

0741

**BOX:**

32

**FOLDER:**

388

**DESCRIPTION:**

Volgens, Fredericks

**DATE:**

02/17/81



388

0742

Day of Trial

Counsel,

Filed 7 day of July 1887

Pleads,

*M. 181*

Burglary Third Degree, and Receiving Stolen Goods.

THE PEOPLE

vs.

*M. C. Hudson & Sons*

*Fredrick Wolken*

*David S. Collins*  
BENJAMIN M. WHEELER

District Attorney.

Part in Pet 10. 1887  
pleads Party 3.

A True Bill.

*W. H. [Signature]*

*Law: Am year*  
Foreman.

*File 15*

0743

Police Office, First District.

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

Michael J. Kerrigan  
of No. 386 Canal Street, being duly sworn,

deposes and says, that the premises No. 386 Canal

Street, 5<sup>th</sup> Ward, in the City and County aforesaid, the said being a Store

and which was occupied by Edward Morrissey

as a Liquor Store were BURGLARIOUSLY

entered by means of concealment inside

and subsequently removing

the side door leading to a hall

and so going out

on the night of the 9<sup>th</sup> day of February 1881

and the following property, feloniously taken, stolen and carried away, viz.:

Good & kindred money  
of the value of four  
dozens of fifty cents

\$450

the property of said Morrissey &

in deponent's care taking

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

Fredrick Tolken

now living

for the reasons following, to wit: that he has

advised that he did

no concealment himself

& no break out of

and premises, taking

stolen property

away said money

as aforesaid

Michael J. Kerrigan

Subscribed before me this  
11<sup>th</sup> day of February 1881  
J. J. [Signature]  
[Signature]

0744

POLICE COURT—FIRST DISTRICT.

CITY AND COUNTY  
OF NEW YORK.

*Fredrick Volkers* being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

*Fredrick Volkers*

Question. How old are you?

Answer.

*29 years*

Question. Where were you born?

Answer.

*New York*

Question. Where do you live?

Answer.

*171 Avenue A Hudson*

Question. What is your occupation?

Answer.

*Cupric Opener*

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.

*I concealed myself in the premises & when it had been closed I removed the iron bar from the side door and went out taking \$4.50 in change from behind the counter*

*Fred. Volkers*

Taken before me, this

*11 day of May 1911*

Police Justice

0745

COUNSEL FOR COMPLAINANT

Form 16  
Police Court—First District

Name  
Address

THE PEOPLE, &c.,  
OF THE COMPLAINANT OF

*Michael Kennedy  
17386 bond off  
Fred Proctor*

BAILED.

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

Offence



COUNSEL FOR DEFENDANT

Name  
Address

Dated *July 11 1881*

*Morgan* Magistrate

*Morgan* Officer

*Stanley* Clerk

Witnesses

to answer

Sessions

Received in Dist. Atty's Office,

*Allen*

0746

CITY AND COUNTY }  
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present :

That

*Frederick Volken*

late of the *fifth* Ward of the City of New York, in the County of  
New York aforesaid, on the *ninth* day of *February* in the  
year of our Lord one thousand eight hundred and ~~one~~ *eighty one* with force and  
arms, at the Ward, City and County aforesaid, the ~~store~~ *store* of

*Edward Moorrissey*  
there situate, feloniously and burglariously, did break into and enter, the same being a  
building in which divers goods, merchandise, and valuable things were then and there kept for  
use, sale and deposit, to wit: the goods, chattels and personal property hereinafter described,  
with intent the said goods, chattels and personal property of the said

*Edward Moorrissey*  
then and there being, then and there feloniously and burglariously to steal, take and carry  
away, and

*Divers coins of a number, kind and  
denomination to these jurors unknown,  
and a more accurate description of  
which cannot now be given of the  
value of four dollars and fifty cents.*

of the goods, chattels, and personal property of the said

*Edward Moorrissey*

so kept as aforesaid in the said *store* then and there being, 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.

