

0765

**BOX:**

446

**FOLDER:**

4115

**DESCRIPTION:**

Hamilton, Henry

**DATE:**

08/04/91



4115

0766

**BOX:**

446

**FOLDER:**

4115

**DESCRIPTION:**

Wilson, Samuel

**DATE:**

08/04/91



4115

0767

963

Witness:

*The Clerk*  
*Wm. Adams*  
*Wm. Carter*

Counsel,

Filed *4* day of *Aug* 189*1*

Prs,

THE PEOPLE

vs.

*Henry Hamilton*  
*(3 ears)*  
*and*

*Samuel Wilson*  
*(2 ears)*

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

DE LANCEY NICOLL,  
District Attorney.

A True Bill.

*Wm. T. Madrell*  
*Aug 5/91* Foreman.

*Each*  
*Stanton*  
*Wm. T. Madrell*

0768

Police Court

District.

Affidavit—Larceny.

City and County } ss:  
of New York,of No. 182 5th Avenue Street, aged 24 years,  
occupation Student being duly sworn,deposes and says, that on the 18 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 valise containing  
wearing apparel and  
a watch to which the whole  
being valued at one hundred  
and fifty dollars

\$150.00the property of Deponentand that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and  
carried away by Samuel Wilson

for the reasons following  
to wit: The deponent after  
being informed of his rights  
admits and confesses to  
having stolen the said prop-  
erty from the steamer "Sandy-  
flour."

Horace S. Stokes

Sworn to before me, this

2-5-91

day

1891

of Police Justice



0769

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Samuel Wilson* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is h's 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's waiver cannot be used  
against h on the trial

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this  
day of

1887

Police Justice.

0770

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 *Five* Hundred Dollars, *500* 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 *91* *[Signature]* Police Justice.

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

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

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

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

07771

Police Court---

982  
District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*James S. [illegible]*  
*182-59th*  
*Samuel N. [illegible]*

*Grand Jury*

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 25* 189*1*

*[Signature]* Magistrate.

*Carroll W. [illegible]* Officer.

*28* Precinct.

Witnesses *[Signature]*

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

*C. H. Putnam*

No. *207 Broadway* Street.

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

\$ *1000*

\_\_\_\_\_

\_\_\_\_\_

*Committed to [illegible]*



0772

Police Court

District.

Affidavit—Larceny.

City and County } ss:  
of New York,

of No. 965 Broadway Street, aged 45 years,

occupation Precinct being duly sworn,

deposes and says, that on the 11 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 box containing one suit  
of clothes and a number of papers  
and memorandum books.Being of the value of  
Fifty Dollars

the property of

Deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and  
carried away by Henry Hamilton (nowhere)for the reasons following to wit  
That on said day deponent had  
the said property in the office and  
box and kept the same in the cabin  
of the Steamboat St. John then at  
Green & North River where deponent  
went to the wash room on said  
boat and when he returned he  
found the said property gone and  
deponent is informed by Michael  
Turner a police officer of the  
28th precinct police that he arrested  
said deponent and that said  
deponent had the coat of the

Shame &amp; disgrace

139

Police Justice

0773

said suit and his personal agreement  
fully identified said coat as being  
his and charges the defense with  
the contrary as aforesaid.

Edw. Frank:

Sworn to before me  
this 3rd day of July

W. J. Jones

Notary Public

0774

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 45 years, occupation Police Officer of No.

28 Greenwich Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Lewis Frank

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

Sworn to before me, this 24

day of July

1887

Michael Larabee

[Signature]  
Police Justice.

0775

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer. *Henry Hamilton*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *351 5th Avenue New York*

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 guilty*  
*Henry Hamilton*

Taken before me this *24*  
day of *July* 188*8*

Police Justice.

0776

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 One Thousand ~~One 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 24 18 91 [Signature] Police Justice.

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

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

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

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



0777

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Lewis Frank*  
*26th. Duway*  
*Henry Hamilton*  
2.  
3.  
4.  
Officer *Frank*

BAILED,

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

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

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

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

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

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

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

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

Dated *July 24* 188 *91*

*L. D. Dyer* Magistrate.

*L. D. Dyer* Officer.

*28* Precinct.

Witnesses *C. H. Putnam*

No. *207* *Duway* Street.

*J. H. Rabb*

No. *132* *Front* Street.

*Robert W. Olkansen*

No. *Case* *7851* *Liberty* Street.

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

*Counta 922*

0778

Police Court

District.

Affidavit—Larceny.

City and County } ss:  
of New York,

Thomas P. Robb

of No. 132 Frank Street, aged 67 years,  
 occupation Commission Merchant being duly sworn,  
 deposes and says, that on the 18th 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 leather bag containing 3 shirts  
 1 pair of cuffs 2 cellars, 1 pair of  
 drawers, one leather case, one cigar case  
 1 comb 4 brushes 1 pair of slippers, one  
 pair of over shoes, 1 Browne & brush, one  
 box of candy, one pair of pants, one white  
 vest, 1 prayer book 2 pairs gold cuff  
 buttons, 1 gold studs and 2 gold rings  
 Being together of the value of  
 Sixty 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 Henry Hamilton and Samuel

Wilson (pseudonym) who were acting  
 in concert with each other for the  
 reasons following to wit, That on  
 said day deponent had said property  
 in said bag and kept the same in  
 the cabin of the Steamboat Monmouth  
 at pier 8 North River when deponent  
 went to the wash room on said boat  
 and returned he found said bag  
 containing said property gone. Deponent  
 is informed by Michael James a  
 police officer of the 38th Precinct that  
 he arrested said Hamilton and  
 said Wilson, and that said Wilson

Sworn before me this

1891

Notary Public

0779

admitted and confessed to said person  
that he was with said Howard  
when he took the said property  
and that he pawned the same in  
the pawn office of one Stick at  
148 3d Avenue for the sum of Eight  
dollars and a pawn ticket fully identifying  
said property as being this and  
charges said defendants with  
acting in concert with each  
other and with the loss of the  
property aforesaid

Sworn to before me on } T. B. Robt  
the 24th day of July 1891 }  
Pat. Justice

0780

CITY AND COUNTY } ss.  
OF NEW YORK, }

aged 45 years, occupation Police Officer of No.

28 Fremont Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Thomas R. Robb

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

Sworn to before me, this 24

day of July

1898

Michael Larkin

Police Justice.

0781

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

*Samuel Wilson* 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>s</sup>; that the statement is designed to  
enable h<sup>s</sup> if he see fit to answer the charge and explain the facts alleged against h<sup>s</sup>  
that he is at liberty to waive making a statement, and that h<sup>s</sup> waiver cannot be used  
against h<sup>s</sup> on the trial.

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty.*  
*Samuel Wilson*

Taken before me this

day of

1887

Police Justice

0782

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty -*  
*Henry Hamilton*

Taken before me this  
day of *August* 188*8*

Police Justice

0783

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 ~~they~~ be held to answer the same and he be admitted to bail in the sum of *Fifteen* Hundred Dollars, *each* 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 24*.....1891.....*[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.

0784

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Thomas D. Rapp*  
132 - Front St.  
*Henry Hamilton*  
*Samuel Wilson*  
3  
4  
Officer *W. J. [unclear]*

BAILED.

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

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

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

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

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

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

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

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

Dated *July 21* 188*9*

*J. J. Quinn* Magistrate.

*J. J. Quinn* Officer.  
38 Precinct.

Witnesses *Michael Jones*

No. *28* Precinct Street.

*H. J. Stokes*

No. *184 5th Ave* Street.

*Robert W. Olhansen*  
Care Superintendent of Barriers

No. *27 106 Liberty* Street.

*157 106 Liberty*

*Count 98*



0785

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Henry Hamilton*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this  
indictment, accuse *Henry Hamilton*

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

The said

*Henry Hamilton*

late of the City of New York, in the County of New York aforesaid, on the *eleventh*  
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 coat of the value of twenty  
dollars, one vest of the value of  
ten dollars, and one pair of trousers  
of the value of ten dollars, ten blank  
books of the value of ten cents each,  
ten pieces of paper of the value of  
one cent each piece and one box  
of the value of one dollar*  
of the goods, chattels and personal property of one *Lewis Frank*

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.

0786

SECOND COUNT—

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

*Henry Hamilton*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

*Henry Hamilton*  
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,

*the same goods, chattels and personal property, described in the first count of this indictment*

of the goods, chattels and personal property of one

*Lewis Frank*

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

*Lewis Frank*

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

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

DE LANCEY NICOLL,

*District Attorney.*

0787

963

Counsel,

Filed

Pleads,

day of Aug 1891

THE PEOPLE

vs.

Grand Larceny Second Degree.

[Sections 528, 537, — Penal Code.]

Henry Hamilton  
(Baker)

DE LANCEY NICOLL,

District Attorney.

A True Bill.

Foreman.

Wm. Frank

Wm. Frank

0788

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Samuel Wilson*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this  
indictment, accuse *Samuel Wilson*

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

The said

*Samuel Wilson,*

late of the City of New York, in the County of New York aforesaid, on the *eighteenth*  
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 one hundred and  
twenty-five dollars and one mackintosh  
of the value of twenty five dollars  
and one valise of the value  
of five dollars*

of the goods, chattels and personal property of one *Horace S. Stokes*

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.*

0789

Witness:

*Wm Larkin*

*H. P. [unclear]*

Counsel,  
Filed  
Plends,

4 day of Aug 1891

THE PEOPLE

vs.

*Samuel Wilson*  
(2 cases)

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

DE LANCEY NICOLL,  
District Attorney.

A True Bill.

*Wm. H. Woodruff*  
Foreman.

962

70

0790

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Henry Hamilton*  
*and*  
*Samuel Wilson*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this  
indictment, accuse *Henry Hamilton and*  
*Samuel Wilson*,  
of the CRIME OF GRAND LARCENY in the second degree committed as follows:

The said *Henry Hamilton and Samuel Wilson*, both

late of the City of New York, in the County of New York aforesaid, on the  
day of *July* 18th in the year of our Lord one thousand eight hundred and  
ninety-one, at the City and County aforesaid, with force and arms,

*three shirts of the value of one dollar each,*  
*one pair of cuffs of the value of twenty-five cents,*  
*two collars of the value of twenty-five cents each,*  
*one pair of drawers of the value of one dollar,*  
*one leather case of the value of one dollar, one cigar case*  
*of the value of one dollar, one comb of the value of*  
*twenty-five cents, two brushes of the value of fifty cents each,*  
*one pair of slippers of the value of one dollar,*  
*one pair of overshoes of the value of one dollar,*  
*one broom of the value of fifty cents, one box of candy of*  
*the value of one dollar, one pair of trousers of the value*  
*of ten dollars, one vest of the value of one dollar, two pairs of*  
*cuff-buttons of the value of five dollars each pair,*  
*seven studs of the value of one dollar each and*  
*two finger-rings of the value of ten dollars each,*  
of the goods, chattels and personal property of one *Thomas D. Robt*

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.

0791

SECOND COUNT—

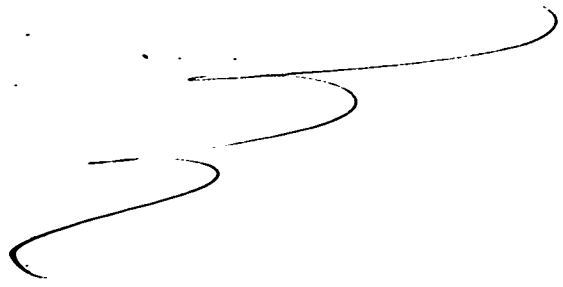
AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

*Henry Hamilton and Samuel Wilson*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Henry Hamilton and Samuel Wilson*, both

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

*the same goods, chattels and  
personal property described in  
the first count of this in-  
dictment*

  
of the goods, chattels and personal property of one

*Thomas B. Robb*

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

*Thomas B. Robb*

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

*Hamilton and Samuel Wilson*

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

DE LANCEY NICOLL,

*District Attorney.*

0792

**BOX:**

446

**FOLDER:**

4115

**DESCRIPTION:**

Hare, James

**DATE:**

08/12/91



4115



0793

Witnesses

Frank Miller

I recommend the  
acceptance of a plea  
of attempt at G.D. in  
the 2<sup>nd</sup> degree.  
Mandolph  
1911 W.A. sent all

Counsel,

Filed

12 day of Aug 1891

Pleas,

THE PEOPLE

vs.

James Flare

Grand Larceny, 2<sup>nd</sup> Degree.  
(From the Person.)  
[Sections 528, 530, — Penal Code].

DEPT. OF JUSTICE

JOHN R. FELLOWS

District Attorney.

A True Bill.

Wm. Madant

Aug 13/91 Foreman

Frank J. Gage

V.P. 2 1/2 yd.

0794

(1365)

Police Court—

District.

Affidavit—Larceny.

City and County } ss.  
of New York,

of No.

52-

116

Street, aged

26

years,

occupation

Jeweler

being duly sworn,

deposes and says, that on the

7<sup>th</sup>

day of

August

189

at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession and  
person of deponent, in the <sup>right</sup> time, the following property, viz:One silver watch valued  
at Eighteen Dollars\$18.00  
100

the property of

Deponent

Sworn to before me, this  
day of  
August 189

J. C. [Signature] Police Justice.

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 James Hare (name),for the reasons following to-wit:  
as deponent was on the elevated  
rail road station at South Ferry  
having the said watch to which  
was attached a chain and which  
watch was in the left pocket  
of the coat which he then wore  
he felt a tug at said watch  
and seized hold of defendant  
who was in front of deponent. The  
defendant tried to escape and he  
subsequently handed back to deponent  
the said watch, which watch was  
minus the ring. Frank Miller

0795

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer. *James Hare*

Question. How old are you?

Answer. *25 years.*

Question. Where were you born?

Answer. *New York.*

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

Answer. *14 Cherry St. 15 years.*

Question. What is your business or profession?

Answer. *Laborer.*

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 can refuse to say  
anything at present.**James Hare.*

Taken before me this

day of *August* 188*5**J. J. Kelly*  
Police Justice.

0796

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.....

Replend m.  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Eight 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 Aug 5 18 77 D. J. C. J. 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.

0797

Police Court---

1048 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Thomas Miller*  
*52 East 116 St*  
*James Hare*

*James Hare*  
*52 East 116 St*  
*1048*

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 *Aug 8* 189*7*

*W. Feily* Magistrate.

*Wymon & McQuinn* Officer.

*Co* Precinct.

Witness *Christian Miller*

No. *52-6-116* Street.

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

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

\$ *15.00* to answer *W. Feily*

CO. \_\_\_\_\_

*W. Feily*  
*1048*

0798

**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 Hare*

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

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

The said

*James Hare*

late of the City of New York, in the County of New York aforesaid, on the *seventh* day of *August* in the year of our Lord one thousand eight hundred and ~~eighty-ninety-one~~ in the *ninth* time of the said day, at the City and County aforesaid, with force and arms,

*one watch of the  
value of eighteen dollars*

of the goods, chattels and personal property of one

on the person of the said

then and there being found, from the person of the said *Frank Miller* 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 Lancey Nicoll,  
District Attorney*

0799

**BOX:**

446

**FOLDER:**

4115

**DESCRIPTION:**

Harris, Edward

**DATE:**

08/10/91



4115

0800

Witness:

Julius Corp  
1075 Delaney

Counsel,

Filed

day of

188

Pleas,

THE PEOPLE

vs.

Edward Harris

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

DE LOREY NICOLL,  
JOHN R. WELLS

District Attorney.

A True Bill.

*W. A. Andrews*  
Foreman

*J. A. [unclear]*

*Reads [unclear] 2 May*

*S. P. H. [unclear]*

*81*  
*1018*



0801

Police Court— District.

City and County } ss.:  
of New York,

of No. 158 West 103 Street, aged 38 years,  
 occupation Janitor being duly sworn  
 deposes and says, that on the 31 day of July 1889 at the City of New  
 York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Edward Harris  
(now here), who cut and slashed  
deponent with a knife then  
and then held in his hands  
of said Harris

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

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

Sworn to before me, this 30 dayof July 1889James Cox

Police Justice.

0802

Sec. 108-200

CITY AND COUNTY  
OF NEW YORK, } ss.

District Police Court

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

Question. What is your name?

Answer.

*Edward Harris*

Question. How old are you?

Answer.

*57 years*

Question. Where were you born?

Answer.

*MS*

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

Answer.

*15 West 153<sup>rd</sup> St*

Question. What is your business or profession?

Answer.

*Painter*

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

Answer.

*I am not guilty*

*Edward Harris*  
*sworn*

Taken before me this

day of

1884

*Edmund J. McNeill*  
Police Justice

0803

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 Algerman

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Two 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 Aug 3 1891 Lawrence 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.

0804

BAILED.

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

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

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

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

279 Police Court--- District. 1018

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Julius Cox*  
*158 West 103 St*  
*Edward Harris*

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Dated *Free White* 27 1888  
Magistrate.

*Blaney* 36  
Officer. Precinct.

Witnesses *Miner Cox*  
No. *158 West 103* Street.

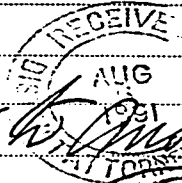
No. \_\_\_\_\_ Street.

No. *500 W. 103 St* Street.

\$ *3000* Street.

*2/21*

*ask 1*



0805

MANHATTAN DISPENSARY (AND HOSPITAL.)

131st STREET AND AMSTERDAM AVENUE,

J. HOOD WRIGHT, PRESIDENT.  
MACOMB G. FOSTER, SECRETARY.  
THOMAS C. BUCK, TREASURER.  
JOHN F. O'REILLY, SUPERINTENDENT.

New York, *July 24* 1891

*This is to certify that John Cox, is at the  
Manhattan Hospital, suffering from a punctured  
wound of the muscles of the back. His  
condition is not at all critical.*

*John Bates,  
House Surgeon.*

0806

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 6 DISTRICT.

*Michael Delaney*  
of the *25* *Truman* *Street*, aged *21* years,  
occupation *Police Officer* being duly sworn deposes and says  
that on the *21* day of *July* 189*1*  
at the City of New York, in the County of New York, *he arrested*  
*Edward Harris* for the reason  
that one *Julius Cox* now confined  
in *Manhattan Hospital*  
informed defendant in the  
presence of said *Harris*  
that *Harris* had stabbed  
him in the back with some  
sharp instrument  
Defendant further says that

Sworn to before me, this

*22* day

of *July* 189*1*

*Wm. H. Hall*  
Police

0807

279  
Police Court, ☒ District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.  
*Edward Stark*

AFIDAVIT.

*As a rule*

Dated *July 22* 1891

*W. E. De* Magistrate.

*Helamy* Officer.

Witness, *26*

*July 24. 9.30*  
*30. 4.30*

Disposition, *Held to await*  
*the result of injuries*

0808

CITY AND COUNTY } ss.  
OF NEW YORK, }

POLICE COURT, 9 DISTRICT.

Michael Delaney  
of the 35 Avenue Street, aged years,  
occupation Police Officer being duly sworn deposes and says  
that on the 21 day of July 1891

He arrested  
Edward Harris for the reason  
that one Julius Cox now confined  
in Manhattan Hospital  
informed deponent in the  
presence of said Harris  
that Harris had stabbed  
him in the back with some  
sharp instrument.  
Deponent further says that  
said Cox cannot appear  
in Court at present.

Sworn to before me, this

22 day

of July 1891

Police Justice.



0809

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Edward Harris*

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

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

The said

*Edward Harris*  
late of the City of New York, in the County of New York aforesaid, on the  
*21st* day of *July*, in the year of our Lord  
one thousand eight hundred and ~~eighty-nine~~ *nineteen*, with force and arms, at the City and County  
aforesaid, in and upon the body of one *Junius Cox*  
in the peace of the said People then and there being, feloniously did make an assault and  
to, at and against *him* the said *Junius Cox*, with  
a certain ~~pistol~~ *knife* then and there loaded and charged with gunpowder and one leaden  
bullet, which the said *Edward Harris*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did then and there ~~shoot off and discharge~~ *strike, wound, cut, stab and wound*  
with intent *him* the said *Junius Cox*  
thereby then and there feloniously and wilfully to kill, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York  
and their dignity.

## SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*Edward Harris*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

*Edward Harris*  
late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of  
the said *Junius Cox* in the peace of  
the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and to, at and against *him* the said  
*Junius Cox*, with a certain *knife*  
a certain ~~pistol~~ then and there charged and loaded with gunpowder and one leaden bullet,  
which the said *Edward Harris*  
in *his* right hand then and there had and held, the same being a weapon and  
an instrument likely to produce grievous bodily harm, then and there feloniously did  
wilfully and wrongfully ~~shoot off and discharge~~ *strike, stab, cut and wound*, against the form of the statute in such case  
made and provided, and against the peace of the People of the State of New York and  
their dignity.

DE LANCEY NICOLL.

~~JOHN R. FELLOWS,~~

District Attorney.

08 10

**BOX:**

446

**FOLDER:**

4115

**DESCRIPTION:**

Harris, Michael

**DATE:**

08/03/91



4115

0811

Michael Collander  
Cpl. Peterson

this dept  
most guard  
and guard  
connected  
by

Counsel,  
Filed 3 day of Aug 1899  
Pleads, I plead to

THE PEOPLE  
vs.  
Commonwealth

Michael Harris  
Grand Juror, and Degree.  
Sections 528, 530 Pennl Code.

George Washington  
District Attorney  
A True Bill  
Wm. Madant  
Foreman

James G. [unclear]  
[unclear]  
[unclear]

08 12

Police Court

District.

Affidavit—Larceny.

City and County } ss:  
of New York,

of No. 55 Hester Street, aged 22 years,  
occupation Pressing being duly sworn,

deposes and says, that on the 26 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 night time, the following property, viz:

One silver watch  
valued at ten dollars  
\$ 10.00

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 Michael Harris (working

for the reasons following to wit:  
at the hour of business  
on said date, as deponent was  
on Hester Street having the  
said watch to which was at-  
tached a chain which watch  
was in the left pocket of the  
coat which he then wore the  
defendant seized said watch  
and ran away with the same.  
Deponent is informed by Officer  
Peterman (then present) that he  
Peterman found the said  
watch in the possession of  
the defendant. Michael Harris

Sworn to before me this

26 day

1891

Police Justice.

08 13

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 25 years, occupation Police Officer of No.

Michael Coleman Street, being duly sworn, deposes and

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

Sworn to before me, this 26

day of July, 1898,

William Coleman  
Police Justice.

08 14

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK.

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

Question. What is your name?

Answer.

*Michael Harris*

Question. How old are you?

Answer.

*30 years.*

Question. Where were you born?

Answer.

*Russian Poland.*

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

Answer.

*At home*

Question. What is your business or profession?

Answer.

*Laborer.*

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*

Taken before me this

day of *August* 188*7*

Police Justice

08 15

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.....

*Refrain*  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *500* 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 26* 18 *81*..... 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.

08 16

BAILED,

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

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

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

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

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

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

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

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

Police Court--- District.

THE PEOPLE, vs.  
ON THE COMPLAINT OF

2

3

4

Dated

1891

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

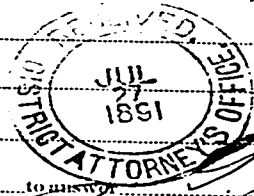
Street.

No.

Street.

\$

to answer



921  
narrow



08 17

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Michael Harris*

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

*Michael Harris*  
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

*Michael Harris*

late of the City of New York, in the County of New York aforesaid, on the *26th*  
day of *July* in the year of our Lord one thousand eight hundred and  
*eighty-one*, in the *night* time of the said day, at the City and County  
aforesaid, with force and arms,

*one watch of the  
value of ten dollars*

of the goods, chattels and personal property of one  
on the person of the said

then and there being found, from the person of the said

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.

