0463

BOX:
498

FOLDER:
4544

DESCRIPTION:
Haggerty, Edward

DATE:
10/27/92

4544

Witnesses:

Prisoner was convicted upon the testimony of one witness. Defence was an alibi. Considering all the facts & circumstances in this case, I respectfully ask that the Court be as lenient as possible. The Prisoner's Uncle will take him in his employment at the expiration of his sentence

Nov 28th 92 G. L. R. ADA

254

Counsel,

Filed day of 189

Pleads,

THE PEOPLE

24

149 & 62

vs.

Edward Haggerty

Burglary in the second degree.
[Section 497, 498 P. C.]

DE LANCEY NICOLL,
District Attorney.

Pad 2 - Nov. 28 1892
Tried and convicted of P. L.
Ten days.

A TRUE BILL. Nov. 28 92 28

D. Lockwood

Foreman.

Nov 23

F. A. A.

Police Court— 4 District.

City and County of New York, } ss.:

Ellen Austin

of No. 39 Columbus Avenue Street, aged 50 years, occupation Keep House being duly sworn deposes and says, that the premises No. 39 Columbus Avenue, 22 Ward in the City and County aforesaid the said being a five story ~~brownstone~~ brown stone dwelling and which was occupied by deponent as a private living apartments in the north side of the third floor and in which there was at the time human beings by name Deponent and her family were BURGLARIOUSLY entered by means of forcibly opening the mudoor leading from the fire escape, on the rear of the house, into the kitchen of the apartment

on the 31 day of October 1882 in the night time, and the following property feloniously taken, stolen, and carried away, viz:

One open face silver watch, and one pocketbook containing goods and lawful money of the United States of the amount and value of Three Dollars, the property being altogether of the value of about Sixteen Dollars

the property of Deponent and her husband 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 Edward Haggerty, (now here)

for the reasons following, to wit: That deponent about the hour of 11.45 P.M. on the 30th Day of October deponent went to bed and the doors and mudoors leading into the apartment were securely locked and fastened except the aforesaid mudoor which deponent left open. That at about the hour of 1.55 O'Clock A.M. on said date deponent saw some person standing alongside of her bed, that deponent

Police Court, ... District.

THE PEOPLE, &c.,
on the complaint of

.....

vs.

1 .....
2 .....
3 .....
4 .....

Offence—BURGLARY.

Dated 188

..... Magistrate.

..... Officer.

..... Clerk.

Witnesses,

No. ..... Street,

No. ..... Street,

No. ..... Street,

$..... to answer General Sessions.

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 ..... 188 . ..... 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

0466

Sec. 198—200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss:

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

Question. What is your name?

Answer. Edward Haggerty

Question. How old are you?

Answer. 24 yrs mo

Question. Where were you born?

Answer. New York City

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

Answer. 149 Bowery 4 yrs

Question. What is your business or profession?

Answer. Driver

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 innocent

Edward Haggerty

Taken before me this 1st day of April 189 [illegible]

[illegible] Police Justice.

0468

1325

Police Court 4 **District.**

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Ellen Hughes
127 Columbia
Bernard McGrath

1 Ellen Hughes
2
3
4

Offence Assault & Battery

Dated Oct 13 1893

Magistrate.

Officer.

Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

No. Street.

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

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

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

Dated Oct 13 188 9 Charles N Tainter *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.*

COURT OF GENERAL SESSIONS OF THE PEACE,

City and County of New York.

THE PEOPLE, -against- JOHN OIZ.	§ § § § § § § §	-- Before HON. FREDERICK SMYTH, and a Jury.

TRIED, NEW YORK, OCTOBER 31ST, 1892.

INDICTED FOR GRAND LARCENY IN THE SECOND DEGREE.

INDICTMENT FILED OCTOBER 26TH, 1892.

****

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY H.W.MACDONA,

For THE PEOPLE.

ABRAHAM LEVY, ESQ.,

For THE DEFENSE.

****

DAVID METZGER, the complainant, testified that he lived at 43 East 72nd Street, on October 10th; And that he lost from his premises, silverware---a soup ladle and soup spoons---two umbrellas and two overcoats. The value of all this property was about $110. He never saw any of the property since, except one coat and an umbrella which were in the possession of Detective Weller, at the station-house.

****

PHILLIP WELLER, testified that he was a police officer, attached to the 25th Precinct, assigned to special duty. Officer Moen arrested the defendant and turned him over to the witness. When the defendant was taken to the station-house he had on one of the complainant's overcoats---the one that was identified in court by the complainant as his property. He, the witness, asked the defendant his address, and he answered, 239 Chestnut Street, Philadelphia, but he could not tell the officer in what part of Philadelphia that address was located. He said that he bought a ticket from a man in the Bowery

and got the overcoat in question out of a pawnshop on William Street, but did not give any names. The officer then asked him where he lived, and, at first, he refused to answer, but, afterwards, said that he was stopping at 35 Bowery. The witness called at 35 Bowery, which was a lodging house, and they gave him an umbrella, with the defendant's name on a small piece of paper attached to it. The umbrella was subsequently identified as the complainant's property. The witness searched the defendant and found in his pocket a spoon, which was afterwards identified by a Mr. Schoenwald, of 154 East 72nd Street. The witness asked the defendant where he got the spoon. He said he bought it on the Bowery for 25 cents; that "Fellows were going around selling them;" also that he had it a long time, taking medicine with it. The witness arrested the defendant on the 22nd. Then the witness asked the defendant what he had done with the silverware, and he said he had not seen it. The witness asked the defendant what he was doing over in the neighborhood of 72nd Street, and he said that he was looking for a young lady named Mamie Wilson. He, the witness, questioned the defendant as to where he

had been that day, and he said that he had just come on from Philadelphia, and was looking for a young lady named Mamie Wilson. The defendant said that he had not been to the house number 11 East 67th Street, until the witness brought the young lady over and she identified him as the man that was in her house No. 11 East 67th Street. The defendant did not say anything then. The witness asked the defendant where he obtained the umbrella, and he said that he bought it from a man in the Bowery. He said he bought the things from different persons. In

Cross-Examination,

he, the witness, had charge of the case against the defendant.

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THE DEFENSE.

JOHN OIZ, the defendant, testified, in his own behalf, that he rang the bell of the house in 72nd Street, supposed to

be Mr. Collin's house, as he got the address out of a paper; and, while he was waiting for the servant girl to open the door, a lady came through the house and two men were dumping coal and wood in the cellar. She said, "Hold this man. I am going to have him arrested. He has been in my house before." And she ran inside of the basement, and the men watched him, and the gentleman told the lady to touch the button communicating with the station-house, and two policemen came and arrested him. This happened about the 9th or 10th of October; the defendant did not recollect the date. The witness testified further that Detective Weller came up to him and said, "I am a lawyer. Have you got any money?" The defendant said no; that his money had been taken away from him. Weller then said, "That overcoat that you have got on, is that any good?" He, the defendant said no; it aint much good; I took it out of pawn. It is all moth-eaten on the corner." Then he walked away. Afterwards he came back and told him, the defendant, that he was a detective, and to tell him where some of the stolen silverware was. The defendant said he did not know. Weller said, "I will make you tell. You will

tell me where some of that stolen stuff is. We have got you dead to rights. Where did you get that overcoat from." The defendant told Weller that he took it out of pawn; that there was $2.50 on it; that he bought the ticket off a man; that every day in the week pawn tickets can be bought from men in the lodging houses, who get broke and pawn articles of property belonging to them. He took the overcoat out of Abraham's, North William Street and Park Row. The defendant testified also that Weller "Got inside of the cell and told me he is going to kill me if I don't tell him where some of the stolen silverware is". The defendant denied that he had stolen any of the property in question. He bought the umbrella for $1.25, in Canal Street, from a man whose name he did not know; he was standing there. The defendant told Weller that he bought the spoon in the Bowery, and used it to take medicine as he had the syphilis. He was an engraver by trade. He was convicted of burglary in Brooklyn, in 1886, and sentenced to imprisonment in Kings County Penitentiary for three years and six months. He was discharged in 1889. He could not tell where he worked since his discharge---between 1889 and

the present time. He lived at one time at 32 Henry Street, kept by a Mrs. Shafer. In

REBUTTAL

OFFICER WELLER, being recalled, testified that, when the defendant was in custody, he did not go into his cell and threanten him, or say that he would murder the defendant.

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Court of General Sessions.

City and county of New York.

The People vs. Edward Haggerty	Before the Hon. Rufus B. Cowing and a jury.

Indicted for assault in the second degree.

Indictment filed October 27, 1892.

Tried November 23, 1892.

Appearances:

Assistant District-Attorney Bedford for the People.

Mr. for the defence.

E L L E N A U S T I N called by the people being duly sworn testified that she was married and lived at 27 Columbus avenue, New York. It is a flat house and she has apartments on the 3d floor. On October 20, 1892, complainant went to bed at quarter to 12 o'clock at night, and had attended to locking up everything except one window in the kitchen connecting with the fire escape . At about five minutes to two

o'clock A. M. by the dinning room clock, complainant saw defendant in her bed room standing perfectly still and saw his face twice on the side of it. Sometime previously complainant had got up upon hearing something like the pattering of rain drops on a tin roof, and then again retired . Defendant must have seen complainant's eyes open in bed, as he looked kind of bewildered. Defendant stood a second and gazed upon complainant's husband and then looked forward to the front parlor. Never saw defendant before. Complainant looked at defendant's hands and they were tight at his side .. There was a light in the bedroom at the time, not a glimmering light but distinct light and one in the dinning room so that complainant could easily identify defendant. Complainant saw the defendant three times and positively identified defendant. Defendant took from complainant's pocket book $3.83 and her husband's watch worth about $10, and took money out of her husband's pocket, altogether somewheres under or about $25. Complainant's hus band had gone to sleep and so he did not see the man. Complainant said to her husband "My God, look at the man." And

then complainant jumped out of bed and defendant ran away. Complainant's husband caught her by the waist, as he thought she was dreaming. The complainant's husband held on for a second, complainant' supposes and then she dragged away from him, and ran after the defendant into the dinning room and saw the defendant full in the face there, and that is all complainant saw. Complainant would be sorry to make a mistake; she never made a mistake in her life to her knowleage. Complain ant was not nervous, and could not be if she ran after the defendant. Complainant was not freightened at defendant so much as she would have been at a man with whiskers. Complainant has a son, and defendant was not much older looking. Complainant's son was 17 years old. The defendant had a Dirby hat in his hand when he came to the bed of complainant. When defendant was brought to complainant's residence to be identified he refused to put his hat on, so that complainant could identify him. Complainant put the hat on as defendant wore it on the evening stated, and complainant said at that time "Positively you are without doubt the man." Defendant then abused complainant and used bad language.

Complainant also said that defendant had his shoes on then but on the night in question he was in his black stockings. Complainant didn't say that she could not identify defendant without his hat.

W A L T E R S T A F F O R D being duly sworn testified that he was attached to the 24th precinct, and that he arrested defendant on October 22, at 10th avenue and 63d street in the afternoon. At that time witness asked defendant how long washe home; defendant said since Thursday afternoon. Witness had a description of the burglar. Witness asked defendant to take a walk, and took him over to complainant's flat and saw her. Complainant looked at defendant and asked him to put his hat on, and he would not do it and witness told complainant to do it. Complainant stood on the sofa and put it on and said "Without doubt he is the man" Then defendant called complainant hard names, and that she was drunk. On the way to the station house witness asked defendant where he was on the night in question. Defendant said he was in Scheick's Hotel that morning at 2 O'clock; and one time at court witness asked defendant and he said he (defendant) was at a cake

walk with Jake McCoy at 2 o'clock. Witness investigated the story. Defendant told him that he was at Minor's theatre in the first part of the evening and from there he went to 7th avenue, Louis' place and had a few drinks, and then went to the cake walk at one or two o'clock, and stayed there until it was over, and then went to Scheick's Hotel and stayed there until six o'clock P. M. From Scheick's hotel to the dwelling of complainant is a mile and a half. The cake walk was on 26th street and 7th avenue. Defendant gave two different statements where he was on the night in question. His first statement was that he was down at Minor's theatre in 3d avenue in the first part of the evening; and the second statement that he was at 7th avenue and 26th street, which is about a mile and half from the place where the burglary was committed. Witness saw the manager of the cake walk in the course of his investigation and he said the defendant had been there. He said the cake walk was over a little after four o 'clock; that defendant had been there for one or two dances about 3 O'clock, one hour that is all. That McCoy told witness that he was with defendant

that night. Witness went to Sucheick's hotel and discovered that defendant had been there as he had stated.

