

0829

BOX:

296

FOLDER:

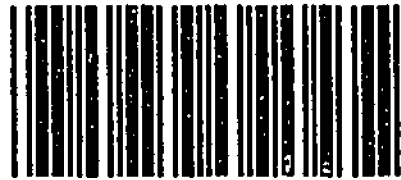
2822

DESCRIPTION:

Kaiser, Jacob

DATE:

02/01/88



2822

POOR QUALITY
ORIGINAL

0030

WITNESSES:

Officer [Signature]

Counsel,

Filed

day of

188 f.

Pleads

not guilty (3)

THE PEOPLE,

vs.

B

Jacob Kaiser

(the younger)

July 21/99

*sent to the Court of Sessions
for trial, by request
of Counsel for Defendant.*

Violation of Excise Law.

[(III Rev. Stat. (7th Edition), page 1983, Sec. 21, and
(Selling on Sunday, etc.)
page 1989, Sec. 5.]

JOHN R. FELLOWS,

RANDOLPH B. MARTINE,

District Attorney.

Nov 11.
Feb 21 1900
A True Bill.

[Signature]

Foreman.

POOR QUALITY
ORIGINAL

0031

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

Plaintiffs

against

Jacob Kaiser
(the younger)

Defendant.

The Grand Jury of the City and County of New York, by this indictment, accuse the above named defendant of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows :

The said defendant, late of the City of New York, in the County of New York aforesaid, on the *twenty-ninth* day of *January* in the year of our Lord one thousand eight hundred and eighty-*eight* at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit : One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one

Patrick H. Cosgrove

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

SECOND COUNT :

And the Grand Jury aforesaid, by this indictment, further accuse the said defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows :

The said defendant, late of the City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, 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.

0032

BOX:

296

FOLDER:

2822

DESCRIPTION:

Karesck, John

DATE:

02/13/88



2822

0033

POOR QUALITY
ORIGINAL

Counsel,
Filed, 13 day of July 1888
Pleads, Chicago (1x)

VIOLATION OF EXCISE LAW
(Keeping Open on Sunday.)
(Ill. Rev. Stat., 7th Edition, Page 1889, Sec. 5)

THE PEOPLE,
vs.
B

John Karesch

3156-3157
JOHN R. FELLOWS,
RANDOLPH B. MARSH,
Deputy Superior District Attorney.
Dec 10 1888

A True Bill.

W. H. Fawcett
Foreman.
Part 3. December 10. 1888.
Indictment dismissed

Witnesses:
off Jones

The defendant is dead
and I am sure that he
he discharged of government
Dec 10/88
W. H. Fawcett
Adm. Dist. Atty

POOR QUALITY
ORIGINAL

0034

Sec. 198-200.

6 1/2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

John Karasick

Question. How old are you?

Answer.

58 years

Question. Where were you born?

Answer.

Germany

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

Answer.

3156 - 3rd Avenue, 6 years

Question. What is your business or profession?

Answer.

Salvage and Luggage House Keeper

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. I held after
examination I desire trial at General
Sessions.*
John Karasick

Taken before me this

day of

1881

Police Justice.

0835

Residence ..

to answer 5.3

Dated 188 *Police Justice.*

POOR QUALITY
ORIGINAL

0836

Excise Violation—Keeping Open on Sunday.

POLICE COURT—6 DISTRICT.

City and County } ss.
of New York,

of the 33^d Precinct Josiah Jones
Police Street,
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 8th day
of January 1888, in the City of New York, in the County of New York,
John Karesch (now here)
being then and there in lawful charge of the premises No. 3156 3^d Avenue
Street, a place duly licensed for the sale of strong and spirituous liquors, wines, ale and beer, to be
drunk upon the premises DID NOT KEEP SAID PLACE CLOSED contrary to and in violation of
the statute in such case made and provided.

WHEREFORE, deponent prays that said John Karesch
may be arrested and dealt with according to law.

Sworn to before me, this 9th day }
of January 1888. } Josiah Jones
John H. H. Police Justice.

POOR QUALITY
ORIGINAL

0037

City and County of New York.

Adam Radlein residing N^o 2237 first Avenue in the City of New York, being duly sworn, deposes and says that; that he was the Undertaker for John Raresch, the same individual named and described in the within notice of trial; that said John Raresch departed this life at his place of residence 315 6 - Third Avenue; that Defendant attended his funeral on the 19th day of August 1888 and then and there saw the dead body of the said John Raresch coffined and buried at Woodlawn N.Y. in the presence of this Defendant and a number of his friends and relatives and further Defendant deposes that the annexed is an official certificate of the death of said John Raresch, the identical person for whose appearance he became bondsman.

Sworn to and subscribed before me

This 7th day of December 1888

Henry Michalsky

Notary Public, City and County of N.Y.

Adam Radlein

POOR QUALITY
ORIGINAL

0038

Court of General Sessions, PART 13

THE PEOPLE

vs.

For

INDICTMENT

114 St

John Karsch

To

M. Adam Radlein

No.

2237

1st ave

Street,

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *trial* at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House, in the Park of the said City, on *9* the *7th* day of *December* instant, at eleven o'clock in the forenoon.

If the defendant is not produced at that time your bond will be forfeited.

JOHN R. FELLOWS,

District Attorney.

0039

A Transcript from the Records of the Deaths Reported
to the Health Department of the City of New York.

No. of Certificate

26745

- [illegible]

Witness my hand this 17th day of Aug. 1888

Place of Burial, Woodlawn
Date of Burial, Aug 17, 1888
Undertaker, Adam Nieabus,
628 Courtlandt Av.
(Signature,) H. Greenwood, M. D.,
Residence, 1293 Washington Av

*By first floor is meant the floor immediately above or on a level with the grade of the street adjoining; the basement floor is below the level of the adjoining street

A True Copy

Secretary.

POOR QUALITY
ORIGINAL

00840

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
Plaintiffs

against

John Karsch
Defendant.

The Grand Jury of the City and County of New York. by this indictment accuse the above named defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said defendant late of the City of New York, in the County of New York, aforesaid, on the *eight* day of *January* in the year of our Lord one thousand eight hundred and eighty-*eight*, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of, and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did open, and cause and procure, and suffer and permit, to be open, and to remain open; 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.

0041

BOX:

296

FOLDER:

2822

DESCRIPTION:

Keating, James

DATE:

02/17/88



2822

POOR QUALITY
ORIGINAL

0042

188
Filed day of
Pleaded
Counsel,
N° 312

Violation of Excise Law.
[III Rev. Stat. (7th Edition), page 1983, Sec. 21, and
page 1989, Sec. 5.]

THE PEOPLE,

vs.

B
James Keating

521-6011
JOHN B. FELLOWS,
RANDOLPH B. MARTINE,

District Attorney.
Proposed Nov 18, 1889.

A True Bill.

Wm. Nordhoff

Foreman.

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

Part 2... Nov. 15... 1889.

WITNESSES:

Off. Power

POOR QUALITY
ORIGINAL

0043

DISTRICT ATTORNEY'S OFFICE,

New York, 188

The People
v

Jesse Ketchum

Geo. Auliffe - State
Crown Counsel & Connelly

**POOR QUALITY
ORIGINAL**

0844

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
Plaintiffs

against

James Keating
Defendant.

The Grand Jury of the City and County of New York, by this indictment, accuse the above named defendant of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows :

The said defendant, late of the City of New York, in the County of New York aforesaid, on the *fifth* day of *February* in the year of our Lord one thousand eight hundred and eighty-*eight* at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit : One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one

Franklin E. Powers

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

SECOND COUNT :

And the Grand Jury aforesaid, by this indictment, further accuse the said defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows :

The said defendant, late of the City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, 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. Bellows
RANDOLPH B. MARTINE,

District Attorney.

0045

BOX:

296

FOLDER:

2822

DESCRIPTION:

Kelly, Michael

DATE:

02/06/88



2822

0046

BOX:

296

FOLDER:

2822

DESCRIPTION:

Lyons, Michael

DATE:

02/06/88



2822

0047

No 6 Vermogens n

188

Pleads, *Not guilty* (7) ✓

THE PEOPLE
vs.
Degree.

25.