*Michael Collander*  
*Michael Collander*  
*Michael Collander*  
*De Ramsey Nicoll,*  
*District Attorney.*

08 18

**BOX:**

446

**FOLDER:**

4115

**DESCRIPTION:**

Haskins, Margaret

**DATE:**

08/05/91



4115

08 19

B. N. Aug 5/91

Witness

*Alma Lumber*

Counsel,  
Filed *5* day of *Aug* 1891  
Pleads *Not Guilty Sept 1/91*

THE PEOPLE  
vs.  
B

*Many of the witnesses  
in this case cannot  
now be found. The  
Complainant has exposed  
a claim to withdraw her  
Charge of the defendant  
is a woman of good  
character & has a family  
of children -  
I recommend the  
dismissal of the indictment.  
May 1/92*

*N. M. Davis*  
*Ant*

ASSAULT IN THE THIRD DEGREE  
(Section 219, Penal Code.)

*Margaret Hashins*

*Edw. M. Hall*  
~~John D. Hall~~  
District Attorney.

Sept 23, 1891

A True Bill.

*Wm. L. Woodard*  
*Post. B. May 5/92*  
*Wm. L. Woodard*  
*Dwight & Paul*  
*Perch's*

0820

Lena Lumbier  
discharged from  
New York Hospital  
July 18/1891

0821

New York Hospital,

GEO. P. LUDLAM,  
Superintendent.

West Fifteenth Street,

New York, *July 17* 1891

To Capt. Thompson:  
Leva Gumbrey is suffering  
from scalp wounds & contusion  
of the side.

E. J. Sheron,  
Senior Asst. Surgeon

Delay owing to my being  
busy. E. J. Sheron

0822

Police Court— 2 — District.

CITY AND COUNTY } ss,  
OF NEW YORK,

Patrick J Kelly  
of No. 8th Precinct Police Street, aged        years,  
occupation Police being duly sworn, deposes and says, that  
on the 17 day of July 1897 at the City of New York,  
in the County of New York, one Lena Lumbrey  
he was violently ASSAULTED and BEATEN by Margaret Harkin  
(now here) as deponent was informed by  
witnesses; that said Lena Lumbrey is  
now in New York Hospital unable  
to appear in court.

without any justification on the part of the said assailant.

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

Sworn to before me this 18

day of July 1897

Patrick J Kelly  
John J Kelly Police Justice.

0823

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

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

Dated.....18.....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.

0824

Police Court--- 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

P. J. Kelly  
vs.  
Margaret Harkins

Assault on  
Dignity  
Lena J. Lumbrey

BAILED.

No. 1, by Kate J. Lumbrey  
Residence 76 Westcrosses Street.

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

Dated July 18 1891  
P. J. Kelly Magistrate.  
P. J. Kelly Officer.  
Precinct.

Witnesses Eugene Carhart  
No. 68 Broadway Street.  
Annie Cavanagh  
No. 629 Greenwich Street.  
Lena J. Lumbrey, 629 Greenwich St.  
No. Dischargee Street.

\$ to answer  
Filed 23 July 1891

Com to avoid null & inferences



0825

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Margaret Haddins*

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

*Margaret Haddins*

of the CRIME OF ASSAULT IN THE THIRD DEGREE, committed as follows.

The said *Margaret Haddins*

late of the City of New York, in the County of New York, aforesaid, on the *seventeenth*  
day of *July* in the year of our Lord one thousand eight hundred and  
*ninety-one*, at the City and County aforesaid, in and upon the body of one *Sena*  
*Sundberg*, in the peace of the said People then and there being, with force  
and arms, unlawfully did make an assault, and *then* the said *Sena*  
*Sundberg*, did then and there unlawfully beat, wound and ill-treat, to the great damage  
of the said *Sena Sundberg*, 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.

0826

**BOX:**

446

**FOLDER:**

4115

**DESCRIPTION:**

Herboldt, John

**DATE:**

08/06/91



4115

0827

Witnesses;

*Edward Bernholz*

*Off Lewis*

Counsel,

Filed

Pleads,

6 day of Aug 1891

THE PEOPLE

vs.

*R*

*John Harbold*

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

LEWIS & GULL.

ALVIN R. FELLOWS,

District Attorney.

A True Bill.

*Wm. H. Madrell*  
*Aug 7/91* Foreman  
*Robert J. Madrell*  
*Wm. H. Madrell*  
*Elmer*

0828

Police Court

5 District.

Affidavit—Larceny.

City and County } ss:  
of New York, }

of No. 227 East 100 St Edward Bernholz  
occupation Cigar maker Street, aged 32 years,  
deposes and says, that on the 27th day of July 1891 being duly sworn,  
York, in the County of New York, was feloniously taken, stolen and carried away from the pos-  
session of deponent, in the day time, the following property, viz:

Fifty cents.

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 John Herboldt

Edward Bernholz who seized John Bernholz  
deponent on the public street  
and forcibly attempted to  
take said property from  
deponent's trousers pocket

Eddie Bernholz

Sworn to before me this 27th day

of July 1891

Police Justice.

0829

Sec. 108-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am guilty*  
*John Herboldt*

Taken before me this

day of

*July 1894*  
*Wm. C. Hulse*

Police Justice.

0830

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 Agueda

Agueda ~~Agueda~~ of, 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 28 1891, M. A. H. H. H. 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.

0031

982

Police Court--- District.

THE PEOPLE, &c  
ON THE COMPLAINT OF

*Caawana Bernholtz*  
*John Herbold*

1  
2  
3  
4

Office

*Lewis*

Dated *July 28* 1891

*White* Magistrate.

*Lewis* Officer.

*37* Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ *500* to answer

*att 1-9 1-2*

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0832

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*John Herboldt*

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

*John Herboldt*  
of the CRIME OF GRAND LARCENY in the Second degree, committed as follows:

The said

*John Herboldt*

late of the City of New York, in the County of New York aforesaid, on the *27<sup>th</sup>*  
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 silver coin of the kind*  
*called half dollars, of the value of fifty cents,*  
*two silver coins of the kind called quarter*  
*dollars of the value of twenty-five cents*  
*each, three silver coins of the kind called*  
*dimes of the value of ten cents each, four*  
*nickel coins of the kind called five cent*  
*pieces of the value of five cents each*  
*and ten coins of the kind called cents*  
*of the value of one cent each —*

of the goods, chattels and personal property of one *Edward Bornholz*  
on the person of the said *Edward Bornholz*  
then and there being found, from the person of the said *Edward Bornholz*  
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.

*Re Lancey Recoll,*  
*District Attorney*



0833

**BOX:**

446

**FOLDER:**

4115

**DESCRIPTION:**

Herity, Thomas Jr.

**DATE:**

08/12/91



4115

0834

Witness:

*Mr. Henry*

Counsel,

Filed

day of

1891

Plends,

THE PEOPLE

vs.

*Thomas Henry*

DE LANCEY NICOLL,

District Attorney.

[Section 488, sec. 4-2-3-4-2-1]  
Burglary in the Third Degree.

A TRUE BILL.

*Wm. Woodruff*

Foreman.

*Aug 16/91*

*Charles R. Day*

*Pen one up*

1046

0835

Police Court— District.

City and County } ss.:  
of New York,of No. 440 City Hall place Street, aged 37 years,  
occupation Stone mason being duly sworndeposes and says, that the premises No. 55 Rose Street, 4th Ward  
in the City and County aforesaid the said being a wood house in the base  
ment in the rear house of the Estey brick dwelling  
and which was occupied by deponent as a storage room  
and in which there was at the time <sup>28</sup> a human being, by name

were BURGLARIOUSLY entered by means of forcibly

Breaching  
off the hasp and lock on the door  
of said wood houseon the 6th day of August 1894 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:One Trowel. One steel bar one  
iron bar, and a number of  
pots and pansBeing together of the value of  
Three Dollars

the property of

L. 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

Thomas Herity (nowhere)

for the reasons following, to wit:

That on said day said  
wood house was securely locked and  
fastened by means of lock and  
key, and on said day deponent  
was informed by Fred Medayback  
the janitor of said premises that  
he found said wood house broken  
open and he saw said deponent  
coming through said basement

0836

with the said Property. <sup>and</sup> dependent  
is further informed by Henry Meyer  
of 99 Rose Street that on said day  
said defendant paid him a stool  
car for 10 cents which dependent  
fully identifies as being his, <sup>and</sup>  
Charges said defendant with the  
burglary aforesaid.

I swear to before me on the 18<sup>th</sup>  
the 4<sup>th</sup> day of August 11

Do J. C. Beck  
Police Justice

The Liberty

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named \_\_\_\_\_ guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of \_\_\_\_\_ Hundred Dollars \_\_\_\_\_ and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated \_\_\_\_\_ 188\_\_\_\_\_. \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188\_\_\_\_\_. \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188\_\_\_\_\_. \_\_\_\_\_ Police Justice.

**Police Court,** \_\_\_\_\_ District,  
\_\_\_\_\_

**THE PEOPLE, &c.,**  
*on the complaint of*

\_\_\_\_\_ et.

1 \_\_\_\_\_  
2 \_\_\_\_\_  
8 \_\_\_\_\_  
4 \_\_\_\_\_

Office—BURGLARY.

Dated \_\_\_\_\_ 189\_\_\_\_ Magistrate.

Officer \_\_\_\_\_  
Clerk \_\_\_\_\_

Witness, \_\_\_\_\_

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

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

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

to answer General Sessions.

0837

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 33 years, occupation Painter of No. 255 Rose Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Thomas Henry and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 7 day of February 1890, } J. H. Smith

J. C. Russell  
Police Justice.

0838

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 55 years, occupation Professor of No.

579 Ave Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Thomas Merty

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

Sworn to before me, this 7th day of August 1899. Henry Morgan

Do Police Justice.

0839

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, ss.

District Police Court.

*Thomas Herity Jr.* 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. *Thomas Herity Jr.*

Question. How old are you?

Answer. *15 years.*

Question. Where were you born?

Answer. *Scotland*

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

Answer. *55 Rose Street. 1 year.*

Question. What is your business or profession?

Answer. *Shoe finisher*

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 Thomas Herity*

Taken before me this

day of *December* 188*8*

*Do* Police Justice

0840

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

Dated August 7 1891 John C. B. [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.



0841

Police Court---

1046  
District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Thomas Henry*  
48 City Hall Place

1

2

3

4

Office

Dated

*August 7* 188*9*

Magistrate.

*Doran & Griffen*  
Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

*1500*

to answer

*Conte*

BAILED.

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street

0842

483

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 Herity, the younger*

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

*Thomas Herity, the younger.*

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

The said

*Thomas Herity, the younger*

late of the *4th* Ward of the City of New York, in the County of New York aforesaid, on the  
*sixth* day of *August* in the year of our Lord one  
thousand eight hundred and ninety-*one* in the *day* time of the same day, at the  
Ward, City and County aforesaid, a certain building there situate, to wit, the *building* of  
one *Thomas Herity, the elder*

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*  
*Herity, the elder* in the said *building*  
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.

0843

SECOND COUNT—

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

*Thomas Herity, the younger*  
of the CRIME OF *Petit* LARCENY committed as follows:  
The said *Thomas Herity, the younger*

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 *day* — time of said day, with force and arms,

*one trowel of the value of fifty cents*  
*one iron bar of the value of fifty cents*  
*one steel bar of the value of one dollar,*  
*five spats of the value of twenty cents*  
*each and five pans of the value*  
*of ten cents each*

of the goods, chattels and personal property of one *Thomas Herity, the elder*  
in the *building* of the said *Thomas Herity, the elder*

there situate, then and there being found, in the *building*  
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.

*DeLancey Nicoll*  
*District Attorney*

0844

**BOX:**

446

**FOLDER:**

4115

**DESCRIPTION:**

Higson, George

**DATE:**

08/10/91



4115

0845

Witnesses

*John W. Chittenden*  
*John W. Cherry*

Counsel,

Filed

10 day of Aug 1891

Pleas,

THE PEOPLE

vs.

*George Higson*

*Burglary in the Third Degree.*  
*Section 488, to 492 of the Penal Code.*

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Wm. Proctor*  
*Aug 14-91*

*And requested*

0846

Police Court—14<sup>th</sup> District.City and County } ss.:  
of New York,of No. 427 East 70<sup>th</sup> Street, aged 28 years,occupation print dealer being duly sworndeposes and says, that the premises ~~known as the S. Corner of 71<sup>st</sup> Street~~ 71<sup>st</sup> Ave 19 Wardin the City and County aforesaid the said being a one story buildingand which was occupied by deponent as a print businessand ~~in which there was at the time a human being by name~~were BURGLARIOUSLY entered by means of forcibly opening the lock  
of a door, which door led to said  
building, and which door was lockedon the 9<sup>th</sup> day of July 1897 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:Sixty (60) pounds of woollen  
rags of the value of about  
Four (4) Dollarsthe property of deponentand 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 byGeorge Higson (nowhere)

for the reasons following, to wit:

Deponent says, — he is informed  
by John M. Sherry of 1335 Ave A, that at about  
5:30 am of said date, said Mc Sherry saw  
defendant leave said building with  
a filled bag in his defendant's possession.  
Sworn to before me  
this 5 day of July 1897John M. SherryPolice Justice

0847

CITY AND COUNTY }  
OF NEW YORK, } ss.

John M. Sherry  
aged 27 years, occupation Vendor of No. 1335 Avenue A Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of John M. McIntyre  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this 5<sup>th</sup>

day of Aug

1896.

John M. Sherry  
mark

Henry M. McIntyre

Police Justice.

0848

Sec. 198—200.

4 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer.

*George Higson*

Question. How old are you?

Answer.

*22 years*

Question. Where were you born?

Answer.

*United States*

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

Answer.

*413 East 63<sup>rd</sup> Street - 1 year*

Question. What is your business or profession?

Answer.

*Painter*

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

Answer.

*I am not guilty.*

*Geo Higson*

Taken before me this

5

day of *August* 1944  
*Wm. W. W. W.*

Police Justice



0849

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.....

*McFurdant*  
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..... *Aug 5 - 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.

0850

BAILED.

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

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

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

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

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

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

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

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

Police Court--- 11<sup>th</sup> District. 1019

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*John M. Duane*  
*George Higdon*

1

2

3

4

*Dunghung*  
Offence

Dated *August 5<sup>th</sup> 1891*

*Murray* Magistrate.

*Edward J. Hughes* Officer.

*2<sup>nd</sup>* Precinct.

Witnesses *John M. Sherry*

No. *1335 Avenue A* Street.

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

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

\$ *5.00* to answer *P.D.*



*CM*

*Dunghung*  
*P.D.*  
*Sherry*

0851

483

**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 Higson*

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

*George Higson*

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

The said

*George Higson*

late of the *19th* Ward of the City of New York, in the County of New York aforesaid, on the  
*ninth* day of *July* in the year of our Lord one  
thousand eight hundred and ninety- *one* in the *day* - time of the same day, at the  
Ward, City and County aforesaid, a certain building there situate, to wit, the *building* of  
one *John Mc Intyre*

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 *John*  
*Mc Intyre* in the said *building*  
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.

0852

SECOND COUNT—

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

George Higson  
of the CRIME OF Petit LARCENY

committed as follows:

The said

George Higson  
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 day - time of said day, with force and arms,

sixty pounds of rags of the  
value of seven cents each  
found

of the goods, chattels and personal property of one

in the

John Mc Intyre  
building of the said John Mc Intyre  
there situate, then and there being found, in the building  
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.

0853

THIRD COUNT:

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

*George Higson*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

*George Higson*  
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,

*sixty pounds of rags of the  
value of seven cents each  
pound*

*John Mc Intyre*  
of the goods, chattels and personal property of

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said

*John Mc Intyre*  
unlawfully and unjustly did feloniously receive and have; (the said

*George Higson*  
then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, 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.*

0854

**BOX:**

446

**FOLDER:**

4115

**DESCRIPTION:**

Hill, George

**DATE:**

08/05/91



4115

0855

Witnesses:

*Wm. Mungatord*

Counsel,

Filed

5 day of Aug 1887

Plads,

*August 6*

THE PEOPLE

vs.

*12*

*George Hill*

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

DE LANCEY NICOLL

JOHN R. FELLOWS

District Attorney.

*Party Acquitted*

A True Bill.

*Wm. Mungatord*

Foreman.

*Aug 10*  
*sent 12/11*  
*by [unclear]*

0856

Police Court 3rd District.City and County } ss.:  
of New York, }of No. 333 East 12th Street, aged 21 years,occupation Bricklayer being duly sworndeposes and says, that on the 27 day of June 1887 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by George Hill  
(now here) who did wilfully and  
 maliciously cut and stab deponent  
 in the right eye with the prongs  
 of a table fork the deponent held  
 in his hand destroying the sight  
 of said eye and said assault  
 was committed

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

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

Sworn to before me, this 27 day  
 of June 1887

John Murgatroyd  
 Police Justice



0857

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.

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

Question. What is your name.

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty*

*Geo Still*

Taken before me this  
day of

*George Still*  
*Police Officer*

0858

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

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

Dated July 27 1899 Wm. C. Duffy 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.

0859

199 3 District.

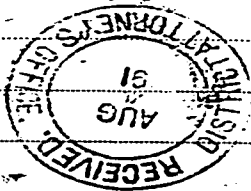
THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John H. Fitzgerald  
333 E. 12th St.  
George Hill

Offence Assault  
Felony

Dated July 27, 1911  
Duffy Magistrate.  
WHL Officer.  
1st Precinct.

Witnesses  
No. Street.  
No. Street.



No. Street.

\$ 15.00 to answer

Ex July 30 - 1 P.M.  
\$1000 Aug 6 - 1 P.M.

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0860

NEW YORK EYE AND EAR INFIRMARY

SECOND AVENUE, CORNER 13TH STREET.

NEW YORK *July 30<sup>th</sup>* 1891

*This is to certify that John  
Hunsatroyd is unable  
to appear in court.  
today*

*A. D. Harney M.D.*  
*Res Surg*

0861

# 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 Hill*

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

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

The said

*George Hill*, late of the City of New York, in the County of New York aforesaid, on the *twenty-seventh* day of *July*, in the year of our Lord one thousand eight hundred and ~~eighty-nine~~ *one* with force and arms, at the City and County aforesaid, in and upon the body of one *John Murgatroyd* in the peace of the said People then and there being, feloniously did make an assault and ~~to, at and against~~ *him* the said *John Murgatroyd* with a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said *George Hill* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there ~~shoot off and discharge~~ *strike, stab, cut and wound* with intent *him* the said *John Murgatroyd* thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

## SECOND COUNT—

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

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

The said

*George Hill*, late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *John Murgatroyd* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against *him* the said *John Murgatroyd* with a certain *fork* ~~a certain pistol then and there charged and loaded with gunpowder and one leaden bullet~~ which the said *George Hill* in *his* right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did ~~wilfully and wrongfully shoot off and discharge~~ *strike, stab, cut and wound* against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

JOHN R. FEEDOYS,

District Attorney.

0862

**BOX:**

446

**FOLDER:**

4115

**DESCRIPTION:**

Hirt, Frederick

**DATE:**

08/06/91



4115

Witness:

Henry Arnold

On all the facts herein  
I am convinced that  
the peoples evidence  
will fail to prove  
the crime alleged  
herein and that no  
greater guilt can be  
established than that  
of Petty larceny which  
here I recommend  
the acceptance of  
Hampshire Jan  
Aug 11/91 W.A. Hunt: atty

W. J. O'Connell 980

Counsel,

Filed

6 day of Aug 1891

Pleads,

Not guilty

THE PEOPLE

vs.

Frederick Hirt

Grand Larceny, 1st Degree.  
(From the Person.)  
[Sections 528, 530 Penal Code]

JOHN F. FELLOWS

District Attorney.

A True Bill.

W. J. O'Connell

Aug 11/91 Foreman

Henry Arnold

Ren 14 1891

0864

Police Court—6<sup>th</sup> District.

Affidavit—Larceny.

City and County } ss.  
of New York,of No. 305 Avenue "C" Street, aged 49 years,  
occupation Insurer being duly sworndeposes and says, that on the 31<sup>st</sup> day of July 1888, at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
Person of deponent, in the night time, the following property viz:One Silver Watch of the Value of  
Twenty Eight Dollarsthe property of deponentand that this deponent  
has a probable cause to suspect and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Fredrick Hirt (nowhere)from the fact that at or about the  
hour of 11 15 P.M. on said date deponent  
missed said property from the left hand  
pocket of the vest then on deponent's person.  
while deponent was in Ransomers Park.  
and that deponent is informed by  
Samuel Shore that he saw the said  
Hirt take same and carry away  
said property from deponent's possession  
and person.Yours Truly

Sworn to before me, this

28

(day)

Charles W. Adams  
Police Justice.



0865

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 30 years, occupation Butcher of No. 531 Manhattan St. Greenwich St., being duly sworn deposes and says, that he has heard read the foregoing affidavit of Mary Brown and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 28 day of July 1891 } ✓ Daniel Schade  
Charles N. Linton  
Police Justice.

0866

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

*Fred Stirt* 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 *he*; 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 *he* waiver cannot be used against *h* on the trial.

Question. What is your name?

Answer. *Fred Stirt*

Question. How old are you?

Answer. *21 Years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *412 East 15th St 10 Months*

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 not guilty**Fred Stirt.*

Taken before me this

*28*

day of

*Charles J. Justice*

Police Justice.

0867

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 dejeu

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 28 1891 Charles McIntosh 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.

0868

Police Court---

988 District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Henry Arnold  
vs. Am. Ag.  
Frederick H. Hark

2  
3  
4

Offered

988  
J. M. O'Neil  
J. M. O'Neil

BAILED.

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street

Dated July 30 1891

Sanitor Magistrate.

O'Neil Officer.

33 Precinct.

Witnessed Daniel Shadle.

No. 135 Manhattan Street.

Greenpoint L.I.

No. Neil & Neil Street.

33 Precinct

No. Street.

\$ 1000 to answer

CL

988  
J. M. O'Neil

0869

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Frederick Hirt*

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

The said

*Frederick Hirt*

late of the City of New York, in the County of New York aforesaid, on the *27th*  
day of *July* in the year of our Lord one thousand eight hundred and  
~~eighty-nine~~ *one*, in the *night*-time of the said day, at the City and County  
aforesaid, with force and arms,

*one watch of the  
value of twenty-eight dollars*

of the goods, chattels and personal property of one  
on the person of the said

then and there being found, from the person of the said

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.

*Henry Arnold*  
*Henry Arnold*  
*Henry Arnold*  
*De Lancey Nicoll,*  
*District Attorney*

0870

**BOX:**

446

**FOLDER:**

4115

**DESCRIPTION:**

Hoeckley, Albert H.

**DATE:**

08/04/91



4115

0871

Witnesses:

Edward Ferguson

The statute upon which this indictment was founded having been repealed without substitution or saving clause the prosecution necessarily falls

Dismissing  
26 Sep 1867

Therefore recommend that the indictment be dismissed

De Lancey Nicoll  
25 Sep 67

Counsel,

Filed

4 day of Aug 1891

Pleds,

Specifically kept in suit against defendant

THE PEOPLE

vs.

Albert H. Hockley

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Wm. Woodruff

Foreman.

On recom. of Dist. Atty.

indict. dis. R.B.M.

