

0886

**BOX:**

437

**FOLDER:**

4031

**DESCRIPTION:**

Healy, Patrick

**DATE:**

05/08/91



4031

POOR QUALITY ORIGINAL

00007

Counsel, *J. Kelly* 1897  
Filed  
Pleads,

THE PEOPLE vs. *A*  
*Patrick Nealy*  
Grand Larceny, *Sec 528* Degree.  
(From the Person.)  
[Sections 528, 53, Penal Code].

*1407111*  
DE LANCEY  
JOHN R. FELLOWS,  
District Attorney.

A True Bill.

*W. S. Widman*  
Foreman  
*May 11/97*  
*James L. Kelly*  
*6 May 11/97*

Witnesses:  
*Charles Foxman*  
*off Patrick J. Feeney*  
*96 Precinct 1*

POOR QUALITY ORIGINAL

00000

Police Court 5<sup>th</sup> District.

Affidavit—Larceny.

City and County }  
of New York, } ss:

of No. 833 Columbus Ave Street, aged 19 years,  
occupation Printer being duly sworn,  
deposes and says, that on the 9 day of May 1891 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the pos-  
session of deponent, in the day time, the following property, viz:

"One small handkerchief  
valued at Three dollars  
and five  
cents

the property of Deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken,  
stolen and carried away by Patrick Healy

for the reasons following to-wit:  
as deponent who on 10<sup>th</sup> April  
having the said handkerchief  
in pocket of the coat which  
he then wore, the said deponent  
perceived hold of deponent by  
the arm and announced \$100  
cents, deponent refused to give  
him the money and the depon-  
dent then took the said hand-  
kerchief and ran away with  
the same.

Charles Hanstrom

Sworn to before me this

of

1891

John J. [Signature]  
Police Justice.

POOR QUALITY ORIGINAL

0889

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

5

District Police Court.

*Patrick Healy* 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.

*Patrick Healy*

Question. How old are you?

Answer.

*24 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*141 W - 107 St 5 Months*

Question. What is your business or profession?

Answer.

*Reductor*

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  
Patrick Healy*

Taken before me this *7* day of *May* 188*5*  
*[Signature]*  
Police Justice.

POOR QUALITY ORIGINAL

0090

BAILED,  
 No. 1, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court... 5-1-1899 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Charles A. ...*  
*855 ...*  
*John's ...*

1 \_\_\_\_\_  
 2 \_\_\_\_\_  
 3 \_\_\_\_\_  
 4 \_\_\_\_\_  
 Offence \_\_\_\_\_

Dated

*May 4 1899*

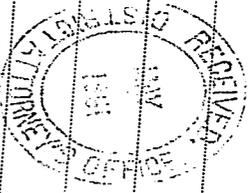
*Magistrate*

*Officer*

*26 Precinct*

Witnesses

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

*Referred to*  
 guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *700* 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 4 1899* *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.

POOR QUALITY ORIGINAL

0091

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Patrick Healy

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

Patrick Healy

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

The said Patrick Healy

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

one handkerchief of the value of three dollars

of the goods, chattels and personal property of one Charles P. Horstmann on the person of the said Charles P. Horstmann then and there being found, from the person of the said Charles P. Horstmann 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

0892

**BOX:**

437

**FOLDER:**

4031

**DESCRIPTION:**

Herbert, Belle

**DATE:**

05/12/91



4031

0893

**BOX:**

437

**FOLDER:**

4031

**DESCRIPTION:**

Hall, Lucy

**DATE:**

05/12/91



4031

0094

POOR QUALITY ORIGINAL

Witnesses:

Daniel Finn

Edw. A. Clark

Counsel,

Filed

Pleas,

*W.C.*  
*12 May 1891*

PETIT LARCENY.  
[Sections 528, 532 Penal Code]

THE PEOPLE

vs. *234 37* *R*

*Belle Herbert*

*112.16 and R*  
*Emily Hall*

JOHN R. DELMONTE

District Attorney.

A True Bill.

*W. S. Skidmore*

*Sub 2 - May 15, 1891 Foreman.*

*Both Lead Guilty*

*Both Sen 1 yr - R.B.M.*

**POOR QUALITY ORIGINAL**

0895

Police Court 2 District. 2

Affidavit—Larceny.

City and County of New York, } ss.

of No. 14th St. Store Street, aged 32 years, occupation Detective being duly sworn

Daniel Finn

deposes and says, that on the 7 day of May 1891 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz :

one pair of socks of the value of fifteen cents  
one match safe of the value of seventy nine cents,  
and together of the value of ninety seven cents.

the property of R. H. Macy & Co.

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 Belle Herbert and Lucy Hale now here, for the reason that

deponent is informed by Edward A. Clark (now dead) that he knows the defendants to be professional shop lifters and he watched the defendants going from store to store on 5th Avenue and that he saw them acting in concert on said date and that he saw the said Lucy Hale take the said pair of socks, and he saw the said Belle Herbert take the said match safe.

Subscribed and sworn to before me this 7 day of May 1891  
Daniel Finn

Sworn to before me, this 7 day of May 1891  
John S. Kelly Police Justice.

**POOR QUALITY ORIGINAL**

0896

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Edward A. Clark*

aged *30* years, occupation *Detective* of No.

*B. Allman Dec*

Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *Dannie Finn*

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

Sworn to before me, this *5* day of *May* 189*6*

*Edward A. Clarke*

*John S. Kelly*  
Police Justice.

(3602)

Lined area for additional text or notes.

**POOR QUALITY ORIGINAL**

0097

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Oselle Herbert*

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

Question. What is your name?

Answer.

*Oselle Herbert*

Question. How old are you?

Answer.

*32 year*

Question. Where were you born?

Answer.

*U.S.*

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

Answer.

*250 West 99th St - 9 weeks*

Question. What is your business or profession?

Answer.

*Washer*

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.

*First time*

*I am not guilty. Oselle Herbert*

Taken before me this

day of

*May*

1891

*John E. Kelly*

Police Justice.

**POOR QUALITY ORIGINAL**

0898

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Luey Hall* 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. *Luey Hall*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *England*

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

Answer. *112 West 16th St*

Question. What is your business or profession?

Answer. *Housekeeper*

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 very sorry  
I am not guilty  
Luey Hall*

Taken before me this

*John S. Wiley*  
Mag. of *May 1891*

Police Justice.

POOR QUALITY ORIGINAL

0099

DAILED,  
 No. 1, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court... 2  
 District... 616

THE PEOPLE, Ac.,  
 ON THE COMPLAINT OF  
 Daniel Lewis  
 1. Belle Herbert  
 2. Lucy Hale  
 3. \_\_\_\_\_  
 4. \_\_\_\_\_  
 Offence \_\_\_\_\_

Dated May 8 1891  
 Magistrate: Robert Noble  
 Officer: C. D. Cook & Wade  
 Precinct: \_\_\_\_\_

Witnesses: E. A. Clark  
 No. Altman, 101 6th St.  
 No. \_\_\_\_\_ Street \_\_\_\_\_  
 No. \_\_\_\_\_ Street \_\_\_\_\_

No. 500 Zak to himself  
 Street \_\_\_\_\_  
 E. A. Clark  
 Received  
 MAY 1891  
 DISTRICT ATTORNEY'S OFFICE

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

Dated May 8 1891 John E. Steeg 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.

**POOR QUALITY  
ORIGINAL**

0900

PARIS, 29 Rue des Petites Ecuries.  
BELFAST, 23 & 25 James St. South.  
LIMOGES, France.  
RUDOLSTADT, Thuringia.  
CARLSBAD, Bohemia.  
STEINSCHÖNAU, Bohemia.

*R. H. Macy & Co.*

*34th Ave. 13th to 14th St.*



*C. G. Webster,*  
*Sidor Straus,*  
*Nathan Straus.* } *Firm*

*New York,* May 22nd., 189—

Judge Randolph B. Martin,

Dear Sir:-

The bearer Mr. Finn, our special officer holds several pawn tickets which were taken from Lucy Hall and Belle Herbert (who were convicted before you on May 15th and sentenced to one year each in the penitentiary) who stated they represented articles stolen from our store.

Will you kindly give him an order which will enable us to recover the goods and oblige,

Yours Respectfully,

R. H. Macy & Co.

(Dictated by Mr. Pitt.)

**POOR QUALITY  
ORIGINAL**

0901

R. H. Macy & Co.  
People as well as merchants  
May 22, 1891

POOR QUALITY  
ORIGINAL

0902

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against  
*Belle Herbert and  
Lucy Hall.*

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

*Belle Herbert and Lucy Hall*

of the CRIME OF PETIT LARCENY committed as follows:

The said *Belle Herbert and Lucy Hall, both*

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

*one pair of socks of the  
value of eighteen cents and  
one match-safe of the value  
of seventy-nine cents*

of the goods, chattels and personal property of one

*Isidore Straus*

then and there being found, then and there unlawfully 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.*

0903

**BOX:**

437

**FOLDER:**

4031

**DESCRIPTION:**

Herman, George N.

**DATE:**

05/26/91



4031

POOR QUALITY ORIGINAL

0904

25 X ready with

Counsel, *John P. ...*  
Filed *1891*  
Pleads *June 3rd*

THE PEOPLE  
vs. *John P. ...*  
Grand Larceny, 2nd Degree.  
[Sections 528, 531 Penal Code]

*George M. Herman*

*DeLancey Nicoll*  
*JOHN R. WILLOWS*

*June 3/91*  
District Attorney.

A TRUE BILL

*W. S. Skidmore*

*June 16/91* Foreman.  
Pleads *Guilty*

*A. G. ...*  
*July 15, 1891.*

*And need empl*

#1212888;  
*Jennie Skubiansky*

*Shadfa*

*Samuel Baks*  
*10 First Row*

*P. Warrick = Foreman*  
*W. L. Friedlander*  
*Clark Arnes*  
*Barney ...*

POOR QUALITY ORIGINAL

0905

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

City and County } ss.  
of New York,

of No. Richard W. Bloch Street, aged thirteen years,  
occupation Book Binder being duly sworn, deposes and says,  
that on the twentieth day of May 1891, at the City of New  
York, in the County of New York, one Augustus Herman

did feloniously steal \$ 12 in money (rolls of  
one \$ 10 gold piece) belonging to deponent  
as deponent has good cause to believe,

that deponent has reason to believe  
that said Herman has fled from the  
jurisdiction of this State and is now in the city  
of Philadelphia, Pennsylvania, a fugitive from  
justice.

Given to before me this  
26 day of May, 1891

J. J. ...

County of ...

City of ...

J. J. ...

E. H. ... 924 Walnut Street, Philadelphia Pa.

535 Spruce Street, Philadelphia

POOR QUALITY ORIGINAL

0906

20

9 October 1891

904

DISTRICT ATTORNEY'S OFFICE.

City and County of New York.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Jessie Delamater*  
*Richard M.*  
*NY, NY*

*George H. Hammond*

*Office of the District Attorney*

Dated *Nov 26* 1891

Witnesses

*amanda*

*Express office*

No. *296*

Street, *Canal*

*City of New York*

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

Street, \_\_\_\_\_

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

Street, \_\_\_\_\_

POOR QUALITY ORIGINAL

0907

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

THE PEOPLE OF THE STATE OF NEW YORK, against

George A. Herman

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse George A. Herman of the CRIME OF GRAND LARCENY IN THE SECOND DEGREE, committed as follows:

The said George A. Herman,

late of the City of New York, in the County of New York aforesaid, on the twentieth day of May, in the year of our Lord one thousand eight hundred and ninety-one, at the City and County aforesaid, with force and arms, in the day time of the same day, divers 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 a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of ninety two

\$72.00

dollars; divers other promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of ninety two

dollars; divers United States Silver Certificates of a number and denomination to the Grand Jury aforesaid unknown, of the value of ninety two

dollars; divers United States Gold Certificates of a number and denomination to the Grand Jury aforesaid unknown, of the value of ninety two

dollars; ~~divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of~~

and one gold coin of the United States of America, of the kind called "eagles", of the value of ten dollars.

of the goods, chattels and personal property of one Jennie S. Davidson 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.

John R. Fellows  
JOHN R. FELLOWS, District Attorney.

0908

**BOX:**

437

**FOLDER:**

4031

**DESCRIPTION:**

Hicks, George

**DATE:**

05/22/91



4031

0909

POOR QUALITY ORIGINAL

224  
649  
Keller  
Counsel,  
Filed 22 day of May 1891  
Pleads, guilty to

George Nicks  
vs.  
THE PEOPLE  
Grand Larceny, Second Degree.  
(From the Person.)  
[Sections 528, 531, Penal Code].

DE LORENZO, ESQ.  
JOHN R. FELLOWS,  
District Attorney.

A True Bill.

W. L. Skidmore  
May 28 1891 Foreman  
Pleads guilty  
H. M. G. M. D. S. P.  
J. J. Jones

Witnesses:  
William R. Magrath  
William H. Johnston

McNeely  
Ryba Ch  
Ren bees  
Dever an  
Dever in. P.  
An. E. C. ...  
Reck ...  
deu Regan  
m...

The People  
George Hicks  
Indictment for grand larceny in the second degree.  
William H. Masters, sworn and examined,  
testified. Where do you live? Mount Vernon. Where  
were you on the 25<sup>th</sup> of March, 1891? In the City  
Hall Elevated station. What property did you  
have on your person at that time? A dia-  
mond stud. Of what value? About one hun-  
dred and ten dollars. What time in the day?  
About six o'clock in the evening. Did you  
see this defendant there? I did not. Did  
you see the defendant at the station? I did  
not. You saw somebody else? Yes sir. Did you  
have the diamond stud there? Yes sir. Where  
was the diamond stud? It was in my tie,  
my neck tie, the same as any other stud.  
Did you miss it? I did not miss it until  
this gentleman called my attention to it, ch.

Magrathart. Do you remember what time it  
was when he called your attention to the fact?  
Yes sir, about the time that I stated, six o'clock.  
Wm. R. Magrathart, sworn and examined,  
testified. Where do you live? No. 215 East 122<sup>nd</sup> St.  
New York. Do you know the complainant here?  
I know him now, I never knew him  
before the affair. When did you see the def-  
endant first? About the 25<sup>th</sup> of March at the  
City Hall Elevated station. What time? About

six o'clock in the evening. Did you see this defendant do anything? Yes sir. What did you see him do? I saw him take a diamond stud from the complainant's necktie. What did he do then? He went away then. Did you cause his arrest? No sir.

By the Court

You were on the Elevated Railway station on your way home from your business? Yes, on my way home. You saw Mr. Martens there? Yes sir. Up to that time you had no acquaintance with him? No sir, never saw him before. You said a minute ago that you saw this defendant take Mr. Martens' stud, is that right? Yes sir. Just give us an idea how he did it? He had a newspaper in his hand and he came up. I thought he meant something to Mr. Martens. I thought he was a friend. I never suspected anything. I have seen people take things out of other persons' pockets in a jolt. I did not say anything to Mr. Martens at the time. He (the defendant) had the newspaper in his hand and he held it under Mr. Martens' chin this way (showing) and worked the stud out with the other hand. You saw the stud in Mr. Martens' tie? Yes sir. As soon as the newspaper came down the stud was gone and

so the prisoner was too? Yes sir. Then you called the attention of Mr. Martens to it? Yes. I got on the train and waited till he came in - we were both on the same train - I asked him if he missed a stud or anything? He said, yes. That is the man that you saw - the defendant? Yes sir. What was the next step taken? We got off the train and looked around and could not see him. We went on the train and made an engagement with him the next day to meet him and we went up to Police Headquarters. You made a complaint there and described the man? Yes. After this man was arrested did you go to the Police Court? I went to Headquarters. Did you identify this prisoner? Yes sir. Was Mr. Martens there at the time? No, he was not there at the time. But you identified him? Yes sir. Then I suppose you were examined at the Police Court? Yes sir. You also identified him there? Yes sir. You are satisfied he is the man holding up the newspaper? Yes sir, I am.

By a juror Was the prisoner alone or was he in company with somebody in the Police station when you identified him? O Yes, there was quite a few men around the room. Were they standing in a row? Standing

4

in a line

By the Court. This was in the day light on the 25<sup>th</sup> of March?

Yes sir. You certainly would know that man if you saw him again? Yes sir.

Cross Examined. You say it was about six p. m. on the 25<sup>th</sup> of March? Yes. You were going home? Yes, going home from business. Do you remember whether the 25<sup>th</sup> of March was rainy or clear or what sort of weather it was that day? Yes, it was a clear day as far as I can remember. I did not take particular notice. Was it perfectly light? No, it was not extra light; there was gas light there, half day light, just about dusk. Were there many people going up town that time? Yes, quite a few. What caused you to particularly notice this man? I could not help to notice him, he came up and worked the point. I did not like to say anything on the platform. Where were you standing, how far away from him? About three feet. And he stood alongside this man? Yes. What did he do? He took the pin from his tie as he held up the newspaper. You saw that act done? Yes, I saw it. What kind of clothes did this man have on that time? I only saw him from about here (pointing); he had a reddish brown overcoat with a half velvet collar and about three days growth of

heard on his face. How long was it from the time you saw this man on that evening until the time you were called to Headquarters to identify him? I should judge over a month. By what particular portion either of his features or clothes did you identify him, what was impressed most on your mind? His face. Did he still have a moustache on that time? Yes sir. Did you pick him out the first time at a glance when you reached the station house? I did, yes. When you did not make any outcry at that time at all, that is, did not call anybody's attention to the fact that a pin had been stolen until after the man had got on the car? No, I did not. Could you tell the jury why you did not? Because I did not know whether he was a friend or a thief or what he was, but I changed my mind. I thought I would speak to the gentleman about it as anybody else would do. I thought it was a joke first. I have had a friend come up to me and take my handkerchief out of my pocket.

Testified.

Thomas J. Wade, sworn and examined,  
You are connected with the Central office?  
Yes. On the 11<sup>th</sup> of May about a quarter to six o'clock in the evening I noticed this man Hicks, the prisoner, at Canal street

6

station and I was on the cars. I could not get off and went as far as Ninth Street. I beckoned to one of our officers to come along; we got off at Ninth Street and the prisoner came up on the cars; we jumped on and arrested him and brought him to Headquarters. His case had been reported on the 25<sup>th</sup> of March and another officer had it. The witness (Mr. Worguhart) picked the picture out in the Rogues' gallery, and the other officer went after the witness and the complainant; it was Officer Foley; the witness identified the prisoner at Headquarters; there were four or five men in line when he identified him.

