

0438

**BOX:**

296

**FOLDER:**

2817

**DESCRIPTION:**

Hagerty, Jeremiah

**DATE:**

02/29/88



2817

POOR QUALITY  
ORIGINAL

0439

Witnesses;

*J. N. Walden*  
*Off. Kemmer*

Counsel,

Filed 29

day of July

1888

Pleads,

THE PEOPLE

*Jeremiah Stager*  
*vs.*  
*State of Missouri*  
*by*  
*John R. Fellows*

[Section 498, 506, 528, 552, 559.]  
Burglary in the Third degree.  
Petit Jurors and  
Recorder

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*G. H. Stager*

Foreman.

Part II March 1/88  
Pleads - Burg 3<sup>rd</sup> deg  
1 yr 9 mo. S.P. P.M.

POOR QUALITY  
ORIGINAL

0440

Police Court—<sup>1st</sup> District.

City and County } ss.:  
of New York,

of No. 4 Murray Street, aged 29 years,  
occupation Printer being duly sworn

deposes and says, that the premises No 4 Murray Street,  
in the City and County aforesaid, the said being a five story brick  
building in habited by National Press Company  
and which was occupied by it as a an advertising office  
~~and in which there was at the time a human being, by name~~

were BURGLARIOUSLY entered by means of forcibly breaking a  
window in the door leading into the said office  
from the hall way on the 2nd floor of said  
building and entering therein

on the 19th day of February 1888 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:

Two umbrellas two coats two office clocks  
altogether of the value of Ten dollars

the property of The National Press Co. employees in care & custody of deponent  
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

Jeremiah Haggerty  
(now here)  
for the reasons following, to wit: deponent tried the office door  
leading into said office at about the hour  
of 9 o'clock A.M. on said date and at  
about the hour of one o'clock P.M. deponent  
was informed by Officer Harry Niemeyer of  
the 2nd Precinct Police that it was discovered  
said premises had been burglarized and  
that the said Officer found the aforesaid  
property in the defendant's possession in said



POOR QUALITY  
ORIGINAL

0441

hagway which was subsequently identified  
by John T Wood of No 4 Munster Street  
an employee in the National Advertising  
Company

Sworn to before me this

25th day of February 1944

John O'Heldan

Magistrate

Police Justice

Police Court District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Degree.

Burglary

25. 11

Dated

1944

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$

Bail.

Bailed by

No.

Street.



POOR QUALITY  
ORIGINAL

0442

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 17 years, occupation Clerk of No. 4 Murray Street, being duly sworn deposes and

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

Sworn to before me, this 20th

day of Feb 1888

J. J. Wood  
Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 29 years, occupation Police Officer of No. 2nd Street, being duly sworn deposes and

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

Sworn to before me, this 20th

day of Feb 1888

Harry Niemeyer  
Police Justice.

POOR QUALITY  
ORIGINAL

0443

Sec. 198-200.

17 District Police Court.

CITY AND COUNTY { ss  
OF NEW YORK.

*Jeremiah Haggerty* 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

day of

Taken before me this

188

Police Justice.

POOR QUALITY  
ORIGINAL

0444

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

*John T. McLean*  
4 Broadway St  
Jermanah Stegents  
Offence—*Burglary*

1  
2  
3  
4

Dated *Feb 20th* 188

*John T. McLean*  
Magistrate

*John T. McLean*  
Officer

*John T. McLean*  
Precinct

*John T. McLean*  
Street

*John T. McLean*  
Street

*John T. McLean*  
Street

*John T. McLean*  
Street

*John T. McLean*  
Street

*John T. McLean*  
Street

*John T. McLean*  
Street

*John T. McLean*  
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

*Defendant*  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of ~~\_\_\_\_\_~~ *one 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. *he legally disch*

Dated *Feb 20th* 188 *any over* Police Justice.

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

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

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

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



POOR QUALITY  
ORIGINAL

0445

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Jeremiah Magerty*

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

*Jeremiah Magerty* —

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

The said *Jeremiah Magerty*.

late of the *Third* Ward of the City of New York, in the County of New York, aforesaid, on the *indecent* day of *February*, in the year of our Lord one thousand eight hundred and eighty-eight, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *Office* of one *a corporation called the National Press Company*.

feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent, the goods, chattels and personal property of the said *corporation*.

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

POOR QUALITY  
ORIGINAL

0446

SECOND COUNT—

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

*Jeremiah Magerty* —

of the CRIME OF *Petit* LARCENY —

committed as follows:

The said *Jeremiah Magerty*.

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

*Two umbrellas of the value of Two  
dollars each, Two coats of the value  
of Two dollars each, and Two clocks  
of the value of Two dollars each.*

of the goods, chattels and personal property of ~~one~~ a corporation  
*called the National Press Company.*  
in the *office* of the said corporation. —

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

POOR QUALITY  
ORIGINAL

0447

THIRD COUNT—

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

*Fernando Magallon* —

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

*Fernando Magallon*

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

*Two umbrellas of the value of  
Two dollars each. Two coats of  
the value of two dollars each  
and Two clocks of the value of  
Two dollars each.*

of the goods, chattels and personal property of ~~one~~ a corporation called  
*the National Press Company.*

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

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

*Fernando Magallon*

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

JOHN R. FELLOWS,

District Attorney.



0448

**BOX:**

296

**FOLDER:**

2817

**DESCRIPTION:**

Haggerty, John

**DATE:**

02/08/88



2817

0449

POOR QUALITY  
ORIGINAL

Witnesses:

*Mr. J. H. [unclear]  
that [unclear] [unclear]  
be [unclear] [unclear]  
[unclear] [unclear] [unclear]  
[unclear]*

*7/11*

*No 52*

Counsel, *[Signature]*  
Filed, day of *July* 188*8*  
Pleads, *Chitzy [unclear]*

MISDEMEANOR.  
(SERVING OLEOMARGARINE AS FOOD, &c.)  
[Chap. 188, Laws of 1883, (as amended by Chap. 683, Laws  
of 1887, § 1), § 27.]

THE PEOPLE,

vs.

*B*

*John Staggerty*

JOHN R. FELLOWS,  
RANFOLPH B. MARTINE,

District Attorney.

*Pr 2 Apr 30/88  
Pleads guilty.  
A True Bill.*

*[Signature] Foreman.  
Fini 7/10. 7/8*

POOR QUALITY  
ORIGINAL

0450

STATE OF NEW YORK.

CITY OF

New York

S.S.

COUNTY OF

New York

Joseph J. Siroguet being duly sworn, says, that he resides at number 30 West 10th Street, in the City of New York, County of Westchester and State of New York, is 30 years of age, and an expert appointed by HON. JOSIAH K. BROWN, the New York State Dairy Commissioner; that, at the times hereinafter mentioned, one John Haggerty was the keeper and proprietor, of a Restaurant a place of public entertainment, and had his said Restaurant in a room in number 21 Catharine St. Street, in the City of New York, County of New York, within this State, and occupied and controlled such room and was in charge of such room & restaurant; that on the 30th day of December, 1887, deponent went to such John Haggerty's said restaurant and ordered a lunch consisting of bread & butter & coffee; and the said John Haggerty in response thereto in his said restaurant then and there served to deponent as food for deponent and as a part of the said lunch so ordered by deponent, who was then a guest and customer of said John Haggerty in his said restaurant a substance in imitation and semblance of natural butter, produced from pure unadulterated milk or cream of the same, which had been made out of some animal fat or animal or vegetable oils not produced from unadulterated milk or cream from the same and by mixing, compounding with and adding to milk, cream or butter such animal fats or animal or vegetable oils not produced from milk or cream, so as to produce an article, substance and human food in imitation and semblance of natural butter and which had been made in violation of the provisions of Section 7 of Chapter 183 of the Laws of 1885, as amended by Chapter 577 of the Laws of 1886; that a more particular description of such manufactured substance, the ingredients thereof and the amount of the same are unknown to deponent and cannot be stated herein for that reason; that the same was so served by said John Haggerty in the ordinary course of his said business; and said John Haggerty asked, and deponent then and there paid him 10 cents for such lunch; that deponent then and there took from the substance so served to him by said John Haggerty a sample thereof for analysis in the manner required by law; and thereafter, on December 30th, 1887, deponent delivered such sample so taken by him as stated, to one Russell H. Moore who was and is known to deponent to have then been, and who since has been and is now, a chemist, practicing as such at number 4th Ave 49th Street, in the City of New York County of New York, within this State, and deponent caused the said substance to be analyzed by such chemist; that the certificate of such analysis thereof, made by said chemist, is hereto annexed.

Deponent charges that the said John Haggerty against the peace and dignity of the People of the State of New York, and the statutes in such case made and provided, wrongfully and unlawfully so served such manufactured substance and caused, procured and suffered the same to be so served to deponent, and was thereby guilty of a misdemeanor; and deponent, therefore, asks for a warrant against the said John Haggerty for violation by him of Section 27 of Chapter 183 of the Laws of 1885, as added thereto by Chapter 583 of the Laws of 1887, and that he may be dealt with as the law directs.

Sworn to before me

this

16th

day of

January

1888

Joseph J. Siroguet

JUSTICE.



POOR QUALITY  
ORIGINAL

0451

Police Court W

Court of

1st Dist

County of

New York

THE PEOPLE, &c

vs.

John Haggerty

Affiant:

Joseph J. Soregan  
288 GREENWICH ST.,  
NEW YORK CITY.

Witnesses:

Thomas R. Gray  
Residence 288 GREENWICH STREET,  
NEW YORK CITY.

Residence

Russell W. Moore  
288 Greenwich St.

Residence

Charles J. O'Rourke  
229 Broadway

POOR QUALITY  
ORIGINAL

0452

Series No. 8992

RUSSELL W. MOORE, A. M. M. Sc., Chemist.

# Certificate of Analysis.

State of New York,  
CITY OF NEW YORK. } ss.  
COUNTY OF NEW YORK.

I, Russell W. Moore, a chemist,  
practising in the City of New York, County and State of New York, do hereby certify that I  
have analyzed the sample duly sealed and marked 8992 Dec 30<sup>th</sup> 1887 21 Baltimore Slip N.Y.C. - F.R. Gray  
received from Joseph J. Sorogian  
on December 30<sup>th</sup> 1887.

THE SAMPLE CONTAINS:  
WATER. 9.50 %  
ANIMAL AND BUTTER FAT, 85.74 %  
CURD, 1.51 %  
SALT, 3.25 %  
100.00

ANALYSIS OF THE FAT:  
INSOLUBLE FATTY ACIDS, 95.36 %  
SOLUBLE " " 5.6 %  
SPECIFIC GRAVITY OF THE  
Richert Agent 1.05  
FAT AT 66 deg. F.

This sample is composed mainly of animal fat, and was not produced from unadulterated milk, or cream from the same. It was not produced from milk or cream alone. It contains coloring matter, whereby it is made to resemble butter, the product of the dairy, and is in imitation and semblance of butter, produced from pure unadulterated milk or cream from the same.

I further certify that the foregoing is a true statement of the analysis of such sample so made by me as stated.

Respectfully yours,

Russell W. Moore  
Chemist.

Dated January 9<sup>th</sup>, 1888.

State of New York,  
CITY OF NEW YORK, } ss.  
COUNTY OF NEW YORK.

On the 10<sup>th</sup> day of January, in the year  
one thousand eight hundred and eighty Eight, before me, the subscriber  
personally came Russell W. Moore, to me well known to be the same  
person described in and who executed the foregoing instrument, and  
acknowledged that he executed the same.

John Stevens  
Notary Public  
County of New York

POOR QUALITY  
ORIGINAL

0453

No 8998  
New York Jan 9<sup>th</sup> 1888  
*Olemygand*  
Certificate of Analysis.



POOR QUALITY  
ORIGINAL

0454

Sec. 151.

Police Court pt District.

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

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 Joseph J. Morgan of No. 741 Vernon St. N.Y. that on the 30th day of December 1887 at the City of New York, in the County of New York, one John Higgerty then being the keeper & proprietor of a restaurant at No 21 Catharine St in said City unlawfully served to complainant as food, while complainant was a guest in said restaurant, a certain manufactured substance known as Oleomargarine made and colored in imitation and semblance of butter the product of the dairy.

