

0731

BOX:

26

FOLDER:

322

DESCRIPTION:

Haggerty, John

DATE:

12/22/80



322

0732

BOX:

26

FOLDER:

322

DESCRIPTION:

Jordan, Thomas

DATE:

12/22/80



322

0733

162 747H

Day of Trial,

Counsel,

Filed *23* day of *Dec.* 188*7*

Pleads

THE PEOPLE

vs.

John Haggerty
I.
Thomas Jordan
I.

BENJ. K. PHELPS,

District Attorney

A True Bill.

Mamie W. Cooper

Foreman

Dec. 23, 1887

John Haggerty
Thomas Jordan
I.

0734

Police Office, First District.

City and County
of New York,

of No. 10 Catherine Street, being duly sworn,

deposes and says, that the premises the aforesaid
Street, 4th Ward, in the City and County aforesaid, the said being a store
and which was occupied by deponent as a store for the

purpose of tailoring were BURGLARIOUSLY
entered by means of attempting by force

to remove the outboard fastening
affixed to the door leading from the street
into said premises
on the night of the 17th day of December 1880
and the following property feloniously taken, stolen and carried away, viz:

A number of pantaloons vests
and trimmings in all
being of the value of one hundred
and seventy five dollars the
property of Nathaniel Phillips
and in the care of deponent
who is the husband of said Nathaniel

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

John Haggerty and Thomas Madan
both now present

for the reasons following, to wit:

That at about 8.30
O'clock on said night they were seen
by one McCoy engaged in trying
to force open said door one of
them having in his hand the iron
implement or jimmy here shown and
the other after his arrest was found in
his possession that certain picks lock also
were shown all of which information
deponent truly believes to be true
Ch. Phillips

Sworn to before me
on the 18th day of Decr 1880
Norman J. O'Brien Justice

0735

City and County of New York
 District Attorney
 Patrick McCory of No. 4
 Jefferson Street being sworn says
 that about 8.30 O'clock on the
 aforesaid night he saw the
 prisoners endeavoring by the aid
 of a jimmy to pry and force open
 the front door of the premises
 hereinbefore mentioned for the
 purpose and with the felonious
 intent to steal therefrom as
 the Government believes & alleges

Patrick McCory
 I come to before me this
 1st day of Decr 1888
 (George Henry Justice)

City and County of New York
 District Attorney
 Albert Kelle of the 4th Precinct being sworn says
 that he arrested the prisoners in
 Chatham Street and at the time
 of such arrest found in Haggerty's
 possession the jimmy here shown and
 in the possession of Jordan the false
 key or pick lock also here shown

Albert Kelle

John D. Johnson
 this 1st day of Decr 1888
 (George Henry Justice)

0736

POLICE COURT—FIRST DISTRICT.

CITY AND COUNTY
OF NEW YORK, ss.

John Haggerty being duly examined before the undersigned,
according to law, on the annexed charge, and being informed that he was at liberty
to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live?

Answer.

Question. What is your occupation?

Answer.

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

Answer.

*I am not guilty of
attempting burglary through the
Jury box found with me
John Haggerty*

Taken before me this

day of

1889

POLICE JUSTICE.

0737

POLICE COURT—FIRST DISTRICT.

CITY AND COUNTY } ss.
OF NEW YORK.

Thomas Jordan being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

Thomas Jordan

Question. How old are you?

Answer.

25-Years

Question. Where were you born?

Answer.

New York City

Question. Where do you live?

Answer.

152 Kensington Street

Question. What is your occupation?

Answer.

Waiter

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

Answer.

I know nothing whatever about it I am not guilty of the charge

Thos. Jordan

Taken before me, this

day of

Dec

188

POLICE JUSTICE.

0738

Form 66.

Police Court—First District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Jacob Phillips
10 Catharine St.
John J. Lagally
James J. Kane

BAILED.

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

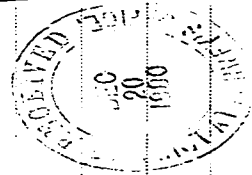
Residence

No. 5, by

Residence

No. 6, by

Residence



Offence, *Attacker of Person*

Dated

1898

St. Murray Magistrate.

Officer.

Clerk.

Albert R. Kild

Witness.

Patrick McCarty
4 Jefferson Street
and Officer

100 to answer

by

Sessions.

Orme

Received in Dist. Atty's Office,

COUNSEL FOR COMPLAINANT.

Offices

Name

Address

Haggerty Inc.
W. S.P. for Runglum

COUNSEL FOR DEFENDANT.

Name

Address

0739

CITY AND COUNTY } ss.:
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

John Haggerty and Thomas Jordan each

late of the *fourth* Ward of the City of New York, in the County of New York, aforesaid,
on the *seventeenth* day of *December* in the year of our Lord one thousand eight hundred and ~~eighty~~ *eighty* with force and arms,
at the Ward, City and County aforesaid, the *store* of

Jacob Phillips
there situate, feloniously and burglariously did break into and enter, the said *store* being then and there a building in which divers goods, merchandise, and valuable things were then and there kept for use, sale and deposit; the same being the goods, chattels, and personal property of

Rachee Phillips

with intent the said goods, merchandise and valuable things in the said *store* then and there being then and there feloniously and burglariously to steal, take, and carry away

against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

And the Jurors aforesaid upon their oath
aforesaid, do further say:

That John Haggerty and Thomas Jordan each
late of the Ward, City and County aforesaid, on the
seventeenth day of December in the year of our
Lord one thousand eight hundred and eighty at
the Ward, City and County aforesaid, with force
and arms feloniously and unlawfully did have
in their possession in the night time of said
day, certain instruments and implements of
burglary to wit: an instrument of the
kind commonly called a jimmy and another
instrument of the kind commonly called a picklock
with intent then and there feloniously and
burglariously ^{to} break open the door of the said Jacob
Phillips there situate then and there to break
into and enter 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.