July 5/92

"Signed"

0872

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 N. Hoeckley

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

Indictment accuse

Albert N. Hoeckley 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 yard or enclosure adjoin-  
ing the State Prison of the State of  
New York at Sing Sing, Joseph Wood, Harris  
A. Smiler, James J. Flanagan and Schibick  
Jugiro, each of whom had been theretofore  
in due form of law convicted in the  
said City and County of New York of the  
crime of murder in the first degree, com-  
mitted after the first day of January in the  
year of our Lord one thousand, eight  
hundred and eighty nine, and thereupon  
sentenced to the punishment of death,  
were duly executed according to law,  
and the punishment of death was then



and there inflicted upon the said Joseph Wood, Harris A. Smiler, James J. Slocum and Schishik Jagers in the manner and form provided by law.

And afterwards, to wit: on the eighth 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 aforesaid, the said Albert N. Hoeckley late of the said City and County did unlawfully publish and cause and procure to be published in a certain newspaper published in the said City of New York, called the New York Morning Journal a certain account of the details of the said execution beyond the statement of the fact that the said Joseph Wood, Harris A. Smiler, James J. Slocum and Schishik Jagers were on the said seventh day of July in the year aforesaid, duly executed according to law, at the said Prison, which said account is as follows, that is to say:

# FOUR KILLED IN A CHAIR.

Were the Murderers Tortured or Were Their Deaths Painless?

## SECRECY OF THE DEATH-CHAMBER.

Two Witnesses Talk After the Execution and Their Stories Differ Widely—The One Undisputed Fact Is That the Men Are Dead—The Story of the Execution.

Special to the Morning Journal.

SING SING, July 7.—The Electrical Execution law was carried into effect early this morning at the State Penitentiary, and the four murderers, James J. Slocum, Harris A. Staller, Joseph Wood and Schihlok Jugigo, paid the legal penalty of their crimes.

The four men were killed at intervals of twenty minutes, the quadruple electrocution lasting but eighty-three minutes.

How they were killed is a mystery. Warden Brown would make no statement to the press of the tragedies. He also induced the physicians in attendance to pledge themselves to secrecy. Every avenue of official news he effectually blocked.

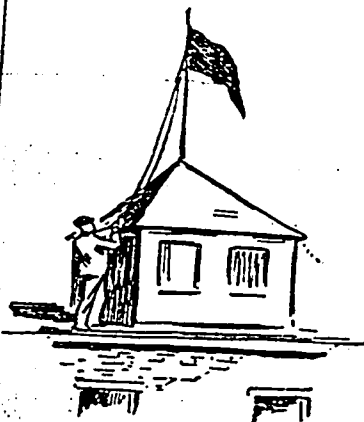
Two complete and lengthy statements were made in the afternoon. One was prepared by a particular friend of the Warden. It claims that the electrocutions were an absolute success; that everything passed off smoothly; that the victims suffered nothing, so quick and certain was the death; that none of the witnesses were even nauseated; that the faces of the victims wore a smile, even after the current had passed through their bodies; that there was no frightful burning of the flesh; that one application of twenty seconds produced death, and that, in fact, none of the terrible scenes which were enacted at the Kommer execution last August were duplicated here.

On the other hand an equally long statement is made by a man who witnessed the electrocutions. His statement is radically different from the former. He said the scene in the death-chamber was frightful.

Two applications of the current were needed in every instance to bring about death.

The men suffered fearful agony. Smoke rushed from their mouths and nostrils, and their eyeballs almost burst from their sockets.

In every fresh victim the same thing was duplicated. Their faces were distorted in a



Up Went the Black Flag.

frenzy of agony, and the witnesses shuddered and groaned at the sight. Their flesh quivered and shook, and when they were at last pronounced dead it was found that the

sponges had been burned away, and that the flesh of all had been roasted.

The statements of both of these men are printed below. They are what the public must depend upon for a description of the electrocution.

Which statement is the true one can only be conjectured. All the doctors interviewed said that unconsciousness was instantaneous. When asked if death was instantaneous they refused to answer.

Neither would they talk about any burns on the bodies of the unfortunates. These refusals have their own significance in view of the evident anxiety of every one to say that electrocution has been successfully demonstrated.

### SCENES OF HORROR.

#### Smoke Arises from the Flesh of the Victims of the Law.

Special to the Morning Journal.

SING SING, July 7.—There was a story of the execution told by a witness present which in horror and unspeakable misery utterly throws into the shade the awful history of the electrocution of William Kemmler at Auburn.

"When Slocum, the first man to die, came into the death room," said the speaker, "he seemed to be but little affected at the sight of the death chair. He stood stupidly gazing around him with a stolid face of utter indifference.

He was dressed in a new suit of black diagonal cloth, trousers of a dark pattern, a white shirt, turned-down collar and a black tie.

He required no assistance to reach the death-chair and was soon strapped within its fatal embrace.

"When he was strapped in the figure 4 above the head was loosened and lowered so that the electrode fastened to the end of the wire that ran through it, and to which it was attached by a coil spring, could be placed at the base of the brain.

The electrode was simply a little cup or curved brass band with a big sponge that had been saturated in salt water attached to the end of it. The collar of the prisoner's coat had been cut down a trifle so that the base of the brain could be reached. At this spot the electrode was placed, and another similar electrode was placed against the spine, where another portion of his clothing had been removed to lay bare the skin.

The Current Turned On.

"Then the fearful current was turned on.

In an instant the body in the chair stiffened against the straps. All the muscles were firmly set as though an awful effort to escape from the bonds that hold it tight made them like springs of tempered steel. The straps strained with a peculiar sound of stretchy leather: their edges pressed deeply into the yielding flesh of the face.

"The expansion of the force was lost under the broad bands drawn across the eyes, nose and chin, but the skin exposed to view turned a purple red.

Dr. McDonald fixed his eyes on the stop watch in his hand, and when it marked twenty seconds he nodded to Electrician Davis, who stopped the current. The effect on the body of Slocum was instantaneous. From a position of great muscular activity it subsided into hollow chested collapse. Instead of straining against the straps it hung in them limp and unsteady.

"A moment of uncertainty followed. Would the dead man appear to revive as Kemmler had done? Would his chest heave and his lips move as if breathing?

"In less than a minute's space after the first shock was applied there came from between the lips of the pallid face hanging in the death harness a rush of air which whistled between the half-clenched teeth and ended in a half sigh, half groan.

Quickly as Dr. McDonald could raise his hand to give the signal, the electrician turned the switch, the electric current rushed through the death circuit, and the body in the chair stiffened again against the straps.

The time of this contact was not made public. Dr. McDonald has a record of it.

Smoke Arises.

"At this point the skin and flesh of the back and almost immediately afterward the skin of the forehead began to smoke.

"Dr. McDonald again signalled the electrician to turn the switch. The current was withdrawn, and instantly the body collapsed again. This time there was no response from the muscles.

"There was no doubt that Slocum was dead.

"The body was then removed and taken to the autopsy room and laid on the table.

"Screens had been placed in front of the cells of the other condemned men, so that they could not see when their turn to die had come.

"Warden Brown went for Smiler.

"He was placed in the chair and the current turned on for twenty seconds. Then it was turned off, but only for a minute. The chest of the man in the chair began to heave, and the current was turned on once more, until, as in the case of Slocum, it burned the flesh.

"Then it was shut off again and after a delay, which showed there was no chance for revival, the body followed that of Slocum to the autopsy room.

Wood Burned.

"When Wood's turn came it was also necessary to make two applications of electricity, and at the second application

the flick of the dying man was cruelly burned.

Twenty minutes later Jugiso, the Jap, was brought into the room struggling and fighting with his keepers.

Two applications of the fatal current was necessary, and, as in the other three executions, the flesh of the victim was badly burned. Smoke issued in a tiny, but sickening stream from his mouth. His chin was horribly distorted with the agony that shook his frame.

"But soon the death struggle ended and his lifeless form was removed from the chair."

### STORY OF AN EYE-WITNESS

Graphic Description of the Killing by Electricity.

Special to the Morning Journal.

SING SING, N. Y., July 7.—When the conflicting stories of the witnesses, regarding the electrocution, began to circulate in the afternoon, it was rumored that Warden Brown would make an official statement of the fourfold tragedy and definitely settle the question of whether it was a horrible butchery or a success.

The pickets and their Winchesters were invaded by a Journal man, who had one of them take his card up to the Warden, who was resting in his room after the fatigue and intense excitement of the morning. The Warden sent down word that he was too tired to see any one and then the reporter wrote out a question on a slip of paper and had the keeper take it back to Mr. Brown. This is the question and here also is the answer:

"Is it true that you intend making any statement of any sort to the newspaper men this afternoon?"

"The law prohibits me from making any

statement except the fact that on this 7th day of July, 1901, the four condemned men were executed according to the law governing such cases."

Semi-Official Statement.

While nothing more could be obtained from the Warden a statement, which is semi-official in its character and which undoubtedly had the sanction of the Warden, was obtained later in the day from an intimate friend of the Warden. This man was not actually present at the electrocutions, but his statement is so full of detail that there is little doubt about its source. The man was with the condemned men up to a few hours before they were led to their death, and he also viewed their bodies immediately after the fatal shock had stilled their lives. He was present at the autopsies and was in every way familiar with the work which had been planned to hurl four souls into eternity.

This is the statement full and complete, and if ever Warden Brown is called upon to make public the happenings in that death chamber it can be depended upon they will be told in this way:

Notified of Their Fate.

"The doomed men were told at 8 o'clock Monday evening what they were to expect on the following morning. Slocum, Smiler and Wood were told, but the Jap, Jugiso, was kept in ignorance of his fate, as it was feared that the news would cause him to create a disturbance which would surely end in the peaceful courage of the other three being knocked and wise.

"Father Hogan, the assistant priest at the Church of St. Augustin, spent all of the evening with Slocum and Wood, who had been converted to the Roman Catholic



THE JAP'S LAST FIGHT FOR LIFE

Church. As the night wore on, Father Creedon and Father Lynch entered the cells of the two men.

"The priests talked with the men and did everything possible to keep up their courage. Ready to Go.

"Slocum was quite talkative. He looked calm and collected, and his religious fervor was so strong that he lost sight of the dreadful fate glaring at him in the face. He confessed to the terrible crime for which he was sentenced, but said that he committed it while he was drunk. He prayed every quarter or half an hour, and often said to Father Creedon: 'Don't worry about me, Father. I am not afraid to die. It will soon be over now.'"

Wood Resigned.

"The negro Wood, while equally calm and fearless, was not so talkative. He told the priests that he was well able to die, and that he was a better man now than he had been before, and that it was just as well for him to go. He was thoroughly and honestly resigned to his fate. It was not affectation with him. He believed in his religion, and had confidence and faith in it.

Jugigo Wouldn't Talk.

"The priests tried to talk with Jugigo, but he would have none of them. He cursed and swore at them furiously. He had no fear of death, because he was more animal than man. He really did not have intelligence enough to appreciate how near he was to the awful brink. He had no religion, no faith and no fear. He was an animal in human form. The priests tried kindness and persuasion, but it was no use. The more they talked the louder he swore. At last they withdrew and devoted themselves to the other two men.

Smiler's Cowardice.

"In the cell of Smiler the Rev. Dr. Edgerton, the chaplain of the prison, and the Rev. Dr. Law, the chaplain of the Tombs, tried to cheer up the wretched man. Smiler was the most pitiable of them all. He was born a coward and lived a coward, and these instincts cropped out when he was on the verge of the black gulf, though he made a determined effort to quench his fear. He also professed to have deep confidence in his religious faith, but his protestations did not have the ring of truth and honesty that was so marked in Wood and Slocum.

"There were a dozen keepers in the open apartment upon which the four cells faced. Near the cell of the Jap stood Keepers Davie, Corrigan and Kerry, three of the biggest and most courageous keepers in the prison. They had been placed there with a purpose.

"There was every possibility that the Jap would make trouble, as he had done twice before. Keepers Kerry and Corrigan were the only ones whom the Jap stood in fear of. They had both clubbed him almost to death on two occasions when he tried to kill a third keeper by hitting the latter over the head with pieces of his iron cot, which he had torn into pieces, so great was his frenzy and strength. The third keeper, Davie, is the biggest man in the prison, and has the strength of an elephant.

The Sullen Jap.

"At 11 o'clock three of the men lay down on their cots, not to sleep, but to rest, if rest they could. Not so with the Jap. He sat on his cot glaring sullenly at his keepers. His dull apprehension had convinced him in some way that the end was near at hand. Like a mad animal he wanted to dash at his keepers and tear them to pieces, but the formidable clubs of the keepers and their fierce determination awed him.

"It had been arranged that the Jap was to go first. When the priests saw how ugly he was, they begged the Warden to chance his determination and put the Jap last on the list. They were afraid that he would make trouble when the keepers came to take him from the cell, and that the row would unsettle the nerves of the others, in which event a terrible scene would follow.

"Warden Brown agreed to this, and then the order was changed to Slocum first, Smiler second, Wood third and Jugigo fourth.

Quiet Hours.

"From midnight until 4 a. m. there was scarcely a word spoken in any of the cells. Then, as if by common understanding, the men and their spiritual advisers got up. The men dressed themselves in suits of black clothes, with the exception of the Jap, who refused to change the tattered garments he had worn for such a time.

"Coffee and beefsteak and rolls were handed quietly around to the men. Only the Jap ate, and he disposed of the food in a quick way that bespoke an appetite. No word of what was coming was spoken by any one, but all understood.

"The cells of the men ran side by side in a row, but none of the condemned men were allowed to speak to one another. A few minutes after 4 o'clock the holy sacraments were administered to Slocum and Wood.

The Last Rites.

"Both received the last rites fervently but calmly. There was no noticeable change except that the corners of the mouths of both were drawn down tight.

"In Smiler's room Ministers Law and Edgerton prayed with the unhappy man, for he was unhappy, wretched and almost powerless from fear. His usually crafty eyes looked beseechingly about, as if he still hoped that there was reason for him.

"As on the previous night the Jap was left to the quiet mercies of the keepers. He hummed a curious kind of solemn dirge in a weird, strange voice. The keepers told him

to keep quiet, and he laughed at them, but when Davis raised his club, the Jap shrank back and then remained quiet.

#### Slocum Summoned.

"A few minutes before 4:30 o'clock, Warden Brown and Head-keeper Connaughton went into Slocum's cell. One of the keepers motioned him to come out. He knew what it meant, but did not hesitate a second. As he stepped out of the narrow door he took a short glance at the room and then without further delay started after the Warden.

"It was only a few steps to the door leading into the death-chamber, where the deadly chair was waiting for its first victim.

#### The Death-Chamber.

"The death-chamber was a large square room about 30 by 40 feet in dimensions. It was a story and one-half high and contained numerous windows, shaded by white cotton cloth.

"It was built of rough unplanned boards, and in its interior had no furniture save the fatal chair and a common iron and porcelain-lined wash-basin.

"The death-chair was made of oiled oak, with a perforated seat, put in place with brass-headed nails. The straps which were placed about the condemned men's shoulders, arms, waist and ankles were of heavy russet-colored leather, edged with buckles of japanned iron.

"A 6-foot square of 22-inch rubber surrounded the chair, upon which the witnesses stood, so as to escape any vagrant electric current.

"Ranged in a semi-circle around the chair were the twenty odd jurors and witnesses. Near the switchboard at the back of the chair stood electrical expert Davis. He had tested the current by the indicators a few minutes before, and found that its force was between 1,500 and 1,600 volts. He had also made a more practical test just a few minutes before. A pail of cold water had been brought in and the current was turned on. Then the positive and negative electrodes were inserted in the water. An instant later the water was hot and boiling, so furious was the heat. This showed what would pass through the quivering frames of the doomed men.

#### Slocum Takes the Chair.

"Slocum needed no invitation to get into the chair. He walked up to it and calmly sat down. He tried to smile, but in this he failed. Before his death clothes had been given him a circular piece had been cut from the back of the neck of his coat, leaving the bare flesh exposed. A similar piece



Lifeless from the Chair.

had been taken from the trousers to give the electrode to be placed at the base of the spine every now.

#### Strapping the Condemned.

"It was the work of but a few minutes to place the straps about the feet, legs, stomach, breast, arms and head. The feet rested on the thick rubber mat on the floor.

"Slocum laid back his head, and Father Croeden, who had accompanied him from the cell, stepped forward and gave him a crucifix to kiss. Slocum touched his lips to it nervously and then closed his eyes.

#### An Ominous Tap.

"There was a light tap on the box behind the chair. A second later there was a strange humming in the room, and all knew that Slocum was being pierced through and through with the burning current.

"Slocum's body awoke and quivered slightly. His eyes were closed, and the expression of the face did not change a particle. For twenty seconds the current was kept on, and then at a signal from Mr. Davis it was shut off by the man in the box who was working the fatal lever. This man was said to be Yard Captain Hilbert, who had been selected by Warden Brush to do the work.

#### All Over.

"When the current was off the straps were removed, and the limp and lifeless body of Slocum was carried into the autopsy room, back of the chamber of death. There were three tables in this room, and the body was laid upon one. Only a brief examination was made of it, and no marks or burns could be found where the electrodes had rested at the base of the brain and spine.

"It had been arranged that twenty minutes were to elapse between the electrocutions. This would give time for new tests of the machine to be made after each victim had been killed.

#### Smiller's Turn.

"Immediately after the body of Slocum had been taken away Warden Brown and Connaughton went to the cell of Smiller. While they were away the witnesses, who had been greatly subdued and impressed by the tragedy just enacted, talked quietly of it.

It was 4:43 when Slocum's death had been accomplished. Twenty-five minutes later the Warden, followed by the trembling Smiler and Ministers Edgerton and Law, entered the death chamber. Smiler almost fainted when he saw the ghastly chair. He stared at it and then allowed himself to be mechanically led up to it. He sat in the same straps that had just held Slocum in an embrace of death were fastened and Chaplain Edgerton said a brief prayer.

The chaplain stepped back, the same little tap sounded on the board behind the chair, and the humming was heard as the current ploughed its way into the life of the man. His body twitched and quivered, and froth appeared at his mouth. Twenty seconds after the current had been turned on it was switched off, the straps were loosened, and the dead body of Smiler was laid next to that of Slocum.

Again was this factory of death vacant, and the Warden started in his third pilgrimage—this time for the negro Wood. Some of the witnesses were growing pale with seeing life twisted into death in such a way. It was 5:13 when Smiler was pronounced dead by Dr. McDonald. Just thirty minutes had elapsed since Slocum's death.

#### Wood Helps Adjust the Straps.

"At 5:30 o'clock the Warden came in again. Following him came the negro, Wood. The man looked stolidly about, glanced at the chair and then without further delay sat down. He was not afraid, but he made no show of it. There was nothing of the bravado about him. He was serious, only he seemed in a hurry to get through

with it. He helped the keepers fasten the straps about himself and when they had finished this task he settled himself in the chair.

Father Lynch whispered in the negro's ear and he answered with a faint smile. The crucifix was placed to his lips and he kissed it. Father Lynch turned aside with tears in his eyes. When he turned his face toward the chair again Wood was a corpse. The current had done its work. Wood's face looked as calm in death as it had in life. It wore the smile, and but for a little froth at the mouth it looked strangely natural. It was carried into the autopsy room and laid on the third table.

#### The Jap Meek.

"Twenty-five minutes had elapsed since the killing of Smiler, and fifty-five minutes since the death of the first victim, Slocum. Three of the murderers had paid the penalty and there were no signs of weakening among the twenty odd men who were officially watching the tragedies.

When the Warden started out the last time every one knew it was for the Jap and every one expected a dreadful scene. The Warden left the room at 5:15 o'clock. Fifteen minutes later he returned with the powerfully built Jap, following like a whipped dog at his heels. The Jap was docile enough. He had to be urged to get in the chair. He also had to be pulled about some before the straps could be fastened down. The big keepers stood near him with their clubs while others fastened him in the chair.

All was ready to shock poor ignorant Jugio into eternity at 6:05. At 6:05 he was a corpse and 6:08 his body was lying upon a dissecting table, which was in the execution room.

No trouble had been experienced by the Warden in getting the Jap out of the cell. The Warden simply said: "Come along Joe, my boy," and Jugio came.

It had taken but eighty-three minutes to electrocute the four men, scarcely twenty-one minutes for each man.

There were none of the horrors of the Kemmer case at the electrocutions. None of the men were burned, only one application of twenty seconds was made to each man, and that was all.

This is the statement given by the friend and confidant of the Warden.

### THE WITNESSES COME FORTH

#### They Declare That the Deadly Work Was a Success.

Special to the Morning Journal.

SING SING, July 7.—Within a half hour after the executions the witnesses began streaming out of the prison doors.

They were immediately surrounded by a guard of five men, who escorted them to specially ordered carriages. The guard took the utmost pains to keep the witnesses from making statements for publication, and it was only by careful questioning that some of them told the bare outline of the tragedy that had just been enacted. None, however, told more than the law allowed.

Dr. Charles McDonald was met at the railroad station, however, and was asked if the execution was a successful one.

"It certainly was," he replied. "It was conducted in a perfectly dignified manner, and was in no way sensational or revolting as an execution by hanging would be."

There was not the slightest resistance on the part of any of the prisoners and each walked quite calmly to the death chair, submitted to being strapped, and in my opinion were senseless within a hardly perceptible space of time after the electric current was turned on.

"Was any of the prisoners not killed at the first shock?"

"I cannot answer that question."

"How many shocks did each prisoner receive?"

"I do not care to answer that question, either," rejoined the physician. "But I will say that there was no reviving of the men after the first shock, and that none of their

bodies were burned in a horrible manner by the electric current. I do not remember how many seconds we turned the electric current on, as I have not my memoranda book with me.

"In my opinion the men were senseless within a second and died painlessly."

#### Dr. Rockwell's Story.

Dr. Alphonso D. Rockwell, of the Expert Committee also, was asked about the story told by a witness, that the men were practically butchered.

"Not a word of truth in it," he said with a smile. "The executions were perfectly successful. The men were made senseless in a moment and never suffered a bit. The arrangements were splendid and could not have been bettered."

"Can you tell how many shocks were administered?"

"I do not feel at liberty to do so just now."

"Were the bodies of the dead in any way burned by the current?"

"That is also a question that I do not care to answer."

The story of a witness to the effect that the horrible history of William Kemmler's execution was repeated at yesterday's tragedy, was related to Dr. Rockwell.

"It is entirely untrue," said he, "and cannot be substantiated."

#### Two Shocks Were Administered.

Dr. L. P. Cortelyou, of Brooklyn, one of the witnesses, told a startling story.

"I was always opposed to electricity as a mode of punishment," said he, "and when I came to this prison I had made up my mind that in case I saw anything brutal or inhuman about the executions that I should appeal to the State Board of Charities and do all in my power to have the electrical execution law repealed."

"But the execution was so successful that I am convinced that the only way to execute a murderer is by this method."

"Can you tell how many shocks were administered in each case?"

"Two. Our reason for doing so was simply a precautionary one. In my mind, the first shock killed the prisoners, but so that there would be no failure, it was decided to again turn on the current. That is all I care to say about the matter."

#### Dr. Southwick Satisfied.

"It was a perfect execution and shows that the electric execution law has come to stay."

These were the enthusiastic words used by Dr. J. H. Southwick, of Buffalo, who was the father of the movement that led to the passing of the electrical execution law.

"I believe that the men died instantaneously and painlessly."

#### Other Witnesses' Statements.

George E. Oliver, of Albany; Chaplain Sidney G. Law, of the Tombs prison; Dr. Henry Wilson, of Newburg; Dr. Franklin Townsend, of Albany; Dr. Hiram Baker, of Sing Sing; Dr. Samuel B. Wood, of Albany, and several others, among them Warden Charles F. Durston, of Auburn prison, where Kemmler died, were all present at the execution. They all said that the execution was a success.