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 each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 1st 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 16th day of January 1888.

W. J. Owen POLICE JUSTICE.

215 Henry St  
Green Stable Foot Pica St  
40, 10 - Sandy warehouse

POOR QUALITY  
ORIGINAL

0455

Police Court 1st District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Joseph J. Soragan  
vs.

John Haggerty

Warrant-General.

Dated Jan'y 16 1888

Power Magistrate

Walsh Officer.

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

Robert Walsh Officer.

Dated Jan'y 17 1888

This Warrant may be executed on Sunday or at  
night.

Police Justice.

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

Dated

188

38 Mr  
w  
US  
book  
8  
yes

215 Henry St

Police Justice

The within named

POOR QUALITY  
ORIGINAL

0456

Sec. 198-200.

182

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

*John Haggerty*

Question. How old are you?

Answer.

*38 years*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*215 Henry St 5 years*

Question. What is your business or profession?

Answer.

*Book*

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

Answer.

*I am not guilty and demand  
a trial by jury*

*John Haggerty*

Taken before me this *17*  
day of *January*  
188*6*

Police Justice.



POOR QUALITY  
ORIGINAL

0457

BAILED  
No. 1, by Edward L. Byrne  
Residence 218 South  
Street  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_  
Street

(60) 12-126  
Police Court District

THE PEOPLE & C.  
ON THE COMPLAINT OF

John Haggerty  
John Haggerty  
Offence Adulteration of Food

Dated 17 January 188

Magistrate John

Robert Walsh Officer

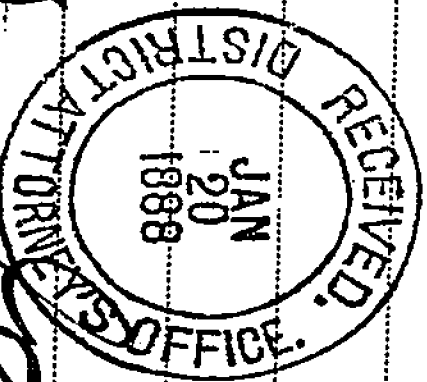
Clerk Precinct

Witnesses

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

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

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



to answer

John Haggerty  
218 South  
17th

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

John Haggerty  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Three 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 17 Jan 1888 Police Justice.

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

Dated Jan 17th 1888 John Haggerty 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 \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0458

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*John Haggerty*

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

*John Haggerty*

of a Misdemeanor committed as follows:

The said

*John Haggerty*

late of the *Fourth* Ward of the City of New York, in the County of New York aforesaid, on  
the *thirtieth* day of *December* in the year of our Lord one

thousand eight hundred and eighty-*seven*, at the Ward, City and County aforesaid,

being *proprietor of a certain restaurant*

there situate,  
did therein unlawfully keep, use and serve to one *Joseph J. Sorogay*  
then being a guest, patron, *and customer* of the said  
*John Haggerty* at said *restaurant*, a quantity of a  
certain article, substance and compound in imitation and semblance of natural butter produced  
from pure, unadulterated milk, or cream of the same, the said article, substance and compound  
so sold as aforesaid, being rendered, manufactured and produced out of divers animal fats and  
oils not produced from unadulterated milk, or cream from the same, the said article substance  
and compound not having been manufactured prior to, and not being in process of manufacture,  
on the sixteenth day of June, in the year of our Lord one thousand eight hundred and eighty  
seven, (a more particular description of which said article, substance and compound, is to the  
Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in  
such case made and provided, and against the peace and dignity of the said people.

*John R. Killows,*  
~~RANDOLPH B. MARTINE,~~

District Attorney.

0459

**BOX:**

296

**FOLDER:**

2817

**DESCRIPTION:**

Haines, Napoleon

**DATE:**

02/24/88



2817



**POOR QUALITY  
ORIGINAL**

0460

NAPOLEON HAINES  
GRAND LARCENY  
FEB 24, 1888

BILL JACKET MISSING

0461

Police Court—1st District.

Affidavit—Larceny

City and County }  
of New York, } ss.

of No. 19 New Street, aged 48 years,  
occupation Broker being duly sworn

deposes and says, that on <sup>or about</sup> the Fifth day of May 1884 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the time, the following property viz :

of the firm of DeMatt & Durant, of which this deponent was a member, the following property viz :  
One Hundred Shares of Manhattan Railway Stock,  
being of the value of Fifty seven hundred (\$5700) Dollars,  
being

the property of the said firm of DeMatt & Durant, and in their care and custody

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 Napoleon J. Waines, Jr. for the reasons following, to wit : that, on the Fifth day of May 1884, this deponent and John C. Durant were doing business as copartners, as Stock Brokers, at the premises aforesaid, and on this date had in their hands, as said Brokers, One hundred Shares of Manhattan Railway Stock, belonging to Napoleon J. Waines, Sr., upon which said Waines owed the firm of DeMatt & Durant about the sum of Fifty five hundred (\$5500) Dollars ; that on the 22<sup>d</sup> day of November 1882 said Napoleon J. Waines, Jr. who is a son of Napoleon J. Waines, Sr., came to this deponent, one of the members of the aforesaid firm of DeMatt & Durant, and with the purpose of defrauding the said DeMatt & Durant by <sup>feloniously</sup> appropriating

of  
1884

Police Justice.



to his own use the said stock standing to the Credit of Napoleon J. Naines, Sr. on the books of the said DeLoach & Duval, or the proceeds thereof, falsely, fraudulently and feloniously, stated and represented to him that he, the said Napoleon J. Naines, Jr., had been authorized by his father to manage his, the said father's, account with the firm of DeLoach & Duval, and to sell the aforesaid stock, or any other stock, belonging to the said Napoleon J. Naines, Sr., or any part thereof, standing to the Credit of said Napoleon J. Naines, Sr. on the books of DeLoach & Duval, and to buy back again such part of said stocks as he might then sell; and Deponent further says that at that time the said Napoleon J. Naines, Sr. had in the hands of the said firm of DeLoach & Duval other stock than the One Hundred Shares of Manhattan, viz: Fifty hundred (500) Shares Northern Pacific Common Bonds which belonged to the said Napoleon J. Naines, Sr., and that in pursuance of such pretended authority, and to effect said felonious design, said Napoleon J. Naines, Jr. gave directions, from time to time, to said DeLoach & Duval to sell the said Northern Pacific Bond Stock, or some part thereof, and to buy back again such parts thereof as he, from time to time, directed; that said DeLoach & Duval, believing the said representations of the defendant to be true, received and executed orders from him, from time to time, and did sell and buy Northern Pacific Common on the account of said Napoleon J. Naines, Sr. in pursuance of said orders given by said defendant, from time to time, and not otherwise, said Deponent at the time believing that said Napoleon J. Naines, Sr. had given such authority to said defendant.

Deponent further says that these purchases and sales of the Northern Pacific Common, so made by the direction of the defendant, resulted in a larger loss to the account of Napoleon J. Naines, Sr. to the extent of Fifty five hundred (\$550) dollars;

And Deponent further says that he is informed and verily believes that the said Napoleon J. Naines, Sr. never gave the defendant any authority.



whenever to give orders for any of the purchases and sales aforesaid, and that all the aforesaid purchases and sales were without the knowledge or consent, of the said Napoleon J. Names, Sr., and without his authority, nor did he give the defendant any authority directly, or indirectly, to interfere with said account, or to sell any part of said stocks, or appropriate to his own use any part of the proceeds thereof.

Deponent further says that on, or about, the 5<sup>th</sup> day of May, 1884, the defendant, under said pretended authority to give orders on behalf of said Napoleon J. Names, Sr. for the purpose of effecting his aforesaid felonious design and purpose, directed the firm of DeLoth & Duval to sell the aforesaid one hundred shares of Manhattan stock so held by them as aforesaid, falsely pretending that he had authority to give such directions, and that deponent relying upon such representations, and believing at the time that the defendant had such authority from his father, sold the said one hundred shares of Manhattan stock at fifty seven (57), and carried the proceeds thereof to the credit of the account of Napoleon J. Names, Sr. which after charging the said account left a balance of only one hundred and eighty seven  $\frac{41}{100}$  (\$187  $\frac{41}{100}$ ) dollars standing to the credit of such account; that afterwards on the 10<sup>th</sup> day of May 1884, the defendant falsely and feloniously pretending that he had authority from his father to receive the same, requested the firm of DeLoth & Duval to pay to him for, and on account of, his father the said balance standing to the credit of such account, being the sum of one hundred and eighty seven  $\frac{41}{100}$  (\$187  $\frac{41}{100}$ ) dollars, and the said DeLoth & Duval, believing such representations to be true, paid the said sum to the defendant, and the same was received by him, and feloniously appropriated to his own use, and the plaintiff verily believes and, therefore, charges that the false and fraudulent representations of the defendant in alleging and pretending that he had a right

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to manage said account, by buying and  
selling said stocks, was for the purpose of  
making gains by such purchases and sales, and  
thereafter, to feloniously appropriate to his own  
use such gains together with the proceeds of  
the sales of the said stock originally standing  
to the credit of said Napoleon J. Perkins, or wherever  
the same should be due on his order, and that  
he did feloniously and with intent to steal the  
same demand and receive of, and from, the said  
DeHass & Duval the said sum of One hundred  
and Eighty Seven <sup>47/100</sup> (\$187 <sup>47</sup>/<sub>100</sub>) dollars.

wherefore defendant charges said defen-  
dant with the larceny aforesaid

Done & before me, } John H. De Mott  
this 23rd day of February 1888 }  
and sworn

Per Justice

POOR QUALITY  
ORIGINAL

0465

Sec. 198-200.

1 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Napoleon J. Harris Jr. 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 <sup>u</sup>; that the statement is designed to  
enable h <sup>u</sup> if he see fit to answer the charge and explain the facts alleged against h <sup>u</sup>;  
that he is at liberty to waive making a statement, and that h <sup>u</sup> waiver cannot be used  
against h <sup>u</sup> upon the trial.

Question. What is your name?

Answer. Napoleon J. Harris Jr.

Question. How old are you?

Answer. 39 years

Question. Where were you born?

Answer. New York City

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

Answer. 155th Street Ave 11th Avenue. 3 months

Question. What is your business or profession?

Answer. Clerk

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

Answer. I am not guilty and deny and  
am exonerated  
Napoleon J. Harris Jr.

Taken before me this

24th

day of February 1888

[Signature]  
Police Justice.



Fifth District  
Police Court

Napoleon I. Harris being duly  
sworn deposes and says.

Examined By  
Judge Fullerton

Q What is your name?

A Napoleon I. Harris

Q Where do you reside?

A 2045 Fifth Avenue, now called  
Lexington Avenue.

Q You have a son bearing the same  
name have you not?

A Yes sir

Q Known as Napoleon I. Harris Jr?

A Yes sir

Q Where does he reside?

A He resides in Audubon Park  
155th Street

Q Is he engaged in any business?

A He is a clerk for me now.

Q How long has he been such  
clerk for you?

A since about last May, I think  
as near as I can recollect, not  
all the time as a clerk.

Q Now mean May 1886?

A No sir I mean May 1887. He was  
employed by the firm of Harris  
Bro. & Co.

Q Was a clerk?

A As a general salesman.

Q Now prior to May 1<sup>st</sup>, 1887 how  
was he employed?

A He was not employed by us  
at all.

Q He had no connection with  
the business?

A No sir.

Q You may state what your busi-  
ness was?

A My business is Prairie State  
business.

Q Were you alone in that business  
at that time?

Q Yes sir.

A Yes sir.

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Q What was the name?

A Harris Bracker ~~very~~ Bratter  
was a partner in the firm

Q Then the firm consisted of yourself  
and Bratter?

A Yes sir

Q And not your son Napoleon D Harris Jr  
and Sir

Q What was the occupation of your  
son Napoleon D Harris Jr on the  
16th of March 1886?