J O H N Mc C O Y being called by the defence, and duly sworn testified that he was born in New York city and was 20 years old, and was a telegraph operator, and knew the defendant. Witness was in defendant's presence from the afternoon of the 20th of October, Thursday, until Friday at about IO o'clock P. M. First heard of defendant's arrest on Monday morning through officer Stafford. Witness heard that officer Stafford had been looking for him and witness sent for him. Witness told the officer where he had been. When witness met defendant he wanted to see a friend at 59th street and 11th avenue, and he proposed to go to Minor's theatre. We went around to different places and had a couple of drinks; went to Minor's theatre in the evening and saw a variety show. From there went to Warren Louis and stayed there a little while. Then went up to 7th avenue and 41st street to a saloon and stayed there about two minutes. This was on Thursday night. Witness and defendant at half past one or quarter of two o'clock fetched up at the cake walk; stayed there until

four o'clock about. Defendant was with witness all the time. Then went to 8th avenue in a restaurant and had something to eat, and went to the corner store and had a drink and then went to Scheick's hotel about 6 o'clock, and defendant and witness slept there together until about six o'clock P. M. Friday. Have known the defendant 6 or 7 years; was with defendant 31 hours at that time; never had been so long with defendant before . At the cake walk witness stood outside for an hour, and did not dance there as the officer says witness did; defendant was inside all the time . Witness has worked for the Western Union telegraph company for 4 or 5 years .

A L B E R T S C H E I C K being duly sworn testified that he kept a hotel at 316 and 318 7th avenue, New York and knew the defendant and knows McCoy one of the witnesses. They were at witness hotel and took room No. 1 on the morning of October 21, Friday, at about 6 o'clock and stayed there until evening both occupying the same room, and went away together .

E D W A R D J. G R A N T being duly sworn testified that he was general porter and superintendent of the dance

hall in 26th street and 7th avenue. Witness saw defendant accompanied by one of the witnesses come to the cake walk about half past one o'clock or quarter to two --somewheres before two o'clock or between one and two o'clock and remained until the ball broke up in the neighborhood of 4 o'clock, and in the meantime they did not leave the hall. I knew defendant personally and had not seen him for sometime. Officer Stafford called upon me the next day and witness told him the defendant had been there dancing. Witness knows the night of the ball was on the 20th of October from its being on the ticket. Witness told the officer that defendant was there between one and two o'clock. There was about 150 tickets sold for the cake walk; do not know how many were present. The officer came and told witness that defendant had been at the cake walk, otherwise witness would not have remembered it. Witness knew defendant and could not be mistaken. Never was a witness before. Witness said at the door of the cake walk "How do you do, Eddy?" and defendant shook him by the hand, and said "How do you do." Witness said "Are you going in?" Defendant said yes. After witness saw the

defendant witness thinks his first attention was called to the fact by the officer calling upon him the following day, and asking whether defendant was at the cake walk and at what time, as already stated .

L U K E F U L L Y being duly sworn testified that he was employed by the witness, Grant at the place in 8th avenue on the 20 th of October, the night of the cake walk. Witness was door keeper; lived in the city of New York all his life being born here. Never met defendant until the night of the 20th of October. Defendant came with McCoy to the cake walk between one and two o'clock in the night; and it was between half past three o'clock and four o'clock when he left. Witness remembers the fact because defendant's friend would not give him (witness) the ticket to enter while the defendant wanted witness to let his friend in without a ticket. Defendant spoke to Grant about it, the other keeper of the door about it, and he allowed him to go in without a ticket. Defendant could have passed out between one and two o'clock in the night but witness did not see him do so. Defendant might have passed in or out, but the bar was up stairs, and witness did

not see him do it. Witness was away from the door at two intervals of 2 or 3 minutes each time during the night, and at those times defendant might have passed out. The ball broke up at half past three o'clock. Witnes saw the defendant possibly at 3 o'clock

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Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Edward Haggerty

The Grand Jury of the City and County of New York, by this indictment, accuse Edward Haggerty of the CRIME OF BURGLARY in the Second degree, committed as follows:

The said Edward Haggerty

late of the 2nd Ward of the City of New York, in the County of New York aforesaid, on the 21st day of October in the year of our Lord one thousand eight hundred and ninety-two in the night time of the same day, at the Ward, City and County aforesaid, the dwelling house of one James J. Austin

there situate, feloniously and burglariously did break into and enter, there being then and there a human being within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels and personal property of the said James J. Austin

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away,

3

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 Edward Haggerty of the CRIME OF Petit LARCENY committed as follows:

The said Edward Haggerty 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 night-time of the said day, with force and arms, one watch of the value of fifteen dollars, one pocketbook of the value of fifty cents, and the sum of three dollars and eighty-one cents in money, lawful money of the United States of America, and of the value of three dollars and eighty-one cents

of the goods, chattels and personal property of one James J. Austin in the dwelling house of the said James J. Austin 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.

De Lancey Nicoll,
District Attorney

0488

BOX:
498

FOLDER:
4544

DESCRIPTION:
Hannigan, Michael

DATE:
10/20/92

4544

166

Witnesses:

Hugh McAdam

Counsel,

Filed 20 day of Oct 1892

Pleads, Not guilty

THE PEOPLE

vs.

P

Michael J Cannyan

Assault in the First Degree, Etc.
(Sections 217 and 218, Penal Code.)

31 yrs old
Page 25
Pendleton
(married)

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

B. Lockwood
Foreman.

Pleads guilty to Assault
Pen 6 mos

POOR QUALITY ORIGINAL

6868

Police Court— 4 District.

City and County of New York, } ss.:

Hugh Mc Adam

of No. 219 Eckford Street Greenpoint Long Island City

occupation engineer being duly sworn

deposes and says, that on 30 day of September 1882, at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Michael Hannigan (worker) who did cut and stab deponent on the left knee with a knife which said Hannigan then and there held in his hand; and that the said assault was committed

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

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

Sworn before me, this 18 day of October 1882 } Hugh Mc Adam

Charles N Tainter Police Justice.

Sec. 198—200.

C District Police Court.

CITY AND COUNTY OF NEW YORK, } ss:

Michael Hannigan 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 sees 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 Hannigan

Question. How old are you?

Answer. 31 years

Question. Where were you born?

Answer United States

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

Answer. 344 E. 39 Street — 4 months

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 Hannigan

Taken before me this 18 *day of* October 1895

Charles V. Fornaldi *Police Justice.*

POOR QUALITY ORIGINAL

0492

1297

Police Court 5 **District.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Hugh McAdam
209 Eighth Street
Michael Hanrahan

2 .....

3 .....

4 .....

Offence Felonious Assault

Dated Oct 18 1892

Taintor Magistrate.

Miller Officer.

21 Precinct.

Witnesses Ellen West

No 329 E. 32nd Street.

No. .....

Street.

No. .....

Street.

$ 500 to answer.

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

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

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

Dated Oct. 18 1892 Charles N Taintor *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.*

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

Part One

Michael Hannigan

defendants issued Nov 1

for Nov 3rd/92

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Michael Cannigan

The Grand Jury of the City and County of New York, by this indictment, accuse Michael Cannigan of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said Michael Cannigan late of the City of New York, in the County of New York aforesaid, on the thirtieth day of September in the year of our Lord one thousand eight hundred and ninety-two, with force and arms, at the City and County aforesaid, in and upon the body of one Hugh McAdams in the peace of the said People then and there being, feloniously did make an assault and him the said Hugh McAdams with a certain knife which the said Michael Cannigan in his right hand then and there had and held, the same being a deadly and dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and wound,

with intent him the said Hugh McAdams thereby then and there feloniously and wilfully to kill, 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 Michael Cannigan of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Michael Cannigan late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said Hugh McAdams in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and him the said Hugh McAdams with a certain knife which the said Michael Cannigan in his right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT—

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

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

The said Michael Cunnigan

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the said Hugh Mc Adam in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault and him the said with a certain knife Hugh Mc Adam

which he the said Michael Cunnigan in his right hand then and there had and held, in and upon the knee of him the said Hugh Mc Adam then and there feloniously did wilfully and wrongfully strike, beat, stab, cut bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said Hugh Mc Adam

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

DE LANCEY NICOLL, *District Attorney.*

0496

BOX:
498

FOLDER:
4544

DESCRIPTION:
Harris, John

DATE:
10/25/92

4544

Witnesses:

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.....

.....

.....

.....

Counsel,

Filed 20 day of Oct 1892

Pleads,

THE PEOPLE

vs.

John Harris

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

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

B. Lockwood

Foreman.

POOR QUALITY ORIGINAL

0498

Police Court 9 District. Affidavit—Larceny.

City and County of New York, } ss:

John Harris

of ~~No.~~ Westchester Post Office Street, aged 23 years, occupation Horse Trainer, being duly sworn, deposes and says, that on the 12 day of Oct 189 at ~~the City of New York,~~ Westchester 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: and brought into the County of New York

One Silver Stop Watch one dressing case and wearing apparel all of the value of about Forty 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 John Harris

Sworn to before me, this day of 189

Police Justice

for here from the fact that the defendant was employed by deponent as a stableman and jockey and on said date deponent missed said property from deponents stable No 35 Morris Park Race Track and no other person was in deponents room in said stable at the time and deponent subsequently found a portion of said property upon the person of said defendant and deponent subsequently seen said watch in the pawn office of Mr Silverstein on 6th Avenue where defendant admitted the pawning said watch and

4759

Identified this water sample is
the property taken from and carried
away as aforesaid and is now in the
Custody of me to depose the
truth

John Walton

Sworn to before me
this 27th day of October 1890

0500

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

John Harris 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. John Harris

Question. How old are you?

Answer. 24 years

Question. Where were you born?

Answer. Missouri

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

Answer. 112 West 37th St — 3 days

Question. What is your business or profession?

Answer. Horse Jockey

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

Answer. I am guilty

John Harris

Taken before me this 2 *day of* [illegible] 188 [illegible]

Police Justice.

0501

Police Court--- ..... **District**

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

1 .....
2 .....
3 .....
4 .....

Offense .....

BAILED,

No. 1, by .....
Residence ..... Street.

No. 2, by .....
Residence ..... Street.

No. 3, by .....
Residence ..... Street.

No. 4, by .....
Residence ..... Street.

Dated, ... 189

..... Magistrate.
..... Officer.
..... Precinct.

Witnesses .....

No. ..... Street.
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 .....

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, ... *189* ..... *Police Justice.*

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

Dated, ... *189* ..... *Police Justice.*

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

Dated, ... *189* ..... *Police Justice.*

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Harris

The Grand Jury of the City and County of New York, by this indictment, accuse John Harris of the CRIME OF GRAND LARCENY IN THE Second DEGREE, committed as follows:

The said John Harris

late of the City of New York, in the County of New York aforesaid, on the 17th day of October in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, with force and arms,

one watch of the value of twenty-five dollars, one dressing case of the value of ten dollars, divers articles of clothing and wearing apparel, of a number and description to the Grand Jury aforesaid unknown, of the value of twenty-five dollars

of the goods, chattels and personal property of one John Walters

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

De Lancey Nicoll,
District Attorney

0503

BOX:
498

FOLDER:
4544

DESCRIPTION:
Heffernan, John

DATE:
10/24/92

4544

Witnesses:

John O'Brien

I recommend that this charge of defendant ~~on his own recognizance~~ He has a good character. I have examined into this case with great care and I believe that a conviction cannot be obtained for the reason that the identification depends entirely upon the evidence of the complainant who himself has been and defendant for years the night in question. Then but for a second or two. The complainant & the officer in charge were with me in the recommendation
Nov 18/92 J.W. Osborne
District

198 Blackwell
Bw

Counsel,

Filed 24 day of Oct 1892

Pleads, Not guilty

THE PEOPLE

vs.

John Heffernan

Grand Larceny, Degree.
(From the Person.)
[Sections 528, 531 Penal Code.]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

B Rockwood
Nov 5/92
Foreman.

Discharged on his own recognizance

POOR QUALITY ORIGINAL

8058

Police Court 1 District. Affidavit—Larceny.

City and County of New York, } ss:

John O'Brien of No. 228 Mott Street, aged 64 years, occupation Watchman being duly sworn, deposes and says, that on the 3 day of August 1892 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from and from the possession of deponent, in the night time, the following property, viz. One silver watch of the value of about twenty five 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 from his person by John Hefferan (and one other person not yet arrested who was acting in concert with said Hefferan and at present unknown) for the reason that on said date or deponent was standing in Spring Street he had the said watch in the lower left hand pocket of his vest then on his person. While deponent had hold of a chain attached to said watch the defendant Hefferan ~~shove~~ shoved up deponents hand, causing the said watch to come out of said pocket and he did then seize said watch and run away with the same. The man so arrested was gold deponent.

his
John x O'Brien
mark

Sworn to before me, this 3 day of August 1892

J. Prendergast Police Justice.

4759

(1335)

Sec. 198—200.

.....District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

John Heffernan 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. John Heffernan

Question. How old are you?

