

078

BOX:

543

FOLDER:

4944

DESCRIPTION:

Heller, Mary

DATE:

12/19/93



4944

Witnesses:

officer Michael J. Riady
15th Precinct

Part I June 9 1893

On the within affidavit
that the court cannot be
found I move that
defendant be discharged on
her own recognizance
R.D. Macdonald
att

Counsel,

Filed

day of

1893.

Pleads,

THE PEOPLE

vs.

Mary Heller

born day

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

R. Lockwood

Foreman.

Part III - Jan 1894

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

0785

Court of General Sessions.

1714

THE PEOPLE

vs.

Mary Heller

City and County of New York, ss:

John H. Reilly

being duly

sworn, deposes and says: I reside at No. *706 Washington* Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the City and County of New York. On the *sixth* day of *July* 189*4* I called at *# 780. Eight Ave*

the alleged *residence*

of *Joseph Doyle*

the complainant herein, to serve him with the annexed subpoena, and was informed by

The lady with whom he had boarded that the said Joseph Doyle, had left her house, about one week ago taking his trunk with him & saying he was going to reside in Chicago.

Sworn to before me, this

31 day }
189*4*

of *Jannay*

John H. Reilly

Subpoena Server.

John H. Reilly
Clerk of Court

0786

Court of General Sessions.

THE PEOPLE, on the complaint of

Joseph Doyle

vs.

Mary Heller

Offense

~~DE LANCEY NICOLL,~~

John R. Fellows District Attorney.

Affidavit of

John H. Reilly

Subpoena Server.

FAILURE TO FIND WITNESS.

Police Court

District.

Affidavit—Larceny.

City and County
of New York, } ss:

of No. 780 8th Avenue Street, aged 23 years,
occupation Conductor being duly sworn,
deposes and says, that on the 11th day of December 1893 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the last time, the following property, viz:

One Watch and chain valued
at about fifteen dollars
\$ 16.00

the property of Deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by Mary Haller (another
from the fact that deponent had
said property in his dress pocket
that defendant was in the company
of deponent and when she left
deponent missed said property.
Deponent is informed by Officer
Reilly that he arrested the
defendant and found said property
in her possession.

Joseph Doyle

Sworn to before me, this 11 day

of December 1893
at New York
City, Police Justice.

Sec. 198-200.

District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer. *Mary Heller*

Question. How old are you?

Answer. *48 years*

Question. Where were you born?

Answer. *N.Y.*

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

Answer. *64 West 3rd Street 3 years*

Question. What is your business or profession?

Answer. *Married and keep house*

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

Answer. *I am not Guilty*
Mary Heller

Taken before me this

day of

189

Police Justice.

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

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

Dated *Dec 11* 18*93* *Shuldaker* Police Justice.

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

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

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

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

1331

Police Court---

2 District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

Jos Doyle
780-8th Ave
Mary Hall

Offence Larceny
from the person

- 1
- 2
- 3
- 4

Dated *DEC 11* 18*93*

Kron Magistrate.

Railly Officer.

15th Precinct.

Witnesses *Call the office*

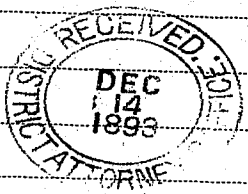
No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *1000* to *pay* *G.S.*

Com *9th* *noon*



BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

0791

NON-RESIDENT

PART

If this Subpoena is disobeyed, an attachment will immediately issue.
 Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.

SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York.

To Joseph Doyle
 of No. 780 - 8th Ave Street.

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park in the City of New York, on the 8th day of **JANUARY**, 1894 at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Mary Heller
 Dated at the City of New York, the first Monday of **JANUARY**,
 in the year of our Lord, 1894

JOHN R FELLOWS,
~~District Attorney~~ District Attorney.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Mary Heller

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

Mary Heller
of the CRIME OF GRAND LARCENY in the first degree, committed as follows:
The said Mary Heller

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

one watch of the value
of ten dollars, and one chain
of the value of six dollars

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

0793

SECOND COUNT—

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

Mary Heller
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

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

*one watch of the value of
ten dollars and one chain
of the value of six dollars*

of the goods, chattels and personal property of one

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

Joseph Doyle
unlawfully and unjustly did feloniously receive and have; the said

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

DE LANCEY NICOLL,

District Attorney.

0794

BOX:

543

FOLDER:

4944

DESCRIPTION:

Henchy, John

DATE:

12/08/93



4944

Witnesses:

Officer

Thos F Kehoe

5th Precinct

Counsel,

Filed

day of

1893

Pleats,

THE PEOPLE

vs.

John Henchy
Dec 13/93
Plaintiff

DE LANCEY NICOLL,

District Attorney.

Elmira Def.

A TRUE BILL.

Thos Harris
et

Foreman.

Grand Larceny, second Degree.
[Sections 528, 531, Penn Code.]

Police Court

District.

Affidavit—Larceny.

City and County } ss.:
of New York,

of No. 18 White Street, aged 26 years,
 occupation Salesman being duly sworn,
 deposes and says, that on the 3 day of December 1893 at the City of New
 York, in the County of New York, was feloniously taken, stolen and carried away from the pos-
 session of the deponent, in the day time, the following property, viz:

A quantity of linen samples of the
value of about seventy five dollars

the property of William Libbell and Company
by which firm deponent is employed

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

for the reason that on the said date
 the aforesaid property was in a trunk
 in the Desborough Street Tenement House.
 Deponent missed the said property from said
 trunk and is informed by Thomas H.
Rehve of the 5th Precinct that the defendant
 admitted to him that he stole said property
 and sold the same. Deponent has since caught
 property that defendant admits he stole
 and identifies the same as the property
 stolen from him. Wherefore deponent
 charges the defendant with Grand
 Larceny.

John H. Blair

Sworn to before me, this

of December 1893

day

Thomas H. Rehve Justice of the Peace.

CITY AND COUNTY } ss.
OF NEW YORK, }

1921

aged 33 years, occupation Police man of No. 5th Precinct Street, being duly sworn, deposes and

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

Sworn to before me, this 5th
of December 1893

day }

Thomas F. Kehoe

Thomas F. Kehoe
Police Justice.

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK.

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

Question. What is your name?

Answer.

John Hinchy

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

New York

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

Answer.

34 Dehusser Street

Question. What is your business or profession?

Answer.

Driver

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

Answer.

I am guilty

John Hinchy

Taken before me this

day of

188

Alfred J. Smith
Police Justice.

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

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

Dated, Dec 5 1893

[Signature] Police Justice.

I have admitted the above-named _____

to bail to answer by the undertaking hereto annexed.

Dated, Dec 5 1893

Police Justice.

