

0095

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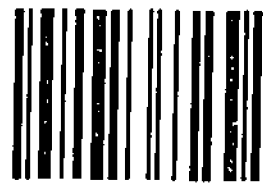
1461

DESCRIPTION:

Hollahan, Richard

DATE:

06/26/84



1461

POOR QUALITY
ORIGINAL

0096

Witnesses:

Paul Jones at

W.D.

Counsel,

Filed 26 day of June 1884

Pleads

W.D. Jones

Grand Larceny, 5th degree
[Sections 528, 531, Penal Code].

THE PEOPLE

vs.

B

Richard Hollahan

PETER B. OLNEY,

District Attorney.

A True Bill.

Richard

Foreman.

Officer Jones by adw

POOR QUALITY
ORIGINAL

0097

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

Richard Hollahan

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

Richard Hollahan
of the crime of *Grand Larceny in the Second Degree*,
committed as follows:

The said *Richard Hollahan*

late of the First Ward of the City of New York, in the County of New York aforesaid,
on the *twentyfourth* day of *May* in the year of our Lord
one thousand eight hundred and eighty *four* at the Ward, City and County
aforesaid, with force and arms, with intent feloniously to *deprive one*
Frank A. Abraham of his property, and
of the use and benefit thereof, and to appro-
priate the same to his own use,
did then and there feloniously, unlawfully, knowingly, and designedly, falsely pretend
and represent to *the said Frank A. Abraham,*

That *he was then the owner of the stock*
and fixtures then in a certain liquor
store then known as number 340 West
Sixteenth Street: that the fixtures then
in the said store were of the value of
at least two hundred ^{dollars}; that the stock
then therein, consisted of wines, liquors,
ales, beer, and other beverages, and cigars,
and that the same were then of the value
of at least one hundred and eighty eight
dollars and ninety cents: and that the
stock and fixtures then in the said store,
and of which he was then the owner, were
of the value together of not less than
three hundred and eighty eight dollars
and ninety cents, and that fixtures, and
stock consisting of wines, liquors, ales, beer
and other beverages, and cigars, of the
value of three hundred and eighty eight
dollars and ninety cents, were then in
the said store.

POOR QUALITY
ORIGINAL

0098

And the said Frank A. Abraham -----

then and their believing the said false pretences and representations -----
so made as aforesaid by the said Richard Hollahan -----

and being deceived thereby, was induced, by reason of the false pretences and representations so made as aforesaid, to deliver, and did then and there deliver to the said Richard Hollahan, a large sum of money, to wit: the sum of three hundred dollars in money, lawful money of the United States of America, and of the value of three hundred dollars -----

of the proper moneys, valuable things, goods, chattels, personal property and effects of the said Frank A. Abraham -----
and the said Richard Hollahan ----- did then and there designedly receive and obtain the said sum of money -----

of the said Frank A. Abraham -----

of the proper moneys, valuable things, goods, chattels, personal property and effects of the said Frank A. Abraham -----

----- by means of the false pretences and representations aforesaid, and with intent feloniously to deprive and defraud the said Frank A. Abraham of the same and of the use and benefit thereof and to appropriate the same to his own use: -----

And whereas, in truth and in fact, the said Richard Hollahan was not then the owner of the stock and fixtures then in the liquor store aforesaid, and the fixtures then in the said store were not of the value of at least two hundred dollars.

And whereas in truth and in fact the stock then therein did not consist of wines, liquors, ales, beer and other beverages and cigars which were then of the value of at least one hundred and eighty eight dollars and ninety cents,

And whereas in truth and in fact the stock and fixtures then in the said store, and of which he the said Richard Hollahan was then

POOR QUALITY
ORIGINAL

0099

the owner, were not of the value together of not less than three hundred and eighty-eight dollars and ninety cents.

And whereas in truth and in fact fixtures, and stock consisting of wines, liquors, ales, beer, and other beverages, and cigars, of the value of three hundred and eighty-eight dollars and ninety cents, were not then in the said store, — — —

And Whereas, in truth and in fact, the pretences and representations so made as aforesaid, by the said Richard Mollahan — — — to the said Frank A. Abraham, was and were in all respects utterly false and untrue, to wit, on the day and year last aforesaid, at the Ward, City, and County aforesaid.

And Whereas, in fact and in truth the said Richard Mollahan well knew the said pretences and representations so by him made as aforesaid to the said Frank A. Abraham — — — to be utterly false and untrue at the time of making the same.

And so the Grand Jury aforesaid, do say, that the said Richard Mollahan — — — ~~by means of the false pretences and representations aforesaid~~, on the day and year last aforesaid, at the Ward, City and County aforesaid, in the manner and form aforesaid, the sum of money aforesaid, to wit: the sum of three hundred dollars, in money law-
ful money of the United States of America, and of the value of three hundred dollars,

of the proper moneys, valuable things, goods, chattels, personal property, and effects of the said Frank A. Abraham, feloniously did 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.

PETER B. OLNEY,

~~JOHN McKEON~~, District Attorney.

POOR QUALITY
ORIGINAL

0100

Robinson V. L. M. 1844
1844. 500. 1844.

0101

DISTRICT ATTORNEY'S OFFICE.

PEOPLE

vs.

Hollahan

WDM Burrey
Att of Law
291 B. B. B.
Robinson
His Client Maxine

was awarded by
Hollahan in a
summary manner

J. H. A.

POOR QUALITY
ORIGINAL

0102

Please ask

John Featherstone who was acting as my barkeeper, on Hollahan's recommendation & bond, why he allowed liquor & cigars ^{stole from the store} to be carried away from my store in his presence was it not his duty to protect my property knowing as he did that everything on the premises "of whatever name & nature" had been sold & therefore belonged to me.

& ask John Carroll whom Hollahan represented to me as his barkeeper & as a man that could not be trusted & therefore should be got rid of at once how he came to be swindled by Hollahan only a few days previously in the same manner as I had been. He was at the time of the sale to me, Hollahan's partner - altho' Hollahan had declared to me that he had no partner but that the business belonged to him & to him alone -

Hollahan said that Lawson had nothing to do with the business - that he Hollahan had originally bought the business for his brother in law Lawson hence his name appearing on the documents but that he had afterwards taken it over himself during Lawson's absence.

Hollahan informed me that the business was taking in 20-30 dollars a day (more than 15) - I asked him if he kept any book or record of his daily takings - he said no - yet a book has since been found on the premises in which his daily takings are noted & they average 4 or 5 dollars a day!

POOR QUALITY
ORIGINAL

0103

In Case of Richard Hollahan

Please subpoena

James Morgan 417 West 17th St. ?/ Known
as "Jimmy the bum" - This man was
employed by Hollahan to fill the barrels with
water & to carry away some of the stuff
in my absence after the sale to me - He has been
carefully hiding since the commencement of
this proceeding, by special instruction of Hollahan.
I managed one day to serve him with a summons
to appear before Jefferson Mkt. Police Court but
he took no notice of it & put in no appearance.
also, William Stewart - 570 Clinton St. Bklyn.

This man introduced me to Hollahan & it was
by his false representations that I was induced to
go into the business - He also got money out of me
for himself under false pretences - I met him the
other day & he promised to return this money to me
at a particular hour & place so as to prevent
my prosecuting him - He failed however to keep
his appointment & I wish now to prosecute him
also - He was present when I took possession
of the store & immediately afterwards upon my
finding no liquor at hand, he was asked by
Hollahan to go & buy some for me in the
neighborhood so that I should have some to go on
with - which he did. * This man was no doubt
in league with Hollahan from the start.

* This is further proof that the list of stock Hollahan gave me
was fictitious & that he knew that no liquor was there when
he sold me the store except what he had concealed in a cupboard
which he took away.

0104

not to be found. Hollahan having sent
him word to keep out of the way
and poems would therefore not be served.
Wm Stewart can testify that the morning
after complaint took possession there being
no liquor to be found he went out & purchased
a bottle of whiskey & a fall of hair in the street
& compliment paid for them. ^{Philip Rogers} a Thosman
was the party who introduced complainant
to Hollahan make equally false represent-
ation of the business & a reward
where to be found. The address he gave
complainant was fictitious & subpoena sent
David Lyons can testify as to his past career
having had innumerable times affairs with his
& being intimate & coming with him to
go to the yard assigned him which complainant
gave to Hollahan & ~~sent~~ ^{sent} ~~to~~ ^{to} ~~the~~ ^{the} ~~by~~ ^{by} *

Frederickson can testify to the fact of
having been his backstopper for many years &
knowing all about him from the late Mayor.

* Lyons gave evidence as to the fact that
that Hollahan had given him a mortgage on property
which he had purchased from the late Mayor
of the city of New York. But I was not upon the stand
that I called. I was sworn that I did not complain
nothing can be said Hollahan & that he was a man
to be honest & that he was a man of good character
and was absolutely truthful in all that he said.

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ORIGINAL

0105

John Murtaugh - will testify that the fixtures sold
to complainant were his property and Hollahan's
John Carroll will testify that he was a partner
in the store when Hollahan sold it to complainant
though Hollahan stated he had a partner at the
time and that he was a partner by Hollahan
and was in the same manner as app. and
has been only a few days partner in the
John Featherstone will testify that he was a partner
in the store and the partners the same time
right immediately after complainant
did not get possession of the complainant's
brand and get some more of them also
that on the Monday morning when he was
instructed to examine the stock on their
schedule he found barrels & bottles full
of water instead of liquor also that
in his presence on the Sunday (the 11th)
after complainant got possession of Hollahan
took away a lot of liquor barrels which
he had secreted in a back room
James Morgan known as Sammy the tramp
was employed by Hollahan & was seen by
the store on the Sunday taking away
liquor for his truck
Hollahan - James Morgan was also employed
by Hollahan to fill the barrels with liquor upon
complainant that he had done this work for
Hollahan & suggested that he should pay over
same for complainant for each barrel
it contained. This witness is for the complainant

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ORIGINAL

0106

Davis Lyons offered complaint & asked
to abandon the case saying that he was afraid
intended to get Hollahan on the street and to
be with the rest of them. That they would get
the bail reduced to \$500 & that he was afraid
to bail for him - that his bail was only \$1000
back as he had no real estate but he would own
the property in the meantime ^{getting} ~~other~~
Hollahan promised to get & that in the
case by political influence & money
will prevent the law from taking its
course. That Hollahan is too smart
a rogue to be taken days -

0107

[illegible]

Who wanted for some trifling money
was told to buy it from Long Sea Road
4. Cent on ball. John Quincy Adams to be
rest 100 of a half penny. There was a
decided war was to be missed. The New York
went out on ball, until it be seen that.

The winter in May 30 to 31 O. S. was very
 pleasant but the 31st was very cold and
 dry. In June I saw a few more of the
 same species but not so many as in May. I
 saw one on June 1st and one on June 2nd.
 It was very cold and the birds were
 very scarce. I saw one on June 3rd and
 one on June 4th. I saw one on June 5th
 and one on June 6th. I saw one on June 7th
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 and one

Dr. and John Smith of New York & cover
and I against him for a similar
offense - the conduct of both of you has
been a curse to the cause of Liberty
B. John Harts of 27 Jones St. N.Y.

POOR QUALITY
ORIGINAL

0109

I found him in the Court House

He has been guilty of a

with J. J. Chapman B. Pomeroy 42. to 50

Levitt Bros. 1000 Canal St.

Wm Chapman 111 Broadway St.

Address of Henry & Boyd 1000

Charles Street

Henry H. H. H. H. H.

Wm. H. H. H. H.

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Wm. H. H. H. H. H. H. H. H. H.

0110

Just Heavens at all Lake

[illegible]

Ben Hallahan: not to be confused with.

believe that I had no partner
predecessor on his.

papers & letters containing letters
~~as follows~~ as he described
in my going account.

He I saw J. M. Langdon the
doctor - he said that was the
man who ought to be here.

Reasons for selling -

Representations as a quantity
+ quality of goods.

West & Kennelby

01111

John Featherstone. 18 Beak
Street, New York City.

I first met Hollahan
May 8, 1884. I was with
Carroll. I was to give
\$200 for hay interest with
Hollahan. Carroll paid
\$75 down and \$285 the following
Monday. Carroll was drunk
afterwards constantly. I was
employed by Hollahan at
Saturdays afternoon when
he took possession in New
York. Till the next Thurs-
day.

On Sunday morning
Mr. Hollahan was there
on Sunday. ~~at 12 o'clock~~
12 o'clock I was Hollahan
unlocked the door he
and took out bottles
appearing to be full
of liquor. ~~Featherstone~~
table and gave them
to Morgan and told
Morgan to take them
to Hollahan's house.

0112

2

Kennedy is the first person to
be tried for his entire
career.

Seneca Kennedy

Statement to Dept as to complete
circumstances.

At the time had been to London -
he had been in 750 to 800 in the
place - he had let them out
for 600 - 300 each on the 1st of

Had with him to the 1st of July -

On Saturday went to the 1st of July
to 500 and got the 1st of July
to the 1st of July

Back to the 1st of July -

Later on the 1st of July, went to the 1st of July
to 300

0113



468 1/2 Pearl St
~~Orange N. J.~~ July 3/84

Mr. H. Abraham

Dear Sir

I understand
that you called to see
me this afternoon in regard
to Hollahan's affairs. I am
sorry that I didn't see
you as I could give you
a history of his transactions

0114

for the last twelve years
which would prove usefull
to you in furnishing the
Spindling Scoundrel in
his coming trial. Of
course I would like you
to call at the above address
where I can be seen from
seven o'clock in the
morning until twelve at-
night. I am anxious
that he should be punished
as he has run to long

Yours Respectfully
E. Nichols

POOR QUALITY
ORIGINAL

0115

David Lyons, the man to whom Hollahan assigned the mortgage which he got from me & who is intimately connected with his transactions, informed me that it was impossible to get Hollahan convicted; that he had too much political influence; he had got off too often before & let himself be caught now. That his friends, that is to say he, Lyons, & others, had bargained with the Governor for the sum of \$100 to get him in the street & once there the matter would be at an end. Their mode of procedure would be as follows; they would first get the case adjourned & have the bail reduced. The bail once reduced he would get out & beyond reach. They would then have the case adjourned again. & again until both Lyons & his resources were exhausted & the matter at last dropped. The first part of their programme that have accomplished. Is it possible that they can carry out the rest of it?