A I think he was in business for  
himself.

Q Where?

A Union Square somewhere, I think  
it was on the corner of 17th  
Street.

Q In business for himself?

A Yes sir he left me I am not  
sure you the date I think it was  
about a year prior to this time  
when he came back again,  
and left me and went into  
business on his own account.



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Q Where did he go in business on  
his own account?

A Corner of 17th Street & Union  
Square

Q Did he have a sign out?

A I cannot say.

Q Where was there where his place of  
business was?

A Sometimes I was in very afternoon.

Q Do you know where he got his  
capital to carry on that busi-  
ness?

A I do not

Q Did you lend him any?

A No sir

Q How extensive was his business  
concern then?

A Not very extensive he got goods  
of other people and he got some  
of mine.

Q What did he get of you?

A I sent him some fabrics to  
sell.

Q How many?

Q I guess he had twenty altogether  
or more.

Q Did you see him have pianos out  
and out when you sent them  
up to him there?

A No Sir they were sold on commission  
Q Was the arrangement in writing  
A Well there were two or three arrange-  
ments, I cannot say what par-  
ticular one, there was one in  
writing <sup>and</sup> then there was a  
verbal one afterwards.

Q Where is that one that was in  
writing?

A I don't know

Q And what was the verbal one?

A He was to sell for Hamis Brothers  
to let him have some pianos  
to sell and he was to make  
returns for them.

Q What commission was he to  
have?

A He had them at a stated price

Q Supposing he got <sup>more</sup> ~~than~~ <sup>or</sup> ~~the~~

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less than the stated price

A more than the stated price belonged  
to him "if he got less he was  
to make it up, he could not  
sell it for less than a stated price  
why not?

A. I mean by that I could not em-  
ploy that

I was there no arrangement about  
that?

Answer

I what I took those pianos what  
was the evidence of the right  
to hold them, what paper did  
you execute?

A. They belonged to me but he had  
control of them while they were  
there, he could sell them, and  
sell them all. We make returns  
to us

I. Then he was selling them for you?

A. He was selling them on commission  
the way we sell them all over  
the country?



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Q When you seek them this way all over the country, do you put the title in the people, or would they see them for you?

A We give them the title to see them and no further than that.

Q Is that the only arrangement that they can see the pianos and make the return to you?

A That is the only arrangement that we have on commission and assignment.

Q Have they any right to mortgage them when they have them from you on commission?

A I should think they had not; he had some pianos that he bought from no right out and out he had a company there, they were sold to him out & out.

Q How many were there?

A Twelve hundred dollars. No unpaid on one lot - I cannot say.

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Is there anything to show that  
they were said?

A No Sir they were said by that all  
I suppose they were said, that  
all that I know about it, I  
don't know they were said.

If you were one of Harrier Brother's  
A Yes Sir

And was your brother living  
then?

A Yes Sir

Who made the arrangements  
then?

A My brother made more of a  
Borgani than I did I used my  
influence.

Did you participate in making  
the Borgani?

A I might have used my influence

Did you participate in making  
the Borgani?

A I might

Did you?

A I cannot say there were three

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or four bargains model, I don't  
know which one you refer  
to, there was another concern  
there.

Q Now don't get into other concerns  
A Very well, there was this bargain  
he <sup>has</sup> always bought them out and  
out. <sup>And</sup> he brought there a man  
named Numenmaker <sup>And</sup> he bought  
over five thousand dollars worth  
in one day.

Q Who was it that bought them?  
A I think it was Numenmaker  
bought those to go up to that  
store.

Q What others were bought to go up  
to that store if any?

A H. L. Hay & Co bought some.

Q How many did he buy?

A A good many I cannot tell  
how many he bought, they put  
a good deal of money in this  
concern I feel you there is a  
thousand dollars unpaid yet.



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Q Had your son Napoleon Haines<sup>Dr</sup>  
bought any pianos of Haines  
Brothers?

A well.

Q Did Napoleon Haines<sup>Dr</sup> buy  
any pianos of your firm Haines  
Brothers on his own account  
A I think he has some.

Q Can you state whether or not  
your son Napoleon Haines<sup>Dr</sup>  
did or did not buy any pianos  
of your firm Haines Brothers  
A I cannot tell without looking  
at the books.

Q You cannot state whether your  
son bought any pianos of your  
firm?

A He has bought hundreds of pianos  
of our firm more or less;

Q I want to know whether your son  
Napoleon Haines<sup>Dr</sup> bought of  
your firm any pianos prior to  
the 16th of March 1886 in his  
own name?

A yessii he has bought them and paid  
them on his own account  
often and he got better customers  
there, and he would take them to  
the workrooms and buy for them  
and would not be well there on  
account of Hamis Baxter?  
A yessii he would see them on  
his own account.

If had you any connection whatever  
with the business of Union  
Square?

A yessii.

If you have been there have you not  
A yessii.

If how often have you been there?  
A yessii I was there a good many  
times my letters were received  
there one portion of the time  
between this store against my  
wish and costed the prices  
there himself and as soon  
as I could get through with  
it and could get away I got

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away?

Q Got away from where?

A Union Square released the  
store hurriedly

Q Did he see any of your pictures?

A He saw my pictures the first part  
of the time?

Q Against your will?

A He said not that, but he took  
them there against my will <sup>and</sup>  
knowledge, he took them there  
without any authority, himself  
from our store <sup>and</sup> I protested  
against it <sup>and</sup> for a little short  
time pictures were saved there

Q But not long?

Q For how long?

A In November of the May that he  
took the store I took everything  
away, tapes books and every  
thing he had <sup>and</sup> he had nothing  
more to do with it.

Q What had you to do with it?

A That is all, that he took <sup>the</sup>



pianos there by main force of  
his own volition

Q And was he the salesman of the  
other store?

A He took that store <sup>Q</sup> wanted me  
to let him have the pianos there  
so he could try <sup>Q</sup> make a living  
there and that all.

Q Did you mean to put the title  
of the pianos in him?

A No sir they were not in him  
at all.

Q You protected yourself in that way  
by being in the best way to see.

Q After a sale was made of a  
piano did he come to you and  
report to you what price he sold  
it for and the name of the  
purchaser? the person who  
purchased it

A At the first time he did, and  
after he went on on his own  
account he did not.

Q He went there on his own account.

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Amosii he took my business there  
and my safe while I was  
absent

Q And the sign up there?  
A Haines Bratter Pianos was up  
Q But Haines Bratter was also  
maent it?

Amosii

Q Where are the books that were  
kept there?

A At my factory.

Q Did you give him the right to  
see out and out the pianos  
that he took from your place  
up to Union Square?

A I did

Q Just and out in his own name  
Amosii

Q To see them in your name?  
A Haines Bratter

Q Did you give him the right to  
collect the money for them?

Amosii

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Q and what arrangement was there  
made for paying it over?  
A He paid it over to the account  
of as your agent.

Q As my employee

Q and then you broke it up?

A Yes sir and then he kept on business  
in the store

Q How did you break it up?

A By taking my books away and  
by taking everything that belonged  
to me away

Q When did you take them away?

A In November

Q In what year?

A I cannot tell the year

Q How many years ago?

A  $2\frac{1}{2}$  or 3 years ago, I can tell you  
exactly by looking at my books  
I remember that when, how long  
ago was it you took them away?

A Inside of 3 years

Q Just as near as you can the  
time?

A I cannot recollect the year now  
its within 3 years.

Q Isnt it within 3 years?

A Most I dont think it is it may  
be about 2 years last November  
that is the best I can think it  
was now about that time



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Q When you took your pianos away from there were there any pianos left there at all?

A I think he induced me to leave some four or five to sell

Q For you?

A Yes sir that is to sell on consignment, I put down there the same as I ordered to carry other customers

Q To sell for you?

A Yes sir

Q And what was the arrangement about returning the money to you?

A He was to make returns for what he sold.

Q And how many do you think that you left?

A I might have lost about a dozen I am not sure

Q When was it sold it again please.

A The time I moved away when I left?

Q Yes sir

A I sold two years from last November to the best of my recollection I am not positive as to the year

Q Then if it was 2 years from last November it would be in 1885?

A No it would not! I don't want you to confound me I want you to ask me a question fairly

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I will tell you all I know,  
I know just answer my question  
About recu list as to the exact  
time, I think it was last  
November 2 years ago. That is as  
near as I know it.

Of that would be in 1885.

Cypress

Of November 1885

Cypress

It was then that you took your  
things away leaving some  
pieces in store to sell for you  
Cypress I was very anxious for  
him to get his living and I  
something there for I had to help  
him and wanted to help him, and  
had to go bail for him on this  
very thing and try to have him make  
his living I am his father  
and he is my son and anything  
that I can do to help him make  
his living I will do it I didn't  
approve of this thing and he has had  
a censure from me for it

Did you ever know from your son  
that he had mortgaged or sold any  
pieces that you left there to him  
and Matt?

I did not until he was served with  
the papers.

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Q What papers?

A The papers of arrest.

Q Do you know when that was?

A I think that was about the same  
time 24000000 ago? oh no I think  
it was about a year ago last  
October as near as I can recall.

Q You were not informed of the fact  
that in March 1886 your son had  
mortgaged or pledged some money,  
first Thomas Brothers piano to  
Mr. De Matt as security for money  
he obtained from Mr. De Matt?  
And Sir

Q You were kept in ignorance of it?  
And Sir he never told me the fact  
I never of it is as I stated; he sent  
for me to the place and I went  
there to see him they sent me to the  
factory and said that he was in  
trouble.

Q When was that?

A The time these papers were served  
on him by Mr. De Matt I suppose.

Q What did he say he was in trouble  
about?

A He said he wanted money to pay  
his rent, the rent was very high  
there and he borrowed some money  
to pay the rent, he had previously  
tried to borrow the money of me.



Q Did he tell you from whom he borrowed  
it at that time?

A Yes

Q From whom did he say he borrowed  
it?

A I think he said he borrowed it  
from Mr. D. B. Scott

Q Did he say how he secured him?

A At that time he said that he  
had given him something on some  
pianos he didn't say what

Q Did he say what pianos?

A No. I said did you give him the  
numbers of the pianos? And he  
said no.

Q Why did you ask him that?

A Because I wanted to know if he had  
given him any pianos what the  
numbers were.

Q Why did you want to know that?

A Because I was under arrest.

Q What did that have to do with it?

A Because I wanted to know if he had  
pledged pianos of certain numbers

Q Why did you want to know that?

A We want to keep track of them we  
keep our books and we want to

know where every piano goes to.

Q You wanted to know if he had pledged  
the pianos that belonged to you  
didn't you?

Admiral here done so to very likely  
I did

Q. About you remember if you did?  
A. No I don't remember all these  
things

Q. You know what the numbers of  
like persons were that you owned?  
A. They were on the books. I suppose I  
suppose we had a record of them  
we always keep track of the  
numbers.

Q. Didnt you want to know if he had  
paid for or pledged any of the Pianos  
that belonged to you?  
A. Not particular

Q. How much did you want to know  
the numbers for?

A. I merely asked the question

Q. Why did you merely want to ask him  
that question?

A. I don't know its a thing that we always  
do. to keep account numbers certain  
persons go to all of what numbers  
Q. Didnt you suspect at that time  
that your son had either mortgaged  
or pledged or pledged some pianos  
that you had sent to him for sale  
and didnt you mean by asking  
that question to him to find out  
what pianos or numbers of pianos  
he had sold or pledged, or mortgaged

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was that not your object?  
A my object was to know what  
became of the pianos

I was that not your object in  
putting that question to him as to  
the numbers to find out what  
pianos he had sold mortgaged  
or pledged?

A No Sir it was not, I wanted to  
know what became of the pianos  
that is all

I didn't you want to know what  
became of the pianos you left  
there?

A Yes Sir

I didn't you mean by asking that  
question to him to ascertain from  
him the numbers of the pianos  
that you sold?

A No Sir I thought it was no use  
looking about it when he showed  
me the papers.

I Inquiring about what?  
A About the papers.