Michael Kelly

15

Michael Lyons
L.H.D.

JOHN R. FELLOWS,

District Attorney.

A True Bill

Substratum.

For example,

July 7/88.

*Good Deeds
Please J. P. Carey
Each S.P. 3 days.*

POOR QUALITY
ORIGINAL

0040

Police Court— District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. *Fourth Precinct* Street, aged *34* years,
occupation *Police Officer* being duly sworn

deposes and says, that on the *31st* day of *January* 188*8* 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:

*One leather satchel being of
the value of*

Five Dollars

the property of *Herbert Hutchinson*

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 *Michael Lyons* and *Michael Heely* (known as *Sam*) who were acting in concert with each other for the reason that *about the hour of 3 o'clock* and on the morning of the *of said day* deponent was informed by said *Hutchinson* that he was robbed of said property. That deponent saw said defendants running through *Henry* *to* *Catherin* *Street* then to *Madison Street* and told said *Hutchinson* to wait until he returned. That deponent pursued said defendants and arrested said *Heely* while said *Lyons* was arrested by *Sam* officer of the *7th Precinct* *Sam* turned over

Sworn to before me, this
of _____ day
188*8*

Police Justice.

POOR QUALITY
ORIGINAL

0049

to defendant; That defendant then found
said satchel lying on the sidewalk
and said that defendant fully identifies
said property as being this and
fully identifies said defendants
as the persons who stole the
aforementioned property.

Defendant therefore
charges said defendants with the
felony of larceny and with having
acted in concert with each
other.

Subscribed and sworn to before me
this 31st day of January 1888 } Martin Keogh
Jury Over
Peace Justice

POOR QUALITY
ORIGINAL

0050

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 31 years, occupation Engineer of No.

Six Bow Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Martin Keogh

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

Sworn to before me, this

day of

1883

31st Herbert Hutchinson

by Omy

Police Justice.

POOR QUALITY
ORIGINAL

0051

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, } ss

District Police Court.

Michael Keely 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.

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 not guilty
Michael Keely

Taken before me this

day of January 1888

Ed. D. Owen Police Justice.

POOR QUALITY
ORIGINAL

0052

Sec. 198-200.

1st District Police Court.

CITY AND COUNTY OF NEW YORK, ss

Michael Lyons 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.

Michael Lyons

Question. How old are you?

Answer.

30 years.

Question. Where were you born?

Answer.

Ireland

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

Answer.

15 Washington Street 14 years.

Question. What is your business or profession?

Answer.

Laborer

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

Answer.

I am not guilty

Michael Lyons

Taken before me this

31st

day of January 1888

Chas. C. 57

Police Justice.

POOR QUALITY
ORIGINAL

0053

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

1
2
3
4
Offence

Dated

January 31 1888

No. 3, by

Magistrate

No. 3, by

Officer

No. 3, by

Precinct

No. 3, by

Witnesses

No. 3, by

Street

No. 3, by

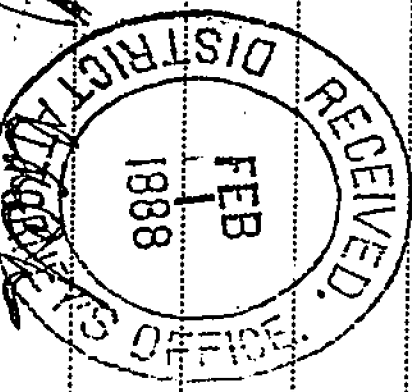
Street

No. 3, by

Street

No. 3, by

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

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 January 31 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

0054

CITY AND COUNTY }
OF NEW YORK, } ss.

POLICE COURT, 1st DISTRICT.

Martin Keogh
of No. *Fourth Avenue* Street, aged *34* years,
occupation *Police Officer* being duly sworn deposes and says,

that on the *31st* day of *January* 188*8*

at the City of New York, in the County of New York, *he arrested*

Michael Kelly & Michael Lyons
(both now here) on the complaint
of Herbert Hutchinson charging
them with Larceny from the Person
Department and that said Hutchinson
may be committed to the house
of Detention as he is a material
necessary witness against said
defendants *his deponent* *believes* *will*
not appear in court when required
Martin Keogh

Sworn to before me, this

of *January* 188*8*

31st day

Police Justice,

POOR QUALITY
ORIGINAL

0855

Police Court-- District.

THE PEOPLE, & c.

ON THE COMPLAINT OF

Martin Kough

vs.

Herbert Kuchta

ALFIDAVIT.

Dated *June 31* 188*8*

Power Magistrate.

Officer.

Witness,

Disposition

*Committed to
the House of Detention*

POOR QUALITY
ORIGINAL

0856

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

Michael Lyons and
Michael Kelly

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

The said *Michael Lyons and Michael Kelly*

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

One satchel of the value of ten
dollars

of the goods, chattels and personal property of one *Herbert Hutchinson*
on the person of the said *Herbert Hutchinson*
then and there being found, from the person of the said *Herbert Hutchinson*
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

00857

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said
- *Michael Lyons and Michael Kelly* -
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Michael Lyons and Michael Kelly* -

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

*One satchel of the value of ten
dollars*

of the goods, chattels and personal property of one *Herbert Hutchinson*

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

unlawfully and unjustly, did feloniously receive and have; the said *Michael
Lyons and Michael Kelly* -

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.

0858

BOX:

296

FOLDER:

2822

DESCRIPTION:

Kelly, Patrick J

DATE:

02/09/88



2822

POOR QUALITY
ORIGINAL

0059

Witnesses;

48.
Order No 44

Counsel,

Filed

day of

188

Pleads,

Charguilly

THE PEOPLE

vs.

Patrick J. Kelly
(2 cases)

Burglary in the second degree.
as set forth in the indictment.
[Section 407.50 6,528 and 532]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

G. J. Stevens
Foreman.

POOR QUALITY
ORIGINAL

0060

Police Court

District.

Affidavit—Larceny.

City and County
of New York,

ss.

of No.

occupation

deposes and says, that on the

York, in the County of New York,

of deponent, in the

Stephen M. Cully

the Grand Central Railroad Station, aged

Baggage Agent being duly sworn

deposes and says, that on the 12th day of January 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 day time, the following property viz :

A Satchel containing a suit of clothes, a pair of shoes, and samples of shoe blacking collectively of the value of about fifty dollars

the property

being at the time in the care and custody of deponent as an agent

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

from the fact that on the day in question and soon after the larceny of said property deponent missed the satchel. And deponent is now informed by Officer Denis McMahon of the 23rd Precinct that he found the satchel in a room occupied by the defendants in premises C. 19. 3rd Ave. That deponent identifies the satchel as found as the property stolen from said place. And the defendants now admit in Court that he did so take and steal said property.

Sworn to before me, this 12th day of January 1888

of
1888
Police Justice.

Stephen M. Cully

POOR QUALITY
ORIGINAL

0061

Sect. 198-200.

CITY AND COUNTY }
OF NEW YORK } ss.

District Police Court.

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

Question. What is your name?

Answer. *Patrick Kelly*

Question. How old are you?

Answer. *20 Years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *64 3rd Avenue*

Question. What is your business or profession?

Answer. *Expressman*

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 guilty of the charge*

P. J. Kelly.

Taken before me this

188

Police Justice.

POOR QUALITY
ORIGINAL

0062

BAILED,
No. 1, by _____
Residence _____
Street _____
No. 2, by _____
Residence _____
Street _____
No. 3, by _____
Residence _____
Street _____
No. 4, by _____
Residence _____
Street _____

Police Court District.

111 189

THE PEOPLE, &c.,

ON THE COMPLAINT OF

St. Mary the County

Grand Jury 1888

Alfred Kelly

2

3

4

Offence

Dated

January 5 1888

Residence

Magistrate

Officer

Denis Mc Mahon

Residence

Precinct

Officer

Witnesses

Call the officer

No.

Street

Officer

No.

Street

Officer

No.