There being no sufficient cause to believe the within named _____

_____ guilty of the offense within mentioned, I order h to be discharged.

Dated, _____ 189

Police Justice.

0800

21
Police Court--- / 1307 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles Wilson Blair
18th White
John Hinchey

Offense *Larceny*
Felony

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

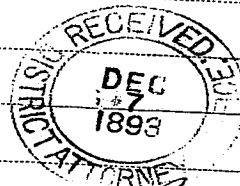
No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated, *Dec 5* 189 *3*

Macle Magistrate.
Kehoe Officer.

Witnesses *Thomas F. Kehoe* Precinct.
No. *5th Precinct* Street.



No. _____ Street.

No. _____ Street.
\$ *1000* to answer *G.S.*

Carroll

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 Henchy

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

of the CRIME OF GRAND LARCENY IN THE

DEGREE, committed

as follows:

The said

John Henchy

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

*nine table-cloths of the value of
five dollars each, three hundred and
twelve napkins of the value of
ten cents each, and divers other
goods, chattels and personal property,
(a more particular description whereof
is to the Grand Jury aforesaid unknown)
of the value of thirty dollars*

of the goods, chattels and personal property of one

William Libbell

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

Dehancey Nicoll
District Attorney.

0000

BOX:

543

FOLDER:

4944

DESCRIPTION:

Henderson, Jane

DATE:

12/22/93



4944

Witnesses:

Book 1 Jan 19 1894

The money alleged to have been misappropriated in this indictment was the balance of a civil suit, and the complainant recovered. (The defendant of said suit hereafter) The deft uses the cash to purchase a house which has been turned over to the couple. It is would be impossible under the circumstances to prove notice. I recommend that this indictment be dismissed.

H. A. Macdonald
Att. Gen.

Court of Oyer and Terminer

Counsel.

Filed,

Pleads,

THE PEOPLE

vs.

Jane Henderson

A TRUE BILL

J. P. Cross Foreman.
Jan 19/94
Indictment
Dismissed

1295
160 Baiter
22 day of Dec 1893
Mentally - Jan 12/94
with secrets intended to be

Grand Larceny, 1st Degree
(MISAPPROPRIATION)
(Sections 528 and 530 of the Penal Code.)

District Attorney.

0804

Police Court 2nd District.

Affidavit—Larceny.

City and County } ss.:
of New York,of No. 606 BroadwayWilliam J. Mc MurrayStreet, aged 45

years,

occupation locomotive engineer

being duly sworn,

deposes and says, that on the 6th day of February 1891 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of the deponent, in the day time, the following property, viz:Eighteen Hundred and Fifty (\$1,850) Dollars lawful money of the United Statesthe property of Wm. J. Mc Murrayand that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Jane Henderson (now her)

Under the following circumstances:

On June 2, 1888 this deponent deposited with the defendant for safe keeping, to be returned to him, the sum of Nineteen Hundred (\$1,900) Dollars, and March 8th 1890, he deposited and entrusted to her for safe keeping One Hundred (\$100) Dollars, making a total sum so deposited with her for safe keeping of Two Thousand (\$2,000) Dollars. That she has returned to him the sum of Fifty (\$50) Dollars on July 15, 1888 and the further sum of One Hundred (\$100) Dollars on August 15th 1888, but she has feloniously withheld, stolen and appropriated to her own use the balance of \$1,850, so entrusted to her care for safe keeping, and has refused to return or deliver.

Sworn to before me, this

189

of

Police Justice.

0000

the same or any part thereof to deponent after
due demand made upon her by deponent to
return the same on December 1890 and again on
or about February 6th 1891

Sworn to before me this }
5th day December 1893

Wm. J. Murray

Sheldon
Police Justice

Sec. 151.

Police Court 2^d District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by William J. Mc Murray
of No. 606 Broadway Street, that on the 6th day of February
1891 at the City of New York, in the County of New York, the following article to wit:

Eighteen Hundred and Fifty (\$1,850) Dollars lawful
money of the United States

of the value of \$1,850 Dollars,
the property of William J. Mc Murray
was taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and
believe, by Jane Henderson

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to
answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said
Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant
and forthwith bring her before me, at the First DISTRICT POLICE COURT, in the said City, or in
case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the
said charge, and to be dealt with according to law.

Dated at the City of New York; this 5th day of December 1893

Charles E. Rice

POLICE JUSTICE.

000

Police Court _____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William J. M. Murray
vs
Jane Henderson
123 Chambers

Warrant-Larceny.

Dated *December 24* 188*3*

Magistrate

Officer.

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

Crowley & M. Chisley Officer &c.

Dated _____ 188

This Warrant may be executed on Sunday or at
night.

Police Justice.

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

Dated _____ 188

Police Justice.

The within named

City and County of New York, ss:

Jane Henderson 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. *Jane Henderson*

Question. How old are you?

Answer. *45 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *123 Charles St. 3 years*

Question. What is your business or profession?

Answer. *Keep house*

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

Answer. *I am not guilty**Jane Henderson*

Taken before me this

day of

September 1893

Police Justice.

0807

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

defendant

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

Dated Dec 8 1893 [Signature] Police Justice.

I have admitted the above-named

defendant

to bail to answer by the undertaking hereto annexed.

Dated Dec 8 1893 [Signature] Police Justice.

There being no sufficient cause to believe the within named

guilty of the offence within mentioned. I order he to be discharged.

Dated _____ 18 _____ Police Justice.

08 11

POOR QUALITY
ORIGINAL

Ex. adj. to C. here. at 2 Pm
Left Paroled in custody of C. here.
Hennilton
" " " 8 Dec. at 9 Pm

BAILED.

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

1320
District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

James Mc Murray
606 Broadway
Jane Henderson

1
2
3
4

Dated *Dec 6* 1893

Koch Magistrate.

Smiley and W. Cluskey Officer.

Central Precinct.

Witnesses

No. Street.

No. Street.

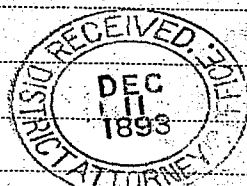
No. Street.

No. Street.

No. Street.

\$ *2000* to answer *E.S.*

Bailed



0811

Booram, Hamilton, Beckett & Ransom.

Counsellors at Law.

Louis V. Booram.

William H. Hamilton.

Charles H. Beckett.

Porte V. Ransom.

160 Broadway.

New York.