"I always said that the Kemmler execution was a success," said Warden Durston, of the foregoing gentlemen, "and now I am sure of it."

### UNDER SURGEON'S KNIFE.

What the Autopsies Held by the Scientists Revealed.

Special to the Morning Journal.

SING SING, July 7.—Dr. Charles P. McDonald, Professor Louis H. Landry, Dr. Samuel B. Ward, of Albany, and Dr. Van Gieson, of Brooklyn, began an autopsy upon the dead victims of the chair at 10:30 o'clock.

Prior to beginning it the physicians and the witnesses breakfasted in Warden Brown's private breakfast room.

It was a gruesome situation. A party of gentlemen had, in the hours of the early morning, gone quietly into a room and assisted in the killing of four human beings. Afterward, while waiting for the bodies to grow cold, they breakfasted, and then all sauntered slowly to the autopsy room in the rear of the death-chamber, where they watched the party of celebrated physicians cut into the almost quivering flesh of the dead.

It took nearly four hours to perform the autopsy. The body of Justice was first placed under the knife, and that of Bloquist, Smiler and Wood were then dissected as quickly as possible.

The physicians made no statement regarding the result of their labors, but decided to issue a report in a few days. It was agreed, however, that death was instantaneous. It was also said that the usual congested condition of the brain was found in each subject, and which is usual in cases of persons killed by electricity.

### SCENES AFTER THE DEATHS.

The Prison Falls Back into Its Routine Quickly.



0001

Special to the Morning Journal.  
SING SING, July 7.—The sun was high when the prison began the fall back to its usual routine of business.

After the executions were over Warden Brown had to go to bed, the nervous strain having been too much for him.

The clerical force of the prison began arriving at 6 o'clock and young Brown, the Warden's son, started out for a drive soon after behind his father's \$5,000 trotter, Manila B.

Then the day guards of the prison appeared, and at 7:10 o'clock the tall form of the Rev. Father Lynch, one of Slocum's and Wood's spiritual advisers, came out of the prison with a look on his manly face and drove rapidly in his neat private carriage to the quaint Catholic church that stands at the top of a high hill in upper Sing Sing.

Then a line of 150 prisoners, under guard of two keepers, came marching in lock-step down the hill that leads to the old female prison, but which is now used as a place of confinement. In this line of dingy, gray-garbed men, with wide bars of black interspersed, were Ferdinand Ward, of the once great firm of Grant & Ward, and George B. Pell, the sixth New York Bank wrecker. They marched slowly into the big prison to begin their daily toil.

The prison had recovered from the shock of the murderers' death.

## THE BURIAL OF THE DEAD.

Only One Body Claimed By Friends of All Four Murderers.

Special to the Morning Journal.  
SING SING, July 7.—Only one body of the four dead men was claimed after the execution.

That was of Harris A. Smiler, and was claimed by one of the widows of the dead man, who left three when he died.

A few days ago Undertaker Fred Hulberg, of No. 263 West One Hundred and Twenty-fifth street, notified Warden Brown that he should claim the body of Smiler on behalf of his wife. The dead man was once in the employ of the undertaker.

At 7:15 o'clock this morning Warden Brown notified the undertaker, and he arrived at Sing Sing at 11:30 o'clock and drove to the prison with a handsome rosewood casket concealed in a shipping case.

As the autopsy had not been performed, the undertaker was told that he could have the body tomorrow, when it will be conveyed to New York and in a day or so will be taken to Long Island for burial.

The remains of Juxico, Wood and Slocum will be buried in quicklime tomorrow in the cemetery connected with the prison and which is situated at the summit of a high bluff midway between Sing Sing village and the prison. A white painted board bearing their name will be placed at the head of each grave.

## ONE AWFUL NIGHT.

Final Preparations for the Last Dreadful Act.

Special to the Morning Journal.  
Sing Sing, July 7.—All night the State's Prison was broad awake. Not an eye among the hundreds of convicts in the institution had closed, for it was well-known by the celebrated underground convict telegraph line that the execution was to take place at daybreak.

The electric lights that burn all night in the corridors of the prison blinked at a strange scene. Within the numberless grated and iron-barred cells the prisoners moved restlessly, as if in sympathy with the men that must soon die.

In Warden Brown's office, too, there was an equal commotion. The witnesses and jury sat in the Warden's private office. There was a box of cigars on the little plush centre table in the room, and the scientists and the jurymen sat around in easy attitudes and filled the air with blue smoke. A funny-shaped bottle with a crooked neck was on the little table, too, and the party sat for an hour or more in calm enjoyment of the situation.

Warden Brown, after the last good story had been told, and the last drop of Vichy water drunk, made a brief speech, in which he called attention to the fact that the law required the utmost secrecy regarding the execution.

The Oath of Secrecy.  
"For this reason I wish you gentlemen to sign an agreement and take an oath that you will not reveal anything that may happen during this execution."

These remarks met the approbation of all present, so an adjournment was taken to the larger business office opening from the smaller private one.

There each man signed the document and took the oath, on a small russet leather-covered Bible bearing a three-crown.

While this scene was being enacted outside the prison the same state of agitation reigned. The blue-uniformed guards paced backward and forward with their gleaming Winchester rifles on their shoulders.

they kept everybody away from the infamous "dead line," but their duties were ten-fold increased by the presence of hundreds of people attracted from Sing Sing by the constant roll and rush of carriages hurrying from the trains, hotels, and telegraph office, freighted by a load of people upon whom the executions laid numerous duties.

#### Meeting of Scientists.

In Warden Brown's office there was still great activity. Dr. Carlos P. McDonald, acting as the personal but unofficial representative of Governor Hill, whose heart was fixed on having the theory that death by electricity was painless established as a result of the coming executions, called a meeting of the scientists who were to attend to the death-dealing instruments, and who were also to superintend the execution until its end came with the burial of the four condemned men.

The meeting was held in an upper room over the warden's private office, and was attended by Dr. McDonald, as chairman, Professor Louis H. Laudy, and Dr. Alphonso Rickard.

Professor Laudy is an expert in post-mortem examinations, and is a member of the Columbia College staff. Dr. McDonald, from his position as president of the State Board of Lunacy, and from his celebrated medical reputation, was a fit companion for Professor Laudy. The third member of the group was Dr. Alphonso D. Rickard, the therapeutic expert.

Dr. McDonald quietly called attention to the fact that at the experiment held on Tuesday afternoon, which had been quietly given out was successful, much the reverse was actually the case.

An old, worn-out horse had been at that time taken into the execution-room, and the wires, electrodes and dynamo that were to be used in killing the four murderers were brought into active play to see if they would kill the horse quickly and painlessly.

The poor animal was led to the side of the death-chair, and after the wires were adjusted the full tide of 1,500 voltage was turned into the animal. It did not kill it. Again and again was the current sent through the struggling body of the animal, but it was not until the third stroke that the horse, with a groan of awful agony, fell dead.

Dr. McDonald, at the conference as told above, thought that it did not speak favorably for the success of the coming execution, and that the utmost care was necessary, and all must guard against any error in the manner of affixing the prisoners in the death chair, and in giving signals and turning on the current.

It was decided to have Dr. McDonald act as sole director of the executions.

#### The Time Fixed.

Warden Brown, when this question had been settled, was called into the room and it was arranged to have the executions begin as soon after daybreak as was possible.

The witnesses and jury were then shown to the sleeping-rooms provided in the Warden's house, and were told to get as much rest as possible. One by one the lights in these rooms were extinguished, leaving only those in the lower part of the building burning.

In one of these lower rooms sat Warden Brown and Assistant Attorney-General Hogan, of Albany. He had been sent to the prison to represent Attorney-General Tabor. It was feared that there would be an effort made by Attorney H. J. Haire, counsel for the colored man, Wood, to get a stay of proceedings, so Mr. Hogan had been specially detailed to go to the prison and pass upon any paper that might be served on the Warden on behalf of Wood.

#### After a Stay.

When the 12:48 train arrived from New York Colonel Haire was on board it. He was met at the Central station by a Journal man, who tendered the use of the Journal's carriage to bear him to the prison.

Colonel Haire had a certified copy of a petition for a writ of habeas corpus with him, and he said that he was confident that under the Federal statutes it would not be a stay of proceedings.

When the prison was reached Colonel Haire was met by Warden Brown and Deputy Attorney-General Hogan. He was told that he must present his grounds for claiming a stay, and as he wished to be accurate in his statements, was driven to the house of Frank Larkin, a prominent Sing Sing attorney, who borrowed a copy of Wallace's Supreme Court decisions, in which he claimed that there was a decision cited that exactly covered this case.

Attorney-General Hogan, after Colonel Haire had presented his case, told him that he would announce his decision in the coming morning, and the lawyer was forced to be contented with this grain of comfort.

After this matter had been arranged with the Warden and Mr. Hogan retired to gain a little strength prior to the coming day's ordeal.

As they turned the lights out in their apartments a faint, thin, shadowy streak of morning light began to flutter along the Eastern horizon.

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## IT DOES ITS WORK.

Ex-Warden Brush Tells What the Chair Will Do.

Special to the Morning Journal.

Sing Sing, July 7.—A stir occurred when ex-Warden Brush drove up to the prison door at 9 o'clock. He was not present at the executions, and had not heard that the four men had been killed.

When the Journal man told him that the deadly chair had done its work, he did not seem to be surprised. On the other hand he remarked: "I know what it could do. I put a good deal of that machinery together and made over a dozen tests of it. When we killed the old horse yesterday I was confident that everything would pass off smoothly as far as the efficacy of the electrical apparatus was concerned."

"That machine as a death-dealer is perfect. If necessary it could kill men all day long at the rate of one victim every two minutes. Most of the time is consumed in strapping the victim in the chair and unstrapping him after the fatal shock has been administered. Turning on the current is only the work of a second or two. It is like turning on a small electric light."

"To what portions of the body were they to apply the current when you were in the prison yesterday?" asked the reporter.

"It was then understood to be the leg and arm," said the man, who is one of the doctors, and I suppose it was followed this morning."

"While electrical death is quick and certain I want to say that I am strongly opposed to capital punishment of all kinds. It is barbarous and unworthy of this great and progressive age."

### HIS OATH OF SECRECY.

A Witness Who Saw It All, but Was Bound to Keep Quiet.

Special to the Morning Journal.

Sing Sing, July 7.—Mr. George E. Oliver, of Albany, was one of the four witnesses who had no scientific interest in electrocution and whose sole reasons for being there were a strong friendship for Warden Brown and considerable curiosity. He is an ornamental by profession.

He was one of the first to leave the prison after the electrocutions. At the railroad station when spoken to by a JOURNAL man he at first denied knowing anything at all about the death-room scenes. He said that he had merely visited the prison for the purpose of seeing a sick friend who was confined there.

When further pressed he admitted, however, that his former statements were fabrications and that the reason he made them was that he was bound not to divulge anything that had occurred to newspaper men, and he practically admitted that he had signed a paper for that purpose, which had been prepared by the Warden.

That ended Mr. Oliver's interview, as he would say nothing more.

### HIS JAW LOCKED.

Dr. Charles E. Daniels Knows a Good Deal, but Dare Not Tell.

Special to the Morning Journal.

Sing Sing, July 7.—Dr. Charles E. Daniels, of Buffalo, who took a very important part in the terrible electrocution of Kemmler at Auburn last summer, was one of the most prominent of the witnesses in the death chamber.

Dr. Daniels left in the noon train for New York, and intended taking the 6 p. m. train from the Grand Central Depot for Buffalo. Prior to his departure he was seen in the station by a JOURNAL man and asked to give a description of the doings in the death chamber.

He said that he must decline, as he was bound over in a measure to say nothing of what had occurred. For himself, he explained, he had nothing to conceal, and if he had his way he would gladly tell all. He then asked the reporter to keep off forbidden territory in posing questions, as it was impossible for him to say anything, no matter how much he was asked to.

When asked if he had signed any paper binding himself to secrecy he answered: "Now, you are getting in the forbidden territory."

Speaking of the work of the physicians in the tragedy of the early morning, he answered that all he could say was that the physicians who had attended the execution of Kemmler and who had formed certain theories regarding the results of the execution, had attended the hanging executions for the purpose of following these theories up by practical tests. When the autopsy had been made, he took the parts of the stomach of one of the electrocuted men and had placed them in a preserving jar for future examination.

He took them to New York with him, where his examinations will be made at his leisure. The other physicians, who also had theories, which, if properly demonstrated, would be of great service to the medical world, he said, had also taken portions of the dead men away with them.

Dr. Daniels refused to say anything about the autopsy, and when again pressed to divulge what he knew of the death-room scenes he positively declined.

### THE SIGNALS OF FATE.

The Morning Journal Distances Its Com-

petitors by Fifty Minutes.

Special to the Morning Journal.  
SING SING, July 7.—The way the news of the deaths was communicated to the newspaper men on the outside was novel.

On Sunday last the Warden said that it would be done by the aid of flags. There is a little square cupola on the top of the Warden's house, which is surmounted by a short white flag-pole.

On this pole were to be run up certain flags which would indicate that certain of the prisoners had been electrocuted. A red flag run up would mean that the Jap, Jugico, had been killed, a white flag would mean Blooom, a black flag would mean the negro, Wood, and a blue flag similar.

It was just 11:48 o'clock when the white flag was run up this morning. It fluttered for a couple of minutes in the breeze and then it was hauled down. It meant that about five minutes before Blooom's life had ended.

At intervals of twenty minutes the blue, black and red flags were displayed and they mutually conveyed the news that the three other men had passed into eternity.

Five minutes after the red flag had been hoisted the extra JOURNAL was out on the streets of New York telling its citizens of the electrocution.

THE JOURNAL WAS FIFTY MINUTES AHEAD OF ALL ITS COMPETITORS, which was the result of the perfect telegraphic arrangements made by it at the scene of the tragedy.

### WHAT THEY THINK.

Dr. Edson and Inspectors Byrnes, Conlin and Steers on Electrocutation.

"You know I am a firm believer in electrocution," said Dr. Cyrus Edson, of the Board of Health, to a JOURNAL reporter yesterday, "and I have no doubt that the four murderers passed from this world to the next without the least bit of suffering."

"Of course I was not there," he continued, "but from all I can learn the killing was a success in every detail. People would have made a great cry had there been the least hitch in the affair, claiming that electrocution was barbarous. These same people, who would have had so much to say, would probably not have taken into consideration the fact that many accidents have taken place when criminals have been dispatched by the rope."

"I remember one case over in Jersey which shows that accidents and bungling may take place at any execution. I've forgotten the name of the murderer; at any rate he killed a pedler, and when the rope was placed about his neck and the weight dropped, the noose slipped. It caught the fellow just below the nose and tore out a piece of his cheek. The noose was taken off entirely, and it was ten minutes before it was properly adjusted, during which time the doomed man fought and kicked with all his might. The second trial proved successful."

"Electrocuting is, in my mind, the most painless death a mortal could undergo, and the executions yesterday at Sing Sing were almost without a doubt successful."

Chief Inspector Byrnes didn't care to talk much about the matter. He said, however, that he was very much in favor of disposing of prisoners convicted of murder in the first degree by the easiest method. "Whether electrocuting is painless or not, I, of course, cannot say positively, never having experienced such a death, but I will say that if electricity will kill a human being quicker and with less pain than any other method, I am in favor of electrocution."

"What do you think of the executions at Sing Sing this morning?" asked the reporter. "I cannot give any opinion; you know, I was not there. I saw nothing of the affair. All I have to say is that if the murderers were killed without any unnecessary pain to them, it was a success."

Both Inspector Conlin and Inspector Steers were of the opinion that though a murderer might be guilty of a hideous crime, he should not be unnecessarily persecuted.

"Do you think this method of electrocuting will have any effect on future murderers?" asked the reporter of Inspector Conlin.

"That is a question," he replied. "In my opinion a man who will commit a murder will do it, no matter what the consequences might be. A man about to commit a murder does not stop to think whether he is going to be punished by electricity, the rope or the axe."

"What do you think of the four executions this morning?"

"From all I've heard they were all properly done according to the law. The murderers were killed, and there was no bungling that I have heard of."

Other officials about Police Headquarters seemed to be perfectly satisfied with the electrocutions. The matter was the popular topic of conversation and the old-time police officers, who have had more to do with murderers probably than any one else in the city, said that from all reports and theories, "The job was done in first-class shape."

against the form of the statute in such case made and provided, and

0885

**BOX:**

446

**FOLDER:**

4115

**DESCRIPTION:**

Harrigan, William J.

**DATE:**

08/12/91



4115

0886

Witnesses

*George Klossch*

*Ed Kelly*

Counsel,

Filed

Pleads,

12 day of Aug 1891

THE PEOPLE

Grand Jurors, (From the Person.)  
[Sections 528, 529 Penna Code]

*William J. Morgan*  
*J. H. P.*

DE LAUCEY NICOLL

JOHN R. FELLOWS

District Attorney.

A True Bill.

*Wm. A. A. A.*  
*Aug 13/91*  
*Foreman*  
*Henry G. 2nd*  
*Ed. R. P.*

0007

(1305)

Police Court—

District.

Affidavit—Larceny.

City and County } ss.  
of New York,

George Kloschis

of Tag Boat Flumner bying Pier 19 Hudson River, aged 22 years,  
occupation Book Band being duly sworn,deposes and says, that on the 7 day of August 1891 at the City of NewYork, in the County of New York, was feloniously taken, stolen and carried away from the possession  
and person of deponent, in the night time, the following property, viz:One silver Watch of the value of Six  
dollars

\$6.00

the property of Deponentand that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen  
and carried away by William J. Corrigan (was here) and  
three others whose names are unknownDeponent says that about 11 P. M. on said  
date he was walking along Washington Street  
near Courtland Street in said City when  
said defendant requested deponent to  
give him four cents to aid in the  
purchase of a pint of beer. That  
deponent gave him the money and  
said defendant purchased the beer  
and returned with the same he being  
accompanied by three others described  
as unknown personsDeponent says that said defendant  
requested him to go in an alley way

Sworn to before me, this

189

day

Police Justice.

0000

and partake of some of beer which he did  
and said ~~in presence~~ men followed.

Deponent says that while he was  
drinking the beer one of said persons took  
the aforesaid property from the job pocket  
of the pantaloon then and there from his hand  
and all ran away. That deponent pursued  
them and was unable to catch them, he  
afterwards informed Officer O'Leary of the  
aforesaid fact and he caught said  
defendant ~~in Washington Street~~ <sup>in said City</sup>

Wherefore deponent charges said  
defendant with acting in concert with  
said unknown persons and feloniously  
taking said property as aforesaid.

Sworn to before me this  
8th day of August 1891

George Klosschis,

Deputy Police Justice



0889

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*William J. Corrigan* 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.

*William J. Corrigan*

Question. How old are you?

Answer.

*25 years*

Question. Where were you born?

Answer.

*U. S.*

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

Answer.

*Port Bar 1 month*

Question. What is your business or profession?

Answer.

*Seaman*

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 have nothing to say*  
*W. J. Corrigan*

Taken before me this

day of

*Aug 1891*

*P. J. McNeill*  
Police Justice

0890

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

Dated Aug 8 18 91 D. J. McLaughlin 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.

0891

1047

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

George Kloschis

vs.  
Wm J Corrigan

2  
3  
4

Offence Larceny from  
the person

Dated Aug 8 19

D O Reilly Magistrate.

J Kelly Officer.

2 Precinct.

Complainant committed a  
to the House of Detention  
in default of \$100 to testify

No. Street.

No. Street.

\$1500 to answer G B

Committed

Person

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0892

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 1 DISTRICT.

of Mat Kelly  
of No 2 d Precinct Street, aged \_\_\_\_\_ years,  
 occupation \_\_\_\_\_ being duly sworn deposes and says,  
 that on the \_\_\_\_\_ day of \_\_\_\_\_ 188  
 at the City of New York, in the County of New York, George Kloschis

The within named Complainant is a  
 necessary and natural witness against  
William J. Corrigan charged with a  
 felony. Depoant says that he has  
 no permanent place of abode and asks  
 that he give surety for his appearance  
 to testify

 Matthew Kelly

Sworn to before me, this

of

Aug1891

(day)

J. J. Kelly Police Justice

0893

Form No. 1.

**THE WESTERN UNION TELEGRAPH COMPANY.**

21,000 OFFICES IN AMERICA.

INCORPORATED CABLE SERVICE TO ALL THE WORLD.

This Company TRANSMITS and DELIVERS messages only on conditions limiting its liability, which have been assented to by the sender of the following message. Errors can be guarded against only by repeating a message back to the sending station for comparison, and the Company will not hold itself liable for errors or delays in transmission or delivery of Unrepeated Messages, beyond the amount of tolls paid thereon, nor in any case where the claim is not presented in writing within sixty days after the message is filed with the Company for transmission. This is an UNREPEATED MESSAGE, and is delivered by request of the sender, under the conditions named above.

THOS. T. ECKERT, President and General Manager

NUMBER 154 SENT BY D RECEIVED BY Ks CHECK 23 130

**RECEIVED** at the WESTERN UNION BUILDING, 195 Broadway, N. Y. Sept 15 1896

Dated State Reformatory 18

To D E Kimbale

G. H. W. Huger  
Dist attys office NY

William J. Harrigan sentenced  
August thirteenth Ninety one for grand larceny  
second degree served full five years here and discharged  
August fourteenth last 37 Broadway

0894

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*William J. Harrigan*

The Grand Jury of the City and County of New York, by this indictment accuse  
*William J. Harrigan*  
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

*William J. Harrigan*

late of the City of New York, in the County of New York aforesaid, on the *seventh*  
day of *August* in the year of our Lord one thousand eight hundred and  
~~eighty-ninety-one~~, in the *night* time of the said day, at the City and County  
aforesaid, with force and arms,

*one watch of the  
value of six dollars*

of the goods, chattels and personal property of one *George Klosch*  
on the person of the said *George Klosch*  
then and there being found, from the person of the said *George Klosch*  
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*

0895

**BOX:**

446

**FOLDER:**

4115

**DESCRIPTION:**

Houghton, Horace D.

**DATE:**

08/10/91



4115

0896

**BOX:**

446

**FOLDER:**

4115

**DESCRIPTION:**

Cassatt, John E.

**DATE:**

08/10/91



4115





0898

NEW YORK GENERAL SESSIONS.

-----  
THE PEOPLE ON MY COMPLAINT  
:

vs.  
:

HORACE D. HOUGHTON, and J. E.  
CASSATT.  
-----

As complainant in the above case, I beg to recommend the defendants to such leniency and clemency as the Court and District Attorney may see fit to show.

I went into the employ of the defendants to make collections and gave security in the sum of \$200.00 which I deposited with H. D. Houghton and he gave me a receipt and agreeing to return the \$200.00 on my demand. I was sent on collections, and business not being as brisk and not feeling satisfied with the employment I made a demand which was not complied with, but after that and before the criminal proceeding the defendants agreed to take me into partnership with them for the \$200.00; still retaining my right to reimburse myself to the extent of the \$200.00 out of the business. At this time we signed Articles of Co-partnership, which I now have in my possession. Being advised by friends I commenced the prosecution of the above case. Since that time I have been fully reimbursed for the money, which I deposited, and also through the case received an appointment as an assistant cashier in the Mutual Fire Insurance Company. I have ascertained the defendants are men of good character; I have met the father of H. D. Houghton who is a Physician of Philadelphia to whom the defendant will return if he is allowed his liberty. I most respectfully

0899

ask that the District Attorney will dismiss the Indict-  
ment and ~~be~~ discharge H. D. Houghton and J. E. Cassatt.