Hollahan represents to Murtough that he is acting for a party named Lawson. Murtough consents to sell the fixtures to Lawson for \$20. Hollahan takes possession of the fixtures as his own property & sells half share in them to Carroll who pays him \$300 cash, while Carroll is a partner. Hollahan without Carroll's knowledge sells the same property to Abraham ^{for \$500} representing it to be his sole property, free of all incumbrance & worth \$750. This being the amount he said he paid for it when he bought the same. He included in the sale a lot of fixtures in barrels & cases ^{as per schedule} which were afterwards found to contain nothing but water or some worthless liquid & got \$300 in cash & a mortgage on the fixtures in another \$300 from Abraham. The mortgage he at once assigns to David Lyons who accepts it without any examination. Abraham therefore gets nothing at all in return for his money & Hollahan is guilty of a gross swindle.

Hollahan gets the lease in the name of Lawson but transfers it to Abraham in his own name in 2 or 3 weeks. He gets all his goods to be in the lease & does & keeps nobody in. Lawson was to be paid at different dates but was not forthcoming being

New York General Post Office
 The People &c
 1840

Richard W. Allen

My dearest
to just over
Friend

Charles J. Sumner
My wife & pp.
Frederic / Dickinson
My dear

Ad 70 by adn of Keen
1 Sept 1900
Filed July 1784

New York General Sessions

The People vs

against

Richard Nothman

City & County of New York ss

Richard Nothman being duly sworn says that he is the defendant in this case; that he has plead not guilty to the indictment against him and is not guilty - that he was released from prison on Saturday last upon a reduced bail, the reduction being made by this Court by reason of the Critical Condition of the wife of deponent - that since said release deponent's wife has required his attention, and has now paralyzed, and almost unconscious of what is passing about her, and not expected to live from day to day - that David Linsen, John Featherstone & William Stenach are material and necessary witnesses for this deponent upon

0118

the kind of this cause without
whose testimony he cannot safely
proceed to the time thereof
as he is advised by his Counsel
Charles A. Spencer of said City
after fully & fairly stating to him
the case in said action and
verily believes; that none of said
witnesses are now in Court
nor has this deponent of
reason of the reasons aforesaid
been able to procure them
that ~~two~~ ^{two} of said witnesses were
present at the sale of the
store and witnessed the transaction
which is the subject matter
of the indictment in this action
that said Lawson said said
store to deponent & is acquainted
with the stock sold to the
Complainant in this case
that the basis of deponent is
perfectly responsible and
a free holder

Sworn July 17
1884 before me

Richard A. Hallahan
Clerk of General Sessions

POOR QUALITY
ORIGINAL

0119

New York, 24th March
Mr

Bought of EDWARD LAWLOR,
RECTIFIER & DISTILLER,

—AND DEALER IN—

Foreign and Domestic Liquors,

No. 354 West 25th Street.

2 falls fin @	200	4 00
2 " Rye	225	4 50
		<u>\$8.50</u>

Paib McCabe & Co

0120

Countdown Sessions

The People

175

Richard Hollahan

0121

Court of General Sessions
The People
vs
Richard Hallahan

Frank A. Abraham 249 W. 25 St. says
On May 22. 1884 the defendant represented
to him that he was the owner of the stock
& fixtures of the liquor business situate at
No 340 W. 16 St. & offered to sell the same
to deponent for \$600 and represented that
certain goods mentioned in a schedule
marked A. were in said place and were
included in the sale. That said Hallahan
on said day executed to deponent a Bill of Sale.
That deponent on May 24 ~~gave~~ ^{paid} to Hallahan
\$300 and gave a mortgage for \$300 the
balance of the consideration expressed in
said Bill of Sale. Hallahan induced deponent
to leave one John Featherstone in charge of said
store & gave a bond for the faithful performance
of duty upon the part of said Featherstone. That
on the next day deponent saw Hallahan behind
the bar of said store dealing out liquor to said
Featherstone and one James Morgan. That the
following day deponent discovered that there was
no liquor there alleged to have been sold to
deponent by said Hallahan, except 2 barrels

0 122

of all on tap and a few bottles of claret and
bitters the rest of the bottles & barrels were
filled with water. Hallahan said the business was taking
in from \$20-30 per day.

John Murtagh 113 Raymond St. Bklyn
Agent for Koehler's Brewery says:-

That in Feby. last he owned said store
and Hallahan came to him and represented
that he could sell the place to one Lawson
and then and there purchased for Lawson
from deponent all of the value of \$65⁵⁰
but did not pay for it. Deponent frequently
found Hallahan in charge but never could
find Lawson whom deponent never saw.
Deponent never sold the place or its
fixtures to Hallahan.

0123

James Morgan 417 West 17th Street -

Was employed by Hollahan to fill the bottles + barrels with water and ^{to} carry away the stuff after the sale to me.

William Steward 575 Leintown St. Bklyn.

Introduced the complainant and defendant. and was present when the sale was made and when it was found that there was no liquor in the place. He went for liquor so as to go ahead with the business:-

John Featherstone

Acted as barkeeper for Abraham on the recommendation of Hollahan and will testify that there was no liquor in the premises, and that Hollahan took some liquor after the sale.

John Carroll had also been swindled by Hollahan and was a partner of said Hollahan in this business, although Hollahan had informed me that he owned it himself.

0 124

David Lyons

Had some previous transactions with him but will deny it, because Hollahan owes him some money. Lyons offered complainant \$100 to drop the case.

E. Midolson

Can testify as to his previous career having been his barkeeper for many years

0125

Hollahan's false representations were:-

- 1) That the business was taking in 20-30 dollars a day - but that he kept no record.
Carroll can testify to the contrary & a book has been found showing his daily receipts.
- 2) That the business belonged to him & had no partner.
Carroll was his partner.
- 3) That everything in the place belonged to him.
Murthagh will testify to the contrary.
- 4) That his license was all in order & could be used by complainant.
- 5) That the bottles & barrels in the place contained liquors as per schedule.
Featherstone can testify to the contrary he saw Hollahan the day after the sale carry away liquors & cigars, the man James Morgan carrying them for him.

0126

Court of General Sessions
in and for the City & County
of New York.

The People &c., } copy
vs. } notice of
Richard Hollahan, } Motion.

To the Hon. Peter B. Olney,
District Attorney
New York City & County:

Sir:

You will please
take notice that upon the
subjoined Affidavit of
above named defendant,
verified July 3, 1884,

I shall move this Hon.
Court, in open session thereof,
before the Honorable Frederick Smythe,
in Part of this Court, on July
7, 1884, at eleven o'clock in the
forenoon of that day, or as soon
thereafter as counsel can be
heard, for a reduction of above
named defendant's bail from \$1000.
to \$300.

Yours &c.,

James Owen O'Connor,
defendant's attorney,
27 Chambers Street, Room 15,
N.Y. City.

July 5th 1884.

0127

Folio 1. Court of General Sessions for the City and County of New York.

The People vs

Richard Hollahan

(copy)
Affidavit.

City & County of New York ss:

Richard Hollahan
defendant above named being duly sworn
deposes & says

That on June 9 1884 defendant was
committed to the "Tomb" city prison, by
order of Police Justice Gorman, on the
charge of alleged, "grand larceny," with
bail fixed at \$1,000

That said charge of "grand larceny"
is wholly false and untrue as against defendant
& is based on conspiracy

" 2

That already more than one calendar
month and term of Court have expired since
defendant was so committed to prison; and that
defendant has not, as yet, been put upon trial
before a jury of his peers.

That under the Constitution and
the Laws, defendant is entitled to a reasonable
reduction of bail, when excessive bail appears,
or is shown, to have been imposed.

That the Bill of Rights in the
business transaction under which defendant
is held for trial, is for only \$300.

" 3

That defendant has a good and
irrefragible defence to this action, on the
absolute merits thereof & is entitled to a
speedy trial & reduction of bail.

That defendant finds it utter-
ly impossible to furnish bail in so large
& expensive a sum as one thousand dollars

That deponent can however find bail in order to his discharge from imprisonment in the sum of \$300. or \$400.

That deponent's social and mercantile ties are of such an exigent and local nature, that he is irrevocably and forever bound up & with this community and environment and no less volens must stand or fall in this city, County & State.

That deponent's said imprisonment since 5. said June 7, 1884, in a cell for 22 hours each & every day & night, has seriously affected his health & is pressing, he fears, fatally upon his mind & reason.

That deponent's wife is dying, & his 3 little children are being left unprovided for; while the residue of his business is being wasted & ruined.

That deponent's store 340 West 16th St. N.Y. City was recently broken open by one Abraham, the complainant herein, & sundry of deponent's personal property burglariously taken & carried away therefrom, by said complainant herein, to deponent's great loss & damage, & to his prejudice in his almost frantic efforts to procure bail herein.

That deponent, therefore, prays this Hon. Court for a liberal & reasonable reduction of bail, to, say, \$300.

And deponent, in conclusion, says that no previous or other application has been made to any Judge of this Court, for this order or

0129

Relief. (Signed)

Richard Hallahan.

" 7.

Sworn to before me
this 3d. July 1884,
C. J. Kinsley,
Notary Public,
W. J. Co.

Ch. of Gen'l Sessions, &c.
People, &c.

vs.
Richard Hallahan.

Notice of Motion

Reduction of Bail,
and
Affidavit.

James Owen O'Connor,
deft's atty,
27 Chambers St.,
N. Y. City.

24-10-84
984

POOR QUALITY
ORIGINAL

0130

BAILED,
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No. 99, by _____
Residence _____ Street,
No. 100, by _____
Residence _____ Street,

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Frank A. Abraham
249 West 25th St.
Richard M. Abraham
Offence Larceny
Dated June 3 1884
J. Brown Magistrate.
B. Brown Officer.
Court Precinct.
App. Court June 18/84.
Witnesses
No. 1 John Featherstone Street
No. 2 John Featherstone Street
No. 3 John Featherstone Street
No. 4 John Featherstone Street
No. 5 John Featherstone Street
No. 6 John Featherstone Street
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No. 100 John Featherstone Street

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 Richard Hallahan

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 June 4 1884 John J. Brown Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0131

Sec. 198-200

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Richarda Hollahan*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *121 9th Avenue, 1/2 month*

Question. What is your business or profession?

Answer. *Liquor Dealer*

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

Answer. *I am not guilty*

Richard. Hollahan.

Taken before me this

day of

March

188

John J. Brennan

Police Justice.

0132

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 32 years, occupation Agent for Koehler's Brewery of No. 113 Raymond Brooklyn Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Frank A. Abraham

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

Sworn to before me, this 5th day of June 1884

John Murtough

John J. Homan
Police Justice.

0133

2nd District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK, } ss.Frank A. Abraham
of No. 249 West 25th Street, Merchant aged 34 years
being duly sworn, deposes and says, that on the 24th day of May, 1884.

at the City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession

of deponent by fraudulent and false representation

the following property, viz :

Good and lawful money of the
United States of America
thirty United States notes of the value
and denomination each of ten
dollars in the aggregate of the
value of Three Hundred Dollars.

Shall I inform me this

City of

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 Richard Hollahan (now

here) that on the 22 day of May 1884 deponent
being desirous of going into business came in
contact with Hollahan, who represented
that he was the owner of the stock and
furniture of the liquor business situate
at No. 340 West 16th Street said City and
offered to sell said business stock and
furniture to deponent for Six Hundred
Dollars and represented to deponent that
the goods mentioned in schedule attached
hereto marked "A" were in said place.

Police Justice,

1884

and were included in the sale. that at said date said Hollahan executed to deponent the Bill of Sale attached hereto marked Exhibit "B" that on the 24th day of May 1884 deponent paid said Hollahan three hundred dollars aforesaid and gave a mortgage for three hundred dollars the balance of the consideration expressed in said Bill of Sale, that deponent was induced by said Hollahan to leave one John Featherstone in charge of said liquor store and gave to deponent the bond attached hereto for the faithful performance of duty upon the part of said Featherstone. said bond is attached hereto marked Exhibit "C" that on the next day Sunday deponent went to the place and saw Hollahan behind the bar dealing out liquor to said Featherstone and one James Morgan. that next day deponent went to said liquor store and discovered no liquor there ~~so~~ alleged to have been sold to deponent by Hollahan - except ~~two~~ ^{and bottles} barrels of ale on tap and a few bottles of claret, the rest of the bottles and barrels were filled with water.

Deponent is informed by John Murtagh that he was the owner of said liquor place in February last that said Hollahan came to him and represented that he could sell the place to one Lawson and then and there purchased for Lawson from Murtagh all of the value of fifty five dollars and fifty cents but did not pay for it that Murtagh frequently went to said place always found Hollahan in charge but never could find Lawson whom Murtagh never saw that Murtagh never sold the place or its fixtures to Hollahan.

District Police Court.