Answer. 24 years

Question. Where were you born?

Answer. New York

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

Answer. 4 & 1 2d St. 6 months

Question. What is your business or profession?

Answer. porter

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

Answer. I am not guilty

John Heffernan

Taken before me this [illegible]

day of [illegible] 189 4

[illegible]

.....*Police Justice.*

0507

1308

Police Court— 1st District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John Wilson
228 West 73d
1. John Kelly
2.
3.
4.

Offense Larceny from the person

Dated, Oct 19 1892

Magistrate.

Officer.

24th Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

$ 2000 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 Defendant guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Twenty Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, Oct 19 1892 Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

0508

The Coleman.

STRICTLY FIRST-CLASS HOTEL.
(EUROPEAN PLAN.)
BROADWAY AND 27TH STREET, NEW YORK.
H. H. PEARSON,
LATE OF THE BALDWIN,
SAN FRANCISCO, CAL.

NEW YORK OCT 18 8 PM A 1892

Hon. Judge Martine
Part III
Court of General Sessions
Chambers Street.

1892 N.Y.

Mr. J. C. Fanneton
Coleman House
Broadway & 27th St.
New York City

CHESTER SEP 6 1892

Mr. Jr. C. Fanneton
Coleman House
Broadway & 27th St.
New York
N. Y.

Tombs City Prison
Tuesday Oct. 18th 1892

Hon. Judge Martine,

My dear Sir, I M. H. Hersey pleaded guilty before Your Honor to the Charge of abducting Jennie Christ said to be under 16. I pleaded guilty urged by my lawyer who assured me that "harboring" her proves my guilt.
Your Honor I humbly pray your Clemency as the girl wrote and told me that she is 17 requested me to engage rooms for her and assured me that she came with the full consent of her

mother. She literally drove me to accept her.
Your Honor I am prepared to prove my Character and I have no doubt your Honor would be astonished at my clean and exceptional record.
Your Honor I admitt I erred by my foolishness and untruthful statement of Jennie Christ.
Your Honor My dear mother is dependant on me and I am at loss to know how to support her if deprived of my liberty.
Your Honors obedient servant

Max H Hersey.

0511

I am feeling a little better to-day I have been very sick with cramps and then neuralgia in my face. I hope [illegible] thing [illegible] [illegible] you [illegible] [illegible] be [illegible] near future. [illegible] the [illegible] [illegible].

[illegible] [illegible]

Shelley

[illegible]

Care of Miss Annie Price.

The Coleman.
STRICTLY FIRST-CLASS HOTEL.
(EUROPEAN PLAN.)
BROADWAY AND 27TH STREET.

H. H. PEARSON,
LATE OF THE BALDWIN,
SAN FRANCISCO, CAL.

New York, 1892.

Mr. Hampton:-

Dear Sir:-

I am not going to leave as was supposed and will be ready to meet you on Jane Street at the door of 89 I will be on the stoop tomorrow evening Saturday. My Aunt is now very sorry that she interfered because last night I received a letter saying that I was to be left alone and do as I pleased.

Yours Friend
Jennie Crist.

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 Heffernan

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

The said John Heffernan, late of ~~the~~ City of New York, in the County of New York aforesaid, on the third day of August in the year of our Lord one thousand eight hundred and ninety-two, in the night-time of the said day, at the City and County aforesaid, with force and arms,

one watch of the value of twenty-five dollars

of the goods, chattels and personal property of one John O'Brien on the person of the said John O'Brien then and there being found, from the person of the said John O'Brien then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

De Lancey Nicoll,
District Attorney.

0519

BOX:
498

FOLDER:
4544

DESCRIPTION:
Hennessy, John

DATE:
10/14/92

4544

The defts Henry
of appear & have
Witnesses sworn. F
Geo M Sackman

Counsel,

Filed 14 day of Oct 1892

Pleads, Not guilty

THE PEOPLE

vs.

John Hennessy

Grand Larceny, Degree.
(From the Person.)
[Sections 528, 531, Penal Code.]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

B. Lockwood
Foreman.

Sept 2 – Sep. 29, 1892
Tried and convicted.

POOR QUALITY ORIGINAL

0250

0521

Mrs Dakman
I would wish
to see you
or John at once
and I will do
all I can to
make every thing
Satisfactory to
you
be sure and
come at once
Talk Hennessy
at Jefferson
market

Perry

COURT OF GENERAL SESSIONS OF THE PEACE,

City and County of New York.

****

THE PEOPLE,

-against-

JOHN HENNESSY.

****

Before

HON. FREDERICK SMYTH,

and a Jury.

TRIED, OCTOBER 28TH, 1892.

****

INDICTED FOR GRAND LARCENY IN THE FIRST DEGREE.

INDICTMENT FILED OCTOBER 14TH, 1892.

****

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY H.W. MACDONA,

For THE PEOPLE.

WILLIAM E. MORRIS, ESQ.,

For THE DEFENSE.

****

JOHN SACKMAN, the complainant, testified that he lived at 239 7th Avenue, and kept a saloon and summer garden where meetings were held. He kept the place five years. He has the whole house and kept a lager beer saloon---a licensed saloon---on the ground floor, and lived upstairs, and rented a meeting room and rooms to families and gentlemen. He was in the saloon on the 5th of October. He went down into the saloon on that evening at about 8 o'clock. Nobody was in the saloon at that time. About five minutes later the defendant entered. He was a tenant upstairs. He asked the complainant to play a game of crap. While they were playing, a man, whom the defendant called "Billy Bell," came in and whispered to the defendant and then went out of the side door, and Lizzie Flanagan, as they call her, came in about five minutes afterwards. She said to the defendant, "Jack come in, and I will treat," and he went in the back room, and just then Billy Bell returned, and joined the defendant and also Flanagan in the back room. The defendant, Billy Bell and Lizzie Flanagan remained in that

room until about half-past 12. Nobody else was in the back room. The complainant, at about half past 12, locked the back and the front door of his saloon, for the purpose of closing up for the night. He then went behind the bar and commenced to count the cash in the drawer. The defendant said, "I will shake you a game of dice for the drinks." The complainant answered, "Don't bother me. I am going upstairs. I am sick." Then the defendant said, "Well, you can play one game," and the complainant played a game with the defendant, and the complainant lost, and they played another game, and Bell lost it, and that is the time they dosed my seltzer. When the drinks were ordered, the defendant, Lizzie Flanagan and Bell were standing in front of the bar. When the complainant lost the first game, he paid for the drinks. The defendant and Bell each ordered a glass of beer, and the woman said that she did not want anything. The complainant took a glass of seltzer and put it on the bar, and then the woman said, "I guess I will have a glass of beer," and the complainant went to get it for her, leaving his, the complainant's, glass of seltzer on the bar. He drew a glass of beer for the

woman, and then proceeded to take a drink. The beer was in the ice-box behind the bar. His back was turned toward the three people, when he was drawing the beer. He then drank about half his seltzer, and noticed that it had a very queer taste, and he said, "Well, what is the matter with this seltzer? I never tasted anything like it, and then he put the bottle under the counter. Then they threw dice again for the drinks, and Bell lost, and he and the defendant each ordered a glass of beer. The complainant took a fresh bottle of seltzer out of the ice-box, and then the woman refused again, but when the complainant had his seltzer drawn, she changed her mind and had a glass of beer also. Then the complainant noticed the same taste in that seltzer as in the first that he drank. Before drinking the second glass of seltzer, the complainant turned away from the bar to draw the beer for the woman. He again made the remark to the three people about the peculiar taste of the seltzer, and also said, "I feel very mean in my head. I guess I had better quit and go upstairs. Then, while the complainant had his back turned away from the three people, he received a terrible blow on

the head with something soft, and he fell on the floor. When he complained about having a headache, the defendant handed him a small bottle, and told him to smell the contents of it, and that it would do him good. After he received the blow he became unconscious. He left the money that he had been counting---$25.--in the drawer in his saloon. The money consisted of bills and silver. He had a diamond stud and a gold watch and chain. The watch was in his pocket and the chain attached to his vest. He paid $85. for the diamond stud six years ago. He paid $65. for the gold watch, and the chain was a present to him from his wife, for which she paid $40. Since the night of the larceny, he has never seen his property. When the complainant recovered consciousness he found himself upstairs in bed. That was Wednesday morning, about 11 o'clock, the assault having occurred on Tuesday night. The only mark on the complainant's head was a ridge on the back of the head; no cut. His left arm, about the elbow, and his leg from the hip joint to the anklem were black. The complainant did not see the defendant after the assault until the time of the trial in court. He received a letter from the

defendant. It was addressed to his wife. In

Cross-Examination,

the witness testified that the defendant first came to his house about Christmas time, and hired a room from him. He remained from December until the following September. He returned to the complainant's house, and hired a room there again, the day before he committed the assault. During the time that he occupied the room, the complainant was on friendly terms with the defendant. The complainant saw the defendant almost every day, and played cards with him occasionally, and believed him to be a man of good character, during the time he was at his, the complainant's, house. The witness had not drank a drop of anything for two weeks before the assault. He closed his place at about half-past 12 on the night of the assault, his son helping him at the time. His son bolted and locked the front door, and he, the complainant, examined it afterwards. He also locked his safe, and turned the lights out, and the son fixed up in the back for him, and then the complainant examined the side door, and it was locked.

At that time there were in the saloon the complainant, his son, the Flanagan woman, Billy Bell and the defendant, and the place was locked up for the night, and the complainant shook dice twice. He remembered the peculiar taste of the seltzer. He drank seltzer because he was under treatment of his doctor, who directed him to drink nothing. The complainant knew the Flanagan woman by seeing her half a dozen times. She came to his saloon once in a while with the defendant or Bell. The complainant saw the man Bell in company with the defendant two or three times before the night of the occurrence, in his, the complainant's, saloon. He introduced the defendant to some people, but never introduced Bell to anybody. He had only two drinks with the defendant on the night in question. The defendant was the only one behind him, the complainant, at the time of the assault. The complainant saw the defendant's hand raised, and fell to the floor, and that is all he knew. He identified his signature to the complaint made in the police court. He made the complaint at the police court- on the afternoon of the day succeeding the assault. The witness testified that, at the time he

made the complaint, before the Police Magistrate, he told the same story that he told in court on the trial of the defendant. The witness did not remember whether the affidavit that he signed was read to him before he affixed his signature to it; but the paper was shown to him and he signed it. The complainant, afterwards, said that he did not read the paper nor was it read to him. He was sworn by the Magistrate---he supposed he swore to the affidavit. At the police court they took down what he said, and, when he got through, they handed him the paper and he signed it. He was struck on the head about 15 minutes after his son left the saloon. It was then about a quarter to one o'clock. In

Re-Cross Examination,

the witness testified that he had an attack of yellow jaundice, and was under treatment, and his doctor ordered him not to drink anything, and he drank nothing for two weeks immediately before the assault. It was not true that the defendant carried him, the complainant, upstairs, in a beastly state of intoxication, and lock-

ed up his place, on the Saturday the day of the assault, or at any other time in his life. The complainant testified that he was not before the Grand Jury, but his wife was.

****

JOHN A. SACKMAN, testified that he lived at 134 East 34th Street, and was the son of the previous witness. He was in the complainant's saloon on the night of October 5th. He left there at 25 minutes to one o'clock. He locked up the saloon on that night including the front door, and the defendant let him out of the back door, and closed it after the witness. At the time that he left, his father, Bell and the defendant were the only persons in the saloon and the woman was at the front door, on the street. The witness turned down all the lights except two over the bar. In

Cross-Examination,

the witness testified that the woman was standing at the side-door. There was also a man in conversation with the woman. He did not know the name of the man. There

was nobody else out there. The last customers that the witness served were the defendant, Bell and the woman. They had a round of drinks in the back room. The woman then went out. He did not see his father drink beer with the defendant or with anybody else that night. At the time that the witness left the saloon, the woman was outside at the side-door. The witness did not assist the defendant in carrying his, the witness's, father upstairs on the Saturday preceding the night of the assault.

****

MAGDALENA SACKMAN, testified that she was the wife of the complainant in this case, John Sackman. She lived with her husband on the first floor, at 239 7th Avenue, above the store. There is a dumbwaiter from her kitchen down to the store. The kitchen is on the second floor, back. If she opens the door of the dumbwaiter she can hear what is said in the saloon. On the night of October 5th she was in the saloon with her husband and son, and left the saloon about 20 minutes past 12, and went to bed, in the room immediately over the bar. She went to sleep

but woke up. When she went upstairs she left her husband and son playing cards in the saloon, and the defendant and Bell and a woman were sitting at a table in the back room. She woke up about 2 o'clock, and, not seeing her husband, she went to the dumbwaiter and she heard whispering. She heard the clock strike 3, and then went into the hall and looked over the banisters into the hall of the first floor below, from which there is a back entrance to the saloon; it has also been referred to in this case as the"side entrance". When the witness looked over, she saw a woman going out on her tip-toes, and looking up as if to see if someone was upstairs. It was the same woman that sat at the table with Bell and the defendant when she, the witness, went upstairs. The witness also heard a noise from the chain on the side-door, and the woman came out very quietly, and then she opened the door going into the street, and beckoned with her hand, and Bell and the defendant came out. They all went on their tip-toes, and did not let the summer garden door slam, and they went out in the street. The door has a spring lock. Nobody can open from the outside, but inside you turn the knob.