*Fred Meier Jr*

0900

N. Y. General Session

*The People etc*  
Plaintiff-S

against

*H. D. Houghton and  
J. C. Cassatt*  
Defendant-S

*Withdrawal*

PURDY & McLAUGHLIN,  
Attorneys for

No. 280 BROADWAY, New York City

Due and timely service of cop of the  
within hereby admitted  
this day of 18  
Attorney.

To.....  
.....

0901

Police Court

District.

Affidavit—Larceny.

City and County } ss:  
of New York, }of No. 137 West 16<sup>th</sup> Street, aged \_\_\_\_\_ years,  
occupation Bookkeeper being duly sworn,deposes and says, that on the 30 day of April 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:

Gold and lawful money of the  
United States of the amount and  
value of One hundred dollars

the property of Deponent

\_\_\_\_\_ and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and  
carried away by J. D. Houghton and J. A. Cassatt, while acting in concert from

the fact that on or about the 20<sup>th</sup> day of  
April 1891 Deponent answered an adver-  
tisement in the New York Recorder, asking  
for a collector to get security & collect bills  
for the Metropolitan Advertising Co. 18  
West 14<sup>th</sup> Street. Then on the 21<sup>st</sup> day of  
April Deponent received an answer from  
the said concern and which answer was  
signed by said J. D. Houghton and J. A.  
Cassatt, asking Deponent to call at their  
office 18 West 14<sup>th</sup> St. Deponent went  
to the office and met said Houghton and  
Cassatt gave Deponent a number of bills to

Sworn to before me, this \_\_\_\_\_ day of \_\_\_\_\_ 1891

Notary Public

0902

collected and expended deposit as collected  
for the sum of fifteen dollars a week. The  
said Knighton told deposit that the  
managers of the company required a deposit  
of one hundred dollars as security for  
deposit's honesty. The said Knighton re-  
presented to deposit that they cannot  
give to the said company by deposit in  
demand that deposit believing the said  
representations to be true gave said Knighton  
the said sum of one hundred dollars. The  
deposit went to the office several times  
and met Knighton and Cassatt and they  
both refused to give deposit any money in  
return. The receipts given by deposit to  
Knighton were given to Cassatt by deposit  
and deposit asked Cassatt to return the  
same and Cassatt took the said receipts up  
and refused to give them to deposit.  
Wherefore deposit says that said  
Knighton and Cassatt be arrested and  
dealt with as the law directs.

Given before me } Fred Weise Jr.  
this 2nd day of July 1891, }  
John S. Kelly  
Police Inspector

0903

Sec. 199-200.

2 District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.

*Horace S. Houghton* 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.

*Horace S. Houghton*

Question. How old are you?

Answer.

*22 years*

Question. Where were you born?

Answer.

*Philadelphia Pa U.S.*

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

Answer.

*219 W 14th Street 2 months*

Question. What is your business or profession?

Answer.

*Advertising*

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*  
*H. S. Houghton*

Taken before me this

day of August

1891

Police Justice.

0904

Sec. 188-200.

CITY AND COUNTY  
OF NEW YORK,

District Police Court.

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

Question. What is your name?

Answer.

*John E. Cassatt*

Question. How old are you?

Answer.

*37 years old*

Question. Where were you born?

Answer.

*Ohio*

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

Answer.

*10219 West 14 St. 3 1/2 months*

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*

*J. E. Cassatt*

Taken before me this

*John E. Cassatt*  
1889

*39*

Police Justice



0905

Sec. 151.

Police Court 2 District.CITY AND COUNTY  
OF NEW YORK.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 And Meise Jr  
of No. 137 West 16 Street, that on the 30 day of April  
1891 at the City of New York, in the County of New York the following article to wit:

Good and lawful money of the  
United States  
of the value of One hundred Dollars,  
the property of Complainant  
w As taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and  
believe, by A. D. Roughton & J. A. Cassatt

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 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

day of

1891

John E. Kelly  
POLICE JUSTICE.

0906

CITY AND COUNTY  
OF NEW YORK, ss.

POLICE COURT, \_\_\_\_\_ DISTRICT.

of No. \_\_\_\_\_ Street, aged \_\_\_\_\_ years,  
 occupation \_\_\_\_\_ being duly sworn deposes and says,  
 that on the \_\_\_\_\_ day of \_\_\_\_\_ 188

at the City of New York, in the County of New York, \_\_\_\_\_

The case of the within named  
 defendant John E. Cassatt having  
 been called for examination this 4<sup>th</sup>  
 day of August 1891 at 2 p.m. and  
 the defendant or his bondsman  
 Philander B. Armstrong not appearing  
 and the announcement having been made  
 in Court for Philander B. Armstrong  
 to produce the defendant John E.  
 Cassatt and John E. Cassatt not  
 appearing at said second district

Sworn to before me, this \_\_\_\_\_ day

of \_\_\_\_\_

188

\_\_\_\_\_ day

Police Justice.

0907

Police Court, District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Dated

1888

Witness,

Disposition,

Police Court for Examination and  
Notice having been given in said Court  
that unless Philander B Armstrong did  
produce said John E Cassatt the bond  
would be declared forfeited, and  
John E Cassatt not appearing the  
within bond was declared forfeited  
by Justice Edward Hogan who was  
authorized to hear and determine the case  
of Justice John E Kelly.

J B Reutter  
Clerk

0908

Sec. 192.

2 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before John E. Kelly a Police Justice  
of the City of New York, charging John E. Cassatt Defendant with  
the offence of Larceny

and he having been brought before said Justice for an examination of said charge, and it having been made  
to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and  
the hearing thereof having been adjourned,

We John E. Cassatt Defendant of No. 219  
West 14 Street; by occupation a Insurance  
agent William B. Cunningham No. 1169 Dean  
Brooklyn Street, by occupation a Insurance Surety, hereby jointly and severally undertake  
that the above named John E. Cassatt Defendant  
shall personally appear before the said Justice, at the 2 District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York the sum of Five  
Hundred Dollars.

Taken and acknowledged before me, this 29  
day of July 1897.  
John E. Kelly POLICE JUSTICE.

J. E. Cassatt  
W. B. Cunningham

0909

CITY AND COUNTY  
OF NEW YORK, } ss.

*John S. [unclear]*  
1/28/81  
1/29/81  
Sworn to before me this  
day of [unclear]  
Police Justice.

*Philander B. Armstrong*

the within named Bail and Surety being duly sworn, says, that he is a resident and  
holder within the said ~~County~~ State, and is worth *Twenty* Hundred Dollars,  
exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities,  
and that his property consists of *the house and lot on no*

*1169 Dean Street Brooklyn N.Y*  
*worth \$20,000 free from tax*  
*M. L. [unclear]*

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear  
during the Examination.

Taken the ..... day of ..... 18

Justice.

09 10

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

Horace S. Haughton

John O. Cassatt

ten ten Each 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 29 :89, [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.

0911

1,000. Bail & Aug 4/91  
2 P.M.

BAILED.

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

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

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

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

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

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

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

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

The presiding magistrate  
is authorized to hear and  
determine this case, and  
absent, and so on.

Police Justice.

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Fred. Meise Jr.  
137 W. 16th St.  
New York City  
J. A. Chas. & Co.

3 \_\_\_\_\_

4 \_\_\_\_\_

Dated July 29 1891

Kelly Magistrate.

Handelburg Officer.

Precinct.

Witnesses Coac officer

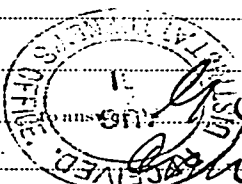
No. \_\_\_\_\_ Street.

Luis J. Phelan

No. 625 Broadway Street.

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

\$ 1000



# 1009 & Aug. 4 - 2 P.M.  
4 Aug 29. 2 P.M.

9 & 2  
as bail  
2 counts

09 12

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Horace D. Houghton*  
and  
*John E. Cassatt*

The Grand Jury of the City and County of New York, by this indictment, accuse *Horace D. Houghton and John E. Cassatt* of the CRIME OF Grand LARCENY, in the second degree, committed as follows:

The said *Horace D. Houghton and John E. Cassatt*, both late of the City of New York, in the County of New York aforesaid, on the *thirtieth* day of *April* in the year of our Lord one thousand eight hundred and *ninety-one*, at the City and County aforesaid, being then and there the clerk and servant of *bailee of one Frederick Meise, the younger*, 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 *Frederick Meise, the younger* the true owner thereof, to wit:

*the sum of one hundred dollars in money, lawful money of the United States of America and of the value of one hundred dollars*

the said *Horace D. Houghton and John E. Cassatt* 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 *sum of money*

to his own use, with intent to deprive and defraud the said *Frederick Meise, the younger* of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said *Frederick Meise, the younger*

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.

~~DE LAUNCEY NICOLL,~~  
~~JOHN B. FELLOWS,~~  
District Attorney.



09 13

**BOX:**

446

**FOLDER:**

4115

**DESCRIPTION:**

Howe, Robert

**DATE:**

08/06/91



4115

09 14

**BOX:**

446

**FOLDER:**

4115

**DESCRIPTION:**

Hamburg, Nettie

**DATE:**

08/06/91



4115

09 15

POOR QUALITY  
ORIGINAL

Witnesses:

Counsel,

Filed

day of

1891

Pleads

THE PEOPLE

vs.

Robert Howe

Nettie Hamburg

Grand Larceny 1st Degree.

[Sections 638, 538] — Penal Code.

DE LANCEY NICOLL,

Part 3. Sept 3 District Attorney.

Both tried & convicted

Grand Larceny 1st deg

True Bill.

and by the Court  
No. 1891-6  
Sept 22  
W. H. Perkins

09 16

POOR QUALITY  
ORIGINAL

Witnesses:

Counsel,

Filed

Pleads,

day of

189

THE PEOPLE

*Robert H. Moore*  
*and*  
*Nettie H. Moore*

Degree,

Grand Larceny

Penal Code.

[Section 538, 539]

DE LANCEY NICOLI.

*Sept 3, 1893* District Attorney.

*Both tried & convicted*  
*Grand Larceny*

**True Bill.**

*No. 1847. 6 Mt. Sep. 3, 1893*  
*No. 2546 New Pen. 1893*

0917

VI.

STATE OF NEW YORK.  
Executive Chamber,  
ALBANY.

October 8, 1894

Sir:

Application for Executive clemency having been made on behalf of  
*Robert Howe* who was convicted of *grand larceny 1st*  
in the county of *New York* and sentenced *October 2 1891*  
to imprisonment in the *State Prison* for the term of  
*eight years & six months* I am directed by the Governor  
respectfully to request that, in pursuance of Section 695 of the  
Code of Criminal Procedure, you will forward to him a concise state-  
ment of the facts of the case, together with your opinion of the  
merits of the application.

— It is particularly requested that each letter of inquiry from  
the Executive Chamber should be separately answered.

Very respectfully yours,

*J. S. Williams*  
Private Secretary.

*Hon. John R. Fellows*  
*District Attorney*  
*New York*



09 19

2.

No. 12 I have furniture and china and in the rear part of No. 12 I have my finest goods including silver and jewelry. On the 6th. of February I had in my place an article which I call a show-table. It was standing in this room which I have referred to in the rear part of No. 12. I was sitting down talking with a gentleman named Grafton, a customer of mine, when this lady and gentleman came in. I spoke to them. I said: "What is the matter?" They said that they had two figures they wished to have changed. I called one of my salesmen and said: "Mr. Wells" and he understood what I meant by that. Then they both passed back to the rear of the store. They asked for Mr. Elaney, when they came in. I addressed the defendant Howe by the name of Deford. Mr. Elaney was in the rear and I said: "Mr. Elaney is engaged" and I called Mr. Wells and asked him to take care of them. Mrs. Deford sat down by the entrance to this rear room. I didn't notice where the defendant was. I saw Mrs. Deford all the time she was in the store on that day. She continued sitting in the same place for about ten minutes. At the expiration of that length of time she walked out towards the door. I asked her where her husband was and she says: "My husband is waiting to change the figures, and I am going to Macy's and I will await my husband there". About half a minute after she went out of the store her husband followed. I told him his wife had just gone out of the store and he said he knew it. I observed then that his

0920

3.

coat was closely buttoned up and it looked as if something was bulging out. He passed out of the front door. I then walked right back to the art room and wanted to know if anything was the matter. I looked at my jewelry case. I found it open and half of the stuff in the jewelry case was gone. This was almost immediately after Mr. and Mrs. Deford had left my place. About two or three minutes before they came into my store I had looked at the jewel-case and found everything intact. I had just returned from lunch and I make it a habit when I come back after dinner to look all through the store and see that everything is all right. The lock had not been broken. It evidently had been opened with a key. It is a French lock which I considered very safe. The articles which were missing were two English enameled snuff boxes and a number of other articles. The list which I now produce is a correct list of the articles that were stolen from me. The amount of my loss was about \$7,000. The escutcheon of the lock was apparently tampered with. After I discovered my loss I called every clerk and workman in the house together and told them to come into the art room -- that my jewelry was gone. After that I took every one down to Police Headquarters and the Police there told me to make out a list of the goods lost, which I did. I saw the prisoner in the Jefferson Market Court about the 19th. of July and I there identified him as the same individual whom I knew as Mr. Deford, and he was in my place



0921

4.

on the dates which I have mentioned. I saw himself and his wife five times in my store. One occasion was the 28th. of January when they came in reference to some spoons. They came again on the 30th. of January in reference to a silver plated jardiniere which had been made into a jewelry box for them.

BENJAMIN BLANEY, a witness for the People, sworn, testified:

I am a salesman in the employ of Mr. Wernicke at No. 10 West 28th. Street. I was so employed on the 6th. of February last. I first saw the prisoners at the bar in that store on the 24th. of January. They gave me the name of Mr. and Mrs. M. Deford. They asked to look at some jewel-cases. I took them to the rear room and showed them several jewel-cases. One that I showed them pleased them very much, but it was too expensive, and I suggested that they take something in the way of a plated jardiniere, and have it made into a pin-cushion. They agreed to do that. Fifteen dollars was the price set for the article. The address given me was Mrs. M. Deford No. 174 West 58th. St. I put that down on my sales-book. They wanted it to be delivered the following Thursday, that would make it the 29th.; so the day before that they came in and said they didn't want it sent because the Governor was always kicking that they spent so much money. They said they would call for it again. They came two days later and paid \$25 and also bought some spoons. They came together on that occasion and went out together. On the second occasion when they came there they said the

0922

3.

Governor had been kicking because they spent too much money. I told them all right. They could call for it, and they said they would call on the 30th. They came on the 30th., paid for the jardiniere and took it away. On that occasion they came in together, remained together and went out together. The third time they came in they took a look in the jewel-case. The diagram now shown me correctly represents the position in which that jewel-case was in our store. The male defendant admired an old ring that was in the jewel-case and said he would like to see it. Mr. Wernicke was in the room at the time and he opened the jewel-case and took out the ring. It was an old ring and a little dirty. Deford said he would like to have it cleaned. I went out of the room, having shut down the case and I think I locked it, but I left the keys in it. While I was out washing the ring the defendant Howe brought the keys out to me and said: "Here are the keys.. You should not leave them there. If anything is missing you will say I stole them". After I had the ring washed I came back and he and his wife looked at the ring and said they would call in a few days and probably buy it. They went out together. That was the third occasion. The next occasion was on the 2d. of February. They came in together, remained together and went out together. I showed them some spoons in the art-room and they said they would like something then, and I showed them some others. After looking around at a number of

0923

6.

other things they went out. They came again on February 5 and said that they wanted the jardiniere for a young lady who was going to be married, as a present. They looked at several figures on that day and went out. I next saw them on the 6th. of February on the following day. I was in the art-room at the time they came in with a lady and gentleman, two of our customers, and in going around we stopped at the jewel-case and I asked them if they would like to see some jewels. I am now talking about Mr. and Mrs. Van Ness, two of our customers. Just as we got to the jewel-case I met Mr. Howe, the defendant, and he said he had brought the figures back. I said "All right". I took them and told him I would see him in a moment. I didn't see the female defendant whatever at that time. I walked around the store with my two customers and finally went to the door with them and showed them out. When I came back I found Mrs. Deford sitting at the door between the two stores. When I came back I didn't see the defendant Howe, but I saw Mr. Wernicke and asked him where had Deford gone. He told me he had gone out and his wife had gone with him.

Q How long was it after you saw the prisoner Howe standing at that jewel-case until you came back and found he was gone? A I should judge about four minutes.

Q The woman had gone too? A Yes, sir. I examined the jewel-case and found that it was unlocked. It was a French lock but it was broken. I looked for the defendant continuously all during the months following. I saw

0924

7.

him at Gravesend at the races on one occasion but before I could get an officer he had disappeared. I finally had him arrested in the White Elephant, Broadway and 31st. Street. I told him he was wanted by Sergeant Cottrell of the Detective Force, and that I had orders to have him arrested if I ever met him. I told him: "Helloa De-ford" and he acted as if he was scared. I said: "This gentleman will take charge of you", pointing to the detective. He went along and didn't say a word. He was searched and taken to the Station House. When the woman was in the court I could not identify her because her eyes looked very badly sunken and she looked much thinner at the time. I afterwards identified her as the woman who had been in our store.

Cross-examination:

I have been in that business about a year and a half. There has been no change made in the premises since February. I knew a salesman by the name of Smith. He came to our store in April and was discharged in July. The reason of his discharge was pilfering. Mr. Wernicke is engaged in the same line of goods now as he was in February. There was only one jewel-case in that store. The other salesmen employed there at the time were Mr. Wells and Mr. Brady. Mr. Brady was discharged prior to the larceny. Mr. Wells is there still. I didn't ask Mr. Wells in the presence of the defendant for the key of that jewel-case. On the occasion that they were select-

0925

8.

ing the jardiniere they remained in our store about an hour. I am positive that they gave me the address of Mrs. M. Deford, No. 174 West 58th. St. They told me they were making a present of this jardiniere to a lady who was about to be married. I had been gone from the jewel-case only a couple of minutes when the defendant Howe came to me with the keys. The key of the jewel-case was on the ring along with the others. The old ring that Mr. Howe looked at was valued at \$175. On one occasion when the defendants came in I was attending Mr. and Mrs. Van Ness, and I left them sitting while I continued to attend to the customers I then had in hand. I returned in order to attend to them in about five minutes and I found that the defendant and his wife were gone. I saw him at one time standing in front of the jewel-case. The weather was quite cold. It was about half past two in the afternoon on the 6th. of February when I saw him at the jewel-case. I saw him at the races in Gravesend about the 17th. of July. I went there for the purpose of trying to find him. I played the part of a detective, so far as looking for him continuously was concerned. I finally found him in front of the White Elephant at 31st. St. and Broadway and had him arrested. I was present at the examination in the Jefferson Market Police Court. I said there that I could not positively identify the woman, but I am positive now that she is the same woman.

0926

9.

THOMAS F. HAYES, a witness for the People, sworn, testified:

I am an officer of the Municipal Police Force attached to the 19th. Precinct. On the 17th. of July I arrested the defendant at the bar in the saloon called the White Elephant at Broadway and 31st. Street about four o'clock in the afternoon. I arrested the defendant upon the request of Mr. Elaney. I took him in a car down to the Mulberry Street Headquarters. I first took him to Captain Riley's Precinct, the 19th., and then took him to Police Headquarters. He was there put in a cell. He wanted to know what he was arrested for, and I told him that Mr. Elaney said he stole \$10000 worth of diamonds off his boss. I asked him if it was so, and he said no, he had never stolen anything.

Cross-examination:

I had seen the defendant around the precinct for a couple of months. I saw him quite often during the three or four months preceding his arrest. I didn't hear the conversation between Mr. Elaney and the defendant at the time of the arrest.

JOHN KILLILEA, a witness for the People, sworn, testified:

I am a detective officer assigned to duty in the Central Office. I was at the desk on the 17th. of July last when the prisoner was brought in. He was brought in on suspicion of having committed this larceny at Mr. Wernicke's place, Nos. 10 and 12 West 23th. St. on the 6th. of February. I put questions to him. He gave the name of Robert Howe, 28 years of age, white, resident

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of the United States, salesman by occupation, married; said that he could read and write and resided at 266 West 36th. Street. The charge against him was grand larceny made by C. Wernicke & Company, Nos. 10 and 12 West 28th. Street. Cottrell and Lanthier are the officers. He was held in \$5,000 bail.

HANNAN WHITE, a witness for the People, sworn, testified:

I live at No. 266 West 36th. St. I resided there on the 17th. of July last. The defendant and his wife came to my house on the 13th. of May and rented a front parlor from me. They were there about two weeks. They represented themselves to me as man and wife under the name of Mr. and Mrs. Howell. Mr. Howell had one trunk and his wife had four trunks. The trunks which are now shown me I identify as the trunks belonging to these defendants which were in my house. They lived there for two months. They were away from the city at times. On the day before the defendant was arrested the woman Nettie Hamburg announced her intention of leaving my house. She told me Mr. Howell had gone away and would be gone out of the city for two or three days. She took the trunks away on Friday in the evening. A man was with her named Jack. She was packing the trunks all Friday evening. I learned of the arrest of her husband a few days thereafter. An expressman came on Saturday for the trunks but I refused to deliver them unless I got my night-key back.

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Then the woman came and gave me the night-key that she herself had used and told me that her husband had gone out of town. I insisted that I wanted the night-key. She went out and came back with this man named Jack. She told me she could not give me Mr. Howell's key; that he had gone out of town. I told her that they had taken some photographs of mine out of the house. The trunks were taken away on Saturday morning. The man now shown me is the expressman who took them away.

JOHN MASS, a witness for the People, sworn, testified:

On the 18th. of July I saw Mrs. Hamburg, the lady who is sitting here. She ordered me to move three trunks from 266 West 36th. St. to No. 269 West 39th. St. I took them there and placed them on the third floor. The woman came to me in company with a man named Jack at my stand on 8th. Avenue and asked me what I would charge to move the trunks. I told her a dollar. She paid me and went away. The trunks which are shown me are the trunks which I moved.

HANNAH SELIG, a witness for the People, sworn, testified:

I live at 269 West 39th. Street and lived there on the 18th. of July last. On that date I saw the defendant Nettie Hamburg at my house. She came there and hired a room from me and a man named Jack, who was with her, paid me \$2. Afterwards the expressman came, who was last on the stand, and left three trunks there.



JOHN FREEMAN, a witness for the People, sworn, testified:

I am the individual who has been called Jack.

I am an artist by profession and live at No. 301 West 31st. St. I know the both defendants. I met them in the early part of last winter at 245 West 37th. St. I knew them by the name of Howell. I afterwards met the defendant Howe in the custody of Officer Hayes in the Broadway car. He gave me a letter and asked me to take it up to his wife at the Hotel Metropole. He said he had been arrested for stealing \$10,000 worth of diamonds and was innocent of it. I took the message to his wife and she asked me if I would assist her in having her trunks moved. I went with her in a cab and engaged the expressman to remove the trunks. I then went to 266 West 36th. Street in her company and there assisted in packing the trunks. I identify the trunks now in court as the trunks which were packed by us on that occasion. The following day I met Mrs. Howe and went with her to Howe & Hummell's office and several other places in this city. The expressman who testified here is the one who moved the trunks to 269 West 39th. St. I was present when the defendant Nettie Hamburg hired the room in that house. I am the person who paid Mrs. Selig \$2 for that room. She told Mrs. Selig at that time that I was her husband. I am not her husband. After her husband's arrest I bought a ticket for her for Baltimore. The defendant Nettie Hamburg gave me this diamond heart, which is now produced. She asked me to go to Stern's and pawn it for

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\$75. She told me that a friend had given it to her at Baltimore last Christmas. I went to Stern's and pawned it and gave her the money, \$75. I am positive that this is the pin. I afterwards went with her to the office of a safe deposit company at 5th. Avenue and 42nd. St. She went in there with a parcel and came out without it.