THE PEOPLE & c
OF THE COMPTON OF

Dated

WITNESSES:

Disposition

0135

Wherefore deponent
charges that the representations
made to deponent by Hollahan
in manner aforesaid were false
and fraudulent and made with
the felonious intent of depriving
deponent of said money as is in
manner aforesaid herein set
forth and deponent prays
that said Hollahan may be
dealt with as the law directs

Sworn to this 5th day of
June 1884 before me.
John J. Corman
Police Justice

Frank R. Abraham

POOR QUALITY
ORIGINAL

0136

Richard Hollahan

TO

Frank A. Abraham

BILL OF SALE

Dated May 22^d 1884

POOR QUALITY
ORIGINAL

0137

BILL OF SALE

G. W. Turney, Stationer and Law Blank Publisher, 77 Chatham St., N. Y.

Know all Men by these Presents, That
Richard Hollahan of the City & County
of New York party

of the first part, for and in consideration of the sum of six hundred
dollars (\$600.00) lawful money of the United States,
to me in hand paid, at or before the enacting and delivery of these presents,
by Frank A. Abraham

of the second part, the receipt whereof is hereby acknowledged, have bargained
and sold, and by these presents do grant and convey, unto the said party
of the second part, his executors, administrators and assigns, All
that certain lot of Saloon Fixtures, being
the fixtures & appurtenances of the Lighter
Saloon number 340 West 16th Street in the
City of New York; together with whatever
stock may be contained in said Saloon
more particularly described and set forth
in the schedule forming part of the
instrument.

To have and to hold the same unto the said party of the second part,
his executors, administrators and assigns for ever. And I do
for myself, my heirs, executors and administrators,
covenant and agree, to and with the said party of the second part, to warrant
and defend the sale of the said Saloon fixtures
hereby sold unto the said party of the second part his executors, admin-
istrators and assigns against all and every person and persons whomsoever.

In Witness whereof, I have hereunto set my hand and seal
the twenty-second day of May in the year one thousand
eight hundred and eighty-four

Sealed and delivered in the presence of

Charles E. Abbott Richard Hollahan



0138

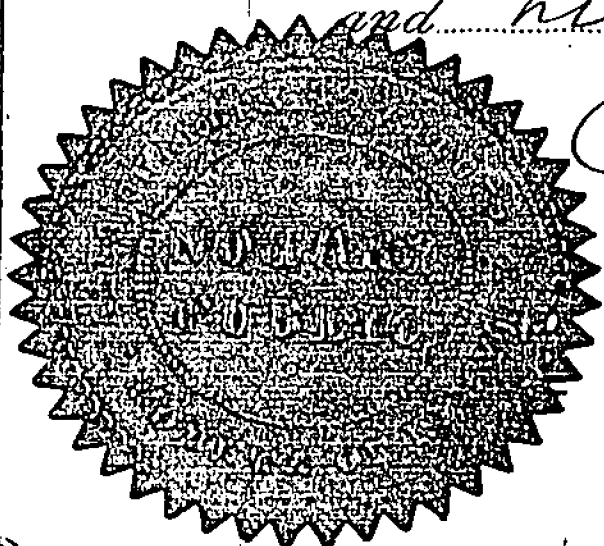
Schedule of the foregoing Bill of Sale.

1 Legum Bar
 1 Ice-box
 1 Back-bar
 1-4 full English Ah furnace & Murrin
 1 Office Partition
 2 ~~Staircase~~
 1 Stove with piping
 All chairs
 16 Barrels & contents
 50 Tinsmiths
 5 Chandeliers
 2 pair Legum Stands
 1 Flaring Screen
 Stock of Ah & Pot in Cellar
 All Bolts & contents
 All glass-ware
 And everything of every name and
 nature now in said premises
 Signed in presence of Richard Hollahan
 Charles E. Abbott

0139

State of New York
City of New York ss.
County of New York

On the 22^d day of May in the year
one thousand eight hundred and eighty five before me personally came
Richard Hollahan known to me
and to me known
to be the individual described in, and who executed the foregoing instrument,
and he to me acknowledged that he executed the same.



Charles E. Abbot
Notary Public
N.Y. Co

0140

u (10) 09

This is to certify that I Richard
Hollahan, do hereby hold myself-
firmly bound to Frank A. Abraham
in the sum of one hundred dollars
for the proper performance of duty
as bartender in the part of John
Featherstone who is to act in such
capacity for the said Frank A. Abraham
The said Abraham to notify the said
Hollahan of any dereliction on the
part of the said Featherstone

Dated New-York May 24th 1854.

Richard Hollahan



0141

POOR QUALITY
ORIGINAL

S 291 *OR L207574*
SERIES OF 1903. SERIES OF 1903.

United States
STAMP FOR SPECIAL TAX
INTERNAL REVENUE

Received from *David L. Brown* the sum of
Two — *69* ¹⁰⁰/₁₀₀ Dollars, for Special Tax
on the Business of **Retail Liquor Dealer**
to be carried on at *340 West 76 St* NEW YORK
State of *NEW YORK* for the period represented by the Coupon or Coupons
hereto attached. Dated at *NEW YORK*
Apr 25 188*4* *W. D. H. H. H.*
Collector, *2* Dist.
State of *NEW YORK*

25
DOLLARS PER YEAR
SEVERE PENALTIES are imposed on this stamp
to place and keep

Engraved & Printed at the Bureau of Engraving & Printing.

COUPON FOR RETAIL LIQUOR DEALERS SPECIAL TAX FOR APRIL 1884.

0142

POOR QUALITY
ORIGINAL

COUPON FOR DEALERS MANUFACTURED TOBACCO SPECIAL TAX APRIL 1884

STAMP FOR SPECIAL TAX

UNITED STATES

INTERNAL REVENUE

Received from David Lawson the sum of 100 Dollars for Special Tax

on the Business of Dealer in Manufactured Tobacco

to be carried on at 340 West 76 NEW YORK

State of NEW YORK for the period represented by the Coupon or Coupons hereto attached.

Dated at NEW YORK

Apr 25 1884

ACT OF MARCH 3, 1883.

\$2 $\frac{40}{100}$

SEVERE PENALTIES are imposed for neglect or refusal to place and keep this Stamp conspicuously in your establishment or place of business.

Collector: 22 Dist.

State of NEW YORK

DOLLARS PER YEAR

0143

7886

SALOON

This License Expires 24 10 1885

CLASS 2 LICENSE No. 5161

The Board of Commissioners of Excise

IN AND FOR THE CITY OF NEW YORK

Hereby Certify that an application for a license to sell Strong and Spirituous Liquors, Wines, Ale and Beer, having been made to them in writing by David Lawson and the Commissioners being satisfied that the applicant is of good moral character, LICENSE is granted to said David Lawson

permitting him to sell and dispose of STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, in quantities less than Five Gallons at a time, at 340 West 10th St (excepting on Sundays, or on Election days, or on any day between the hours of one and five o'clock in the morning), for one year from Nov 1 1884 pursuant to Chapter 628 of the Laws of 1857, and the Acts of the Legislature supplementary thereto and amendatory thereof. This License is granted and accepted upon the express condition that the Licensee shall conform to the requirements of the said Acts of the Legislature, and that in case of any breach of such condition, this License shall immediately be and become null and void.

Witness our Hands, at the City of New York, this 24 day of Nov 1884

Geo J Green Clerk. David Lawson Commissioners of Excise

THIS LICENSE MUST BE KEPT IN A CONSPICUOUS POSITION.

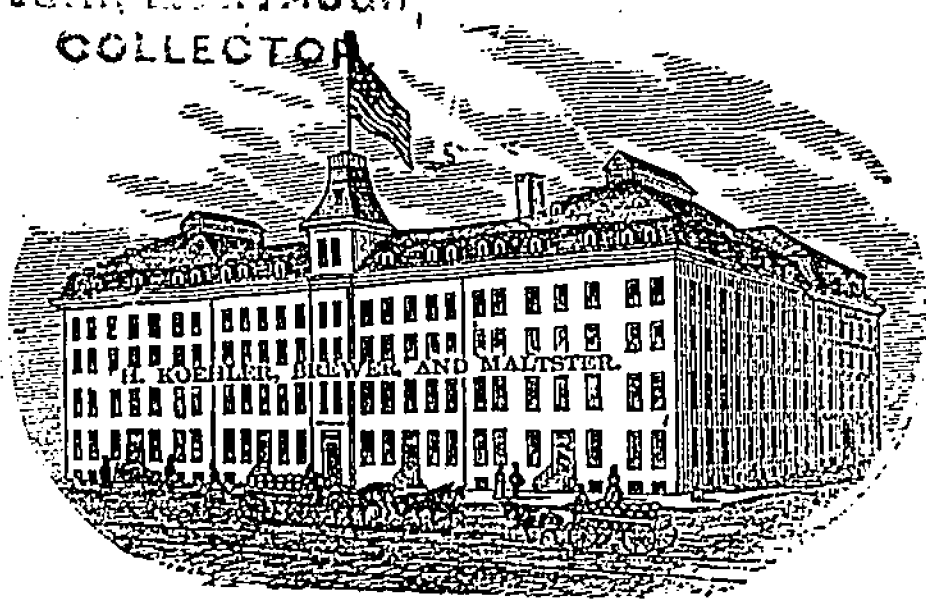
POOR QUALITY
ORIGINAL

0144

belong in the
Richard Halloran
Papers

0145

JOHN CORTAUGH
COLLECTOR



New York, March 1st 1884
M. B. Rawson

In account with **H. KOEHLER,**
BREWER AND MALTSTER,

Pale Cream Ale, Superior Amber Ale, Porter, &c.

First Avenue, 29th & 30th Streets.

TERMS CASH.

Casks to be returned in all cases, except when paid for or deposit left

Date.	Dr. Items.	Cks.	½ Cks.	¼ Cks.	Dr.	Date.	Cr. Items.	Cks.	½ Cks.	¼ Cks.	Cr.
Feb 23	Porter	1			11 00						
"	"	1			10 00						
"	"	1			7 50						
"	"	1			16 00						
"	"	1			13 00						
"	"	1			6 00						
					<u>\$63 50</u>						

0146

A

Stock on hand	
2 Hogsheds New Ale	24.00
1 Stock Ale	18.00
1 B B Canada Malt ale	8.00
1/2 Amber ale	8.00
1/4 Lager Beer	12.00
2 Boxes Weiss Beer	1.60
1 " Ginger ale	1.40
1 " Sassafras	.70
1 " Soda Water	.70
1 Case Seltzer	1.00
1 " Claret Wine	6.50
2 " Brandy	32.00
1 " Bitters	10.00
A lot of Bottles Whiskey	7.00
20 of different Wines	8.00
Port Sherry &c	
20 of Gin	7.00
about 10 fulls Whiskey	25.00
	\$170.90

0147

Carried over ——— \$170.90
 About 5 fulls. Sherry 10.00
 a lot of broken packs Segars. 6.00
 Year Cedar in Bottles 1.00
 1 Bottle Champagne 1.00
 \$188.90

One eight day Clock which is
 not added in schedule. \$5.00
 Two Oil paintings 5.00

\$198.90

The above stock is now
 in the premises No. 340 West
 16th Street and is inclu-
 ded in the Schedule of an
 certain Bill of Sale, dated
 May 22^d 1884 from Richard
 Abraham to Frank A. Abraham

R. Holloman
 24th May/84

POOR QUALITY
ORIGINAL

0148

LEASE.

G. W. Turney, Stationer and Law Blank Publisher, 77 Chatham St., N. Y.

E. F.
This Indenture, made the 13th day
of February one thousand eight hundred and eighty-four Between
Mary E. Povey and Mary Cassidy of the
first part and David Lawson

of the second part, **Witnesseth**, That the said parties of the first part
hath letten, and by these presents do grant, demise, and to farm let, unto
the said party of the second part the store and part of cell-
lar constructed therewith, in the house known
and designated as number 340 East 16th
Street in the City of New York

with the appurtenances, for the term of one year ~~with~~ from
~~the first day of March~~ for the day of March one thousand eight hundred
and eighty-four at the yearly rent or sum of three hundred and
sixty (\$ 360.00) dollars

to be paid in equal monthly ~~yearly~~ payments.

And it is agreed that if any
rent shall be due and unpaid, or if default shall be made in any of the
covenants herein contained, then it shall be lawful for the said parties of the

POOR QUALITY
ORIGINAL

0149

first part to re-enter the said premises, and to remove all persons therefrom.
And the said party of the second ~~part~~ part does hereby
covenant to pay to the said parties of the first part, the said yearly rent as
herein specified.

And the said parties of the first part, do covenant that the said party of
the second part, on paying the said yearly rent, and performing the covenants
aforesaid, shall and may peaceably and quietly have, hold and enjoy the
said demised premises for the term aforesaid.

And that, at the expiration of the said term, the said party of the second
part will quit and surrender the premises hereby demised, in as good state
and condition as reasonable use and wear thereof will permit, damages by the
elements excepted

Signed in presence of Mary C. ~~the~~ ^{her} ~~parties~~

Mary Luther

David Lauson

Per R. Hallahan

May 24th 84

I here transfer this lease to Frank A. Abraham

R. Hallahan

POOR QUALITY
ORIGINAL

0150

State of New York
City of New York ss.
County of New York

On the thirteenth day of February in the year
thousand eight hundred and ninety before me personally came
Henry Roney, Mary Galtby and Richard T. Pol-
lakian Jr and James known to me to be
to be the individuals described in, and who executed the foregoing instrument.
and they verbally acknowledged that they executed the same.

Charles E. Abbott
Notary Public
N.Y. Co.

0151

BOX:

142

FOLDER:

1461

DESCRIPTION:

Holzderber, John

DATE:

06/27/84



1461

Witnesses:

R. Loughlan
P. McLean

Sept 26/84
\$2000 - Cash deposited
by George Hammond
as surety

Bail fixed at
\$2000. Rest of
disbursement
H

The Comptroller recommends defen-
dant to competency. Upon my examination
of this case a conviction of defendant on
this charge appears to be doubtful and
completes by emphasizing this point - I
recommend that the defendant be
discontinued. Counsel for the
May 12, 1885 - Technical Attorney

23
425
B.W. Jones/84

1508

Hammond
Counsel, 289 Greenwich St.