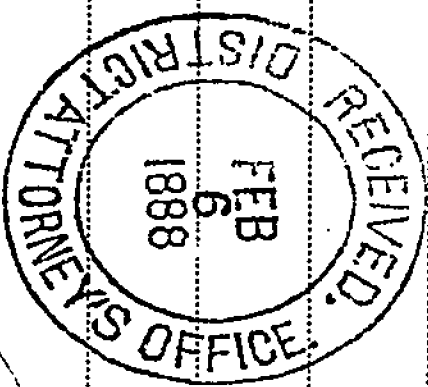
Street

Officer

\$

to answer

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 _____ 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 _____ 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

0063

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 R. Kelly

The Grand Jury of the City and County of New York, by this indictment, accuse *John R. Kelly* —

of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed as follows:

The said *John R. Kelly*

late of the City of New York, in the County of New York aforesaid, on the *27th* day of *January*, in the year of our Lord one thousand eight hundred and eighty-*eight*, at the City and County aforesaid, with force and arms,

*one watch of the value of ten dollars,
one coat of the value of twenty dollars,
one vest of the value of five dollars,
one pair of trousers of the value of ten dollars, one pair of shoes of the
value of five dollars, and a quantity
of shoe laces of the value of
two dollars.*

of the goods, chattels and personal property of one *Stephen McCullery*

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

John R. Kelly
Defendant

POOR QUALITY
ORIGINAL

0064

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 R. Kelly

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

John R. Kelly

of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed as follows:

The said *John R. Kelly*

late of the City of New York, in the County of New York aforesaid, on the *27th* day of *January*, in the year of our Lord one thousand eight hundred and eighty-*eight*, at the City and County aforesaid, with force and arms,

*one watch of the value of ten dollars,
one coat of the value of twenty dollars,
one vest of the value of five dollars,
one pair of trousers of the value of ten dollars, one pair of shoes of the
value of five dollars, and a quantity
of shoe laces of the value of
two dollars.*

of the goods, chattels and personal property of one *Stephen McCullough*

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

John R. Kelly
District Attorney

POOR QUALITY
ORIGINAL

0065

Witnesses:

Counsel,

Filed

day of

188

Pleads,

THE PEOPLE

vs.

Grand Larceny in the 1st degree.
[Sections 528, 531, Penal Code].

Patrick Kelly

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Foreman.

July 13/88.

Guilty

James R. L.

July 13/88

POOR QUALITY
ORIGINAL

0055

TO THE CHIEF CLERK.

PLEASE SEND ME THE PAPERS IN THE CASE OF

PEOPLE

vs.

Kelly -

G.H. -

Refinery

District Attorney.

In Mr. Harvey

POOR QUALITY
ORIGINAL

0067

Police Court District.

City and County
of New York, ss.:

Alfred Lafayette
of the Grand Central Railroad Depot, Street, aged 33 years,
occupation *Conductor* being duly sworn
deposes and says, that the *passenger car* No. 888147 then in the Grand Central Depot, 19th Ward
in the City and County aforesaid the said being a *passenger & foreign*
Depot in which said car was one of which
which was occupied by deponent as a *sleeping apartment*
and in which there was at the time a human being, by name *Charles Spencer*

An *engineer*
were BURGLARIOUSLY entered by means of forcibly opening a
door of said car with a certain
key obtained by some means to deponent
unknown with intent to commit a
larceny therein
on the 15th day of January 1888 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

*One overcoat a scarf and a
pair of gloves collectively of
the value of about twenty dollars*
\$20.00

the property 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

Patrick Kelly now present

for the reasons following, to wit: *That towards the hour of midnight*
on the day of the 14th of January 1888 deponent
who was then in bed saw the defendant open
the door of the car in which deponent was,
and after inquiring if deponent wanted the door
locked, and being answered in the affirmative
the defendant locked the door and went away. That
on the morning following deponent missed said property
from a closet in the car where deponent left it on retiring
and the defendant now admits that he did steal said
property and pawned a portion of it.

A. Lafayette

*Alfred Lafayette
Conductor of Grand Central Depot
City of New York
Official Justice*

POOR QUALITY
ORIGINAL

0058

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss.

District Police Court.

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

Question. What is your name?

Answer.

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 may think will tend to your
exculpation?

Answer.

Taken before me this

day of *September* 1885.

Police Justice.

POOR QUALITY
ORIGINAL

0059

BAILED,
No. 1, by _____
Residence _____
Street _____
No. 2, by _____
Residence _____
Street _____
No. 3, by _____
Residence _____
Street _____
No. 4, by _____
Residence _____
Street _____

111 N 480 244
Police Court District.

THE PEOPLE &c.,
ON THE COMPLAINT OF

1
2
3
4
Offence *Burglary and Larceny*

Dated *February 5* 188

Ministry Magistrate.

James McWilliam Officer.

Gold Precinct.

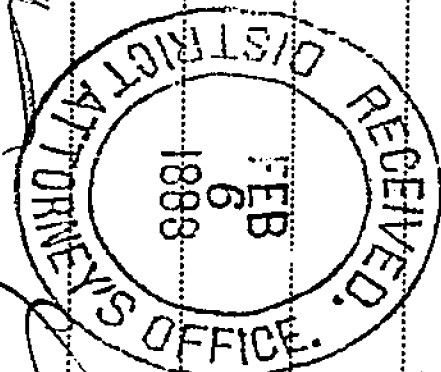
Witnesses

No. _____ Street _____

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 _____

Patrick Kelly
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 *February 5* 188 *James McWilliam* 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

0070

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Alfred S. Fayette

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

Alfred S. Fayette

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

The said *Alfred S. Fayette*

late of the ~~nineteenth~~ *fourteenth* Ward of the City of New York, in the County of New York
aforesaid, on the ~~seventh~~ *fourteenth* day of ~~January~~ *January*, in the year
of our Lord one thousand eight hundred and eighty-~~eight~~ *nine*, with force and arms, about the
hour of ~~three~~ *three* o'clock in the ~~night~~ *night* time of the same day, at the Ward,
City and County aforesaid, the dwelling house of one *Alfred S. Fayette*,
there situate, the same being a building to wit: a
newly erected building for the use of a
newly erected building for the use of a
newly erected building for the use of a
there situate, feloniously and burglariously did break into and enter, there being then and there
some human being, to wit: *the said Alfred S. Fayette.*

within the said dwelling house, with intent to commit some crime therein, to wit: the goods
chattels and personal property of the said *Alfred S. Fayette.*

in the said dwelling house 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

0071

SECOND COUNT—

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

Esther J. Kelly

of the CRIME OF *EST* LARCENY,—

committed as follows:

The said *Esther J. Kelly*

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 *month* time of the said day, with force and arms,

*one overcoat of the value of eighteen
dollars, one ring of the value of five
dollars, one scarf of the value of one
dollar, and one pair of gloves of the
value of one dollar.*

of the goods, chattels and personal property of *the said Alfred*

Bartholomew,

said railway car
in the dwelling house of the said *the new York, New Haven and*

Hartford Rail Road Company

there situate, then and there being found, from the dwelling house 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.

John H. Fellows
District Attorney

0872

BOX:

296

FOLDER:

2822

DESCRIPTION:

Kerr, Charles

DATE:

02/29/88



2822

POOR QUALITY
ORIGINAL

0073

Witnesses:

Witnesses:
J. H. [illegible]
[illegible]
[illegible]
[illegible]

May 18 1888. On the within
report I recommend
that the within indictment
be dismissed

W. D. [illegible]
D. P. [illegible]

Counsel,

Filed 29 day of July 1888
Pleads, [illegible]

THE PEOPLE

vs.

Charles Kerr

Ordered to N. Y. Court in
Open and Termination for trial

April 1888

JOHN R. FELLOWS,

District Attorney.
Remitted to the Court of General
Sessions for trial April 12, 1888

7th May 28, 1888.

A True Bill. Indictment dismissed.

Bail discharged.

[illegible] Foreman.

[illegible] April Term

Grand Larceny, 2nd degree
(Sections 528 and 531 of the Penal Code.)

Case of General Prison

The People
against
Charles Kerr

Grand Larceny
2^d degree.

Report.

The issue in the above entitled action is whether certain lumber was delivered by the complainant to the defendant merely for the purpose of transportation and delivery to J. Wilson with a direction to collect the purchase price therefor and to turn it over to the complainant, or whether the said lumber was sold and delivered to Kerr himself.