0747

And the Jurors aforesaid, upon their oath aforesaid, do further present

That the said

*Frederick Volken*

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

*givers coins of a number, kind and denomination to these jurors unknown, and a more accurate description of which cannot now be given of the value of four dollars and fifty cents.*

of the goods, chattels, and personal property of *Edward Morrissey*

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen ~~of the said~~ *taken and carried away from the said*

*Edward Morrissey*

unlawfully, unjustly, ~~and for the sake of wicked gain,~~ did feloniously receive and have (the said

*Frederick Volken*

then and there well knowing the said goods, chattels, and personal property, to have been feloniously stolen <sup>*taken and carried away*</sup> 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.

*Daniel S. Rollins*  
**BENJAMIN A. REEDS**, District Attorney.

0748

**BOX:**

32

**FOLDER:**

388

**DESCRIPTION:**

Von Hillern, Leon

**DATE:**

02/24/81



388

0749

**BOX:**

32

**FOLDER:**

388

**DESCRIPTION:**

Adler, Joseph

**DATE:**

02/24/81



388

0750

76,771

Day of Trial *Jack & Perry vs. H.*

Counsel, *W. G. Hammond*

Filed *24* day of *Nov* 188*1*

Pleeds *W. G. Hammond*

THE PEOPLE

*34. 11. 1881 vs.*

*Leon von Kellen I.*

*alias*

*Leo von Kellen I.*

*Joseph Adler.*

*vs. James F. Kennedy.*

*Daniel G. Collins*

District Attorney.

*Part No. 20, 1881.*

*Both plead guilty.*

A TRUE BILL.

*Henry C. Cady*

Foreman.

*1 S. P. Case year.*

*2 P. vs. Sup. mt.*

0751

Police Court—First District.

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, } ss.

John R. Hageman  
of No. 32 Park Place Street,  
being duly sworn, deposes and says, that on the 27  
day of December 1880, at the City and County of  
New York, he as Vice President  
of the Metropolitan Life Insurance  
Company, caused to be paid to  
Joseph Adler, the sum of fifty  
Dollars, for a death claim presen-  
ted by said Adler.

That deponent is informed and  
believes that

Louis Von Kellers, now  
present, with intent to cheat and  
defraud, falsely certified to the  
death of Otto Chavert, for whose  
father the claim was intended.  
Knowing at the time there was  
no such person in existence.

From before me  
This 5<sup>th</sup> Feb'y 1881  
Police District  
J. M. [Signature]

to Pfeiffer argued to [unclear] of death

0752

City Council  
of New York  
Joseph Grover  
of 32 Park Place, being duly  
sworn says, that on the 27  
Dec 1880 Louis Von Killen  
now present, signed and certi-  
-fied falsely and under an  
assumed name, to the death  
of one Otto Chavest. he at the time  
knowing that there had been and  
no such person living, or having  
a claim upon the Metropolitan  
Life Insurance Company.  
That said Von Killen ad-  
-mitted in the presence of and  
hearing of deponent, that he  
had never seen the alledged  
Otto Chavest either alive or dead  
from to before me  
this 5 July 1881  
Police Justice } Joseph Grover

0753

POLICE COURT—FIRST DISTRICT.

CITY AND COUNTY }  
OF NEW YORK. } ss.

*Louis Tou Heller* being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to refuse to answer any question that may be put to him states as follows, viz:

Question. What is your name?

Answer. *Louis Tou Heller.*

Question. How old are you?

Answer. *Thirty four years.*

Question. Where were you born?

Answer. *In Germany*

Question. Where do you live?

Answer. *11 - First Street.*

Question. What is your occupation?

Answer. *Editor of a Bohemian newspaper*

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer. *I am not guilty.*

*Leo R. Hiller*

*[Signature flourish]*

Taken before me this

*5* day of *July* 188*1*

POLICE JUSTICE.

0754

COUNSEL FOR COMPLAINANT.

Name  
Address

COUNSEL FOR DEFENDANT.

Name  
Address

Police Court—First District.

THE PEOPLE, &co.,

ON THE COMPLAINT OF

*Frank R. Heppner*  
32 Park Row

*Leon The Keller*

Office, *Brooklyn*

Dated *5 Feb 1881*

*M. Wright* Magistrate.

*Joseph G. ...* Officer.

*Atty Gen ...*

*Joseph G. ...*



*1770* *Wm. C. ...*

Received in Dist. Atty's Office.