Cross Examined. I was not present when Mr. Worguhart picked the picture out in the Rogues' gallery.

Q. Mr. Worguhart recalled. When I went to the Police Headquarters they showed me a gallery of pictures and I picked one out as the picture of the person whom I believed took the stud.

By Counsel. At the time you were in Police Headquarters when you identified this man did you express any feeling that you were not sure what coat or hat he had on? No, his hat I am not positive of, but his coat and his face I am. Did he have an overcoat on? Yes, a reddish brown overcoat, the same as far as I know.

Court of General Sessions for New York City.

The People  
vs.  
George Hicks

City and County of New York

George Hicks being duly sworn deposes as saith:

- I That I am the above named defendant, and am a mason by trade, and previous to my arrest was living with my mother at No. 58 Oliver St. New York City.
- II That on the 25<sup>th</sup> day of March 1891, the day of alleged larceny I was sick in bed with inflammatory rheumatism, and was unable to leave my room.
- III That at the time of my trial I had not retained counsel other than one assigned by the Court who was unacquainted with my case.

IV

That my trial came so soon after my arrest that I was unable to get my witnesses in Court, and having no witnesses, was advised by Counsel assigned to plead guilty.

V

That since my plea, I have retained counsel, and have obtained such evidence, which if I had had an opportunity and reasonable time to produce at my trial, would have probably changed the verdict and the failure to produce such evidence, in the trial was not owing to any want of diligence on my part.

Sworn to before me } Geo. Hicks  
this 6<sup>th</sup> of June 1891 }  
Roll. B. Abbott

Notary Public  
Kings County Certif. filed in N.Y. Co.

Rose Carey, sworn and examined, testified for the defendant. Where do you reside? No. 26 Beck St. Do you know this defendant at the bar? Yes. How long have you known him? Four years. Are you acquainted with his family? Yes sir. Are you any relative of his? No sir. Do you recollect the month of March of this year? Yes sir. Was this defendant ill during the month of March? Yes. He was not able to get out from the second of March till around the first of April. Was he confined in the house to your knowledge? Yes. Were you in the habit of visiting him? Yes. Do you remember the 25<sup>th</sup> of March? Yes. What day was it? I could not say the day. Do you know where he was on the 25<sup>th</sup> of March? He was in bed sick. Did you visit him on that day? It was in the evening. What time in the evening? From six to nine o'clock. You are positive you were in the house at his residence from six o'clock on the evening of March 25<sup>th</sup>? Yes sir, he was there.

Cross Examined. Where does the defendant live? No. 58 Oliver street. What is his business? I could not say. How long have you known him? Four years. You never heard what his business was? No sir. Did you ever hear of him working any place at all? No sir. Are you any relative of his? No sir. Where did you make his acquaintance? In a lady's house.

8  
What lady's house? In No 30 Martin street. Who is that lady? Mrs. Robertson. What sort of a house does she keep? She is a lady friend of my mother. Does she keep a boarding house? No. Is she married? Yes sir. Are you keeping company with the defendant at the bar? Yes. How long have you been keeping company with him? Four years. Are you married to him? No sir. He lives at 58 Oliver st. corner of Oliver and Oak streets, he lives with his mother. I am sure he was sick on the second of March and he continued to be sick down to the first of April. He had inflammatory rheumatism and he was confined to his bed. I was not in his room in the day time but I was there evenings after work. Do you work for a living? Yes sir. What do you work at? At Tappan's in Duane St. perfumery. I go to work at eight o'clock in the morning till six at night. I get off at three o'clock some days. The defendant was in bed when I visited him in the evenings. I think the 25<sup>th</sup> of March was on Saturday. The defendant pleaded guilty to grand larceny in the second degree, a juror having been withdrawn. The Recorder remanded him for sentence.

POOR QUALITY  
ORIGINAL

0920

Testimony in the  
case of  
George Hicks.  
Filed May  
1891

POOR QUALITY ORIGINAL

0921

Police Court 2 District.

Affidavit—Larceny.

City and County } ss:  
of New York, }

of No. William H. Martens  
Mount Vernon New York Street, aged 24 years,  
occupation Coal and Feed Dealer being duly sworn,  
deposes and says, that on the 25 day of March 1891 at the City of New York,  
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in  
the day time, the following property, viz:

One diamond and gold  
stud of the value of \$110.

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 George Hicks (now here) for the  
reason that on the above date he entered the  
Elevated Rail Road Station at City Hall and  
then had the above described property fastened  
on his coat, he had just entered the car from  
the platform when he was informed by  
William R. Urquhart, that he the said Urquhart  
saw the defendant Hicks take and  
carry the above described property from deponent's  
possession. Wherefore deponent prays that the  
said Hicks may be held and dealt with  
as the law directs.

William H. Martens

Sworn to before me, this

19

day

1891

of Wm. H. Martens  
Inspector Police Justice.



POOR QUALITY ORIGINAL

0923

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

2 District Police Court.

George Hicks 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. George Hicks.

Question. How old are you?

Answer. 24 years.

Question. Where were you born?

Answer. U. S.

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

Answer. 88 James Street. 12 years.

Question. What is your business or profession?

Answer. Mason.

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

Answer. I am not guilty.  
Geo. Hicks

Taken before me this

day of

March  
1891

Police Justice.

POOR QUALITY ORIGINAL

0924

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  
 William E. Mackone  
 Notary Public,  
 Henry Hicks  
 Offence Larceny

Date May 13 1891

Magistrate,  
 Made addressing  
 C.O. J  
 Precinct

Witnesses  
 William R. Chapman  
 118 Chambers Street



No. \_\_\_\_\_ Street \_\_\_\_\_  
 No. 207 Street 101  
 250 Broadway & May 16 1891  
 J. J. Conroy

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 May 13 1891 W. J. ... Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

649

**POOR QUALITY  
ORIGINAL**

0925

COURT OF GENERAL SESSIONS.

THE PEOPLE

against

GEORGE HICKS

NOTICE OF MOTION AND AFFIDAVITS.

FRANK J. KELLER,

ATTORNEY FOR DEFENDANT,

31 - 65 PARK ROW,

NEW YORK CITY.

**POOR QUALITY  
ORIGINAL**

0926

COURT OF GENERAL SESSIONS.

THE PEOPLE

against

GEORGE HICKS

NOTICE OF MOTION AND AFFIDAVITS.

FRANK J. KELLER,

ATTORNEY FOR DEFENDANT,

61 - 65 PARK ROW,

NEW YORK CITY.

Court of General Sessions

The People  
against  
George Hicks

Indictment for  
Grand Larceny

Sir:

Please take notice that the above named defendant will move this Honorable Court sitting in Part II thereof, on such day as is fixed or may hereafter be fixed for sentence, that the plea of guilty entered by him during the progress of the trial be set aside and withdrawn, and that he be permitted to renew or enter the plea of not guilty, and be allowed to have a trial under the present indictment; and that upon the hearing of the motion herein, the annexed affidavits will be produced in support hereof.

Dated June 3<sup>rd</sup> 1891.

Frank J. Keller.

To the Hon. Melaney Nicoll  
District Attorney, 63 Park Row

Court of General Sessions  
The People } Indictment for  
                  } Grand Larceny  
                  } against  
George Hicks }  
City and County of New York } ss.

Catherine O'Connell being duly sworn  
saith:

I am the mother of the  
defendant herein, and reside  
at No. 58 Oliver Street, in  
the city of New York, where I  
have lived for the last nine  
years. My son, the defendant,  
was living with me up to the  
time of his arrest, for the  
space of six months.

About the ninth of March  
1891 my son became ill with  
inflammatory rheumatism,  
and was confined to his bed,  
and became so bad that I  
sent for Dr. Shannon of  
No. 31 Oliver Street. He called  
on the twelfth of March and  
prescribed for him.

My son was confined to bed  
from the ninth of March to  
the twenty second of March,  
which day was Palm Sunday.  
On that day he went out stating  
that he was going to his barbers  
to get shaved. He came home  
shaved, but he immediately had  
a relapse and never left his  
bed from that day to the  
twenty eighth day of March 1891.  
My son was not out of the  
house on the twenty fifth of  
March 1891, and could not  
possibly walk, and could not  
even put his foot on the floor.

I would have been in Court  
on the day of the trial, but  
knew nothing of the matter,  
until a messenger came from  
my son saying ~~to come~~ to come  
to Court immediately, and I  
hastened to the Court, but to  
find him entering the prison  
van, the trial having been closed.

Sworn to before me

this second day of June 1891 - *div*

Clara D. Holm

Notary Public,  
Kings County.

GRATEFULLY FILED IN NEW YORK COUNTY.

Catherine M. Connell  
*mark*

Court of General Sessions

The People } Indictment for  
against } Grand Larceny  
George Hicks }

City of New York. } ss.  
County of New York }

Mary Turman  
being duly sworn, deposes.

I am the sister of the defendant  
and am a married woman.

I reside with my husband  
at No. 61 Oliver Street, in the  
city of New York which is directly  
opposite my mother's house.

I have read the affidavit of  
my mother, and confirm the  
same in every respect, as to  
my brother being confined to  
his bed from the ninth of  
March 1891 to the twenty eighth  
of that month, having every day, and  
frequently several times a day  
seen him confined to his bed.

It was a physical impossibility  
for him to be out on the street on  
the twenty fifth of March 1891.

POOR QUALITY  
ORIGINAL

0931

I was to have been in Court on  
the day of the trial but knew <sup>nothing</sup>  
of the matter until a messenger  
came to me from my brother  
and told me to go to Court  
immediately, and though I  
hastened to the Court, the trial  
was closed and I found my  
brother entering the prison van,  
I sworn to before me Mary Turman  
this second day of June 1891.

Charles D. Haly

Notary Public,  
Kings County,  
CERTIFICATE FILED IN NEW YORK COUNTY.

Court of General Sessions

The People  
against  
George Hicks

Indictment  
for Grand Larceny

City of New York }  
County of New York } S.S.

Rosa Carey being duly sworn saith,  
I reside at No. 26 Peck Slip  
in the city of New York, am a  
friend of the defendant and his  
family. I called at his mother's  
house No. 50 Oliver Street, daily  
during the month of March  
1891, in fact was a regular and  
continual visitor at the house.

I am aware, that on each and  
every occasion that I called,  
from about the early part of  
March up to the latter end thereof  
the defendant was confined to  
his bed as I was informed with  
inflammatory rheumatism, I often  
sat beside his bed to keep him  
company some times with

POOR QUALITY  
ORIGINAL

0933

his mother, and sometimes  
without her. It was impossible  
for him to have left his bed  
on the 25<sup>th</sup> of March 1891.  
Sworn to before me      Rose Carey  
this second day of June 1891.  
Clara D. Holden

Notary Public,  
Kings County.

CERTIFICATE FILED IN NEW YORK COUNTY.

C O U R T O F G E N E R A L S E S S I O N S .

T H E P E O P L E  
                  a g a i n s t  
G E O R G E H I C K S .

JAMES C. SHANNON being duly sworn, saith:

First: I am a practicing Physician in the City of New York and a graduate of the University of New York. I am practicing at Number 31 Oliver Street.

Second: I was called upon professionally to attend the defendant herein on the Twelfth (12th) of March, 1891 and found him confined to his bed at Number 53 Oliver Street; he was suffering from a severe attack of inflammatory rheumatism; I prescribed for him and on the Seventeenth instant his sister, Mrs. Furman called at my office and informed me he was worse and I prescribed for him again.

Third: In my opinion it would have been improbable if not impossible for the defendant to have gone out and walked any distance on the Twenty-fifth (25th) of March, 1891.

I base this from having seen him and from the state in which he was and from the prescriptions which I ordered.

Sworn to before me, this  
Third day of June, 1891.

*James C. Shannon M.D.*

*David Stenulick*

COMMISSIONER OF DEEDS  
FOR THE CITY AND COUNTY OF NEW YORK.

Court of General Sessions for City of New York.

The People vs.  
vs.  
George Hicks

City and County of New York } ss.

George Hicks being duly sworn deposes and saith  
1. That I am the above named defendant, am a masonry trade and previous to my arrest was living with my mother at No. 58 Oliver St New York City.

2. That on the 25<sup>th</sup> day of March 1891, the day of alleged larceny, I was sick in bed with inflammatory rheumatism, and was unable to leave my room.

3. That at the time of <sup>my</sup> trial I had not retained counsel other than one assigned by the Court who was unacquainted with my case.

- 4 That my trial came so soon after my arrest that I was unable to get my witnesses in Court, and having no witnesses, was advised, by Counsel assigned, to plead guilty.
- 5 That since my plea I have retained Counsel and have obtained such evidence which if I had had an opportunity and reasonable time to produce at my trial would have probably changed the verdict; and the failure to produce such evidence in the trial was not owing to any want of diligence on my part.

Sworn to before me  
this 6<sup>th</sup> of June 1891. } Geo. Heets  
Robt B. Abbott

Notary Public,  
King County, Calif filed in N.Y. Co.

**POOR QUALITY ORIGINAL**

0937

*Suit of General Sessions  
n.y.*

*The People*

*vs.*

*George Hicks*

*Affidavit of  
George Hicks*

Court of General Sessions

The People  
against  
George Hicks

Indictment for  
Grand Larceny

Sir:

Please take notice that  
the above named defendant  
will move this Honorable  
Court sitting in Part II thereof,  
on such day as is fixed or  
may hereafter be fixed for  
sentence, that the plea of  
guilty entered by him during  
the progress of the trial be  
set aside and withdrawn,  
and that he be permitted to  
renew or enter the plea of  
not guilty, and be allowed  
to have a trial under the present  
indictment, and that upon the  
hearing of the motion herein, the  
annexed affidavits will be  
produced in support hereof.

Witness my hand and seal  
this 3rd day of June 1891.  
Frank J. Keller  
City of New York  
1015 103rd St. 63rd Park Ave

To the Hon. Delaney Nicoll  
Clerk of the Court

Court of General Sessions.

The People  
against  
George Hicks

Indictment  
for Grand Larceny.

City and County of New York. } ss.

Catherine O'Connell being  
duly sworn saith.

I am the  
mother of the defendant herein  
and reside at No. 58 Oliver  
Street in the city of New  
York, where I have lived  
for the last nine years.

My son the defendant  
was living with me up to  
the time of his arrest, for  
the space of six months  
About the ninth of March  
1891 my son became ill, with  
inflammatory rheumatism,  
and was confined to his bed,  
and became so bad, that I  
sent for Dr. Shannon of  
No. 30 Oliver Street. He called

on the twelfth of March and  
prescribed for him. My son  
was confined to bed from the  
ninth of March to the twenty  
second of March which day  
was Palm Sunday.

On that he went out stating  
that he was going to his  
barber's to get shaved. He  
came home shaved, ~~but~~ he  
immediately had a relapse  
and never left his bed  
from that day to the twenty  
eighth day of March 1891.

My son was not out  
of the house on the twenty  
fifth of March 1891 and  
could not possibly walk  
and could not even put  
his foot on the floor.

I would have been in  
Court on the day of the  
trial but knew nothing  
of the matter until a  
messenger came from  
my son saying to me  
to come to Court immediately.

POOR QUALITY  
ORIGINAL

0941

and I hastened to the Court  
but to find him entering  
the prison van, the trial  
having been closed.

And so to before me

this second day of June 1891

Charles D. Holm <sup>her</sup> Catherine + O'Connell  
Notary Public <sub>mark</sub>

Kings County

Certificate filed in New York County

Court of General Sessions

The People } Indictment  
against } for Grand Larceny  
George Hicks }

City of New York }  
County of New York } S.S.

Mary Thurman  
being duly sworn, saith,

I am the sister of the defendant  
and am a married woman.

I reside, with my husband,  
at No 61 Oliver Street, in  
the city of New York, which  
is directly opposite my mother's  
house. I have read the  
affidavit of my mother, and  
confirm the same in every  
respect, as to my brother  
being confined to his bed  
from the ninth of March  
1891 to the twenty eighth of  
that month, having every day  
and frequently several  
times a day seen him con-  
fined to his bed. It was  
a physical impossibility

for him to be put on the street  
on the twenty fifth of March  
1891.

I was to have been in  
Court on the day of the trial  
but knew nothing of the  
matter, until a messenger  
came to me from my brother,  
and told me to go to the Court  
immediately, and though  
I hastened to the Court  
the trial was closed, and  
I found my brother entering  
the prison, was  
sworn to before me Mary Furman  
this second day of June 1891.

Charles H. Nolan

Notary Public

Kings County

Certificate filed in New York County.

Court of General Sessions

The People  
against  
George Hicks

Indictment for  
Grand Larceny.

City of New York }  
County of New York } ss.

Rosa Carey  
being duly sworn saith:  
I reside at No. 26 Park Slip  
in the city of New York; am  
a friend of the defendant  
and his family. I called  
at his mother's house No. 58  
Oliver street, daily, during  
the month of March 1891,  
in fact was a regular and  
continual visitor at the house.

I am aware, that on each  
and every occasion that I  
called from about the early  
part of March up to the  
latter end thereof, the defendant  
was confined to his bed, as  
I was informed with infam-  
atory rheumatism, I often

POOR QUALITY  
ORIGINAL

0945

sat beside his bed to keep him  
company some times with  
his mother, and sometimes  
without her. It was  
impossible for him to have  
left his bed on the 25<sup>th</sup> of  
March 1891.

Sworn to before me Rosa Carey  
this second day of June 1891.

Charles H. Holme  
Notary Public

Kings County

Certificate filed in New York County

POOR QUALITY ORIGINAL

0946

COURT OF GENERAL SESSIONS.

THE PEOPLE  
against  
GEORGE HICKS.

JAMES C. SHANNON being duly sworn, saith:

First: I am a practicing Physician in the City of New York and a graduate of the University of New York. I am practicing at Number 31 Oliver Street.

Second: I was called upon professionally to attend the defendant herein on the Twelfth (12th) of March, 1891 and found him confined to his bed at Number 58 Oliver Street; he was suffering from a severe attack of inflammatory rheumatism; I prescribed for him and on the Seventeenth instant his sister, Mrs. Furman called at my office and informed me he was worse and I prescribed for him again.