Bell and Hennessy and the woman went out. The witness then waited for her husband to go to the door and lock it, but she did not hear him, so she put on her dress, slippers and shawl, and went downstairs, and found the back door and the street door open. By the street door she meant the door leading to the avenue. They did not shut or lock it. It was not the front door of the saloon, but the door from the hall into the street. She went into the saloon and found her husband lying upon his back behind the bar, all stretched out, with his clothes and vest all stretched wide open. His watch and chain, a diamond and money were gone, and the cash drawer was open and the money in it had been taken, except some small change---a five cent piece and some pennies. She tried to arouse her husband, but she could not wake him up. Then she went upstairs and called a Mr. Smith who lives there, and sent him up to Patterson's, corner of 22nd Street and 7th Avenue. It was then about half-past 3 o'clock. She could not wake up her husband. Smith returned from Patterson's, and went into the saloon and tried to wake up the complainant but could not do so. She notified the police, and officer

Madden arrived there about half-past 10 or 11 o'clock. Her husband was taken upstairs, by Mr. Smith, about 7 o'clock. He appeared to be out of his senses---stupid. She saw marks upon the back of his head, and on his left arm. The next time that she saw the defendant, after he went out of the door as she described, was about 11--when detective Madden came to the house. She had no conversation or communication with him. Before the Judge, at Jefferson Market, the defendant denied that he ran out of the side-door, and she told him that she saw him, and that was all the conversation she had with the defendant. He denied that he ran out of the side-door on his tip-toes. She received a letter from the defendant before she saw him in court. She first saw it in the possession of Detective Madden. She did not know the defendant's handwriting. In

Cross-Examination,

the witness testified that she had known the defendant since a week before Christmas, and from that on he occupied a room in her house. She could not tell exactly what time he left. He went away, or remained away a

short time, and returned. She thought no more of him than of anybody else who hired a room from her. She never knew of the defendant's assisting her husband in opening his saloon for him. Once in a while he brought up a keg of beer for her husband. Up to the night in question the defendant's character was good, as far as the witness knew. The back room was provided with tables for customers to sit at. As she stood in the hallway looking down she could see a bright light in the hall, so that you could see anybody in looking over the banisters. As the Flanagan woman came out into the hall, she motioned to Hennessy and Bell to follow her. The waterclosets are situated behind the staircase. The house has three stories, and the stairs run all the way up. A person standing on the third floor, and looking over the banisters, could see down to the first floor. She saw her husband a small beer the day before---she did not know how many he drank. He did not drink beer on the day of the assault. She never saw Hennessy carry her husband upstairs and put him to bed. Her husband did not break the sewing machine by falling over it. She made that remark in a joke.

****

CHARLES SMITH, testified that he lodged in the complainant's house at 239 7th Avenue. He remembered being awaken by the complainant's wife on the morning of October 5th, between 2 and 3 o'clock. He went downstairs, and to the police station and to Patterson's and got a glass of beer and went out again. He went there to try to find Hennessy, but he did not see him there, and he returned to the complainant's house. The complainant was lying behind the bar, on the broad of his back. The witness spoke to him and tried to lift him up, but could do nothing with him. At that time it must have been after 3 o'clock. Then he started for the 20th Street station-house, and returned and found the complainant lying there as he had left him. His clothes were open, and his neck-tie untied, with no pin in it. The witness raised the complainant up in the morning after he came back from the 30th Street station-house. At 20th Street he was told that the case was not in their precinct and referred the witness to the 30th Street police-station, and he went back to see how the complainant was, and found him in the same condition, and he worked

over him for half and hour and he showed no sign of life. Between 5 and 6 o'clock the witness succeeded in standing the complainant on his feet. The complainant asked to be allowed to sit down, and rested his hands against a partition. Finally the witness got him upstairs and in bed. The witness did not see Hennessy that night. He saw him in the early part of the evening. The next morning, between 8 and 9 o'clock, he saw the defendant, when Detective Madden called the witness up to rap at Hennessy's door. Hennessy was in his room. In

Cross-Examination,

the witness testified that he had known the defendant in the neighborhood of 4 or 5 months. He, the witness, saw Hennessy in the early part of the evening. The witness went upstairs to go to bed before 10 o'clock. He did not see the complainant and the defendant drinking together before he, the witness, went to bed. He saw the defendant drinking once or twice, by himself. He did not see the complainant drink alone or with anybody else that night. When the witness went upstairs, the complainant seemed to be perfectly sober. He never

knew of the complainant having been lifted upstairs on account of being drunk. He did not see any marks upon the complainant as he had his clothes on, and was lying on his back. He never saw the complainant assaulted in his saloon. All that the witness knew about the case was, that he found the complainant in the condition described, and he went to the station-house and to Patterson's.

****

PATRICK CANAVAN, testified that he lived with the complainant at 239 7th Avenue. He had a room there, on the top floor. He was in the house on the morning of October 5th, and got up a little after 6 o'clock. Two friends of his live there. The defendant lives on the same floor. When the witness came out of his room, at half-past 6, he saw the defendant. The witness did not take notice if the defendant had his key in his hand. As he, the witness, was putting the key into the door, the defendant said that he had a good time down in Patterson's all night. Then the witness went out. He, the witness, was going to work. The defendant had his

hat on. In

Cross-Examination,

the witness testified that the defendant said "Good morning" to him. He, the witness, was a little late, and in a hurry. He did not say that he had had a good time at Patterson's last night; he said "all night"; and this was in the morning.

****

OFFICER THOMAS J. MADDEN, Testified that he was attached to the 19th Precinct, in west 30th Street. He remembered going to 239 7th Avenue about 10 o'clock on the morning of October 5th. He saw the complainant, his wife, Smith and the defendant. He went with Smith to the defendant's room, and Smith knocked on the defendant's door. In a moment the answer came, "Who is there?" Smith answered, "Me. Open the door." The defendant opened the door. He was undressed, sitting on the side of the bed. The witness told him to dress himself, as he was going to place him under arrest. The witness then asked the defendant where he was last night. He said, in bed;

that he went to bed about 2 o'clock. The witness then charged him with the larceny from the complainant, and he denied it. Then the witness took him to the station-house and he was remanded until the following day, when the complainant and his wife appeared in the police court and the defendant was held to answer to the charge. The witness identified a piece of paper shown to him by Mr. MacDona, and said that he received it from Mrs. Sackman, but he did not have any conversation with the defendant about its contents. In

Cross-Examination,

the witness testified that the stairs go up to the top of the house. You go to the end of the first flight, and turn to the right and go another flight. The banister goes to the top of the first landing, and then continues around in a circle to the next stairs. The witness arrested the complainant on October 2nd, for a violation of the Excise law. The case is pending still. He was admitted to bail in $100.

****

THE DEFENSE

CORNELIUS JOHN HENNESSY, the defendant, testified, in his own behalf, that he has resided in the City of New York about 11 months, and during all of that time he roomed at the complainant's house with the exception of two months, at McCune's, on 17th Street, between 8 and 9th Avenues. He was introduced to Bell at the complainant's house. Bell worked as a varnisher in a piano factory. He did not know where he worked or lived, as this was the second time he had met him--the night of the assault. Bell was passing as the defendant stood at the door, and the defendant said, "Bell, come in and have a drink," and he came in and they had one drink. It was then about 11 o'clock at night. The Flanagan woman asked John Sackman the time, and he said it was 11 o'clock, and then both John Sackman and the Flanagan woman left the saloon, at the same time. During this time John Sackman carried drinks in to two other women and two men that were in the back room. Billy Bell and the defendant sat at a table, as you go into the annex. There was two doors

leading out from the annex into the back room, and another door opposite, leading out into the street. He, the witness, never went into that saloon after the first drinks that they had at the bar. There were two women and two men in the saloon at that time. There was one woman at the bar with the complainant all the time, drinking with him, and he was kissing her, and had his arms around her. It was about 2 o'clock in the morning when he, the witness, saw the complainant kissing the woman. Bell and the defendant went out. The defendant went first, and stood at the railing going upstairs fully 10 minutes, talking to Bell, and the woman walked out, right past them, and, after that, the defendant turned around and went upstairs. The defendant did not know what woman went out at that time; the Flanagan woman went out at 11 o'clock, and did not come back. The complainant did not drink anything with the defendant that night. The defendant did not shake dice with the complainant that night, and he did not take a bottle out of his pocket and ask the complainant to smell it. He came from Minnesota, where he was born and raised. He had been in Wallace, Idaho, and had the nomination for Marshall

there, and he would not accept it. He has worked all his life, and his folks have a good home. Time and time again he had taken the complainant up to his bed, when he, the complainant, was under the influence of drink. The last time he did that was on the Saturday night previous to his arrest on the Excise. There was no one in the saloon, and he had locked up the complainant's saloon---he had locked up the complainant's saloon a hundred times---and turned the combination in the safe. The complainant was helplessly drunk. The defendant admitted that Canavan saw him, the defendant, going into his, the defendant's, room on the morning in question, and that he, the defendant, said, "good morning" to Canavan. The defendant did not know whether he said to Canavan, that he had had a good time in Patterson's all night. He was not near his door, when Canavan spoke to him; but he went over to his door during that time. He got up three or four times that night, and went down to the toilet. When he met Canavan, on that occasion, he, the defendant, was just coming up stairs from the toilet. The defendant was not at Patterson's the night before. He thought he was there early that

evening---the night of the trouble---before dark, or some time along then ; but not since then was he in the house. He did not remember telling Canavan that he was there all night---he did not remember what word he might have passed. As a matter of fact, he, the defendant, was not at Patterson's all the night before. In answer to the question, "Well, where were you?" the defendant said, "Well, I was between Sackman's and my bed---after I left there I went right to bed." He left Sackman's to go to bed from half past two--about two o'clock; he could not tell exactly. He got up about 6 o'clock in the morning and went to the toilet---two or three different times; and one of the times he met Canavan, as he, the defendant, was going up stairs; and Canavan made aremark to the defendant, "Where have you been?" or something like that, and he, the defendant, might have said that he had been up to Patterson's, but he did not know; but he did know that he was not at Patterson's. He, the defendant, did not hit the complainant with anything. When he left the complainant's saloon, to go to bed, he stood at the foot of the steps, and talked with Bell, and if Mrs. Sackman had been there, she could

have seen him, the defendant, plainly. In

Cross-Examination

the witness testified that he did not give a Jefferson Market jury messenger a note to bring to Mrs. Sackman, but he did write and give him a note to take to John Sackman, the day after his arrest, and while in Jefferson Market. The defendant forgot what the note contained, but he sent it "to try to square the thing---to have him drop the case---to that effect." The note being handed to the defendant, by the District Attorney, he, the defendant, admitted that he wrote it, and that the signature affixed to it was his signature. The defendant testified further that he had done no work since he came to New York about Christmas, as he had been sick for a year and a half, and had money to keep himself. The defendant also said, "I get money from home. I sold a lot to my brother that is worth $5,000. I sold it to him; and any time he gets the money he can pay me, and if he don't get it he don't owe me nothing. He gave his people a house---a home---and it is a good one. He has not been in the company of telegraph linemen since

he has been in New York, and nobody else. The defendant said "I swear positive that I was not there---" meaning at Patterson's. It was not true that he wanted to deceive Canavan as to his, the defendant's, whereabouts on the night before. He recollected when the officer arrested him. In answer to the question, "Do you recollect the officer asking you where you were all night, and that you said you were in bed all night," the witness said, "Well, I do. The officer told the truth sir; he did not say nothing that was not right. In

R e - D i r e c t - E x a m i n a t i o n.

the witness testified that he was arrested in New York for a simple assault, and was discharged. He was never convicted of a crime.

"""""""""""

EMMA STYNES testified that she lived at 119 West 85 th Street, and had known the defendant about eight or nine months. She became acquainted with him in Mrs. Sackman's house, where she resided, but left there five months ago. She saw the defendant about twice since she left Mrs.

Sackman's. She saw him almost daily while she lived there. She never heard anyone speak badly of the defendant; the Sackmans spoke well of him. She never saw the complainant carried up stairs to his room.