BAILED

No. 1 by

Residence

No. 2 by

Residence

No. 3 by

Residence

No. 4 by

Residence

No. 5 by

Residence

No. 6 by

Residence

0755

City & County  
of New York, <sup>N.Y.</sup>  
John Hegeman  
of No 32 Park Place. being duly  
sworn, says. That he is the Vice  
President of the Metropolitan  
Life Insurance Company (incorpo-  
rated under the Laws of the State  
of New York.

That on the 8<sup>th</sup> Dec 1880. in the  
said City Joseph Adler, now  
present, an authorized agent of  
said Company, with intent to  
cheat and defraud, obtained  
from said Company the sum of  
Twentyone Dollars.

That said Adler presented to  
said Company an application  
for a policy of insurance upon  
one Lizzie Richard.

That said policy was on the 8<sup>th</sup>  
Oct 1880. issued and delivered  
to said Adler.

That on said 8<sup>th</sup> Dec 1880. said  
Adler presented to the Company  
forged and fictitious certificates  
of the death of said Lizzie  
Richard, and obtained the said

0756

sum of Fifty one Dollars.  
That subsequently in the presence  
and hearing of deponent, ~~that~~ the  
defendant Adler admitted  
that there was no such person  
in existence as Lizzie Packard,  
and that he appropriated the  
money obtained as aforesaid.  
From to before me  
this 4<sup>th</sup> Feb'y 1888. *J. M. [Signature]*  
Police Justice

John R. Hegeman, of 32  
Park Place, being sworn says,  
that on the 27<sup>th</sup> Dec 1880,  
the aforesaid Joseph Adler  
with intent to cheat and defraud  
obtained from the Metropolitan  
Life Insurance Company, the sum  
of Fifty Dollars.  
That by false representations  
he caused to be issued a policy  
of insurance by one Otto Charbat  
on the 27<sup>th</sup> Sept 1880, and on the  
said 27<sup>th</sup> Dec 1880, presented false  
evidences of the death of said

0757

POLICE COURT—FIRST DISTRICT.

CITY AND COUNTY }  
OF NEW YORK } ss.

*Joseph Adler* being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

*Joseph Adler*

Question. How old are you?

Answer.

*34*

Question. Where were you born?

Answer.

*Bohemia*

Question. Where do you live?

Answer.

*149 Lenox*

Question. What is your occupation?

Answer.

*Insurance Agent*

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.

*I am not guilty*

*Joseph Adler*

Taken before me, this

4 day of *July* 1881

POLICE JUSTICE.

0758

Chaubat. he said Adler, ~~with~~  
well. showing at the time, and subse-  
-quently admitting to deponent  
that no such person as Otto  
Chaubat existed.  
Sworn to before me  
this 4 July 1887  
Police Justice J. J. [Signature]

John R. Negeman of 32 Park  
Place being sworn says that  
on the 17 July 1887, Joseph  
Adler now present, by false  
and fraudulent representations  
made with intent to cheat and  
defraud obtained from the  
Metropolitan Life Insurance  
Company of which deponent is  
Vice President, the sum of sixty-  
one <sup>33</sup>/<sub>100</sub> Dollars, said Adler  
at the time being an authorized  
agent of said Company.  
Sworn to before me  
this 4 July 1887  
Police Justice J. J. [Signature]

0759

Hepple & C  
in Complaint

John Edgar  
32 King St  
17

Joseph Miller  
11 Bay St  
17

W. Justice  
11 Bay St  
17

McNaught  
Corydon C. O  
Munberg

Dr. M. Pfeffer  
697 2 Avenue  
Dr. J. J. J. J.

246. B. 74 St.  
Philip K. K. K.

1331 Avenue C

11111  
Joseph's Court

0760

City and County }  
of New York } ss.