Benj. K. Phelps
District Attorney.

0741

BOX:

26

FOLDER:

322

DESCRIPTION:

Hamilton, Robert

DATE:

12/23/80



322

0742

Wm. H. P. [Signature]

Counsel,
Filed *23* day of Dec. 188*0*
Pleads *In Guilty.*

THE PEOPLE

vs.

Larceny, and Receiving Stolen Goods.

Wm. Hamilton

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Marshall W. Coffey

Foreman.

December 28, 1880.

[Signature]

A. H. C. [Signature]

[Signature]

0743

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss.

FORM 112.

Police Court—Third District.

James Wilson

of No. 13 Hamilton Street, being duly sworn, deposes
and says that on the 14th day of December 1880
at the City of New York in the County of New York, was feloniously taken, stolen, and carried
away from the possession of deponent.

the following property viz: One bill of the denomination value of
fifty dollars good and lawful money currency of
the United States Government

of the value of fifty Dollars
the property of deponent

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

(Now here) for the reason that deponent was in the Lager
bar room N° 160 Cherry Street in company with the
accused. After the accused had gone deponent received
the aforementioned money. Deponent was informed subsequently
by the proprietors of premises N° 160 Cherry Street that
the accused desired him to change a fifty
dollar bill. Whereupon the deponent having reason
to suspect the said Robert Hamilton accused then
after taking and the said Robert Hamilton there
and then confessed having taken & stolen and carried
away the aforementioned property from the person & possession of the
deponent.

James ^{his} Wilson
mark

Sworn to, before me this

day of

December

1880

W. L. Morgan, Police Justice.

0744

Police Court—Third District.

CITY AND COUNTY } ss.
OF NEW YORK.

Robert Hamilton being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows,

viz:

Question. What is your name?

Answer.

Robert Hamilton

Question. How old are you?

Answer.

Twenty five

Question. Where were you born?

Answer.

Norway

Question. Where do you live?

Answer.

157. Cherry st

Question. What is your occupation?

Answer.

Sailor

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

Answer.

I took the fifty dollar bill

Robert Hamilton.

Taken before me, this

9th day of

December 1880

A. J. Morgan
POLICE JUSTICE.

0745

COUNSEL FOR COMPLAINANT.

Name, _____

Address, _____

COUNSEL FOR DEFENDANT.

Name, _____

Address, _____

Waldman Keller
House of Detention

POLICE COURT—THIRD DISTRICT.

THE PEOPLE, & c 1035

ON THE COMPLAINT OF

Sam Wilson
House of Detention
Robert Hamilton

2. _____

3. *Complainant's Clerk*

4. *Indigence in*

5. *House of Detention*

6. _____

Dated *December 22* 18*88*

Magistrate

Magistrate

7th Clerk.

Waldman Keller

House of Detention

15711 to answer

at *General* Sessions

Received at Dist. Att'y's Office, *Waldman Keller*

0746

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York, upon
their Oath, present:

That

Robert Hamilton

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the
fourteenth day of *December* in the year of our Lord
one thousand eight hundred and eighty — at the Ward, City and County aforesaid
with force and arms,

One Promissory Note for the payment of money, the same being then and there
due and unsatisfied, and of the kind known as *a* United States Treasury Note of the
denomination of *fifty* dollar and of the value of *fifty* dollar

One Promissory Note for the payment of money, the same being then and there
due and unsatisfied, and of the kind known as *a* Bank Note of the denomination of
fifty dollars and of the value of *fifty* dollar

*of the goods chattels and personal
property of one James Wilson on the
person of the said James Wilson
there are there being found from the
person of the said James Wilson*

~~of the goods, chattels, and personal property of one~~

then and
there ~~being found~~, 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.

0747

And the Jurors aforesaid, upon their oath aforesaid, do further present
That the said

Robert Hamilton

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

One Promissory Note for the payment of money, the same being then and there
due and unsatisfied, and of the kind known as *a* United States Treasury Note of the
denomination of *fifty* dollar and of the value of *fifty* dollar.

One Promissory Note for the payment of money, the same being then and there
due and unsatisfied, and of the kind known as *a* Bank Note of the denomination of
fifty dollars and of the value of *fifty* dollar.

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

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously
stolen of the said

James Wilson
James Wilson
unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

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

BENJ. K. PHELPS, District Attorney.

0748

BOX:

26

FOLDER:

322

DESCRIPTION:

Hanley, William

DATE:

12/14/80



322

0749

BOX:

26

FOLDER:

322

DESCRIPTION:

Smith, John

DATE:

12/14/80



322

0750

1/18/88

Day of Trial, *King*
Counsel, *P. M. M. M. M.*
Filed 14 day of Dec 1888.
Pleads *Not Guilty*

THE PEOPLE
vs.
William Hawley
Henry M. M. M. M.
John Smith
vs. M. M. M. M.

BURGLARY—THIRD DEGREE.
NOTHING STOLEN.

BENJ. K. PHELPS,
District Attorney.