""""""""""""

PASQUALE TEDESCO testified that he was thirty-eight years of age, and is a barber, and has been in business two years in the city of New York. The defendant came to his shop to get shaved, for about four months, and paid him, the witness, for it, and that is all he knows about the defendant. He, the witness, has known the complainant about six months, and drank beer at his saloon two or three times a week.

""

""""""""""

1377

CITY AND COUNTY OF NEW YORK, } ss.

Magdelena Sakmann

aged 26 years, occupation Married woman of No. 229 Seventh Avenue Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of John Sakmann and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 6 day of October 189 } Magdeli Sakmann

Police Justice.

Police Court 2 District.

Affidavit—Larceny.

City and County of New York, } ss:

John Sakmann

of No. 239 Seventh Avenue Street, aged 44 years,

occupation Saloon Keeper being duly sworn,

deposes and says, that on the 5th day of October 1892 at the City of New York,

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

the night time, the following property, viz:

A gold watch and chain of the value of one hundred and five dollars; a diamond stud of the value of eighty dollars, and thirty dollars in good and lawful money of the United states, all of the value of two hundred and fifteen dollars $215

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 John Hennessy (now here) and two others not arrested, under the following circumstances. Deponent had the said property in his possession and on his person at the hour of 12.30 O'clock A.M. on said date, at which time deponent was in his saloon at No 239 Seventh Avenue, and the steel doors were closed and locked, and the defendants were drinking with each other and with deponent. Deponent remembers drinking twice with defendants, who stood in front of the bar and deponent drank seltzer as he stood behind the bar. About the hour of 1 O'clock A.M. deponent noticed a sweet taste to the seltzer

Sworn to before me this day of 189

Police Justice.

which he was drinking and deponent called the attention of defendants to said sweet taste and then the defendant Hennessy showed deponent a small bottle containing a liquid of a dark color, and said Hennessy asked deponent to smell said bottle, and he held said bottle under deponents nose, soon after that deponent felt very drowsy and sat down behind the bar and deponent did not know anything that happened from that time until about the hour of 6 o'clock A.M. Deponent charges that the defendants administered some drug to him to make him unconscious for the reason that deponent is informed by his wife Magdalena Sakmann; now here that at the hour of 3 o'clock A.M., on said date she saw the three defendants leave the said premises cautiously on the tips of their toes; that she went at once to the saloon and there found defendant alone lying on his back in a state of stupor behind the bar, and the said property was missing, and deponent was in said state of stupor for about three hours. Deponent is informed by his wife that the defendant Hennessy was the last person who left deponent saloon at said time, and deponent charges the defendants with said larceny for the reason that they were the only persons who have committed said larceny.

John Sakmann

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

John Hennessy 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. John Hennessy

Question. How old are you?

Answer. 34 years

Question. Where were you born?

Answer. U. S.

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

Answer. 229 Seventh Avenue. 6 years

Question. What is your business or profession?

Answer. Miner

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
John Hennessy

Taken before me this 6 day of October 1886

Police Justice.

0552

1263

Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
John Lakmann
No. 389 Pearl
John Hennessy
2. 3
3.
4.

Offense Larceny felony

Dated, Oct 6 1892

Corbitt Magistrate.

Officer.

10 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence 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 [illegible]

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

Dated, Oct 6 *189* 2 [illegible] *Police Justice.*

I have admitted the above-named .....

to bail to answer by the undertaking hereto annexed.

Dated, ... *189* ..... *Police Justice.*

There being no sufficient cause to believe the within named .....

..... *guilty of the offense within mentioned, I order h to be discharged.*

Dated, ... *189* ..... *Police Justice.*

COURT OF GENERAL TERMS OF THE PEACE

IN AND FOR THE CITY AND COUNTY OF ST. PAUL.

THE PEOPLE ETC. :

vs. :

JOHN KENNEDY. :

State of Minnesota :
County of Ramsey. : ss:

John Berrisford, being duly sworn says, I am 50 years of age. I am a Furs Merchant at Hamilton Minn by occupation, my residence and post office address is No. 306 St Albans Street, in the City of St. Paul, County of Ramsey, and State of Minnesota.

I have known Cornelius John Kennedy for the past 22 years. His general reputation for honesty in this community is as follows:

Of Good Character, honest & trustworthy

I further state that the foregoing facts are within my personal knowledge for the following reasons:

he allways bore A Good Character during his residence at Hamilton, is Family, Stands well in this Commuety

Sworn to before me this 7th day of Nov. 1902.

Geo. B. Boyd,
Notary Public,
Ramsey County,
Minn.

John Berrisford
of Berrisford Factory
St Paul,
Minn

COURT OF GENERAL SESSIONS OF THE PEACE

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

.....

THE PEOPLE ETC. :

VS. :

JOHN KENNEDY. :

.....

State of Minnesota :
County of Ramsey. : ss:

John J Ahern being duly sworn says, I am 37 years of age. I am Clerk of the Municipal Court of the City of St Paul by occupation, my residence and Post Office address is No. 515 Brewster Ave Street, in the City of St Paul, County of Ramsey, and State of Minnesota.

I have known Cornelius John Hennessey for the past All his life years. His general reputation for honesty in this community is as follows:

He could always have anything on earth that I possessed. He stood well with every one in my neighborhood. He belongs to a good family and I am sure he is honest

I further state that the foregoing facts are within my personal knowledge for the following reasons:

Sworn to before me this 7th day of Nov. 1905.

Jno C McCarthy
Notary Public
Ramsey Co Minn

John J Ahern
Clerk of the
Municipal Court

COURT OF GENERAL SESSIONS OF THE PEACE

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

.....

THE PEOPLE ETC. :

vs. :

JOHN HENNESSEY. :

.....

State of Minnesota :
: SS:
County of Ramsey. :

John H. Allen being duly sworn says, I am 53 years of age, I am a Merchant by occupation, my residence and Post Office address is No. 201 E 3rd Street, in the City of St Paul, County of Ramsey, and State of Minnesota.

I have known Cornelius John Hennessey for the past 9 or 10 years. His general reputation for honesty in this community is as follows: He was for sometime in my employ and I found him to be industrious sober & honest -

I further state that the foregoing facts are within my personal knowledge for the following reasons: and never heard of any crooked or dishonorable practice during his residence in this part of the country - he is of good character

Sworn to before me this 7th day of Nov. 1892.

Thomas Downing
Notary Public
Ramsey Co. Minn.

John H. Allen
of Allen Morton & Co
Wholesale grocers

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

THE PEOPLE ETC. :
vs. :
JOHN HENNESSEY. :

State of Minnesota :
: SS:
County of Ramsey. :

John F. Broderick, being duly sworn says, I am 44 years of age, I am a Merchant by occupation, my residence and Post Office address is No. 225 to 229 Street, in the City of St Paul, County of Ramsey, and State of Minnesota. 10 years I have known Cornelius John Hennessey for the past years. His general reputation for honesty in this community is as follows:

He was in my employ Seven (7) years he was Capable Honest Sober & industrious he had Charge of our Packing Room a position of Trust. Firm being Rampe Keogh & Co

I further state that the foregoing facts are within my personal knowledge for the following reasons:

He always bore a good reputation during his Residence here and his family stood well in the Community

Sworn to before me this 7th day of Nov. 1892,
Thomas Lowry
Notary Public
Ramsey Co.
Minn

John F. Broderick
Sec & Treas
Ryan Keogh & Co

COURT OF GENERAL SESSIONS OF THE PEACE

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

.....

THE PEOPLE ETC. :

VS. :

JOHN KENNEDY. :

.....

State of Minnesota :
County of Ramsey. : SS:

R. J. O'Connell being duly sworn says, I am 35 years of age, I am Quartermaster of Ramsey County by occupation, my residence and Post Office address is No. 335 Wabasha Street, in the City of St. Paul, County of Ramsey, and State of Minnesota.

I have known Cornelius John Kennedy for the past 20. years. His general reputation for honesty in this community is as follows:

I have never heard his honesty questioned. I have been connected with the differential work in this City for the past 15 years and can say he has never been before any of them f[illegible]

I further state that the foregoing facts are within my personal knowledge for the following reasons:

His reputation has been off the beat all his life in this City.

Sworn to before me this 7th day of Nov. 1905.

M. J. Donnelly
Deputy Clerk
District Court

R. J. O'Connell
Quartermaster
Ramsey Co.

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

being duly sworn, deposes and says: That he is.....years of age and upwards

That on the.....day of.....189 at No.....

in the City of New York, he served the annexed.....

upon .....

.....the.....therein by

delivering to and leaving with.....

.....

.....

.....

.....

.....a true copy thereof.....

Deponent further says that he knew the persons so served to be.....

.....

Sworn to before me this

day of .....189 }

N. Y. General Sessions..... Court.

The People Etc.,

Plaintiff,

AGAINST

John Hennessey,

Defendant.

Affidavits as to previous character.

WILLIAM E. MORRIS,

.....Defendant's *Attorney.*

23 Chambers Street, N. Y. City.

Due and timely service of a copy within.....

.....is hereby admitted.

Dated N. Y.....189....

.....Atty.

To.....Esq.

.....Atty.

Please take notice that the within is a true

y of an.....

day duly.....in the office of the

k of this Court in this action.

ed N. Y.....189....

Yours, &c.,

WILLIAM E. MORRIS,

Attorney for.....

.....Esq.

Atty for.....

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 Hennessy

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

The said John Hennessy

late of the City of New York, in the County of New York aforesaid, on the fifth day of October in the year of our Lord one thousand eight hundred and ninety-two, in the night time of the said day, at the City and County aforesaid, with force and arms, one watch of the value of seventy dollars, one chain of the value of thirty five dollars, one stud of the value of eighty dollars and the sum of thirty dollars in money, lawful money of the United States of America and of the value of thirty dollars

of the goods, chattels and personal property of one John Sabmann on the person of the said John Sabmann then and there being found, from the person of the said John Sabmann then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

De Lancey Nicoll,
District Attorney.

0560

BOX:
498

FOLDER:
4544

DESCRIPTION:
Hersey, Max H.

DATE:
10/07/92

4544

Witnesses:

Off Stocking

Jennie Clark

Walter J. Clark

43 N.Y.

Counsel,

Filed 7 day of Oct 1892

Pleads, Guilty

THE PEOPLE

vs.

26 Pen. 2 yrs.
61 Cod Pen.

Max H. Hersey

RAPE in the 2d Degree and ABDUCTION.
(Sections 278 and 282, Penal Code.)

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

B. Lockwood
Foreman.

Part 3. Oct 18/94
Pleads Guilty
Abduction
Pen 2 yrs.
RBM

POOR QUALITY ORIGINAL

THE COURT OF GENERAL SESSIONS OF THE PEACE

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE

VS

MAX H. HERSEY.

BRIEF FOR THE PEOPLE.

STATEMENT OF CASE.

The Defendant is charged with Rape on Jennie Crist, aged 15 years, which was perpetrated in the premises, No. 61 Lexington Avenue, on Sept. 12th, 1892.

WITNESSES:

Jennie Crist,
Walter Crist,
Mrs. Fanny Crist,
Mrs. Josephine Frank,
Hugo Schultes,
Detective McManus,
W. Travis Gibb, M. D.

JENNIE CRIST, aged 15 years, born on August 29, 1877, in Chester, Orange County, N. Y., where she resides with her parents, Walter and Fanny, will testify:

That on July 28th, 1892, Witness and her aunt, Mrs. W. T. Crist of 39 Jane Street, took a trip to Coney Island on one of the Iron Steamboat Company's boats from the foot of West 23rd Street, N. Y. City, and that during the return home the Defendant introduced himself to her(Witness) under the alias of "M. C. Hampden", giving his address as "Coleman House", and that he had considerable conversation with her (Witness) until her aunt put a stop to it.

That on the following day (July 29th, 1892), Witness called at the Coleman House and delivered a letter addressed to "Mr. Hampden", the defendant, and again on July 30th, 1892, another letter was written and delivered under the same circumstances, therein stating that Witness had changed her mind and did not intend to go home.

That on July 31st, 1892, Witness returned to Chester, N. Y., where she remained until about August 23rd, 1892, when she received a letter signed by Hampden, who claimed that he had endeavored to communicate with her at her aunt's home and had, in one letter, made an appointment to meet her at 14th Street and 8th Avenue, but had been disappointed upon going there. That Witness replied by letter, under the name of "May Bradford", and that during the following two weeks several letters passed between herself and "Hampden", in which "Hampden" expressed his affection for Witness.