Third: In my opinion it would have been improbable if not impossible for the defendant to have gone out and walked any distance on the Twenty-fifth (25th) of March, 1891. I base this from having seen him and from the state in which he was and from the prescriptions which I ordered.

Sworn to before me, this  
Third day of June, 1891.

:  
:  
: *James C. Shannon M.D.*

*David Sternlicht*  
*Commissioner of Deeds*  
*for the City and County of New York*

**POOR QUALITY  
ORIGINAL**

0947

COURT OF GENERAL SESSIONS.

THE PEOPLE  
against  
GEORGE HICKS.

NOTICE OF MOTION AND AFFIDAVITS.

FRANK J. KELLER,  
ATTORNEY FOR DEFENDANT,  
61 E 65 PARK ROW,  
NEW YORK CITY.



POOR QUALITY  
ORIGINAL

0948

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*George Hicks*

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

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

The said

*George Hicks*

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

*one stud of the value  
of one hundred and ten dollars*

of the goods, chattels and personal property of one *William H. Martens*  
on the person of the said *William H. Martens*  
then and there being found, from the person of the said *William H. Martens*  
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 Lancy Nicoll,  
District Attorney*

0949

**BOX:**

437

**FOLDER:**

4031

**DESCRIPTION:**

Hildreth, Samuel C.

**DATE:**

05/28/91



4031

POOR QUALITY ORIGINAL

0950

Witnesses:

Joseph Turek  
Albert Stoessel

In examination of the  
with case disclose the fact  
That there were criminal  
intent whether on the part  
of defendant or long on former  
with complainant & his counsel  
directed the information that  
The complainant himself be-  
lieved the defendant did not  
intend to kid complainant at  
the time. Made the exam-  
ination of the case a per-  
sonal comit defendant also  
Therefore recommend his dis-  
charge on his very recognisance  
Sept-1858. John T. Stone  
D.D.A.

Counsel,

Filed 28 day of May 1859

Pleas,

Not guilty James H.

ENTERED  
T.L.M.

THE PEOPLE

vs.

Samuel C. Hildreth

Assault in the Second Degree.  
(Section 218, Penal Code).

JOHN R. FELLOWS

Part 2. District Attorney  
Oct 5th 1858  
On motion of dist. atty  
def. discharged on his  
own recognizance.  
A True Bill  
R.S.

W. S. Richmond  
Foreman.

Handwritten notes and signatures, including "J. T. Stone" and "D.D.A."

**POOR QUALITY ORIGINAL**

0951

Police Court 2 District 3

City and County of New York, } ss.:

of Franklin Avenue at 4<sup>th</sup> Street Guttenburg, New Jersey Street, aged 32 years, occupation Carpenter being duly sworn

deposes and says, that on the 23<sup>rd</sup> day of March 1887 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Samuel Aldreth, (now here) for the reason that deponent was a passenger on a surface car passing along 4<sup>th</sup> Street, and was struck upon the head with a stone or some hard substance likely to produce bodily harm. Deponent is informed by Albert Stoessel (now here) that he was a fellow passenger and saw the defendant on said car and saw him ejected and saw deponent struck with a missile thrown by some person

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

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

Sworn to before me, this 1<sup>st</sup> day of May 1887. } Joseph Turck

Admiral Police Justice.

**POOR QUALITY ORIGINAL**

0952

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Albert Strossell*

aged *35* years, occupation *Porter* of No.

*431 6<sup>th</sup>* *Waverly* Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *Joseph Turk*

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

Sworn to before me, this *1*  
day of *May* 18*99*.

*A. Strossell*

*A. W. Malcolm*

Police Justice.

**POOR QUALITY ORIGINAL**

0953

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

Samuel Hildreth 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. Samuel Hildreth

Question. How old are you?

Answer. 27 years

Question. Where were you born?

Answer. Missouri

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

Answer. 100 West 31<sup>st</sup> St. 6 months

Question. What is your business or profession?

Answer. Horse 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  
Samuel C. Hildreth

Taken before me this 1st  
day of May 1891  
H. H. Ingraham

Police Justice.

**POOR QUALITY ORIGINAL**

0954

CITY AND COUNTY OF NEW YORK } ss.

POLICE COURT, 2 DISTRICT.

of No. 20<sup>th</sup> Precinct Street, aged 44 years,  
occupation Police Officer being duly sworn, deposes and says  
that on the 23<sup>rd</sup> day of March 1891  
at the City of New York, in the County of New York Samuel Hildrett

(now here) assaulted Joseph Fork who is now  
confined in Roosevelt Hospital suffering  
from his injuries and is unable to appear in  
Court as shown by the annexed certificate  
and deponent asks that the defendant be held  
to await the result of said Fork injuries.  
Francis M<sup>o</sup> Taggart

Sworn to before me, this

of March 1891

24 day

Samuel Hildrett

Police Justice.

0955

POOR QUALITY ORIGINAL

Police Court, 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Francis Mc Teggut  
vs.  
~~Joseph Hook~~  
Samuel Hildreth

AFFIDAVIT.

The presiding magistrate is authorized to hear and determine this case in my absence, and to accept bail.  
*John Henry D. ...*  
Police Justice.

Dated, March 24<sup>th</sup> 1891

Hard Magistrate.

Mc Teggut Officer.  
20 Puc

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

\$2500. bail for £  
March 28<sup>th</sup> 9:30 a.m.

Disposition £  
March 26<sup>th</sup> 9:30 a.m.  
April 10<sup>th</sup> 2 P.M.  
April 29 2 P.M.  
May 1 2 P.M.

**POOR QUALITY ORIGINAL**

0956

Sec. 192.

2 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY )  
OF NEW YORK, } ss.

An information having been laid before Henry Ford a Police Justice of the City of New York, charging Samuel Heareck Defendant with the offence of Assault

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

We, Samuel Heareck Defendant of No. Gustentzen Race track Rd. Street; by occupation a Horse owner and Albert J. Adams of No. 361 West 32 Street, by occupation a Broker Surety, hereby jointly and severally undertake that the above named Samuel Heareck Defendant shall personally appear before the said Justice, at the 2<sup>nd</sup> District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York the sum of Twenty five Hundred Dollars.

Taken and acknowledged before me, this 27 day of March 1891.  
Albert J. Adams  
Henry Ford POLICE JUSTICE.

POOR QUALITY ORIGINAL

0957

CITY AND COUNTY OF NEW YORK } ss.

Sworn to before me, this 27th day of March 1891  
John J. [unclear] Police Justice

Sworn to before me, this 27th day of March 1891

*Albert J. Adams*  
the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth *fifty* Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of *the house and lot of land 218 West 78th Street valued \$50,000*

*Albert J. Adams*

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
vs.  
Undertaking to appear during the Examination.

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

Justice.

POOR QUALITY ORIGINAL

0950

BAILED

No. 1, by Samuel Russell  
 Residence 619 6<sup>th</sup> Avenue  
 No. 2, by Sheldon W. Foster  
 Residence 340 W 44<sup>th</sup> St  
 No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_  
 No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_

Police Court... District.

579

THE PEOPLE, etc.,  
 ON THE COMPLAINT OF  
Joseph Smith  
Superintendent of  
Butterick's Mill  
Daniel McNeil

Offence Assault

Dated May 1 1891  
Memoriam Magistrate  
McTaggart Officer  
New York Precinct  
 Witness Alfred Stewart  
 No. 331 6<sup>th</sup> Avenue

No. 331 6<sup>th</sup> Avenue  
John C. Stewart  
Collector of Taxes  
 No. 331 6<sup>th</sup> Avenue  
John C. Stewart  
 No. 331 6<sup>th</sup> Avenue  
John C. Stewart

See Memorandum of order  
 in my office  
Robert E. Remick

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 gives such bail.

Dated May 1 1891 Memoriam Police Justice.

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

Dated May 1 1891 Memoriam 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.

POOR QUALITY  
ORIGINAL

0959

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Samuel C. Hildreth*

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

*Samuel C. Hildreth*

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

The said

*Samuel C. Hildreth*

late of the City and County of New York, on the *twenty-third* day of *March*, in the year of our Lord one thousand eight hundred and ~~eighty-ninety-one~~ with force and arms, at the City and County aforesaid, in and upon one

*Joseph Turck*  
in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault; and the said *Samuel C. Hildreth*

with a certain *stone* which *he* the said

*Samuel C. Hildreth*  
in *his* right hand then and there had and held, the same being then and there a weapon and an instrument and ~~weapon~~ likely to produce grievous bodily harm, *him*, the said *Joseph Turck* then and there feloniously did wilfully and wrongfully strike, beat  
bruise and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

**POOR QUALITY ORIGINAL**

0960

SECOND COUNT—

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

*Samuel C. Aldrich*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Samuel C. Aldrich*

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

*Joseph Turck*

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault; and the said *Samuel C. Aldrich*

the said *Joseph Turck*

with a certain *stone*

which *he* the said *Samuel C. Aldrich*

in *his* right hand then and there had held, in and upon the

*head* of *him* the said *Joseph Turck*

then and there feloniously did wilfully and wrongfully strike, beat, bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said *Joseph Turck*

*Turck* to the great damage of the said *Joseph Turck*

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.

DELANO COLL,  
**JOHN R. FELLOWS,**  
District Attorney.

0961

**BOX:**

437

**FOLDER:**

4031

**DESCRIPTION:**

Hill, George

**DATE:**

05/28/91



4031

POOR QUALITY ORIGINAL

0962

Witnesses:

*Francis Parson*

*Upon reading the within withdrawal & after an interview with the complainant I saw that the prisoner be discharged on his own recognizance  
Aug 23-92 G.S.H.  
A.D.C.*

*281*  
*John May 1892*  
Counsel,  
Filed *28* day of *May* 1892  
Pleaded *Guilty*

THE PEOPLE

vs.  
*George Hill*

Assault in the Second Degree.  
(Section 218, Penal Code).

*Part 2*  
*J. May 1892*  
JOHN R. FELLOWS,  
District Attorney.  
*On motion of District Attorney defendant discharged on his own recognizance*  
A TRUE BILL

*W. E. Skidmore*  
Foreman.

*Aug 23-92*  
*G.S.H.*  
*Forfeited \$1000/92*

POOR QUALITY  
ORIGINAL

0963

New York General Sessions.

PEOPLE ON MY COMPLAINT,  
VERSUS

George Hill

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.

And further I have since found out to my satisfaction that the assault was not committed intentionally by the defendant: that he is a respectable man, and employed steadily.

I therefore respectfully ask that this Honorable Court may permit the Complaint by me made to be withdrawn.

Given my. June 30<sup>th</sup> 1892  
J. Frank M. Parker

**POOR QUALITY ORIGINAL**

0964

Sec. 192.

3 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before John J. Ryan a Police Justice of the City of New York, charging George Hill Defendant with the offence of Felony Assault

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

We, George Hill Defendant of No. 80 Willst

Street; by occupation a Bar tender

and John Stelling of No. 13- Willst

Street, by occupation a Clerk Surety, hereby jointly and severally undertake that

the above named George Hill Defendant

shall personally appear before the said Justice, at the 3<sup>rd</sup> District Police Court in the City of New York,

during the said examination, or that we will pay to the People of the State of New York the sum of         

Hundred Dollars.

Taken and acknowledged before me, this 17 day of May 1887

John Ryan POLICE JUSTICE. George Hill  
John Stelling

**POOR QUALITY ORIGINAL**

0965

CITY AND COUNTY OF NEW YORK, } ss.

*John Stebbins*  
day of  
Justice

Sworn to before me this

188

the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth 2000 Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of

One Lot Situated  
1584 E. 158th Street Valued at  
\$2500 Truly five hundred Dollars  
Clear *John Stebbins*

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Undertaking to appear during the Examination.*

vs.

Taken the day of

188

Justice.

POOR QUALITY ORIGINAL

0966

Police Court B District.

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

of No. 32 Division Street, aged 19 years,  
occupation Clerk being duly sworn

deposes and says, that on the 16th day of May 1891 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by George Hill (now here) who wilfully and maliciously cut and stabbed deponent in the right eye with the ferrule of an umbrella he then deponent then and there held in his hand. Deponent further says that such assault was committed,

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

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

Sworn to before me, this 17th day }  
of May 1891 } Frank Parker  
John Ryan Police Justice.

**POOR QUALITY ORIGINAL**

0967

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*George Hill* 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. *George Hill*

Question. How old are you?

Answer. *23 years old*

Question. Where were you born?

Answer. *New York City*

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

Answer. *50 West 24th St New York*

Question. What is your business or profession?

Answer. *Butcher*

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*

*George Hill*

Taken before me this

day of

*John H. [Signature]*

Police Justice.

**POOR QUALITY ORIGINAL**

0958

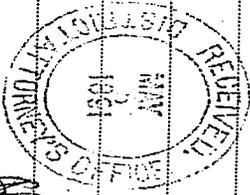
BAILED,  
 No. 1, by John Stelling  
 Residence 113 7th St. H.  
 Street \_\_\_\_\_  
 No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_  
 Street \_\_\_\_\_  
 No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_  
 Street \_\_\_\_\_  
 No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_  
 Street \_\_\_\_\_

31  
 Police Court---  
 District. 995

THE PEOPLE, vs.,  
 ON THE COMPLAINT OF  
Frank Parker  
132 Broadway  
George Hill  
 1  
 2  
 3  
 4  
 Offence Assault  
"felony"

Dated May 14 1891

Payson Magistrate.  
Robert V. Young District Attorney.  
Sam Eggen Defendant.



Witnesses:  
 No. \_\_\_\_\_  
 Street \_\_\_\_\_  
 No. \_\_\_\_\_  
 Street \_\_\_\_\_  
 No. \_\_\_\_\_  
 Street \_\_\_\_\_

John Stelling  
113 7th St. H.  
May 21 3:00 PM

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 May 21 1891 John Ryan Police Justice.

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

Dated May 22 1891 John Ryan 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.

POOR QUALITY  
ORIGINAL

0969

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*George Hill*

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

*George Hill*

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

The said

*George Hill*

late of the City and County of New York, on the *sixteenth* day of  
*May*, in the year of our Lord one thousand eight hundred and  
~~eighty~~ *eighty-one*, with force and arms, at the City and County aforesaid, in and upon one

*Frank Parker*

in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make an assault; and the said

*George Hill*

with a certain *umbrella stick* which *he* the said

*George Hill*  
in *his* right hand then and there had and held, the same being then and there  
a weapon and an instrument ~~and weapon~~ likely to produce grievous bodily harm,

*him*, the said *Frank Parker* then  
and there feloniously did wilfully and wrongfully strike, beat, *cut*  
bruise and wound, against the form of the statute in such case made and provided, and  
against the peace of the People of the State of New York and their dignity.

*De Lancy Roll,*  
*District Attorney.*

0970

**BOX:**

437

**FOLDER:**

4031

**DESCRIPTION:**

Holmes, Henry L.

**DATE:**

05/21/91



4031

POOR QUALITY ORIGINAL

0971

Paul H. W. H.

WITNESSES:

Hamilton S. Gordon  
S. C. Menger

after a full investigation of this case, I am willing to take the plea offered by the Prisoner - guilty of a misdemeanor having violated Sec 592 of the Penal Code

Aug 29 1911  
A.D.A.

W. L. Skidmore  
1892  
Counsel,  
Filed  
Pleads

day of May 1891

Myself

THE PEOPLE

vs.  
Henry S. Holmes

[MISAPPROPRIATION, General Larceny, &c.]  
[Sections 528, 531, 572 of the Penal Code]

De Lancey Nicoll  
JOHN R. FELLOWS

District Attorney.

Paul S. May 29/91  
Pleads guilty.  
22 Corn

A TRUE BILL

W. L. Skidmore

Foreman.

Aug 29<sup>th</sup> May 26<sup>th</sup>  
9:15  
2 Mrs. Pen. Ct.

**POOR QUALITY ORIGINAL**

0972

Police Court 5<sup>th</sup> District.

Affidavit—Larceny.

City and County }  
of New York, } ss:

Hamilton S. Gordon

of No. 48 West 84<sup>th</sup> Street, aged 46 years,  
occupation Merchant being duly sworn,

deposes and says, that on the 4<sup>th</sup> day of July, 1889 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 Piano of the value of  
Two hundred dollars

the property of deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Henry G. Holmes from the fact that

on the 3<sup>rd</sup> day of March, 1889 - the said Henry G. Holmes came from deponent's said piano - and paid rent for the same up to July, 3, 1889 - and since said time, said Henry G. Holmes never said piano from his residence 388 Bridge Street Brooklyn - and deponent has not been able to locate said piano since said removal that said piano was removed without the consent of deponent, and he has not been able to find said Henry G. Holmes since said time until this morning the 8<sup>th</sup> day of May, 1891 - when deponent saw the said Henry G. Holmes under arms in Brooklyn - deponent therefore charged the said Henry G. Holmes with larceny, feloniously taken stolen and carried away said piano and pray that he may meet due death with or the law direct

Hamilton S. Gordon

Sworn to before me, this 8<sup>th</sup> day

of May, 1891

Police Justice

**POOR QUALITY ORIGINAL**

0973

Sec. 198-200.

5

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Henry L. Holmes* 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. *Henry L. Holmes*

Question. How old are you?

Answer. *28 yrs*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *216 W-30<sup>th</sup> St* *6 months*

Question. What is your business or profession?

Answer. *Porter*

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

Answer. *I am not guilty*

*Henry L. Holmes*

Taken before me this

day of

*Wm. J. Hall*  
1889

Police Justice.

**POOR QUALITY ORIGINAL**

0974

State of New York, }  
COUNTY OF KINGS, } ss.  
CITY OF BROOKLYN.

of *William Flaw*  
*the 5. District Precinct, N. Y. C.* being duly sworn, says  
he is acquainted with the handwriting of *Charles W. M. M.*  
the Justice who issued the annexed warrant, and that the signature to this warrant is in  
the handwriting of said *Charles W. M. M.*

Sworn to before me this *9.* day  
of *July* 18*91*

*Phillips Blake*  
POLICE JUSTICE.

**POOR QUALITY ORIGINAL**

0975

Brooklyn, N. Y.,

May 9. 1891

The annexed warrant may be executed in the City of Brooklyn.