A True Bill.
Marshall W. Cooper

Dec. 24 1888
Filed & Recorded
Vol. 1. 54. 1. 1. 1.
No 2. 346 1/2

0751

CONVICTED OF BURGLARY.

William Hawley, alias "Shang Morris," and John Smith were convicted yesterday, in the Court of General Sessions, of a burglary committed at the tailor shop of Carl E. Freitag, No. 68 South Washington square, on the night of December 4. Hawley was sentenced to State Prison for five years, and his companion for three years and a half. Hawley is celebrated in criminal annals for the part he took in a daring escape of several prisoners from Sing Sing about four years ago. He was serving a term of five years' imprisonment for bigamy. One day, in company with others, he seized a New-York Central locomotive engine which was standing on the siding in the prison yard, and, overpowering the engineer, ran the engine some miles up the track. Fearing that the railway officials would open a switch they stopped the engine near some woods and escaped. Eventually the convicts were recaptured, and they served out their terms of imprisonment.

et.

*Carl E. Freitag
with Washington Square*

0752

GLUED PAGES

0754

st.

Carl E. Freitag
South Washington Square, being duly sworn,

deposes and says, that the premises No. 68 South Washington Square

Street, 15th Ward, in the City and County aforesaid, the said being a dwellings house

and the basement of which was occupied by deponent as a tailor shop

were **BURGLARIOUSLY**

entered by means of forcing the mousing of the
door and a portion of the woodwork
at about the hour of one o'clock

on the morning of the 4th day of December 1880

and the following property feloniously taken, stolen, and carried away, viz:

A quantity of clothing of the
value of One Hundred and
more dollars

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 William Hawley and Sham Morris

John Smith
for the reasons following, to wit:

that deponent was so informed

by Robert J. Lued

Sworn to before me
this 4th day of December 1880

Carl E. Freitag

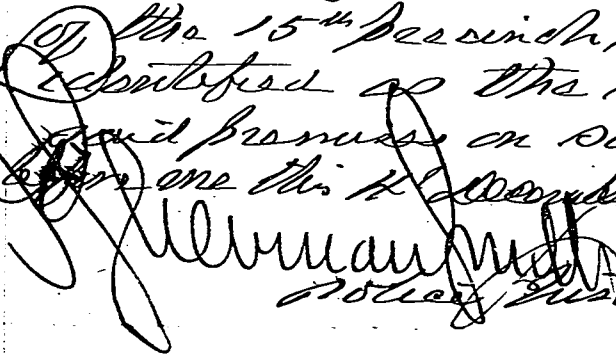
Justice

0755

City & County of New York 55

Robert T. Will residing at 68 South
Washington Square being sworn says that
on the 4th day of December 1880 Dependent was
asleep in the basement of said premises
was awakened by a noise that immediately
thereafter two men entered said premises
that when said men saw Dependent
they ran away. That Dependent two men
named William Hawley and John Smith
were thereafter arrested by Officer Crowley
of the 15th Precinct, both of which Dependent
identified as the men who broke in
said premises on said day.

Sworn to before me this 4th December 1880


John J. Sullivan
Police Justice

Attest: R. S. Rice

0756

Police Court—Second District.

CITY AND COUNTY
OF NEW YORK, ss.

William Hawley being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him, states as follows, viz:

QUESTION.—What is your name?

ANSWER.—

William Hawley

QUESTION.—How old are you?

ANSWER.—

30 years.

QUESTION.—Where were you born?

ANSWER.—

N. S.

QUESTION.—Where do you live?

ANSWER.—

107 McDougal St.

QUESTION.—What is your occupation?

ANSWER.—

Dutcher

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

Answer.—

I am not guilty.
William Hawley

Witness before me this

day of

188

Police Justice.

0757

Police Court—Second District.

CITY AND COUNTY
OF NEW YORK, ss.

John Smith being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him, states as follows, viz:

QUESTION.—What is your name?

ANSWER.—

QUESTION.—How old are you?

ANSWER.—

QUESTION.—Where were you born?

ANSWER.—

QUESTION.—Where do you live?

ANSWER.—

QUESTION.—What is your occupation?

ANSWER.—

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

ANSWER.—

I am not guilty—
John Smith

John Smith
Subscribed and sworn to before me, this

day of

1880

Police Justice.

0758

Police Court—Second District.

THE PEOPLE, &c.
ON THE COMPLAINT OF
Carl E. Hedley
68 South Washington Avenue
William H. H. H.
John Smith

Dated Dec 5 1880
Smith Magistrate.
Cawley Officer.
15 Dec 1880

Witnesses:
Robert W. Wood
68 South Washington Ave
James Corbett
Capt. [illegible] 369 South Washington Ave
DEC 9 1880
Committed in [illegible] Bail [illegible]

Bailed by
No. Street.

Clara

124

The People
vs.
William Stanley
and
John Smith
Defence.

