and forcibly</sup> ~~and~~ said  
child against her will and without her consent  
in violation of Section 270 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 unbuttoned 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  
25<sup>th</sup> day of July 1887

Edward Becker  
Justice

0 165

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 9 years, occupation School girl of No. 142 Lehman 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.

Sworn  
Celesta DeLuca  
Sworn

[Signature]  
Police Justice.

0166

3

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK

*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. *27 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

*[Signature]*

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.....

*Dejunsant*

~~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 25* 18*94*.....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

Police Court *W.D. 967* 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 Herlich* Officer.

*7th* Precinct.

Witnesses *Celesta DeLuca*

No. *100 - B. 23 -* Street.

*Call the officer*

No. *Mary DeLuca* Street.

*142 Cherry St*

No. *3000* Street.

*Rouland Clark*

*7th*



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

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 Tuesday 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 Felicia De Zucca, then and there being, wilfully and feloniously did make an assault, and her the said Felicia De Zucca, then and there, by force and with violence to her the said Felicia De Zucca, against her will and without 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, 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 Felicia De Zucca, then and there being, wilfully and feloniously did make another assault with intent her the said Felicia 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.

~~By 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 Rebecca De Sussa  
then and there being, wilfully and feloniously did make another assault, she, the said  
Rebecca De Sussa, 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  
Rebecca De Sussa, 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.