I What became of the <sup>pianos</sup> ~~pianos~~ that  
you left there

A I don't know

I Who were they disposed to?

A I don't know

I Are they there now?

A No Sir



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Q Did you get them away from there?  
A Yes I think not

Q About how many didn't you get  
away from there?

A Some five or seven I guess hundred  
dollars worth or more

Q What were the numbers of these  
pieces?

A I cannot tell you unless I refer  
to the books

Q And by referring to the books you  
can tell?

A I think I can yes Sir

Q Do you know what became of the  
pieces that you didn't get back?

A I don't know I am just as much  
surprised as you are

Q Didn't you know that they were the  
pieces that he peddled to Mr. ~~Mc~~ Matt?

A No Sir I didn't know anything about  
it until he showed me the papers,  
about the peddling he never told  
me anything about it I never  
noted me.

Q When you learned that he gave Mr.  
Mc Matt some paper covering  
some pieces didn't you find  
fault with him?

A I did

Q What did you say to him?

Q And you done wrong  
Q And what else did you say?

A Nothing else  
Q Why did you think to done wrong?  
A Because it was a wrong act to  
do to mortgage pians as you say  
he did

Q And did you tell him to done wrong  
for?

A If he done such a thing as was  
read in that complaint

Q You complained of him on your own  
account?

A I did

Q And you complain of him because  
he disposed of pians that belongs  
to you?

A I cannot say

Q You cannot say if you found  
fault with him if he had dis-  
posed of pians on mortgage or  
pledged them to Mr R & Matt which  
belonged to you and he had no right  
to do?

A No sir I said if this thing is true  
you done a great wrong

Q A wrong against you?

A A wrong against every body I  
didn't consider much about  
that. I have lost a great deal  
of money on that boy and a

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hundred thousand dollars, I am  
his father <sup>as</sup> to be a plenty of  
money, <sup>as</sup> to be made free with  
my property that is where the  
trouble is that is not the first  
time that he disposed of Paines  
and never was paid for <sup>as</sup> has  
not paid me by a great deal  
if I were not his father he would  
not have had that chance, he  
gave me a great deal of money  
I don't think its less than a hun-  
dred thousand dollars, still I am  
not going to desert him if he  
wanted a dozen Paines to day I  
would trust him for them. If  
he would have told me of this  
fact. I would have said I would  
decide ~~the~~ Paines to me & W E Pratt  
I don't to him why didn't you tell  
me about it.

If I just tell you what you did say to him  
I remember that I said to him you  
should have decided to me & W E Pratt  
and if you didn't have them I would  
have decided them to you <sup>as</sup> I would  
to day. although he has displeased  
me a great many times I cannot  
keep my affection is in that  
state that I cannot resist it now  
What wrong did you think that he



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did to Mr & Mrs Matt?

A I thought he done wrong if he made  
any wrong assertions about it  
I don't know what he did wrong to  
Mr Matt only what these papers say  
if that's the way you found it out is  
it you found it out from reading  
the papers?

Yes that is the first I know of it  
if didn't you then complain of him  
that he had disposed of property  
which he had no right to dispose  
of?

A No Sir I did not he had the right to  
dispose of it, it was put there on  
consignment and he had the right  
to sell.

Q To sell it as your agent, to sell it for  
you?

A As his own it is in his possession to  
sell the second parties to Memphis  
and Syracuse and all over and they have  
to make returns to us all people  
who have goods on consignment  
have a right to sell.

Q Were any of the parties there served  
upon by judgement against your  
son?

A I don't know Sir I quarrelled with him  
very often and I didn't go there often  
at one time I didn't see my son

POOR QUALITY  
ORIGINAL

0491

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for three months

The further hearing was adjourned  
to Thursday February 9th 10 am

Before me <sup>1888</sup> this 7th day of February } N J Haines

M. J. Fowler

Police Justice

First District  
Peculiar Court  
The People vs  
Complainant of  
John H. Dermott

vs  
Napoleon J. Haies Jr

Mr Quincy Defendants  
Counsel

Charged with  
Grand Larceny  
March 21/88  
Deportation

Manuel P. Pineda

Prosecutor

I now move this motion  
to strike from the record all the  
testimony taken in this case  
for the following reasons.

Upon the second charge  
in writing a charge is made  
for feloniously taking stealing  
and carrying away from  
the possession of defendant the  
following property of Dermott  
Mr Durant; of which the defendant  
was a member one hundred  
shares of Manhattan Railway  
stock being of the value of



25000 (\$500 dollars)  
By the Court

And in addition to that that  
the Court ordered & eight, seven  
(\$18700) dollars in money  
Mr Quincy

It appears after reading  
the matter over it falls down to  
this, they say that at that time  
that they had stock as follows  
one hundred shares of stock upon  
which Mr Hamis & I owned the  
firm of De Mott & Durant  
25000 (\$500) dollars; then  
they go on to allege that in 1882  
these acts were committed in  
relation to this stock. Now I say  
in regard to that the fact that they  
allege it in 1882 when everything  
was done in regard to the stock  
itself and that being the case  
then the statute of limitations  
would be a bar to that charge even  
if it was as set forth in that

complaint, but in regard to  
that your honor has maintained  
this charge of one hundred & Eighty  
dollars

By the Court

When was the next  
Mr. Gurney?

In 1884.

By the Court

Then it was a continuous  
transaction from the time that  
it first appeared; it was one  
continuous transaction of whatever  
was left of that account.

Mr. Gurney

It says here that in 1882  
they had stock which belonged  
to Napoleon & Harris & upon  
which he owed them fifty five  
hundred dollars on one hundred  
shares of stock. If it was a loaning  
he <sup>has</sup> ~~was~~ <sup>no</sup> ~~not~~ interested above the  
amount he owed them for the  
stock.

Now I say in relation to all the testi-  
mony as to the facts stated in  
this second charge relating to  
By the Court

Now I will state your motion  
Mr. Quincy

My motion Sir is to strike  
from the record the complaint of  
John H. DeMott against Napoleon  
Starnes Jr made on the 24th of  
February 1888; I move to strike  
out beginning on the 4<sup>th</sup> and  
fifth lines of the first page and  
the whole of the second page  
and 16 lines on the 3<sup>d</sup> page. In other  
words I move to strike out everything  
beginning with "said Napoleon  
Starnes Jr who is a son of Napoleon  
Starnes Sr came to this deponent  
"one of the members of the aforesaid  
"firm of DeMott & Durant and  
"with the purpose of defrauding  
"the said DeMott & Durant by  
"feloniously appropriating to his



"annexed the said stock standing  
 "to the credit of Napoleon Starnes Jr  
 "on the books of the said DeMott  
 "and DeMott on the proceeds thereof  
 "falsely, fraudulently & feloniously by  
 "stated & represented to him that he  
 "the said Napoleon Starnes Jr had  
 "been authorized by his father to manage  
 "his the said father's account with  
 "the firm of DeMott & DeMott and to  
 "sell the aforesaid stock or any other  
 "stock belonging to the said Napoleon  
 "Starnes Jr on any part thereof the  
 "books of DeMott & DeMott and to  
 "buy back again such part of said  
 "stock as he might then sell, and  
 "DeMott further says that at the time  
 "the said Napoleon Starnes Jr had  
 "in the hands of the said firm of  
 "DeMott & DeMott other stock than  
 "the aforesaid shares of Manhattan  
 "viz. Two hundred (200) shares of  
 "Northern Pacific common Bonds  
 "which belonged to the said Napoleon

"I have in aid that in purpose  
 "of such pretended authority to effect  
 "said felonious design said Napoleon  
 "I have for some directions from time  
 "to time to said De Matt & Durant  
 "to sell the said Northern Pacific  
 "Rovay stock or some part thereof  
 "as he from time to time directed  
 "that said De Matt & Durant believing  
 "the said representations of the de-  
 "fendant to be true received & executed  
 "orders from him from time to time  
 "and did sell & buy Northern Pac  
 "Common on the account of said  
 "Napoleon I have in aid purpose  
 "of said orders given by said defen-  
 "dant from time to time and  
 "not otherwise, said defendant at  
 "the time believing that said  
 "Napoleon I have in aid had given  
 "such authority to said defendant  
 "Continuing on the next page and on  
 "the next down to the finish of  
 "the complaint.

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So your honor will see that there  
is not one line that refers to  
any period other than 1882, In  
making a criminal charge the  
complainants are held to strict  
liability to satisfy your honor  
mind that the offense has  
been committed There is no reference  
to any other proposed action before  
the year 1882 If they want to  
go beyond that they should have  
set forth facts other than these.  
And there is no proof that he did  
receive the 187 dollars as set  
forth

By the Court

I think there is it is  
proven to by the complainant

By the Court

Motion Denied  
Counsel Exception

—



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Mr. Quincy,

Now as to the question  
of bail I shall ask your honor to  
reduce it as I think it is excessive  
By the Court!

I hardly think so for  
the reason he obtained it, if he  
could not obtain it it might  
be excessive, his family are  
perfectly willing to go his bond  
The only thing is to secure  
his appearance & therefore such  
an amount should be fixed  
that would secure his appearance  
I do not think the amount of bail  
fixed is excessive & I refuse to  
reduce it

Wm. H. R. R.

First District  
Police Court

Examination of Napoleon Haines  
In. Continued February 20 to  
10 a.m. Before Hon

Wm. J. Power  
Police Justice

Napoleon Haines In Examined  
By Judge Fullerton.

Fullerton was this concern in 17th Street  
started.

A Now what concern do you refer to?  
I mean the concern that was started  
in 17th Street?

A Which one there was three or four.  
as I told you in my evidence  
I state the order in which they  
were established & at the time  
they were respectively established  
A My son moved there in May 1885  
I think

I now you are aware that that  
don't answer the question I put

to you?

A I don't know what concern you mean.

Q I now repeat my question again  
'State the time <sup>Q</sup> the order in  
which they were established <sup>Q</sup> the  
time they were respectively estab-  
lished?

A I have answered that question I think  
if you have not answered it all you  
have not tried to answer it.

A My son moved there in May 1885.  
Q And I don't care when he moved  
there? the question is when these  
concerns were started in 17th  
Street? you have stated there was  
more than one. What started now  
give the time that they started  
respectively, when was the first  
<sup>Q</sup> when was the second <sup>Q</sup>  
when was the third? the whole  
thing is before you now <sup>Q</sup> I hope  
you will answer it please?

A I think I have answered the



question I have no concern there?  
Q I have not said that you had a  
concern there, I asked you when  
these concerns were started and  
wherever started there?

A He started on his own account  
in September 1885?

Q By the day you mean your son?  
Answer

Q Napoleon Shaines Jr?  
Answer

Q In September of what year?  
A 1885 I think it was

Q How did he start the business?  
A He was there and I let him have  
power to sell

Q That was his own concern was it  
Answer

Q There was not there is connection  
with anybody else?

A Not that I know of

Q And you mean to say not that you  
ever heard of?

A Not there?

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Q And how long did he remain in  
business that way?

A I got something he said refer to  
(the witness refers to a paper <sup>and reads</sup>  
as follows therefrom) "up to  
December 5th 1885."

Q Then he remained in business for him-  
self from September to December  
5th 1885?

Answer

Q And on his own account?

Answer

Q And in connection with nobody?

Answer not that I know of.

Q That you are positive of?

Answer

Q And what firm succeeded him or  
into succeeded him?

A December 1st H. L. May & Co started.

Q Up to that time when that firm  
started how many peaches had you  
sold obtained from you?

A The witness I got it he (referring  
to a paper <sup>and reading</sup>) fifty.

Q You might have a hundred & fifty  
thousand I want to know the fact  
A That is the best of my knowledge  
Q Do you know what became of those  
fifty?

A I do not a number of them were  
sold I presume.

Q What became of those that were  
not sold?

A I think they were left there?  
Q In what care or custody?

A I think I left them there in his  
custody.

Q Do you know how many were so  
left?

A I think there was a dozen left.

Q What concern succeeded him?  
A H. L. Kay & Company

Q And when did the firm go into  
operation?