Court of General Sessions Before
Recorder Smythe. December 27. 1880
Indictment for burglary in the third

Carl B. Keitz, sworn and examined. I am
the complainant. I keep a store at 68 South
Washington square in the basement. That is
in the Fifteenth ward. I remember the night
of the 3^d of December, my store was broken into
on the morning of the 4th. I left my place of
business with Mr. Wilde, who is here, at 9 o'clock
on the evening previous. I was sent for the fol-
lowing morning. The place was forced open, and
here is the piece of wood (showing it) that was
broken. Live at 119 Waverley Place. The piece of
wood I now show you was cut off the door
that enters my store. I have only front door
to the store. I locked the door the night before.
Robert T. Wilde sworn and examined testified.
I know the place of business of the last witness. I
was in the premises on the morning of the 4th.
I went in there at 10:12 or 14 to 11 o'clock. I locked
myself in the night of the 3. I locked the door
and I went to sleep. I retired 1/4 to 11 o'clock. Did
anything awaken you? Yes sir, the forcing
open of the door and the falling of a piece of
wood. I found one man standing inside
and the other at the door. Did you see who
it was? I did, it was the two men who are
in Court now (the prisoners) Did you have

0760

a light in the place? There was a light at the corner, the lamp post reflects a light. I was undressed at the time. I jumped up frightened. I stood for probably a second. I thought the only way of clearing them out and frightening them away I simply hallooed I yelled and they ran away. I saw them going up the steps. I did not pursue them for I was in my night shirt. I saw them the next day in the station house. I am positive that the prisoners are the two men there was made and unfinished clothing in the store. I dressed myself and went on the sidewalk and told a man to go for Mr. Meitof. Cross Examined. I am a married man. I do not live with my family at present; they are at Astoria, L. I. I am a collector and coal agent. I have desk room at 68 South Washington Square and 366 Canal st. It is probably a month since I lived with my family. I visit them I prefer living in New York City and they prefer living out of the city. I burned no lights in the store after I retired. There was a very bright fire in the store and that together with the lamp on South Fifth Avenue furnished sufficient light for me to see the faces of the prisoners. One of the men came in I should judge

0761

about two or three feet across the threshold and Smith stood at the door right by the wall. I did not testify before the Magistrate that both of these men entered the building. I testified there as I do now. I don't suppose the men stood there more than a second. I was undressed at the time and probably fifteen feet away from them; it was not very dark. One was passing me and the other was passing obliquely. I got a full view of them. I followed them right to the door and the light from the corner lamp enabled me to see them. I was somewhat frightened; they impressed their physiques on my mind that I will never forget them. I have very seldom been mistaken in the identity of a man. I do not recollect that I ever was. I had no doubt about the identity of these men at the station house when I first saw them. I had a glass of lager that night. I very seldom drink anything else. I was sound asleep when I first heard the noise and I jumped out of bed when I heard it. I did not tell Counselor McClelland that I could not positively identify either one of these men. Did you tell him that? No sir. Did you have a conversation with Mr. McClelland about these men? Positively not. Mr. McClelland was in Court a few moments ago.

0762

John Smith, sworn and examined in his own defence testified I live at 25 South Fifth Avenue. On the night of the 3^d and the morning of the 4th of December I did not attempt to break the premises No 68 South Washington square. I was not there. At that hour as near as I can remember I went down to "The London," a place in Mercer St; and from there I went up to Mr. Hanley's. The London is near Harry Miner's in the Bowery near Broome St. From there I went to Mr. Cardy's in Mercer near Bleeker St; and from there I went to Mr. Hanley's, corner of Fourth and Greene Streets. I think when I got there it wanted about a quarter of one and I stayed in there till six o'clock the next morning and never went out of the place. I had a couple of witnesses subpoenaed whose company I was in, but they don't appear to be here. There is one lady here I think was in the room at the time. I went home in the morning and went to bed at 25 South Fifth ave. That afternoon about 5 1/2 Mr. Crowley came in and beckoned to me; he arrested me in Mr. Hanley's back room. I was sitting in there talking to a lady. I never was arrested in my life before this except once. I was arrested for helping a man to carry a trunk. I was discharged

0763

and the man was sent to the State prison.
Cross Examined: I don't remember the name
of the man for whom I carried the trunk; it is
in the neighborhood of six or eight years ago.
It appeared the trunk had been stolen and
he asked me to carry it. I speculate in dif-
ferent things, I buy a lot of things and sell
them and make a living that way honestly.
I go to pawnbrokers sales and buy jewelry.
I am known by the name of "Whitey". I got that
name by wearing a white hat. Hawley's
place is two blocks from the tailor shop of the
complainant. I did not tell Capt. Brogan
that I was at McCurdy's until six o'clock in
the morning. It would take a minute and
a half to walk down to this tailor's shop. It
was about 20 minutes to one o'clock when I
got to Hawley's; he closes up every night at
one o'clock. I sell a good many things to
coachman, overcoats, new and second
hand. It is not true that I am a go-between
between thieves and receivers of stolen goods.
William Hawley, sworn and examined
testified. I have been in prison before.
I had nothing to do with robbing the place
named in this indictment. I was talking
to Capt. Brogan; the detective said the
place was broken in between ten and eleven
o'clock, and he asked me where I was

0764

I told him I was speaking to the Captain of that Ward. He left me at the desk of the station house, he closed his door - talking to me five or ten minutes. I got talking about a few other little things. I was talking with Capt. Brogan at 38 West Fourth St at the Laundry. The nearest I was to 68 Washington Square, the place that was broken open, was in a saloon a block and a half from there, I was there at 12 o'clock. I had nothing to do with breaking into the premises; at half past one that morning I was home in my bed at 107 McDougal st., which is five blocks from the tailor's shop that was broken into. Cross Examined. The place of "Beefsteak John" is two or three doors below the Laundry where I stood talking to Capt. Brogan; it is in Fourth st. in the middle of the block between Greene and Wooster Sts; "Beefsteak John's" place is a block and a half from the tailor's shop. I passed the tailor's shop in going home. I went into Hanley's about 12 1/2. A lady came into Hanley's and enquired for me. I was tried for bribery and the defence was insanity. I was sent to the State prison for five years and I got away from there on the locomotive.