Filed 27 day of June 1884

Pleads Property Chgo/84

THE PEOPLE

vs.
B.
John Stodder
May 6/85

Indictment of Hammond

PETER B. OLNEY,

JOHN HICKSON,

District Attorney.

A True Bill.

Peter Carter
Jury on Motion
of Harry Lee Jones
Foreman
ordered

May 6/85

POOR QUALITY
ORIGINAL

0152

0153

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 Holger

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 John Holger

on the 2nd day of February in the year of our Lord one thousand eight hundred and eighty-two at the Ward, City and County aforesaid, with force and arms, three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one thousand dollars, and of the value of one thousand dollars each: three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five hundred dollars, and of the value of five hundred dollars each: twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one hundred dollars, and of the value of one hundred dollars each: thirty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of fifty dollars, and of the value of fifty dollars each: fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each: sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each: eighty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each: ninety promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of three dollars, and of the value of three dollars each: one hundred promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each: one hundred and twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one hundred dollars: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of fifty dollars: two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars each: three promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of three dollars each: fifteen promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars each: thirty promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar each: bank bills of banks to the jurors aforesaid unknown, and of a number and denomination to the jurors aforesaid unknown, of the value of one thousand dollars. Two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each: three gold coins (of the kind usually known as eagles), of the value of ten dollars each: six gold coins (of the kind usually known as half eagles), of the value of five dollars each: fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each: ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each: thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each: gold coin of the denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of one thousand dollars. Sixty silver coins (of the kind usually known as dollars), of the value of one dollar each: sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each: one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each: three hundred silver coins (of the kind usually known as dimes), of the value of ten cents each: six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each: one thousand silver coins (of the kind known as three cent pieces), of the value of three cents each: silver coin of a denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of fifty dollars. Three thousand coins (of the kind known as cents), of the value of one cent each: five hundred coins (of the kind known as two cents), of the value of two cents each.

of the goods, chattels, and personal property of one Patrick McLaughlin

then and there being found, 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.

PETER B. OLNEY,
JOHN McEON, District Attorney

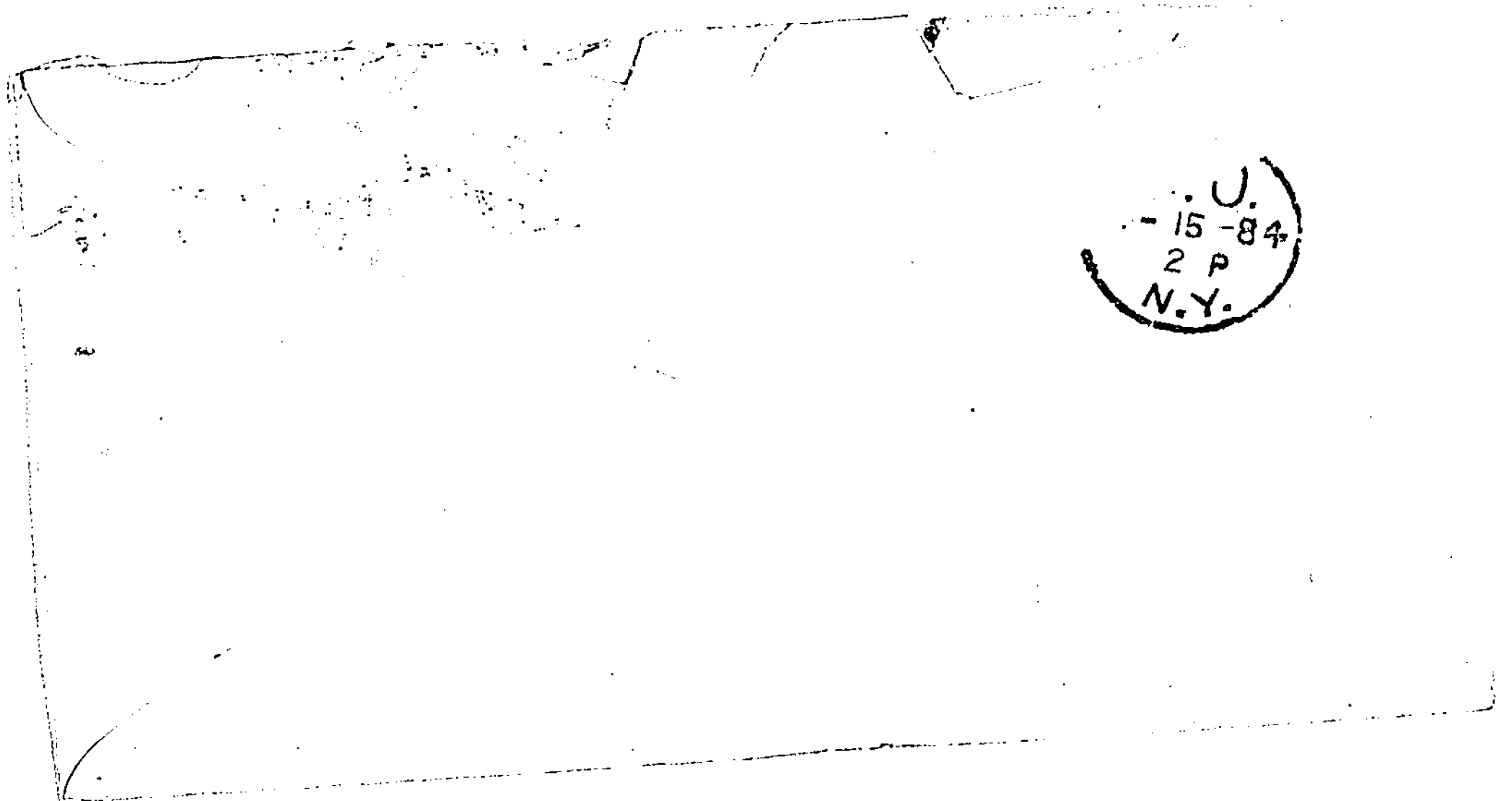
0154

NEW YORK AND PARIS
Mourning Goods House,
6th Ave. & 22nd Street,
NEW YORK.



Mr J Hs Flamm
289 Greenwich St
City

0 155



POOR QUALITY
ORIGINAL

0156

18
Goods House,
h Ave. & 22nd Street,
New York.

NEW YORK
MAY 13
120 PM
E 84



Mr. Holzner.
313 W 28th St
City

POOR QUALITY
ORIGINAL

0157

NEW YORK AND PARIS
Mourning Goods House,
6th Ave. & 22nd Street,
NEW YORK.

NEW YORK
APR 9
530 PM



Mr. Fitzmaurice
313 W 28th St
City

POOR QUALITY
ORIGINAL

0 158

NEW YORK AND PARIS
Mourning Goods House,
6th Ave. & 22nd Street,
NEW YORK.

Mr J. L. Plummer
289 Greenwich St
City

POOR QUALITY
ORIGINAL

0159

NEW YORK AND PARIS
Mourning Goods House,
6th Ave. & 22nd Street,
NEW YORK.

NEW YORK
APR 28
334 PM
E 84

Mr J L Flannery
313 W. 28th St
City

POOR QUALITY
ORIGINAL

0160

ADAMS, BRIGGS & BOOTH,
Attorneys and Counsellors at Law,
320 & 322 BROADWAY,
COR. PEARL STREET,
Rooms 41, 42 and 43, NEW YORK.

Joshua Lacumer Esq
784 Greenwich St
Prison

POOR QUALITY
ORIGINAL

0161

If not
LINDSAY & FLAMMER,
COUNSELLORS AT LAW,
289 Greenwich Street,
Cor. Warren St., NEW YORK.

Hon. Peter B Olney
Dist. Atty.

Personal

POOR QUALITY
ORIGINAL

0162

If not
LINDSAY & FLAMMER,
COUNSELLORS AT LAW,
289 Greenwich Street,
Cor. Warren St., NEW YORK.

Hon. Peter B Olney
Dist. Atty.

Personal

POOR QUALITY
ORIGINAL

0163

Mr. F. H. Z. d. b.

313 W 28th St

City

POOR QUALITY
ORIGINAL

0164

NEW YORK AND PARIS
Mourning Goods House,
6th Ave. & 22nd Street,
New York.

J. G. Hammer Esqr
313 West 28th
Present

POOR QUALITY
ORIGINAL

0165

YORK AND S
ing Goods House,
6th Ave. & 22nd Street,
NEW YORK.

NEW YORK
FEB 20
330 PM
E

Geo. Plummer Esq
289 Greenwich St
City

0 166

New York, *July* 20 1884

Mr. J. H. L. Dubois

Bought of New York & Paris Silk & Mourning Goods House.

P. McCANN, Proprietor.

SIXTH AVENUE AND TWENTY-SECOND STREET.

WRAPS, SHAWLS, SUITS, TRIMMINGS, GLOVES, HOSIERY, CORSETS, UNDERWEAR, WHITE GOODS, Etc.

<i>July</i>	<i>24</i>	<i>20 Cash</i>	<i>10 00</i>	
	<i>30</i>	<i>do</i>	<i>5 00</i>	
<i>July</i>	<i>2</i>	<i>do</i>	<i>10 00</i>	
	<i>6</i>	<i>do</i>	<i>50 00</i>	
	<i>9</i>	<i>20 Cash</i>	<i>1 50</i>	
	<i>11</i>	<i>do</i>	<i>7 00</i>	
	<i>12</i>	<i>do</i>	<i>7 00</i>	<i>90 50</i>

POOR QUALITY
ORIGINAL

0167

In the matter

of

John Holzacker.

Witness:—

Patrick McLann,

Richard Caughlan,

John Belcen,

Peter Wend,

Mamie Dougherty,

Wm. Figgel,

Thomas Bergen,

Otto Lang,

Mrs. — Cooley,

257, 6th Ave.

Geo. A. Whitman,

1193 Broadway.

POOR QUALITY
ORIGINAL

0158

City and County of New-York, SS.:-

Patrick Mc'Cann, of No. 357 Sixth Avenue, in the City of New-York, being duly sworn, deposes and says: That he is a retail merchant carrying on business at the above number; that from the 4' day of June, 1883, up^{to} and including the 12' day of Feb., 1884, deponent had in his employ as cashier and bookkeeper one John Holzderber; that on the last mentioned date, deponent having suspected the said Holzderber of appropriating money belonging to deponent to his own use, discharged him; that deponent employed in the place and stead of the said Holzderber one Richard Caughlan; that on the 13' day of February, 1884, deponent discovered that a bill of goods sold on ~~the~~ previous day, and amounting to the sum of ten dollars, had been paid for but the money was not turned into the money drawer by the said Holzderber, although the same was handed to him by one Peter Wend, a porter in deponent's employ; that upon this discovery deponent instructed his cashier and bookkeeper, the said Caughlan, to make an investigation of the books which had been kept by the said Holzderber; that said examination of said books resulted in showing that the said Holzderber had appropriated to his own use \$1,709.61 in money belonging to this deponent, which he had taken out of the money drawer from time to time, and which said embezzlements are shown in detail on the annexed exhibits "A", "B", "C" and "D".

Deponent further says that the said Holzderber has left the City of New-York, and as deponent is informed by George Flanner, the brother-in-law of the said Holzderber, he, the said Holzderber, is now in the City of San Francisco, in the State of California.

Sworn to before me, this :

17' day of June, 1884. :

John M. Brennan
Notary Public, N. Y. Co. *Patrick Mc'Cann*

0169

Exhibit D New York, May 31. 1884 -
Mr John Goldberger

To T. P. McCann

For Discrepancy in Cash Sales,
Errors in Balances in Cash Book
and Shorts in Cash June 4. 83
to Feb 12. 84 inclusive as per
Schedule A

1361 89

For Amounts charged as
paid on acct of Salaries in
excess of Pay Rolls as per
Schedule B

206 03

For the following items wrong
fully entered in Cash Book
as "T. P. McCann, Coats & Goldberger"
viz:

Dec. 24. 83 \$25 -
Jan 9. " " 25 -

Feb 22. 84 " 10 -

60

For check # 899, Feb 6. 84

For several C. O. D's not
accounted for as per
Schedule C

10966

1787 58

Less the following P. M's from
Oct 13. 83 to February 12. 84

27 97

1709 61

Money from Sales from purchases charged -

0170

City and County of New York ss
 George A. Whitman of New York being
 duly sworn deposes and says that
 he is an Expert Accountant and as
 such at the request of P. McCabe
 in May 1884 examined thoroughly the
 books of account in possession of
 said McCabe and found that
 the discrepancies set forth in
 the foregoing schedule except
 the C.O.D. discrepancies which
 were looked up by William
 Coughlan McCabe's present
 book keeper
 Sworn to before me this
 16th day of September 1884 George A. Whitman
 William A. Penney
 Notary Public
 New York Co.