A As far as we know or I know we  
paid them about December 1<sup>st</sup>  
or within a few days of it.

Q And what did you sell them on



6.

the first of December if that was  
the time?

Q Sent them Seais

Q How many?

A I cannot say how many at that  
time?

Q Have you not got an account of it?  
A Well yes I think they had (63)  
fifty three.

Q What became of those seais?

A They said then I presume?

Q About you know?

A I do not.

Q No returns made to you of the sales?

A Yes there was a great deal of  
returns made. but no returns  
made as to any separate seais  
it was made in lump

Q How many were accounted for?

A I think they were all accounted  
for except the last the total sum  
we charged them was Eleven  
hundred <sup>and</sup> fifty eight (\$1158) dollars

Q Now see if I get it right? "all the

proceeds of the sales of the prairie  
that were sold to H. L. Bay & Co.  
were accounted for except Eleven  
hundred & fifty eight dollars (\$1158)  
is that so?

Answer

Q How many prairie did they return?  
A I think I stated they had sixty three  
(63)

Q I mean of the Eleven hundred and  
fifty eight dollars (\$1158).

A I cannot tell you.

Q Could you have had many prairie  
were sold?

A I do not.

Q Can you tell how much was returned  
to you as the proceeds of the prairie  
sold?

A I stated that they were all accounted  
for say with the exception of Eleven  
hundred & fifty eight dollars (\$1158)

Q I want to know how much was  
paid?

A I cannot tell you.

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Q Can you give us any idea of the amount?

A That I don't know. I didn't take that off of the books.

Q What was the average price of the pianos sold?

A I cannot tell the average.

Q As near as you can?

A There is so many different prices from the lowest to the highest some of them were very high <sup>and</sup> some of them very low. I cannot tell you.

Q How many of those (63) sixty three pianos were sold in Kansas?

A I don't know.

Q About your books show?

A If they were not paid for it would not we only give them credit for what they paid for?

Q There is something came back from the pianos you sold to Hay & Company?

Answer

Q How much?



all but  
A. Elbert Lumbered <sup>the</sup> fifty eight \$1158  
successors.

Q Have you got the numbers of the  
pieces that were sold to H. L. Hay  
& company?

A I have not got them here.

Q Does this Elbert Lumbered <sup>the</sup> fifty  
eight dollars (\$1158) that you speak  
of represent the pieces that were  
sold or mortgaged by your son  
Napoleon Elbert to Mr. H. L. Hay?

A I don't know anything about it  
at all.

Q You heard didn't you that he had  
sold or mortgaged pieces to Mr.  
H. L. Hay?

A I heard somebody say so in October  
following.

Q You may state now what pieces  
were thus mortgaged or sold?

A I don't know I cannot state.

Q Then as I understood you you don't  
know that they were a part of  
the pieces sold to H. L. Hay & Co.

A I do not.

Q If you do not know it?

A I do not.

Q May you think they were or were not?

A I don't know anything about it  
Q were the business transactions  
between you and your son before  
the forming of the firm of H.L.  
May & Co., before that firm was  
formed ever closed up?

A No sir I don't think it was.

Q What was left open?

A There was some left open. I don't  
know how much.

Q Give me your best judgment about  
it?

A I cannot tell you sir.

Q Give me some kind of an estimate  
about it?

A I cannot.

Q No estimate at all how it stands?

A No sir.

Q How many parties were <sup>concerned</sup> in it?

to your son before the firm of  
H. L. Hay & Co was formed?  
A I think so and fifty.

Q Give me some idea of what became  
of the fifty (50) shares?  
A I don't.

Q How many were sold?

A I cannot tell you. I think they  
were all disposed of some of them  
were left there. I think about  
a dozen.

Q What became of the dozen?  
A I don't know.

Q What became of them since you  
left them there?

A I don't know.

Q And the business is closed up?  
A Yes.

Q And you don't know what became  
of your property?

A No sir I do not I wish I did.

Q Got no suspicion?

A No sir I don't know anything  
about it some of them were



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not paid for at all.

Q What daym think became of them?

A I think he sold them.

Q By he do you mean your son?

A Yes sir.

Q Your son Napoleon James Jr?

A Yes sir.

Q Do you know to whom?

A Yes sir I do not.

Q Do you think that the prairie that were mortgaged to Mr De Matt were a part of the prairie which your son had before the firm of H L Kay & Company was formed. A I don't know anything at all about the mortgage.

Q Didnt ask you what you knew about the mortgage, a mortgage was given on certain prairie.

I ask you whether in your judgment that these prairie assigned to your son before the formation of the firm of H L Kay and Company

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were the pianos <sup>you</sup> sent there.

A I cannot answer that I don't know

Q Can you give me the date of your  
brother's death?

A Yes sir

Q When was it?

A 18th day of September

Q Last September?

A Yes sir

Q 1887?

A Yes sir

Q Do you know the numbers of the  
pianos that Munemacher bought?  
A I don't know.

Q Do you know how many he bought?  
A No I don't know, he bought a  
great many.

Q Can you give us any idea of the  
number?

A I should think there was thirty 30  
as near as I can recollect.

Q Who made returns for them?

A Mr Munemacher paid for them

Q The whole of them?

A Yes I think he did.

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Q And where were these pictures sent  
that he bought?

A 41 Union Square

Q Not 17th Street?

A Yes on the corner of 17th Street

Q The same place?

A Yes the same place

Q Give us his full name?

A Cannot do it. I don't know him  
my well known man is about  
all I know about him my brother  
had the whole charge of the  
renting business as it was you  
before and I left it to him

Q His name is in your book isn't  
it?

A Whose?

Q Unnamed?

A I presume so.

Q But you cannot give it to me?

A Cannot.

Q Is your son in your employ now?

A He is in

Q What is your son's name?



once with the firm of DeMott  
and Durant as brokers had you  
not?

Answer

Of what stocks were transferred to  
that firm that belonged to you?  
A few hundred 500 shares of Northern  
Pacific Common & 100 shares of  
Manhattan.

Of what became of the stocks which  
you first mentioned?

I do not know sir

Where they ever sold for your order  
Also not my order.

Where they sold with your knowledge  
Answer

I do not know that they were sold  
upon the order of your son Napoleon  
James Jr.

I do not sir

Did you ever give him any authority  
directly or indirectly to give  
orders to DeMott and Durant to sell  
those stocks or buy it back or to

do anything in regard to it?  
A Yes I think not.

Q If you say you think not, do you know  
whether you did or did not?

A To the best of my judgment I  
never did.

Q Then as I understand you whatever  
directions he gave to that firm  
of De Matt & Durant or to whatever  
extent he interfered with that  
account in buying <sup>and</sup> selling  
stock was without your knowledge  
and authority?

A Yes.

Q Entirely so was it?  
A Yes.

Q Did you give him any authority to  
make any representations to that  
firm of De Matt & Durant in  
regard to that stock?

A I think not.

Q Then whatever directions he had  
given to them in regard to it was  
without your knowledge <sup>and</sup>

authority?

A With the exception of turning it  
there?

Q I refer to the period after the  
account was transferred to  
the firm of De Matt & Durant?  
Answer

Q From that time then he had no  
authority to act for you?  
Answer

Q You never gave him any authority  
to act for you of any kind or  
character?

Answer

Q And you claim today that De Matt  
& Durant are indebted to you  
for the value of five (500) hundred  
shares of Northern Pacific and one  
hundred (100) shares of Manhattan  
stock?

A I claim they were indebted to me  
yes sir. I claim that they have it  
I don't know anything about—

Q You claim still to own that



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stock?

Ayesen

If you repudiate all that they  
did with reference to that stock  
upon orders given by your son  
Napoleon James Jr in reference  
to it or expressed or implied?  
A Day he had no authority I don't  
intend to repudiate anything  
I didn't ask —

If you put my son in that question  
I don't know anything about  
that.

If now McKim of Denver told  
you correctly any orders that  
your son ~~Napoleon~~ Napoleon James Jr  
gave to DeMott and  
Durant touching your stock  
that was in their hands was  
without any authority expressed  
or implied from you?

Ayesen

If he had no right as I understand  
you to represent you whatever

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in reference to that stock after it  
was transferred to that firm of  
McCatt & Durant?

A I don't give him any authority.  
Q Please answer my question.  
A You put the question assuming  
that I knew all about it? he had  
no authority from me.

Q I want my question answered.  
A I have answered.

Q My question is a little fuller  
than your answer.

Answer sir

Q Now Mr. Harmon I will repeat  
it again so I understand you  
he had no right to represent  
you whatever in reference to that  
stock after it was transferred  
to that firm of McCatt & Durant  
did he?

A He had no right to represent me  
no sir.

Q Then he had no right to give orders  
to sell it did he?

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A I should think not.

Follow your own?

A I don't give him any rights  
If you give him no right to sell stock  
Aussie

Q And you give him no right to buy  
it back?

Aussie

Q And you give him no right to receive  
a balance that was due you  
from DeMatt & Durant?

Aussie

Q Now then do I understand you  
correctly after the transfer of  
that account to the hands of  
DeMatt & Durant your son Ed  
Napoleon Haines had no right  
or authority to act for you in  
your behalf or whatever he  
may have done in that account  
from first to last was without  
your authority?

A Yes Sir

I am to depose me  
this 20th day of Decr 1884

Ed Haines

Ed Haines

Ed Haines



Thos. R. D. H. }  
Police Court }

Continued Examination of  
Napoleon J. Haines. who says  
I desire to make some corrections  
to the answers I gave at the last  
hearing which are mistakes made  
by me from the fact that I have  
been quite ill and my mind  
being fixed with my brothers  
estate and affairs, and I didn't  
know why I was subpoenaed for  
for some reasons I didn't know  
so I desire to explain.

N. D. Hay & Co. was the one  
that we sent the pianos to, he had  
sixty three pianos from December  
1st 1885 to March 6th 1886. and  
from March 6th 1886. to May  
13th 1886, they had thirty two  
pianos all of which Haines  
Brothers had received pay for  
excepting Eleven hundred and fifty

eight dollars,  
of who was St. L. Hay & Company?  
As he was in connection there with  
that store, we sent the Prinos to  
him, I think that Mrs. Napolean &  
Stanley Dr was the company and  
St. L. Hay was the other member of the  
firm, and my son was the mana-  
ger of the firm, he had control of  
it, I would not have sent them  
there if he had not been there.

By Judge Fullerton

Q He was employed by Hay and Mrs  
Napoleon & Stanley Dr?

A I don't know.

Mr. Stanley.

I desire to correct this an-  
swer to the question, which reads  
as follows. "after a sale was made  
"of a prino did he come to you and  
"report to you what price he had  
"sold it for and the name of the  
"purchaser, the person who purchased  
"it"

The answer reads to that question as follows.

"A at the first time he did and  
"after he went in on his own account  
"he did not." ?

The witness I desire to have the answer  
to that question to read as viz,

A. He did prior to November  
1885 when he went in on his own  
account.

The witness

I also desire to correct  
my answer to the question which  
reads as follows,

"Q when did you take them away  
A In November.

The witness

I desire the answer to that  
question to read in November 1885.

By Judge Fullerton

Q Mr Harris you were not informed  
of the fact that in March 1886.

your son mortgaged, sold or pledged  
several numbers of Harris' brothers



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Paid to Mr. E. Matt as security for  
money he obtained from Mr. E. Matt?  
Answer

The witness

I desire to correct my answer  
to this question which reads as  
follows "

"I you were kept in ignorance  
of it."

"A. No sir he never told me the first  
" I knew of it is as stated, he sent  
" for me to the place and I went there  
" to see him, they sent over to the  
" factory and said that he was in  
" trouble.

The witness

" I desire to have that answer  
read as viz -

"A I was there at the corner of  
" 17th Street when this gentleman  
came in (I mean the officer) and  
the store was given up at the corner  
of 17th Street and nothing in it, This  
last answer I made referred to

another time when he sent for me  
on another matter.

The witness

I desire to correct any answer  
to this question

"Q What did he say he was in  
trouble about?"

"A He said he wanted money to  
pay his rent."