0765

The name of the lady who came to see me at Hanley's was, Lillie Russell; she lives at 107 Macdonald St. I had made an appointment to meet her there. I was in the back room talking to another lady; they called me out and I went straight off with her; we went to an eating saloon in ^{farmine} St. and had something to eat. Officer Crowley arrested me at 3 o'clock Saturday afternoon. I could not say where Smith was then. I was arrested in my house in the basement. The house is full up stairs. I could not tell who lives there. I occupy a room with Lillie Russell. I go there once in a while to see her. My home is with my mother 20 West Fourth St. between Mercer and Greene Sts. The officer simply told me that the Captain wanted to see me at the station house; when I got there the officers told me that the burglary took place between ten and 11 o'clock. I told him that at that time I was talking with Capt. Bryan. Then the officer told me that it happened between one and two o'clock. I told him that there were officers in the station house who saw me going home with this young lady. I don't recollect whether I told him I was in Hanley's or not. I told him I could prove by the officers in the station

0766

house that seen me going home before one o'clock I was then taken in before the complainant and the detective said to him, "I think I have got a charge of burglary against this man; hold him for a while." He said that in front of the desk. They took my name. I went down in the cell. He said after I was locked up, "I am going to send you to the State prison; he said to the Turn Key, after I told him I had officers in the building who saw me going home, "Don't let an officer or a soul see this man. While I work as prosecutor in this case." He came down in front of my door and said he would send me to the State prison or see that it was done. At about half past ten the Captain met me and was talking about how a woman robbed a man in the "Rochester" by means of the panel game. The Captain asked me whether I was carrying on such business. Did not he say that the complainant got away, and if he had the complainant that he would send you to the State prison in that case? No sir; so help my God he did not. The Captain said, "Do not let me catch you in that business in this Ward."

0767

Mellie Russell, sworn and examined. I live
107 Macdonald street and am acquainted with
the prisoner; on the morning of the 4th Dec.
he was in my company. I first met him about
a quarter to one o'clock in Dan Hawley's liquor
store, 34 West Fourth St. We did not stay there;
we went right down Fourth St. and Sixth ave.
and had some supper, and from there we went
to 107 Macdonald street; we got there about 1 1/2,
he and I went to bed and he remained there all
night; he did not go out of the house in the
morning until the officer took him out; he
was in my company all the time. Cross Ex-
amined. We are not married, but we expect to be
some day. I saw him the evening before; he left him
at 7 o'clock and he went down 46 West Fourth St.
to Beefsteak John's restaurant. I saw him about
ten o'clock put up the shutter at his mother's
laundry, 38 West Fourth St. he was in Hawley's
from 1 1/2 o'clock until a quarter to one and
did not go out. I knew Smith by sight, but I
did not see him that evening. I know him to
speak to him; he has not been to my house. I did
not see him in Hawley's that day or night
at all. Minnie Melrose was in Hawley's
when I went in there, she was talking to Dan
Hawley, he was arrested out of my room at
3 o'clock Saturday afternoon. I did not find
out then what he was arrested for, and did

0768

not go to the station house to find out. I heard that night what he was arrested for - for breaking into some place, I did not hear where it was. Lilly Melrose, sworn and examined, testified. I am acquainted with the prisoners; on the morning of the 4th Dec. I saw them both in Hawley's liquor store. Miss Russell came in about 20 minutes of one and asked Hawley if he was going to stay in the liquor store all night? He says, "no, I will go home now," and they went out. Smith remained in there. I know the time exactly because I was watching the clock as I had to meet some person. I live 114, Bleeker St. George M. Taylor, sworn and examined. I am an officer of the Fifteenth precinct and am acquainted with the prisoner Hawley. I have seen Nellie Russell around the Precinct. I was on duty in Third Street on the morning of the 4th of December, I think from 12 to 6 o'clock is our regular tour. I have no recollection of meeting Hawley and Nellie Russell that morning. I saw Hawley the fore part of the evening, six or half past six o'clock. Cross Examined. I saw him on the corner of South and Green St. when I returned ~~from~~ to the station house ^{from} my supper. I have no recollection of seeing Hawley between 12 and 6 o'clock that morning. I did not meet him and say, "Halloo, where have you been?"

0769

James Gazello, sworn and examined, testified I am in the sign business at No 69 South Washington Square next door to the tailor shop; the morning it was broken into Mr. Wilde came in and called me. I don't remember what day it was. I went inside and saw the door was broke I don't know the prisoner. Have you ever seen him? No sir, only about half an hour before Mr. Wilde called me I saw a man about the same size, about six o'clock a man came into my store. I cannot tell if he resembled the prisoner. James Sullivan sworn. I remember the morning of the 4th of December. I saw the prisoner Smith; my post was Mercer St. from Houston St. to Clinton Place. I saw him about 3 o'clock on the morning of the 4th; he was alone at the time; we were very close to me and neither of us said a word; he went into the ball room kept by Lawrence McGratz 193 Mercer St. up stairs; he went into the ball room and came out again immediately; he did not delay a minute; he went towards Bleeker St. My attention was called to this fact the same evening when I heard he was arrested. Captain Progan asked me if I had seen him that morning and I told him I did. I am quite sure it was three o'clock when I saw him. Cross Examined. I know Smith about five or six months, to see him