JOHN COTTRELL, a witness for the People, sworn, testified:

I am a Detective Sergeant connected with the Central Office. On the 6th. of February I saw Mr. Wernicke, the complainant in this case. In consequence of information given me by him I visited his premises Nos. 10 and 12 West 28th. St. and made a thorough examination of it. I procured from him a list of the articles that were stolen. I then had circulars printed and sent to the different pawn-brokers throughout New York City. I saw the prisoner at the bar Robert Howe on the night of the 17th. of July. I went downstairs to speak with him in company with Mr. Planey and Officer Bonnoil. I placed them in the next cell adjoining. The door was open. I then spoke to the prisoner Howe. I asked him if his name was Deford or Howell, and he said: "My name now is Robert Howe". I said: "Neither one of those names is proper". I told him I knew him under another name. I said: "You went into 28th. St. in Mr. Wernicke's store on the 6th. of February in company with a lady, did you not?" and he says: "What of it, if I did". I says: "You misrepresented yourself. You said you were Mr. and Mrs. Deford and

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you lived at No. 174 West 58th. St.". I went there on the 6th. of February to those premises and found you had not lived there under the name of Deford. I said: "How did you come to get into Wernicke's store with this woman?" and he says: "I will tell you. I used to meet this woman at Broadway and 36th. Street and go shopping with her the same as any other man would". I says: "When you left that store and went out of Wernicke's on that day, where did you leave that woman?" He says: "36th. Street and Broadway". I says: "I am sorry for you, but you are in a pretty hard scrape this time. We have got some of the stuff. I know where it is. We have got it. She is locked up. She is upstairs." Of course I was telling an untruth at the time, but he said: "I can't help it. I have got to make the best of it. My father is in Paris and this will break his heart". I says: "Robert, where did you get this stuff?" and he says: "Uptown in West 36th. Street". He says: "It is too bad. I can not talk any more until I see my lawyers. I have said too much already." On the 18th. of July on the way to court a young man named John Freeman who was in the courtroom here was on the opposite side of the street near Jefferson Market. When I approached he asked me if he could speak to the defendant. I said "Certainly". He came over and handed him a note. I took the note from the defendant after he read it and put it in my pocket. I told the defendant he could assist me if he wished and

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tell me where the rest of this property was. He would not. He was then remanded back and was afterwards held in \$5,000 bail. I traced up the expressman and finally discovered the right one and have brought him here today. By means of the expressman I managed to trace the trunks to the house in West 89th. St. I went there and took those trunks to Police Headquarters. The Acting Inspector ordered us to open the trunks and in them we found some silverware and I identified the property now produced as part of the silverware which we found. We also found several pawn-tickets. This bon-bon box and several other articles of jewelry we found in one of the defendants' trunks. The silver bon-bon box has been identified by Mr. Lyons of 331 Fifth Avenue as property taken from him. Mr. Wernicki has identified a silver puff-box which was found in the trunk; also a small jewel-case which was found in the trunk, and we found a ticket for four diamonds which, upon being taken out of the pawn-shop, we identified by Mr. Wernicke. They were recovered from Glover's pawn-shop. A large diamond fly with a ruby and sapphire -- at least the ticket for it was found in the trunk and identified by Mr. Wernicke. The diamond ring with sapphire in three sections was taken from Glover's pawn shop and I identified by Mr. Wernicke. One seal ring, the ticket for which was found in the trunk, was identified. The scarf pin, sapphire, was found in the trunk and identified by Mr. Wernicke, as were several others.

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(The letter which the witness Jack handed to the defendant read as follows:

My dear friend:

I am very sorry indeed to hear of your misfortune. Rest assured that I will leave no stone unturned to get you out. Now, do not worry, for I am with you. Tell Jack what lawyers you prefer, Hummell or Friend. I am waiting at a certain place for him and shall go at once for lawyers as soon as you decide. Mr. P. at the Hotel proved a friend to me, I tell you, and so with Mr. P.'s assistance have moved your trunks and mine. I came as near as a hair-breadth being there last night only for Mr. P. Now J. will give you money for your meals and incidentals and Jack and I have cooked you some pills. Let me know by him if there is anything more you want. I would love very much to come and see you, but I dare not. Jack will explain. With my very best wishes, I am yours".

I have examined the trunks and have gone over the articles in company with Mr. Wernicke. He came to the Central Office and identified several pieces of the property as his. I saw the woman Hamburg on the 24th. of July in Police Headquarters. She says it was too bad he got into any difficulty, and that if he had done anything wrong she could not help it; she was blamed for it. She said she was not with him and didn't see him take anything

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out of the store. I had several conversations with her in the Jefferson Market trying to get information as to where the remainder of the property was. She didn't give me any information. I spoke to the defendant in court here on the first day of the trial and I asked him how he was getting along. He asked me to go to his trunk and get a vest that matched the coat which he had on, and a black derby hat. I told him I would ask the District-Attorney to give me the permission. He also told me: "I am 68 days in the Tombs and if I have got to go to jail I might as well go to trial and get over it". I went to his trunk and I found the articles as described by him. In one of the trunks I found some women's wearing apparel. These articles were in the same trunk in which the pawn-tickets and the several articles of jewelry mentioned by me were. I found the trunk-bill which is produced in one of the trunks; also a pawn-ticket for the silver tray which I have here; also a pawn-ticket for that gold watch and gold set. This little silver box which was found in the trunk was identified by Mr. Lyons of Fifth Avenue. It had "Nettie" on it. I found altogether fifteen or twenty pawn-tickets in the trunk. The ticket for the ring which is in three sections was found in the trunk. I got the ring in Mr. Glover's pawn-shop and it was identified by Mr. Wernicke. The diamond hair-breast-pin was found in Mr. Stern's pawn-shop in West 31st. St. A great many other articles were pawned in Stern's in West

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31st. Street and were identified by Mr. Wernicke.

Cross-examination:

I was first brought into this case on the 6th. of February 1891. Mr. Wernicke then gave me the name of Mr. and Mrs. Deford as suspected parties and gave me a description of them. Six or seven officers were put on the case at the same time with me. I am positive that I had the conversation I have spoken of with the defendant while he was in his cell in Police Headquarters. The reason I told a falsehood was for the purpose of trying to recover the goods in this case. I told him that Nettie Hamburg had been arrested, which was not the fact. I told him we had recovered the goods, or a portion of them which at that time was not the fact. I was the witness against these people in the Police Court. I asked the defendant to tell me where the goods were and he said he wouldn't say anything until he saw his lawyer. I do not know where the jewel-case that was in Mr. Wernicke's store is at the present time. It was a round case. I examined the lock on that case and I saw that it was in its ordinary condition.

CARL WERNICKE re-called, testified:

The contents of the box now shown me which was produced by the last witness and which consists of jewelry is my property. All those articles were in the show-case in my store on the 6th. of February last. (The witness then went over in detail several articles and identified them as being his property, including the setting of

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a silver necklace which he positively identified. He also identified the diamonds in the diamond heart and in a pair of earrings which were produced as being diamonds taken from the original silver setting and placed in the setting of the heart and earrings).

Cross-examination:

I have been in this business for three years and a half, engaged in buying and selling all these kind of goods. I consider myself an expert in diamonds. When I examined the case after this defendant had left the store I found a pair of diamonds were missing. There were several rings under that number. I lost five finger rings of the value of \$200 each. I lost one diamond Maltese cross of the value of \$500. I lost four brooches of the value of \$250 each. I lost one diamond pin of the value of \$150. One diamond fly No. 25005. I positively identify that fly now shown me by the number. It was in the case in my store before this larceny. My suspicions were aroused when the female defendant left the store before her husband. The defendant wore a sort of a grayish overcoat and I noticed when he left the store that it was bulging out. That at once excited my suspicions. The lock which was upon this case was what is known as a French lock and is very difficult to open. There was only one key to it and I was the only person who had a key. The number 25005 on this diamond fly can be seen through a microscope which I now have in



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my hand. I am positive that the stones now set in that diamond heart are the same stones that were set in this old English setting and were in my store on the day of this larceny.

BENJAMIN LEON, a witness for the People, sworn, testified:

I reside in the City of Baltimore. I know the defendant Nettie Hamburg. I also knew the defendant when he was a boy in Baltimore. I have seen the defendant Nettie Hamburg at my place of business. I kept a loan and broking office in Baltimore. The brooch which is now shown me was pawned in my office by Miss Nettie Hamburg February 14, 1921. I delivered it over to Detective Freedberger in July last. I advanced \$25 on the brooch heart.

Cross-examination:

The female defendant had previously pawned articles with me. I cannot remember exactly what they were.

MARK HAGAN, a witness for the People, sworn, testified:

I am a member of the Police Force of the City of Baltimore assigned to detective duty. I know the prisoner Nettie Hamburg. I arrested her in Baltimore on the 24th. of July at No. 1600 Oliver Street. I went to the door of that house and rang the bell. Her brother-in-law named Deal came to the door and said she was not in. I told him I knew she was in there from information I had. He asked me if I had a warrant and I told him, I did not. He first refused to let me go in the house; that his wife was in a delicate condition and said

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he would hold me responsible for anything that might happen to her. I then talked with him and told him I did not come there to irritate his wife or alarm her at all, but I wanted to get Nettie as I knew she was in the house and I was determined to get her. I asked him if he would not go and get Nettie and that I was sure if she came to the door it would not take her a minute to be satisfied to leave with me. He said he would go in and consult his wife. After being in there some time he came to the door again and told me I could not get in. I gained access to the house finally and I found that the female defendant was not in there. I got out on the street and intended to remain there, but my partner who was in the rear sent me word that she had got over the fence into the next house immediately adjoining. We caught her in the yard. She asked me if I would let her go into the house and dress herself and I said certainly. I brought her in the house. She dressed herself and then I took her to the Police Headquarters. She then agreed to come on to New York and I brought her here.

JOHN FREEDMAN, re-called:

I testified yesterday that I saw Nettie Hamburg on the 18th. of July last and got from her a diamond heart which I pawned for \$75. The diamond heart which is now shown me is the one which I received from Nettie Hamburg.

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JOHN W. WARD, a witness for the People, sworn, testified:

I am a clerk in the pawn-broking office of William Glover, No. 1272 Broadway. I know the female defendant under the name of Howell. She came to me with a diamond brooch in the shape of a wasp which is now shown me on April 23, 1891, and I loaned her \$25 on it. She also came on another occasion with the four-stone diamond ring which is now shown me, and I loaned her \$50 on it. There are several other articles now here which have been identified by Mr. Wernicke and which were pawned in my office by the female defendant.

Cross-examination:

I have known the male defendant since April 23, 1891. I do not recollect having seen him prior to that time. I have been in the diamond business 14 years and consider myself an expert. I am positive that the articles which I have sworn to here are the same as were pawned in Mr. Glover's pawn-shop.

HYMAN STERN, a witness for the People, sworn, testified:

I am a pawn-broker doing business at 56 West 81st. Street. That was my place of business on the 18th. day of July last. On that day I remember a lady and gentleman coming to my store with the article which is now shown me. I loaned them \$75 on it. It remained in my possession until I delivered it to Detective Lanthier. On another occasion the same parties brought a diamond wasp pin which is now here and which I recognize as having been pledged at my place. There are other articles here

23.

which have been pawned at my place.

ALFRED N. LYON, a witness for the People, sworn, testified:

I am engaged in the antique furniture business at No. 381 Fifth Avenue. I saw both the defendants in my place of business the first week in February last.

(The witness then picked out several articles among those in the court room as belonging to him, and pawn-tickets for which had been found in the trunks of the defendants).

JOHN THOMS, a witness for the People, sworn, testified:

I am a cabinet-maker by trade, employed by Mr. Wernicke. I was so employed on the 6th. of February last in the shop at No. 10 West 23th. St. I saw the two prisoners on the 6th. of February talking with Mr. Flaney who has been a witness in this case. They walked around in the store and finally the woman sat down in a corner of No. 10. I could see her all the time she was sitting down. I saw the defendant come back out of No. 12 and saw the both of them leave the store together.

GEORGE W. LANTHIER, a witness for the People, sworn, testified:

I am a Sergeant of Police assigned to Detective duty in the Central Office. I did some work on this case. I saw the defendant Nettie Hamburg on the 23d. of July. When I was in Baltimore I received this clover leaf pin — from Captain Friedberger, the Chief of Detectives there, and brought it to this city.

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JOHN HARSEN, a witness for the People, sworn, testified:

I reside at 245 West 37th. Street. I know both of the defendants at the bar. They resided in my house from the beginning of January to about the second week in March. They occupied the front basement. I knew them under the name of Mr. and Mrs. Howe. I didn't know what their business was. They were away a good deal of the time.

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LETZ, a witness for the People, sworn, testified:

I reside at 245 West 37th. St. That is the residence of the gentleman who was last on the stand. I was employed as a servant in his house during the time the two defendants had rooms there. I saw them there frequently.

BENJAMIN BLANEY, re-called:

I was at the Central Office on the 18th. of July. I was present in the cell downstairs in company with Officer Bonnoil at the time when Officer Cottrell had the conversation with Howe. I heard Sergeant Cottrell say: "You have got another name" and he says: "What is that?" Officer Cottrell said: "Howe" and the defendant said "Either one is proper. It makes no difference." So Sergeant Cottrell told him that he had the woman and he better tell where the stuff was; also that he had some of the stuff. The defendant asked him where he got it

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and he said on 36th. Street. The detective finally told him that the woman was squealing on him and that he better tell him, and he said he had talked a good deal about the case and wouldn't talk any more. The jardiniere which is now shown me is the one which I sold to these defendants, and for which they paid me.

WILLIAM A. GLOVER, a witness for the People, sworn, testified:

I am a pawn-broker in this city doing business at 1272 Broadway. I know the female defendant. I have seen her in my office and knew her under the name of Howell. She has brought several articles there to pawn. Mr. Ward, my clerk, had the dealings with her.

EDWARD J. LAPLASSE, a witness for the People, sworn, testified:

I am manager for H. E. Herz & Sons, 242 Fifth Avenue. Their business is antiques and bric-a-brac. I recognize the two prisoners at the bar as having seen them in my store in the latter part of February. I am able to identify several of the articles now here as articles that were taken from my store.

DEFENSE:

ROBERT HOWE, the defendant, sworn, testified:

My real name is Ralph Howe. I gave the name of Howe at the suggestion of Officer Hayes. I have been at work as salesman for the William L. Gilford Clock Company at No. 6 Murray Street for about three or four years. I married the defendant Nettie Hamburg in Philadelphia about seven years ago. The connection I had with Mr.

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Wernicke's store No. 10 and 12 West 28th. St. was this. My wife wanted to make a present of a jewel-box to a friend. One day we were walking down Broadway and we started to go over to Fifth Avenue to Stern's. Passing through 28th. Street we saw Wernicke's antique store. She suggested that we might find something in the antique store, as she wanted to make a present. We went into Wernicke's store and looked around. The salesman took us in the back room which they claim is the art-room and he had a jewel-box back there which he wanted to sell us for \$75 or \$100. I told him that was too much, that we wanted something cheaper. We looked round and didn't see anything there that would suit us, so he said he could get a jardiniere and have it made into a jewel-box for us. We selected one and he said he would have it upholstered for us and made so that it would serve as a jewel-case and a pin-cushion besides. He told us it would be less expensive and would make a very handsome present. We looked at it and we came to the conclusion to select it. I thought it would be about \$30, so I asked him if it would be over \$30, and he said no; that he would have it made up very soon and asked us when we wanted it. We told him we wanted it made by the following Thursday, as my wife wanted to make a present. He said wouldn't Friday do and so we said yes; that Friday would do. We asked him whether we should pay for it then, and he said it was not at all necessary; that we could pay for it when it was finished; that that was time enough. He said if



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my wife didn't like it when it was finished she needn't take it. So we called on Friday and it was not finished and then we called the next day. The next day when we called it was not finished either and my wife told him to send it up to Mrs. Deford on 58th. St. I don't know the number of the house but she was the lady friend to whom my wife was going to make the present. While we were in the store on the first day I admired a ring, a five stone ring, in an old English setting that was in the jewel-case and I asked Mr. Elaney what he wanted for it. He said he wanted \$175. I asked him: "May I see it?" and he said yes. I said: "Leave me look at it". I asked him whether he had one of those glasses which you could look through and I looked at the ring through the glass. I told him I thought I discovered a flaw in it and he said no; that the ring was perfect. There were three or four customers in there walking around and he said he would go and see the ring. He went and left myself and my wife at the show-case in the store. He left the keys in the show-case and I took the keys out and followed him and gave them to him. I told him: "You are leaving that jewel-case open and you might hold me responsible if anything was lost from it". He said: "We come pretty near knowing who our customers are" and I didn't say anything more to him in regard to that. He washed the ring and let me look at it again and I looked at it and I asked him what he would take for it. He said \$175. I told him I would give him \$150 for the ring. He asked Mr. Wer-

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nicke and Mr. Wernicke said he would take \$165 for it. I told him I didn't feel like paying any more than \$150 for it and he offered then to let me take the ring with me on memorandum and have it examined and if I didn't wish to keep it I could bring it back. I told him not to mind, that I wouldn't go over \$150 for the ring and that was the last of that. We came in on Friday to pay for the box and have it sent up. Mr. Elaney was in the store. He saw us, but as he was waiting on another customer he didn't come to us. We stood in No. 12. After awhile he came to us and showed us the box and said "How much nicer it looks since it has been cleaned?" He also said: "You are getting off a little cheaper than I thought; instead of \$30 it will only cost you \$25". I thanked him and told him I appreciated it; that that was not much anyhow; but still I thanked him for his kindness in saving me \$5. He wrapped the box up and I paid him \$25. I asked him for a bill and he goes in a back room and makes out a bill and presents the bill to us in an envelope. He asked us if we wished anything else and I told him that I didn't want anything else. My wife said she would like to get a pair of bisque figures if she could get a pair cheap and he said he had some. He took us around the store. My wife selected a pair and had them laid by for her. He wanted to let us have them on memorandum, and he wrapped them up and we took them on condition that we would be sure and return them the next day if they didn't suit. On the following day we return-

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ed with the two figures. As we came into the store Mr. Wernicke stood by the door of No. 12 talking to two customers. We asked for Mr. Elaney. I told Mr. Wernicke: "I have got a pair of figures which I want to return". He said: "Mr. Elaney is busy. He is occupied with a customer but Mr. Wells will attend to you". He called Mr. Wells. Mr. Wells comes up to us and he told Mr. Wells that we returned the figures. Mr. Wells then takes us into the art-room. Mr. Elaney was in the store of No. 10. He had seen myself and my wife talking to Mr. Wells at the other end of the store, but he was busy attending to other customers. He came down to us finally and said he felt very sorry that he was so busy; that he would be engaged possibly for an hour and he could not see us, and then I told him it was not at all necessary; that Mr. Wells could attend to us; that we only wanted to return the figures which I had already returned to Mr. Wells. He said it was all right and he took them from us. In a few moments my wife starts out and I after her. I shouted up to Mr. Elaney: "Everything is all right" and he says: "All right. Come in again". That was the very words he answered me "Come again". My wife walks out of the store and that is the last time we were in there. We both walked out of the store quite leisurely and saluted Mr. Wells on our way out. The clover leaf pin which is produced here I never saw before in my life. The earrings which are produced and the diamonds which have been

30.

identified by Mr. Wernicke, belong to my wife. She has had them about eighteen months or two years. The diamond heart which is produced and the diamonds, part of which have been identified by Mr. Wernicke, as his property, also belong to my wife. She has had that about 15 months. The four-stone diamond ring is mine. I bought it on the corner of Clark and Street, Chicago from a man in the jewelry business by the name of Chambers. I have pawned it at different times in this city. The other rings which were found in my trunk are also either mine or my wife's. I do not know anything about the diamond fly-pin which has been produced. The pin-box which bears my wife's name of Nettie I purchased for her before the last holidays. The chatelaine watch which is produced belongs to my wife. The silver tray which is produced my wife bought a short time before Christmas at Moir's, corner of 23d. Street and Sixth Avenue. This seal ring I bought in Bridgeport, and is my property.

## Cross-examination:

- Q You were married in Philadelphia? A Yes, sir.
- Q What was the name of the clergyman who married you?
- A Mr. Gerard. We left Baltimore in the afternoon and were married in Philadelphia in the evening.
- Q What part of Philadelphia did the minister live in? A I could not tell you that.

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31.

Q You can't tell the name of the street? A No, sir.

Q What did you do in Baltimore before you came here?

A I was a salesman in the employ of Neal & Armstrong in the dry-goods business.

Q What was your father's name? A Moses G. Hamburger.

Q Was he in business in Baltimore? A Yes, sir.

Q You and your wife ran away from Baltimore and finally came to New York? A Yes, sir.

Q What did you do after you got here? A I went to work.

Q How much money did you have? A I had six or seven hundred dollars with me.

Q How much did you receive in your first employment?

A \$20 a week.

Q Did you ever attend the races? A Yes, sir. I followed the races through the summer as a sheet-writer at the track.

Q What races did you attend? A Gravesend and Saratoga.

Q What other business did you engage in? A For a time I bought bottles from Italian restaurants which had contained wine and collected them and sold them to dry-goods stores as fancy articles. My profit on these were about \$2 apiece. I averaged \$50 or \$60 a week while I was engaged in that occupation.

Q What other place did you work? A I worked for the William L. Gilford Clock Company in Murray Street. I had a salary there and also a commission. It was while

I was travelling for the Clock Company that I bought the seal ring in Bridgeport. I bought it of a jeweller there and paid for it on the instalment plan. I gave the name of Howe when I was arrested -- Robert Howe. At times I was known by the name of Howell. I had no particular reason for going by that name. Some of the rings which are here belong to my wife and she can explain better than I can where she got them. One of the rings belongs to a sister of mine who is married. She made me a present of it. I cannot remember when my sister got that ring. I never gave the name of Deford to Mr. Wernicke or to anybody else. I have been in Chicago several times and have bought jewelry there in different places.

FREDERICK ASCHER, a witness for the defendant, being sworn, testified:

I am an expert accountant. I have known the defendant Howe about five years. I have seen him very often at his home in this city. I always believed him to be honest and upright. His character is good so far as I know. I knew him under the name of Howell at times.

LAWRENCE PIKE, a witness for the defendant, sworn, testified:

I have no business at present. I am engaged in real estate as an owner. I have known the defendant Howe four or five years. During that period of time I know his character and reputation for honesty to be good. I am a part owner in Pike's Opera House, Cincinnati. I

53.

can identify the scarf pin which is here produced as having seen it worn by the defendant Howe on different occasions.

HENRY JACOBS, a witness for the defendant, sworn, testified:

I have known this defendant Howe 5 or 6 years.

I am manager for the pawn-broker E. J. Lemon, 437 Sixth Ave. The watch which has been shown me has been pawned by the defendant in my place, according to the best of my judgment. He has pawned several articles of jewelry of all descriptions. Some of the articles are there yet. I recognize one of the rings produced here as having been pawned at different times by him in our pawn-shop.

JOHN H. ERUE, a witness for the defendant, sworn, testified:

I am the proprietor of the Gedney House in this city. I have known the defendant Nettie Hamburg and Ralph Hamburg about three years. So far as I know them their reputation is good. They always behaved themselves properly while in my house. I have seen the woman wear diamond earrings and have seen the defendant wear several articles of jewelry.