After a careful examination of the depositions taken before the Police Magistrate and of the Minutes of the Grand Jury I have come to the conclusion that the evidence is insufficient to sustain the indictment.

The complainant's testimony stands uncorroborated, while the

POOR QUALITY
ORIGINAL

0075

defendant's version of the transaction is strongly supported by J. Wilson, the purchaser of the lumber, who has testified that he bought the same from the defendant and not from the complainant. There is also evidence going against the complainant's credibility.

I am of the opinion that a jury will not convict the defendant, and that the indictment should be dismissed.

Dated May the 9th, 1888

Edward Grosse
Deputy 1st District Atty.

POOR QUALITY
ORIGINAL

0076

COURT OF GENERAL SESSIONS.

THE PEOPLE, &c.

vs.

Charles Kerr

Report.
BRIEF OF FACTS.

For the District Attorney.

Dated May 9th 1888.
Edward Gosse

Deputy Assistant.

POOR QUALITY
ORIGINAL

0077

THE PEOPLE ,
vs.
CHARLES KERR .

Before THE GRAND JURY .

Hon. George G. Havens, Foreman.

New York, February 28th, 1888.

C. C. Horton sworn:

Examined by Foreman Havens.

Q. Do you reside in west 67th street?

A. Yes sir.

Q. Did you sell this man a lot of lumber?

A. Yes sir, I sold J. Wilson a lot of lumber.

Q. How did Mr Kerr get possession of it?

A. He is a public truckman, and I gave it to him
with a bill on Mr Wilson with instructions to bring the
money or the lumber back. He left the lumber and next
day collected the money and kept it.

Q. What did he say?

A. He said if I gave a receipt he would give me
the money and when he got it he put it in his pocket and
said he would see me later. He then said if I would
make him a bill for it he would give me the money. I
Gave a bill with his name on it, and he grabbed it up
and went out.

Q. You never had any trouble with him before?

**POOR QUALITY
ORIGINAL**

0078

(2)

A. No sir.

Q. What became of the lumber?

A. He left it with Mr Wilson, and he paid him for it.

Q. Did you owe him anything?

A. No sir.

Charles Kerr sworn:

Foreman Havens:--It is my duty to say to you that you are not bound to answer any question which might criminate you; you can refuse to answer.

A. Yes sir.

Q. Did you get some lumber from Mr Horton?

A. Yes sir; I got it.

Q. Did you buy it for your own account?

A. I bought it for my own account.

Q. What did you do with it?

A. I sold it to Mr Wilson.

Q. Did you collect the money from Mr Wilson?

A. I did.

Q. What did you do with the money?

A. I paid a bill that I owed.

Q. Did you pay Mr Horton for the lumber?

A. He had me arrested before I had time.

Q. Are you on bail?

A. Yes sir, on bail.

Q. Why have you not paid him?

A. I have not got it at present.

Q. When you bought this lumber did you tell him it

POOR QUALITY
ORIGINAL

0079

(3)

was for Mr Wilson?

A. I told him it was for myself that I bought it, to sell.

Q. Did he give you a bill?

A. Four days after he gave me a bill in my name.

Q. He did not give you a bill at the time you got the lumber?

A. No sir.

Q. Did you ever buy lumber of this man before?

A. Not of this man.

Q. Are you a lumber dealer?

A. No sir; a lumber truckman.

Q. Did you truck for him?

A. Yes sir.

Q. Why did not you get the bill when you bought the goods?

A. It was a cash sale, and I did not think there was any use of a bill.

Q. Did this man give you a bill made out to Mr Wilson?

A. No sir; ^{the} only bill I received was four days after.

Q. Did you receive a bill when you gave Mr Wilson the lumber?

A. No sir.

Q. Did you give Mr Wilson a bill?

A. I did when he paid me.

Q. How came Mr Horton to receipt this bill?

**POOR QUALITY
ORIGINAL**

0000

(4)

A. I don't know how he receipted that; I had \$30 in my pocket I was going to give him before I received the bill, and he sent me a notice that he would have me arrested.

By A Grand Juror:

Did he give you a bill made out to Mr ~~Maxxx~~ Wilson the time you took the lumber?

A. No sir.

Q. Are you in the habit of buying and selling lumber?

A. Yes sir.

New York, February 29th, 1888.

J. Wilson sworn:

Examined by Foreman Havens.

Q. Did you buy some lumber on the 2nd of February from Charles Kerr?

A. That was about the date I bought it from him.

Q. Who did you buy it from?

A. Charles Kerr.

Q. What is your name?

A. Joseph Wilson.

Q. He sold it to you himself?

A. Yes sir.

Q. Did you pay him for it?

A. Yes sir.

Q. At the time?

**POOR QUALITY
ORIGINAL**

0001

(5)

A. No; some time after.

Q. Has he ever bought any lumber of this man before?

A. No sir.

Q. What was he?

A. Truckman.

Q. What is your business?

A. Manufacturer of express and business wagons.

Q. Had you ever bought any lumber of Mr Horton?

A. No sir; I don't know him.

Q. This lumber you bought from Charles Kerr?

A. Yes sir.

Q. Did Mr Kerr give you a bill at the time he delivered it to you?

A. No sir.

Q. Did you know the price?

A. I knew the price, but did not know the number of feet.

Q. Is it your habit to buy goods without getting a bill?

A. I pay so much a thousand for it.

Q. Did Kerr bring the lumber to your place and come in and ask you to buy it?

A. I came and looked at the stuff he had for sale.

Q. Where did you see the lumber he had for sale?

A. Some where in New York near 10th Avenue.

Q. You never bought any lumber from Horton yourself

**POOR QUALITY
ORIGINAL**

0002

(6)

A. No sir.

Q. You don't know him?

A. No sir.

Q. Where did you see this lumber?

A. I saw it in the lumber yard.

Q. Was it in this man's yard--Horton's?

A. I can not say.

K Jerome Brady, Stenographer.

POOR QUALITY
ORIGINAL

0003

Grand Jury

THE PEOPLE OF THE STATE OF
NEW YORK,

against

Chas Kem

Testimony

RANDOLPH B. MARTINE,

DISTRICT ATTORNEY,

No. 32 CHAMBERS STREET,
NEW YORK CITY.

POOR QUALITY
ORIGINAL

0004

New York, Feb 2^d 1888

Mr. Charles Kerr

BOUGHT OF C. C. & M. Houghton & Co.

Terms, Nett Cash

3025	for Oak	@ \$40.00	\$121.00
1298	" M. Wood	" 40.00	51.92
			\$172.92

from Charles Kerr
Rec^d Payment
Feb. 6th 1888

**POOR QUALITY
ORIGINAL**

0005

2

POOR QUALITY
ORIGINAL

0005

Ⓜ *J. Wilson* New York, *Feb 2* 1888

BOUGHT OF *L. C. Wroughton*
Manufact Agents.

Terms, *Cash*
C.O.D.

3025 ft. 2 3/4" oak c	Feb 6	121 00
1298 " 1" White wood c	Feb 6	61 92

Rec'd Payment

182.92

- Copy -

POOR QUALITY
ORIGINAL

0007

Sec. 192.

15th
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 Charles Kerr 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, Charles Kerr Defendant of No. 104 Ave D
Fredrick Fischer of No. 332 East 13th
Street, by occupation Lumber Dealer Surety, hereby jointly and severally undertake that
the above named Charles Kerr Defendant
shall personally appear before the said Justice. at the 15th 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 Dollars.

Taken and acknowledged before me, this 15th day of February 1888

W. J. Power
POLICE JUSTICE.

Charles Kerr
F. Fischer

POOR QUALITY
ORIGINAL

0000

CITY AND COUNTY } ss.
OF NEW YORK, }

day of

July

188

Police Justice.

Sworn to before me, this

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

Twenty 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

a house and lot of land situated at no 332 East 15th Street in said city valued at Fifteen Thousand Dollars clear

Fr. Fischer

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear during the Examination.

Taken the day of 188

Justice.