0770

around the neighborhood. Capt. Brogan asked me if I had seen "Whitey," he says, "he is going to use you as a witness." This conversation was had on the evening of the burglary, which was committed in the morning. I heard of the burglary before I saw Smith go into the ball room, but I did not know till evening that he had anything to do with it. John J. Brogan sworn officer ^{Dulligan} told me he had seen Smith at 3 o'clock in the morning in Mercer St. I enquired of ~~Smith~~ and he told me that the officer on the Mercer St. post met him about 3 o'clock at McCarty's. I never heard the story of Smith being at Hawley's until it was told here today. The burglary was reported to me about 8 o'clock in the morning of the 4th. I went to the premises and I saw Mr. Wilde and the complainant and Wilde gave me a description of the men he saw and I arrested the prisoners. I met Hawley the night of the burglary about 10 o'clock in front of 38 West Fourth St. I did not threaten to send him to the State Prison on this charge. I had a talk with him in reference to a panel robbery. I said, "You have been getting in a little 'funny' business down in the Rochester in Bleeker St. working the panel trick; you will eventually bring up in State Prison; and if I can get the

0771

complainant in this case I will make him prosecute you. Officer Thomas Moffat testified that he was on duty on the night of the 3rd of Dec. and saw Hawley about 11:12 in Fourth St. between Greene and Webster Sts.

The jury rendered a verdict of guilty of burglary in the Third degree. Smith was sent to the State Prison for three years and six months. Hawley was sent to the State Prison for five years.

in was was was was was was was was was
in Court now (the prisoners) Did you have

0772

Testimony in the case
of Wm. Howley and
John Smith
filed Dec. 14th

0773

CITY AND COUNTY } ss. :
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present :

That

William Hauley and John
Smith each

late of the *fifteenth* Ward of the City of New York, in the County of
New York, aforesaid,
on the *fourth* day of *December* in the year of our Lord
one thousand eight hundred and ~~seventy~~ *eighty* with force and arms,
at the Ward, City and County aforesaid, the *shop* of

Carl C. Meitag
there situate, feloniously and burglariously did break into and enter, the said *shop*
being then and there a building in which divers goods, merchandise, and valuable things
were then and there kept for use, sale and deposit; the same being the goods, chattels,
and personal property of

Carl C. Meitag

goods, merchandise and valuable things in the said *shop* with intent the said
being then and there feloniously and burglariously to steal, take, and carry away then and there

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.

BENJ. K. PHELPS, District Attorney.

0774

BOX:

26

FOLDER:

322

DESCRIPTION:

Harrington, Peter

DATE:

12/01/80



322

0775

246

Filed / day of Dec 1880

Pleas

THE PEOPLE,

vs.

*by P
Philipson*

*I
George B. L.*

Indictment for Receiving
Stolen Goods.

BENJ. K. PHELPS,

District Attorney,

*Part No Dec 1, 1880
- Pleas Perry 3.*

A True Bill.

Chas. H. King

Foreman.

Wm. S. J. P.

0776

246
Filed / day of Dec 1880

Pleads

THE PEOPLE,

vs.

Indictment for Receiving
Stolen Goods.

by
J. H. HARRINGTON

I

do hereby certify that
the within is a true and correct
copy of the original
filed in my office
this 1st day of Dec 1880

BENJ. K. PHELPS,

District Attorney.

Part No Dec 1, 1880

pleads Mary S.

A True Bill.

OK Hickey

Perenim.

W. H. S. H. H.

0777

Police Court—Second District.

City and County } ss:
of New York.

of No. 81 Tenth Avenue Street, being duly sworn,
deposes and says, that the premises No. 81 Tenth Avenue
Street, 16th Ward, in the City and County aforesaid, the said being a tenement
apartment in place of residence
and which was occupied by deponent as a

were **BURGLARIOUSLY**

entered by means of forcibly opening a door
leading to said apartment
from the hall way of the
said tenement at about

4 o'clock on the afternoon of the 23^d day of November 1880.

and the following property feloniously taken, stolen, and carried away, viz:

One cloth Coat, value \$14.00.
Two Broche Shawls " 50.00
One Table Cover " 1.00
Three Suits clothes "
(Pants Coats & vest) " 50.00.
One pair Pants & one vest " 8.00
All of the value of \$123.00

(One hundred & twenty
three dollars) the property
of deponent and her husband
John Mc Namara & her son William
Gowen, all in her care & charge
the property of

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 Peter Harrington now being

for the reasons following, to wit: that she detected

said Peter Harrington and

some other person in said

premises and having

said property bundled

up and in the act of

carrying away the

same. Says Mc Namara

*John Mc Namara & her son William
Gowen to before me the
24th day of Nov 1880
John J. [Signature]*

0778

Police Court—Second District.

CITY AND COUNTY }
OF NEW YORK } ss.

Peter Harrington being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him, states as follows, viz:

QUESTION.—What is your name?

ANSWER.—

Peter Harrington

QUESTION.—How old are you?

ANSWER.—

27 years

QUESTION.—Where were you born?

ANSWER.—

New York City

QUESTION.—Where do you live?

ANSWER.—

Philadelphia

QUESTION.—What is your occupation?

ANSWER.—

Stone Cutter

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

Answer.—

*I am not
guilty of the
charge.*

Peter Harrington

Taken before me, this

24

day of

188

Police Justice

0779

10 23 0

Police Court—Second District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

Elias McNamara
187-10 1/2 Ave.