Wm J. Mc Murray

vs
Jas. Henderson

Larceny

Dec 6th 1893 -

Hasty memo & memorial by Wm J. Henderson

I have read the affidavit on to the
me I commenced civil action ofwhich this is the cause. I got
Judgment in said action on the 16th day
of November 1893. & this B. is Enclosed
Copy of Civil Judgment and have not
sawed execution on said Judgment.I don't remember commencing civil
suit against Mrs Henderson -he was proceeding commenced in
Philadelphia Pa. about ten weeksago - I testified at Civil Court that
he placed money in bank about the
middle of June in the Greenock bank
in this city I saw the outside ofbank but don't remember whether
money had been drawn from said bank
or not. The money was left withdefendant June 2nd 1898 - I demanded
the money on Dec 9th & he refused to
give me the money - it is admitted
that answer in the Civil suit was
a general denial

(2)

The bank never received any money
that was in the bank. I have never
received any money arising from the
civil suit. I brought the criminal action
to obtain Justice - Counsel for the
defendant moved to dismiss the
complaint - Motion denied for the
present -

James Henderson is her own defendant.
I know the complainant about 5 years
I lived at that time at 655 Grand
Street had a room and kept the place for
18 years at that place. my brother kept
the same room since 1839 - I am married
and keep a boarding house. I have
a daughter she was engaged to be
married to the complainant's daughter -
he was a visitor for about three years
off and on. the engagement was broken
~~shortly~~ about 3 years ago - she has
had nothing to do with him since said
time. Mr. Henny came to the house and
was considered almost a member of
the family and after the engagement

was broken - and after that he commenced
the civil action and also the Criminal
action I never received any
money from Mr. Murray. He never
loaned me any money. He left
\$200.00 to buy a new skin bag
for my daughter.

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

Jane Henderson

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.

The house in which the defendant invested the funds she held in trust for me, has been conveyed by her to me and she has made a full account of her trust.

Dated New York
January 17. 1894

H. J. W. Murray

People to.

to

Jane Henderson

Request of Compliment
to diaries Indictment

0017

TO THE CHIEF CLERK.

Please send me the Papers in the Case of
PEOPLE

vs.

Morris Jackson
et al

Indicted
Dec 14 1933

W. H. H.

District Attorney.

EDWARD SWANN,
ATTORNEY AND COUNSELLOR AT LAW,
71 BROADWAY.

TELEPHONE

NEW YORK, Dec. 18th, 1893

TO THE DISTRICT ATTORNEY,

Dear Sir:-

I inclose herewith a statement of the facts in the case of the People against Jane Henderson, a larceny case which will soon come before the Grand Jury.

If there is any question in your mind as to whether the facts charged, constitute larceny, I would be much obliged if you will let me know, so that I might submit a memorandum of authorities on that point, although I hardly think it probable that you will have the least doubt upon the subject.

Respectfully yours,

Edward Swann

Statement of facts connected with the embezzlement of One thousand eight hundred and fifty (\$1,850) dollars by Jane Henderson.

The complainant Mc Murray is a locomotive engineer in the employ of the Panama Railroad Company where he has been employed for upwards of twenty (20) years.

He met the defendant's husband William Henderson in Panama. Arriving in New York in the Spring of 1888, he at the request of Henderson called on the Henderson family.

Soon thereafter and on June 2nd 1888, he cashed a bill of exchange which he brought from Colon, Panama for Two thousand (\$2,000) dollars and having occasion to call at the Henderson house that afternoon he took the money along with him. By that time he had come to know the family very well indeed, or thought he did, and on leaving the house that afternoon Mrs. Henderson spoke to him about the money which he had in his pocket and warned him about a green-horn from Panama carrying so much money with him in going about New York and induced him to let her keep it until he returned, it being then after banking hours. On his return to the Henderson house the day after, he asked for the money and Mrs. Henderson again persuaded him to let her keep it for him until he wanted it. Shortly after this, when Mc Murray asked the defendant to return his money she told him that she had deposited it for him in a Savings Bank so that he could have it when he wanted it. By this time Mc Murray had become engaged to Mrs. Henderson's daughter and

did not suspect Mrs. Henderson of wrong doing.

Soon thereafter the daughter got \$400., out of Mc Murray being all of the balance of the money he had, and when mother and daughter had obtained all of Mc Murray's money and Mc Murray became clamorous for the return of the money that Mrs. Henderson was keeping for him the daughter broke off the engagement.

When Mc Murray discovered in February 1891, that Mrs. Henderson had used the money for her own purposes without his knowledge or consent he placed the case in the hands of his attorney, who proceeded forthwith to demand the return of the money from Mrs. Henderson.

She denied ever having the money, and rather than have her arrested immediately the attorney decided to have a jury first decide the facts in a Civil action in tort for the conversion of moneys.

The case was reached and tried in Part 11 of the City Court before Judge Mc Gown and a jury, on Nov. 16th 1893, and jury after remaining out only five minutes returned a verdict for the plaintiff for the amount named and such decision was arrived at on the first ballot. Immediately after the jury was discharged three members of the jury requested the plaintiff's counsel to submit the case to the Grand Jury.

It was proved on the trial that the defendant did receive the money notwithstanding her denial of that fact.

The witness Kate Blackman whose address is care of

110 Bedford Street, Cor. Christopher Street, New York City, was present when the money was delivered to Mrs. Henderson. Fred. M. Fosdick 408 Madison Street, New York City testified that the defendant told him that she held the money as custodian for Mc Murray. The information clerk of Greenwich Savings Bank produced the bank book showing the deposit by Mrs. Henderson of the money "in trust for John Mc Murray" and also Mrs. Henderson bank book showing that she at that time had an individual account in the same bank. On the trial Mrs. Henderson testified that she had not received the money at all and she did not claim there that the money was received as a loan but testified that she had not received it at all. Since lodging the complaint in the 2nd District Police Court it appears that the defendant has shifted her ground and now claims that she did receive the money but that it was received as a loan. The action in tort was for the sole purpose of establishing her guilt before causing her arrest in a criminal prosecution.

No execution on the judgment has been issued and no execution will be.

Dated N.Y.
Dec 18/93

Edward Swann
71 Broadway
New York

CITY COURT OF NEW YORK.

-----X
William J. Mc Murray,
Plaintiff,

----- against -----
Jane Henderson,
Defendant,
-----X

This action having been brought on regularly to be tried at Part 11 of the City Court of New York before Hon. Henry P. McGown, Justice, and a jury on the 18th day of November 1893, and the said jury having rendered a verdict in favor of the plaintiff and against the defendant for the sum of Eighteen hundred and fifty (\$1,850) dollars, now on motion of Edward Swann, plaintiff's attorney it is

A D J U D G E D that the plaintiff recover of the defendant Jane Henderson the sum of Eighteen hundred and fifty (\$1,850) dollars, damages and \$201⁶²/₁₀₀ costs of this action, making in all the sum of \$2051⁶²/₁₀₀.

and that the plaintiff have execution therefor.