*[Signature]*  
Police Justice.

This warrant may be served in the night time or on Sunday.

.....  
Police Justice.

**POOR QUALITY ORIGINAL**

0976

Sec. 151.

Police Court 3<sup>rd</sup> District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Hamilton J. Gordon of No. 48 West 84<sup>th</sup> Street, that on the 4 day of July 1889 at the City of New York, in the County of New York, the following article to wit:

One piano

of the value of two hundred Dollars, the property of Hamilton J. Gordon

was taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by Henry L. Holmes

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 3<sup>rd</sup> 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 8 day of July 1889  
Wm. J. [Signature] POLICE JUSTICE

**POOR QUALITY ORIGINAL**

0977

Police Court ..... District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated ..... 188

Magistrate

Officer.

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

*Philip Blau*  
Officer.

Dated *May 14<sup>th</sup>* 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

*Henry L. Jones* 28, W. S. 216, W. 35<sup>th</sup>

28-11-S-216 W 35<sup>th</sup>  
Peter - M

POOR QUALITY ORIGINAL

0978

BAILIED,

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

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

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

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

185 (NY) 648  
Police Court District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William J. Bondar  
48 W 24 St  
Horn & Horn

1  
2  
3  
4

Offence \_\_\_\_\_

Dated May 14 1891

Walter Magistrate  
Officer

Witnesses  
E. Conant  
James Cook  
Precinct

No. 136, 14th Street

No. 228  
James Cook  
Street



No. 1000  
16th St.  
Street

34 15th St.  
1000, Bondar

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 May 14 1891 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

POOR QUALITY ORIGINAL

0979

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK, against

Henry D. Holmes

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

The said Henry D. Holmes,

late of the City of New York, in the County of New York aforesaid, on the 10th day of July in the year of our Lord one thousand eight hundred and eighty nine, at the City and County aforesaid, being then and there the clerk and servant of William S. Gordon

W. S. Gordon,

and as such clerk and servant then and there having in his possession, custody and control certain moneys, goods, chattels and personal property of the said

William S. Gordon,

the true owner thereof, to wit: one piano of the value

of two hundred dollars,

the said Henry D. Holmes, 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 piano

to his own use, with intent to deprive and defraud the said William S. Gordon, of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said William S. Gordon,

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.

JOHN R. FELLOWS, District Attorney.

Second Point. -

And the Defendant says & avers that by this indictment further accuse the said Henry D. Holmes of the crime of disposing of said property without the consent of the owner thereof, committed as follows:

The said Henry D. Holmes, late of the City and County of Queens, afterwards to wit: on the day and in the year aforesaid, at the City and County aforesaid, having then & there before received from one Hamilton S. Gordon, a certain quantity of the value of two hundred dollars, of the goods, wares and personal property of the said Hamilton S. Gordon, did unlawfully, without the consent of the said Hamilton S. Gordon, dispose of the said goods in a manner to the Defendant 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 Bonis Hill,

District Attorney

0981

**BOX:**

437

**FOLDER:**

4031

**DESCRIPTION:**

Hoser, Leopold

**DATE:**

05/12/91



4031

0982

*J. Chamberlain*  
*207 Bldg*

Counsel,  
Filed *12 May 1891*  
Pleads, *Guilty 13*

THE PEOPLE  
vs.  
Grand Larceny Second Degree.  
[Sections 528, 531, Penal Code.]

*Leopold Hoover*

*committed Jan 11 1912*  
*off to jail term 18 months*

*Wm. G. De Lancey Nicoll*  
*District Attorney*

*Par. 3, January 12, 1892*  
*may be had on request*

A True Bill.  
*[Signature]*

*W. S. Skidmore*

Foreman.  
*[Signature]*  
*[Signature]*

Witnesses:

*This case*

POOR QUALITY ORIGINAL

0983

Police Court

District.

Affidavit-Larceny.

City and County of New York, ss:

Bernard M. Saunter

of No. 46 Broadway Street, aged 54 years, occupation Merchant being duly sworn,

deposes and says, that on the 23rd day of April 1891 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

A quantity of cigar and cigarette cases a quantity of cigar and cigarette tubes in leather cases and in a canvas telescope the whole valued at one hundred dollars

\$100.00

the property of M. S. Saunter and Company of which said deponent is a partner

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 Leopold Hoer (now here) from the fact that defendant came to deponent's place of business on said date and said property was on the 3rd floor of the said premises. Deponent saw the defendant handle said property which was in said telescope standing on a trunk. That deponent missed said property after defendant had left said premises. Deponent therefore believes said property was taken carried away and stolen by defendant and prays that he be arrested and held to answer

Bernard M. Saunter

Sworn to before me, this 27th day of April 1891  
Charles M. ... Police Justice

**POOR QUALITY ORIGINAL**

0984

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Leopold Horer*

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. *Leopold Horer*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *Austria*

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

Answer. *202 7<sup>th</sup> Street 3 months*

Question. What is your business or profession?

Answer. *Paddler*

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  
Leopold Horer*

Taken before me this

day of

*Sept 1891*

Police Justice.

POOR QUALITY ORIGINAL

0985

96-1000 for 5x  
April 25 1891

DAILED,  
No. 1, by *Jacoby Schultz*  
Residence *320 E 79th St*  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

96 Roll reduced 556  
Police Court... District

THE PEOPLE, vs.,  
ON THE COMPLAINT OF  
*Arnold M. Stump*  
*246th Broadway*  
*149th Street*  
Offence \_\_\_\_\_

Date *April 24 1891*  
Magistrate *Jacoby*

Witnesses *Martin & Sawyer*  
No. *416 Broadway*  
Street  
*William Sawyer*  
No. *416 Broadway*  
Street

No. *277*  
Street  
*[Signature]*  
District Clerk  
APR 25 1891  
DISTRICT CLERK

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 *April 25 1891* *Charles L. Santa* 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.

**POOR QUALITY  
ORIGINAL**

0986

A. H. BERRICK,  
Attorney and Counsellor at Law,  
258 & 259 BROADWAY,  
Cor. Warren Street.

New York, October, 29th 1891

Hon. Delancey Nicoll,

Distret Attorney, City.

Dear Sir:-

In the latter part of April, 1891 one Leopold Ozer  
of No. 202 7th Street was arrested upon the complaint of M.N.  
Sampter & Co. charged with grand larceny, *+ indicted.*

Prior to the vacation, the case appeared upon  
the day calendar, various times, but was invariably adjourned, owing  
to the fact that your assistants were never ready to proceed with  
the trial.

Although my client is now released on bail, he is  
anxious to have this case disposed of. May I kindly request you  
to let me know with bearer, what the object is in not bringing this  
matter to a trial.

Can you not put it upon the day calendar at once and  
dispose of it?

Very respectfully yours,

*A. H. Berrick*  
Attorney

**POOR QUALITY ORIGINAL**

0987

A. H. BERLIN  
Attorney and Counselor at Law  
125 & 127 BROADWAY  
New York 4, N.Y.

New York, October 28, 1950

Hon. Daniel W. McCall,  
District Attorney, City of New York

*Leopold Ozer*

Dear Sir:

I have the honor to acknowledge the receipt of your letter of October 26, 1950, in which you request that I advise you as to the status of the application for a writ of habeas corpus filed by Leopold Ozer on October 24, 1950.

The application was assigned to the Honorable Judge Charles W. Mitchell, who has advised that the writ will be granted.

*Leopold Ozer*

POOR QUALITY  
ORIGINAL

0988

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Leopold Hoser*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this  
indictment, accuse *Leopold Hoser*

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

The said *Leopold Hoser*

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

a quantity of cigar cases (a more particular  
description whereof is to the Grand Jury  
aforesaid unknown) of the value of twenty-  
five dollars, a quantity of cigarette cases, of  
a more particular description whereof is  
to the Grand Jury aforesaid unknown) of  
the value of twenty-five dollars, a quantity  
of cigar tubes, (a more particular description whereof  
is to the Grand Jury aforesaid unknown) of the value  
of fifteen dollars, a quantity of cigarette tubes (a  
more particular description whereof is to the  
Grand Jury aforesaid unknown) of the value of  
fifteen dollars, a quantity of leather cases (a more  
particular description whereof is to the Grand  
Jury aforesaid unknown) of the value of ten  
dollars, and one camera telescope of  
the value of ten dollars  
of the goods, chattels and personal property of one *Bernard M. Samter*

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

*De Lancey Nicoll,*  
District Attorney

0989

**BOX:**

437

**FOLDER:**

4031

**DESCRIPTION:**

Huppe, Alexander

**DATE:**

05/27/91



4031

POOR QUALITY ORIGINAL

0990

Witnesses:

off Geo Beamerlein  
27 Prec +

Counsel, *W. L. Skidmore*  
Filed *27* day of *May* 1887  
Plends, *Not Entry 287*

THE PEOPLE  
MURDER IN THE FIRST DEGREE.  
(Section 183, Penal Code.)

*47* *Wm. H. Phelps*  
*80* *electronic*  
*Alexander Huppel*

*William H. Phelps*  
~~JOHN R. PHIBBS~~

*Sept 28. 1891. 2. 1000*  
*Sept 29. 1891. 1. 1000*  
*Oct 19. 1891. 1. 1000*  
A True Bill. *W. L. Skidmore*

*W. L. Skidmore*

*Part 3. October 22/91.*  
*trial and convicted.*  
*Manuscript 1 1/2 dec*  
*1891.*

*W. L. Skidmore*

POOR QUALITY  
ORIGINAL

09991

Department of  
PUBLIC CHARITIES AND CORRECTION,  
Office of City Prison, Corner of Franklin and Centre Streets,

HENRY H. PORTER, Pres't,  
CHARLES E. SIMMONS, M. D., } Commissioners.  
EDWARD G. SHEEHY,

JOHN FALLON, Warden. New York,

189

threw a - from before  
committing his crime.

Unfortunately in  
his case he did so,  
"not wisely, but too  
well." It was his  
indignation in their  
behalf that drove  
common sense (if  
it did not drive  
reason) - or the monarch  
from her throne?

I honor, dear  
Sir, your kind heart,  
and know that ~~after~~  
there must often be  
a painful conflict  
between inclination and

POOR QUALITY  
ORIGINAL

0992

duty, between justice and  
mercy. But I hope  
that in this case  
duty and mercy, was  
agreed with inclination  
in pleading his cause  
and that justice  
was not granted  
a most merciful  
sentence.

With the best  
wishes and with  
sincere respect  
am very truly yours

Thomas S. Law  
Miss Chapman  
Tomb

POOR QUALITY  
ORIGINAL

0993

Department of  
PUBLIC CHARITIES AND CORRECTION,

Office of City Prison, Corner of Franklin and Centre Streets,

HENRY H. PORTER, Pres't.,  
CHARLES F. SIMMONS, M. D., } Commissioners.  
EDWARD C. SHEEHY.

JOHN FALLON, Warden. New York, ... 189

any other testimony  
while under oath  
is an evidence of his  
truthfulness.

Consequently I am in-  
clined to believe his  
former statement - to  
me, corroborated by  
several circumstances  
not brought out on  
his trial) that he only  
drew his pistol when  
he thought that Victor  
Mar was drawing  
his, and that the  
question was who  
should fire the first  
shot. This must

POOR QUALITY  
ORIGINAL

0994

is certainly known only  
to the final judge  
but is at least a mat-  
ter of doubt - with us  
which may perhaps  
weigh in the criminal's  
favor.

But he has sincerely  
repented of his crime  
and I have no doubt  
that it is the sincere  
wish of his heart  
to live henceforth a  
true Christian life.

The second point  
is his interests, acquiescence  
etc and his family  
gains.

His next motion here  
is said that the  
criminal should have

POOR QUALITY  
ORIGINAL

0995

Department of  
PUBLIC CHARITIES AND CORRECTION,

Office of City Prison, Corner of Franklin and Centre Streets,

HENRY H. PORTER, Pres't.,  
CHARLES E. SIMMONS, M. D., } Commissioners,  
EDWARD C. SHEEHY, }

JOHN FALLON, Warden.

New York, Oct. 23<sup>d</sup> 1891

Hon. Rufus W. Cowin  
Hon. & Dear Sir

With all due  
respect and with high  
esteem I desire to  
seek your clemency  
towards Alex. Boutjes  
that you may make  
his sentence as light  
as wisdom and justice  
may permit.

I need hardly  
reassure you the miti-  
gating circumstances  
with which you are  
already familiar, but  
may mention here  
which, from my ac-

POOR QUALITY  
ORIGINAL

0996

guaranteeing with  
him here I know  
better than most men,  
and which was proved  
by plead in his  
favor.

First that he is  
not a bad man,  
but one who has served  
his country well in  
her time of need, and  
one who loved his family  
with most tenderness, and  
is even now more  
distressed for their  
sakes than his own.

His conviction admits  
that he did not meditate  
his crime. And  
his refusal to submit  
a plea of insanity by

POOR QUALITY  
ORIGINAL

0997

PUTNAM HOUSE,

L. R. KERR, Proprietor.

ON THE EUROPEAN PLAN.

Fourth Ave. and 26th St.

New York, Oct. 25<sup>th</sup> 1891

My dear Sir,  
I am one of the Episcopal  
Chaplain's City Dispensary Society.  
It has come within the province  
of my duty, lately, to visit a  
man named Stuppe. I was  
also present nearly the whole  
time of his trial. My intercourse  
with him has been very considerable.  
I do not plead anything in mitigation  
of his punishment I would submit  
to your honor that Stuppe has  
impressed me strongly as a  
man of an excellent character.  
In this case "mercy" could  
"reason justice" would not  
be "strained".  
I humbly ask your honor's

POOR QUALITY  
ORIGINAL

0998

merely consideration  
on his behalf  
I remain  
your faithful servant  
J. H. Zellmann

To His Honour  
Judge Cowing

POOR QUALITY ORIGINAL

0999

District Attorneys Office  
City & County of  
New York

Sept 15/92

Off Neunerlein; 77 Precinct

350 E 87 Trans Atlantic

The above named person

is known as a fugitive

and is wanted

by the State

and is in the custody of the

authorities of the State

and is being held

at the State House

at New York City

and is being held

at the State House

at New York City

and is being held

at the State House

at New York City

and is being held

at the State House

POOR QUALITY  
ORIGINAL

1000

VI.

STATE OF NEW YORK.  
Executive Chamber,  
ALBANY.

*June 23 1892*

Sir:

Application for Executive clemency having been made on behalf of  
*Alexander Huppé* who was convicted of *Manslaughter 1st*  
in the county of *New York* and sentenced *Oct 29. 1891*  
to imprisonment in the *State Prison* for the term of  
*seven years*

I am directed by the Governor respectfully to request that, in pursuance of section 695 of the Code of Criminal Procedure, you will forward to him a concise statement of the facts of the case, together with your opinion of the merits of the application.

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

Very respectfully yours,

*J. S. Williams*

Private Secretary.

*Hon. De Lancey Nicoll*  
*New York City.*

POOR QUALITY  
ORIGINAL

10001

New York  
Oct. 22<sup>nd</sup> 91

Wm. Rufus B. Cowing

Dear Sir:—

I cannot thank you enough for  
the interest you took in my case, and  
for the many acts of kindness which  
was apparent to me on your part.  
My case though conducted most  
ably, was not the defense I wished  
to make. As you were no doubt aware  
from some of my answers, I wished  
to plead self defense which was  
trickily the case. But as I was  
represented by counsel and such  
able counsel as Mr. Howe, I was  
obliged to do as he told me. I must

hardly try to tell you of my feelings on that day, which I have described there. I wish to make no excuse for my act. I would no doubt stop to think were the occasion to arise again. But I think you at least will believe me when I say that I honestly thought my life in danger, and that taken together with the thoughts of what my children suffered, made me incapable of judging my own actions.

Can you not place yourself in my position for a few moments and think of what my mind must have been? There was one thing said at the trial, which to a person not acquainted with the facts, looked bad, namely, that I slept with my daughter.

That sin to my mind is ten times worse than murder. Can you conceive of a child being awakened in the middle of the night by a nightmare and seeking its father for protection, not knowing what was the matter, but almost frightened out of its senses by its dreams? Such sin is my case in reference to my sleeping with my child. I took the child into bed with my wife and myself to quiet its fears. How our acts will sometimes be misconstrued by those who wish to injure us. You may question the child (Lizzie) and I think you will find it just as I say. But I do not think you will wish to do so, as I am sure you will believe me. My character as you know has

POOR QUALITY  
ORIGINAL

1003

always bear the best. I do not  
write to you in hopes for myself  
but for the little ones. My heart  
is all wrapped up in them, and  
to think of their being left behind  
with their mothers to look after  
them, and to be separated from  
them, is what I cannot bear.  
Can you believe me sir, even  
since I have been locked up  
here in the "tomb" I have had  
my little ones come to my cell door  
and tell me they were hungry  
not knowing poor children that  
they broke my heart when they  
told me so. I know that your  
power is limited, but you can  
send me to the "Island" when I  
can see the little ones once in  
a while and at least keep an  
eye on their welfare. I, a father

POOR QUALITY  
ORIGINAL

1004

do not need to ask you in con-  
-clusion, to be as lenient as  
the law allows and as is con-  
-sistent with your duties.  
However I write, for the little  
ones sake. Do! and may God  
prosper you and yours, and  
believe me sir, you will never  
have cause to regret your action  
through any act of mine.

Hopefully Yours

Alexander Campbell

P.S. I do not know my counsel's  
reasons for asking that my  
sentence be passed yesterday.  
I would like a few more days  
stay solely for the purpose of  
making a few arrangements  
for my children if you can  
grant it to me.



somebody said yes; I then took him to the station house. Somebody came afterwards and said he was not dead, but severely wounded. I searched him and discovered this pistol in the right side overcoat pocket; I took possession of it and handed it into the station house and the captain sent me back for identification, in my charge and two detectives and I brought him back to Mr. Kretschmer in his room where he was ~~then~~ lying on the sofa and he positively identified him as the man who shot him. We asked the cause of the trouble and he said he had dispossessed his family for non-payment of rent - Mr. Kretschmer had dispossessed his family for non-payment of the rent.

By a Juror:-

Q How many chambers were discharged? A. Three chambers; I extracted three exploded shells. I ~~have~~ the shells in my possession and the sergeant asked me to give them up to him and to-day he gave me the two loaded ones and the exploded ones are in the station house.