Peter Harrington

Dated: Dec 24 1880

Witnessed by: Wm. O'Leary

Kennedy 18th
Clerk.

Witnesses:
Officer Kearney
16th

Full bond

Committed in default of \$ 3000 Bail.

Sealed by: [Signature]

No. [Signature]

Done.

0780

CITY AND COUNTY } ss.
OF NEW YORK.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That *Peter Harrington*

late of the *sixteenth* Ward of the City of New York, in the County of New York, aforesaid, on the *twenty third* day of *November* in the year of our Lord one thousand eight hundred and *seventy eight* with force and arms, about the hour of *four* o'clock in the *day* time of the same day, at the Ward, City and County aforesaid, the dwelling house of

John Mc Namara
there situate, feloniously and burglariously did break into and enter ~~by means of forcibly~~

he the said

Frank Harrington

then and there intending to commit some crime therein, to wit: the goods, chattels, and personal property of

John Mc Namara
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.

And the jurors aforesaid, upon their oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County aforesaid, the said

Peter Harrington

late of the Ward, City, and County aforesaid,

One coat of the value of fourteen dollars
Two shawls of the value of twenty five dollars each
One cover (of the kind commonly called a table cover)
of the value of one dollar
Three coats of the value of ten dollars each
Three pair of pantaloons of the value of four dollars each
Three vest of the value of three dollars each
One other pair of pantaloons of the value of four dollars
One other vest of the value of four dollars
of the goods, chattels, and personal property of the said

John Mc Namara
in the said dwelling house then and there being, 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.

BENJ. K. PHELPS, District Attorney.

0781

CITY AND COUNTY OF NEW YORK,

and a ^{aforesaid} THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK

~~and for the body of the City and County of New York,~~

upon their Oath, ~~present:~~ aforesaid do further present

That the said Peter Harrington

late of the ^{sixteenth} ~~first~~ Ward of the City of New York, in the County of New York, aforesaid, on the ^{twenty third} ~~twenty~~ day of November in the year of our Lord one thousand eight hundred and ~~seventy~~ ^{eighty} with force and arms, at the Ward, City and County aforesaid,

One coat of the value of fourteen dollars
Two shawls of the value of twenty-five dollars each
One cover (of the kind commonly called a table-cover) of the value of one dollar
Three coats of the value of ten dollars each
Three pair of pants of the value of four dollars each
Three vests of the value of three dollars each
One other pair of pants of the value of four dollars
One other vest of the value of four dollars

of the goods, Chattels and personal property of

John McNamee

by a certain person or

and certain other persons, to the Jurors aforesaid unknown, then lately before feloniously stolen of the said

John McNamee

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

Peter Harrington

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

BENJ. K. PHELPS, District Attorney.

0782

BOX:

26

FOLDER:

322

DESCRIPTION:

Hart, Samuel

DATE:

12/27/80



322

0783

BOX:

26

FOLDER:

322

DESCRIPTION:

Miller, George

DATE:

12/27/80



322

0784

BOX:

26

FOLDER:

322

DESCRIPTION:

Green, Thomas

DATE:

12/27/80



322

0785

Counsel
Filed *Dec 1880*
day of *Dec* 1880
All Pleadings *Nov 28*

THE PEOPLE

218

Larceny, and Receiving Stolen Goods.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Норман

Call on
Hendrickson & Sons
Lith. Paris & Leipzig

0786

FORM 112.

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss.

Police Court—Third District.

*Rosa Schaller*of No. *62 Eux*

Street, being duly sworn, deposes

and says that on the *15th* day of *December* 188*0*

at the City of New York, in the County of New York, was feloniously taken, stolen, and carried away from the possession of deponent.

the following property viz: *One Silk Skirt and ones
Silk over Skirt*of the value of *Thirty five* Dollarsthe property of *one Mrs. Levin and in care and
charge of this 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 *Samuel Hart and**George Miller and Thomas Green (all now here)*
from the fact that the defendants acknowledge to deponent in the presence of witnesses that they were in company of each other when the Larceny was committed and that said Green pawned said property and that said Hart and said Green each received thirty three cents and that said Miller received thirty four cents from the money received in said Pawnshop for said Property*Rosa Schaller*

Sworn to, before me this

day of *March* 188*0**J. H. Williams*
POLICE JUSTICE

0787

Police Court—Third District.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question.—What is your name?

Answer.—Samuel Hart

Question.—How old are you?

Answer.—16 years

Question.—Where were you born?

Answer.—Syracuse

Question.—Where do you live?

Answer.—44 East 30th St.

Question.—What is your occupation?

Answer.—Cigar Making.

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

Answer.—I am not guilty

Samuel Hart

Taken before me this

18

day of

March

1890

Police Justice.

0788

Police Court—Third District.

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question.—What is your name?

Answer.—George Miller

Question.—How old are you?

Answer.—15 years

Question.—Where were you born?

Answer.—New York City

Question.—Where do you live?

Answer.—82 East 3rd St.

Question.—What is your occupation?

Answer.—Printing

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

Answer.—I am not as guilty as the other fellow he put me up to it.

George Miller

Taken before me, this

18 day of March 1890

Police Justice.

0789

Police Court—Third District.

CITY AND COUNTY
OF NEW YORK. } ss.

Thomas Green being duly examined before the under-
signed, according to law, on the annexed charge; and being informed that he was at
liberty to refuse to answer any question that may be put to him states as follows,
viz:

Question. What is your name?

Answer. Thomas Green

Question. How old are you?