Gentlemen:-

Please take notice that the within is a copy of a judgment in the within entitled action this day entered in the office of the clerk of the City Court of New York.
Dated New York,
November 17th 1893.

Edward Swann

Plaintiff's attorney,
Office and P. O. Address, 71 Broadway,
New York City.

To:-

Booraem, Hamilton & Beckett,
Defendant's attorneys,
160 Broadway, New York City.

City Court of New York.

William J. Murray,

Plaintiff

against

Jane Henderson,

Defendant

*Copy Judgment
and Notice of Entry.*

Edward Swann,

Attorney for Plaintiff.

71 BROADWAY,

NEW YORK CITY.

To Booraem, Hamilton & Beckett Esqs

Attorney for Defendant.

160 Broadway, N.Y.

Due service of a copy of the within

is hereby admitted.

Dated, New York, _____ 189

Nov 17/93
Attorney

W. J. in w. 10/7/93
WJ

ACCOUNT No. 218.738

Dr. *Jane Henderson* in trust for *John Mc Murray*
In Account with
THE GREENWICH SAVINGS BANK, Cr.

1888			1888		
Aug 31	To Draft.	150	June 29	By Deposit.	1500
Sept 13	" "	200	Jan 1	" Interest	12 25
Oct 13	" "	150	July 1	" "	21
Nov 10	" "	300	Jan 1	" "	21
Apr 20	" "	200	July 1	" "	21
June 6	" "	500	Jan 1	" "	21
Jan 19	" "	13 09			
		1513 09			1513 09

(Residence of Depositor.)
695. Greenwich St.

yo. of birth. 1847

married 1870.

Parents John Stewart, dec?

Jane. do.

next of kin. Elizabeth, 1870.

(beneficiary) no relation
to depositor.

" Locomotive Engineer.

EDWARD SWANN,
ATTORNEY AND COUNSELLOR AT LAW,
71 BROADWAY.

TELEPHONE

NEW YORK, Jan. 4th, 1894.

Col. John R. Fellows,

Dear Sir:-

The bearer Mr. W. J. Mc Murray who is the complainant in the larceny case against Jane Henderson (indictment found by Oyer & Terminer Grand Jury Dec. 20th 1893) has come from the Isthmus of Panama as a witness in the case and he has no other business to keep him here and I would be much obliged if you will have the case set down for trial on Monday or Tuesday of next week as Mr. Mc Murray is a Locomotive Engineer and is wanted at his post.

Respectfully Yours
Edward Swann

Dist. Attny Fellows-
directs this note to be
filed with the papers
of that the attention
of the Assistant in
the Oyer & Terminer
be called thereto, and
also to the necessity
of speedy action
being taken thereon.

Edw. J. Flynn
Chf Clerk

Jan 4 / 94.

0827

ASSOCIATION OF THE BAR.
7 WEST 29TH STREET.

Dec. 20/93

John O. Rindsey Esq

Dear Sir

I mailed today a full statement of the facts in the larceny case against Jane Henderson, together with a list of the names and addresses of the witnesses. My envelope was addressed to "The District attorney" - and I did not know until tonight that the case would be presented to the Grand Jury tomorrow.

Please send in to the District attorney's office and get that statement and read it over before you go before the Grand Jury.

Yours Truly
Edward Swann

KNOW ALL MEN BY THESE PRESENTS:, that I, William J. Mac Murray for and in consideration of the Sum of One Dollar to me in hand paid by Jane Henderson, do hereby release and forever discharge the said Jane Henderson her heirs, executors, and administrators, of and from all actions causes of action, suits, claims, and demands whatsoever, for or by reason of any matter cause or thing, from the beginning of the world, down to the date of these Presents IN WITNESS WHEREOF, I have hereunto set my hand and seal this 17th day of January 1894.

In Presence of

Henry M. Ward

Wm J. Mac Murray

CITY AND COUNTY OF NEW YORK, ss:-

On this 17th day of January 1894, before me a Commissioner of Deeds duly commissioned and sworn, personally appeared, William J. Mac Murray to me known, and known to me to be the individual described in and who executed the foregoing instrument and acknowledge to me that he executed the same.

Henry M. Ward
Commissioner of Deeds
My Comm. & S.

0029

Satisfaction.—710.

John Polhemus, Printer and Mfg Stationer, 102 Nassau Street, N. Y

City Court of New York

William J. Murray
Plaintiff

James Henderson
Defendant

Satisfaction of Judgment.

City of New York
County of New York ss: Satisfaction is Acknowledged,
between William J. Murray
plaintiff and James Henderson
defendant for the sum of \$2051.⁶²

Judgment entered in the Judgment Book of the City Court of New York
the 17th day of
December one thousand eight hundred and ninety three

Wm J. Murray

City of New York
County of New York ss:

On this 17th day of January 1894
before me personally appeared William J. Murray

to me known to be the plaintiff described in the foregoing
satisfaction piece, and the same person who executed the same, and acknowledged that he executed
the same.

Henry M. Ward
Notary Public
Commissioner of Deeds
in and for City & County of New York

City Court of New York

William J. Murray
Plaintiff

James Henderson
Defendant

Satisfaction of Judgment.

James Henderson
Attorney for

Plaintiff

160 Broadway
New York City

City Court of New York.

William J Mc Murray

against

Dane Struderson

Summons.

To the above named Defendant

You are hereby Summoned to answer the complaint in this action, and to serve a copy of your answer on the Plaintiff's Attorney within six days after the service of this summons, exclusive of the day of service ; and in case of your failure to appear, or answer, judgment will be taken against you by default, for the relief demanded in the complaint.

Dated Feby 14th 1891

Chas R. Allison Plaintiff's Attorney

Office and Post Office Address :

No. 38 Park Row
New York City.

Fol.1 CITY COURT OF NEW YORK.

WILLIAM J. McMURRAY,)
Plaintiff,)
vs.)
JANE HENDERSON,)
Defendant.)

The above named plaintiff by Charles R. Allison, his attorney, for a complaint herein, respectfully shows to this Court and alleges.

That at the city of New York at the various times between June 4th, 1888 and March 15th, 1890, this plaintiff entrusted to and deposited with the defendant for safe keeping sums of money amounting in all to \$1850., of which said sum plaintiff was on March 15th, 1890 and now is entitled to the immediate possession.

That on February 6th, 1891, at the City of New York, the defendant then being in possession of said money unlawfully converted the same to her own use to plaintiff's damage in the sum of \$1850.

That though payment has been repeatedly demanded defendant refuses and neglects to pay the same.

WHEREFORE plaintiff demands judgment against defendant in the sum of \$1850., with interest besides costs.

Charles R. Allison,
Plaintiff's Attorney,
38 Park Row, N.Y. City.