That on Wednesday, Sept. 7th, 1892, "Hampden" enclosed Four Dollars to Witness and requested her to come to New York and see him. That on Sept. 12th, Witness got a leave of absence from school to go down town and that she immediately took the first train for New York, where she arrived at above 5-00 o'clock P. M., and directly went to 14th Street and dispatched a messenger to

"Mr. Hampden", requesting him to meet Witness in front of the St. Omer Hotel, 23rd Street and 6th Avenue, at 7-30 o'clock P. M. That at 7-30 o'clock, as per request, Witness met Defendant, who enquired if she was "May Bradford". That Witness replied in the affirmative and imagined that he was the same person whom she had known as "Hampden". That during a walk, Defendant solicited Witness to stay with him in his room, which she agreed to do, and after having supped in a restaurant defendant took Witness to his room at 61 Lexington Avenue, where Defendant made love to her and declared to Witness that he would like to marry her. That at about 9-00 o'clock, P. M., Witness extinguished the gas light, disrobed anddwent to bed. That Defendant followed her in about ten minutes That after he got in bed, he embraced and kissed her for a while; that he then got on top of Witness and placed his penis in her private parts but did not entirely penetrate her; and that after this both went to sleep. That on the following morning, Defendant again attempted to have connection with her but did not succeed. That Defendant then got up, dressed, handed Witness One Dollar with which to get her breakfast and went to his business; and that later Witness dressed, obtained her breakfast in a restaurant and then remained at 61 Lexington Avenue during the day.

That at about 6-15 P. M., on Sept. 13th, Witness received a card from Defendant, signed "Hampden", requesting her to bring his coat and umbrella and meet him in front of the St. Omer Hotel, closing with the words "very important". That Witness met Defendant at the place mentioned, where Defendant stated that someone had called at his hotel and made enquiries about the "girl" and that therefore Defendant thought it best to change his quarters. That Defendant then took Witness to a restaurant, where they had supper, during which time Defendant asked Witness "if she wanted any babies ?"; that she replied "I don't care", and that Defendant then said "All right".

That Defendant then took Witness to the Shelbourne Hotel, 34th Street and 3rd Avenue, and engaged room No. 38 at about 8-15 P. M. (Sept. 13th, 1892); that about 15 minutes later Witness and Defendant undressed and went to bed; and that immediately thereafter Defendant got on top of Witness and inserted his penis into Witness' private parts, completely penetrating and causing her much pain, although she did not protest. That they had complete intercourse and that after this, both went to sleep.

That on the following morning, Wednesday, Sept. 14th, 1892, Defendant left for business early, while Witness arose later and found her chemise saturated with blood. That after dressing and having breakfast, Witness went to Central Park and stayed until about 3-30 P. M., when she went to 34th Street and 3rd Avenue and met Defendant who had to return to his business, and that Witness then went to Defendant's room at 61 Lexington Avenueand awaited Defendant who joined her at about 10-15 P. M. That they both retired; that Defendant hugged and kissed Witness but did not have sexual intercourse with her, as she told him "she was having her courses". That they then went to sleep.

That on the following morning (Sept. 15,1892), Defendant again left early. That Witness later dressed, partook of breakfast at a restaurant and then returned to 61 Lexington Avenue, where she remained until apprehended by Detective Landy of Goshen, N. Y., who was accompanied by Detective McManus of Police Headquarters, to

whom Witness imparted the information that Defendant, whom she only knew under the name of "Hampden" was employed at the Coleman House.

That the detectives made several attempts to locate defendant but apparently without success. That Detective Landy then took Witness to a hotel in Chambers Street, where he hired two rooms, and that Witness remained there until 4-30 o'clock, A. M., Sept. 16th, 1892, when the Detective took Witness home to Chester, N. Y. That she stopped there with an aunt, Mrs. Mary Randall, until Detective Landy returned shortly afterwards and stated that Hersey, alias "Hampden", had been arrested . That Witness and Detective Landy then returned to New York, where the former was taken to the Tombs.

FURTHERMORE,- That Witness never had sexual intercourse with any person before the first time above narrated.

WALTER CRIST, a Justice of the Peace, residing at Chester, N. Y., will testify that his daughter Jennie was born on August 29th, 1877, in Chester, N. Y.

MRS. FANNY CRIST will testify in corroboration of the testimony given by the previous Witness, her husband Walter Crist.

MRS. JOSEPHINE FRANK, proprietor of a furnished room house at 61 Lexington Avenue, will testify: That the Defendant (whom she recognizes) called on her on Sept. 12th 1892 and hired a room for himself and wife, under the name of "Hampden", for a period of one week, paying in advance. That she knows Jennie Crist to be the girl who accompanied Defendant at the time and whom he referred to as his wife on several occasions.

HUGO SCHULTES, an Officer of THE N.Y.S.P.C.C., complainant witness, will testify:

That he examined the Register of the Shelbourne Hotel and found the following entry on Sept. 13th, 1892, "John Morton and Wife, Orange, N. Y., 9-00 P. M., Room 38, paid $1.50".

DETECTIVE McMANUS of the Central Office will testify to having apprehended Witness Jennie Crist and later the Defendant whom he placed under arrest. That the defendant was pointed out to him in the Coleman House by a Western Union Messenger boy as a man answering to the description of "Hampden".

W. TRAVIS GIBB, M. D., of 365 Lexington Avenue, will testify:

That he examined the person of Jennie Crist and found that there had been complete penetration of her genital organs by some blunt instrument.

(See Certificate on file.)

OVER.

DOCUMENTARY EVIDENCE.

1. Wire message received at the Coleman House on Sept. 12, 1892, from Miss M. Bradford, 40 8th Avenue, addressed to Matt C. Hampton, therein stating "Meet me at the St. Omer Hotel at 7-30 P. M."

2. Note written by Defendant on a Western U. T. Co. blank addressed to Mrs. Josephine Frank of 61 Lexington Avenue, referring to Jennie Crist as his wife.

3. Note written by Defendant after being arrested, addressed to his uncle Carl Hauk, room 81 Bible House, admitting having met girl but denying having touched her.

(All the above on file)

N. Y. GENERAL SESSIONS

THE PEOPLE

AGAINST

MAX H. HERSEY.

PENAL CODE, ,,,

BRIEF FOR THE PEOPLE.

New York General Sessions.

THE PEOPLE

-vs-

Max Hersey.

City and County of New York, ss:

I, CARL HAUSER, being duly sworn, do depose and say:

I reside at No. 60 East 90th Street in the City of New York. That for the past fourteen years I have been connected with the editorial staff of the newspaper "Puck," and at the presemt time I am the editor and proprietor of a humorous weekly paper entitled "Hallo."

That the defendant is my nephew. He came to this country from England about two years ago and since that time has been a hard working, honest, faithful and industrious young man. That for a part of the time he has been employed as a cashier and bookkeeper at the Coleman House, this city.

That since he came to this country he has made himself quite popular amongst a great many respectable people ofthis city by his general demeanor and good conduct, and before the present time he has never been charged with the commission of any offence whatever.

For a long time back he has been sending the greater portion of his earnings to his mother who is in Hungary, Europe, and who mainly depends upon defendant for her support and maintenance.

I am satisfied that the defendant was not aware that he was violating the law when he took the complainant in the

case to live with him, but that he fully believed that she was over the age of sixteen, and in fact he informs me that the complainant did tell him that she was over the age of seventeen.

The defendant has respectable connections and associations, and I feel that if the court will be ~~over~~ merciful with him that after he is liberated from the judgment which will be passed by the court, he will be a respectable, upright and dutiful citizen of this community.

Sworn to before me this
20th day of October, 1892.

Louis B. Allen
Notary Public
N.Y. Co.

Charles Harris

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

.....being duly sworn, says that he resides at No. ..... Street, in the City of New York; that he is years of age; that on the.....day of 189 , at Number.....in the City of New York, he served the within ..... on the..... .....by leaving a copy thereof with.....

.....

.....

.....

Sworn to before me this
day of 189 }

A. Ferrari Fasano

The People

Plaintiff,

against

Max Hirsey

Defendant.

Affidavit of Service

HOWE & HUMMEL,

Attorneys for Defendant

87 & 89 Centre St., New York City.

Due and timely service of copy of the within hereby admitted this day of 189

Attorney.

To.....

The New York Society for the Prevention of Cruelty to Children

100 EAST 23D ST. (COR. FOURTH AVE.)

New York, Oct. 6th 1892

Court of General Sessions of the Peace in and for the City and County of New York.

The People against Max H. Hersey } Notice of Prosecution.

To the District Attorney of the City and County of New York,

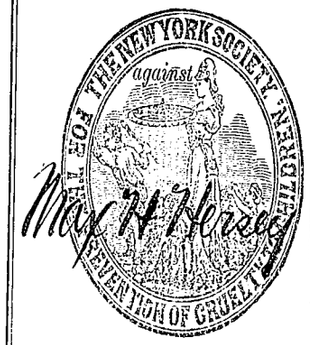
Sir: This Society is interested in the prosecution of the above defendant, and is familiar with the facts of the case. It respectfully requests that before sending the papers to the Grand Jury, fixing the day of trial, consenting to any postponement thereof, or to any reduction of bail, or final disposition of the charge, you will duly notify me as its President and Counsel, so that I may confer with you in regard thereto. This request is made pursuant to the statute (Laws of 1886, Chapter 30, Section 1), and in furtherance of the ends of Justice.

I have the honor to remain, with great respect,

Elbridge T. Gerry,
President, &c.

N. Y. GENERAL SESSIONS

THE PEOPLE



Max H. Herzog

CRUELTY TO CHILDREN.

Rape

NOTICE OF PROSECUTION

BY THE SOCIETY.

ELBRIDGE T. GERRY,

President, &c.

VI.

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

August 2, 1892

Sir:

Application for Executive clemency having been made on behalf of Max H. Henry who was convicted of Abduction in the county of New York and sentenced October 24, 1892 to imprisonment in the New York Penitentiary for the term of two years. I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, you will forward to him a concise statement of the facts of the case, together with your opinion of the merits of the application.

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

Very respectfully yours,

D. S. Williams,
Private Secretary.

Hon. Randolph B. Martine
New York City.

No. 52.

STENOGRAPHER'S MINUTES.

People
v
Max D Harsey

BEFORE
Grand Jury

October 6th 1892

Witnesses.	Direct.	Cross.	Re-Direct.	Re-Cross.
Henry E. Stocking	1			
Jennie Christ	4			
Walter J Christ	9			

EDWARD J. SHALVEY,
OFFICIAL STENOGRAPHER
TO THE GRAND JURY.

THE PEOPLE OF THE STATE OF NEW YORK: --against-- Max S. Hersey.	Before the GRAND JURY.

New York, October 6th 1892.

HENRY E. STOCKING, a witness called and duly sworn testified as follows:

BY THE FOREMAN:

Q What do you know about this case ?

A This defendant Hersey is a clerk employed in the Coleman House; on the 26th of last July he had a friend named Hampden; they were on a Coney Island boat, coming from Coney Island when they met this girl, Jennie Christ, 15 years of age, who was with her aunt, who had been visiting Coney Island; she got acquainted with Hampden on the boat, and entered into a conversation with him, and he wrote to her after she got back. She lived in Chester, Orange County, where her father is a justice of the peace. This man Hampden used to write to her

and correspond with her, but last month this defendant, who was a friend of Hampden wrote a letter and signed Hampden's name asking her to come to New York. She came to New York as requested; she expected to meet Hampden, but met the defendant. After some conversation he wanted her to stay in New York and have a good time. Finally she consented, I believe, and he took her to No. 61 Lexington Avenue, a furnished room house. He stayed with her all night and had intercourse with her. Her father came down to look the daughter up and located her at 61. She left there with this man and went up to the corner of 34th street and Third Avenue; there is a hotel on the corner--34th street and Third Avenue--the southeast corner. He stayed with her and on that night he was arrested. The girl was committed to our care and custody. The girl was a virtuous girl previous to this man being with her. The girl is nicely educated and comes of a good family; her father is a justice of the peace up there. He lived in the furnished room passing as man and wife.

Q Who is Frank ?

A She keeps the house 61 Lexington Avenue.

Q What is the character of the house ?

A It is a furnished room house; I guess no questions asked.

Q The girl's age is 15 ?

A Yes sir.

Q Is there any doubt about convicting this man ?

A No sir; I do not think so.

JENNIE CHRIST, a witness called and duly sworn testified as follows:

BY THE FOREMAN:

Q When you came down, you expected to meet whom ?

A Mr. Hampden.

Q Were you met by Mr. Hampden , or did you expect to see him ?

A I expected to see the first one.

Q Who ?

A Hampden.

Q You did not expect to see Hersey ?

A No sir; when I saw him I supposed it was Mr. Hempden.

Q At first ?

A Yes sir.

Q Had you known Mr. Hersey before ?

A I met him as Cashier in the Coleman House when I went to mail a letter; I did not know who it was.

Q You had merely seen him ?

A That is all.

Q Did you go to this house, 61 Lexington Avenue with him ?

A , Yes sir

Q And did you spend the night with him ?

A I did.

Q How old are you ?

A Fifteen.

Q What day of the month is your birthday ?