0171

Schedule b. LOD^s not accounted for

Nov	28	73	Dugan	167 E 53		2 50
		81	Pollack	Greenwell Ave	2 83	2 83
		89	Barone	152 W 20	10 00	10 00
Dec	4	116	Ryan	427 W 34	2 85	2 85
		119	Benjamin	79 E 56		18 50
	8	150	Tucker	189 Walnut Newark	5 00	5 00
	12	178	Wild	62 Jan		1 00
	14	192	Shirley	St Vincent St	8 00	8 00
	19	232	Smith	59 W 22	2 15	2 15
	20	240	Brochlich	245 E 49	4 50	4 50
	26	266	Lewington	165 E 60		6 00
	-	267	Calman	302 E 29	2 50	2 50
	31	292	Westlake	Call	7 5	7 5
Jan	5	310	Raymond	210 W 43	5 00	5 00
	8	322	Green	417 W 22	6 00	6 00
	12	347	Jewell	Tompkins St S.I.	2 00	2 00
		355	Smith	415 W 22		17 00
	15	370	Stanton	36 W 4		24 00
	16	373	Pierce	223 E 124		15 00
		374	Polhamus	43 E 21		25 00
		379	Keser	2 W 33	57	57
	17	389	Pekstroff	813 mad av	3 00	3 00
	18	398	Ting	1 E 48		33 00
		399	Stewart	254 W 26	15 00	15 00
	25	423	Garrison	216 W 33		12 19
		425	Bills	309 W 22	1 02	1 02
		427	Morley	244 E 22		12 00
	26	435	Kelly	456 W 49	1 33	1 33
	28	448	Larson	344 W 48		5 10
	29	451	Gordon	87 W 11	1 50	1 50
Feb	2	479	Drye		1 94	1 94
		482	Ottman	470 W 22	1 96	1 96
	4	491	Gibson	330 E 80	10 00	10 00
	5	504	Dougherty	13 New Canal	98	98
	7	532	Parrham	10 W 14	3 50	7 00
	8	535	Ottman	470 W 22	98	98
Ledger			blair	112 W 54	10 00	10 00
			Bills. or Johnson	3	6 30	6 30
			Amount not accounted for		109 66	

0172

Comparative Statement of Sales as per

1882 Sales Tickets and Discrepancies on East Dock and Daily Sales Book

1882		Sales Tickets		Discrepancies		1883		Sales Tickets		Discrepancies	
June	4	212 61	211 03			July	5	256 30	254 54		
	5	311 86	314 12				7	304 72	291 04		
	7	301 93	301 68				9	280 50	275 22		
	9	369 11	368 54				13	192 64	189 95		
	13	219 40	217 40				17	229 12	191 05		
	14	339 18	339 05				31	163 62	162 18		
	15	279 47	279 30			Total Tickets		1426 94			
	19	185 16	188 91			" Sales Tickets		1362 98			
	25	154 00	147 08			Discrepancy		62 96			
	27	165 10	164 70			July	2	200 00	200 00		
	28	236 08	235 39				1	70			
Total Tickets		2676 85						10			
" Sales Tickets		2631 20						2			
Discrepancy		45 65						318			
June	26	10						312			
	27	42						06			
	28	63						90			
	29	453						138			
	30	517						30			
	31	826						26			
	32	08						281			
	33	11						30			
	34	11						03			
	35	04						34 28			
	36	02						125			
Total Discrepancy		115 74						09			
						Total Discrepancy		204 72			

POOR QUALITY
ORIGINAL

0173

Comparative Statement of Sales as per
Value tickets and account on East side and Fairly Sales Book

1889	Tickets	Value entered	1888	Tickets	Value entered
June 24	211 00	211 00	July	216 34	234 34
" 25	211 00	211 00	" 26	219 72	291 14
" 26	211 00	211 00	" 27	216 34	275 22
" 27	260 11	318 24	" 28	192 14	199 05
" 28	211 00	211 00	" 29	220 19	191 05
" 29	220 19	220 19	" 30	162 62	162 18
" 30	220 19	220 19	Total tickets	1216 94	
" 31	220 19	220 19	Current at	1216 94	
" 32	220 19	220 19	Balance	62 91	
" 33	220 19	220 19	July 31	21	
" 34	220 19	220 19	" 1	21	
" 35	220 19	220 19	" 2	11	
" 36	220 19	220 19	" 3	11	
" 37	220 19	220 19	" 4	11	
" 38	220 19	220 19	" 5	11	
" 39	220 19	220 19	" 6	11	
" 40	220 19	220 19	" 7	11	
" 41	220 19	220 19	" 8	11	
" 42	220 19	220 19	" 9	11	
" 43	220 19	220 19	" 10	11	
" 44	220 19	220 19	" 11	11	
" 45	220 19	220 19	" 12	11	
" 46	220 19	220 19	" 13	11	
" 47	220 19	220 19	" 14	11	
" 48	220 19	220 19	" 15	11	
" 49	220 19	220 19	" 16	11	
" 50	220 19	220 19	" 17	11	
" 51	220 19	220 19	" 18	11	
" 52	220 19	220 19	" 19	11	
" 53	220 19	220 19	" 20	11	
" 54	220 19	220 19	" 21	11	
" 55	220 19	220 19	" 22	11	
" 56	220 19	220 19	" 23	11	
" 57	220 19	220 19	" 24	11	
" 58	220 19	220 19	" 25	11	
" 59	220 19	220 19	" 26	11	
" 60	220 19	220 19	" 27	11	
" 61	220 19	220 19	" 28	11	
" 62	220 19	220 19	" 29	11	
" 63	220 19	220 19	" 30	11	
" 64	220 19	220 19	" 31	11	
" 65	220 19	220 19	" 32	11	
" 66	220 19	220 19	" 33	11	
" 67	220 19	220 19	" 34	11	
" 68	220 19	220 19	" 35	11	
" 69	220 19	220 19	" 36	11	
" 70	220 19	220 19	" 37	11	
" 71	220 19	220 19	" 38	11	
" 72	220 19	220 19	" 39	11	
" 73	220 19	220 19	" 40	11	
" 74	220 19	220 19	" 41	11	
" 75	220 19	220 19	" 42	11	
" 76	220 19	220 19	" 43	11	
" 77	220 19	220 19	" 44	11	
" 78	220 19	220 19	" 45	11	
" 79	220 19	220 19	" 46	11	
" 80	220 19	220 19	" 47	11	
" 81	220 19	220 19	" 48	11	
" 82	220 19	220 19	" 49	11	
" 83	220 19	220 19	" 50	11	
" 84	220 19	220 19	" 51	11	
" 85	220 19	220 19	" 52	11	
" 86	220 19	220 19	" 53	11	
" 87	220 19	220 19	" 54	11	
" 88	220 19	220 19	" 55	11	
" 89	220 19	220 19	" 56	11	
" 90	220 19	220 19	" 57	11	
" 91	220 19	220 19	" 58	11	
" 92	220 19	220 19	" 59	11	
" 93	220 19	220 19	" 60	11	
" 94	220 19	220 19	" 61	11	
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" 237	220 19	220 19	" 204	11	
" 238	220 19	220 19	" 205	11	
" 239	2				

POOR QUALITY
ORIGINAL

0174

1883	Debits	Credits	1883	Debits	Credits
Aug 1	235 77	230 67	Sept 1	226 31	228 11
2	123 57	122 05	2	122 03	122 82
3	224 02	213 34	3	132 00	121 49
4	249 45	249 24	7	100 41	100 96
6	189 75	181 81	8	163 00	163 00
7	224 20	217 16	11	210 60	210 01
8	207 60	205 63	12	113 70	116 31
9	195 68	189 41	13	211 70	205 45
14	186 95	181 87	15	212 14	190 01
15	231 80	222 74	16	222 10	222 10
16	452 26	445 00	21	122 10	122 16
18	208 75	200 91	22	211 10	240 06
20	230 53	220 71	23	100 10	100 00
21	42 90	42 90	26	100 10	100 10
22	213 01	210 45	28	220 00	260 12
23	100 10	100 00	Total Debits	291 10	
24	243 04	242 00	Total Credits	287 11	
Total Debits	411 94		Discrepancy	10 00	
Total Credits	400 92		Sept 1	22	
Discrepancy	76 56		2	11	
Aug 1	11		12	10	
2	12		14	104	
3	30		15	17	
4	30		20	20	
5	00		26	70	
13	00		28	10	
14	00		29	75	
16	57		Total Discrepancy	52 71	
18	35				
21	00				
24	40				
25	115				
26	31				
29	167				
30	05				
Total Discrepancy	76 73				

POOR QUALITY
ORIGINAL

0175

1893		Tickets	Calculated	1894		Tickets	Calculated
Dec	1	340 91	355 19	Jan	1	41 20	395 23
	5	397 32	391 86		4	501 11	250 41
	6	561 13	355 97		7	462 20	457 10
	7	227 24	322 64		8	555 01	210 00
	8	321 45	311 44		9	351 16	412 00
	10	516 87	369 17		10	245 61	344 49
	11	275 49	100 66		11	50 1	100 00
	12	242 50	235 76		12	125 00	115 76
	13	401 90	290 36		13	249 00	11 06
	14	561 23	261 14		14	524 45	270 12
	15	324 70	254 10		15	50 00	51 61
	16	355 24	340 70		16	455 00	460 97
	17	220 70	215 06		17	275 40	35 45
	18	210 00	210 00		18	150 00	21 21
	19	210 12	210 12		19	150 00	21 21
	20	300 00	300 00		20	300 00	300 00
	21	41 00	210 70		21	352 63	342 41
	22	251 22	251 12		22	211 00	21 11
	23	222 01	222 01		23	211 00	210 31
	24	210 00	210 14		24	211 00	210 19
	25				25	211 00	211 00
	26				26	211 00	211 00
	27				27	211 00	211 00
	28				28	211 00	211 00
	29				29	211 00	211 00
	30				30	211 00	211 00
	31				31	211 00	211 00
	32				32	211 00	211 00
	33				33	211 00	211 00
	34				34	211 00	211 00
	35				35	211 00	211 00
	36				36	211 00	211 00
	37				37	211 00	211 00
	38				38	211 00	211 00
	39				39	211 00	211 00
	40				40	211 00	211 00
	41				41	211 00	211 00
	42				42	211 00	211 00
	43				43	211 00	211 00
	44				44	211 00	211 00
	45				45	211 00	211 00
	46				46	211 00	211 00
	47				47	211 00	211 00
	48				48	211 00	211 00
	49				49	211 00	211 00
	50				50	211 00	211 00
	51				51	211 00	211 00
	52				52	211 00	211 00
	53				53	211 00	211 00
	54				54	211 00	211 00
	55				55	211 00	211 00
	56				56	211 00	211 00
	57				57	211 00	211 00
	58				58	211 00	211 00
	59				59	211 00	211 00
	60				60	211 00	211 00
	61				61	211 00	211 00
	62				62	211 00	211 00
	63				63	211 00	211 00
	64				64	211 00	211 00
	65				65	211 00	211 00
	66				66	211 00	211 00
	67				67	211 00	211 00
	68				68	211 00	211 00
	69				69	211 00	211 00
	70				70	211 00	211 00
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	168				168	211 00	211 00
	169				169	211 00	211 00
	170				170	211 00	211 00
	171				171	211 00	211 00
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	200				200	211 00	211 00
	201				201	211 00	211 00
	202				202	211 00	211 00
	203				203	211 00	211 00
	204				204	211 00	211 00
	205				205	211 00	211 00
	206				206	211 00	211 00
	207						

POOR QUALITY
ORIGINAL

0176

1953	Tickets	Value	1953	Tickets	Value	
2	322 15	31.58	165	2	356 20	343 70
2	135 00	135 00	2	528 10	528 08	
4	336 11	336 40	6	316 30	314 99	
9	223 48	223 48	7	536 06	534 22	
12	210 01	210 10	8	535 32	535 48	
16	251 41	251 46	11	202 38	201 72	
18	211 11	211 36	11	224 43	226 13	
19	255 01	255 06	13	239 76	236 78	
23	211 21	211 22	14	370 51	374 78	
24	354 56	351 69	15	401 00	402 15	
24	270 01	267 11	16	366 10	364 48	
26	115 15	116 03	17	603 21	646 91	
27	422 00	422 00	21	370 61	375 96	
30	211 23	212 50	27	341 19	344 52	
31	250 93	251 00	28	310 11	311 62	
Total Tickets	4595 21		30	100 00	496 61	
Value	4107 21		26	310 60	301 00	
Discrepancy	98		28	441 30	440 22	
2	245		28	622 00	622 32	
6	95		31	445 23	446 04	
9	31		Total Tickets	8415 96		
12	34		Value	5224 00		
17	76		Discrepancy	151 11		
22	00		2	2 00		
24	34		6	11		
26	1		11	93		
31	216		14	351		
Total Discrepancy	112 16		17	06		
			21	14		
			22	24		
			23	01		
			24	2 81		
			27	3 99		
			28	8 32		
			31	70		
			Total Discrepancy	175 61		

POOR QUALITY
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POOR QUALITY
ORIGINAL

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Salaries Account

<u>Date</u>	<u>Amount entered on Cash Book</u> <u>as paid on account of Salaries</u>	<u>Total</u> <u>charged</u>	<u>Amount</u> <u>Pay Roll</u>
July 2 to July 14, 1895	96.50	124	108.50
" 96 " 14 " 1895	88.67	128.92	123.92
" 16 to " 21 " 1895	77.22	112.72	106.72
" 23 to " 28 " 1895	108.66	108.66	105.66
Oct 1 to Oct 6 " 1895	95.31	154.90	152.98
" 8 to " 13 " 1895	87.50	155.57	151.32
" 15 to " 20 " 1895	93.17	167.30	155.17
Oct 29 to Nov 3 " 1895	73.50	173.21	153.66
Nov 5 to Nov 10 " 1895	121.26	203.08	191.60
" 19 to " 24 " 1895	91.50	202.85	186.56
Dec 3 to Dec 8 " 1895	108.17	196	169.67
" 17 to " 22 " 1895	171	194.34	176.25
" 24 to " 29 " 1895	99.50	168.95	155.67
Jan 1 to Jan 12 " 1896	104.21	161.22	156.34
" 14 to " 19 " 1896	104.51	165.28	162.34
" 21 to " 26 " 1896	93.34	168.52	148.28
" 28 to Feb 2 " 1896	85.18	142.33	134.33
Feb 4 to " 12 " 1896	78.50	155.40	138.25
<u>Total Charged as paid on account of Salaries</u>		2883.25	
<u>Amount of Pay Rolls</u>		2677.22	
<u>Charged in excess of Pay Rolls</u>		206.03	

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OFFICE OF
GRATZ NATHAN,
ATTORNEY AND COUNSELOR AT LAW,
289 GREENWICH STREET,
(Irving Bank Building.)