The answer I desire to read as  
follows.

"A I was there when the officer  
came in and handed him a paper  
and he read it over and handed it  
to me."

By Judge Fullerton

"Q Miss James who composed the  
firm of H. K. Hay & Company  
at the time you have spoken of."

"A I don't want to answer any more  
questions today in fact I am  
not able to, I am suffering from  
neurvica and I came down here  
this morning because I didn't

want to disapoint anybody I  
am sick.

Q Who composed the firm of  
L. Hay & Company?

A I don't know I believe Mr. L. Hay  
and Mrs. Napoleon Hamies Jr. I  
don't know that I believe they did.

Q From whom did you get your infor-  
mation as to who composed that  
firm?

A I never asked for any and didn't  
get any, Mr. Hay made the applica-  
tion himself.

Q To whom?

A He made application for Pianos

Q And what did he say when he  
made the application?

A I cannot go over it today, I am  
faint and you will have to adjourn  
the proceeding.

Q Mr. Hamies what did Mr. Hay say  
when he made the application?

A I cannot go over it today, I cannot  
recollect it I cannot bring



my memory back sufficiently  
to recollect it.

Q What did your son say to you about  
the business to be done by that  
firm in which your sons wife  
was a partner.

A I said I don't know that she was  
a partner, I said I thought so.

Q What made you think so?

A I went once to court and a man  
told me so at the city hall.

Q Did your son ever say anything  
to you about it?

Amosii

Q I understand you to say that your  
son never spoke to you about your  
sons wife being a partner?

A I have no recollection that he did

Q You say your son was the man-  
ager of St. L. Hay & Company?

A I say I think he was the manager

Q What made you think so?

A Because he was there all the  
while.

Q Did you know Mr Hay before he went into that business?

A I did sir

Q How long had you known him?

A A year or two, several years I should judge.

Q Did you have any talk with Mr Hay at the time the firm was formed?

A I think my brother had to do with it

Q Then as I understand it your sons wife was the company of H L Hay & Co. <sup>and</sup> your son was not a member of the firm.

A I don't understand it sir

Q How do you understand it?

A I don't understand him or the company.

Q Didnt you tell us that Mrs Napoleon Harris was the company

Answer you asked me how I came to them so <sup>and</sup> I said about six months ago I was in the

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city hall and a gentleman told me.  
Q And you never talked to your son  
about it?

A No sir I didn't suspect it

Q Didn't you suspect it when you  
were told so many ago.

A That was many ago.

Q After that didn't you speak to your  
son about it?

A No sir I was always very reticent  
about this thing

Q You say that your son was the  
manager of that company  
how did you know it?

A Because he was there selling goods.

Q How many pictures did you  
send there?

A I sent there nearly a hundred I  
don't think or they were sent  
I didn't send them I didn't have  
much to do with it.

Q How did they get out of your  
possession?

A My brother had charge of that



part of the business  
Q And did he send pianos there  
without your knowledge?  
A Yes sir

Q Then entries were made upon your  
books that pianos were sent  
up to that concern in 14th Street  
A They were charged to H. L. Hay & Co  
Q Show you a copy of the entry in the  
book to that effect?

A Yes sir I have the numbers of the  
pianos.

Q Show you the numbers of the  
pianos that were mentioned  
in the bill of sale yesterday?  
Were those of pianos apart of the  
pianos that you sent to H. L. Hay  
& Co?

A I don't know

Q Did you know what of pianos were  
mentioned in that paper?

A I did not see

Q You say they had 34 pianos?

A They had 63 pianos on a certain <sup>the</sup>

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Q And these 63 pianos were from  
your place?

A Yes sir changed to them.

Q And changed them to them?  
A My brother.

Q Without your knowledge.

A With the knowledge that they had  
an account there.

Q Didnt you enquire into the con-  
dition of St. Leger & Co to see how  
much property was sent to  
them?

A Yes sir

Q Why not?

A Because my brother had charge  
of it

Q Did you ever get back any of these  
pianos?

A I cannot tell

Q Why not?

A Because I dont know

Q Didnt you know enough about  
your own business?

A I knew enough to take charge

Q What department I had charge of  
of what department was that?

A The general factory department  
I didn't attend to the books at all.

Q Did not you attend to the sale of  
the pianos?

A Very rarely

Q You have said that you got all  
the money back except for  
a certain number of pianos  
how much did you get back?

A I don't want to divulge the prices  
of my pianos and have a whole-  
sale price for a retail price

Q Give us the gross amount?

A I cannot give it to you.

Q You said you got back all except  
\$1180.00?

A Yes

Q Now who brought it back?

A Mettley brought a great deal of it  
I saw him very often I saw him  
at the factory often.

Q And you told us Mettley that



you didn't know what arrangement  
was made between Mustay and  
your son's wife about getting these  
pianos?

A I must assuredly tell you I don't  
know anything about it I never  
did.

Q Don't you know that, that was your  
son's business?

A I don't think that Mustay wanted to  
get the pianos if it had not been  
that my son was to be benefitted  
by the same.

Q What makes you think so?

A My son insisted on having the  
pianos there for Mustay he is  
an old successor of ours.

Q Where is Mustay now?

A I don't know.

Q Where did you see him last?

A I cannot tell you

Q As near as you are able to tell  
me?

A I don't know. I am not able to

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go on any further today.

I come to before me } N. J. Kaines  
this 9<sup>th</sup> day of February }  
Sgt.

W. J. Porter

Passenger

The further hearing was adjourned  
to Saturday February 11<sup>th</sup> 9<sup>30</sup> am

Saturday February 11<sup>th</sup> 9.30 am  
the Examination was adjourned  
to Febry 20<sup>th</sup> 10 am

Mr. Quincy, Defendants Counsel  
If it please your honor  
the motion that I am to make is  
to strike out from the record  
all the testimony of Napoleon  
J. Harris Sr. I am not here  
to dispute your honors right  
unless an information is laid  
before your honor, that it is  
likely that an offense has been  
committed, that your honor has  
the right to summon the depen-  
dant and any other witnesses  
before you. And from an exami-  
nation had of such witnesses  
you may be justified in issuing  
a warrant.

Now then that being  
done your honor then determines  
whether a warrant be issued  
or not. And after your honor has  
issued the warrant, the next  
step is to address it to some  
officer and apprehend the de-  
pendant. And bring him before  
you. Now then after the  
warrant is issued I contend  
the only step that can be  
taken in the proceeding be



an examination after the  
arrest of the defendant, <sup>and</sup>  
the examination to take place  
in his presence <sup>and</sup> of all the  
witnesses to be examined in  
his presence, and that counsel  
be present <sup>and</sup> that he have the  
aid of counsel at such examina-  
tion.

Now Sir in this case  
the complaint was sworn to  
on the 6th day of February 1888  
and the warrant bears your  
honors endorsement as being  
signed on the 6th of February  
1888, therefore as far as the  
issuing of the warrant and  
satisfying your judicial  
mind whether an offense  
had been committed, that was  
determined on the 6th;

That after that on  
the 7th of February 1888 you  
issued a subpoena for Mr  
Harris for <sup>and</sup> he is brought  
before the court, to give testi-  
mony upon the identical case  
upon which the warrant was  
issued, <sup>and</sup> I say for that reason  
that his testimony is no

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part of the record, and it should  
be stricken from the record  
By the Court.

I will determine  
the motion on Saturday.

The further hearing was  
then adjourned to Saturday  
March 3<sup>d</sup> 10 am.

POOR QUALITY  
ORIGINAL

0537

Sec. 151.

Police Court 1st District.

CITY AND COUNTY  
OF NEW YORK, }

*In the name of the People of the State of New York; To the Sheriff of the County  
of New York, or any Marshal or Policeman of the City of New York:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police  
Justices for the City of New York, by John A. De Matt  
of No. 19 New Street, that on the 5th day of May  
1888 at the City of New York, in the County of New York, the following article to wit:

One hundred shoes of Manhattan  
Railway stock being together

of the value of Eight hundred Dollars,

the property of Constance his partner John J. Kuranik  
w. 0.4 taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and  
believe, by Napoleon J. Davies Jr

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 1st 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 24th day of February 1888

See & Over

POLICE JUSTICE.



POOR QUALITY  
ORIGINAL

0538

Police Court First District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John A. Dermott*  
vs.  
*Napoleon J. Gaines Jr*

Warrant-Larceny.

Dated *Feb 24* 1888

*Rover* Magistrate

*Herrick* Officer.

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

*John J. Herrick* Officer.

Dated *Feb 24* 1888

This Warrant may be executed on Sunday or at  
night.

Police Justice.

39 yrs  
w  
US  
black  
m  
yrs  
155 - 5' 11" - Ave

Dated 188

WARDEN and KEEPER of the City Prison of the City of New York.

having been brought before me under this Warrant,  
is committed for examination to the

The within named

Police Justice.

POOR QUALITY  
ORIGINAL

0539

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before Maurice J. Power a Police Justice  
of the City of New York, charging Napoleon J. Barnes Jr. Defendant with  
the offence of Grand Larceny

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

We, Napoleon J. Barnes Jr. Defendant of No. 105th  
Street and W. 11th Avenue by occupation Clear  
and Napoleon J. Barnes of No. 245 Lenox Avenue  
Street, by occupation Paris Manufacturer Surety, hereby jointly and severally undertake that  
the above named Napoleon J. Barnes Defendant  
shall personally appear before the said Justice, at the 1 District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York the sum of Five hundred and  
thirty Dollars.

Taken and acknowledged before me, this 24  
day of February 1888

M. J. Power POLICE JUSTICE.

Napoleon J. Barnes Jr.  
N. J. Barnes

POOR QUALITY  
ORIGINAL

0540

CITY AND COUNTY } ES.  
OF NEW YORK, }

Sworn to before me, this 24th  
day of February 1888  
at City of New York Police Justice.

Margaret J. Harris  
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 Two thousand ~~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 16 lots of land

situated on the west side of Alexander  
Avenue extending from 132 Street to  
fourth Avenue and are worth Twenty  
thousand dollars clear of all debts  
and encumbrances

M. Harris 132

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Undertaking to appear  
during the Examination.

vs.

Taken the ..... day of ..... 188

Justice.



TORN PAGE

POOR QUALITY  
ORIGINAL

0541

On motion of the  
District Attorney, let the  
case be re-submitted  
to the Grand Jury.  
May 22nd 1888.

And renewed

June 25/88

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

441  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Offence.

Died

Magistrate.

Officer.

Magistrate.

Officer.

Magistrate.

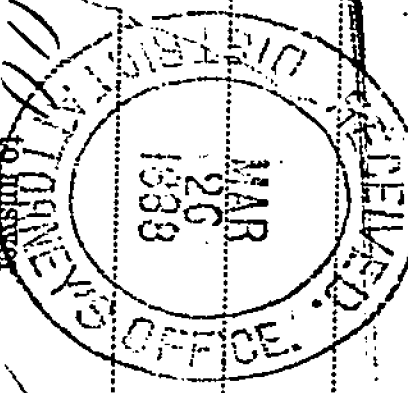
Officer.

Magistrate.

Officer.

Magistrate.

Officer.



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  
Fifty 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 21st 188 8 Se & Snow Police Justice.

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

Dated May 21st 188 8 Se & Snow 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.

0542

**BOX:**

296

**FOLDER:**

2817

**DESCRIPTION:**

Hammer, Jacob

**DATE:**

02/13/88



2817



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## Counsel,

## Counsel,

**Filed**

## Counsel,

Filed 10 day of Dec

88

## Counsel,

Filed 10 day of Dec

88

# THE PEOPLE

25.

Grand Larceny, second degree (MISAPPROPRIATION). [Sections 528 and 581 of the Penal Code].

**JOHN R. FELLOWS,**

FRANÇOIS B. MARTINE.

*District Attorney.*

# A True Bill.

**Foreman.**

July 14/88

1988.  
Dear Quincy,  
My vision 10 days  
Feb 23/88. 24 117

Atty 1<sup>st</sup> in over 10 days 24 Feb 1877  
Feb 23/77



POOR QUALITY  
ORIGINAL

0544

COURT OF GENERAL SESSIONS.