Answer. Eighteen

Question. Where were you born?

Answer. New York

Question. Where do you live?

Answer. 104 East 39 Str.

Question. What is your occupation?

Answer. Stripping Tobacco

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

Answer. Miller stole the dress we
were standing on the other side
I got 33 cents of the money

Thomas Green.

Taken before me, this

18 day of March 1880

Richards
POLICE JUSTICE.

0790

COUNSEL FOR COMPLAINANT.

Name,

Address,

COUNSEL FOR DEFENDANT.

Name,

Address,

POLICE COURT—THIRD DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

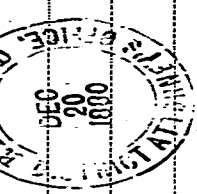
Rosa Schaller

62 Essex St.

Samuel Hart

George Carter

Samuel Carter



Dated *Decr 18* 18*90*

W. H. Carter Magistrate.

Wm. R. Carter Officer.

10 Clerk.

Witnesses *Sam. Carter*

\$ *1000* to answer *Cand*

at *4th* Sessions

Received at Dist. Att'y's Office,

BAILED.

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

0791

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
*in and for the body of the City and County of New York, upon
their Oath, present:*

That

*Samuel Hart, George Miller and
Thomas Green each*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the
fifteenth day of *December* in the year of our Lord
one thousand eight hundred and eighty *—* at the Ward, City and County aforesaid,
with force and arms,

*One skirt of the value of twenty
dollars*

*One overskirt of the value of fifteen
dollars*

of the goods, chattels, and personal property of one

Rosa Schaller

there being found, 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. then and

0792

And the Jurors aforesaid, upon their oath aforesaid, do further present.

That the said

Samuel Hart, George Miller and Thomas Green each

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

One skirt of the value of twenty dollars

One coars skirt of the value of fifteen dollars

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

Rosa Schaller

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen of the said

Rosa Schaller
unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

Samuel Hart, George Miller and Thomas Green
then and there well knowing the said goods, chattels, and personal property, to have been feloniously stolen,) against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

0793

BOX:

26

FOLDER:

322

DESCRIPTION:

Hartmann, Emil

DATE:

12/07/80



322

0794

6
Counsel,
Filed 7 day of Dec 1880
Pleads

Larceny, and Receiving Stolen Goods.

THE PEOPLE

vs.

I

Emil Hartmann

BENJ. K. PHELPS

District Attorney.

Part No: Dec 7. 1880
Pleads S.D.

A True Bill.

Mawell H. Cooper

Foreman.

Emil Ref
Dec 25.

0795

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss

FORM 112.

Police Court—Third District.

of No. 616 3rd Avenue Henry Berld Street, being duly sworn, deposes
and says that on the 11 day of November 1880
at the City of New York, in the County of New York, was feloniously taken, stolen, and carried
away from the possession of deponent.

the following property viz: One Violin

of the value of One Hundred Dollars
the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property
was feloniously taken, stolen, and carried away by Emiel Hartman
(now here) from the fact that said Emiel
acknowledged to deponent in the presence
of witnesses that he did steal the aforesaid
property and possessed the same

H. Berld

Sworn to, before me this

5th

day of

November 1880

Police Justice.

0796

Police Court—Third District.

CITY AND COUNTY } ss.
OF NEW YORK.

Emil Hartmann being duly examined before the under-
signed, according to law, on the annexed charge; and being informed that he was at
liberty to refuse to answer any question that may be put to him, states as follows,
viz:

Question. What is your name?

Answer. *Emil Hartmann*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *Germany*

Question. Where do you live?

Answer. *89 Nevins St.*

Question. What is your occupation?

Answer. *Barber*

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

Answer. *I took the money, I feel some
sick, I wanted to go to Germany
and in this way I thought of raising
the money I would, repaid the
amount, at my arrival in Germany
my father is in good circumstances and
he would have given me the money
to send over here,*

Emil Hartmann

Taken before me, this

day of *March* 1883

J. W. McArthur
POLICE JUSTICE.

0797

COUNSEL FOR COMPLAINANT.

Name, _____

Address, _____

COUNSEL FOR DEFENDANT.

Name, _____

Address, _____

POLICE COURT—THIRD DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Henry Bored
vs.
616 3rd Ave.

Emil Hartman



BAILED,

No. 1, by _____

Residence _____

No. 2, by _____

Residence _____

No. 3, by _____

Residence _____

No. 4, by _____

Residence _____

No. 5, by _____

Residence _____

No. 6, by _____

Residence _____

Dated _____ 18__

Hecker

Magistrate.

Officer.

Co. Police

Clerk.

Deane

\$ *3.00* to answer

at *Heck* Sessions

Can d

Received at Dist. Att'y's Office,

AFFIDAVIT—LARCENY.

0798

CITY AND COUNTY }
OF NEW YORK, ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York, upon
their Oath, present:

That

Emil Hartmann

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 — at the Ward, City and County aforesaid
with force and arms,

*One musical instrument (of the kind
commonly called a violin) of the value
of one hundred dollars*

of the goods, chattels, and personal property of one

Henry Peret

there being found, 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. then and

0799

And the Jurors aforesaid, upon their oath aforesaid, do further present

That the said

Emile Hartmann

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

One musical instrument (of the kind commonly called a violin) of the value of one hundred dollars

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

Henry Perel

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen of the said

Henry Perel

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

Emile Hartmann

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

WITNESSETH

BENJ. K. PHELPS, District Attorney.