New York, May 5 1885

My dear Sir:

At the risk of being
considered unduly importunate
I am going to ask you again
to take up the Holy Peter matter
at the earliest moment you
can do so consistently with
the pressure of more important
matters.

The opportunity for
settling the civil action may
be lost if the matter of the
criminal proceeding is not
disposed of some time tomorrow.

Regretting to be obliged to
 trouble you again
Yours very truly
Gratz Nathan

Hon. R. B. Brewster

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City & County of New York: James Forrest
being duly sworn says that he is an
Attorney and Counsellor at law and
is managing clerk in the office of
Lindsay & Plummer.

Deponent further says
that at the time Patrick M. Cann
executed and acknowledged the
execution of the General Release
exhibited to Dist. Dist. Atty. Allen
in the matter of John Holzheimer he
read the same through accepted
the \$2000 check in settlement and
deposited the said check in his
money drawer.

That as deponent
was leaving the store of said Patrick
M. Cann, he said M. Cann called
deponent back and said that
Holzheimer owed him \$90 besides
for money loaned and asked de-
ponent to alter the General release
so as to exclude the same, which
deponent refused to do, whereupon
the said M. Cann handed the
check back to deponent and tore
his signature from the release.

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at the same time directing his book
keeper to write a note or memorandum
to that effect which ^{note} said
We have also delivered to deponent
and deponent handed them to
Mr. Hammer.

Sworn to before me this
15 day of Sept. 1884

Timothy H. Wenzel
Notary Public
N.Y. Co. (80)

James Forrest

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Regula
—
Hilgard

0183

Arrested Tuesday at 12⁵⁰ AM & Taken to Court

September 8th / 00

John Holzdeber

Age 21

White

Born U.S.

Occupation Bookkeeper

Single yes

Residence 313 West 28th St

Charge Grand Larceny

Complainant

Charles Morbits

363 Canal St

Arrested By Detective Edward Murphy 20th Precinct
got his pair of diamond ear rings from
Complainant & pawned them

Value 160.00

Taken to 2nd Dist Court & Discharged
By Justice Handell

POOR QUALITY
ORIGINAL

0184

The People

W

Holzer

off of

P. M. 1944

0 185

State of New York

City and County of New York: ss:

Patrick McCann being duly sworn, says, in answer to the affidavit of J. George Flammer,

I. In reference to the check in general release deponent says, that the messenger of said Flammer came to deponent's store in the evening and wanted to see me. I was busy up stairs and told him to go down in the office and I would see him as soon as I had finished. I came down and he told me that he had a paper from Mr. Flammer for me to sign and as soon as I had signed it he would hand me a check for \$2000! he held the check in his hand and laid the paper on the desk, I signed it not knowing the contents thereof. Then my book-keeper told me it was a release, on learning which fact I immediately tore my name from the release and handed it back to the messenger saying, I would sign no release. . The check never came into my possession but was held by said Messenger and although said Flammer swears to the contrary he was not present and his messenger fails to make any affidavit.

II. I do not intend to settle this matter by accepting any money but in good faith intend to prosecute said Holzderber. That said Flammer in his affidavit states he informed deponent where said Holzderber was that this is false and untrue that when said Flammer was examined by deponent's Attorney in the latter part of July 1884 before a Referee to compute the value of services rendered by him for deponent other Attorneys being substituted, the said

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Flammer being under oath testified before said Referee that he did not know where said Holzderber was and has never informed deponent where he was. That the interviews had between said Flammer and this deponent are not correctly stated in his affidavit in that said Flammer never examined the books in my store but was simply shown by me the sales book and deponent explained to said Flammer the manner in which said Holzderber was in the habit of covering up his tracks. Deponent further shows that when he first discovered the theft of said Holzderber he communicated the fact to said Flammer in February 1884, and said Flammer informed deponent that he said Flammer has sent the said Holzderber away and before going said Holzderber had confessed to him said Flammer that he had stolen deponent's money but that the amount was only Four hundred dollars. In reference to the presentation of flowers to the Cashier by said Holzderber deponent says Sara Holzderber gave one Peter Wend in my employ money out of my drawer on at least twenty occasions as deponent has been informed by said Wend to purchase Flowers for said Cashier during her absence from the store and also gave him about \$90 out of the drawer to pay a whiskey bill for him and which he did, and during this time by our expert's figures it appears that the cash on February 5th 1884, was short over \$200. and that said Holzderber was in charge of said cash during his entire employment with deponent. Deponent denies that he ever attempted to extort money from any one but as soon as he learned of the amount stolen from him by Holzderber he commenced a civ-

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il action to obtain a Judgment in order that the same might be a lien on Holzderber's estate which he claimed was about \$30,000 which he would receive when he became of the age of 30 years. I never made any appempt to settle the matter except by legal process. That the statements, contained in the affidavit of said Flammer must be taken with caution he being a brother-in-law- of said Holzderber and biased in his favor and prejudiced against deponent as deponent is no longer a client of said Flammer.

Sworn to before me this:

15th day of Sept. 1884 :

P. M. Drann

Samuel R. Riem
Nobury R. Riem
mpe

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Law Offices of,

Lindsay & Hammer

Wm. Lindsay
J. Geo. Hammer

287 Greenwich Street

New York November 10th 1884

The People

- vs -

John Holzderber

Dear Sir:-

Mr Olney assured
J R Conderk the defendant's Coun-
sel that this action would not
be tried until the civil action
involving the same question and
charges now pending in the Su-
perior Court of the City of New
York was disposed of. Please see

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that this case is not placed upon
the Calendar until you are not-
ified either by us or by the
Complainant of the result
of the civil action.

The criminal suit
appeared upon the Calendar
this morning for pleading.

Yours truly
Lindsay & Hammer

To Hugh Donnelly Esq

POOR QUALITY
ORIGINAL

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District Attorney's Office.

PEOPLE

vs.

John Holyderber.
G.L.

I am informed
that a civil suit is
pending between same
parties on same subject
matter herein involved.
Ascertain from Compt.
if this is correct. If
Civil suit is pending
this case should not
be tried now.

complainant informs
me that a civil suit is
pending - Feb. 12 1885
P.B.M.

POOR QUALITY
ORIGINAL

0191

District Attorney's Office.

PEOPLE

vs.

John Halzenderer

Send word to

Geo. Flammer

289 Greenwich St

POOR QUALITY
ORIGINAL

0192

County of

ss:

being duly sworn, says that he is of the age of
years and upwards: that on the day of 188 between the hours of
M. and M., he served the annexed
on the Attorney for the
in the above entitled action, at office, No.
in the City of by delivering the
same to and leaving the same with

Sworn to before me this day
of 188 }

Court.

The People

Plaintiff

— against —

John Holzger

Defendant

*Affidavit in opposition
to extradition*

LINDSAY & FLAMMER,

Attorneys for

289 GREENWICH ST.,
NEW YORK CITY.

To

Esq.

Attorney for

Due and timely service of a copy of the within

is hereby admitted.

Dated

188

Attorney for

C. B. Merwin, Printer, 218 Fulton Street, New York.

0193

City and County of New York, SS:-

J. George Flammer, being duly sworn, deposes and says.

I annex hereto true copies of several letters received by me from Partick McCann referring to his claim against John Holzderber.

The statement in McCann's affidavit to the effect that when he received the cheque for \$2000. and the release for execution he supposed that the same had reference to some law business which I was conducting for him is untrue, and could not be true for the reason that the only law business which I or my firm had then in hand for him consisted of the three actions brought against him in which I appeared as his Attorney, one of which was an action brought against him to recover damages for an alleged slander, another an action against him to recover damages for an alleged breach of the covenants of a lease, and the third an action against him in a district court to recover \$90. claimed as salary by one of his former employees.

The cheque sent to him was the individual cheque of Mrs. Holzderber and there could have been no misunderstanding on his part respecting the transaction to which it related.

I had agreed with him preceding evening to settle his claim against Holzderber by the payment of \$2000. protesting at the same time against the claim but agreeing to settle the same by direction of Holzderber's mother in view of McCann's previous threat of criminal proceedings if his demands were not complied with.

I have in my possession the memorandum sent to

0194

1. GEORGE LITTLER, DEPUTY CLERK

CLERK OF THE COURT OF NEW YORK:-

me by McCann with the cheque and canceled release returned at the hands of Mr. Forrest. The memorandum is written on one of McCann's bill-heads and, omitting the printed portion thereof, it reads, as follows; "New York March 13th 1884.

"Mr. Jno. Holzderber.

"To account rend. cash loan \$90.50

" Please add above amt. to amt. agreed on last evening & "oblige."

It is preposterous for him to say that the transaction was other than a demand on his part for \$90.50 in addition to \$2000. agreed upon the previous evening as a settlement of the Holzderber matter or that it could possibly have related to any other matter, or that he supposed otherwise when he signed the release or received the cheque.

It is utterly untrue that I ever stated to McCann or to any one representing him that Holzderber had admitted getting away with, or taking \$400. or any sum whatever, or any words to that effect in form or substance.

Sworn to before me this
15th September 1884

Francis W. Judge

Notary Public
New York City

J. Geo. Plummer

0195

the funds of Mr. Holmes. The memorandum is written on one
the PA HOSSEN with the original and suggested release returned of

N.Y. Macrh 16th 1884.

J.G. Flanner Esq.

Dear Sir:-

Doubtless your remember
our last interview business may have prevented you from keep-
ing your promise since I have done all I knew how to do as
well as what you told me to do. You full well understand
our position in this matter. It is now four weeks since
we first informed you of this matter I'll wait until noon
to-morrow Monday 17th if I do not hear from you in meantime
I'll consider our negotiations have been for nothing.

Believing I have done as I agreed to;

I am yours Respty.

P. McCann.

N.Y. Apl. 9th 1884.

Mrs. Holzderber.

Madam:-

It is now about four weeks
since our last communication, and I think a reasonable time
has elapsed. Kindly advise me what decision you have
arrived at, & oblg.

Yours Truly

P. McCann.

C.

0196

U.S. GOVERNMENT PRINTING OFFICE

N. Y. April 15th 1884.

Mr. J. Geo. Flammer.

Dear Sir:-

Yours 14th inst. at hand I do not wish to create any unnecessary trouble, in this matter but think I should have a satisfactory adjustment at once.

New discrepancies have appeared lately notably the account of Mrs. Clark, and A. *Fields* (receipts stamped and signed by John) and no record of either on the books.

If convenient would be glad to have you call in
and see me.

Yours Truly

P. McCann.

C.

N. Y. Ap. 23rd 1884.

Mr. J. Geo. Flamner.

Dear Sir:-

Having given you sufficient time to examine into the Holzderber matter, will now expect an immediate adjustment, I would like to see you either this evening or tomorrow morning, am not willing to wait any longer must have it settled at once, please let me know by bearer at what hour you will call, & oblg.

Yours Truly

P. McCann.

C.

0197

10: 1. 000. 1884.

P. A. V. 1884.

N. Y. Ap. 22nd 1884.

Mrs. Holzferber.

Madam:-

As it is now over 30 days since you asked time to hear from John, would like to know if you want more time, or what you intend doing, please let me know by bearer.

Yours Respectfully.

P. McCann.

C.

N. Y. Ap. 26th 1884.

Mr. J. G. Flanner.

Dear Sir:-

As you know I have so many engagements, it seem impossible for me to get down and see you,

Cannot you make it convenient to stop in when in this vicinity, (am at the store every evening until 8.30,) I do not wish to give you any unnecessary trouble, or your family either, and hope you will try and meet me and adjust this matter at once.

Yours Truly.

P. McCann.

C.

P.S. Please call to night, you know I may have to leave town in a day or two.

0198

1007. 10722. 1007.

10. 10. 10. 10. 10.

N. Y. June 14th 1884.

J. Geo. Flammert Esq.

Dear Sir:-

Some time since we wrote to
Mrs. Holzderber in reference to the case of McCann vs. Holz-
derber, Have you any answer to make to said letter.

Yours &c.

Adams, Briggs & Boothby.

POOR QUALITY
ORIGINAL

0199

COUDERT BROTHERS,
COUNSELLORS AT LAW,
68 & 70 WILLIAM STREET,
P. O. BOX 2550,
NEW YORK.
PARIS: 3 RUE SORBONNE

NEW YORK, Sept. 18, 1884

My dear Mr. Olney.

I have conferred with my associate
Mr. Hammer & stated to him the
substance of my interview with you. We
have agreed to advise young Holgersted
without voluntarily with the details,
abandon - He will, of course, do as you
may notify the details accordingly.
In arriving at this determination we are
both influenced by your opinion that
you would, so far as lay in your power,
save the young man all unnecessary
humiliation & hardship. A word from
you to the officers explaining the situation
would of course have the desired effect.

Yours,

If any further conference between us
should be necessary to carry this out,
may be known when I may call
on you & discuss the matter.

Very truly,

A. R. Coudert

Hon. R. B. Olney

Dist. Atty. Gen.

0200

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

J. B. Olney

District Attorney
New York

W
from Sergeant Rogers

0201

County of

ss:

being duly sworn, says that he is of the age of
years and upwards: that on the day of 188 between the hours of
M. and M., he served the annexed
on the Attorney for the
in the above entitled action, at office, No.
in the City of by delivering the
same to and leaving the same with

Sworn to before me this day
of 188 }

Court.

The People, etc

Plaintiff

against

John Holzden

Defendant

Affidavit in opposition
to extradition, etc

LINDSAY & FLAMMER,

Attorneys for

289 GREENWICH ST.,
NEW YORK CITY.

To

Esq.

Attorney for

Due and timely service of a copy of the within

is hereby admitted.

Dated

188

Attorney for

C. B. Merwin, Printer, 218 Fulton Street, New York.

0202

City, County and State of New York, SS:-

J. George Flammer,

being duly sworn deposes and says;

I reside at No. 313 West 28th Street in the City of New York, and I am an Attorney and Counselor at law.