X-----X  
:  
THE PEOPLE OF THE STATE OF :  
NEW YORK :  
:  
against :  
:  
J A C O B H A M M E R . :  
:  
X-----X

City and County of New York, ss.:

JACOB HAMMER, being duly sworn, deposes and says:

I am the above named defendant. I was arrested  
herein on the day of February, 1888, since which time  
I have been confined in the City Prison.

I am 38 years of age, a native of Norway, am mar-  
ried and have one child. In the early part of my life  
I was a student--having finished my education at the Uni-  
versity of Christiana, Norway. Thereafter I went into  
business with my father-in-law; but, desiring to build  
up a business of my own, I came to this country a little  
over four years ago, leaving my wife and child at home,  
under the arrangement that they were to join me here when  
I got established.

I first went West, hoping to find an opportunity  
to begin life here under auspices more favorable than the  
large cities afford; but, meeting with disappointments,  
I returned to this city and found employment in the office  
of Mr. Graham, a lumber merchant, and the father of the  
Graham who makes the complaint against me. This was about

POOR QUALITY  
ORIGINAL

0545

four years ago. Shortly after this, Mr. Graham Sr. turned his business over to his said son, and I was continued in his employment.

I must admit that there came a time when I was not as careful of my habits as I should have been, and began to spend more money than I could afford. I do not care to mention the name of any person who aided in my downfall by fostering and encouraging the course I was pursuing; but, if it had not been for the temptations thrown in my way, I never should have yielded to an impulse which caused my disgrace.

Finding myself at one time entirely without money, I took some belonging to my employer which came into my hands, with the idea of using it only to tide over the emergency in which I found myself, and sincerely intended to return the same; but, the first step having been taken, and being again in the same situation, I took more, and from time to time took small amounts, hoping and believing that I would be able to repay it. I know that there is but one name to apply to my acts; but. I repeat-- although that fact I must concede does not extenuate my offense--that I intended and hoped to return the money.

Last November my wife and child joined me in this city, and we went to board at a house kept by Mrs. N. J. <sup>Craw</sup> ~~Krantz~~, at 345 & 347 West 34th Street. I determined that I would abandon the social habits which had caused me to

**POOR QUALITY  
ORIGINAL**

0546

do what I had, and to that end I did not go from my house a single evening, but remained at home always with my family, except when my wife accompanied me out sometimes in the evening.

I had become fully aware of the follies which I had committed, and had firmly resolved that nevermore should I be guilty of any form of dissipation, but to apply myself faithfully and honestly towards repaying to my employer the money I had taken, and in living a happy, honest life with my family; but I was arrested on the afternoon of February , 1888, and my poor wife, being thus left destitute and among strangers, obtained assistance from some friends and went back to Norway.

I do not feel that it would be becoming, in my situation, to complain of the part that others may have taken --unintentionally, no doubt--in bringing me where I am; but I would state that, until I fell in the company of certain persons here in the city, I had never been in any wise addicted to bad habits. I have never been arrested before, or charged by any one at any time with having committed an offense against the law; nor have I ever been guilty of any such offense, whether charged by any person or not. I was the bookkeeper of Mr. Graham's place of business, and, since I have been with him, have had thousands of dollars pass through my hands; but the idea of taking the same never entered my mind, beyond the appropriation of the small sums to meet pressing emergen-



POOR QUALITY  
ORIGINAL

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cies, as I have above set forth.

I solemnly and sincerely aver that never again will I do anything that will add to the disgrace already brought upon myself and my family.

If the Court feels that it can deal leniently with me, I promise that I will so act in the future as to regain my own sense of manhood, and retrieve the good name which I have lost.

Sworn to before me this

23<sup>d</sup> day of February, 1888.

:  
:  
:

*John Hammer*

*Wm. R. Orr*

*Wm. R. Orr*

*not filed in ny co* *Reple*

POOR QUALITY  
ORIGINAL

0548

*Due and timely service of a copy of the within* *admitted*  
*this* *day of* *188*

COURT OF GENERAL SESSIONS.

THE PEOPLE OF THE STATE OF  
NEW YORK

*against*

JACOB HAMMER.

AFFIDAVIT.

FULLERTON & RUSHMORE,

*Attorneys for* Deft.

No. 39 WALL STREET,  
NEW YORK CITY



0549

X-----X

THE PEOPLE OF THE STATE OF  
NEW YORK

against

J A C O B    H A M M E R .

X-----X

*Isakher Taugen* being duly sworn, de-  
poses and says that he is 28 years of age, and  
engaged in the *Architectural* business at  
*15 Corlawn*; that he has known the defendant, Jacob  
Hammer, for 3 years past, and has had fre-  
quent intercourse with him; he has always borne himself  
as a respectable, honorable gentleman, and made himself  
well liked by all who came in contact with him. Deponent  
joins in the prayer for clemency in his behalf.

Sworn to before me this 23<sup>rd</sup> day of February, 1888.  
 the 12. 1888  
 Notary Public  
 New York Co (235)



POOR QUALITY  
ORIGINAL

0550

COURT OF GENERAL SESSIONS.

X-----X  
THE PEOPLE OF THE STATE OF :  
NEW YORK :  
against :  
JACOB HAMMER. :  
X-----X

City and County of New York, ss.:

CHRISTOPHER RAVN, being duly sworn, deposes and says that he is the Vice-Consul, and now acting Consul, for the Governments of Norway and Sweden at the Port of New York, and has his office at No. 41 Broad Street, New York City:

That he knows Jacob Hammer, the above named defendant, and has known him since said Hammer was about twelve years old, at which time deponent and said Hammer were acquaintances residing in the same city in Norway. That the said acquaintance continued until deponent came to this country, some eighteen years ago.

Deponent knows that said Hammer belongs to a highly respectable family living in Norway; that he was for some time a student at the University of Christiana, and afterwards was employed in the business of his father-in-law.

That deponent never heard of said Hammer having committed any offense against the law, nor doing anything

POOR QUALITY  
ORIGINAL

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that in any wise subjected him to police interference. During deponent's residence in this country he has been in constant communication with friends in Norway who were acquainted with said Hammer and his family, and if he had had any such difficulty deponent would undoubtedly have heard of it.

Since said Hammer's coming to this country deponent has not heard of his having been in any trouble until this present matter occurred.

Deponent respectfully states to the Court that he conscientiously believes that the defendant is deserving of the exercise of clemency to its fullest extent. Deponent has heard a statement of the facts in the case, and believes, from his knowledge of the defendant, that he was led away by temptation; but, if given the opportunity, he will not again permit himself to transgress the laws.

Deponent further states that he is personally acquainted with Ellert Dahl, who has made an affidavit for use on this proceeding, and asserts that said Dahl is a man of honor and great respectability, and that full credence can be given to his statements.

Sworn to before me this :  
21<sup>st</sup> day of February, 1888. :

*Christopher Ravn*

*Frederick R. Orr*  
Notary Public

*King County*

*Certificate filed in my Co*

POOR QUALITY  
ORIGINAL

0552

COURT OF GENERAL SESSIONS.

X-----X  
: THE PEOPLE OF THE STATE OF :  
: NEW YORK :  
: :  
: against :  
: JACOB HAMMER . :  
: :  
X-----X

City and County of New York, ss.:

ELLERT W. DAHL, being duly sworn, deposes and says:  
that deponent resides at Hull, England, and is on a visit  
to this city, having come here about six months ago.

That deponent is well acquainted with Jacob Hammer,  
the above named defendant, and has known him since child-  
hood; that said Jacob Hammer and deponent lived in the  
city of Bergen, Norway, for many years, commencing with  
the time when said Hammer was about five years old, and  
that their acquaintance commenced at that period, and it  
has continued until the present day; that, with the excep-  
tion of the past four years, during which time said Ham-  
mer has been in this country, deponent came in frequent  
contact with him, and knew of his whereabouts and doings.  
Deponent knows the family of said Hammer, and has had  
social acquaintance with them for the period of time  
above mentioned; that said Hammer belongs to a highly  
respectable family living in Norway.

With the exception of some slight interruptions,



**POOR QUALITY  
ORIGINAL**

0553

deponent lived in the same city with said Hammer up to four years ago. Deponent never heard of said Hammer having committed any offense against the law, nor of doing any act which would in any wise subject him to police interference; and, because of deponent's communications with said Hammer and his family, if any such thing had taken place, deponent could not help but have heard of it. Said Hammer was for several years a student at the University at Christiana, during which time deponent resided in the same city; that, after said Hammer took his degree at said University, he went into business with his father-in-law, and thereafter came to this country.

Said Hammer bore a good reputation, and was always thought well and favorably of by his friends and acquaintances.

After deponent came to this country he took occasion to seek said Hammer, in order to renew their old acquaintance. Deponent soon saw that said Hammer was largely under the influence of certain parties whose lives and conduct were bad, and, owing to the generous, companionable nature of said Hammer, that he was being led into extravagances which he could not afford.

Deponent was greatly shocked when he learned that said Hammer had been guilty of the offense of which he is charged; but, from his knowledge of the man, verily believes that his wrong-doing was brought about through bad

POOR QUALITY  
ORIGINAL

0554

company and bad example, and temptations which, because of his generous impulses, he was led into.

Deponent knows very well that said Hammer is by no means a man of bad character, and he verily believes that, if given the opportunity, he would never again allow himself to be placed in the position in which he now is. Deponent has talked with said Hammer since his arrest, and knows the weight that is upon his conscience for what he has done, and the mental punishment that he is already suffering, and earnestly prays the Court to indulge him with such clemency as will enable him to retrieve himself.

Sworn to before me this

26<sup>th</sup> day of February, 1888.

:  
:  
:

*Wm. H. Hall.*

*A. W. Mullett (12)  
Notary Public  
N.Y. Co.*

POOR QUALITY  
ORIGINAL

0555

COURT OF GENERAL SESSIONS.

X-----X  
THE PEOPLE OF THE STATE OF :  
NEW YORK :  
against :  
JACOB HAMMER. :  
X-----X

City and County of New York, ss.:

ERNEST L. A. CHRISTIANSEN, being duly sworn, deposes and says that he is fifty years of age, and resides with his family at No. 41 St. Mark's Place, New York City; he is an insurance broker having an office in the Stewart Building, in this city, and is the owner of real estate in Brooklyn, N. Y.

Deponent has known the defendant, Jacob Hammer, for three years past, during which time he became well acquainted with him--said Hammer frequently visiting at deponent's house.

Deponent knows said Hammer to be a man of a companionable nature, and warm, generous impulses, which undoubtedly led him into the wrong-doing for which he is now suffering. He always bore an excellent reputation, and was a man well liked by everybody. Deponent would not have hesitated to trust him with any amount of money.

Deponent was greatly pained when he learned of Hammer's arrest, and has called to see him since his imprisonment, and knows that he feels keenly his disgrace.



POOR QUALITY  
ORIGINAL

0556

Deponent prays that the Court will give said Hammer  
a chance to retrieve his errors. From deponent's knowl-  
edge of said Hammer's nature he knows that he will never  
again suffer himself to yield to temptation, but that he  
will strive to live a good and honest life.

Sworn to before me this :

21<sup>st</sup> day of February, 1888. :

*E. M. Christensen*

*A. W. Sullivan*  
Notary Public  
N.Y. Co

County of General Sessions

The People of the State }  
of New York }  
- apt - }  
Jacob Stammer } 3

City & County of New York:

Herman King being duly sworn deposes and says that he has lived at No. 345 West 34<sup>th</sup> St New York City for two years past and while there made the acquaintance of the defendant who came there to board in November 1887; defendant saw a great deal of him and as was the case with the other people residing at said house & the adjoining house No. 347 West 34<sup>th</sup> St (both of which houses were used as a boarding place) formed a very favorable opinion of him; his frank pleasant manner and devotion to his family won for him the esteem and respect of all; his conduct was always gentlemanly and honorable.

