

0130

BOX:

530

FOLDER:

4830

DESCRIPTION:

Ihlpen, Jacob

DATE:

08/14/93



4830

COURT OF GENERAL SESSIONS---PART III.

-----X
The People of the State of New York:
a against
J a c o b I h l p e n,
Indictment filed August 14th, 1893;
indicted for grand larceny in the
second degree.
-----X

:Before
: Hon.Frederick Smyth
: and a Jury.

New York, September 6th, 1893.

A P P E A R A N C E S:

For the People, Assistant District Attorney Robert
Townsend;

For the Defendant, Mr. J. O'Callaghan.

SAMUEL HEYMAN, a witness for the People, sworn,
testified:

I live at 204 Madison Street. On the morning of
the 27th of July, at seven o'clock, I lost my watch
in Canal Street. It was in my vest pocket and was
attached to a small chain. I saw this boy here, the
defendant take my watch out of my pocket and run away.
At seven o'clock I was going to my work and he met me
and stopped me. He got my watch out of my pocket and
ran away. I was about to run after him and he threat-
ened to stab me with a screw driver which he had in his
hand. Then the policeman caught him and took him to
court. When I saw him in the hands of the policeman
I recognized him as the boy who took my watch. When I
saw the boy in court I also recognized him as the boy

who took my watch. It was a small gold Lady's watch.

C R O S S E X A M I N A T I O N .

This happened near 35 Canal Street in this City. There were a great many people around, but no one interfered in my behalf.

AARON COHN, a witness for the People, sworn, testified:

I live at No. 78 Eldridge Street, and I am a house keeper at that number. I saw this boy in Canal Street in front of No. 35. I saw the complainant having hold of this boy by the coat and saying "Give me my watch I am going to work and I want my watch." That is all I saw of it. I saw that the prisoner had the watch in his hand. It was a small gold watch.

LAWRENCE P. POWERS, a witness for the People sworn testified:

I am a police officer attached to the Seventh Precinct. On July 27th, about half past six I was standing at the corner of Clinton and Division Streets when I saw the prisoner running through Division Street pursued by an old gentleman by the name of Frank and a number of other people. I ran down and caught the prisoner. When he was caught the old man accused him of having stolen two watches from him. I took the prisoner to the station house, and while Mr. Frank was explaining his case to the Sergeant the complainant in

this case came in and accused the prisoner of having stolen his watch from him in the morning on Canal Street. I found out that the prisoner lived in Attorney Street. I went there and searched his trunk, but found no property belonging to either of these men. Mr. Frank whose watch was taken, is a witness present in Court. The boy said that he wasn't guilty, and that he had never seen any of these people before. I found a screw-driver in the pocket of the boy when I searched him at the station house.

D E F E N S E.

JACOB THILDEN, the Defendant, sworn, testified:

I live at No. 68 Attorney Street. I did not take the watch from the complainant. I never saw the boy before. I never saw any of these other witnesses. I did not steal a watch from Mr. Frank or any other person.

C R O S S E X A M I N A T I O N.

I work at No. 1 Norfolk Street at the shoemaking business. I have always had work and earned four dollars a week. I do not know Mr. Frank. I am positive that I did not steal any watch from him. I borrowed that screw-driver of the house-keeper to fix my trunk. I did not pull that screw-driver on the complainant in this case at the time I stole his watch. I never saw his watch. I never was arrested in my life before charged with any crime.

R E B U T T A L.

ZACHARIAH FRANK, a witness for the People, sworn,
testified:

I live at 290 Division Street and am a watchmaker
by ~~trade~~ occupation. I saw this boy standing in the
hallway of my house reading a book. My son asked him
what he was doing in the hallway reading, and he said
that he belonged upstairs. Then he commenced to walk
up and down in the hall. After a while he came into
the store where I was at work. When I had finished
working I put two watches in a drawer, a gold watch and a
silver watch. This defendant came in and took out the
~~two watches and ran away with them.~~ I ran after him
to the corner, but at the corner he disappeared. I
notified the police about the matter, and he was arrested
while he was running. I saw the boy afterwards in the
street. I ran after him and an officer caught him.
I am positive he is the boy that stole the two watches
out of my store.

The Jury returned a verdict convicting the
defendant of grand larceny in the second degree.

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up and down in the hall. After a while he came into
that he belonged upstairs. Then he commenced to walk
what he was doing in the hallway reading, and he said
hallway of my house reading a book. My son asked him

by ~~name~~ occupation. I saw this boy standing in the
I live at 380 Division Street and am a watchmaker
testified:

ZACHARIAH FRANK, a witness for the People, sworn,

R E B U L T A T.

Indictment filed Aug. 14th 1893

Count of Grand Larceny

Part III

The People vs.

Frank

Indictment

Aug. 14th 1893

Part III

Police Court—3—District.

Affidavit—Larceny.

City and County { ss.
of New York, }of No. 204 Madison Street, aged 16 years,
occupation Operative being duly sworn,deposes and says, that on the 27 day of July 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 day time, the following property, viz:One gold plated watch of the
value of five dollars.(\$5.00
was)

the property of

Samuel

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 Jacob Lifsh (rousting)for the following reasons, that at
about 7 o'clock A.M. said deponent
while passing through
 Canal Street was approached
by the defendant who feloniously
took stole and carried away
the said property from the upper
left-hand pocket of a vest he
was then and there held in his
hands.

r2 n112

Sworn to before me this
1893
at New York

John P. McClellan, Police Justice.

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

Jacob Helper 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. *Jacob Helper*

Question. How old are you?

Answer. *16 years*

Question. Where were you born?

Answer. *Russia*

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

Answer. *51 Albany St*

Question. What is your business or profession?

Answer. *Shoe maker*

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. *Saw not guilty*
Jacob Helper
mark

Taken before me this

day of

189

Police Justice.

BAILED.

No. 1, by _____
Residence _____ Street _____

No. 2, by _____
Residence _____ Street _____

No. 3, by _____
Residence _____ Street _____

No. 4, by _____
Residence _____ Street _____

Police Court, _____ District _____

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Samuel Newman
James Hilpen

2 _____
3 _____
4 _____
Offense, _____

Dated, *July 28* 189*3*

Arthur Magistrate.
Conner Officer.

Witnesses *Richard Frank* Precinct _____
No. *219* Street _____

Anna Colman Street _____
No. _____

17 Street _____
No. _____
500 Street _____

TO DISBURSE
Conner

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

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

Dated, *July 28* 189*3* *John R. Wood* Police Justice.

I have 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.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Jacob Ihlpfen

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

Jacob Ihlpfen
of the CRIME of GRAND LARCENY in the *second* degree, committed as follows:

The said

*Jacob Ihlpfen*late of the City of New York, in the County of New York aforesaid, on the *twenty-seventh* day of *July* in the year of our Lord one thousand eight hundred and ninety-*three*, in the *day* time of the said day, at the City and County aforesaid, with force and arms,*one watch of the value
of five dollars*of the goods, chattels and personal property of one *Samuel Heyman*
on the person of the said *Samuel Heyman*
then and there being found, from the person of the said *Samuel Heyman*
then and there feloniously did steal, take and carry away, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York
and their dignity.*De Lancey Nicoll*
District Attorney