By Mr. Moss:-

Q You told me that when the defendant was brought back to the dead man you said he was identified as the man that shot him? A. I said that the prisoner was identified.

Q I asked you to give me the exact words - what was said by the deceased at the time and what by the prisoner?

A. The first question was do you know this man?

Q ~~By~~ Who said that? A. The detective.

Q To whom? A. To Frank Kretschmer. He said, do you know this man; he looked at him and said, "yes, that is the man that shot me." We asked the cause -

Q Who said that? A. The detective mostly.

Q He asked him the cause? A. Yes, sir.

Q What did he say? A. He said because I dispossessed his family.

Q Is that all he said? A. That was the general substance of it.

Q Did the prisoner say anything? A. No, sir.

Q At any time from the time you arrested him until the present time has this man said anything to you with reference to the shooting? A. He simply admits what I stated here.

Q I asked you to say what he said - I ask you for the conversation? A. He said, "I didn't want to kill you - I didn't want to kill you."

Q The prisoner said? A. Yes; and "I hope you won't die."

Q Where was that said? A. In the room there. And he said, "I simply wanted to shoot you in such a manner that you won't forget me," ~~that~~ that is all the substance; he kept quiet after that.

Q Was he excited at the time? A. He didn't appear excited.

-----oOo-----

JOSEPHINE KRETSCHMER, duly sworn, testified:-

By the Coroner:-

Q Where do you live? A. No. 352 East 87th Street.

I was sitting in the room and I heard somebody come in - I heard somebody was coming in and my husband said Mr. Huppe is in and he let him walk into the dining room and he talked something - he said you put my children out, and my husband said, "I didn't put your children out" he said. He said, "Your janitor is no good."

Q What did you see Mr. Huppe do in your room? A. After he said the janitor is no good - he took the pistol and shot him; he shot him three or four times.

Q How often did he shoot him? A. Three times.

Q Did you see Huppe in your room? A. Yes, sir.

Q Did you identify the body of your husband after his death as Frank Kretschmer? A. Yes, sir.

Q Is that the man you saw shooting your husband (indicating to prisoner) A. Yes, sir; that is the man.

(The witness is not in condition to testify any further, the witness fainted and for that reason the examination was suspended.)

-----oOo-----  
WILLIAM KRETSCHMER, the boy is now called to the stand.

Mr. Moss objects to it and asks the right to examine the boy before he is sworn.

By Mr. Moss:-

Q Do you know what it is to be sworn upon a book, do you know what it is to take an oath, is it right to tell a lie?

A. It is not.

Q What will become of you if you tell a lie? A. It is a sin.

Q What is a sin - where will you go to if you die if you tell a lie? A. To hell.

The witness is now ~~sworn~~ sworn.

WILLIAM KRETSCHMER, duly sworn, testified: -

By the Coroner:-

Q Where do you live? A. No. 352 East 87th Street.

Q Did you see anybody do anything to your father a week ago? A. Yes, sir.

Q Would you know the person again if you saw him?

A. Yes, sir.

Q Look around - where is he? A. This one here.

Q That man there? (indicating to prisoner) A. Yes, sir.

Q What did he do to your father? A. He shot him.

Q Were you in the room with him at the time? A. No, but I was in before he shot.

Q Were you in the room when he shot him? A. No, sir.

Q Were you in the room? A. No, sir.

Q Were you in the room before or afterwards?

A. Before he shot him.

Q Where did you go after you first saw him - You say you were not in the room where he shot your father? A. I was out in the kitchen.

Q What did you go out in the kitchen for? A. I looked down in the yard.

Q Did you hear your father say anything to him?

A. No, sir.

Q That is all you know about it, sonny? A. Before he shot my father he said he would take the law in my own hands.

By Mr. Moss:-

Q What did your father say to this man before?

A. He said that my papa threw his children out.

Q Is that what he said? A. Yes, sir.

Q What did your father say to that? A. He said he didn't do it, he only put out his furniture.

Q Did he speak about it being a rainy day, this man?

A. No.

Q Did your father say anything about the rainy day or anybody? A. No.

Q Are you sure of that, my boy? A. Yes, sir.

Q Did he say he put his children out in the rain?

A. Yes, sir.

Q He did say that, didn't he? A. Yes, sir.

By the Coroner:-

Q Who said that - that man there? A. Yes, sir.

By Mr. Moss:-

Q He put his wife and children out in the rain, did he?  
By the Coroner:-

Q Tell us what he did say? A. He said he put his

children out.

By Mr. Moss:-

Q In the rain? A. Yes.

By the Coroner:-

Q Did he say the rain? A. Yes, sir.

Q But what else was said before you went out in the kitchen? A. He said he would take the law in his own hands.

Q You didn't see him put his hand in his pocket then, did you? A. Yes, sir, but I didn't see him shoot.

Q You went out in the kitchen? A. Yes, sir.

Q You were looking out of the window for some time?

A. I just looked out of the window and I heard the shots.

Q You heard the shots? A. Yes, sir.

-----oOo-----

JOHN HOLLEY, duly sworn:-,

By the Coroner:-

Q Where do you live? A. No. 122 East 87th Street.

Q State to the Jury what you know about this occurrence?

A. I called upon Mr. Gribble who is a partner of mine and I wanted him to go on an errand for both of us and in doing that he said he wanted to water his plants and he picked up his water can and I went with him and while in the back part of the yard I heard a snap three times in succession but there was a little time between the first and the second, and this boy here threw up the kitchen window and

hollered, "Mr. Gibble, come up, come up, Papa is shot," and somebody threw up one of the other windows, I don't know who it was, I presume it was Mrs. Kretschmer.

Q Did you see the person? A. No, sir, but that boy there he threw up one; Mr. Gibble being the owner of the house he went in; just as we got to the front, to the hall door, the prisoner came down stairs and Mr. Gibble asked him did you do that shooting.

Q Did you say that? A. Yes, sir; I did. He said, "Yes," and he said, "I am going to surrender myself," but Mr. Gibble said, "I guess we will help you along, and he took hold of him by the collar; I asked him where his gun was and he told me it is none of your business; the officer came along then and took the prisoner down to the station house.

The Coroner: Counsel or Jury wish to ask any questions?  
(No response.)

-----cOo-----

JAMES GRIBBLE, duly sworn, testified:-

By the Coroner:-

Q Where do you live? A. 352 East 87th Street.

Q Will you please tell the Jury what you know about the cause which led to the death of Frank Kretschmer?

A. Gentlemen of the Jury, as Mr. Holley just stated he and I were in the back yard; I was watering the plants and I was engaged to go on an errand and in order to do that I was in a hurry to get through with the watering of the plants

and while watering the plants I heard the report of a revolver but my hearing not being very good I couldn't hear it for a second - there is a hollow space there and it caused an echo which bewildered me first, but turning around I saw Mrs. Kretschmer by the window and I heard the second shot and little Willie hollering, "Come up, come up, a man shot my papa," and Mrs. Kretschmer also hollered; Mr. Gribble come up quick; I ran from the yard and just then a third shot was fired; I rushed into the hall going out into the front hall from the back into the front hall and I saw this man coming down stairs; he was about the fourth step from the hall, and I said, "Are you the man that did the shooting here?" He said, "I am going to surrender myself;" I said, "I will take you," and he offered no resistance; I took him to the First Avenue near the drug store and I met this officer here - I was mighty glad of it too. He was the coolest man under the circumstances that I ever saw in all my life. Afterwards we had Mr. Kretschmer to identify him in the presence of the officer; I was there at the time. He acknowledged it to me on the stairs - he said, I am going to surrender myself; I was afraid he would get away.

By Mr. Moss:-

Q You never saw him run? A. I didn't, but he could if he wanted to.

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JOSEPH HECKMANN, duly sworn, testified:-

By the Coroner:-

Q Where do you live? A. 352 East 87th Street.

Q Did you see the shooting? A. Yes, sir.

Q Tell those gentleman what you saw? A. I went down in the cellar and came up from the cellar, I took wood and coal up and I come up in the entry and the bell rang and opened the door, that prisoner came in, I opened the door for him, he rang the bell - I opened the door. He asked me is Mr. Kretschmer home; I said yes, sir, he is upstairs. He walked up the flights before me and we went in the room where Kretschmer sits and I walked into the kitchen, the next room; he spoke very loud there, and in two or three minutes I heard the shots; I went over and caught him here ~~xxx~~ by the breast and pushed him around.

Q Did he fire any shot when he did that? A. He was after shooting at that time; I turned him around and he ~~xxx~~ held the pistol at me this way, he wanted to shoot me too.

Q Did he say so? A. He wanted to shoot me.

Q Did he say? A. I think ----

By a Juror:-

Q Did he say that to you that he would shoot you?

A. Yes, sir.

By the Coroner:-

Q When you took hold of him by the coat he put the pistol to you and he said he would shoot you too? A. Yes, sir.

Q What else? A. I hit him and the pistol fell on the floor.

Q Did he pick it up again? A. He picked it up.

(When the witness said him he meant the pistol.)

Q Where did he put him? (Meaning the pistol.) A. He put him in the pocket and I went out and he went away; I went out before, I went out on the street for the police; he came out after me; I was at the first door and he came down the steps.

Q Who was with him when he came down on the street, anybody with him? A. There were people around.

Q Did anybody have hold of him? A. No, sir.

By a Juror:-

Q When he came down the stairs was anybody with him?

A. I went down ahead of him.

Q When he was coming down the stairs was there anybody with him? A. When I came back after getting the police Mr. Gribble had hold of him.

By Mr. Moss:-

Q You heard three shots fired? A. Yes, sir.

Q Where were you standing at the time? A. I was standing in the kitchen.

Q Did you see him fire the shots? A. No, sir.

Q After the shots were fired you came in from the kitchen?  
A. Yes, sir.

Q You caught him here? A. Yes, sir.

Q And he held the pistol up to you? A. Yes, sir.

Q In which hand did he hold the pistol? A. With this hand - the right hand.

Q Was his finger on the trigger? A. I don't know.

Q Didn't you see him have the pistol in his hand?

A. I don't know -

Q What way did he have it? <sup>A.</sup> This way (illustrating).

Q He held the pistol like that? A. That way. (illustrating)

Q With his finger there? A. Yes, sir.

Q His finger on the trigger? A. I cannot swear to that.

Q When he held his pistol like that what did he say to you? A. He said, I will shoot you down too.

Q What did you say then? A. I said nothing at all - I knocked him down on the floor. I mean the pistol when I say knocked him down.

Q You knocked the pistol out of his hand? A. Yes, sir.

Q Did the pistol fall right where he was standing?

A. Right at his feet.

Q He ~~xxxxxx~~ stooped down to pick it up? A. Yes, sir.

Q did you try to pick it up? A. No, sir; he was too quick about it.

Q What did you do then? A. I ran out and went for a policeman and he came right behind me.

Q You saw him coming out of the house, didn't you?

A. He followed me coming out of the house.

Q You saw him come out of the house? A. No, sir; he came out right behind me, he followed out and remained at the door.

Q At the front door? A. On the second door, - the vestibule door.

By the Coroner:-

Q Did you see the prisoner come out of the house after the shooting? A. No, sir; I saw him first again when I returned after getting the police.

By Mr. Moss:-

Q Where did you see him then? A. I saw him on the sidewalk.

Q Who was with him? A. There was nobody with him.

By the Coroner:-

Q When you went down First Avenue for an officer and you came back again? A. He was up on the sidewalk.

Q Was there anybody with him? A. Nobody with him -- Oh, Oh, Mr. Gribble got him.

By the Coroner:-

Q Where is the man whom you saw having him by the arm? A. That is the man (indicating to Mr. Gribble).

By Mr. Moss:-

Q Where was he standing when he had him by the arm?

A. Right in front of the house.

Q Where the shooting occurred? A. Right about at the beginning of the next house.

Q Didn't you see the defendant after the shooting standing in front of the house in which the shooting occurred with nobody beside him at all? A. No, sir; Mr. Gribble had hold of him.

Q What is your business? A. I worked with my sister.  
Q Are you married? A. No, sir.  
Q Were you ever on the witness stand before as a witness in any case?

The Coroner: That is immaterial; I will not allow that question.

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DR. GOTFRIED RAUTENBERG, duly sworn, testified:-

By the Coroner:-

Q What is your profession? A. Physician.  
Q Graduated from what college? A. University of the City of New York.  
Q Tell the Jury what you know about the case which led to the death of the deceased? A. On the evening of Saturday, the second of May, I was called over to 352 East 87th Street, Mr. Kretschmer, and the party that called said he had been shot. I went over there and found him lying on the sofa in the back room on his left side and he said, "I am shot." I *stripped* him and made an examination and found one bullet hole in the right side over the gluteal region, and then I made a carbolic acid solution, after they brought the prisoner back, and washed the wound and bandaged it and carried him in the front room and gave him hyperdermic injections of morphine and called in Dr. Langham; he came at 8.45 and we again examined the patient.  
Q What time were you called in? A. About quarter of six o'clock; we found the bullet - we located it in the

left part of the abdomen; thereupon he proposed the operation of laparotomy to the wife which was performed about half past ten, I presume, by my assistance and his brother, Dr. Langham's brother. And the patient was then placed in bed and the next day he went on pretty well until Monday, when he died at three o'clock.

Q How long after the shooting was it until you were called in? A. I cannot say that; I presume it was a very short while after, but I cannot say.

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The officer being recalled, states that he left the station house at half past five and it must have been about 25 minutes of 6 - or 5.35, he states must have been the time precisely.

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DR. RAUTENBERG'S testimony continued:-

The ball passed through the pelvis and through the left side of the abdomen ~~integ~~ under the integument; we excised the ball afterwards.

By a Juror:-

Q Did you get the ball while the man was alive yet?

A. Yes, sir; the professor gave the ball to the son and he placed it on the piano; the size of the ball was the

same as the size of the one in your hand.

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The Coroner: Gentlemen of the Jury, you have heard all the evidence in this case; I do not propose to say anything in reference to it; I will leave the matter now with the Jury. You may retire and bring in a written verdict as to how the deceased came to his death and at whose hands he came to his death.

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Word was brought to the Coroner that the widow of the deceased is now in better condition to testify, but counsel for the prisoner states he does not desire to have her recalled and the Coroner does not deem it necessary to recall the witness.

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VERDICT: We, the Coroners Jury, find that Frank Kretschmer, came to his death from a pistol shot wound of the abdomen inflicted by Alexander Huppe, on May 2nd, at No. 352, East 87th Street, New York City.

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**POOR QUALITY ORIGINAL**

1022

COURT OF GENERAL SESSIONS, PART III.

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: The People of the State of New York, :  
: against : Before  
: Alexander Huppe. : Hon. Rufus E. Cowing  
: : and a Jury.  
: :  
----- x

Indictment filed May 21, 1891.

Indicted for murder in the first degree.

New York, October 19, 1891.

For the People,

Asst. District-Atty. V. M. Davis;

For the Defendant,

William F. Howe, Esq.

JOSEPHINE KRETSCHMER, a witness for the People, sworn, testified:

I live at 116 East 91st. Street. I am the wife of the deceased Frank Kretschmer. At the time of his death I lived at 352 East 87th. Street. On the 2nd. day of May last I was in the dining room of my house with my husband. My son Willie was also with me. The defendant came in the door and said: "You put my children out". My husband says: "No; I didn't put your children on the street". Then my husband said: "Why did you not speak first with your landlord if you left the city?" The defendant said: "Your janitor is no good". My husband said: "Why, she didn't do you anything" and the defendant said: "Yes; she made a big talk around the neighborhood that I sleep by the daughter and the wife sleeps by the

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son". My husband said: "I don't care about talking. I don't know anything about it". The defendant then said: "That is the last you will put out". My husband said: "If there is anything wrong you can go to law about it". The defendant said: "I will take the law in my own hands" and he shot him. I saw a revolver in the defendant's hands and it was pointed at my husband. After he fired the shot he started out of the door but was caught by my brother. The defendant aimed the revolver at my brother's breast, then ran downstairs and was arrested. My husband died 43 hours afterwards.

Cross-examination:

I know the little boy Paul Huppe. I saw him once at my house.

It is admitted that the deceased died at the place named in the indictment at the time mentioned in the indictment and from a pistol shot wound inflicted by the defendant.

JOSEPH HICKMAN, a witness for the People, sworn, testified:

I live at No. 116 East 91st. Street. I knew Frank Kretschmer in his lifetime. My sister was his wife. I lived with them at 352 East 87th. Street. On the 2nd. day of May 1891 I saw the prisoner on those premises. He rang the bell and I opened the door for him. He asked me if Mr. Kretschmer was home. It was between 10 and 11 o'clock in the morning. I told him Mr. Kretschmer was home, and then he went upstairs and I followed him. He

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went into the dining room and I went into the kitchen. While in the kitchen I heard three pistol shots and I went into the dining room. When I got into the dining room I found Mr. Kretschmer and his wife and the prisoner. I caught hold of the prisoner and turned him around, and I hit him on the wrist so that the pistol fell out of his hand. Then, as the pistol fell, it fell between his legs and I stooped down to get it, but he gave me a push and he himself picked up the pistol, and then went out of the door. I ran downstairs ahead of him and Mr. Gribble had already caught him in the street, and he was turned over to a police officer.

Cross-examination:

I was examined before the Coroner. I swore there that after the shots were fired I came in from the kitchen. I also swore that the prisoner held the pistol against me. I knocked it out of his hand. When the pistol went on the ground the defendant picked it up. The deceased was a fat man, but I don't know about his being muscular.

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

I live at No. 122 East 37th. Street. I knew Frank Kretschmer in his lifetime. I was there at the time of this shooting in the premises No. 352 East 37th. Street. I was in the back yard in company with Mr. J. Gribble between 5 and 6 o'clock in the afternoon. I heard three shots and then I saw a boy run the window up

sing out to Mr. Gribble "Papa is shot. Come in". I went right through the hallway and we met this defendant who was coming downstairs. I asked him who did the shooting and he said: "I did. I am going down to the Station House to surrender myself". Mr. Gribble said: "Well, I guess we will help you along". The officer came then and took the defendant in charge. I asked the defendant if he had a gun and where it was, and he told me it was none of my business. I didn't see any pistol there. I went to the Station House and returned in company with Mr. Gribble, the police officer and Mr. Doyle to Mr. Kretschmer's room. He was lying down on the lounge when we returned. The detective asked the deceased if he thought he was going to die. He said yes. The detective said: "Can you recognize the man that shot you?" He says: "I can. There he is" (pointing to the defendant. He pointed his index finger and said: "That is the man that shot me". The defendant said: "I didn't mean to shoot you". I looked at him and said: "You made a noble effort". The defendant made a sort of sneering remark and I says: "This is no laughing matter. This is a matter of life and death and your miserable life is at stake now".