POOR QUALITY
ORIGINAL

00009

Police Court— District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Charles C. Houghton

of No. 103 West 67th Street, aged 52 years,
occupation Lumber Merchant, being duly sworn

deposes and says, that on the 3rd 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 day time, the following property viz: One Hundred and Sixty one Dollars and forty three cents (\$161.43), the property of the firm of J. T. Robinson & Co., of which firm, deponent is a member; that on February 2nd, 1888, at the City of New York, the said firm sold to J. Wilson of Jersey City, New Jersey, two loads of lumber of the value of, and stipulated price of, \$172.92; that on February 3rd, 1888, the said firm employed one Charles Kerr, and said Kerr agreed, to cart said lumber to said Wilson, and to deliver it to said Wilson on the payment, by said Wilson, of \$172.92, and to bring said lumber back to said firm, unless the said sum of \$172.92 was paid by said Wilson to said Kerr, and, at the same time, the property of the said Kerr further agreed, and it was part of said employment, as aforesaid, that said Kerr should deliver the said sum of \$172.92 to the said firm, or its agents, C. C. Houghton & Co., as soon as the said Kerr received the said sum; 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 that said lumber was delivered by said Kerr to said Wilson, and said Wilson paid to said Kerr, and said Kerr received from said Wilson for said lumber the sum of \$172.92; that said Kerr has admitted to deponent that he delivered said lumber to said Wilson, and that he has received from said Wilson, under said employment, as aforesaid, the said sum of \$172.92, but said Kerr has not paid the said \$172.92 or any part thereof over to the said firm, but has feloniously stolen, taken and carried away the said sum of \$172.92; that there is due said Kerr for the cartage of said lumber the sum of \$11.40 only, but the said Kerr has feloniously taken the whole sum of said \$172.92 and has not returned any portion thereof, or of the said lumber.

Sworn to before me
this 9th day of February 1888
at New York
J. T. Robinson
J. T. Robinson

POOR QUALITY
ORIGINAL

0090

Sec. 151.

102
District Police Court.

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

Whereas, Complaint on oath, has been made before the undersigned, one of the Police
Justices in and for the said City, by Charles C. Houghton

of No. 103 West 67th Street, that on the 3rd day of February
1888 at the City of New York, in the County of New York, the following article to wit:

Good and Lawful money of the United
States

of the value of One Hundred and Seventy two, 94/100 Dollars,
the property of J. Robinson and Complainant's Partners
was taken, stolen, and carried away, and as the said complainant has cause to suspect, and does suspect and
believe, by Charles H. Houghton

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 102 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 9th day of February 1888
W. J. Joyce POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0091

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss

Charles Kerr 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 *im*; that the statement is designed to
enable h *im* if he see fit to answer the charge and explain the facts alleged against h *im*
that he is at liberty to waive making a statement, and that h *is* waiver cannot be used
against h *im* on the trial.

Question What is your name?

Answer

Charles Kerr

Question How old are you?

Answer

25 years

Question Where were you born?

Answer

Jersey City

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

Answer

104 Avenue D. 3 1/2 years

Question What is your business or profession?

Answer

hunter

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

Answer

*I am not guilty and
demand an examination*

Charles Kerr

Taken before me this

day of

February 188

W. J. Miller
Police Justice.

POOR QUALITY
ORIGINAL

0092

15m. 4th
9th Ave. Feb 11

BAILED,
No. 1, by *Frederick Stoker*
Residence *332 Canal St.*
No. 2, by *62-10th Ave. 14 St.*
Residence _____
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____

101
Police Court - 15-306
District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles E. Frickton
103 West 64th St.
Charles E. Frickton

1
2
3
4
Offence *Grand Larceny*

Dated *July 10* 188*8*

Magistrate

W. H. Hollenback
Precinct

Witnesses *Sam M. Hoyt*

No. *305* *Elmwood Ave* Street

No. *305* *Elmwood Ave* Street

No. *1000* *to answer* Street



Davidson

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

Refrandom
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *200* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated *July 10* 188*8* *W. H. Hollenback* Police Justice.

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

Dated *July 11* 188*8* *W. H. Hollenback* 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

0093

STENOGRAPHER'S MINUTES.

First District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

Chas G. Houghton

vs.

Charles Kern

BEFORE HON.

Saml Maurice J. Peck
POLICE JUSTICE,

February 11 188*8*

APPEARANCES:

For the People,

For the Defence,

188

INDEX.

WITNESSES.

Direct Ex.

Cross Ex.

Re-Direct.

Re-Cross.

Chas G. Houghton
Samuel W. Hoyt
John M. Newman
Dillon W. Bennett
Martin E. Blakney
Chas Kern
Chas F. Foster
Samuel Hutchinson
Walter H. Houghton

D. C. Seltman

Official Stenographer.

First District
Peace Court

The People on the
complaint of
Charles E. Houghton
vs
Chas. Kerr

Charged with
Grand Larceny
February 11th 1898
Before Hon.
Maurice J. Power
Peace Justice

Direct Examination of the Com-
plainant!

Q How long have you known the
defendant?

A I should think about a year
Q Did you know what business he
was in at the time that you
delivered the lumber to him?

A Yes Sir

Q And did you know for whom
he was employed?

A Yes Sir

Q Will you tell the judge the conver-
sation you had with him at the
time you delivered the lumber
to him?

A I was not there at the time that
the lumber was loaded I
told him at the same the lumber

POOR QUALITY
ORIGINAL

00895

was said I would not sell the
number for less than \$42 ⁵⁰/₁₀₀
a thousand feet or I would
sell it for \$40 dollars and pay
half the costage.

Q Had you not tried to sell it to
Mr Williams?

A I did sell it to Mr ^{William} Williams he
came there to buy it on the 2^d
of February.

Q Did you make your own tract
at the time when Mr ^{William} Williams
called for the sale of the number
to him at that time?

A I told him I was selling at that
price.

Cross Examined

Q Did you ever make a contract
with Mr ^{William} Williams for the
sale of the number at any
time?

A I kept it in Mr Kerns hands

Q By that day you mean that you
kept it in Mr Kerns hands
permitting it to be sold to Mr
Williams.

A I went home —

Q And that day you mean you left it
with Mr Kerns as your agent

Q And did he make a sale?

A He reported a sale to me the next morning to Mr. ~~Wickham~~ ^{Wickham}

Q On what morning was it?

A The third.

Q Did you know at the time that Driskell gave this lumber or sold this lumber to Mr. ^{Wickham} ~~Wickham~~?

A Did you know when it was a sale in the morning of the 3^d?

Q Did you know that he had received the money?

A Yes, not personally.

Q Did you not go looking for Mr. ~~Wickham~~ after that for the money?

A Not myself.

Q Did you send anybody?

A Yes.

Q And had you sent?

A Mr. ~~Wickham~~ ^{Wickham}.

Q Did you yourself see Driskell after that?

A I did.

Q Did he tell you if you would present a bill to him that he would ^{pay} ~~pay~~ you?

A He took the money out of his pocket and said he would give it to me if I gave him a receipt.

Q He showed me the money
when I made out a receipt he
said make it fifteen per ^{and} when
I showed he refused to pay me
Q Did you allow him to leave your
office that morning?
A He left it ^{and} I followed him ^{and}
demanded the receipt or the
money back again

Q How far did you follow him?
A Out to where he was loading his
truck in the yard.

Q Did you follow him into the
street?

A Yes Sir I did not

Q Do you positively swear that
you never saw him this number

A Yes Sir I never did

Q How many days did you allow
to go by without your arresting
him?

A Two or 3 days

Re-direct Examination

Q At the time that this number
was put upon the truck did you
deliver a bill to him?

A My clerks did, yes Sir

Q Show me a copy of the bill?

A Yes Sir (producing copy of bill)

Q Is that your handwriting?

A Yes sir I made the bill myself
Q And what instructions if any did
you give Makers when you delivered
this bill to him about the
delivery of the lumber?

A Not to deliver the lumber unless
he got the money ^{and} brought
it back to me.

Q Bring the lumber or money ^{back}
A Not to leave the lumber unless
he got the money ^{and} if he didn't
get the money to bring the
lumber back.

Q And what did he say?

A He said he would do it.

Q Will appear in Evidence
as moved P Ex a.

Q Did you give this bill to Mr
Makers yourself?

A No not personally.

Q Did you see your clerk give it
to him?

A Yes sir.

Q Who is the clerk?

A My son one of the partners of
the house.