A The 29th of August.

Q You were fifteen on the 29th of August, 1892 ?

A Yes sir.

Q Before you went to this place you went to another, or was it afterwards ?

A It was afterwards.

Q Where was this ?

A The Sheldrake Hotel.

Q Where is that ?

A Corner of 34th street and 3rd Avenue.

Q Did he sleep with you there ?

A Yes sir.

Q He had connection with you in both places ?

A Yes sir.

Q Did this man ask you your age ?

A Yes sir.

Q Did you tell him ?

A Yes sir.

Q Before you went with him ?

A That I don't know.

Q When did he ask you ?

A I think it was before.

Q Try and think.

A It was before.

Q Do not answer hastily; on what occasion did he ask you your age ? Try and think; were you in the street or room or house ?

A He wrote a letter and stated his age and I wrote a letter and stated my age.

Q When was that ?

A The week before I came on.

Q Had you had a letter from him ?

A Yes sir.

Q Then you knew you were going to meet the man ?

A I knew I was going to meet Hampden.

Q Hampden's name is really Hersey ?

Q What did you say.

Q Hersey and Hampden are the same people ?

A They may be the same people.

Q The person you knew were the same ?

A No; different.

Q To whom did you write the previous week ?

A I wrote to Hampden but Hersey got the letter.

Q How do you know Hersey got the letter ?

A Because he wrote a letter under the name of Hampden.

Q Had you corresponded with Hampden before that ?

A No sir.

Q The whole correspondence that was apparently under the name of Hempden was done by Hersey ?

A Yes sir.

Q In this letter you told him you were 15 ?

A I told him I was 17 ?

Q When you came down to meet Mr. Hampden did you have any intention of going with him ?

A Yes sir.

Q Having connection with him ?

A No.

Q Were the letters between you of that character ?

A They were not.

Q Were your relations with Mr. Hampden of an intimate character ?

A Yes sir; Hersey.

-- Q Was he your lover; he had connection with you ?

A Yes sir.

- - - - - - - - - -

WALTER J. CHRIST, a witness called and duly sworn testified as follows:

Q BY THE FOREMAN:

Q What is the age of Jennie Christ ?

A Fifteen years the 29th of last August .

Q 1892 ?

A Yes sir.

Q Is your daughter a disobedient girl ?

A No sir.

- - - - - - - - - - -

People
v
Marc D. Harsey

Stenographer's Transcript.

October 6th 1892

For
Hon Randolph J. Martine

EDWARD J. SHALVEY.
OFFICIAL STENOGRAPHER
TO THE C[illegible]

Police Court, First District.

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

Hugo Schulter

of No. 108 East 23d Street, in said City, being duly sworn, deposes and says, that a certain female child called Jennie Crist [now present], under the age of sixteen years, to wit, of the age of fifteen years, is a necessary and material witness on behalf of the People of the State of New York in a certain criminal case now pending in the Court of General Sessions of, in and for the City and County of New York, entitled, The People against Max H. Kersey Mosby, wherein the said Max H. Mosby is charged with the crime of Rape, under section 278 of the Penal Code of said State, in that he, the said defendant did willfully and unlawfully perpetrate an act of sexual intercourse with the said Jennie Crist, said female being then and there actually and apparently under the age of sixteen years, to wit of the age of fifteen years, not being his wife.

and that the said Max H. ~~Kersey~~ Jennie Crist will, as deponent verily believes, unless duly held to appear on trial thereof, avoid giving his testimony at the instance of the people.

Wherefore, deponent prays that the said child Jennie Crist may be held as a witness to appear on the trial of the aforesaid criminal case, and be committed temporarily to an institution authorized by law to receive children on final commitment, and to have compensation therefor from the City or County authorities, as a witness, to appear on the trial of the aforesaid criminal case, in pursuance of the statutes in such case made and provided, and especially of Section 291 of the Penal Code of the State of New York.

Sworn to before me this 17th *day of* September 18 92 } Hugo Schulter

Robt. E. Grady
Police Justice.

POLICE COURT 1 DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Hugo Schutter

vs.

James Cristie.

15 U. S. Chester - N. Y.

AFFIDAVIT.
WITNESS.

THE NEW YORK SOCIETY FOR THE PREVENTION OF CRUELTY TO CHILDREN

Dated September 17 1892

Crack Magistrate.

Schuetz Officer.

Disposition, Committed to New York Society for the Prevention of Cruelty to Children.

STYLES & CASH, STEAM PRINTERS, 77 EIGHTH AVENUE, NEW YORK.

First District Police Court.

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

Hugo Schultes

of Number 108 East 23rd Street being duly sworn, deposes and says, that he has just reason to believe and does believe, that on the 12 day of September 1892 at the City of New York, in the County of New York, At the Premises known as Number 61 Lexington Avenue in said city of New York, One Max E. Hersey, now here, did willfully and unlawfully perpetrate an act of sexual intercourse with a certain female, now here, called Jennie Crist, said female being then and there actually and unlawfully under the age of sixteen years, to wit of the age of fifteen years; not being his wife in violation of Section 278 of the Penal Code of the State of New York.

Wherefore the complainant prays that the said Max E. Hersey may be ~~apprehended, arrested and~~ dealt with according to law.

Sworn to before me, this 17th day of September 1892 } Hugo Schultes

W. F. Gilhooly

Police Justice.

(1335)

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Max A. Stessey 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. Max A. Stessey.

Question. How old are you?

Answer. 26 years

Question. Where were you born?

Answer. New York

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

Answer. 61 Livingston Ave 10 years

Question. What is your business or profession?

Answer. Bookkeeper

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

Max A. Stessey

Taken before me this 1 *day of* September *189* 3

Police Justice.

CITY AND COUNTY OF NEW YORK, } ss.

Jennie Crist

aged 15 years, occupation school girl of ~~No.~~ Chester ~~Street~~, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Hugo Schultz and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 17 *day of* September 1898 } Jennie Crist

[illegible]

Police Justice.

(3692)

0590

1236

Police Court--- 1 **District.**

THE PEOPLE, &c.

ON THE COMPLAINT OF

Maria Schultz

William C. Johnson

2.

3.

4.

Offense Rape

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

Witnesses

No. ..... Street.

No. ..... Street.

No. ..... Street.

Dated, September 17 189 2

Wm. T. Gaffney Magistrate.

Officer.

Precinct.

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendant *guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of* Fifteen *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, September 17 189 2 ..... *Police Justice.*

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

Dated, ... *189* ..... *Police Justice.*

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

Dated, ... *189* ..... *Police Justice.*

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY OF NEW YORK. 2018

THE PEOPLE OF THE STATE OF NEW YORK,

against

Max N. Hersey

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse Max N. Hersey of the CRIME OF RAPE IN THE SECOND DEGREE, committed as follows:

The said Max N. Hersey late of the City of New York, in the County of New York aforesaid, on the twelfth day of September in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, in and upon a certain female not his wife, to wit: one Jennie Brist feloniously did make an assault, she the said Jennie Brist being then and there a female under the age of sixteen years, to wit: of the age of fifteen years; and the said Max N. Hersey then and there (under circumstances not amounting to rape in the first degree), feloniously did perpetrate an act of sexual intercourse with her the said Jennie Brist 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 Max N. Hersey of the CRIME OF ABDUCTION, committed as follows:

The said Max N. Hersey late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did feloniously take, receive, harbor, employ and use her, the said Jennie Brist so being then and there a female under the age of sixteen years, to wit: of the age of fifteen years, as aforesaid, for the purpose of sexual intercourse, he, the said Max N. Hersey not being then and there the husband of the said Jennie Brist against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney

0592

BOX:
498

FOLDER:
4544

DESCRIPTION:
Hildenbrandt, Peter

DATE:
10/26/92

4544

Witnesses:

I have examined this case — none of the witnesses can be found, and the officer in the case knows nothing ~~[illegible]~~.
I recommend defendant's discharge on his own recognizance.
4 March 1898. R. Storey D.A.D.A.

I concur in above. Defendant and sureties are released
Wd 26/

Counsel,

Filed 26 day of Oct 1892

Pleads, Mynelly

THE PEOPLE

vs.

B

Peter Heidenbrand

ENTERED T. J. W.

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

DE LANCEY NICOLL,
District Attorney.

29

A TRUE BILL.

B. Lockwood

Foreman.

March 25/98.
Bail Discharged.

659

Witnesses:

I have examined this case — none of the witnesses can be found, and the officer in the case knows nothing ~~[illegible]~~.
I recommend defendant discharged on his own recognizance.
B. Abney D.A.D.A.
4 March 1898.

I concur in above.
[illegible]
[illegible]
[illegible] 27

Counsel,

Filed 26 day of Oct 1897

Plead, Mynilty

THE PEOPLE

vs.

B

Peter Hildenbrand

ENTERED T. J. W.

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

DE LANCEY NICOLL,
District Attorney.

29

A TRUE BILL.

B. Lockwood

Foreman.

March 25/98.
Bail Discharged.

Sec. 198—200.

51 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss:

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

Question. What is your name?

Answer. Peter Hildebrandt

Question. How old are you?

Answer. 42 years old

Question. Where were you born?

Answer Germany

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

Answer. 2957. Third Ave. 4 years

Question. What is your business or profession?

Answer. Foreman

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

Peter Hildebrandt

Taken before me this 8 *day of* Oct. 189 4

Police Justice.

POOR QUALITY ORIGINAL

0596

1371

Police Court--- 5 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Martin Kleiner
1123 & 1129 Pitt Street
Assault & Battery

2.
3.
4.

Offense Assault & Battery

Dated, Oct 18 1892

Alexander Magistrate.

Louis A. Nieuwenhuse Officer.

Witnesses John Mulhimmer Precinct.
No. 341 Grand Street.
Henry Lamm
No. 1951 Doyers Street.

BAILED,
No. 1, by John C. Patterson
Residence 239 1 - 3rd Ave Street.
No. 2, by
Residence Street.
No. 3, by
Residence Street.
No. 4, by
Residence Street.

No. 1088 Street.
$1,000 to answer
Dec 1 92
1000 Exch 1/2 1 pm

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Alexander Stack *guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of* One *Hundred Dollars,* and *be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.*

Dated, Oct 18 *189* 2 Alexander *Police Justice.*

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

Dated, October 19 *189* 2 Alexander *Police Justice.*

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

Dated, ... *189* ..... *Police Justice.*

Police Court— 5 District.

City and County of New York, } ss.:

Caspar Singer

of No. 212 E. 127th Street, aged 28 years,

occupation Car driver being duly sworn

deposes and says, that on the 16th day of October 1892 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Peter Dildebrandt (name here) who wilfully and maliciously struck deponent several violent blows on the head with a switch iron, he then and there held in his hand. Deponent further says that such assault was committed

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

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

Sworn to before me, this 18 day of Oct 1892 } Casper Singer

[illegible] ~~Police Justice.~~

1852

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 5 DISTRICT.

Emil A Kaschau

of No. 49 Prect Police Street, aged ..... years,

occupation Police Officer being duly sworn, deposes and says

that on the 16 day of October 1892

at the City of New York, in the County of New York, deponent arrested

Peter Hildebrandt (now here) on

Complaint of Caspar Seiger who

charged the defendant with

having assaulted him by striking

him on the head with a cane

hook. from the effects the said

Seiger is now confined to his

house and unable to appear in

Court. deponent further says that

Seiger identified this defendant to

Sworn to before me, this ..... day of 189

Police Justice.

0599

defendants presence as the man that had assaulted him.
Wherefore deponent prays the said defendant be held to answer the result of such injuries.
Sworn to before me this 17th day of Oct 1892
Emil A. Rasschau
E. O. Meade
Justice

149 Police Court, 1 District.

THE PEOPLE, Etc.,

ON THE COMPLAINT OF

vs.

Peter Hildebrand

AFFIDAVIT

Dated Oct 17 1892

Magistrate.

Rasschau

Officer.

Witness,

Disposition,

Committed to Penitentiary for 10 days.

0600

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

THE PEOPLE *of the State of New York, to the Sheriff, Deputy Sheriffs, and Policemen of the City and County of New York,* GREETING:

WE COMMAND YOU, *and each of you, That you attach and take the body of*

Caspar Singer

who stands charged before our Justices of our Court of General Sessions of the Peace, in and for the said City and County, with a Contempt, in refusing or neglecting to obey a Subpœna, issued out of the Court and duly served on him, to attend as a witness, and him forthwith bring before our said Justices, to be dealt with according to law.

WITNESS, *Hon.* James Fitz Gerald *and Judge of our said Court, this* 6th *day of* December *in the year of our Lord, one thousand eight hundred and ninety-*two

BY THE COURT.

John F. Carroll *Clerk of Court.*

New York General Sessions of the Peace.