" 4
New York County, ss:-

WILLIAM J. McMURRAY, being duly sworn, says that he is the plaintiff mentioned and described in the foregoing complaint; that he has read the same and knows the contents thereof; that the same is true to the knowledge of deponent.

Subscribed and sworn to before me :
this 16th day of February, 1891. : W. J. McMurray.

Michael J. Brosnan,
Commissioner of Deeds,
N.Y. City & County.

0034

Plffs on. In. in ev.
here. 6. 1897. *js*

N.Y. City Court.

Wm J. McMurray

Jane Hudson

Summons & Complaint

CHAS. R. ALLISON,
PLP ATTORNEY
POTTER BUILDING, - 38 PARK ROW,
NEW YORK CITY.

To
Mrs Jane Hudson
De feebach

693 Greenwich St
Recd Feb 17/98

Original and Summer
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 Henderson

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

The said *Jane Henderson*,

late of the City of New York, in the County of New York aforesaid, on the *sixth*
day of *February*, in the year of our Lord one thousand eight hundred and
ninety-*one*, at the City and County aforesaid, being then and there the *agent*
and trailer of William J. McMurray.

and as such *agent and trailer* then and there having in *his*
possession, custody and control certain goods, chattels and personal property of the said

William J. McMurray
the true owner thereof, to wit: *the sum of eighteen*
hundred and fifty dollars in
money, lawful money of the
United States of America, and
of the value of eighteen hundred
and fifty dollars.

the said *Jane Henderson* afterwards, to wit:
on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
did feloniously appropriate the said *sum of money*

for
to *his* own use, with intent to deprive and defraud the said
William J. McMurray
of the same, and of the use and benefit thereof; and the same goods, chattels and personal
property of the said *William J. McMurray*

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

DE LANCEY NICOLL,
District Attorney.

0031

BOX:

543

FOLDER:

4944

DESCRIPTION:

Henning, Henry J.

DATE:

12/08/93



4944

0037

19

Witnesses:

COURT OF OYER AND TERMINER.

Counsel,

Filed, 8 day of Dec 1893

Pleads,

THE PEOPLE

vs.

Henry J. Henning

Transferred to the Court of Sessions for trial and final disposition

Dec 11 1893

General D. J. Cross

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

R. J. Cross Foreman.

VIOLATION OF THE EXCISE LAW.
Sunday, etc., on Sunday.
[Chap. 401, Laws of 1892, § 32.]

0031

Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Henry J. Henning

The Grand Jury of the City and County of New York, by this indictment, accuse
Henry J. Henning
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said *Henry J. Henning*.

late of the City of New York, in the County of New York aforesaid, on the *23rd* day of *July* in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one

Thomas W. Hallanan
and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
Henry J. Henning
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *Henry J. Henning*.

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one *Thomas W. Hallanan*

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.

0834

BOX:

543

FOLDER:

4944

DESCRIPTION:

Henry, Edward

DATE:

12/19/93



4944

Witnesses:

officer Geo E Hauser
21st Precinct

197
Counsel,
Filed 19 day of Dec 1893.
Pleads,

THE PEOPLE

vs.

Edward Henry

By
J. H. Hume

DE LANCEY NICOLL,
District Attorney.

Burglary in the Third Degree
[Section 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

A TRUE BILL.

B. Lockwood
Dec 19/93 Foreman.
Plead Guilty
5.10.3 years.

District Attorney's Office.

Make copy
for Chief Clerk
file original
with Mr. Connally

W. H.
10/11/95

0042

CORRECTION

084

BOX:

543

FOLDER:

4944

DESCRIPTION:

Henry, Edward

DATE:

12/19/93



4944

0844

Witnesses:

officer Geo E. Hansen
21st Precinct

197
Counsel,

Filed

19 day of Dec

1893

Pleads,

THE PEOPLE

vs.

Edward Henry

By
J. Hansen

DE LANCEY NICOLL,

District Attorney.

Exhibit in the Third Degree
[Section 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200]

A TRUE BILL.

B. Dooleywood
Foreman.
Dec 19/93
Plead Guilty
5.10.3 years.

Police Court— 4 District.

City and County } ss.:
of New York,

of No. 579 2^d Avenue Street, aged _____ years,
occupation Butcher being duly sworn

deposes and says, that the premises No. 579 2^d Ave Street, 21 Ward
in the City and County aforesaid the said being a four story brick building
the ground floor
and which was occupied by deponent as a Butcher Store
and in which there was at the time a human being, by name

were **BURGLARIOUSLY** entered by means of forcibly opening fan light
over store door leading from the street to the
said premises

on the 12th day of December 1893 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

Two hams of the value of two dollars
\$2.00

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

for the reasons following, to wit: that about the hour of 7³⁰
deponent left the above premises & surely
lock and fastened about the hour of 11³⁰
deponent returned to said store and
missed said property. Deponent is
informed by Officer George E. Hauser of
the 21st precinct that he arrested said defendant
with said property in said defendant's possession
Deponent has since seen said property and

fully and positively established said property as the property taken stolen and carried away from the aforesaid premises

Signed to be for me
this 13th day of December 1893

Christian Schuck.

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For the reasons foregoing:

BIBGTVFA

Dated _____ 188 _____
Police Justice.

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

Dated _____ 188_____
Police Justice.

I have admitted the above named: See above for name and address of person to bail to answer by the undertaking hereto annexed.

Dated 11/11/1882 *to* 1882 *Police Justice*

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

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

ct,		Office—BURGLARY.		8	ite.	er.	ib.	del.	del.	del.	del.
-----	--	------------------	--	---	------	-----	-----	------	------	------	------

District _____ **Magistrate's Office** _____ **Clerk** _____
Street _____ **Street** _____ **Street** _____

essions.

General S

III,
THE PEOPLE
the company

[illegible][illegible][illegible]

5

0047

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss:

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

Question. What is your name?

Answer. *Edward Henry*

Question. How old are you?

Answer. *37*

Question. Where were you born?

Answer. *NS*

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

Answer. *no home*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I am not Guilty*
Edward Henry

Taken before me this

103"

day of

1893

Police Justice.

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

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

Dated, Dec 13 1897

Amos Burke Police Justice.

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

Dated, _____ 189

Police Justice.

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

Dated, _____ 189

Police Justice.

1335
1334

Police Court--- 4 --- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Christian Schuch
579 vs. - 2nd
Edward Henry

Offense *Burglary*

2
3
4

Dated, *Dec 13* 189

Burke Magistrate.

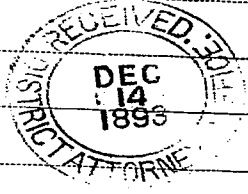
Hanser Officer.