I know Patrick McCann, who has made a complaint, as I am informed, for embezzlement against John Holzderber.

I also am acquainted with the said Holzderber who is the brother of my wife.

I am personally cognizant of the facts to be hereinafter set forth in relation to the transactions between said McCann and said Holzderber.

Said McCann is the proprietor of a dry goods store at the northwesterly corner of 6th Avenue and 22nd Street in this City. He had been for sometime a client of my law firm. Shortly after he commenced business at that place I introduced to him said Holzderber, who was seeking employment as a book-keeper, and said Holzderber was thereupon engaged by said McCann as his book-keeper in said store.

This was in the early part of June 1883.

He continued in that employment until about February 20th 1884, and during the period of such employment his relations with said McCann became intimate and confidential.

Shortly prior to said month of February last I had learned that said Holzderber was neglecting his duties and was behindhand in his book-keeping, whereupon I told McCann that he was at liberty to discharge him if he saw fit to do so, without objection from me, and he was shortly afterwards discharged from said employment.

0203

Shortly after said discharge the young woman who had been employed as cashier in said store was also discharged.

About ten days afterwards said McCann called on me and told me that he had discovered that there were discrepancies in the books amounting to \$268. and he asked what I would do about it. He stated that that sum included about \$90. which he had loaned said Holzderber. I told him that whatever money Holzderber owed him I would pay, and that I would call on him in a few days.

A few days afterwards I called on him and told him that I would pay all moneys Holzderber owed him except for money loaned, which I would not pay for the reason that I had expressly forbidden him to loan John any money. He insisted that the said \$90. of money loaned should also be paid, and I then told him that perhaps Holzderber's mother would pay it and that I would see her and find out if she would do so. Before I saw him again he sent me word that he had discovered other discrepancies. When I next called on him he said that he had found out that some moneys had been collected and not accounted for. At one of these interviews he told me that he had always regarded the cashier as honest, but that he now suspected her; I claimed that as she, and not Holzderber, was cashier, she, rather than he, should be held accountable for any deficit.

He sent for her one evening when I called at his store and questioned her. She denied having appropriated any moneys, but admitted having one day made up a shortage of \$15. which she stated was one half of the entire shortage and

0204

that Holzderber had paid the other half.

When McCann told me that other discrepancies had been discovered he stated that he could not ascertain the amount thereof, but that he had learned that Holzderber had been spending a good deal of money, and, judging from what he had been spending, he must have taken not less than \$10. a day during the time of his employment, making a total of about \$2500. which he demanded should be made good. He told me that he had laid the case before Police Captain Williams and would have Holzderber arrested unless that sum was paid. I told him that it was impossible that John could have taken any such sum, and that, while his mother might pay a reasonable sum to avoid any scandal, I did not believe she would pay any such sum as that. I urged him to make up a statement showing what money had been taken, but he stated he was utterly unable to do so, and could only guess at the amount.

Before I was informed that there was any discrepancy in his accounts said Holzderber had gone to California.

He went there at my advise and suggestion, because he had become somewhat dissipated in his habits and his mother had refused to give him any money unless he would leave the City and break off his associations here.

I informed Holzderber's mother of McCann's charges against him. She was much distressed and told me to settle the matter the best way I could, without reference to the correctness of the charge. After several interviews with McCann he agreed to accept \$2000. in full settlement, and I sent to him by my clerk a cheque for that sum and

0205

a general release for execution. He signed the release, acknowledged the execution thereof and delivered the same to my clerk, who was a Notary, and put the cheque in his money drawer, but as the said clerk was leaving the store he called him back and said that John owed him \$90. for money loaned in addition to the \$2000. and asked him to alter the release so as to except that item from its operation. This my clerk refused to do, as he had no authority to do so, whereupon McCann returned the cheque and tore his signature from the release. The cheque and release are now in my possession. The facts above stated in respect to said occurrence were communicated to me by my said clerk, Mr. James Forrest, and I verily believe them to be truly stated.

At numerous interviews with McCann at his store previous to said occurrence, I reiterated my offer to pay any sum which he could show had been appropriated by John and urged him to give me some evidence that there was in fact a deficit and the amount thereof. I examined the books but could find no evidence on the subject. McCann stated that some of his employes could prove the facts charged, that John had been spending large sums of money, that he had been in the habit of opening wine for his fellow clerks, and presenting flowers to the cashier, and he insisted that the amount must be as large as he claimed for the reason that John spent so much money. While he expressed at all times a reluctance to "make trouble" he accompanied such expressions with a determination to have John arrested and brought from California unless his demands were complied with.

I interrogated the employes who McCann blamed

0206

could prove his charges and found that they had no knowledge of any facts tending to establish the same, and that the statement about opening wine and presenting flowers had no better foundation than that on one occasion John had treated his companions to a bottle of claret and had once presented a bouquet to the cabbier.

Although I was satisfied that McCann was not acting in good faith, and was seeking to ^{extort} ~~extract~~ a large sum of money by working upon a mother's solicitude for the happiness and good name of her son, I could not at the time prevent the success of his scheme, for Mrs. Holzderber was determined at any cost to save her son from the disgrace which a ^{public} ~~further~~ charge of dishonesty would involve, and, by her direction, I made the best settlement I could on the terms above mentioned, and sent her cheque for the \$2000.

McCann's conduct in first accepting the money and executing the release and then exacting a further payment altered somewhat the disposition of Mrs. Holzderber in the matter and she then consented to leave the matter entirely in my hands.

At several subsequent interviews with McCann or his Attorney I renewed my offer to pay whatever John owed, if anything, but insisted on some evidence of an indebtedness.

In July last McCann brought an action against Holzderber in the Superior Court of the City of New York to recover for money wrongfully taken and converted, the amount whereof is stated in the complaint at the sum of \$1709.61 about \$300. less than the amount which had been tendered.

The defendant appeared voluntarily in that ^{by Attorney} action, and

0207

demanding a bill of items, which was served on August 29th.

I believe that bill of items to be entirely fabricated, not only because McCann had repeatedly assured me that it was impossible to get at the amounts of the alleged deficiency, but also because from my examination of the books no such evidence was presented, and for the further reason that items of alleged embezzlement are set forth in said bill of items at dates when I knew that John was what not at the store or attending to the business.

The action thus commenced is still pending undetermined. I have assured McCann's Attorney that I would facilitate an early trial thereof and that the defendant's mother would promptly pay any judgment that may be recovered therein, offering also to deposit at once the whole amount claimed in the hands of some third party as security for such payment.

Said Holzderber is now living with his wife and child at San Francisco. There has never been any concealment of his whereabouts. I told McCann where he was.

I am aware that a settlement with McCann could not legitimately affect Holzderber's liability to prosecution if he has committed a crime, but I believe the facts above set forth to be material and important in connection with the indictment in that they establish that the purpose of the complainant has been from the outset to extort money from a mother who is fortunate in having some wealth by threatening a prosecution of her son upon a criminal charge. That unworthy scheme was nearly successful. It only failed because the complainant overreached himself in demanding the

0208

\$90. in addition to the \$2000. It is certainly not the purpose or legitimate function of the laws against crime that they should be employed for the collection of an ordinary loan of \$90.

If McCann were sincere in his profession of reluctance to making a criminal charge, the remedy in the civil Courts which he has resorted to, with the security tendered to him, cannot fail to meet all that he could wish for.

I believe on the contrary that, as hereinbefore stated, there is no foundation for the charge and that a knowledge on his part of his liability to establish his claim in the action pending leads him to bring to bear the presence of this indictment, in the expectation that the defendant's mother will renew her tender of the \$2000. accompanied with a further tender of \$90. and whatever other exaction he may now make.

The defendant's arrest in California in pursuance of a telegram in advance of the granting of a requisition, would seem to confirm this view of the case.

I have made this affidavit argumentative in form for the reason that its purpose is to present the matter to the District Attorney in the light in which I see it, namely, as an attempted abuse of the procedure of the criminal Courts for unworthy ends.

The defendant has not sought to, and will not, elude any process directed against him. If when the civil action shall be tried it shall appear that he has committed a crime, he will answer for it to the laws against which he has offended.

Until that shall appear, his extradition from

0209

his distant home and his family circle, is not only uncalled
for, but in the view hereinabove set forth, it would be im-
proper and unjust.

Sworn to before me this { Geo. Flammer
13th day of September 1884 }
Jas. E. Carpenter
Notary Public
N. York City

0210

Law Offices of

Lindsay & Hammer

*Wm. Lindsay
J. Geo. Hammer*

287 Greenwich Street.

New York

Sept. 16th

1884

Dear Sir:-

I herewith send you an additional affidavit by me, answering gross inaccuracies or misstatements in McCann's affidavit of yesterday.

The affidavit which McCann is to submit this morning I have not seen.

I beseech you to give this matter your immediate attention and to make some final disposition as early this morning as you conveniently can.

If you could see the anguish and distress of his grief stricken family you would pardon me for importuning you in this manner.

With much respect I am

To

Yours truly

Hon. Peter B. Olney

Dist. Atty.

J. Geo. Hammer

0211

Law Offices of

Lindsay & Hammer

Wm. Lindsay.
J. Geo. Hammer.

287 Greenwich Street,

New York Nov. 8th 1884

The People

vs -

John Holzderber

Dear Sir:-

The above entitled case is upon your calendar of Monday for pleading. We will produce the defendant in Court and will plead not guilty.

Mr Olney assured F.R. Condit Esq who is the defendant's counsel, that inasmuch as a civil action is now pending between the Complainant and the defend-

POOR QUALITY
ORIGINAL

02 12

ant in the Superior Court involving the same charge and amount as is designated in the indictment, no proceeding, should be taken by him until the determination of the civil suit which is at issue but has not been reached for trial.

You will therefore kindly instruct your Calendar Clerk to keep this case off the Calendar for trials until notified either by the Complainant or by us, that the civil action has been disposed of.

We also understand, independent of this arrangement, that it is a rule of your office to let criminal suits await the result of the civil ones covering the same charges -

To Asst. Dist. Atty Adams

Yours truly, Lindsay / Plummer

Court of General Sessions

The People vs

- apt -

John Holzderker

Statement of Attorney
Council of Complaint

0213

02 14

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

John Holger
Felt

As complainant in the above case, I beg to recommend
the defendant to such leniency and clemency as the Court and
District Attorney may see fit to show; but I expressly assert
that my reasons for so doing are not controlled by any advantage
to myself.

P. M. Cunniff

Sworn to before me this
day of 18

State of New York
City & County of New York 3 On the 6th day of
May, 1885, before me personally came Patrick
McLain to me personally known & known to
me to be the individual described in & who
executed the foregoing recommendation and
who acknowledged that he executed the same
for the uses & purposes therein mentioned.

William H. Cunniff
Notary Public
New York Co.

0215

Court of General Sessions of the Peace
for the City and County of New York.

- - -b- - - - X
:
The People &c. :
:
vs. :
:
John Holzderber.:
:
- - - - - X

The undersigned, the Attorneys and Counsel for the complainant in this action respectfully state and represent to this Court and to the District Attorney, that they are and have been from the commencement thereof the Attorney and Counsel for Patrick McGann, complainant herein, in a certain action brought by him in the Superior Court of the City of New York, to recover the sum for the alleged misappropriation of which the indictment herein was found.

The defendant interposed a verified answer in said action in which he denies each and every allegation of the complaint.

The issues in said action were referred to Middleton S. Burrill Esq., as Referee, to hear and determine the same. The trial before said Referee has proceeded and a considerable amount of testimony has been taken therein. The direct examination of the complainant has been substantially finished, but he has not yet been cross-examined.

The trial of the indictment herein and the trial of the issues in said action necessarily require the same testimony to secure in the one case a conviction of the defendant and in the other case a judgment for the plaintiff.

02 16

Such trial involves the examination of the items of a long ^{account} ~~amount~~ embracing several thousand items. The evidence is necessarily circumstantial in character, and the inference of the defendant's guilt in respect to the principal part of the charge against him is founded upon the course and character of his duties in his employment as cashier of the complainant. Certain memoranda of sales of the complainant's goods made by numerous salesmen, which it was the defendant's duty to examine and to carry into his books, are alleged not to have been correctly entered by the defendant, and as the moneys called for by said memoranda in the ordinary course of business came into his hands, and the errors in the entries show a deficiency, it is claimed by the plaintiff in said action that the proof above mentioned establishes a liability on the part of the defendant.

It is fair to state that it already appears in evidence on the trial of said action that it was physically possible that any moneys with which the defendant might be chargeable by reason of the nature of his responsibility as cashier, were in fact abstracted by other persons without his privity or knowledge.

It also appears in respect to an item of cash which was discovered to be short during the defendant's employment by the complainant, that on discovery of the same the defendant at once informed the complainant of the fact, and that the defendant and another employee although innocent of any complicity in the spoliation, voluntarily made good the deficiency in recognition of their moral responsibility

02.17

as custodians of the cash drawer.

Although we believe that upon the evidence which we have submitted and expect to produce on the trial of the civil action we would be able to obtain a judgment for the plaintiff for the whole or the greater part of the amount claimed, we entertain very grave doubts whether the same testimony would be admissible on the trial of an indictment, or, if admitted, it would be sufficient to sustain a conviction.

The trial of said action is necessarily protracted and will not in all probability if prosecuted with the usual diligence be concluded for several months. We are cognizant of the fact that the defendant is a member of a respectable family, of good social standing and abundant means and has a young wife and an infant child, and a happy, comfortable home, clouded only by the charge made against him by the complainant. We are satisfied that there will be no difficulty in collecting whatever judgment may be recovered against him.