HENRY MEYER, a witness for the defendant, sworn, testified:

I am in business in 14th. St. in this city. I know the defendant Howe and his wife and have known them about 3 or 4 years. Their reputation for honesty has always been good as far as I have known them. Several of the articles which are now before me I have seen in their rooms when I have called upon them.

34.

GEORGE OWEN, a witness for the defendant, sworn, testified:

I am in the clock business employed by the Gilford Clock Company. The defendant was there employed as a travelling man. During the time he was with us his character for honesty was good.

WILLIAM H. VOGELL, a witness for the defendant, sworn, testified:

I am a diamond jeweller and have been in the business 15 years or more. I am what is known as a diamond expert. The diamonds in this diamond heart are clear and fine in some respects and in other respects they are not. Some of them are imperfect stones. The diamonds in the four-stone ring are not properly cut. All the stones in the earrings and in the heart are imperfect according to my judgment.

(The witness then examined with a microscope the wasp pin and found the number 25005 upon it).

NETTIE HAMBURG the defendant, sworn, testified:

I am one of the defendants in this case. I was born in Baltimore and was married to the defendant 6 years and 4 months ago in Philadelphia. After we were married we came on here to New York. About the 24th. of January myself and my husband went into Wernicke's store to buy a jewelry-box as a present for a friend. We wished it sent to Mrs. Deford No. 174 West 58th. St., the second flat. We didn't at any time say that our own name



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35.

was Deford. The last day we were in that store was on one occasion when we went there to return a pair of Dresden vases. I passed towards the end of the store with my husband. A Mr. Wells came with us and we delivered the vases to him. We remained there only a few moments when Mr. Elaney came to us and said he was sorry he could not wait upon us. We told him we didn't wish to see anything. We finally left the store and in passing out bid Mr. Wernicke good-bye. Neither myself or my husband took anything from that room. As we went out Mr. Wernicke asked me if I saw Mr. Elaney and I told him I did. He asked us if we were going to wait and I told him no; that I had some important business to attend to. The three-stone diamond ring now shown me is my ring. I bought it from a peddler four years ago while living in 13th. St. I have owned it ever since. The ring with the turquoise in the centre is also my ring and has been in my family for ten or twelve years. This four-stone diamond ring belongs to my husband. He bought it about three years ago while he was in Chicago. The diamond scarf-pin belongs to my husband. The diamond earrings which are shown me I bought of a peddler when I was living at No. 245 West 38th. St. for \$225. I paid him on the instalment plan. A number of other articles which are here belong to me.

(The witness then was shown the various articles in detail and identified them as belonging to her and as being her personal property).

0954

35.

was Deford. The last day we were in that store was on one occasion when we went there to return a pair of Dresden vases. I passed towards the end of the store with my husband. A Mr. Wells came with us and we delivered the vases to him. We remained there only a few moments when Mr. Elaney came to us and said he was sorry he could not wait upon us. We told him we didn't wish to see anything. We finally left the store and in passing out bid Mr. Wernicke good-bye. Neither myself or my husband took anything from that room. As we went out Mr. Wernicke asked me if I saw Mr. Elaney and I told him I did. He asked us if we were going to wait and I told him no; that I had some important business to attend to. The three-stone diamond ring now shown me is my ring. I bought it from a peddler four years ago while living in 13th. St. I have owned it ever since. The ring with the turquoise in the centre is also my ring and has been in my family for ten or twelve years. This four-stone diamond ring belongs to my husband. He bought it about three years ago while he was in Chicago. The diamond scarf-pin belongs to my husband. The diamond earrings which are shown me I bought of a peddler when I was living at No. 245 West 38th. St. for \$225. I paid him on the instalment plan. A number of other articles which are here belong to me.

(The witness then was shown the various articles in detail and identified them as belonging to her and as being her personal property).

38.

## Cross-examination:

I remained in Baltimore until I was 17 years of age. At that time I ran away with the defendant and was married to him. I never had any wedding ring outside of the three-stone diamond ring. I am positive that all the articles which I have here identified belong to me and were purchased by me. When we came to New York we took a house on 4th. Ave. second door from 19th. St. and stayed there two months. After that I stored my furniture and went boarding. We boarded for about 18 months. I lived for a time at 245 West 37th. St. Afterwards I went to stop at the Hotel Metropole / I was stopping there when my husband was arrested. After he was arrested I went to Baltimore and remained there until the time that the officers came and arrested me. I came on to New York without a requisition. I know Jack Freeman. I had the different transactions with him as he has narrated them on the witness stand. When I went to Baltimore I went home to my father's house. I was in my brother-in-law's house at the time I was arrested. I know the pawn-broker who has called here and admit having pawned different articles at his place in Baltimore.

JOHN CULLEN, a witness for the defendant, sworn, testified:

I have known the defendant Howe about 5 years. His reputation so far as I know it for honesty has always been good.

37.

(The defendant Howe was then recalled to the stand and put on his overcoat with different articles under it and he was inspected by the jury).

Mr. Carl Wernicke, recalled, produced a sugar-bowl, the exact counterpart of a sugar-bowl found in one of the pawn-shops and previously identified as part of his property).

JAMES F. HAYES, recalled, testified:

Q The defendant Howe has stated that on the 17th. of July when you arrested him he was taken to the Station House and that he gave the name of Howe at your suggestion: Is that true or not? A It is not true.

Q Did you make any suggestion of that kind at all? A No, sir.

Q Did you hear any other officer make such a suggestion? A No, sir.

JOHN FREEMAN, recalled.

Q The female defendant here gave you a letter on the 18th. of July to be delivered by you to the male defendant in this case? A Yes, sir.

Q You have testified that you took that letter and gave it to the defendant? A Yes, sir.

Q While that letter was in your possession, did you make any alteration in it of any kind whatsoever? A No, sir; I was once convicted under the name of Charles Compton. That is my proper name.

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37.

Mr. Blaney and Mr. Harry E. Thorn were called to the stand and identified several of the articles as belonging to their employers.

The Jury returned a verdict of "guilty of grand larceny in the first degree".

0958

believe every man . . .  
-we are to have a . . .  
 . . .

to follow . . .  
 . . .

Indictment filed Aug. 6-1891.

COURT OF GENERAL SESSIONS

Part III.

THE PEOPLE &c.

against

ROBERT HOWE and NESTLE

HANBURG.

Abstract of testimony on

trial New York, Sept 28th,

29th and 30th 1891.

0959

VI.

STATE OF NEW YORK.  
Executive Chamber,  
ALBANY.

*February 7. 1894*

Sir:

Application for Executive clemency having been made on behalf of  
*Nellie Homburg* who was convicted of *gr. larceny 1st deg*  
in the county of *New York* and sentenced *October 2. 1891*  
to imprisonment in the *N.Y. Penitentiary* for the term of  
*five years & six months* I am directed by the Governor  
respectfully to request that, in pursuance of Section 695 of the  
Code of Criminal Procedure, you will forward to him a concise state-  
ment of the facts of the case, together with your opinion of the  
merits of the application.

It is particularly requested that each letter of inquiry from  
the Executive Chamber should be separately answered.

Very respectfully yours,

*J. S. Williams*  
Private Secretary.

*Hon. John R. Fellows*  
*New York City.*

0960

VI.

STATE OF NEW YORK.  
Executive Chamber,  
ALBANY.

*February 19. 1894*

Sir:

Application for Executive clemency having been made on behalf of  
*Robert Howe* who was convicted of *Gr. Larceny 1st deg*  
in the county of *New York* and sentenced *October 2. 1891*  
to imprisonment in the *State Prison* for the term of

*8 years & 6 months* I am directed by the Governor  
respectfully to request that, in pursuance of Section 695 of the  
Code of Criminal Procedure, you will forward to him a concise state-  
ment of the facts of the case, together with your opinion of the  
merits of the application.

It is particularly requested that each letter of inquiry from  
the Executive Chamber should be separately answered.

Very respectfully yours,

*J. S. Williams,*  
Private Secretary.

*Hon. John R. Fellows,*  
*New York City.*



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Buffalo July 24<sup>th</sup>  
To whom it may concern;

This is to certify  
that Mr. Carl Wernicke  
#10 W. 28<sup>th</sup> St. is under  
my professional care  
and is suffering from  
Pharyngeal Abscess.  
He is unable to leave  
the house.

Respectfully

J. B. Traub

#261 W. 42<sup>nd</sup> St.

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Sec. 151.

Police Court 3 District.

CITY AND COUNTY } ss. *In the name of the People of the State of New York; To the Sheriff of the County*  
 OF NEW YORK, } *of New York, or any Marshal or Policeman of the City of New York:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Charles Hermann of No 3 10 and 14 West 88 Street, that on the 6 day of February 1891 at the City of New York, in the County of New York, the following article: to wit:

Property of the value of  
Sixteen Thousand  
 of the value of Complainant Dollars,  
 the property of Complainant  
 w no taken, stolen and carried away, as the said complainant has cause to suspect, and does suspect and believe, by Rahner Horn and James Doe

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 3 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 4th day of July 1891  
John S. Kelly POLICE JUSTICE.

0963

Police Court ..... District.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated ..... 188

Magistrate

Officer.

The Defendant

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

Officer.

Dated ..... 188

This Warrant may be executed on Sunday or at  
night.

Police Justice.

having been brought before me under this Warrant, is committed for examination to the  
WARDEN and KEEPER of the City Prison of the City of New York.

Dated ..... 188

Police Justice.

The within named

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

October

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To the Governor of the State of New York,  
Albany, N. Y.

SIR:--

I have the honor to acknowledge the receipt of a communication under date of February 19th 1894, informing me that application for Executive clemency has been made on behalf of

--- ROBERT HOWE ---

who was convicted of the crime of Grand Larceny in the first degree in the Court of General Sessions of this County, and sentenced on October 2nd 1891, to imprisonment in State Prison for the term of eight years and six months.

This prisoner was indicted jointly with one Nettie Hamburg for the crime aforesaid, and they were jointly tried thereon, before Honorable Frederick Smyth, Recorder, and a jury in Part Three of the Court of General Sessions on September 28th 1891, when the following facts appeared.

Carl Werence was engaged in business at No. 10 and 12 West 28th Street, as a dealer in bric-a-brac and antique articles, and his place was stocked with a large quantity of high class and expensive goods, many of them very

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small in size.

This prisoner and his co-defendant, who it is stated is his wife, came to Mr. Wernecke's store some time in the month of January, and were waited upon by Mr. Blaney ~~Blaney~~, one of the salesmen, and after looking around the place, selected an article of the value of \$15, which they directed to be delivered to Mrs. N. Deford, No. 174 West 58th Street, that being the name and address given by the couple as their own. This delivery was not to be made for a few days thereafter. On the day preceding that fixed for the delivery of the article, the couple again called at the store and stated that they did not want it sent "because the governor was always kicking that they spent so much money", and they would call for it again. This was on January 29th 1891. Two days thereafter they called and paid \$25, and also bought some spoons, and they took the goods and went out together. They came in a third time and took a look in the jewel case. This prisoner admired an old ring that was in the case, and said he would like to see it. Mr. Wernecke opened the case himself and took out the ring, which was old and a little dirty. The prisoner said he would like to have it cleaned. Mr. Blaney, the salesman, left the room having shut down and as he thought locked the case, but left the keys in it. While he was away washing the ring, the prisoner came to him with the keys, and said he should not leave them there as if anything was stolen, they would say he stole it. Then after the ring was washed, the prisoner and his wife looked at it and said they would call in a few days and probably buy it.

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(3)

The next occasion they called was on February 2nd, when Mr. Blaney showed them some spoons in the art room, and also showed them a number of other things, after which they went out together as they had come in. They came again on February 5th, and said they wanted a figure for a young lady who was to be married, as a present; they looked at several and went out, but called on the following day. On this occasion Mr. Wernecke met them and asked them what was the matter. They said they wished to change two figures. Mr. Wernecke then called one of his salesmen. They had first asked for Mr. Blaney, but he was engaged at the time with another customer, and so another salesman was called to wait on them. The couple separated on this occasion, the woman sitting down by the entrance to the rear room, where Mr. Wernecke had her interview all the time she stayed there, which was about ten minutes, this prisoner in the meanwhile having gone to another part of the store with the other salesman. At the expiration of about ten minutes she walked towards the door; Mr. Wernecke asked her where her husband was, and she said he was waiting to change the figures, but she was going to Macy's and would await her husband there. In the meanwhile Mr. Blaney who was waiting on some other customers, met this prisoner who informed him that he had brought the figures back. Mr. Blaney at that time observed him standing by the jewel case. About one minute after the prisoner's wife, the co-defendant Mrs. Hamburg left the store, Mr. Wernecke observed this prisoner about to go out, and told him that his wife had left, and the prisoner said he knew it. Mr.

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(4)

Wernecke then observed that the prisoner's coat was closely buttoned up, and looked as if something was bulging ~~it~~<sup>out</sup>, but he suffered the prisoner to pass out. Mr. Wernecke then went directly to the art room, looked at his jewel case, and found it open and half the contents gone. This was almost immediately after the two prisoners had left, and some two or three minutes before they came in the store, Mr. Wernecke had looked at the jewel case and found everything intact. The lock had not been broken, but it had evidently been opened with a key. Mr. Wernecke at once gave an alarm to all his help, a thorough investigation was made, and it was found that some \$7000 worth of goods had been stolen. The matter was reported to the police authorities, and suspicion was naturally directed against the two prisoners, and search was made for them, but they could not be found. Mr. Blaney took upon himself the task of finding the culprits. He met the prisoner on one occasion at the Gravesend race-track, but before he could get an officer, he had disappeared. He finally succeeded in discovering him in the "White Elephant", then a well-known resort in this city, at 31st Street and Broadway.

The foregoing facts were testified to by Mr. Wernecke, and his salesman Mr. Blaney; Detective Sergeants Hayes and Killilea testified to the prisoner's arrest.

HANNAH WHITE, testified that the two prisoners on May 13th 1891, rented the front parlor of her house, No. 266 West 36th Street, where they continued for about 2 months, representing themselves as man and wife, under the name of

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(5)

Mr. and Mrs. Howell; the prisoner had one trunk and his wife four. They were away from the city at times. On the day before this prisoner was arrested, the woman announced to Mrs. White her intention of leaving, saying that her husband had gone out of town; and on the Saturday morning following, the trunks were taken away by an expressman, John Maas, who was also called as a witness for the People, and testified that on July 18th upon the employment of Mrs. Hamburg, he removed three trunks from 266 West 38th Street to 269 West 39th St.

HANNAH SELIG, testified that Nettie Hamburg hired a room from her on July 18th at 269 West 39th Street, and that she was then in company with a man named Jack. The two preceding witnesses also testified to the fact that the man Jack was in Mrs. Hamburg's company while she was living at Mrs. White's, and when she arranged with the expressman to move her trunks.

JOHN FREEMAN, was called for the People, stated that he was an artist, lived at 301 West 31st Street, knew both defendants, and was the individual called "Jack." That he knew the couple by the name of Howell. That he met the prisoner on the day he was arrested, in the custody of an officer on a Broadway car, when the prisoner gave him a letter to take to his wife at the hotel Metropole. Freeman took the message, and at the woman's request assisted in having the trunks removed, and identified the trunks which were then produced in Court. After the prisoner's arrest, Freeman bought a ticket for Nettie for Baltimore, and she gave him a diamond heart, which he produced, saying it was given to her by a friend, and asking him to pawn it for her for \$75, which the



(6)

witness did. This pin was produced in Court and identified by him. He afterwards went with her to the office of a Safe Deposit Company at 5th Avenue and 42nd Street. She went in there with a parcel, and came out without it.

OFFICER JOHN COTTRELL, Detective Sergeant, testified that when the larceny was reported to the police by Mr. Wernecke, he was assigned to the investigation of the case, and when the prisoner was arrested, he observed the former witness, Freeman, give the prisoner a note which the prisoner read, and then the officer took it from him and put it in his pocket. The officer managed to trace the expressman, ascertained where the trunks had been delivered, took and delivered them to Police Headquarters where they were opened, and a number of articles were found therein, some of which were taken from Wernecke and others of which were recognized by other bric-a-brac dealers as goods which had been stolen from them.

Six or seven officers were put upon this case with Cottrell, and they succeeded in recovering some of the stolen property, and in ascertaining the disposition of the larger part of it.

Mr. Wernecke testified in detail concerning several of the articles, and identified them as being his property.

The further testimony in the case disclosed the fact that the woman Hamburg took flight to Baltimore, where it appears she was known to the police authorities. They located her as having taken refuge with her brother-in-law at 1600 Oliver Street, Baltimore, and although they made effort

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to arrest her, they were put off and mislead, but finally by a strategy, the details of which are unnecessary for the proper understanding of this case, they caught her in the yard of the house next adjoining, over the fence of which she must have climbed.

A pawnbroker from Baltimore and several pawnbrokers in this City, testified on behalf of the People, that both the prisoners had pledged certain goods to them, which goods were identified by Mr. Wernecke and other victims of these prisoners.

For the defense this prisoner took the stand in his own behalf, and testified that he married his co-defendant, Nettie Hamburg, in Philadelphia about seven years ago; admitted that they had been in Wernecke's store to price some goods, one of which he selected, and practically admitted the testimony of the People as to his first dealings with Wernecke. The prisoner gave a detailed account of various conversations and negotiations with Mr. Blaney, respecting the purchase and selection of particular goods, and that when he left on the morning in question, he saw his wife start out of the place, and he started to follow her, and shouted to Mr. Blaney, "Everything is all right", and Mr. Blaney answered, "all right, come in again"; and then both he and his wife walked leisurely out of the store. He claimed that the articles which were identified by Mr. Wernecke and the other tradesmen as their own, were goods which he had bought for his wife in Chicago and other cities a long time before. He testified that his real name was Moses G. Hamburger, that at one time he followed the races

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(8)

through the summer as a sheet-writer, at others bought bottles from Italian restaurants which contained wine, and sold them to dry-goods stores as fancy articles, and that he had worked with several merchants. He admitted that he was known by several names. Several people took the stand and testified to the good character of both prisoners.

The woman Nettie Hamburg, took the stand, admitted her presence at Wernecke's, denied that they gave the name of Deford as their own, and denied having taken anything from the place. She accounted for her possession of one ring, identified as having been stolen, by saying she bought it from a peddler, and claimed all of the different articles which were produced in Court as being her own legitimate property.

Upon these proofs the jury returned a verdict of guilty, when this prisoner was sentenced to eight years and six months' imprisonment.

This verdict having been found upon abundant proofs which fully warranted the same, and the sentence against this prisoner having been pronounced in the due exercise of judicial discretion, I do not see what question can arise upon this present application, except one which appeals to the merciful consideration of the pardoning power. I am aware of no facts which should move your Excellency to disturb the ~~judgment~~ <sup>sentence</sup> of the trial judge, and therefore recommend that this application be denied.

I remain with great respect,  
Your obedient servant,

District Attorney.

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2<sup>nd</sup> DISTRICT POLICE COURT.

THE PEOPLE,  
ON COMPLAINT OF

Robert Horne

Examination had

July 22-3 1881

Before

John E. Kelly

Police Justice.

I.

W. J. Ormsby

Stenographer of the

District Police

Court, do hereby certify that the within testimony in the above case is a true and correct copy of  
the original Stenographer's notes of the testimony of

Carl Wornette,  
John Cottrell et al.

as taken by me on the above examination before said Justice.

Dated

July 25

1881.

W. J. Ormsby

Stenographer.

John E. Kelly

Police Justice.

0973

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

ss.

*Carl Munnick*

of No 5-10 and 14 West 48

Street, being duly sworn, deposes and says,

that

*Arthur Hamburg*

(now present) is the person of the name of

*James Orr*

mentioned in deponent's affidavit of the

*20*

day of

*July*

18*91* hereunto annexed.

Sworn to before me, this

day of

*July*

18*91*

*W. Munnick*

*John S. McCaffrey*

POLICE JUSTICE.

0974

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK.

District Police Court.

*Mattie Hamburg* being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is *h* right to enable *h* if he see fit to answer the charge and explain the facts alleged against *h*; that the statement is designed to 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.

*Mattie Hamburg*

Question. How old are you?

Answer.

*33 years*

Question. Where were you born?

Answer.

*Baltimore Md*

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

Answer.

*New York City*

Question. What is your business or profession?

Answer.

*Keep House*

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*

*Mattie Hamburg*

Taken before me this

day of

*John S. [illegible]*

0975

CITY AND COUNTY }  
OF NEW YORK, } ss.

John Cottrell

aged \_\_\_\_\_ years, occupation Detective Agent of No. \_\_\_\_\_

300 Mulberry St

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Benjamin Beane

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

Sworn to before me, this 20

day of

July

1891

John. Cottrell

John S. Kelly

Police Justice.

0976

CITY AND COUNTY }  
OF NEW YORK, } ss.

Benjamin Blaney  
aged 22 years, occupation Sailorman of No.

10 West 24th Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Cecil Wernicke  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 20  
day of July 1891

Benjamin D. Blaney

John S. Kelly  
Police Justice.



0977

Police Court

District.

Affidavit—Larceny.

City and County } ss:  
of New York,

of No. 10 West 12th St Street, aged 35 years,  
occupation Printer being duly sworn,  
deposes and says, that on the 6th day of February 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 jewelry consisting of  
a number of diamond rings, bracelet  
pins, one diamond necklace and  
one diamond pendant the property  
being altogether of the value of Seven  
hundred dollars  
the property of deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and  
carried away by Robert Rogers, known here, and  
June Doe, (an unknown woman) not yet  
arrested while acting in concert, upon  
the fact that on the 24th day of January  
1891, this defendant, in company with the  
said unknown woman, came to deponent's  
store at the above address and represented  
to deponent that they were the agents  
of the Ford of 194 West 5th Street  
in the 2nd floor. That on said 24th day of  
January, they bought from deponent some  
goods and paid for the same on the 30th day  
of January the sum of \$5 dollars. That  
from the 30th day of January to the 6th day  
of February, said woman and the said unknown

Subscribed before me, this

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Police Justice

woman called and represented to defendant's  
 salesman that they wished to buy some more  
 goods, which they were did. That on the  
 6<sup>th</sup> day of said month and the said unknown  
 woman came into defendant's store at about  
 the hour of 4:55 P.M. and asked  
 for one of defendant's salesman. Defendant  
 told them that the salesman they asked for  
 was busy. That then and the woman went  
 to the back part of the store and the woman  
 stayed at the door and Horn went away  
 from the door. That defendant is now in-  
 formed by Guyman Blaney, one of  
 defendant's salesman, that at that time he,  
 Blaney, saw the defendant Horn at the  
 shoe case when the said property was  
 in the said room. Defendant further says  
 that the said unknown woman left the  
 store at about the hour of 1:55 P.M.  
 and the defendant Horn left about one  
 minute and a half after. Immediately  
 after defendant went into the said room  
 and there discovered that the said shoe  
 case had been opened and the said  
 property taken. That defendant saw  
 the said property in the said shoe case  
 about half a minute before said Horn  
 went into the said room. That there was  
 no one else in the said room but the  
 defendant Horn from the time defendant  
 saw the property until it was missing.  
 That defendant is further informed by Detective  
 Sergeant John Cottrell, of the Central Office  
 that he, Cottrell, went to the address given  
 by the defendant Horn, 174 West 58<sup>th</sup>  
 Street, New York City, and there had been no  
 body of that name, he found living in the  
 said house, nor had there going in and  
 there any one of that name. Therefore defendant  
 charges the defendant Horn and the said unknown  
 woman with the larceny of the said property  
 and that they be held and dealt with as the law  
 directs.

I am of the opinion  
 that the defendant  
 Horn is guilty of  
 the crime of larceny  
 and that he should  
 be held and dealt  
 with as the law  
 directs.