By the Court

Q This is the bill that you made

POOR QUALITY
ORIGINAL

0099

out? (showing witness)

Q Yes sir that is a copy of it?

Q But you personally made out the bill of which this is a copy?

A Yes sir.

Q Is that the first bill with the Wilson scratched off?

A He said if I would make it that Wilson bought of Chas Kerr and receipt it in this way he would pay me the money.

Q Did you hand him the bill?
A I did and he put it in his pocket and ran away.

Q How did this erasure come

A I don't but after I gave it to him

Q who put this (showing)

A I did.

Q who made it out?

A Mr. Mettewright did.

Q Did you receipt the bill?

A After I wrote on the bottom ^{received} from Charles Kerr in full for Wilson's bill he said that would not answer.

Q Did you receipt the bill?

A I wrote that on it. and signed the receipt.

Q Did you believe at the time

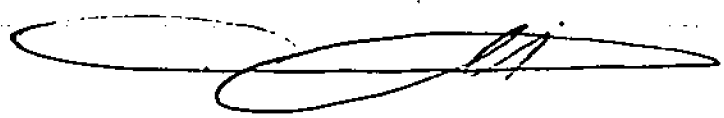
POOR QUALITY
ORIGINAL

0900

4
He took the money out of his
pocket that he was to pay it to
you?

Yes Sir

And you wrote this at the time
Yes Sir



POOR QUALITY
ORIGINAL

0901

Samuel W. Hoyt called
as a witness on the part of
the people being duly sworn
deposes and says:

Q Where do you reside?

A South Brunswick, Penn

Q What is your age?

A 38 years

Q What is your age?

A Lumber Inspector

Q Where is your place of business?

A 29th Street and 11th Avenue.

Q Do you know Truckers?

A Yes sir

Q Do you know Mr. Wilson?

A Saw him on February 4th

Q Where?

A Over in Jersey City

Q Did you have any conversation with
him there?

A Did sir

Q Did you know anything about the
delivery of two car loads of
lumber that was made to Mr.
Wilson by Truckers?

A Yes sir

Q What did he say about do you know
about the delivery?

POOR QUALITY
ORIGINAL

0902

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I went there on Saturday
morning to collect the bill.
Mr. Kern said he took my February
2nd and had been to bring back
the money, a check or the number.
Mr. Haughton waited for him and
I saw him there on Friday and
he told me he waited there
until after 5 o'clock, for nothing
and as he got to the ferry I saw
him and he told me that he was
going over the next to get the
check. On Saturday morning
I saw Kern and he told me that
Wilson had objected to the bill
on account of being C.C.
Kern's agent and I told him I
could not do anything about
it that he would have to wait
until Mr. Haughton came and
he waited until Mr. Haughton
came and saw him. And when I
went over to Mr. Wilson to
collect the bill he told me he
paid it once and didn't intend
to pay it again. And then I asked
him whether he paid it and
he said the afternoon before
I said he said that he had a

receipt for it?

A He said he had a receipt but
he would not let me have
it in my hand.

Q How was it signed?

A C. C. Haughton per Chas Kerr

Q Did you ever see Mr Kerr at the
place of business of Mr Haughton
Express?

Q Did you ever hear any admissions
or conversations in relation
to this bill?

A Yes I did.

Q State it to the court?

A He came in there Monday
morning February 6th. He said
that he had the money and he
would pay it if he got a bill
removed but by Mr Haughton
he wanted the Wilson scratched
off entirely and if that was done
he was ready to pay it. Mr
Haughton scratched it off.

Q Did he say anything about the
money in his possession?

A He said I have the money and
am willing to pay the bill.

Q Did he take out the money
from his pocket?

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Ques he had small office in
his house, I don't know how much
it was

Q what did he do then?

A after Mr. Baughton changed the
bill and scratched off the name
of Wilson he said he would pay
it in presence of witnesses so
that the witness could see he
paid it. Mr. Baughton said
I suppose John Newman will
be witnesses enough. And he
called John and then Kerr stepped
away. And said Mr. Baughton
I will even the bill over
and if Pat's factory will pay
it.

Q Examined
Q you work for Mr. Baughton?

A Yes sir

Q How long have you worked for
him?

A Since March 1st

Q Do you know Kerr?

A Yes sir

Q How long have you known
him?

A About a year I haven't say
any more to it

Q Were you present at the time

POOR QUALITY
ORIGINAL

0905

that the conversation was had
between Mr Kern and Mr Naughton
about the sale of this number
A not at that time

Q did you hear any conversation
that took place between them
before you went to Jersey City
in reference to this bill?

A I did

Q what was it?

Q when they first commenced to
load Mr Naughton said he
could not find the party in
the mercantile agency

Q did you mean that Mr Naughton
had tried to see the number
before that?

A yes

Q did you hear any talk about
it?

A yes I did I heard that
Mr Naughton had tried to sell
this number to Wilson Mr
Kern told me when he was
riding the staff out of
Bob Webb

Q was not that after the sale of
the number?

A after

POOR QUALITY
ORIGINAL

0906

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Q Did you hear from anybody at all that Mr. Houghton tried to see that lumber to Mr. Wilson Quorsu.

Q You went to Jersey City and had a talk with Mr. Wilson?

A Yes sir.

Q Has he got a piece of business there?

A Yes sir.

Q And did Mr. Wilson say to you at the time?

A He said he had the bill and it was paid once and he didn't intend to pay it again.

Q And to who did you pay it?

A And he said Chas. Kerr.

Q Did he say to you that Chas. Kerr had saved him the lumber?

A Yes sir. I didn't ask him.

Q And did you see Kerr after that?

A On Monday morning.

Q How many times did Mr. Kerr call at Mr. Houghton's place afterwards after this bill after he took the lumber away?

A Not until Monday the 6th.

the time that he received this
bill

Q Did you see Muskhoughton write
the receipt, the words that are
on the bottom of the bill?

A I did see

Q And did he take the same bill
away that same day?

A Yes sir

Q You said that he wanted the bill
moved out to him and not to
Mr Wilson

A Yes sir he wanted his name on
it not Mr Wilson

Q Did you see the bill that was
given to him at the time he
took the lumber?

A I did

Q Do you see a copy of the bill
here?

A I do

Q In whose handwriting was
the original bill?

A Mr McShoughton and the number
appears were written in by
Mr Shoughtons son.

Q Please Examine

Q Mr Shagt did I understand
you to say that the original

POOR QUALITY
ORIGINAL

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of this bill to Mr Wilson was delivered
to Kerr?

Q The original bill was delivered
to Kerr with the instructions to
bring a check on the lumber Co.
A Yes delivered this original bill
to him?

Q Mr Houghton young Mr Houghton
A Yes you saw it?

Q Yes sir I told him how many
feet there were and he put
it in?

Q And that is a copy of the bill?
A Yes sir.

Q Did you give the bill to Mr Kerr
or did Walter Houghton?

Q Walter handed the bill to Mr
Kerr.

Q In your presence?
A Yes sir.

Q And that bill was made out
to Mr Wilson?

Q Yes sir.

For
Care for the People
JH

9
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John H Newman being duly
informed departs 40 days

Where day on receive?

A 573 West 25th Street

What is your age?

A 29 years

What is your business?

A Insurance

How long have you been in
that business?

A Long years

Do you know the defendant?

A Yes Sir he is in my employ
and has worked for some
4 or 5 years

For whom do you work?

A Mr. Houghton

Have you had a conversation
with Mr. Houghton?

A Yes Sir

In reference to this number

A Yes Sir I think either now
day or Tuesday

Where did it take place?

A He called at my stable

To see who?

A Mr. Kern

What was said at the
time that he called?

Q He said that he wanted to get
the money that Mr Kern had
received for that lumber ^{and}
if he had known that he had
the money he would have had
him arrested yesterday night
by Inspector Byrne's men and
lock him up until Monday.
Q Why did he say that he wanted
him arrested?

A He said I paid him some
lumber ^{and} he won't pay me
the money until he gets a
bill.

Q Did Mr Kern speak to you about
the lumber?

A Yes Sir

Q How many times ^{times}
he went to Mr Houghton for
a bill for the lumber?

A Yes I know he went there
three times three or four
times, and he never refused
to pay for it.