21 Precinct.

Witnesses

No. Street.

No. Street.



No. Street.

\$ *1000* to answer *G.S.*

born

Burg
P.H.

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0051

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Edward Henry

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

Edward Henry

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

The said

Edward Henry

late of the 21st Ward of the City of New York, in the County of New York aforesaid, on the
twelfth day of December in the year of our Lord one
thousand eight hundred and ninety-three in the night-time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the store of
one

Christian Schuck

there situate, feloniously and burglariously did break into and enter, with intent to commit some
crime therein, to wit: with intent the goods, chattels and personal property of the said
Christian Schuck in the said store
then and there being, then and there feloniously and burglariously to steal, take and carry away,
against the form of the statute in such case made and provided, and against the peace of the
People of the State of New York and their dignity.

SECOND COUNT.—

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

Edward Henry
of the CRIME OF *Petit* LARCENY _____ committed as follows:

The said

Edward Henry

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

*two Lams of the value of
one dollar each*

of the goods, chattels and personal property of one

in the

store

of the said

Christian Schuck
Christian Schuck

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

005

THIRD COUNT.—

And the Grand Jury aforesaid, by this indictment, further accuse the said
Edward Henry
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

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

*two hams of the value of
one dollar each*

of the goods, chattels and personal property of

Christian Schuck
by a certain person or persons to the Grand Jury aforesaid unknown, then lately before felon-
iously stolen from the said

Christian Schuck
unlawfully and unjustly did feloniously receive and have; (the said

Edward Henry
then and there well knowing the said goods, chattels and personal property to have been felon-
iously stolen, against the form of the statute in such case made and provided, and against the
peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

085

BOX:

543

FOLDER:

4944

DESCRIPTION:

Hensing, Henrietta

DATE:

12/13/93



4944

Witness

Count of over 205

Counsel,
Filed, 13 day of Dec 1893
Pleads,

THE PEOPLE
Transferred to the Court of Special
Sessions for trial and final disposition
Part 2 Dec 13 1893

Henrietta Hensing

Transferred to the COURT of
General Sessions
CITY OF NEW YORK
and held in the Court of
Dec 13 1893

DE LANCEY NICOLL,
District Attorney

Read and argued
in open court
R. J. Cross Foreman
Jury

KEEPING A HOUSE OF ILL-FAME
(Sections 392 and 395, Penal Code)

District Attorney's Office.

Make copy
for Chief Clerk
file original
with Mr. Connally

WJH
10/11/95

0052

Over and Termen
Court of General Sessions of the Peace

470

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Henrietta Henning

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

Henrietta Henning

(Sec. 322,
Penal Code.)

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

The said

Henrietta Henning

late of the *17th* Ward of the City of New York, in the County of New York aforesaid, on the *fourth* day of *December*, in the year of our Lord one thousand eight hundred and ninety-*three*, and on divers other days and times, as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep and maintain; and in said house divers ill-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well as 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

Henrietta Henning

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offenses on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated; 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

Henrietta Henning

(Sec. 285,
Penal Code.)

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

The said

Henrietta Henning

late of the Ward, City and County aforesaid, afterwards, to wit: on the *fourth* day of *December*, in the year of our Lord one thousand eight hundred and

ninety-~~three~~, 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, with force and arms, unlawfully did keep and maintain a certain common, ill-governed house, and in ~~the~~ said house for ~~her~~ 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 wilfully 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, then 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 wilfully 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 nuisance 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

Henrietta Manning

(Sec. 322,
Penal Code.)

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

The said

Henrietta Manning

late of the Ward, City and County aforesaid, afterwards, to wit: on the ~~fourth~~ day of ~~December~~, in the year of our Lord one thousand eight hundred and ninety-~~three~~, 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 the said house and place of public resort, for ~~her~~ 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 ~~the~~ 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 reason whereof 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.

DE LANCEY NICOLL,

District Attorney.

0851

BOX:

543

FOLDER:

4944

DESCRIPTION:

Heoffman, John H.

DATE:

12/08/93



4944

0059

Witnesses:

Court of Oyer and Terminer

Counsel,

Filed,

8 day of Dec 1893

Pleads,

THE PEOPLE

vs.

John H. Hoffman.

Transferred to the Court of Special Sessions for trial and final disposition.

Part 2. Dec 15 1893

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

R. J. Croes

Foreman.

VIOLATION OF THE EXCISE LAW.

selling etc., on Sunday.

[Chap. 401, Laws of 1892, § 32.]

086

Clyde and Fernman
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 H. Hoffman

The Grand Jury of the City and County of New York, by this indictment, accuse
John H. Hoffman
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND
BEER ON SUNDAY, committed as follows:

The said

John H. Hoffman

late of the City of New York, in the County of New York aforesaid, on the ²³
day of *July* in the year of our Lord one thousand eight hundred and
ninety- *three* , at the City and County aforesaid, the same being Sunday, certain strong
and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill
of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spiritu-
ous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against
the form of the statute in such case made and provided, and against the peace of the People of
New York and their dignity.

SECOND COUNT—

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

John H. Hoffman

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,
WINES, ALE AND BEER, committed as follows:

The said

John H. Hoffman

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the
same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one
gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of
a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and
expose for sale to one

Thomas J. Gilkooly

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the
form of the statute in such case made and provided, and against the peace of the People of the State
of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

086

BOX:

543

FOLDER:

4944

DESCRIPTION:

Herr, John

DATE:

12/06/93



4944

0062

Witnesses:

Fredrick Selke
Phillip C. Stalbe
Stalbe

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

John Herr

73 1/2
1900
Wm. C. Cook

DE LANCEY NICOLL,

District Attorney.

Forgery in the Second Degree,
(Sections 611 and 621, Penal Code.)

A TRUE BILL.

B. L. Woodward
Foreman

Dec 19 1893
Tried & convicted
S. P. 5 years.

28/93

The People
vs
John Hess

Court of General Sessions Part I
 Before Judge Cowing. December 8th 1893
 Indictment for forgery in second degree
 Phillip C. Staib, sworn and examined, testified
 Where do you live? I live in 343^a Duane
 street, Brooklyn. What is your business?
 I am manager of the grocery firm of
 Koenig and Schuster. Doing business in
 the City of New York. Where do they do business?
 No. 387 Washington corner of Beach street
 What is there business? Wholesale grocery.
 Do you recollect the 15th of November? I do.
 Did you see the defendant at the bar upon
 that day? I did. What time that day and
 where? I could not tell you exactly at
 what time but in our office. I recollect
 now it was before dinner in the forenoon.
 Tell now what happened between you and
 he, the circumstances what took place?
 This young man at the bar handed
 me this paper and asked to get these
 goods. I doubted the genuineness of the
 order. I thought from his general appear-
 ance that he was not ~~a~~ (Objected to)
 What did you do when he asked for
 the goods, you declined to give them
 to him? I did. What did he say then?
 I told him that I would send the goods

up to Mr. Segelke the person purporting to sign the order? Yes; and the defendant went away.