In view of the doubtful results of a trial of the indictment, the laborious and tedious trial which in any event would be necessary, the family relations of the defendant,, and in further view of the fact that the complainant will be fully indemnified for any loss he has sustained, by the collection of any judgment he may recover, we would respectively submit that it would ^{be} in furtherance of justice that this action should be dismissed and will unite if desired, in an application for that purpose under the provis-

02 18

RE CONSTITUTIONALITY OF SECTION 671

ions of Section 671 of the Code of Criminal Procedure.

Dated New York April 28th. 1885.

Adams & Brothby
~~Attorneys~~

Isaac N. Mills

02 19

BOX:

142

FOLDER:

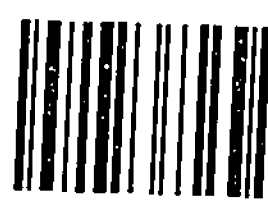
1461

DESCRIPTION:

Howard, Jane

DATE:

06/26/84



1461

0220

BOX:

142

FOLDER:

1461

DESCRIPTION:

Sniffin, John

DATE:

06/26/84



1461

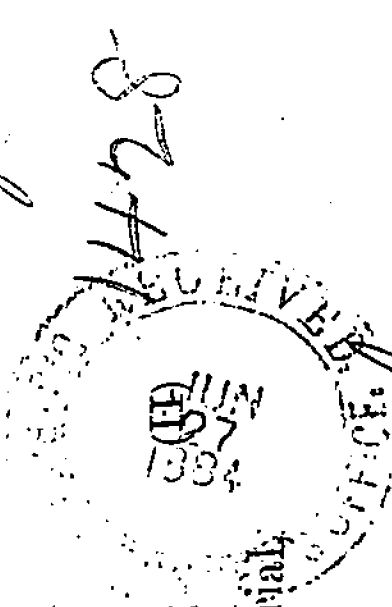
Witnesses:

Ant William
29" Paint
Jr B Bullock
Same P White
C S Delano

Jr 2 - Bailed by
Morgan Jones
6 y Centre Street
Jr 1 - Bailed by
Albert J. Adams

361 West 32^d
I consent to discharge of
defts in their own
recognition - see the
affidavits herein
Pls Wm G. Smith
copy that that day

397 B. W. June 26/84



Day of Trial,
Counsel,
Filed 26 day of June 1884
Pleads 1821
Pleaded 1821

THE PEOPLE
vs. D
Jr 2 - Bailed by
Morgan Jones
6 y Centre Street
Jr 1 - Bailed by
Albert J. Adams

PETER B. OLNEY,
District Attorney.

A True Bill.

Subscribed
Jr 19/15 Foreman
Bail discharged as to
bank deft etc

POOR QUALITY
ORIGINAL

0221

02222

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Jane Howard, and
John Sniffin

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

Jane Howard and John Sniffin

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL FAME,
committed as follows:

The said *Jane Howard and John*
Sniffin, each _____

late of the *16th* Ward of the City of New York, in the County of New York aforesaid, on
the *first* day of *June* in the year of our Lord one thousand eight
hundred and eighty-*four*, and on divers other days and times as well before as afterwards,
to the day of the taking this inquisition, at the Ward, City and County aforesaid, a certain common
house of ill fame, unlawfully and wickedly did keep and maintain; and in the said house divers
evil-disposed persons, as well men as women, and common prostitutes, on the days and times afore-
said, as well in the night as in the day, there unlawfully and wickedly did receive and entertain;
and in which said house the said evil-disposed persons and common prostitutes, by the consent and
procurement of the said

Jane Howard and
John Sniffin _____ on the days and times
aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, dis-
turbances and lewd offences as well in the night as in the day, were there committed and perpe-
trated; to the great damage and common nuisance of all the good people of the said State there
inhabiting and residing, in manifest destruction and subversion of, and against good morals and good
manners, 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 *Jane Howard and John*

Sniffin _____

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said *Jane Howard and*
John Sniffin, each _____

late of the *16th* Ward of the City of New York, in the County of New York aforesaid,
afterwards, to wit: on the *first* day of *June* in the year of our Lord one
thousand eight hundred and eighty-*four*, and on divers other days and times between the said

0223

day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did maintain a certain common, ill-governed house, and in ~~their~~ said house, for ~~their~~ own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and willfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and willfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common annoyance of the said citizens, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT.—And the Grand Jury aforesaid, by this indictment, further accuse the said Jane Howard and John Sniffin

of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said Jane Howard and John Sniffin, each

late of the 16th Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: on the first day of June in the year of our Lord one thousand eight hundred and eightyfour, and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in ~~their~~ said house and place of public resort, for ~~their~~ own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women, in ~~their~~ said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully, did permit, and yet continues to permit, by which the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, 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.

PETER B. OLNEY,

~~PETER B. OLNEY~~

District Attorney.

Court of General Sessions.

People vs

- vs -

Lane Howard vs
John Sniffen.

Affidavit deposing
to property of
prisoner.

0224

0225

Court of General Sessions of the Peace,
City & County of New York

The People of the
State of New York

vs.
Jane Howard and
John Sniffen

City and County of New York. I, John
Sniffen of said City being duly sworn
do depose and say: I reside at n:
5 East 42nd Street in said City: I
own the premises n:
104 West 22nd
Street in said City. I have been a
real estate owner in the City of
New York for the past forty years. I
built the premises formerly owned by
H. S. Stewart on the block of Broadway
Fourth Avenue 9th to 10th Streets. I also
built the building of the American
News Company in Chambers Street. I
have never been accused of any
offense during a residence of over
forty years in this City and the present
instance is the first time I was ever
charged with any crime of any
character whatever.

I leased the

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premises No 104 West 22nd Street to
 Jane Howard as a Boarding house,
 and did not know, nor have
 I ever known the ^{said premises} ~~was~~ used or to
 be used as a Bawdy house.
 The premises have ~~always~~ ^{for about 15 years past} been
 occupied by Mrs Howard, and
 I never heard of any act of
 disorder taking place in the
 said house, nor has there any
 act of impropriety ever taken
 place in said premises to my
 knowledge.

Whenever I have called
 to collect my rental of said
 premises I have noticed nothing
 in or about said premises to
 suggest any impropriety or
 immoral act, and I have carefully
 enquired within the past two
 quarters when rent fell due and
 have invariably found said premises
 conducted strictly proper, and not as
 a bawdy house, or disorderly house, or
 anything suggesting the same.

Done before me this
 11th day of February 1885
 Joseph ~~Howard~~
 County Clerk
 my city

John Griffin

0227

Court of General Sessions of the Peace.
City and County of New York.

The People of the
State of New York
vs
Jane Howard and
John Sniffen

City and County of New York ss:

I, Adam M. Gibson
of 100 West 22nd Street being duly sworn
do depose and say: I am in the business of
Manufacturing and have been in said business
at No. 100 West 22nd Street for the past
12 years. I know the premises 104 West
22nd Street occupied by Mrs Jane Howard.
The said premises are not conducted in a dis-
orderly manner nor have I had, as a neighbor,
cause to complain of any conduct on the part
of any person in said premises.

By reason of the fact that said premi-
ses are so close to mine I have had for the past
12 years many opportunities to observe the
manner in which said premises are conduc-
ted and there has never come under my obser-
vation any act of impropriety or disorder.

0228

Sworn to before me this }
16th day of Dec. 1885 }
Joseph H. Moss
Commissioner of Deeds
N.Y. City

Adam M. Gibbons

0229

Court of General Sessions of the Peace
City and County of New York.

The People of the
State of New York
vs
Jane Howard and
John Sniffen

City and County of New York ss:

I, John Fagan
being duly sworn do depose and say: I am
in the livery stable business at No. 106 West
22nd Street; I have been in said business for
the past 30 years. I know the premises
No. 104 West 22nd Street kept by Mrs. Jane
Howard. Mrs. Howard's house directly ad-
joins my stables and for the past 6 years
I had many opportunities to notice the
manner in which said house has been
maintained.

There has never been cause for com-
plaint and the said premises are not an
annoyance to the neighbors or people pass-
ing thereby and its occupants have never
committed to my knowledge any act of
disorder or impropriety there. In fact
there has been nothing done in said premises

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to justify the house being called a bawdy
house.

Shorn to before me this }
16th day of February 1885 }

John Fagan

Joseph T. Moore
Clerk of Court
City

0232

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

.....being duly
sworn, says that he resides at No. Street, in the City of
New York; that he is years of age; that on the day of
18....., at Number in the City of New
York, he served the within on
the by leaving a copy thereof with
.....
.....
.....

Sworn to before me, this
day of 18 }
.....

N. D. General Learning

The People

Plaintiff

against

Jane Howard
& air

Defendant

Notice of Motion

HOWE & HUMMEL,
Attorneys for Defto.
87 & 89 CENTRE ST., New York City.

Due and timely service of copy of the within
this 18 day of Sept. 1886, hereby admitted

Notary Public
J. W. M. Galt
City of New York
Attorney

To

POOR QUALITY
ORIGINAL

0233

Court of General Sessions of the Peace in
and for the City and County of New York.

x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-:

The People & c., :
vs. : For Misdemeanor. (Keeping a Bawdy
Jane Howard and John Sinffen. House)

x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-:

To Hon. Randolph B. Martine,
District Attorney of the City and County of New York.

Sir:-

Please take notice that a motion will be made for the discharge of the abovenamed defendants before Honorable Rufus B. Cowing, one of the Justices of said Court of General Sessions, at the opening of said Court of General Sessions, Part Two, on the 19th day of February 1885 on the ground that more than two terms of said Court of General Sessions have elapsed since the committal of said Jane Howard and John Sinffen, and that they have not been brought to trial for the offence for which they are so committed and detained.

Dated this 18th day of February 1885.

Yours Respectfully,
Howe and Hummel,
Of counsel for defendants.

0234

DISTRICT ATTORNEY'S OFFICE,

New York, 188

The District Attorney informs
me today that he has no
objection to make to the
Motion - He has seen
all the papers —

John A. Cowan

ny. General Sessions

The People's

10
Jane Howard
John Luffman
Crest
Hatter of Ruston

Robert Hummel

Dep't of the
Div'g Cont'g
Prep. Caly

Joseph B. Nutting
Solicitor.

0236

Court of General Sessions of the Peace in
and for the City and County of New York.

~~XXXXXXXXXXXXXXXXXXXX~~:

The People &c., :
VS. : For Misdemeanor. (1891, a lawdy
Jane Howard and John Sniffen. (Hence)

~~XXXXXXXXXXXXXXXXXXXX~~:

To Hon. Randolph L. Hartine,

District Attorney of the City and County of New York.

Sir:-

Please take notice that a motion will be made for the discharge of the above-named defendants before Honorable Rufus L. Cowling, one of the Justices of said Court of General Sessions, at the opening of said Court of General Sessions, that the, on the 15th day of February last on the ground that more than the term of said Court of General Sessions have elapsed since the commitment of said Jane Howard and John Sniffen, and that they have not been brought to trial for the offence for which they are so committed and detained.

Dated this 18th day of February 1893.

Yours respectfully,

Herro and Samuel,

Of counsel for defendants.

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BOX:

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FOLDER:

1461

DESCRIPTION:

Hussey, Matthew

DATE:

06/25/84



1461

Witnesses:

Officer Smith
17th Street

7th Court

Counsel,
Filed 25th June 1884
Pleads *Not guilty*

THE PEOPLE
vs. *B*
Matthew Stussell
Assault in the Third Degree.
(Section 210.)

PETER B. OLNEY,
~~JOHN M. HENRY~~
District Attorney.

A True Bill.
Peter Carter

Foreman.

POOR QUALITY
ORIGINAL

0238

0239

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Matthew Mussey

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

Matthew Mussey

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

The said Matthew Mussey

late of the First Ward of the City of New York, in the County of New York aforesaid, on the 28th day of May in the year of our Lord one thousand eight hundred and eighty-four, at the Ward, City and County aforesaid, in and upon the body of Frederick Smith in the peace of the said people then and there being, with force and arms, unlawfully did make an assault and in the said Frederick Smith did then and there unlawfully beat, wound and illtreat, to the great damage of the said Frederick Smith : 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.

PETER B. OLNEY,

~~JOHN McKELON~~, District Attorney.

0240

Form 11.

Police Court—Third District, Halls of Justice.

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss.of No. *the 17th Precinct Police* *Frederick Smith* Street,

being duly sworn, deposes and says, that

on *Monday* the *28* day of *May*
in the year 188*4*, at the City of New York, in the County of New York,
he was violently ASSAULTED and BEATEN by*Matthew M. Hussey (now here),*
who violently took hold of deponent
by the neck and threw him down and
beaten him all about the body and
then deponent tore the deponent's coat

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

day of

188

Frederick Smith

POLICE JUSTICE.

0241

BAILED,
No. 1, by John H. Hart
Residence 216 Avenue A Street.
No. 2, by _____
Residence _____ Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

Police Court 34 District. 1380

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Matthew's daughter
17 Street.

Matthew's daughter
Dated May 29 1884
Magistrate. White
Officer. White
Precinct. 17
Witnesses _____
No. _____ Street.
No. 216 Street from June 25 1884
No. 17 Street to answer
Charles
Charles

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 Matthew's daughter

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

Dated May 29 1884 Andrew White Police Justice.

I have admitted the above-named Matthew's daughter to bail to answer by the undertaking hereto annexed.

Dated June 2 1884 Andrew White Police Justice.

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

Dated _____ 1884 _____ Police Justice.

0242

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

14 District Police Court.

Matthew Hussy 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. Matthew Hussy

Question. How old are you?

Answer. 28 years

Question. Where were you born?

Answer. England

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

Answer. 424 East 13 Street one year

Question. What is your business or profession?

Answer. Dealer

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

Answer. I am not guilty

Matthew Hussy

Taken before me this 29
day of May 1889
Charles J. Smith
Police Justice.