Q Cross Examined

Q Did you advise him not to pay
the money to Mr Houghton?

A Yes Sir

Q You say Mr Houghton came to

the stable looking for Mr Kern
Ayes si

Q And it was there that he said
he sold this lumber to Kern
Ayes si

Q But he came there to get his
money from Mr Kern?

Ayes si I sold the lumber
Q Did you drive one of the loads
of lumber over your self?

Ayes si

Q And you delivered it to Mr Wilson
and got paid for the cutting?

Ayes si

Q And you never saw the money
that was paid over to Mr
Kern?

Ayes si

Q And he didn't tell you that he
received it?

Ayes si

Q Didn't you tell Mr Boughton when
you got back from Jersey
that Kern was there waiting
for the money, and waiting to see
Mr Wilson?

Ayes si I said he was waiting &
didn't know what for.



POOR QUALITY
ORIGINAL

0912

William B. Burnett being duly
sworn deposes ^{and says}
That he is your business;
A lumber dealer at the Fisher
^{and} Burnett Lumber Company
14th Street ^{and} 10th Avenue.

Q Do you know Mr. Boughton the
administrator in this case?
A Yes sir.

Q How long have you known him
A About 3 years.

Q Do you know other people
who know him?

A Yes sir.

Q What is his reputation for truth
^{and} veracity?

Objected to
By the Court.

Question allowed.
Answered Exception
A Bad.

Q Would you believe him under
oath?

A I would not see
Answer Examined.

Q Mr. Fisher is your partner?
A Yes sir.

Q You are a competitor of Mr.

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Thoughts?

Answer not in the direct sense of
the word we are in the same
line of business

If you have no feeling against
Mr. Thompson?

Answer only he has lied to me
a number of times

Did he lie to you personally?

Answer

And that is the reason why
you say you would not believe
him under oath?

Answer

Peoples Counsel

I move to strike out
his testimony.

By the Court

Strike it out.

Re Direct Examination

Did you have any business dealing
with him? Answer he
sold me lumber & never delivered it

Did you have a conversation with
him about the delivery of that
lumber Answer

And was it in connection with
that conversation that you gave this
testimony today. Answer

Martin E. Plantney being
only seven days old says?

What day of the week?

A 565 W 3d Street

What is your business?

A Rigger

Do you know Mr. Thompson the editor
that was in the stand?

Yes sir

How long have you known him?

A 5 years

Do you know other people that
know him?

Yes sir

Does he do business in your
neighborhood?

A He did sometime ago

And you know a number of
people in that neighborhood
that know him?

Yes sir

Do you know his reputation for
truth and veracity?

A Yes sir

Is it good or bad?

A Good

Do you know where he is now?

A I don't know that moved he

POOR QUALITY
ORIGINAL

0915

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a question

Q Do you mean to tell the Court
that you are in doubt?

A I am.

Q Have you had business transactions
with him?

A Yes sir.

Q Of what nature?

A I cashed checks for him and
they went to protest.

Q Checks drawn by him on different
banks?

A Yes sir.

Case Examined

Q Does he owe you any thing now?


A Yes sir \$220 dollars.

Q How many checks did you
cash for him more than
a hundred?

A From 50 to 75

Q And from all the transactions
you had with him in reference
to those checks he owes you
\$220 dollars

A Yes sir.



Chances I'll be the dependant
being duly sworn deposes ^{and}
says:

Q What day are you?

A 10th and 10.

Q What is your business?

A Lumber truckman.

Q What is your age?

A 25 years.

Q For whom do you work?

A Mr Newman.

Q How long have you worked for
him?

A Between 4 and 5 years.

Q When did you first brought in the
complaint in this case?

A Yesterday.

Q How long have you known him?

A 1 year.

Q Just tell the court what trans-
actions you had with him from
the first time down to the
present time?

A We were removing some
lumber from 34th Street
and I asked him if he was
selling & he said yes. And I
asked him the price of it and

POOR QUALITY
ORIGINAL

0917

✓ 3

He said \$45 dollars and he said he
would sell it to ^{me} ~~him~~ for forty
dollars and so and I had a
customer for it and I told Mr
Moughton that I had sold the
humber and he said all right
chooses you can have it and I
brought the party over to see it
and he came down on the day
to see it and he turned a few
boards over and he said he would
take it he would take two
loads of it and at the time
he was looking at it Mr
Moughton came in and Mr
Moughton asked me for what
price I sold it and I told him
and he said wholesale price
I am told you can have
it, I am to Mr Moughton and then
Mr Moughton agreed to the price
I am priced, so I delivered the
two loads next to day and the
man was not in and I didn't
want but went there the next
day and he said after looking
the humber over he would pay
me. and I went to Mr Moughton
and waited until he arrived

get my money and hand a
bill to me Monday morning
and I went over and rendered him
a bill. And get the money.

Q Did you sign that bill I thought
per Chas Kerr, the bill rendered
to Mr Wilson?

A Yes.

Q You are sure of that?

A Yes.

Q But you are sure that the bill
was signed I thought per
Chas Kerr is that so?

A Yes nothing but my name
I did not thought call for this
money?

A Yes he came around and I went
around to his office 3 times.

Q Now is it that he has the
expense there?

A It seems he had Wilson there
and I told him I wanted the bill
made out in my name and
he scratched it off.

Q Were you ever in any trouble
before Mr Kerr?

A Yes.

Q And you handle considerable
money for your employer?

POOR QUALITY
ORIGINAL

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Answer 4

Cross Examined

Q McKerr wasn't the bill that
was handed to you ^{by Mr Houghton}
when the lumber was loaded
on your truck & made out to

J. Wilson?

Answer

Q To whom was it made out?

A There was no bill rendered at the
time ^{and} I delivered the lumber
and I went down the following
morning ^{and} got this bill

Q And do you mean to say that
neither of the Houghtons ever
rendered you a bill like that
or any bill?

Answer

Q And you never rendered any
bill rendered in the name of
Mr Houghton to Mr Wilson?

Answer

Q Now didn't you receive the money
for this lumber the same
day?

Answer

Q Didn't you tell Mr Houghton
when you came back to
his office I got the money

and take it out of your pocket.

A I took some money out of my pocket and wanted to pay the bill.

Q Didnt you say that was the money?

A And Ii I never not render any bill until I got this one By the Court.

Q Why do you say you could not render a bill until you got this one?

A I didnt know the number of feet or any thing.

Q How long had you known Mr Wilson?

A From 15 to 18 years.

Q When you collected this money from Mr Wilson as your testimony you did why didnt you go to Mr Shoulton and pay him?

A I had lots of bills to pay.

Q To whom did you pay any bills, how much money did you collect?

A \$4200 dollars.

Q From Mr Wilson as a witness?

A Between 2 & 3 o'clock Monday

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afternoon

Q And he paid you how?

A In bills

Q No silver?

A None except 92 Cents

Q And did you see Mr. Houghton after the 6th?

A I didn't see him until yesterday afternoon.

Q Tell us what you did with the \$172 92/100 dollars?

A I loaned Dr. Charles Fisher one hundred dollars.

Q Has he got any thing to do with the firm of Fisher the lumber man?

A Yes, I loaned him 100 dollars.

Q And you paid him? A Yes.

Q And did you do with the balance I loaned Charles Williams some on the east side.

Q What business is he in?

A He is no business at all.

Q What street and number does he live?

A He lives in Ave 12 South just to the number.

Q Does he live in the same house you lived in?

POOR QUALITY
ORIGINAL

0922

Answer:

How far from you?

2 blocks.

And you don't know what business
he's in?

Answer:

How long have you known him
Cayser and about,

what business is Fisher in?

Others' bookkeeper for Bennett

the Fisher lumber company

Did you tell Mr. Fisher that the
one hundred dollar you paid
him was a portion of the \$142.92
dollars that you collected from
Mr. Wilson?

Answer:

How did you say that to Mr.
Williams?

Answer:

And they didn't know where the
money came from?

Answer:

How long have you been riding
lumber for the Newman?

About 5 years.

How long have you worked for anybody
else during these 5 years?

Answer:

1/6

Q And was this the first bill of
lumber you ever bought?
A Yes sir I bought lumber of
Lesher & Burnett.