The paper was marked People's exhibit A. Do you recollect any other talk that you had with him, anything further that you said to him? I asked him whether he was employed by Mr. Segelke? He said that he was not, but that he was his brother-in-law. He said further that he was doing errands for him. That is all the conversation I had with him. Subsequently you saw the complainant Mr. Segelke? Yes.

Cross

Examined. You did not give up any goods upon this order? Those goods are already done up. You did not give them up to this boy? No I did not. Did you deliver them afterwards? I sent them up by our wagon - no, I sent them up by a young man from our office, thinking he was in a hurry for the goods. Did Mr. Segelke accept them? He was not there. On that date I took them back because he did not order them. He sent them back again. It was at our place of business 383 Washington Street, New York that the order was presented to me.

Frederick Segelke, sworn and examined
I live at 37 Second Avenue and am a grocer
I am in business for myself. The defendant
is not my partner. I saw him after he
was arrested. I did not see Peoples' exhibit it
until I was up in Court. This is not my
signature. I did not sign it and gave
no authority to anybody to sign it.

Cross Examined. I had business relations with
Koenig and Schuster. I did not give this
order for goods to them. I have only in my
employ my wife and one boy. I don't know
a man by the name of Johnson.

District Attorney: I offer the order in evidence.

"Messrs Koenig and Schuster, Please deliver
to bearer one box of Libby's extract, one
box of ditto, 8 ounce, and other. Fred Segelke

John Hess, sworn and examined in his
own behalf testified. I presented this order
Peoples exhibit it to Phillip C. Straif. I did
not sign the name Frederick Segelke to that.
I got this from Mr. Johnson. I met him the
night before on the 14th and he asked me
to meet him the next morning. I got
up early and got the paper looking for
work and he says, "Come on down
town with me. He told me he was
working in a grocer's on Second Avenue

When we got down town he gave me this order and says, "Go in and get those goods and bring them out. I have got to go and attend to some other business and I will be back and try to meet you. Everything is right," and if they ask you tell them that Mr. Sigelke sent you down and that he was my (Johnson's) brother in law, and that I should say I was and I would get the goods. I knew that was not so, but I did not know the order was false. I acted in perfect good faith.

From Ex. I have known Johnson about two weeks. I met him up in Fiftieth St. one night at the Academy Bowling Alley. A couple of friends of mine who live in Harlem introduced him to me. I go to the Academy three or four times a week to play pool. I am a cook and worked for James Smith & Greenwich Avenue, he keeps an oyster and chop house. Johnson was sentenced last week to the penitentiary for five months for larceny. We hired a room together and lived on Christie street.

The jury rendered a verdict of guilty.

0067

Testimony in the
case of
John Herr

filed
Dec/93
108

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

John Herr 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. *John Herr*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *190 Christie St - 7 weeks*

Question. What is your business or profession?

Answer. *Cook*

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*
John Herr.

Subscribed and sworn to before me this 25th day of June 1914
James M. Martin
Police Justice.

0864

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

Alfred
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Five Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.
Dated, Nov 25 189 3 Edward Martin Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.
1891

1254

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Frederick Segelke
John Herr

Forfeiture
Offense

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated, *Nov 25* 189*3*

Martin Magistrate.

Ketterick Officer.

5 Precinct.

Witnesses *Philip C. Stark*

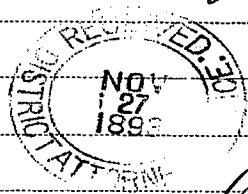
No. *381 Washington* Street.

No. _____ Street.

No. *500* Street.

\$ *500* to answer *952*

Carroll



CITY AND COUNTY }
OF NEW YORK, } ss.

Philip C. Staib
aged 28 years, occupation Manager of No. 381 Washington Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Fred Segelke
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me this, 25
day of Nov, 1893

Philip C. Staib
[Signature]
Police Justice.

Police Court, 1 District.

(1858)

City and County } ss.
of New York,

of No. 37-2 - Avenue Street, aged 26 years,

occupation Grocer being duly sworn, deposes and says,

that on the 15 day of November 1893, at the City of New

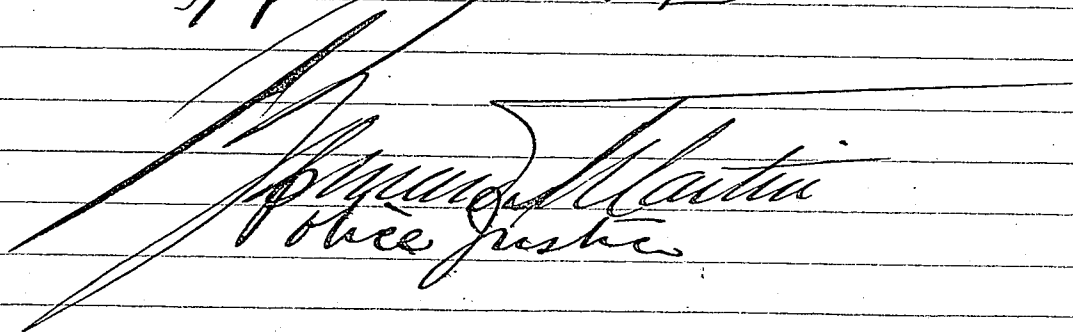
York, in the County of New York

John Herr - now here did feloniously and unlawfully make, forge and utter with intent to defraud - the annexed order purporting to be signed by deponent - in violation of Section 511 of the Penal Code deponent is informed by Philip C. Staib of no 381 Washington Street - that on the 15 day of November the defendant presented the annexed paper purporting to be an order from deponent to Messrs Koenig and Schuster for meat extracts of the value Twenty three ⁴⁵/₁₀₀ dollars - and asked that said extracts be delivered to him in person - said Staib refused to deliver said property to the defendant but delivered it at deponents place of business - and deponents refused to receive the same as he did not order any such extracts - deponent further says that he did not sign the annexed paper - nor authorize the defendant nor any other person to sign the same

Fred Segelke

Sworn to before me

This 25 day of November 1893


Philip C. Staib
Justice

0073

New York,

Rapley *Exp* 198

M

Bought of FRED. SEGELKE,

DEALER IN

Fancy & Staple Groceries,

Extra Brands of Family Flour.

FOREIGN AND DOMESTIC FRUITS.