Cross-examination:

Mr. Gribble was in the room at that time as was also Officer Doyle and the officer that made the arrest. There was at least 7 or 8 in the room at this

time. The deceased was lying on the lounge at the time these statements were made.

The Court: I have it in my minutes that the first witness said this occurred between 10 and 11 o'clock in the morning?

Mr. Howe: He is mistaken. It occurred between 5 and 6 o'clock in the afternoon.

JAMES GRIBBLE, a witness for the People, sworn, testified:

I live at No. 352 East 37th. Street. I lived there through last May. Frank Kretschmer, the deceased, lived in that house with me. He was one of my tenants there living on the first floor. On the 2d. of May between 5 and 6 o'clock I was in the garden watering the flowers and while watering the flowers Mr. Holley and I were talking over a little business matter. I heard the report of a pistol. For a time it bothered me to locate it and then I heard a second shot. About that time Kretschmer threw up his hands and said: "Come up, Mr. Gribble, come up quick". I started to run towards the back door and while coming down the alley I saw little Willie up at the window and he said: "Come up, Mr. Gribble, quick. A man shot papa". When I got to the back door I heard the third shot. I rushed into the hall and to the front door and when near the front door I saw the defendant coming downstairs. I said: "Are you the man who was doing the shooting upstairs?" He said: "Yes; I done it and I am going to surrender myself". I said: "No. I will take you." I took him outside and turned

him over to the officer. I saw the pistol in the Station House. The prisoner was brought back to Mr. Kretschmer's house and taken into the same room where he was shot. Mr. Kretschmer stayed over by the easterly window on the lounge. The officer asked the defendant his name and his residence and he said: "I have none. I am on the street". I can't remember what questions were asked further, but the question was asked Kretschmer if he could identify this man as the man who shot him, and he said yes.

Cross-examination:

A great many words might have been said there that I didn't hear. The defendant didn't appear to be in any way excited.

WILLIAM KRETSCHMER, a witness for the People, sworn, testified:

I live at No. 116 East 91st. Street. The deceased was my father. In the month of May last I lived in East 87th. Street in Mr. Gribble's house. The defendant shot my father. I saw him take the pistol out of his back pocket. Then I went to the window and called Mr. Gribble up. I went out into the kitchen before my father was shot to call Mr. Gribble. I heard the defendant say: "I will take the law into my own hands", and then he pulled the pistol out.

Cross-examination:

I have been talking with my brother and my

mother about this case. I said before the Coroner that I was out in the kitchen at the time my father was shot. As soon as the defendant came into the room and pulled out the pistol I ran out to the kitchen. I heard this defendant say to my mother: "You threw my children out on the street"?

GEORGE DENNERLEIN, a witness for the People, sworn, testified:

I belong to the 27th. Precinct. On the 2d. of May 1891 between 5 and 6 o'clock in the afternoon I was on my post from 79th. to 86th. Street on First Avenue. I saw a number of people in front of 352 East 87th. St. I approached the crowd and somebody made the remark that there was a man killed in the house. The defendant was pointed out to me as the man who did the shooting, and I placed him under arrest. I searched him and took a revolver from his right side overcoat pocket. It was loaded at that time with three cartridges exploded in it. It was warm. I put the pistol in my pocket and brought it to the Station House. I asked the defendant his name and he gave it to me. I asked him where he lived and he said that he had no home. I asked him: "Did you kill him?" and he said he did not know whether he had killed him or not; that he didn't intend to kill anybody but did intend to shoot someone. This was said before I took him to the Station House. When I arrived at the Station House Captain Carpenter instructed me to take the defendant back to the scene of the shooting. I returned

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with him and entered the room in which the injured man was. I asked the deceased if he knew the defendant and he said: "Yes; that is the man that shot me". Then Mr. Doyle asked him why he did it, and he said "Because I was compelled to dispossess his family". The deceased Kretschmer was asked where the defendant's family lived and he said No. 1575 Avenue A. Doyle asked him: "Do you think you are going to die?" and he said yes. Everybody was ordered out as the clergyman was there and wanted to perform the rites of the church. The defendant stated when he entered the dining room: " You put my family on the sidewalk", and Mr. Kretschmer said: "I could not help it". He also said: "Now, if my children died from exposure there will be nothing done to you, will there?" and Mr. Kretschmer did not make any remark to that. Mr. Kretschmer said: "I am in great pain". The defendant said: "If I kill you I will be hung." Kretschmer made no reply to that. The defendant said: "Well, now I will take the law into my own hands". The defendant admitted that he made that remark. I asked the defendant why he shot the deceased and he said: "Because he put my family on the sidewalk and I had no other way of redress. If I was to meet him he would not fight. I shot him but did not intend to kill him."

Cross-examination:

I remember being examined before the Coroner. I was not asked to give the conversation there in which the words: "If I kill you I will be hung for it" occurred.

**POOR QUALITY  
ORIGINAL**

1030

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I did not make that statement before the Coroner's jury. Mr. Gribble, Mr. Huppe, Mr. Doyle, Mr. Gilligan, Mr. Rottenberg, the doctor, the priest, the widow's brother, the janitor of the house or the acting janitor were in the room at the time that was stated. I have given the entire conversation. Officer Doyle asked the defendant did he shoot him and he admitted that he did shoot him. He said: "I did shoot him. I hope he won't die". The prisoner said: "I shot him because he put my family on the sidewalk". He also said: "If I kill you I will be hung". I swear that I heard the prisoner say: "If my children die from exposure from the fact of your putting them on the sidewalk there will be nothing done to you". Those words passed in that room after the shooting. I did not say that before the Coroner, but I do swear it now.

EDWARD CARPENTER, a witness for the People, sworn, testified:

I am a Police Captain in command of the 22d. Precinct. On the 2d. of May last I saw the defendant Huppe in the Station House of my Precinct. I had a conversation with him on Sunday afternoon, May 3d. I said: "Huppe, I think you have got yourself in a bad scrape. I am afraid that man is going to die". He says: "I hope he won't die. I didn't intend to kill him. I only intended to injure him." I asked him where he was all day Saturday and he says: "I have been looking for this man", meaning the deceased. I says: "Did you have a revolver with you all the time?" and he said: "I had." He said he didn't want to injure the man, only wanted to maim him;

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tried to shoot him in the arm so as to disable him. He said: "He has injured me and I tried to injure him".

EDWARD H. DOYLE, a witness for the People, sworn, testified:

I am a Police Officer attached to the 27th. Precinct. I went to Mr. Kretschmer's house in 87th. St. on the day of this shooting. I found the deceased lying on a lounge. I asked Mr. Kretschmer if he believed he would die. He replied that he did. He pointed out the defendant as the man that had shot him. Mr. Kretschmer said that he was sitting at the window reading when the defendant came upstairs and opening the door came in; that he asked Mr. Kretschmer why he had put his family out and Mr. Kretschmer replied because he had not paid his rent. The deceased said that the defendant then drew a pistol and fired at him. Mr. Kretschmer said he never had seen the man before in his life. I heard no other conversation. On Sunday I was present at the interview ~~xxx~~ between the Captain and the defendant. The Captain told him he had got into a pretty bad box; that the man was likely to die. The defendant said he was sorry; that he did not intend to kill the man; he only intended to give him a good licking.

Cross-examination:

I am the detective in that precinct. I was held by the Captain to go to the house of the deceased and get a statement if possible. I was paying particular attention to what the deceased was telling me. I was sent there for that purpose. I did not pay as much attention

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to what the prisoner said. I put the questions to the deceased. I heard the prisoner say: "I didn't intend to kill him. I only wanted to hurt him". That is all I can remember.

ANTHONY M. GILLIGAN, a witness for the People, sworn, testified:

I am a police officer attached to the 27th. Precinct. I remember the 22d. day of May last when I went to the house of the deceased Frank Kretschmer in East 87th. Street. I went in company with Officer Dennerlein and Officer Doyle. I saw the wounded man Kretschmer there. After we went into the room Mr. Doyle asked the injured man if he was hurt. He said yes, he had been shot. Doyle asked him to point out who shot him, and he pointed to the defendant. Doyle said: "What cause had he to shoot you?" and the deceased said: "He didn't have any cause outside of the trouble he had with his family by dispossessing them". Doyle asked him if he gave that as his dying statement, and he said: "Yes". The defendant stood at the right of the deceased while this conversation was going on. When Detective Doyle asked Mr. Kretschmer if he recognized anybody who shot him he pointed to the defendant and said: "That is the man that shot me", and the defendant said: "Yes; I shot you, but I didn't intend to kill you. I did intend to make you remember me".

12.

Cross-examination:

The occasion was a solemn one and I recollect it distinctly. The defendant said: "Yes; I shot you but I didn't intend to kill you. I did intend to make you remember me though". I am positive of that. Mrs. Kretschmer made some excitement by crying out loud.

JOSEPH STEGMAYER, a witness for the People, sworn, testified:

I live at No. 306 East 82nd. Street. I am a builder by occupation. On the 2nd. of May between 4 and 5 o'clock in the evening I was on the sidewalk of 3d. Avenue and 83rd. Street. This defendant came up and said to me -- he said: "You can tell me where Mr. Kretschmer lives?". I said: "I am not sure about the number, but he lives in 87th. Street or First Avenue". He said: "Very much obliged" and he walked off. I am positive that was on the 2d. of May. The prisoner was not excited when he came to me. He appeared to be quite calm like any ordinary person.

PHILIP E. DONLIN, a witness for the People, sworn, testified:

I am a Coroner's physician. I made the autopsy upon the body of Frank Kretschmer on the 5th. of May 1891. I found a pistol shot wound in the right side about four inches behind the anterior superior spinous process of the illium. That is the prominent bone on this side (indicating). The direction was inward and to the left. I also found an incised wound of the abdomen evidently made by the surgeon in attendance. Death was the result

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of a pistol shot wound in the abdomen.

GODFREY ROUDENBERG, a witness for the People, sworn, testified:

I am a doctor of medicine and have been since 1886. I was called to attend Frank Kretschmer on the 2nd. of May in his house in East 87th. Street. I found him suffering from a pistol shot wound. I bandaged it up. I made an examination of the body generally and suggested that they call in another physician. On further examination we found the bullet had penetrated the bone on the right side and passed through the intestines and eventually lodged in the left side.

DEFENCE:

LIZZIE HUPPE, a witness for the defendant, sworn, testified:

I am 14 years of age. The defendant is my father. He is an electrician working for the Edison General Electric Company. In April of this year I heard a conversation between the deceased and my father. Papa asked him if he would wait for the rent, and the landlord said: "It will not matter for two weeks". My father then went to Boston. On a Tuesday in April my mother had gone out to work in the morning. It was raining. There was nobody in the house but my brother who is 15 years old and my sister aged 12. I was just getting my dinner and a gentleman knocked at the door. I opened it. He said: "Are you going to move?" I said: "What is it for?" and the man said: "Didn't you hear about it?" and I says: "Yes; mama got a paper but she thought it was the

14.

wrong name. It was John instead of Alexander Huppe". Another man came in then and all our furniture, beds and everything was put out on the sidewalk in the rain. We stayed by the furniture until the groceryman came and told us to come in out of the rain. The groceryman in the evening put the things in his cellar for us. My father was at that time in Boston. My mother returned at about 9 o'clock at night. Shortly afterwards we left Brooklyn and upon being settled there I wrote to my father telling him how we had been dispossessed.

Cross-examination:

We had been in the house where we were dispossessed nearly seven months. My father and mother were living apart during a portion of the time we lived in those premises. Mama liked to live in Brooklyn and my father liked to live in New York. I do not know of any complaint being made by the janitress that there was quarrelling in our rooms. My father was very seldom behind time in his rent. While my mother was living apart from us I went to see her every week. My father, mother and I were present at the conversation between my father and Mr. Kretschmer in which he said he would wait two weeks for the rent. The reason he gave Mr. Kretschmer for asking him to wait was that he wanted to buy some tools in Boston. The deceased always acted as if he was a kind landlord, but the janitor never did. I was surprised when we were dispossessed. The janitress of the

15.

building never liked me and was always complaining about me. When our furniture was being put out the landlord Mr. Kretschmer came to the house and when myself and my sister were going upstairs he took us by the shoulder and said: "Get out of here. Don't you come upstairs any more". We didn't make any resistance at all. The groceryman allowed us to remain in his store out of the rain until my mother came home from her work in Brooklyn. It was I who wrote the letter to my father in Boston. I do not know the name of the hotel at which he was stopping in Boston. We lived at No. 80 Smith Street in Brooklyn and had three rooms on the top floor there. My brother was working, I was working and so was my mother. At the time we were dispossessed from our house my mother had about \$17. I do not think she had as much as \$20. My brother read about the killing of Mr. Kretschmer at 4 o'clock on Sunday afternoon. I had seen my father's pistol in his trunk about a week before last Christmas. He was away and my brother and I were looking at his things. My mother and I slept in a neighbor's house on the night that we were put out.

JAMES T. ROBE, a witness for the defendant, sworn, testified:

I am Superintendent of the Edison General Electric Company. I have known the defendant for four years. His character for peace and quietness is very good indeed.

A letter was then read in evidence signed by Mr. Hutchinson, Assistant Manager of the Edi-

16.

son General Electric Company, certifying to the good character of the defendant.

PAUL HUPPE, a witness for the defendant, sworn, testified:

I am the son of the defendant. I remember the day on which we were put out from our house in Avenue A. It was raining. It was in the month of April. I was in the front room and I walked in the back room and I there saw my sister talking to a man. The man said to me: "Are you the oldest?" and I said "Yes". He says: "Can you go to the landlord's house and ask him if he won't leave you stay there until your mother comes home". I went and I saw the landlord. I said: "Will you please leave us stay there until mama comes because papa has gone away and mama is out". He said no. Then he walked over to his wife, and the wife says: "No; put them out". Then he closed the door and I went away. I walked down to the house and stayed there a little while and saw them putting the things out. I don't remember very well whether it was raining or not. I remember a colored man put the things in the cellar at about 10 o'clock at night. I slept with a strange boy that night. He took me in. I don't remember his name, but he lived on the same block with us. My sister and my mother slept next door to the house out of which we were dispossessed. My father has always been a good father to me. Sometimes when I would not mind him he would give me a whipping, and then after he would get through he would be sorry. He has been good to my mother and good to my sisters. At times my mother

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left my father and lived apart from him in Brooklyn. She preferred to live in Brooklyn because it was nearer to her work.

Cross-examination:

I recognize the \_\_\_\_\_ who now appears as the man who asked me to go to the landlord's house. I asked the landlord to leave us stay there and he said no. Mrs. Kretschmer was present at the time, and he talked with her and she said: "No; put them out". I am positive it was raining on that day. I recollect it now. We were put out at 12 o'clock in the day. We moved over to No. 80 Smith Street, Brooklyn and paid \$6 a month for the rooms there. My father came there some time after we moved and remained a short while. He said he was going back to Boston. My sister wrote a letter to my father after we moved to Brooklyn. I did not mail the letter. I remember hearing of my father's arrest on a Sunday in May. We had been living in Brooklyn about a month then. I didn't see my two sisters pushed out of the house by Mr. Kretschmer. I saw Mrs. Sandorf and the landlord laughing at my mother and sister.

ANNIE HUPPE, a witness for the Defendant, sworn, testified:

I am a Catholic and go to Sunday School. I go always every Sunday.

It is admitted that there were dispossess proceedings and that the family of the defendant were dispossessed.

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I remember the day we were put out of our home. It was raining. All our things were put out on the street and they got wet. At about half past nine o'clock at night they were put down in the cellar by a groceryman.

Cross-examination:

I saw Mr. Kretschmer on the day we were put out. He pushed me and my sister out of the door and told us that we should not go upstairs any more. I saw two colored men upstairs getting the things together and bringing them downstairs. I do not know whether my mother had any money or not at the time we were put out.

MORTON D. LAWRENCE, a witness for the Defendant, sworn, testified:

I am one of the foremen in the Edison Electric Company. I have known the defendant for five years. His character for peace and quietness is good.

RICHARD F. COOK, a witness for the defendant, sworn, testified:

I live at 255 West 123d. Street. I am the manager of a paperhouse. I have known the defendant intimately. His character for peace and quietness is good.

KATIE HUPPE, a witness for the Defendant, sworn, testified:

The defendant is my husband. He has always been a good man, and good to his children. He was employed by the Edison General Electric Company. Sometimes he made as much as \$25 or \$26 a week. He was a hard-working man. While he was away from the City I was

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living with my people in Brooklyn. We didn't separate on account of any quarrel. Before my husband went to Boston the landlord came up and asked him for the rent and my husband asked him to wait, and then the landlord said: "It will not make any difference for a week or two". My husband went to Boston on Monday. About a week after on Tuesday I left the house at half past six and went over to Brooklyn to work. I got home that night at about nine o'clock and my children ran to me and said: "Mama, there are our things out on the street". It was raining, pouring down heavily. I got almost sick. I didn't know what to do. It was enough to set me out of my mind. I was all alone and a stranger there. I didn't know anyone at all. We had to look to the neighbors for protection. The neighbors took the things in and gave us a place to sleep for the night. When I left the house in the morning I left the children fifty cents to buy bread and butter, or whatever they needed, and the little change which they had left they told me they even took that or destroyed it. They told me it was lost. On the 23d. after we had left Brooklyn my daughter wrote to her father telling him that he should not write to us any more at that address because we had been put out. She also told him about the details of our being dispossessed. Myself and all the children had a cold from the exposure. On Friday my husband came back home to Brooklyn and on Saturday at about four o'clock he left Brooklyn. He bid us good-bye and said: "I am off". By that I thought he

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was going to Boston. I didn't see him after that until after his arrest.