Q What did you do then?
A I had the order standing in the
office.

Q In your own name?
A Yes sir.

Q And you delivered this lumber?
A I have not delivered any lumber
yet.

Q Before this did you buy any
lumber yourself?
A This was the first bill of
lumber I bought.

Q Do you keep any bank account?
A Yes sir.

Q Savings bank or mercantile
bank account?

A Yes sir.

Reverend Examination

Q You stated what you done with
this money? A Yes sir.

Q Is Mr. Lesher in court to whom
you paid the \$100 dollars?

Q What did you do with the other
money?

A I paid Mr. Burnett.

Q You said something about a
man named Allens.

A I didn't give him any money.
Q Who did you give the other money
to?

A Mr. Hutchinson?

Q What is his business?

A Seed business.

Q And was it that you got this
bill from the complainant?

A On Monday the 6th.

Q And intended you gave it to
Mr. Wilson?

A Monday afternoon.

Q Did you furnish him with a
bill before Monday?

A No sir.

Q Was it a printed bill or written
bill?

A A written bill.

Q Did you include in that bill
the number of feet?

A Yes sir.

By the Court.

Q What did you pay Mr. Hutchinson the
money for?

A I bought a horse of him.

Q How long ago?

A Between 5 & 6 years ago.

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Q How much did you give him for the house?
A (\$95.00) dollars.

Q How much did you pay on account?
A Fifteen dollars.

Q And you gave him how much?
A I gave him 80 dollars.

Q What other money of any kind did you have except this money which you obtained from Mrs. [unclear] in the meantime?

A I had none except \$30 or \$40 dollars of where did you hire that?
A In my pocket.

Q Why didn't you pay him in the meantime?

A I didn't want to pay him until I paid him in full. He said he was in a hurry.

Q And after you paid these bills you had no money left is that the understanding? A Yes.
Q And you had no money to pay the complaints?

Q Yes.

Q Then how did you expect to settle these bills then account unless you said you wanted a bill made out in your name?

POOR QUALITY
ORIGINAL

0926

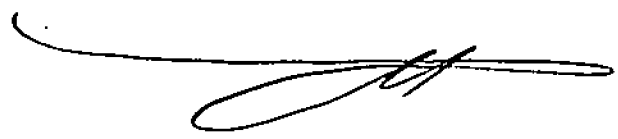
and that you would pay the money
I told him that I would pay him
I didn't say that day that I would
pay him right down.

And after you had paid these
debts with this money which
you said you did you had no
means whatever to settle this
account did you?

And so, but I was trying to sell
some lumber.

I have you any lumber of your
own to sell?

And so.



POOR QUALITY
ORIGINAL

0927

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Charles F. Fisher being duly sworn
deposes. And says

Q What is your business?

A Bookkeeper for Burnett & Fisher
Company

Q How long have you been with this
firm?

A 4 years, with the company since
they started last July

Q Do you know the defendant?
Answer

Q Make the defendant swear
that he paid you One hundred
dollars within the last year
is that true?

Answer

Q Did he owe you a hundred dollars
As he came to me last May 1887 and
asked me to loan him a hundred
dollars. And I gave it to him and
he gave me his note

Q Did you cash that note up to the
time he paid it?

Answer

Q When did he pay you?

A Tuesday morning the 7th of
this month

Q Are you an officer of this company
A No Sir, I am bookkeeper, a worker

POOR QUALITY
ORIGINAL

0928

Samuel Hutchinson being
duly sworn deposes and says
Q What is your business?
A Hay & Grain
Q Where do you carry on business?
A 134 1/2 Avenue
Q Do you know the defendant
Cressie?
Q Did he ever owe you any money?
A He did.
Q How recently?
A About 6 months ago. I sold him
a horse & he gave me \$25 dollars
and betwixt me he owed
pay me the balance?
Q Has he paid you the balance?
A He has.
Q When?
A About the 7th as near as I
can recollect of this month.
Q How long have you known the
defendant?
A 5 years.
Q Cross Examined
Q What became of the horse?
A I don't know sir.
Q Did you ever see him after
you paid him to him?

POOR QUALITY
ORIGINAL

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A I don't think I did

Q Have you a mortgage on the house?

A No sir

Q Did you ever see the horse in newspapers employ?

A No sir

Q Have you a mortgage on New-
miller's chattels?

A I have.

Re Direct Ex

Q Why did Mr Newmiller give you
a mortgage?

A He owed Mr Staughton \$200 dollars
and he could not pay it

Q And he gave you a chattel mortgage
on his property? A Yes sir



POOR QUALITY
ORIGINAL

0930

Walter St John Houghton
being duly sworn deposes & says
if you are the son of Chas C Houghton
deposes

Q do you know Miller?
A I do.

Q do you know anything about
the sale of this car loads
of lumber to McMillan?

A I do yes.

Q do you know whether a bill
was delivered to Miller for
that lumber?

A yes it was

Q how was it made out?

A made out to J Wilson bought
of P C & W H Houghton agents
so many feet of lumber
at so much

Q you have not seen anybody in
this case or spoke to anyone
about it until you were called
here by the police?

A no sir.

Q I show you a bill Ex 1 in this
case dated my Feb 28 1888
and ask you if that is a copy
of the bill that was made by

20

handed to him?

Answer:

Garbo made out the original bill?

A my father and I filled in the feet.

Garbo Mr. Boyt present?

A I don't know if he was present when he told me to fill in the feet.

Q Did he Mr. Boyt tell you the number of feet?

A He did.

Q And you are positive the bill was made out to Wilson?

Answer:

Garbo delivered the bill originally to Muker?

A I did.

Q Muker swears positively that no bill was delivered to him is that so?

Answer:

Garbo was it delivered to him?

A February 6th I believe when he was eating the lunch he stopped me and gave the bill.

POOR QUALITY
ORIGINAL

0932

Ques Esameid

Q Did you take the bill out to him?

A Yes he came in ^{and} got the bill of M. H. H. was present at this time?

A Yes but my father was not.

Q Subscribing is that bill is
A My father P. H. H. (showing)
Q Did you make a copy of it at the time?

A Yes

Q And property was this?
A We are the agents for J. H. Robinson
Q Then J. H. Robinson owned this property?

A Yes that is the way I understand it.

Q Were you present at the time M. H. H. had a conversation with your father?

A Yes

Q State to the court what he said and did in reference to the payment of money or taking it out & showing it to your father
A He came in the office and put his hand in his pocket and

POOR QUALITY
ORIGINAL

0933

21

took some money out ^{and} said
he was ready to pay the bill ^{and}
father said he was ready to take
the money ^{and} then he said he
would not pay it unless he
made out the bill to him ^{and}
the Merchant refused to do
^{and} he did not get the money ^{and} then
the bill was changed and he
went away & did not pay it.

Q who erased this bill?

A I did

Q why did you do it?

A The Merchant told me to

Q why?

A I don't know

Case closed
Left need to bail in sum of
\$1000 for trial General Sessions

POOR QUALITY
ORIGINAL

0934

1st District Police Court.

Geo G. Houghlan

vs.

Geo G. Houghlan

STENOGRAPHER'S TRANSCRIPT.

Feb 11 1888

BEFORE HON.

Maurice J. Parker

Police Justice.

R. C. Houghlan

Official Stenographer.

POOR QUALITY
ORIGINAL

0935

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Charles Kerr

The Grand Jury of the City and County of New York, by this indictment, accuse
— *Charles Kerr* —

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

The said *Charles Kerr*.

late of the City of New York, in the County of New York aforesaid, on the
— *third* 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 *James S. Robinson and*
Charles R. Houghton, co-partners in trade,
then and there doing business in and
by the firm, name and style of *J. S.*
Robinson and Company, —
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 *James S.*
Robinson and Charles R. Houghton,
the true owner thereof, to wit: *the sum of one hundred*
and seventy two dollars and ninety
two cents in money, lawful money of
the United States, and of the value
of one hundred and seventy two dollars
and ninety two cents, —

the said — *Charles Kerr*, — 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 *James S.*
Robinson and Charles R. Houghton,
of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and
personal property of the said *James S. Robinson and*
Charles R. Houghton, —
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.