The jurors of the  
People of the State of New York in  
and for the body of the City and  
County of New York, upon their  
oath present:

That Leon Von Hillern otherwise  
known as and called Leo R. Von Hillern  
and Joseph Adler, <sup>each</sup> late of the First  
Ward of the City of New York, in  
the County of New York, aforesaid  
on the twenty-seventh day of  
December in the year of our Lord one  
thousand eight hundred and eighty  
at the Ward, City and County  
aforesaid, with force and arms, on  
the day and year last aforesaid,  
with intent feloniously to cheat  
and defraud The Metropolitan  
Life Insurance Company a corporation  
incorporated under the laws of the  
State of New York, for the insurance  
of human life and carrying on  
business in the City and County  
aforesaid did then and there felonious-  
ly, unlawfully, knowingly, and  
designedly, falsely pretend and

0761

represent to the said The Metropolitan Life Insurance Company that a certain policy of insurance therefore procured by them the said Leon Von Hillern otherwise known as and called Leo R. Von Hillern and said Joseph Adler to be issued by the said The Metropolitan Life Insurance Company to the name of and purporting to be for the benefit and to insure the life of Otto Charvat had been procured by them the said Leon Von Hillern otherwise known as and called Leo R. Von Hillern and Joseph Adler upon the life and for the benefit of one Otto Charvat who was when the same was issued living but had since then deceased.

That they the said Leon Von Hillern otherwise known as and called Leo R. Von Hillern and Joseph Adler had been authorized by one Otto Charvat and his father one Ignatz Charvat to procure the said policy of insurance on the life of him the said Otto Charvat.

That at the time of procuring to be issued as aforesaid such policy of

0762

insurance as aforesaid there was then and there existing a person by the name of Otto Charvat, for whose benefit and upon whose life the said policy of insurance had been issued and that such person had prior to the said twenty-seventh day of December in the year of our Lord one thousand eight hundred and eighty deceased.

That a certain certificate and instrument partly in print and partly in writing purporting to be made and signed by one Doctor Charles Pfeiffer then and there produced and delivered by them the said Leon Von Hillern otherwise known as and called Leo B. Von Hillern and Joseph Adler to the said The Metropolitan Life Insurance Company was a true and genuine certificate and instrument and that the statements therein contained and each of them were true and that the same had been signed and made by one Doctor Pfeiffer and which said certificate and instrument in

0763

writing is in substance and effect  
as follows:

Form 66.

Industrial Branch.

Attending Physicians' Statement

For Proofs of Death.

1. Name in full of deceased.

Otto Charvat

2. Residence.

1014 Second Ave.

3. Age.

4. Occupation.

8 Year 9 Month.

5. How long has you been acquainted with deceased?

10 days

6. Were you the attending Physicians in deceased's last illness; if so, upon what date were you first summoned?

16<sup>th</sup> December

7. Had you ever attended deceased before? If so, give dates of first and subsequent visits and nature of diseases.

no

8. Did deceased have any other Physician or Physicians?

If so, give names.

no

9. Was deceased afflicted with any chronic disease? If so, of what nature, and for how long?

0764

No  
10. What was cause of death? If from disease,  
state its proximate and remote cause;  
if in any other manner, give the medical  
and other facts connected with the case.

Diphtheritis

11. State duration of sickness.

11 Days

12. State date of death.

26 December 1880

13. Have you stated all the material facts  
relating to the sickness of deceased?

Yes

Dated at New-York

this 27 day of December 1880

Signed Dr. Ch. Pfeiffer M.D.

Residence. 691 second ave

Witness Joseph Adler

And the said The Metropolitan Life  
Insurance Company then and there  
believing the said false pretences  
and representations so made as aforesaid,  
to deliver, and did then and there  
deliver to the said Leon Von Hillern  
otherwise known as and called Leo R.  
Von Hillern and Joseph Adler, a certain

0765

sum of money to wit: the sum of fifty dollars in money and of the value of fifty dollars of the proper moneys, valuable things, goods, chattels, personal property and effects of the said The Metropolitan Life Insurance Company and they the said Leon Von Hillern otherwise known as and called Leo R. Von Hillern and Joseph Adler did then and there designedly receive and obtain the said sum of money to wit: the sum of fifty dollars in money and of the value of fifty dollars of the said The Metropolitan Life Insurance Company of the proper moneys, valuable things, goods, chattels, personal property and effects of the said The Metropolitan Life Insurance Company by means of the false pretences and representations aforesaid, and with intent feloniously to cheat and defraud the said The Metropolitan Life Insurance Company of the same.