Cross-examination:

I didn't read the letter that my daughter wrote. I told her some of the things which she should write. She wrote on the 23d. and my husband came home on the following Friday and said he was sick. He felt sad about our being put out. He said nothing at all about Mr. Kretschmer. When he left us I thought sure he was going to Boston. I don't know if I ever saw this particular pistol before, but I do know that my husband always had splendid shooting things in the house. I think he had one big gun when we lived in the country about nine years ago. I never knew him to carry a revolver while we were living in the city. I do not know of any complaints being made against us for quarrelling in our rooms. The janitress did come up at times and complain. She came up one morning and told me that Mr. Kretschmer was angry because I didn't give him any money and I told her it was not my place to pay the rent; that my husband always paid the rent. I never contributed any money towards the payment of the rent. At the time we were dispossessed I had between fourteen and fifteen dollars. That was my money and I needed it for other things besides paying the rent. I got the dispossess notice in the morning and I asked the janitor for the number of the house of Mr. Kretschmer and he would not tell me. I wanted to go to the landlord and settle somehow

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or other so that we would not be put out. I got a notice on Saturday and on Tuesday we were put out. I could not find Mr. Kretschmer, though I went to look for him. On the day after we were put out I saw Mr. Kretschmer with the janitor standing at the door. He was grinning and laughing. I went to live in Brooklyn because I liked it better. I had no idea we were going to be put out until the day it happened. Had I known I would have raised the money and paid the rent. I cannot tell the exact date in April when my husband left for Boston. I think it was about the 17th.

ALEXANDER HUPPE, the defendant, sworn, testified:

I am 47 years of age. I am married. My wife and children are here in court and have testified to-day. I am an outside fitter employed in Edison's General Illuminating Company. I have been employed there a little over four years. My wife and I had little quarrels at times. She wanted to go and live in Brooklyn and I wanted to live in New York. She was an industrious kind of a woman and wanted to work at all times. I wanted her to stay home and attend to the children. The pistol which is now on the District-Attorney's table is mine. I have always had a pistol when I have travelled since the war. This one I got in Chicago in 1889. I exchanged it for another pistol. I carried a pistol because I have been attacked three times in my day. One time in Buffalo, when two men tried to steal my watch. Another time when I was in Mexico I got in with a lot of drunken men and came near being knifed. I pulled out my

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pistol and saved my life. I was ordered by the Company to go to Boston. I left New York City on the 24th. day of March for the purpose of going there to fit up a show-room and take charge of the New England States. I returned about the 4th. of April. I had always paid my rent in advance. Sometimes they might have to wait a day or two, but never longer. My little girl used very often to go downstairs and give the rent to the janitress or the janitor, but they never waited but this one time. On the 6th. of April, if I am not mistaken, the landlord came to my room. I said: "I suppose you are after money!" He says: "That is what I am here for". I said: "I am working in Boston and when a man goes out to a strange place he is in want of a little money. Is there any harm if you wait a week or two?" He said there was not. I wanted the money to buy tools and fit up a shop in Boston; also to rent a cottage there. I went to Boston and did considerable work there. Then I went to Newport. I have here my hotel bill paid in Newport. I fitted up a church there. I returned to Boston on the 29th. I don't know the name of the place where I lived in Boston. I received a letter at the office of the company in Boston from my daughter telling me that they had been put out and how they had suffered. I was sick with the grippe. I stayed in Boston one day. I could not sleep for my cold and the fact of the letters I was after reading. One letter stated that they were put out into the street

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ORIGINAL**

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and that it was raining. I meant to go right away. My business I had to look out for. The letter stated that they were in Brooklyn. I attended to my little work there as fast as possible and that night when I went to bed I couldn't sleep. I started up, went out into a saloon and took a drink of whiskey. I very seldom drink whiskey. It was about eleven o'clock when I went out. I went downstairs and the street was deserted. I found a saloon. I got a glass of whiskey. I walked towards the Old Providence Depot and said: "I wonder if I can go to New York". I actually thought I was sicker than I was. The man in the office said: "There is a train that leaves at 12 o'clock". I got a ticket and paid \$5 for it. I got into New York on the 29th. of April, or the 1st. of May about nine o'clock. I am not certain which date it was. I know I was arrested on a Saturday, the 2nd. of May. I went to Brooklyn and saw my wife and children and they told me of the circumstances of their being put out and it was a very sad story to me. That day I went to bed right after dinner. I did not get up until next morning. I was very sick. I told Lizzie that I was going over there to find out why they were put out; that there was no cause for putting my children out; no more cause than I have for striking anybody here. I said: "Lizzie, you must have been making some noise or doing some            fault for him to put you out". She said: "No; papa. We had a little party there and the janitress

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came up and told us to stop making a noise". We didn't make any more noise than when you are around." I said: "I am going over to find out". She said: "No, papa; don't go over". If I took her word I wouldn't be here. I gave her money to go and get her hat which was being made in a millinery store. I kissed the children good-bye at 2 o'clock on Saturday and said I was off. They asked me why I didn't wait, and I said: "No; I have got to go". At four or a little after four I crossed the South Ferry. I got over and was going to take the Blue Line and go to the Boston boat, but while I was there I again changed my mind and thought I ought to go uptown and find why I was put out. I could not think why it was, and I did change my mind and I said: "I can get the train any time that night, so I missed the boat and I went uptown to the house of the deceased. The first place I went was into a grocery-store. A lady in there said: "What a shame you were put out." I said: "Yes; why was I put out?" She told me the children were not making any noise and that her husband would have paid the rent if he thought I owed it. I asked her where Kretschmer lived and she said in 87th. Street. Well, being sick with this grippe the same time I was a little absent-minded, and instead of going into 87th. Street I went into 83rd. Street. I met the gentleman who testified here on the stand, Stegmeyer. I asked him if he knew Mr. Kretschmer and where he lived, and he told me in 87th.St.

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I actually thought I was in 87th. Street but it turned out to be 83rd. Street. I was not tight. I had not drank anything at all that day. I told him I was much obliged to him, and then I went around to 2nd. Avenue and started for 87th. Street. I went into two houses and said: "Does Mr. Kretschmer live here?" I was not sure of the way. I never had been there before and never had any occasion to go to the house. I always paid my rent and that was all I had to do with the landlord. They told me to go next door. I went next door and it was not there yet. I rung the bell at the next house and when the janitor came I said: "Does Mr. Kretschmer live here?" and he said yes. I said: "Is he home?" He said yes. I said: "Tell him I wish to see him". He said: "Why don't you go upstairs?" He was German. I started to go up and just then Kretschmer and his wife were at the head of the stairs. I said: "Look here; I want to see you a moment." He said: "No; come up." I went upstairs and when I got there he commenced walking back to the room. I said: "What is the matter? What did you put my children out for?" He said: "I didn't put your children out. I only put your furniture out." I said: "What did you put my furniture out for?" He said: "You didn't pay your rent". I said: "Didn't you tell me it didn't matter for a week or two?" Well, he was a man without an excuse and he didn't know what to say. He was there and I think he would have rather killed me.

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ORIGINAL**

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26.

He would rather see me away from him than speaking to him. Just before he made some remark about the children that the janitress said the children were running around with men or something of that description, and at the same time saying this: "I would put you out too". Just then I got into a passion. I know I drew the revolver and shot. I think I was struck by somebody there. I fired one shot and then some one struck me. That is all I remember. It was just an agitation and I didn't know what I was doing at the time. I was not tight but my brain with this cold in my head and the agitation and knowing how those children were out on the sidewalk and had no right to be put on the sidewalk when their rent was all right and all the other children making fun of them made me agitated. The thought of my children being blackguarded and other children saying to them: "You were put out" made me agitated. I said to the deceased: "Supposing those children got cold and died" and he said: "Oh, you could sue me". I didn't say I would take the law into my own hands. I am an American citizen and I know that a man cannot take the law into his own hands without getting into trouble. I pulled the pistol. I didn't intend at the time I pulled the trigger to kill that man. I was in a passion. I knew not what I was doing. Had I known it I never would have done it. I never formed the intention of killing the man. I never fired more than one shot that I have any recollection of. I do not remember firing a second shot.

Cross-examination:

I remember having a talk with Captain Carpenter after my arrest. I do not remember saying to him that I was looking for Kretschmer at all. He did ask me if I had a revolver with me all day, and I told him yes, I had it with me all the time.

Q This was the instrument you used on that occasion for the purpose of giving the deceased a slight wound? You are sure that was your intention? A Yes, sir.

Q Positive? A I had no occasion to do anything else. He never done me any harm.

Q You didn't think the motive strong enough to kill him? You thought it would justify you in giving him a slight wound? A I didn't even think that. I was crazy at the time.

Q What did you mean by saying you intended to give him only a slight wound? A That was all. I tried to strike him in the hand.

Q When you pointed that pistol at him that was your intention, to give him a slight wound? A Yes, sir; to hit him in the hand.

Q Did you aim at the hand? A Yes, sir.

Q No other part of the body? A No, sir.

Q Where was Kretschmer at the time? A When he turned upon me and said he would put . . . and my children out he was standing on the other side of the table near the window.

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- Q You have a recollection of everything that happened down to the time you pulled the trigger? A Yes, sir.
- Q Do you remember stating to Captain Carpenter: "He has injured me, and I tried to injure him."? A No, sir.
- Q You didn't say that? A No, sir.
- Q You didn't know you had injured the deceased? A I thought he was injured, certainly.
- Q Did you have any money saved up when you went to Boston? A A few dollars.
- Q When did you change your mind about going to Boston? A I changed it on board of the boat and from that time on until I got into Mr. Kretschmer's house it was my intention to fight him. I asked two or three different people where he lived.
- Q This is a self-cocking revolver? A Yes, sir.
- Q You have to pull the trigger to make it go off? A Yes, sir.

Re-direct Examination:

- Q Had you formed any intent to kill at the time you shot? A No, sir.
- Q Explain to the jury what you mean when you say you aimed at his hand? A After he said he would put me out with my children he was very angry. I at once got kind of mad and he sprung for me. I thought he had a revolver at the time and I shot at his hand to stop him from drawing the revolver. I got in a rage and drew my revolver.
- Q Did you know what you were doing when you pulled the trigger? A No, sir; I can't say that I knew what I was

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ORIGINAL**

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going to do.

Q Were you deprived of your reason at the time? A Yes, sir; I didn't know what I was doing at the time. Before the shooting was done I was in a passion. That is all I do know. I fired at the deceased. The revolver shows it and the wound shows it. I must say that I did the shooting and that is all I know. I have never denied it. The shooting was done and I did it.

Re-cross examination:

Q You pointed the revolver at him? A I took it out and fired immediately.

Q Take the revolver now and show us just how you did it? A I shot it this way. If I wished to kill him I could have pointed at his head as well as at his lower parts.

Q You remember that you pulled the revolver out of your right hip pocket? A Yes, sir.

Q You remember saying that you aimed at his hand? A Yes, sir; I did.

Q You thought you were going to do him bodily harm? A Yes, sir; that is the reason. It was the excitement that kept me there and nothing else.

The jury returned a verdict of "guilty of manslaughter in the first degree".

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Indictment filed May 21, 1891

COURT OF GENERAL SESSIONS

Part III.

THE PEOPLE, &c.,  
against  
ALEXANDER SHUPPE.

Abstract of testimony on  
trial New York, October 19th  
and 20th 1891.

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POOR QUALITY ORIGINAL

1052

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION,

Taken at the Court of Coroners Office No. 124 Second Avenue Street, in the 17<sup>th</sup> Ward of the City of New York, in the County of New York, this 8<sup>th</sup> day of May in the year of our Lord one thousand eight hundred and 91 before

Daniel Hanly Coroner, of the City and County aforesaid, on view of the Body of Frank Kretschmer lying dead at

Eight good and lawful men of the State of New York, duly chosen and sworn, do affirmed and charged to inquire, on behalf of said people, how and in what manner the said Frank Kretschmer came to his death, do upon their Oaths and Affirmations, say: That the said Frank Kretschmer

came to his death by From a pistol shot wound of the abdomen inflicted by Alexander Happe, on May 2, 1891, at No 352 East 87 Street New York City

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisition, set our hands and seals, on the day and place aforesaid.

JUROS.

G. Perrenthal  
Philip Smith

Charles Kump 396 1/2 Avenue  
C. Evers 311-40  
Neil Stein  
Edw. A. Borromann  
Henry F. Evers  
W. Stedroth

Daniel Hanly

CORONER, &c. &c.

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TESTIMONY.

P. E. Donlin M. D., being duly sworn, says:  
I have made an Autopsy of the body of  
Frank Kretschmer now lying dead at  
352. E. 87<sup>th</sup> St and from such Autopsy  
and history of the case, as per testimony, I am of opinion the cause of  
death is

Exhaustion -  
traumatic Pentople &  
hepatic haemorrhage post mortem shot  
wound abdomen  
P. E. Donlin M. D.

Sworn to before me,

this

day of

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Daniel Kearny

CORONER.



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ORIGINAL

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Coroner's Office,

CITY AND COUNTY }  
OF NEW YORK, } ss.

Alexander H. H. H. being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to answer or not, all or any questions put to him, states as follows, viz.:

Question—What is your name?

Answer—The prisoner declines to give his name through his counsel.

Question—How old are you?

Answer—He declines to answer for some reason.

Question—Where were you born?

Answer—Declines to answer—same reason.

Question—Where do you live?

Answer—Declines to answer. "

Question—What is your occupation?

Answer—Declines to answer. "

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

He declines to answer by advice of counsel.

Taken before me, this 8<sup>th</sup> day of May 1881

David H. H.

CORONER.

**POOR QUALITY ORIGINAL**

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**MEMORANDA.**

AGE			PLACE OF NATIVITY	WHERE FOUND	DATE When Reported
Years	Months	Days			
50			Austria	352 E. 87 St	May 5/91

May 8/91

Adm. 533-1891  
**HOMICIDE.**

**AN INQUISTION.**

On the VIEW of the BODY of

Frank H. Kerschmer

whenever it is found that he came to  
his death by the hands of

Alexander Kerppe

Report taken on the 25 day

of May 1891

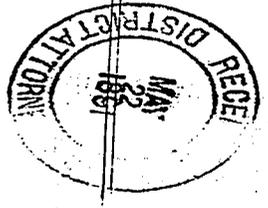
before  
Carrie Kerppe  
Coroner.

Committed

Examined

Discharged

Date of death



POOR QUALITY  
ORIGINAL

1057

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Alexander Huppe

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

of the CRIME OF Murder in the First Degree, committed as follows:

The said Alexander Huppe,

late of the City of New York, in the County of New York aforesaid, on the *second*  
day of *May*, — in the year of our Lord one thousand eight hundred and  
*eighty-nine* at the City and County aforesaid, with force and arms, in and upon one  
*Erada Kretsdamer*, in the peace of the said People then and there being,  
wilfully, feloniously, and of *his* malice aforethought, did make an assault, and the said  
*Alexander Huppe*, a certain pistol then and there charged and  
loaded with gunpowder and one leaden bullet, which said pistol the said *Alexander*  
*Huppe* in *his* right hand then and there had and held,  
to, at, against, and upon the said *Erada Kretsdamer*, —  
then and there feloniously, wilfully, and of *his* malice aforethought, did shoot off and  
discharge, and the said *Alexander Huppe*, —  
with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the  
gunpowder aforesaid, shot off, sent forth and discharged, as aforesaid, *him* the said  
*Erada Kretsdamer*, in and upon the *head* of *him*  
the said *Erada Kretsdamer*, then and there feloniously, wilfully, and of  
*his* malice aforethought, did strike, penetrate and wound, giving to *him*  
the said *Erada Kretsdamer*, then and there, with the leaden bullet  
aforesaid, so as aforesaid discharged, sent forth and shot out of the pistol aforesaid, by the

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said *Alexander Huggie*, in and upon the *side* of the said *Francis Hutchinson*, one mortal wound of the breadth of one inch, and of the depth of six inches, of which said mortal wound *he* the said *Francis Hutchinson*, at the City and County aforesaid, from the said *second* day of *May* in the year aforesaid, until the *fourth* day of *May* in the same year aforesaid, did languish, and languishing did live, on which said *fourth* day of *May* in the year aforesaid, the said *Francis Hutchinson*, at the City and County aforesaid, of the said mortal wound did die.

And so the Grand Jury aforesaid do say: That the said

*Alexander Huggie, Junr.*  
the said *Francis Hutchinson*, in the manner and form, and by the means aforesaid, wilfully, feloniously, and of *his* malice aforethought, did kill and murder, 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 *Alexander Huggie*—

of the same CRIME OF Murder in the First Degree, committed as follows:

The said *Alexander Huggie*,

late of the City and County aforesaid, afterwards, to wit: on the said *second* day of *May* in the year of our Lord one thousand eight hundred and *eighty one*, at the City and County aforesaid, with force and arms, in and upon the said *Francis Hutchinson*, in the peace of the said People then and there being, wilfully, feloniously, and with a deliberate and premeditated design to effect the death of the said *Francis Hutchinson*, did make an assault, and the said

POOR QUALITY ORIGINAL

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Alexander Huppe, a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which said pistol the said Alexander Huppe in his right hand then and there had and held to, at, against, and upon the said Branda Fredman, then and there feloniously, wilfully, and with a deliberate and premeditated design to effect the death of the said Branda Fredman, did shoot off and discharge. and the said Alexander Huppe, with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the gunpowder aforesaid, shot off, sent forth, and discharged, as aforesaid, in the said Branda Fredman, in and upon the abdomen of him the said Branda Fredman, then and there feloniously, wilfully, and with a deliberate and premeditated design to effect the death of the said Branda Fredman, did strike, penetrate, and wound, giving to him the said Branda Fredman, then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth, and shot out of the pistol aforesaid, by the said Alexander Huppe in and upon the abdomen of the said Branda Fredman, one mortal wound of the breadth of one inch, and of the depth of six inches, of which said mortal wound he the said Branda Fredman, at the City and County aforesaid, from the said second day of May, in the year aforesaid, until the fourth day of May, in the same year aforesaid, did languish, and languishing did live, on which said fourth day of May, in the year aforesaid, the said Branda Fredman, at the City and County aforesaid, of the said mortal wound did die.