Deponent heartily joins in the prayer for clemency and

POOR QUALITY  
ORIGINAL

0558

truth that the defendant may  
be given an opportunity to lead  
an honorable life

During the time that said  
Hammer boarded at the house  
above named he led a quiet, sober  
life, always home at the evening  
with his family. Defendant  
understands that whatever  
led the defendant to commit the  
act for which he is accused occurred  
previous to said month of November  
1887 in which month as defendant  
is informed and believes said Ham-  
mer's wife joined him here having  
come from Norway for that purpose

Sworn to before me this  
20<sup>th</sup> day of February 1888

J. W. Miller (Jr.)  
Notary Public  
N.Y. Co

Norman F. Keirig



Court of General Sessions

The People of the State }  
of New York }  
appt. }  
Jacob Hammer }

City & County of New York:

Stacey J. Crows being duly sworn deposes and says that she is the proprietor of the boarding house at nos 345 & 347 West 34<sup>th</sup> Street New York City; that in the month of November 1888 the defendant with his wife and child engaged board at defendant's house and continued to live there up to the time of said defendant's arrest.

During the defendant's stay at defendant's house he became very well liked and was considered by all as a pleasant, honorable gentleman.

The defendant is informed and believes the defendant came to this County about four years ago for the purpose of making a start in business here - he left his wife in Albany with the understanding that she was to join him here when he

became sufficiently settled to warrant it. In December last his wife joined him. His devotion to his family was a matter of constant comment - he was always at home in the evenings ~~and~~ unless he went out accompanied by his wife.

Defendant learned that previous to the time when his wife joined him as aforesaid he had been led into some extravagances through his generous, social nature ~~but~~ and is informed and believes that his deviation of duty towards his employer occurred prior thereto.

Everybody who knows him became attached to him and all feel a great sorrow at his present plight.

It is not possible to believe that the defendant is a bad man but those who know him are convinced that his fall is due more to the direct influence of one or two parties than to any inherent dishonesty in said Hammers ~~character~~ nature. Defendant earnestly prays that the fullest clemency may be shown him.

Given to be true this 20 day of February 1888 Nancy J. Brown

T. W. Gullett  
Notary Public  
Wyo. Co.



POOR QUALITY  
ORIGINAL

0561

*Due and timely service of a copy of the within*  
*this* *day of* *188* *admitted*

COURT OF GENERAL SESSIONS.

The People of the State of  
New York

*against*

J a c o b H a m m e r.

AFFIDAVITS FOR DEFENDANT.

FULLERTON & RUSHMORE,

*Attorneys for Defendant.*

No. 39 WALL STREET,  
NEW YORK CITY.



POOR QUALITY  
ORIGINAL

0562

Police Court—1st District.

Affidavit—Larceny.

City and County } ss.  
of New York, }

of No. 534 West 30th Street, aged 36 years,

occupation humber dealer being duly sworn

deposes and says, that on the 11th day of November 1887 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:

Good and lawful money  
of the United States  
of the amount and value  
of Fifty one  $\frac{24}{100}$  dollars  
 $\$51 \frac{24}{100}$   
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 Jacob Hammer (Cushman)

for the reasons following, to wit: on the above described date, the said defendant was employed by deponent as book-keeper and as such collected the said money and appropriated the same to his own use as deponent is informed by Henry J. Devore, who informs that he Devore paid to the said defendant the said money to be paid to deponent. The said defendant appropriated the same to his own use.

John R. Graham Jr

Sworn to before me, this

day

of November 1887

Police Justice.

POOR QUALITY  
ORIGINAL

0563

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 44 years, Occupation 282 Bookkeeper of No.

282 Olmsted Avenue Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

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

Sworn to before me, this

day of February 1888

Henry J. Devore  
Police Justice.

POOR QUALITY  
ORIGINAL

0564

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss

*Jacob Hammer* 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

Question. How old are you?

Answer

Question. Where were you born?

Answer.

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

Answer.

Question What is your business or profession?

Answer.

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

Answer.

~~I am guilty and~~  
~~I plead guilty and~~  
I plead guilty and  
waive examination here  
*Jacob Hammer*

Taken before me this

day of

February 1886

Police Justice.



POOR QUALITY  
ORIGINAL

0565

1500 for St.  
9-20-1888. G. J. G.

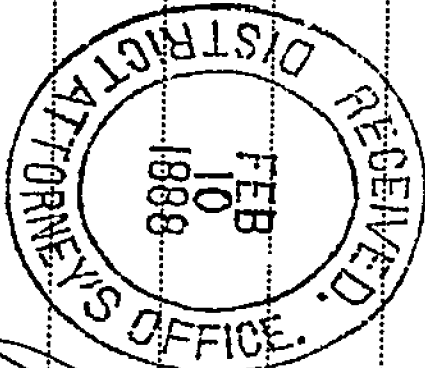
BALIED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court

District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

1534 West 30th St.  
Jared Hammer  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
Dated Feb 4 1888  
Magistrate  
Offence \_\_\_\_\_



Witnesses \_\_\_\_\_  
No. \_\_\_\_\_ Street \_\_\_\_\_  
No. \_\_\_\_\_ Street \_\_\_\_\_  
\$ \_\_\_\_\_ to answer

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

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

Dated Feb 4 1888 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ 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 \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0566

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Jacob Hammer*

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

The said *Jacob Hammer*.

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *eleventh* day of *November*, in the year of our Lord one thousand eight hundred and eighty-seven, at the Ward, City and County aforesaid, being then and there the clerk and servant of *one John A. Fygham the younger*,

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 *John A. Fygham the younger*,

the true owner thereof, to wit: *the sum of fifty one dollars and twenty four cents in money, lawful money of the United States, and of the value of fifty one dollars and twenty four cents.*

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

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

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

JOHN R. FELLOWS.  
~~RANDOLPH B. MARTINE,~~  
District Attorney.

0567

**BOX:**

296

**FOLDER:**

2817

**DESCRIPTION:**

Harman, Max

**DATE:**

02/23/88



2817



POOR QUALITY  
ORIGINAL

0568

March 5th 1888  
No 433

Counsel,

Filed 23 day of Feb 1888

Pleads

Grand Larceny, 2nd degree  
(Sections 528 and 581 of the Penal Code).

THE PEOPLE

vs.

Max Harmon

JOHN R. FELLOWS,

March 5th District Attorney.

Indictment dismissed

A True Bill.

Wm Woodruff  
Foreman.

March 5th  
Res - on mo  
of vacancy

Repect guard  
he appear the day  
with he believe to  
be innocent

W.R.F.

after complainant  
tells me that  
accused told him  
the next day he  
lost the money  
& was willing to  
work & repay him  
back - just that  
his indictment be  
dismissed

March 5th 88  
G.S.B.  
A.D.A.

POOR QUALITY  
ORIGINAL

0569

Police Court—5th District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

Philip S. Biglin  
of No. 78 East 125th Street, aged 39 years,  
occupation Expressman being duly sworn

deposes and says, that on the 13th day of February 1888 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  
Consisting  
of bills of divers denominations and  
values and Silver Coins; altogether  
amounting to fifty one dollars and  
forty five Cents (\$51.45/100)

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 Max Harmon (now here) for

the following reasons to wit: On the above  
mentioned date, said defendant was in  
the employment of deponent in the Capacity  
of Expressman. That deponent is informed  
by Louis Van Cook of the 171 East 100th Street  
on the above mentioned date, about the hour  
of 4 o'clock, he said Van Cook paid to  
said defendant the above described moneys.  
to paid over by said defendant to deponent.  
That said defendant has failed to pay  
over to deponent the said moneys so collected.  
but as deponent believes the said defendant  
has kept withheld and has fraudulently  
applied the same to his own use.

Philip S. Biglin

Sworn to before me, this  
16th day of February 1888  
at New York City.  
Justice

POOR QUALITY  
ORIGINAL

0570

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 46 years, occupation Bartender of No.

171 East 110<sup>th</sup> Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Philip J. Bigler

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

Sworn to before me, this 16 day of February 1887 } Louis Van Hook

W. J. Duffy  
Police Justice.



POOR QUALITY  
ORIGINAL

0571

Sec. 198-200.

5 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*May Harman* 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.

*May Harman*

Question. How old are you?

Answer.

*26 years*

Question. Where were you born?

Answer.

*New York City -*

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

Answer.

*2449. 2<sup>nd</sup> avenue And over one year*

Question. What is your business or profession?

Answer.

*Express Driver*

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

Answer.

*I admit having collected the money referred to, but have lost it.*

*May Harman -*

Taken before me this  
day of

Police Justice.

POOR QUALITY  
ORIGINAL

0572

BAILED,  
No. 1, by Charles Smith  
Residence 29 Bowery  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

No. 113 B. V. 298  
Police Court-- District.

THE PEOPLE, &c.,

IN THE COMPLAINT OF

Paul J. Smith  
78 West 125 St

Max Harnan

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
Offence Larceny

Dated February 16 1888

Butty Magistrate.

James C. Davis Officer.

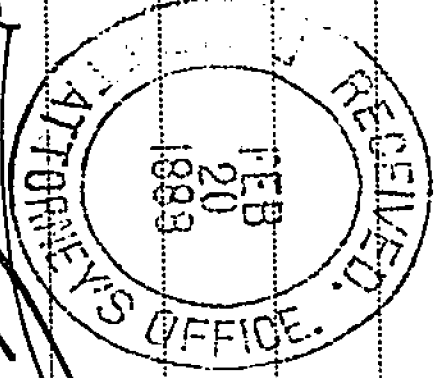
Witnesses James Van Cook  
No. 171 East 110 St

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

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

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

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 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 Feb 16 1888 Butty Police Justice.

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

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

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

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

POOR QUALITY  
ORIGINAL

0573

John Norton  
John Hunt, May 10/87 by Officer.  
Bath of 11 Precinct for threatening the life of  
one Griffiths.  
also implicated in the Larceny of some  
clothing with Henry Meloney. April 29th/87  
~~Escaped punishment by getting out of the~~  
way, until the trial was over. Meloney  
was sentenced to 3 years in Sing Sing.  
Also by Officer Haggerty of the 7th Precinct  
on suspicion of Attempting Burglary, in  
company with John Conway. on April 20.  
under the name of John Norton

James Kelly. although his face is  
familiar to the attached Essex Market  
Court, I could find no Officer to identify  
him



POOR QUALITY  
ORIGINAL

0574

5-12-'87-3M.

Book

*C. ad.*

Page

*254*

*New York, Feb. 11 1885.*

*Mr Thomas Hughes #171 E 110*

Bought of E. C. HAZARD & CO.,

IMPORTERS AND JOBBERS OF

STAPLE AND FANCY GROCERIES,

HUDSON & HARRISON STREETS.

$\frac{1}{2}$ Bbl. Blue Bird Whiskey	<i>25 1/2 - 1/2</i>	<i>11.60</i>	<i>40 00</i>
$\frac{1}{2}$ M Manicagua Segura	<i>25.00</i>	<i>12.50</i>	<i>1</i>
		<i>52.50</i>	
	<i>Less 20%</i>	<i>1.05</i>	
		<i>\$51.45</i>	

Bring back demijohns

Received Payment  
Mr. Walman  
Harlem by  
3 (ind) 200  $\frac{60}{100}$

**POOR QUALITY  
ORIGINAL**

0575

*Paid Feb. 13<sup>th</sup> 88*

POOR QUALITY  
ORIGINAL

0576

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Max Harman*

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

The said *Max Harman*.

late of the City of New York, in the County of New York aforesaid, on the  
*thirteenth* day of *February*, in the year of our Lord  
one thousand eight hundred and eighty*eight*, at the City and County aforesaid, being  
then and there the clerk and servant of *one Philip S. Pirofin*.

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

*Philip S. Pirofin*.

the true owner thereof, to wit: *the sum of fifty one*  
*dollars and forty five cents in money,*  
*lawful money of the United States,*  
*and of the value of fifty one*  
*dollars and forty five cents.*

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

to his own use, with intent to deprive and defraud the said

*Philip S. Pirofin*.

of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and  
personal property of the said *Philip S. Pirofin*.

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.