Whereas in truth and in fact, the said policy of insurance so procured by them the said Leon Von Hillern and Joseph Adler to be issued

0766

as aforesaid, had not been procured by them the said Leon Von Hillern otherwise known as and called Leo R. Von Hillern and Joseph Adler upon the life or for the benefit of one Otto Charvat who was living when the same was issued and had since then died or upon the life or for the benefit of any living person whatsoever as they the said Leon Von Hillern otherwise known as and called Leo R. Von Hillern and Joseph Adler then and there well knew: and

Whereas in truth and in fact no such person as Otto Charvat or named as Otto Charvat was living at the time of the procuring and issuance of the aforesaid policy of insurance and no such person has since then died all which they the said Leon Von Hillern otherwise known as and called Leo R. Von Hillern and Joseph Adler then and there well knew but that the said person in whose name the said policy was procured to be issued as aforesaid and the said name was wholly false and fictitious unreal and not existing as they the said Leon Von Hillern

0767

otherwise know as and called Leo R. Von Hillern and Joseph Adler then and there well knew: and

Whereas in truth and in fact, no person whatsoever had ever authorized them or either of them the said Leon Von Hillern otherwise known as and called Leo R. Von Hillern and Leo R. Von Hillern to procure the said policy of insurance on the life of said Otto Charvat or any person whatever by the name of Otto Charvat or any person whatsoever as they the said Leon Von Hillern otherwise known as and called Leo R. Von Hillern and Joseph Adler then and there well knew: and

Whereas in truth and in fact, there was not existing at the time of procuring to be issued as aforesaid said policy of insurance any person whatsoever by the name of Otto Charvat for whose benefit or upon whose life the said policy had been issued and who had prior to the said twenty-seventh day of December in the year of our Lord one thousand eight hundred and eighty died as they the said Leon Von Hillern

0768

otherwise known as and called Leo R. Von Hillern and Joseph Adler then and there well knew: and

Whereas in truth and in fact, the aforesaid certain certificate and instrument was not a true or genuine or genuine certificate or instrument but was wholly false, forged, counterfeit and fictitious as they the said Leo Von Hillern otherwise known as and called Leo R. Von Hillern and Joseph Adler then and there well knew: and

Whereas in truth and in fact, the statements therein contained and each of them were wholly false, untrue and fictitious as they the said Leo Von Hillern otherwise known as and called Leo R. Von Hillern and Joseph Adler then and there well knew: and

Whereas in truth and in fact, the said certificate and instrument had not been made or signed by the said Doctor Charles Pfeiffer had been affixed and signed to said certificate and instrument in writing by them the said Leo Von Hillern otherwise known as and called Leo R. Von Hillern and Joseph Adler then and there well knew: and

0769

Whereas in truth and in fact, the pretences and representations so made as aforesaid, by the said Leon Von Hillern otherwise known as and called Leo R. Von Hillern and Joseph Adler to the said The Metropolitan Life Insurance Company was and were in all respects utterly false and untrue, to wit, on the day and year last aforesaid, at the Ward, City, and County aforesaid; and

Whereas in truth and in fact the said Leon Von Hillern otherwise known as and called Leo R. Von Hillern and Joseph Adler well knew the said pretences and representations so by them made as aforesaid to the said The Metropolitan Life Insurance Company to be utterly false and untrue at the time of making the same.

And so the jurors aforesaid, upon their oath aforesaid, do say, that the said Leon Von Hillern otherwise known as and called Leo R. Von Hillern and Joseph Adler by means of the false pretences and representations aforesaid, on the day and year last aforesaid, at the Ward, City and County aforesaid, feloniously, unlawfully, falsely, knowingly and designedly

0770

did receive and obtain from the said  
The Metropolitan Life Insurance Company  
the said sum of money to wit: the sum  
of fifty dollars in money and of the  
value of fifty dollars of the proper moneys,  
valuable things, goods, chattels, personal  
property, and effects of the said  
The Metropolitan Life Insurance Company  
with intent feloniously to cheat and  
defraud them of the same, 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.

Daniel G. Rollins.  
District Attorney.