And so the Grand Jury aforesaid do say: That the said

Alexander Huppe, Junr,  
 the said Branda Fredman, in the manner and form, and by the means aforesaid, wilfully, feloniously, and with a deliberate and premeditated design to effect the death of the said Branda Fredman, did kill, and murder, against the form of the Statute in such made and provided, and against the peace of the People of the State of New York and their dignity.

John R. Fellows  
 JOHN R. FELLOWS,  
 District Attorney.

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**BOX:**

437

**FOLDER:**

4031

**DESCRIPTION:**

Hurley, James

**DATE:**

05/14/91



4031

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621

Wm J. Callahan  
Counsel

Filed  
City of Day  
1891  
Pleas  
M. J. [unclear]

THE PEOPLE  
James Hurley  
Grand Larceny, (First Degree)  
(From the Person)  
[Sections 528, 530, 532 Penal Code]

JOHN R. BELLOWES,  
District Attorney.

W. L. Bidmion  
Court 3, Dec 11, 93  
Court 3, Dec 11, 93  
Court 3, Dec 11, 93  
A True Bill.  
Court 1, Oct. 19, 93

Witnesses:  
James Madigan  
off John Fitzgibbon  
1st page

of unrepaid efforts have  
been unable to secure the  
attendance of the convict  
and I therefore recommend  
that debt be discharged on his  
own recognizance.  
Dec 11, 93  
Wm J. Callahan  
ada.

Foreman  
In recm. of Court, atty  
deft. discharged on his  
own recog. P. B. [unclear]

POOR QUALITY ORIGINAL

1062

Police Court \_\_\_\_\_ District. Affidavit—Larceny.

City and County } ss:  
of New York, }

of No. 132 Broad 178-56<sup>th</sup> St Burleigh St Street, aged 18 years,  
occupation Bar tender being duly sworn,

deposes and says, that on the 7<sup>th</sup> day of May 1891 at the City of New York,  
in the County of New York, was feloniously <sup>attempted to be</sup> taken, stolen and carried away from the possession of deponent, in  
the afternoon, the following property, viz:

One Watch valued at Forty  
Dollars  
\$ 40.00

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by James Kelly 777<sup>th</sup> St

from the fact, that deponent was standing on the Public House with said watch in his vest pocket that he felt some one pulling said watch from said pocket that he caught the defendant with said property in his hand and then caught hold of defendant until he was arrested James O'Mulligan

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

**POOR QUALITY ORIGINAL**

1063

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer. *James Kelly*

Question. How old are you?

Answer. *15 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *109 South Street 2 years*

Question. What is your business or profession?

Answer. *Work for my Father in Hardware Store*

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.  
James Kelly 1901*

Taken before me this  
day of *May* 1891

*SA*

Police Justice.

*[Signature]*

POOR QUALITY ORIGINAL

1064

BAILLED

No. 1, by Samuel Stanley  
 Residence 196 South  
 Street

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

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

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

Police Court - District

THE PEOPLE, Ec.,

ON THE COMPLAINT OF

178-57 St.  
123 Mulberry  
James Kelly

Samuel Stanley  
James Kelly

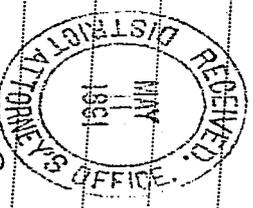
Offence Larceny  
from the Person

Dated May 8<sup>th</sup>  
1891

Ho Fan  
Magistrate

Ho Fan  
Police Officer

Witnesses \_\_\_\_\_  
Street



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

500  
to answer 9.18.91  
Robert

621

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 \_\_\_\_\_

\_\_\_\_\_ Defendants  
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 May 8 1891 Ho Fan Police Justice.

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

Dated May 10 1891 Ho Fan 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.

POOR QUALITY  
ORIGINAL

1065

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

Deck hand on

Robert A. Sayre

tyboat Lehigh Valley

178 - 56<sup>th</sup> St. Brooklyn

POOR QUALITY ORIGINAL

1066

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Hurley

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

James Hurley of the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said

James Hurley

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

one watch of the value of fifteen dollars

of the goods, chattels and personal property of one James P. Mulligan on the person of the said James P. Mulligan then and there being found, from the person of the said James P. Mulligan 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.

**POOR QUALITY ORIGINAL**

1067

SECOND COUNT—

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

*James Hurley*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *James Hurley,*

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 fifteen dollars*

of the goods, chattels and personal property of one

*James P. Mulligan*

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

*James P. Mulligan*

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

*James Hurley*

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.

DELANEY NICOLL  
JOHN R. FELLOWS,  
District Attorney.

1068

**BOX:**

437

**FOLDER:**

4031

**DESCRIPTION:**

Hymenson, Philip

**DATE:**

05/01/91



4031

1069

**BOX:**

437

**FOLDER:**

4031

**DESCRIPTION:**

Rosenthal, Harris

**DATE:**

05/01/91



4031

POOR QUALITY ORIGINAL

1070

# 453 John

Counsel,

Filed

day of May

1987

Pleaded

Grand Larceny, First Degree. (From the Person.) [Sections 529, 580, Penal Code]

THE PEOPLE

vs.

Philip Hymerson

and

Harro Rosenthal

DEBORAH NICOLI

JOHN R. BELLOWE

District Attorney.

County Coroner of

A True BILL

Ernest R. Giffin

for

for leader of...

Witnesses:  
Mary Hoefel  
Mary Hoefel

Levin  
Max Kaminets  
Reg Kaminets

POOR QUALITY ORIGINAL

1071

Police Court 3rd District.

Affidavit—Larceny.

City and County } ss:  
of New York,

of No. 135 Clinton Street, aged 30 years,  
occupation Master finisher being duly sworn,  
deposes and says, that on the 24 day of April 1891 at the City of New York,  
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in  
the night time, the following property, viz:

Good and lawful  
money of the United States,  
of the value of about  
Five Dollars  
(contained in a pocketbook)  
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 Philip Hymenson and Harris Rosenthal  
(both now here) who acted in concert with each  
other, for the reasons following, to wit:

Deponent says—Shortly after 10  
P.M. of said date, she was walking on Orchard  
Street and had said pocketbook containing  
said money in the pocket of the dress worn by  
deponent at the time, when she was jostled  
against by defendants, and felt a hand  
inserted in said pocket and said prop-  
erty removed therefrom, and both de-  
fendants ran off pursued by deponent  
and by Max Kopling of No. 97 Orchard Street  
who informed deponent that he had seen said  
defendant Hymenson take said pocketbook

Sworn to before me, this  
1891  
day  
Police Justice

POOR QUALITY  
ORIGINAL

1072

from deponent's pocket, and caused  
both defendants arrested by Officer Gas-  
tan Hinkley day after 11<sup>th</sup> Precinct, who saw  
defendants running away from deponent  
and found a pocketbook in defendant Hyman  
son's possession, which deponent identified  
in said officer's presence, as being the missing  
property. <sup>where</sup> Therefore, deponent charges  
defendants with, <sup>with</sup> larceny, stealing, and carrying  
away said property, from deponent's person,  
and possession.

Several persons, Mary W. Wolfson  
this 5<sup>th</sup> day of April 1933 mark

J. M. Ryan  
Police Officer.

**POOR QUALITY ORIGINAL**

1073

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Max Koplewitz*

aged 15 years, occupation makes button holes of No.

97 Orchard Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Mary Wolfsohn

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 Apr 1898.

*his*  
Max X Koplewitz  
*made*

John Ryan  
Police Justice.

POOR QUALITY ORIGINAL

1074

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Philip Hymenson 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. Philip Hymenson

Question. How old are you?

Answer. 19 years

Question. Where were you born?

Answer. Russia

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

Answer. 121 Allen Street of New York

Question. What is your business or profession?

Answer. Peddler

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 and demand an examination  
Philip Hymenson

Taken before me this

day of

John H. [Signature] 2155

Police Justice

**POOR QUALITY ORIGINAL**

1075

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Harris Rosenthal 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. Harris Rosenthal

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. Russia

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

Answer. 169 Madison St. New York

Question. What is your business or profession?

Answer. makes purses

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; and demand an examination of Harris Rosenthal

Taken before me this 1st day of April 1934 at New York Police Justice.

POOR QUALITY ORIGINAL

1076

Police Court... 3 District

1926 361

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Mary McLaughlin  
1369 Madison St  
Philip DeGennaro  
30 Willis Street

Offence: Barreny from person

Dated: April 21 1911

Magistrate: John Ryan

Witnesses: Paul O'Brien

No. 99 Street: McLeod

No. 1077 Street: 9th

1000 Ex April 27 - 2 PM

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

defendants

guilty thereof, I order that ~~they~~ be held to answer the same and ~~they~~ be admitted to bail in the sum of 100 Hundred Dollars, Each and be committed to the Warden and Keeper of the City Prison, of the City of New York, until ~~they~~ give such bail.

Dated.....188 John Ryan Police Justice.

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

Dated.....188 John Ryan 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.

COURT OF GENERAL SESSIONS, PART I.

----- x  
 :  
 The People of the State of New York :  
 :  
 against : Before  
 : Hon. Fred'k Smyth,  
 Philip Hymanson impleaded with Har- : and a Jury.  
 ris Rosenthal. :  
 :  
 ----- x

Indictment filed May 1, 1891.  
 Indicted for grand larceny in the first degree.  
 New York, May 19, 1891.

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

For the People,  
 Asst. District-Attorney Robert Townsend;  
 For the Defendant,  
 Mr. J. Oliver Keane.

MARY WOLFSON, a witness for the People, sworn, testified as follows:

I live at No. 35 Clinton Street in this city .  
 On the 24th. of April this year I went from Clinton to Orchard Street and at about ten o'clock in the night I passed through Orchard Street. Two young men came near me. I had this pocketbook in my pocket of the dress that I am now wearing. In one division of the pocketbook I had \$4 in bills and this key and in the other division of the pocketbook I had a dollar and thirty-five cents and a ring and a pair of earrings. I saw the defendant on that night in company with the other man. I didn't notice which of the two of them took the pocketbook, but the two men were together and they took the pocketbook. It hap-

pened so quickly that I couldn't see which of them took it. I felt the hand of this defendant in my pocket. The defendant is the person who was nearest to me at the time I felt the hand in my pocket. I commenced to shout "Police" and say that they took my pocketbook. They both ran away from me. I run after them and hollered all the time. They ran until they reached the corner of Ludlow Street near Grand. I don't know how many blocks it is. A policeman came and caught him and when I ran up to him the defendant gave the pocketbook to the policeman. That was my pocketbook which he handed over to the policeman. They were then taken to the Eldridge Street Station House and I made a complaint against both of them.

**CROSS-EXAMINATION:**

- Q What time was it when you first saw those two men on that night ? A Not a minute before.
- Q What time was it ? A It was ten o'clock in the night.
- Q When you first saw those two men, were they close to you? A They came from an opposite direction from me.
- Q When you felt the hand in your pocket, what was the first thing you did ? A I commenced to shout.
- Q And they ran ? A Yes, sir.
- Q Do you know which man was on the side of you where the pocketbook was ? A The defendant.
- Q You had never seen these two men before ? A No, sir; I never saw them before.
- Q It was ten o'clock at night ? A Yes, sir.

- Q Your pocketbook was gone very quickly ? A Very quickly. They just came over and I immediately felt a hand in my pocket.
- Q Will you tell the jury how you knew that your pocketbook had been taken from your pocket ? A A hand was put into my pocket and I felt it in there.
- Q Did you miss your pocketbook immediately after that hand was inserted in your pocket ? A I immediately put my hand in my pocket and felt the pocketbook was gone. Just a minute before I had felt it in there when I put my handkerchief in.
- Q Are you willing to swear that the defendant Hymanson was not chasing the other man ? A I don't know what he wanted to do. They both ran.
- Q Isn't it a fact that the defendant stated in the Station House that he was chasing the other man who had taken your pocketbook ? A I don't know what he stated. I saw him hand it over to the Officer.

GUSTAV HINKELDEY, a witness for the People, sworn, testified as follows:

I am a Police Officer in this city. I arrested the defendant in Ludlow Street at about ten o'clock on the 24th. of April. I saw two men running through Broome Street from Orchard into Ludlow and I overtook them in Ludlow Street and held them. I asked them what they were running for and with that I heard a cry of "Police" and this woman and several others came running up. I

asked what the trouble was and this woman accused the defendant of taking her pocketbook. I held on to both defendants. I said to the defendant, "This woman says she has lost her pocketbook. Why don't you give up the pocketbook?" Then he put his hand in his pocket and handed it over to me. He said: "Here it is. The big fellow gave it to me". I then took him into custody. The next morning I discovered that the two of them had changed hats and then I felt sure that the two of them had been together all night. I had no further conversation with the defendant. At the time the defendant handed me the pocketbook the woman came up and identified the article as her property.

**CROSS-EXAMINATION:**

- Q What did you find on the defendant ? A I believe it was three dollars and something in silver.
- Q Did you search the other defendant ? A Yes, sir; he had about the same amount of money in his pocket.

**DEFENSE:**

PHILIP HYMANSON, the defendant, sworn, testified as follows:

I am a pedler and reside at 121 Allen Street. I have been in this country nearly two years. I have never been convicted of any crime either in this or the old country. On the day of this occurrence -- it was a holiday -- I didn't peddle that day. I went and took a walk along with the other defendant and whilst I was walk-

ing with him I heard a woman shout "Police" and "Stop Thief". I saw a lot of others running and I ran. As I ran I picked up a pocketbook that was laying on the sidewalk. A policeman stopped me and I gave him the pocketbook. The woman identified the pocketbook as hers and I gave the policeman the pocketbook. I didn't put my hand in this woman's pocket nor did I steal a penny of her money.

- Q Did you at any time tell the policeman when you were arrested, in the Station House, or on your way going to court that the other defendant had given you the pocketbook? A I was confused. At the time the policeman was taking me to the Station House I was very much excited.
- Q Do you remember what you said to the policeman on that occasion? A I do not remember.
- Q Did the defendant Rosenthal on any time on that day give you a pocketbook? A No, sir; I never said that.
- Q When you picked up this pocketbook, how far did you walk before you gave it to the policeman? A A whole block.
- Q From the time you picked up this pocketbook and heard this lady shout until you gave the pocketbook to the policeman a block away did you run at all? A They all ran and I was running part of the distance. I was one of the first to reach the Police Officer.
- Q Did you have the pocketbook in your hand? A I had it in my coat pocket and I gave it to the officer immediately

when he stopped me.

CROSS-EXAMINATION:

- Q Didn't the policeman take hold of you by the collar ?  
A He held me by the collar.
- Q He stopped you ? A Yes, sir.
- Q And several others ? A Yes, sir.
- Q He put out his club and stopped several ? A Yes, sir.
- Q Did he arrest anybody except you and this other man Rosen-  
thal ? A I don't know. I know we were all that were  
brought to the Station House.
- Q At the time the policeman took hold of you, did you tell  
him you had found the pocketbook. A I don't recollect.  
I think I told him that.
- Q On your way to the Police Court the next morning, did you  
say anything to the policeman about how you found it ?  
A No, sir; I only told him that he should tell my  
friends that I am arrested.
- Q How long have you known the other defendant ? A Five or  
six months.
- Q Why did you run on this occasion ? A Because I heard  
a crowd calling out "Stop Thief" and I heard the woman  
shouting.
- Q Were you ahead of the crowd ? A About three persons  
were ahead of me.
- Q How many were following you ? A I couldn't tell you,  
but a great many were following.

- Q You didn't see the woman at all when you picked up the pocketbook? A No, sir.
- Q Where did you first see her? A I never seen her until in the Station House.
- Q Didn't you see her when she came up to the policeman while the policeman had hold of you and when he asked you "Why don't you give the woman back her pocketbook?" A The policeman took me and the pocketbook to the Station House.
- Q Didn't you see her on that night before you saw her at the Station House? A No, sir.
- Q You didn't tell anybody that you found the pocketbook? A No, sir.
- Q You put it right in your pocket? A Yes, sir.
- Q And kept right on running? A Yes, sir.

The jury returned a verdict of "Guilty of Grand Larceny in the first degree".

**POOR QUALITY ORIGINAL**

1084

Indictment filed May 1, 1891.

COURT OF GEN'L SESSIONS, PART I.

The People of the State of New York,

against

Philip Hymanson impleaded with Harris Rosenthal.

Abstract of Testimony on Trial May 19, 1891.

**POOR QUALITY ORIGINAL**

1085

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

THE PEOPLE OF THE STATE OF NEW YORK  
against  
*Philip Hymenson and Harris Rosenthal*

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

The said *Philip Hymenson and Harris Rosenthal*, both  
late of the City of New York, in the County of New York aforesaid, on the *twenty fourth*  
day of *April* in the year of our Lord one thousand eight hundred and  
*eighty ninety one*, in the *night* time of the said day, at the City and County  
aforesaid, with force and arms, *one pocketbook*

*\$5.00* *one* promissory note for the payment of money of the kind commonly called United States Treasury Notes, of the denomination and value of *five* dollar \$ *one*; *one* promissory note for the payment of money of the kind commonly called Bank Notes, of the denomination and value of *five* dollars; *one* United States Gold Certificate, of the denomination and value of *five* dollars; *one* United States Silver Certificate, of the denomination and value of *five* dollar \$

*two* promissory notes for the payment of money of the kind commonly called United States Treasury Notes, of the denomination and value of *two* dollar \$ *each*; *two* promissory notes for the payment of money of the kind commonly called Bank Notes, of the denomination and value of *two* dollar *each*; *two* United States Gold Certificates, of the denomination and value of *two* dollar *each*; *two* United States Silver Certificates, of the denomination and value of *two* dollar \$ *each*.

*three* promissory notes for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of *one* dollar *each*; *three* promissory notes for the payment of money of the kind commonly called Bank Notes, of the denomination and value of *one* dollar *each*; *three* United States Gold Certificates, of the denomination and value of *one* dollar *each*; *three* United States Silver Certificates, of the denomination and value of *one* dollar *each*. *divers coins of a number, kind, and denomination to the Grand Jury aforesaid unknown, of the value of five dollars*

of the goods, chattels and personal property of one *Mary Wolfsohn* on the person of the said *Mary Wolfsohn* then and there being found, from the person of the said *Mary Wolfsohn* 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 Ricoll,*  
District Attorney.