37 SECOND AVENUE, Cor. 2nd Street.

Myron Koenig & Schuster

Please deliver to bearer

1 box of Liebig's Extract 4 ounces
to 2 2 2 2 8 ounces

& oblige Fred Segelke

1721

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 Kerr

The Grand Jury of the City and County of New York, by this indictment, accuse
John Kerr
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said

John Kerr

late of the City of New York, in the County of New York aforesaid, on the
day of *November*, in the year of our Lord one thousand eight hundred and
ninety-*three*, at the City and County aforesaid, with intent to defraud, feloniously did
forge a certain instrument and writing, which said forged instrument and writing is as follows, that
is to say:

New York

198

m.

Bought of Fred. Segelke,

dealer in

Fancy & Staple Groceries

Extra Brands of Family Flour

Foreign & Domestic Fruits

37 Second Ave, Cor. 2nd Street.

Messrs. Koenig & Schuster

Please deliver to bearer

1 Box of Liebig's Extract 4 ounces

1 " " " 8 ounces

& oblige

Fred Segelke

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.

0075

SECOND COUNT—

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

John Kerr
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said

John Kerr
late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with intent to defraud, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, which said forged instrument and writing is as follows, that is to say:

New York

198

m

Bought of Fred Segelke,

Dealer in

Grocery & Staple Groceries

Extra Brand of Family Flour.

Foreign and Domestic Fruits

37 Second Avenue, Cor. 2nd Street.

Messrs. Koenig & Schuster

Please deliver to bearer

1 Box of Lubing's Extract 4 ounces

1/2 " " " " 8 ounces

Yours oblige

Fred Segelke

the said

John Kerr

then and there well knowing the same to be forged, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0871

BOX:

543

FOLDER:

4944

DESCRIPTION:

Heyman, Gustav

DATE:

12/22/93



4944

087

BOX:

543

FOLDER:

4944

DESCRIPTION:

DeShousa, William

DATE:

12/22/93



4944

0871

BOX:

543

FOLDER:

4944

DESCRIPTION:

Gross, Charles

DATE:

12/22/93



4944

Witnesses:

P. J. Sullivan
Michael A. Blake
Henry Hildebrand
Wm. A. Patton
Robt. S. Winburn
Louis J. Flanders
No. 1 Baila Dec. 23/93 by
Monty Brockmann
354 E. 69 St.
No. 2 Baila Dec. 24/93.
By Fredk. J. Sellig
13. Allen St.
No. 3 Baila Dec. 23/93 by
Monty Brockmann
354 E 69 St.
City

1404
Court of Oyer and Terminer

268
Counsel,

Filed 30 day of Dec 1893
Plead, Not Guilty (22)

48
93
Shapiro

THE PEOPLE

vs.

Gustav Heyman
William De Shonsia
Charles Gross
De Lancey Nicoll
2nd of 3rd District Attorney.

Neglect of duty

[Section 418, Penal Code.]

A True Bill.

R. J. Cross Foreman.

March 1 1894
All plead Guilty
Each defendant
fine \$100 each

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK,

by this indictment accuse Gustav Heyman, William De Shousa and Charles Gross of the crime of omitting, refusing and neglecting to perform an act required of them as Inspectors of Election, by the election law, committed as follows:

Heretofore, to wit: on Tuesday, the seventh day of November, in the year of our Lord one thousand eight hundred and ninety-three (the same being the Tuesday next succeeding the first Monday of the said month of November), there was held a general election throughout the State of New York, and in and throughout the said City and County of New York, and in and for the Second Election District of the Third Assembly District of the said City and County, at which said election divers persons were voted for, and divers ballots cast, for such persons in the said election district, by the electors thereof, for the following offices, to wit: the Office of Secretary of State of the State of New York, the Office of Comptroller of the State of New York, the office of

COURT OF OVER AND TERMINER.

Of the City and County of New York.

The People of the State of New York

against

Gustav Heyman, William De Shousa and Charles Gross.

1881

Treasurer of the State of New York, the office of Attorney General of the State of New York, the office of State Engineer and Surveyor of the State of New York, the office of Associate Judge of the Court of Appeals of the State of New York, the office of Delegate-at-Large to the Constitutional Convention of the State of New York, the office of Delegate to the said Constitutional Convention for the Ninth Senate District of the said State, the office of Senator of the State of New York for the said Senate District, the office of Member of Assembly of the State of New York for the said Assembly District, the office of Judge of the Court of Common Pleas for the said City and County, the office of Justice of the said City Court of the said City, the office of Surrogate of the said County, the office of Comptroller of the said City, the office of Sheriff of the said County, the office of District Attorney of the said County, the office of Coroner of the said City and County, and the office of Justice of the District Court of the said City for the Fourth Judicial District thereof.

And on the day and in the year aforesaid, and at the said election, the said Gustav Heyman, William De Shousa and Charles Gross,--all late of the City and County aforesaid, were Inspectors of Election of the said Election District, duly appointed, qualified and then and there acting as such.

And on the day and in the year aforesaid, at the City and County aforesaid, the polls of the said election, in and for the said election district having been closed, and the canvass and estimate of the ballots so cast at the said

election, in the said election district by the electors thereof, then being made by the said Gustav Heyman, William De Shousa and Charles Gross, as such Inspectors of Election as aforesaid, the two poll-lists of the said election district having been first compared with each other, and the mistakes therein corrected, by which poll-lists as so corrected, it was shown that three hundred and seventy-three ballots had been deposited in the ballot box of the said election district provided for the reception of the ballots of the electors of the said election district at the said election, and the said Gustav Heyman, William De Shousa and Charles Gross, as such Inspectors of Election, by counting ^{the} ballots found in the said ballot box, without unfolding them, except so far as to ascertain that each ballot was single, and by comparing the same with the number so shown by the said poll-lists to have been deposited in the said ballot box, having found in the said ballot box divers ballots, the exact number of which is to the Grand Jury aforesaid unknown, so folded together by twos as to present, and whereby every two of such ballots did present, the appearance of a single ballot, and that the whole number of ballots in the said ballot box exceeded, by at least the number of such ballots folded together as found, the whole number of ballots so shown by the said poll-lists to have been deposited therein, it then and there became and was the duty of them, the said Gustav Heyman, William De Shousa and Charles Gross, as such Inspectors of Election as aforesaid, then and there to destroy the said ballots so folded together as aforesaid, and such duty was then and there required of them by the election law.

Nevertheless, the said Gustav Heyman, William De Shousa and Charles Gross, well knowing the premises, did then and there, feloniously omit, refuse and neglect to perform the duty so by law required of them by the election law as aforesaid, and did then and there feloniously omit, refuse and neglect to destroy such ballots so folded together as aforesaid, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

De Lancey Nicoll,

District Attorney.