0979

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK.

District Police Court.

Robert Howe 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.

Robert Howe

Question. How old are you?

Answer.

28 years

Question. Where were you born?

Answer.

M. S. — (Baltimore)

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

Answer.

266 West 36 St — 5 months

Question. What is your business or profession?

Answer.

~~none~~ I was a sheet writer for a  
book makerQuestion. 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.Robt. Howe

Taken before me this

20

day of

July

1884

Police Justice

0980

Examination Continued July 23, 1891

Carl Wernicke recalled, and examined  
by Mr. Stinner.

Q (a quantity of jewelry, rings, a diamond  
pin a necklace and other articles in  
the possession of Detective Cottrell  
shown to witness) Is this a  
portion of the property stolen  
from your premises?

A Yes sir.

Q You identify it

A Yes sir except the silver  
box which Mr. Lyon identifies.

John Cottrell recalled - by Mr. Stinner.

Q - Where did you get this  
property.

A - I got some of it in this  
trunk.

Objected to

A (continued) I found it in a  
trunk - I can prove it is  
his trunk.

Objected to

2 - State what you know?

A. I found some pawn tickets in the trunk tickets on different shops to recover the property.

2 What information did you receive as to the ownership of the trunks.

Objected to

Objection Sustained.

Alfred W. Lyon sworn as to the ownership of the silver box referred to

Objected to as not contained in the complaint.

Objection Sustained

Defendant waives further examination and is held to answer \$5000 bond.

FOR THE COURT.  
JAMES M. HILL,  
W. H. GUNSEY, JR.,  
STENOGRAPHER.

0982

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

*Robert Horn*

*Fifty* *50* Hundred Dollars, *he* be held to answer the same and *he* be admitted to bail in the sum of *the City Prison, of the City of New York, until he give such bail.*

Dated *July 23* 18 *91* *John S. Kelly* Police Justice.

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

*Kettie Hamburg*

*Fifty* *50* Hundred Dollars, *he* be held to answer the same and *he* be admitted to bail in the sum of *the City Prison, of the City of New York, until he give such bail.*

Dated *July 28* 18 *91* *John S. Kelly* Police Justice.

Dated \_\_\_\_\_ 18 \_\_\_\_\_

Police Justice.

0983

BAILED,

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

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

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

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

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

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

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

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

Witnesses for the  
people  
J. H. Kirk  
242-5th Avenue  
C. J. La Place  
242 5th Avenue

407 979  
Police Court--- District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Carl Nemiere  
19th St. 28th St.  
Robert Harris  
Mittie Hamburg

Officer Fred Larcen

Dated July 20 1891

Kelly Magistrate.  
Cottrell & Loughlin Officer.  
Precinct.

Witnesses Benjamin Slaney

No. 10472 West 78th Street.

John Harrison

No. 345 West 37th Street.

Alfred W. Lion

No. 381 - Fifth Avenue

\$5000 each to answer G.S.

\$5000 for ex July 21-1891

" " " " " " "

POLICE COURT

SECOND DISTRICT.

THE PEOPLE &c.

CARL WERNECKE

against

ROBERT HOWE

Examination before Justice KELLY,

July 21, 1891.

For the People Mr. STINER

For the defendant, Mr. MOSS.

CARL WERNECKE, the complaining witness, being cross-examined on his affidavit, deposes and says:

- Q. Do you carry on business at 10 and 12 West 28th Street in this city? A. Yes sir.
- Q. As a jeweller? A. A bric-a-brac dealer.
- Q. Do you know the defendant? A. Yes, sir, I know him.
- Q. When, for the first time did you see him? A. January 24. I am positive I made a memorandum in my book.
- Q. When did you see him previous to that? A. I saw him with my salesman, Mr. Blaney.
- Q. Did you hear their conversation? A. No.
- Q. Did you have any conversation with him then? A. No sir.
- Q. How long did he remain in the store? A. About half an hour.
- Q. Some customers came in? A. Yes.
- Q. Did you see him after that? A. Yes sir, several times.
- Q. With reference to this case? A. He came in and asked for Mr. Blaney. That was the first time.



POOR QUALITY  
ORIGINAL

0985

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- Q. He saw Mr. Blaney? A. Yes sir.
- Q. Did you hear the conversation that transpired between them on that occasion? A. No sir.
- Q. Were there other people in your store at that time? A. No.
- Q. When was that? A. January 30.
- Q. You are sure about that? A. Yes sir.
- Q. Did you make any memorandum of the date? A. No sir.
- Q. Did he buy any goods on that date? A. He had changed some on that day.
- Q. Was he alone on that occasion? A. No sir.
- Q. Who was with him? A. His wife.
- Q. Was he alone on the first occasion? A. No sir.
- Q. Who was with him? A. His wife.
- Q. The same lady? A. Yes sir.
- Q. Did he call at your store subsequent to January 30? A. He called on February 11.
- Q. Did you make any memorandum of that in your book ?  
A. Yes sir.
- Q. The same as on the preceding occasion? A. Yes.
- Q. Did you hear the conversation? A. No.
- Q. Who was in conversation with him on that occasion? A. My salesman, Mr. Blaney.
- Q. All his conversations in the store were chiefly with Mr. Blaney? A. Yes sir.
- Q. Did you see him after February 5? A. On February 6.
- Q. Did he come into your store on the 6th? A. Yes, with the same lady.
- Q. What took place then? A. He brought in some figures and wanted them changed.
- Q. Where did this conversation take place? A. In the middle of

of the store, in No. 10.

Q. What time was it? A. Quarter to two. I had just come back from lunch.

Q. How many people in the store? A. Mr. Graftor and Mr. Van Ness and his wife and my salesmen. No one else.

Q. How do you remember that it was quarter to two o'clock.

A. Because I came back from my lunch.

Q. There were people coming and going every day? A. Yes sir.

Q. Coming in and going out? A. Yes sir.

Q. You are positive about this day, the 21st of July?

A. The 6th of February.

Q. These were the only people in your store? A. Nobody else.

~~2x~~ Mr. Graftor, Mr. Van Ness and the salesmen.

Q. That was all? A. Yes.

Q. How do you gain entrance to that store? A. No. 10 West 28th Street is the only entrance.

Q. How far back does the store extend? A. About 70 feet.

Q. How many rooms? A. Four rooms at that time.

Q. On the 6th of February, did you have any conversation with him? A. Yes sir.

Q. What part of the store were you standing? A. The middle of the back of No. 10.

Q. When you talked to him was the lady beside him? A. Yes sir. He had two figures in his arms.

Q. She was close to him? A. Yes sir.

Q. How long did he talk to you? A. He wanted to change the figures. He wanted to see Mr. Blaney. His wife went to the rear of the store.

Q. You watched his wife going to the rear of the store?

A. Yes sir.

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- Q. You waited to see what she was doing? A. Yes sir.
- Q. You have valuable goods there? A. Very valuable goods.
- Q. You were not suspicious of them at that time? A. No sir.
- Q. When she went to the back of the store what became of her husband? A. I did not see him, she was sitting in a chair.
- Q. While she was sitting in a chair you were watching her?
- A. Yes, because I turned facing her.
- Q. Did you see him go to the rear of the store? A. No sir.
- Q. Have you people employed there? A. There was no one there on that day.
- Q. Your valuables were in the back room? A. Yes sir. Mr. Blaney was in the front room of No 12.
- Q. In the room where this man was there was no person in your employ.? A. No sir.
- Q. How long did he remain in there? A. About five or six minutes.
- Q. Did you see him come out? A. Yes sir.
- Q. Watch him closely as he came out? A. Yes sir. His wife came out first. That aroused my suspicion.
- Q. Did you have any conversation with her? A. Yes.
- Q. What was the conversation? A. I asked her, "Where is your husband?" She said "I am going to Macy's on a shopping excursion. My husband will meet me there."
- Q. Why did you ask her that? A. I wanted to know what was the reason she left the store alone. No other reason.
- Q. You were watching in the direction of the back room? A. He was coming towards me.
- Q. Looking in that direction you could not see him? A. No sir.
- Q. Why should you ask that question? A. Because I thought it

0988

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funny that they should go out separately.

Q. You then learned that this amount of jewelry was taken?

A. Yes sir.

Q. Where was that? A. They were in a rear room.

Diagram of room shown and marked "Peoples Ex.  
1 Jan. 21, 1891 O.Jr."

Q. What sort of a case was the jewelry in? A. A very fine French table. They were locked up.

Q. What kind of a lock? A. A double tumbler lock.

Q. Have you got that case still? A. No, sir.

Q. How large a case was it? A. It was 24 inches by 18 -- oval:

Q. Did you lose your case on that day? A. No, sir. It was too large to be carried away. I have sold it.

Q. Did you not consider that an important case -- that might be a valuable piece of evidence in this court? A. It made me sick to look at it. I can give you the name of the person to whom I sold it.

Q. How many people have the keys to that case? A. Me and two salesmen.

Q. How long after you had the conversation with the lady was it that he came out? A. A minute after she left. She passed me right in by the narrow entrance, and he left hurriedly. That was the nearest way to go out.

Q. Did you notice anything? A. I saw something bulging out. It looked like my jewelry case with the rings in it -- the ring tray. He walked out hurriedly. He bulged out on this side and I saw my case.

Q. You saw your case? A. It was the size of the case 8 inches by 10, that aroused my suspicion. I ran back to the rear

room.

Q. Did you not go after him? A. I wanted to see what was the matter.

Q. When you went to the rear room what happened?

A. I saw at once that I was robbed. I saw the case open--unlocked.

Q. With a key? A. Probably with a skeleton key?

Q. With a key? A. Yes, sir.

Q. What did you do then? A. I called every one in and said I was robbed. There was six thousand dollars worth left. He did not take it all. I went down to Police Headquarters and gave the information.

Q. You gave a description of the man? A. Yes.

Q. Did you see the man after that? A. No, sir.

Q. When before this property was taken had you seen it?

A. About a minute before Mr. Grafton came. I looked in and the jewelry was there. As I passed through I would look at it. My valuables were in that room. I have valuable pieces elsewhere but they are too large to be carried out.

Q. The bulging that you swear to which this man had -- could you not see? A. It was gotten up so I could not see -- If I had I should have collared him.

Q. Did he not have a pair of vases changed there? A. He had two figures.

Q. He said he wanted whom? A. Mr. Blaney.

Q. Did not Mr. Blaney go with him to the door? A. No, sir.

Q. He did not do that? A. No. He went out alone.

RE-DIRECT BY Mr. STINER:

Q. What caused your suspicions? A. Because she walked out

alone without her husband.

- Q. You say that a minute or so before that you saw the jewelry in the case? A. Yes, sir.
- Q. The case was locked? A. Yes, sir.
- Q. What sort of a lock? A. A very good lock -- a French lock.
- Q. After the missing of this property did you give a description to the police? A. Yes, sir.
- Q. Is that the description in this circular? A. Yes.

Paper marked Peoples Exhibit 2.

- Q. When this man came to your store first did he give you an address? A. At 174 West 58th Street. Second Flat.
- Q. Did you subsequently learn that he did not reside at that place? A. Yes, sir.

Objected to as hearsay.

DETECTIVE JOHN COTTRELL being duly sworn and examined as a witness for the people deposes and says:- I am a detective Sergeant of the Central Office.

- Q. Did you make this arrest? A. I did not make the arrest. I ordered the young man to have him arrested -- that we wanted him at Headquarters.
- Q. Did you have any conversation with defendant? A. Yes.
- Q. State what it was? A. At Police Headquarters. I asked him to give up the things that he got at Mr. Wernecke's store. He said he had not stolen anything. That was after the arrest. He knew what he was arrested for.
- Q. Did you tell him? A. Yes sir. I told him to tell me where the goods were. He said he would have nothing to say until he saw his lawyer.

Q. Did you go to the premises 174 West 58th Street? A. Yes sir

Q. Did you learn anything as to defendant's residence there?

BY THE COURT: Objected to as hearsay.

Q. Were you sent there? A. I was instructed to take charge of the case and to go to 174 West 58th Street.

Objection overruled.

Exception.

Q. Whom did you see there? A. I went on each floor.

Objected to.

Objection overruled.

Q. What did you find out? A. That there was no such person as defendant living there. And the agent Mr. Leaycraft told me that no person of that name lived there.

RE-CROSS BY MR. MOSS:

Q. Is there anything else that you recollect now that you have not testified to? A. No; nothing. I asked him if he would not tell where the property was.

Q. He said he had not stolen? A. He would not talk about it until he had seen his counsel.

Q. He said "I did not steal anything?" A. Yes sir.

Q. Anything else? A. I asked about the woman known as his wife, Mrs. DeFord. He said he had met her prior to that and used to meet her at different places. That he met her and they went to Wernecke's together.

Q. Anything else? A. Not that I can remember.

Q. He never told you that he stole this property? A. No. He denied that he stole it.

By MR. STINER.

Q. Did you find anything upon the prisoner at the time of his

arrest? A. He received a letter and I took it from him.

Letter offered in evidence.

Objected to.

Letter admitted as evidence and marked "People's Exhibit 3, July 21, 1891 O.Jr."

BENJAMIN D. BLANEY being duly sworn and examined as a witness for the people deposes and says: I am employed at 10 West 28th Street. I remember the day the property was lost. I saw defendant that day

- Q. State about the time you saw him, where he was? A. About quarter to two. When he came in I was in the back room. I was just coming out of there waiting on a customer. He brought back some things. I told him to wait while I was attending to my customer. I supposed he would do so. He walked away. While I was with the customer I saw him by the show case but the show case was locked.
- Q. You saw him by the show case in the art room? A. Yes sir
- Q. Where was the show case? A. (Witness illustrates by diagram).
- Q. After you saw them there did you see them go out? A. I did not.
- Q. In this art room there are people constantly coming ?
- A. Yes sir.
- Q. Did you see the case? A. Yes.
- Q. Was the case locked? A. It was.
- Q. When did you again see the case? A. When Mr. Wernecke called me.



- Q. After defendant went out? A. Yes sir.
- Q. When the case had been opened? A. It was-- it had been opened with a key.
- Q. It was open? A. Yes-- half the case was empty.

CROSS-EXAMINED BY MR. MOSS:

- Q. When this man came into the store with these figures what part of the store were you? A. I was just coming out of the art room of No. 12.
- Q. The store in which these valuables were? A. Yes sir.
- Q. The show case? A. Yes sir.
- Q. Did you talk with the defendant? A. I did. He told me about the figures. I told him all right, to wait until I waited on the customer.
- Q. Before that did you ever talk with defendant in this back room? A. Yes, on five different occasions.
- Q. How came you to talk with him there? A. He came in and I waited on him. I showed him goods there and he brought these figures to be changed.
- Q. After you talked with him on this occasion, where did they go? A. Same room-- in the back room / The same room where the silver and jewelry were.
- Q. And then did you have a talk with him out in the large room? A. No sir.
- Q. In the small room? A. That was the smallroom.
- Q. Within the room? A. Yes sir.
- Q. Sure of that? A. I am sure of it.
- Q. Was the lady in the same room? A. No sir.
- Q. Did you see Mr. Wernecke? A. He was up to the front of the store with a customer.

0994

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- Q. You left these figures in the small room? A. Yes sir.
- Q. What did you do with them? A. I unwrapped them and laid the contents on the top of the case.
- Q. Was defendant right by the entrance? A. Right by the entrance into that room. Then I left him and went around waiting on a customer.
- Q. At the entrance? A. Right at the entrance.
- Q. Right close to where the lady stood? A. The lady stood there-- was in another room.
- Q. Do you say that this case was locked? A. It was locked.
- Q. How do you know? A. Because I recollect the time that the figures on the jewelry case.
- Q. Who was the lady that was there? A. Mr. and Mrs. Van Ness, 31 West 37th Street.
- Q. You accompanied your customers? A. Yes sir.
- Q. You were talking with your customers? A. Yes sir.
- Q. You say you looked into this room? A. Yes sir.
- Q. How far away were you from this room? A. About 12 feet.
- Q. What did you see? A. I saw him in front of the case. I saw him there looking into the case.
- Q. That is all-- you saw him there? A. Yes sir.
- Q. You kept watching him? A. No sir.
- Q. Did you see him leave? A. I did not.
- Q. You do not know when he left? A. I do not know when he left. I was surprised when I learned that he had left because I expected to wait on him when I took the figures.
- Q. How long a time after he parted from you was it that you missed the jewelry? A. About ten minutes.
- Q. Sure about that? A. Yes sir.

BY MR. STINER:

Q. Did it create any impression on your mind when this man left the premises without waiting for you?

Objected to.

Objection sustained.

Q. He had not previously told you that he was going? A. No sir.

Q. You say he was in front of the case? A. He was in front of the case.

Q. How high is the case? A. About three feet high.

Q. Was the case open when he was standing in front of it?

A. It was not open. He stood in front.

Q. It had a lock on it? A. Yes; it was locked.

Q. When you came back the case was open? A. The case was open.

Mr. Moss moves to dismiss the complaint on the ground that there is no evidence to convict the defendant.

Motion denied.

MRS. HANNAH WHITE, being duly sworn and examined as a witness for the people, deposes and says: I live at 266 West 36th Street. I know the defendant. He lived in my house. I recollect when he left;; that was last Friday.

Q. Did he leave suddenly? A. Yes.

Q. Was he there all the time? A. No. He went away for two weeks after I missed my watch

Sworn to before me this  
day of

0996

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Adjourned to Thursday, July 23rd , 1891.

0997

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Robert Howe*  
and  
*Nettie Hamburg*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this  
indictment, accuse *Robert Howe and Nettie Hamburg*

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

The said *Robert Howe and Nettie Hamburg, both*

late of the City of New York, in the County of New York aforesaid, on the *sixth*  
day of *February* in the year of our Lord one thousand eight hundred and  
ninety-*one* at the City and County aforesaid, with force and arms,  
*one finger ring of the value of five hundred*  
*dollars, five other finger rings of the value of two*  
*hundred dollars each, ten other finger rings of the*  
*value of one hundred dollars each, ten other finger*  
*rings of the value of seventy-five dollars each, eleven*  
*other finger rings of the value of twenty-five dollars*  
*each, six pins of the value of one hundred*  
*dollars each, four brooches of the value*  
*of two hundred and fifty dollars each, five brace-*  
*lets of the value of one hundred and fifty*  
*dollars each, one diamond matinee cross*  
*of the value of five hundred dollars, one*  
*diamond necklace of the value of five hundred*  
*dollars, three other finger rings of the value of*  
*fifty dollars each, and one diamond pin of*  
*the value of one hundred and fifty dollars*  
of the goods, chattels and personal property of one *Carl Bernicke*

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

*He Lancey Nicoll,*  
*District Attorney.*

0998

**BOX:**

446

**FOLDER:**

4115

**DESCRIPTION:**

Hubber, Charles

**DATE:**

08/14/91



4115

0999

1107

164

Witnesses;

Aug. Zwischka

Counsel,

Filed

14 day of Aug. 1891

Pleads,

THE PEOPLE

vs.

Charles Hubber

Grand Larceny, First Degree  
(DWELLING HOUSE.)  
[Sections 528, 530, 531 Penal Code]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. Woodruff

Foreman.

Aug 14 91

Charles B. May

James Red

10000

(1865)

Police Court— District.

Affidavit—Larceny.

City and County } ss.  
of New York,

of No. 63 Greenwich Street, aged 23 years,  
 occupation draughtsman being duly sworn,  
 deposes and says, that on the 1st day of August 1899 at the City of New  
 York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
 of deponent, in the night time, the following property, viz:

2 Suits of clothes  
3 pairs of pants  
10 white shirts  
1 jacket and vest 1 coat  
1 umbrella 1 collar

Being in all together of the value of  
One hundred and fifty dollars

the property of

Deponent

and that this deponent  
 has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen  
 and carried away by Charles Hubber (nowhere)

for the reasons following to wit:  
 That on said day deponent had said  
 property in a trunk which was locked  
 by means of lock and key in a room  
 in said premises and when he came to  
 said room on said night he found  
 the said trunk broken open and said  
 property gone. Deponent further says  
 that he caused said defendant  
 to be arrested and at the time of said  
 arrest said defendant had on  
 his person a suit of clothes which  
 is a part of the said larceny and  
 which deponent fully identifies as

Subscribed and sworn to before me this 1st day of August 1899

Notary Public



being his, and that he also found 10  
 shirts under the bed of said defendant  
 in and on his said premises which  
 he identifies as being his and being  
 a portion of the aforesaid property.  
 Defendant therefore denies said  
 defendant with the taking of  
 the property aforesaid.

Shorn to be for me 1891 }  
 this 10 day of August 11 } Chas. R. Smith  
 Do & Co. Smith  
 Police Justice

1002

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

*Charles Hubber* 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. *Charles Hubber.*

Question. How old are you?

Answer. *32 years*

Question. Where were you born?

Answer. *Switzerland*

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

Answer. *Am on Stee St*

Question. What is your business or profession?

Answer. *Dutcher*

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. I was drunk at the time*

*J. Emil Stever*

Taken before me this

10th

day of August 1891

*J. E. Stever* Police Justice

1003

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

Repeudant  
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 Aug 10 1891 T. J. C. B. R. H. L. 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.

1004

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Police Court---

District.

THE PEOPLE, &c.,  
vs. THE COMPLAINT OF

Compld. bail by  
John Frohlich  
106 Greenfield  
St.

August 10 1891  
Charles Hubbs

BAILED.

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

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

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

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

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

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

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

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

Dated August 10 1891

O. Reilly Magistrate.

L. J. Jones Officer.

52 Precinct.

Witnesses Complainant

No. House of detention Street.

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

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

\$ 1000 to answer

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1005

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 1 DISTRICT.

John H. Lyons  
of No. 3d Avenue, Street, aged years,  
occupation Police Officer being duly sworn deposes and says,  
that on the 7th day of August 1889  
at the City of New York, in the County of New York, He arrested

Charles Hubber (nowhere) on a  
charge of Larceny and the complaint  
of August Luschka, and deponent  
has good and sufficient reasons  
to believe that said Luschka will  
not appear at the trial to prosecute  
said Hubber and asks that  
he be committed to the House  
of detention

John H. Lyons

Sworn to before me, this 10th day of August 1889

John H. Lyons, Police Justice.

## 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 Hubber*

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

*Charles Hubber*  
of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said

*Charles Hubber*late of the *First* Ward of the City of New York, in the County of New York  
aforesaid, on the *seventh* day of *August* in the year of  
our Lord one thousand eight hundred and ~~eighty~~ *ninety* in the night time of the same day,  
at the Ward, City and County aforesaid, with force and arms,*three coats of the value of fifteen dollars  
each, three vests of the value of six  
dollars each ~~four~~ five pair of trousers  
of the value of nine dollars each  
pair, fifteen shirts of the value of one  
dollar each, one jacket of the value  
of five dollars, one umbrella of the value  
of five dollars and one cloak of the  
value of ten dollars,*of the goods, chattels and personal property of one *August Luschka*

in the dwelling-house of the said

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

## SECOND COUNT—

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

*Charles Hubber*  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

*Charles Hubber*  
late of the *First* Ward of the City of New York, in the County of New York  
aforesaid, on the *seventh* day of *August* in the year of  
our Lord one thousand eight hundred and ~~eighty-nine~~ *one* at the Ward, City and County  
aforesaid, with force and arms,

*the same goods,  
chattels and personal property  
described in the first count  
of this indictment.*

of the goods, chattels and personal property of one

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

*August Luschka*  
unlawfully and unjustly, did feloniously receive and have; the said

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

JOHN R. FELLOWS,  
District Attorney.