THE PEOPLE

OF THE STATE OF NEW YORK

against

Peter Siedenbrandt

Dated December 6th 1892

ATTACHMENT FOR A CONTEMPT

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

18

The Peo
vs.
The Defendant
Ann Sprague

Please put on Calendar
part II Tuesday.

Jones

GLUED PAGE

POOR QUALITY ORIGINAL

0604

District Attorney's Office.

~~PART II.~~

~~The Grand Jury Room is in the Second Story~~

☞ If this Subpœna is disobeyed, an attachment will immediately issue.

☞ Bring this Subpœna with you, and give it to the officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPŒNA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

1030

In the Name of the People of the State of New York.

To Casper Singer.

of No. 212 E 127 Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the New Criminal Court Building on Centre Street, between Franklin and White Streets, in the Borough of Manhattan of the City of New York, on the 24th day of February 1898, at the hour of 10 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

Peter Hildebrandt.

Dated at the Borough aforesaid, in the County of New York, the first Monday of

in the year of our Lord 189

ASA BIRD GARDINER, *District Attorney.*

212 5/27

Should the case not be called on for trial, and no reason signed in Court, please inquire in the District Attorney's lice about it, and you may save time.

If inconvenient to remain, and you prefer another day, te this early to the District Attorney, in the Court.

'f ill when served, please send timely word to the District torney's Office.

'f you know of more testimony than was produced be- e the Magistrate, or if a fact which you think material s not there brought out, please state the same to the strict Attorney or one of his Assistants.

witness is entitled to fifty cents for each day's attend- e; and if he resides more than three miles from the rt House, to eight cents for each mile, going to the ce of attendance.

Should the case not be called
signed in Court, please inquire
Rice about it, and you may sav
If inconvenient to remain, an
to this early to the District At
If ill when served, please send
torney's Office.
If you know of more testimo
e the Magistrate, or if a fact
s not there brought out, pl
strict Attorney or one of his A
witness is entitled to fifty c
e; and if he resides more
rt House, to eight cents for
ce of attendance.

THE PEOPLE

vs.

Peter Hildebrandt

City and County of New York, ss: John Moore being duly sworn, deposes and says: I reside at No. 402 East 82 Street, in the City of New York. I am a Subpœna Server in the office of the District Attorney of the City and County of New York. On the 23rd day of February 1898, I called at 212 East 127 st the alleged Residence of Jasper Singer the complainant herein, to serve him with the annexed subpœna, and was informed by

The tenants of the above address that no such person ever resided at 212 East 127 st & made inquiries about the neighborhood but was unable to secure any information as to his whereabouts

Sworn to before me, this 7th day of March 1898

William H. Broderick
Notary Public N.Y.Co

John Moore
Subpœna Server.

Court of General Sessions.

THE PEOPLE, *on the Complaint of*

vs.

Peter Hildebrandt

Offense:

ASS'T DISTRICT ATTORNEY

JOHN R. FELLOWS,

District Attorney.

Affidavit of

John Moore

Subpœna Server.

Failure to Find Witness.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Peter J Eilenbrandt

The Grand Jury of the City and County of New York, by this indictment, accuse Peter J Eilenbrandt of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Peter J Eilenbrandt late of the City and County of New York, on the twelfth day of October in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, in and upon one Cornelius Singer in the peace of the said People then and there being, feloniously did wilfully and wrongfully did make an assault; and the said Peter J Eilenbrandt with a certain piece of iron which he the said Peter J Eilenbrandt in his right hand then and there had and held, the same being then and there a weapon and an instrument likely to produce grievous bodily harm, then, the said Cornelius Singer then and there feloniously did wilfully and wrongfully strike, beat, cut bruise and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said Peter J Guldenbrandt of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Peter J Guldenbrandt late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, in and upon the said Caspar Singer in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault; and the said Peter J Guldenbrandt the said Caspar Singer with a certain piece of iron which he the said Peter J Guldenbrandt in his right hand then and there had and held, in and upon the head of him the said Caspar Singer then and there feloniously did wilfully and wrongfully strike, beat, cut, bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said Caspar Singer to the great damage of the said Caspar Singer against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL, *District Attorney.*

06 10

BOX:
498

FOLDER:
4544

DESCRIPTION:
Hilderbrandt, John

DATE:
10/07/92

4544

Witnesses:

Jeff Mulvey

Frank Lamicka

Counsel,

Filed 17 day of Oct 1895

Pleads, Not guilty

THE PEOPLE

vs.

John Hilderbrandt

Burglary in the Third Degree.
[Section 498, Penal Code.]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

B. Lockwood
Foreman.

Part 2 — Dec. 14, 1892
Pleads Guilty

Police Court— 4 District.

City and County of New York, } ss.:

Richard Hauck

of No. 319 East 44 Street, aged 33 years, occupation Saloon Keeper being duly sworn deposes and says, that the premises No. 319 East 44 Street, 19 Ward in the City and County aforesaid the said being a one story frame building and which was occupied by deponent as a liquor store ~~and in which there was at the time a human being, by name~~

were BURGLARIOUSLY entered by means of forcibly opening a window leading from the back yard into the store.

on the 3 day of October 189 in the Night time, and the following property feloniously taken, stolen, and carried away, viz: A quantity of liquors, segars, and a small amount of money together of the value of about Two hundred 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 attributed to the John Eldebrandt (now here)

for the reasons following, to wit: That at the hour of 12 O'Clock Midnight on the 1st day of October deponent locked and securely fastened the doors and windows leading into the premises that the said property was therein that deponent is now informed by Police Officer James Mulvey of the 13th Precinct, that at about the hour

Police Court, ... District.

THE PEOPLE, &c.,
on the complaint of

.....

vs.

1. .....
2. .....
3. .....
4. .....

Offence—BURGLARY.

Dated 188

..... Magistrate.

..... Officer.

..... Clerk.

Witnesses, ...

No. ..... Street,

No. ..... Street,

No. ..... Street,

$ ..... to answer General Sessions.

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 ..... 188 . ..... 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.

Police Court, 3d District.

THE PEOPLE, &c.,
on the complaint of

Alexander Thomas

vs.

1. Alexander Thomas
2. Charles N. Chamberlin
3. William Gallagher
4. John Lynch alias John Smith

Offence—BURGLARY.

Dated July 20 1880

Justice Cowin

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 Alexander Thomas, Charles N. Chamberlin, William Gallagher, John Lynch alias John Smith

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

Dated July 20 1880 . Justice Cowin Police Justice.

I have admitted the above named Alexander Thomas, Charles N. Chamberlin, William Gallagher, John Lynch alias John Smith
to bail to answer by the undertaking hereto annexed.

Dated July 20 1880 . Justice Cowin 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.

Sec. 198—200.

10 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss:

John Hildebrandt 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 sees 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 Hildebrandt

Question. How old are you?

Answer. 17 yrs.

Question. Where were you born?

Answer. U.S.

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

Answer. 315 E. 44th St — 7 yrs.

Question. What is your business or profession?

Answer. Work in Wall Paper Factory

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

John F. Hildebrandt

Taken before me this 3 *day of* Dec. 189 .

Charles Deemuster Police Justice.

0615

1243

Police Court---4 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

1. Richard Clark
2.
3.
4.

Offence Burglary

Dated 3 1 1884

Magistrate.

Officer.

23 Precinct.

Witnesses Carl Hoffman

No. Street.

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

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

Dated 3 1 1884 *Charles N Tomlin* *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.*

CITY AND COUNTY OF NEW YORK, } ss.

1877

James Mulvey

aged ..... years, occupation Police Officer of No. 382 Rivington Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Richard Stanke and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 3 *day of* Oct *189*

James Mulvey

Charles N Tuttle
Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Hilderbrandt

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

John Hilderbrandt

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

The said John Hilderbrandt

late of the 19th Ward of the City of New York, in the County of New York aforesaid, on the third day of October in the year of our Lord one thousand eight hundred and ninety-two in the night time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the store of one Richard Hanke

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

De Lancey Nicoll
District Attorney.

06 18

BOX:
498

FOLDER:
4544

DESCRIPTION:
Hoffmann, Louis

DATE:
10/31/92

4544

Witnesses:

Annie Schwerenbach

upon reading the within affidavit & the affidavits of excellent character & as there may be a doubt as regards whether deft had any criminal intent & restitution having been made — I ask that the deft be discharged on his own recognizance
Dec 6th 92 G.S.D. a Da

369

Dismiss

Counsel,

Filed 31st day of Oct 1892

Pleads, Not guilty Nov 19

THE PEOPLE

vs.

Louis Hoffmann

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

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

B. Lockwood
Foreman.

Part 3. December 6 92
Deft discharged on his own recognizance
Part 3.
Dec 6th G.S.D.
G.S.D.

State City and County of New York ss:-
George Beisheim
residing at No 287 - East 4th Street in said
of New York being duly sworn deposes
and says I am in the painting bus-
iness I know Louis Hoffman the
defendant now under indictment
for the offense of larceny upon
the complaint of Catherine Scherenbeck
I first met the said Hoffman
in the year 1888 - I had occasion
to employ him - He worked for
me for a period of fully six
months, he was one of my trusted
workmen, to this extent that I was
in complete charge of houses which
I was painting under contract
and I was always careful to
select those men in my employ
in whom I had implicit confidence
Hoffman was one of them - He has
worked for me in various houses
during that time and nothing was
ever missed or lost from these
said houses - In conclusion
I am frank to say that
Hoffman while in my employ
was strictly honest and I was
and am now perfectly satisfied

that he could and can be trusted
I will not believe that the offense now charged against him was intentionally committed by him and believe that he in this respect was the victim of unfortunate circumstance
I would and am now willing to re-employ him in my business having full faith and confidence in his integrity and faithfulness

George Bistein

Sworn to before me this 5th day of December 1892
Morris Barnett
Commissioner of Deeds
N.Y. City

State City and County of New York ss:-
William Heim
residing at No 199 Avenue C. in said City of New York being duly sworn deposes and says I am in the painting business and employ journeymen painters, my place of business is also at No 199 Avenue C. I know Louis Hoffman he worked for me as a painter for two years during that time I always found him strictly honest, sober and industrious - During that time I had occasion to entrust him with the handling of my money with which to purchase material He purchased for me on an average of twice a week always having as much as Twenty five dollars of my money at one purchase

I do not and will not believe that he intentionally committed the offence for which he is now under indictment and rather think that he was the victim of unscrupulous people and that he lost the money through robbery - I have implicit faith

and confidence in his integrity - He was a good steady and faithful workman for me and I am willing now to re-employ him if discharged from any

Sworn to before me this 5th day of December 1892
Morris Barnett
Commissioner of Deeds
N.Y. City

Wm Heim

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS
Louis Hoffman

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself, Since the arrest of the defendant and his arraignment before the Police Justice I have ascertained from reliable sources that defendant did not intentionally withhold my property - He had been entrusted with the money in question by me in a purely business transaction having been instructed by us to make a purchase - He was in our employ for about six months prior up to the happening of this event and during such employ had been at various times entrusted with money by us all of which he had honestly accounted for - In addition to this full restitution having been made and the defendant having already suffered long imprisonment I am desirous of withdrawing the complaint with the permission of the District Attorney & trust that the case will be dismissed & the defendant discharged believing that full justice will be done thereby Annie Scherenbeck

Witness
Bernard J. Douras

Police Court— 3 District.

(1365)

Affidavit—Larceny.

City and County of New York, } ss.

Annie Schierenbach

of No. 644 East 12th Street, aged 30 years, occupation Keep house being duly sworn, deposes and says, that on the 2nd day of September 1891 ~~at the~~ City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

Forty five dollars lawful money of the United States

the property in care and charge of deponents

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 Louis Hoffman (now here) for the reason that deponent gave said sum of money to the defendant to purchase merchandise and the defendant never returned or accounted for said money but appropriated the money to his own use

Annie Schierenbeck

Sworn to before me, this 2 day of September 1891

Police Justice.

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss:

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

Question. What is your name?

Answer. Louis Hoffman

Question. How old are you?

Answer. 22 years.

Question. Where were you born?

Answer. Newport

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

Answer. 401 East 10 St. 8 years

Question. What is your business or profession?

Answer. Painter

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

Louis Hoffman

Taken before me this 2 day of 189

Police Justice.

0627

1338

Police Court 3 District

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Danny Schlenkenkes
Oct 12th
Adam Kryman

2.
3.
4.

Offence Assault & Battery

Dated Oct 25 1892

Duffy Magistrate.
Fitzpatrick Officer.
13 Precinct.

BAILED,

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

Witnesses
No. Street.
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 Defendant

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

Dated Oct 25 *18* 92 *Police Justice.*

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

Dated *18* *Police Justice.*

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

Dated *18* *Police Justice.*

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Louis Hoffman

The Grand Jury of the City and County of New York, by this indictment, accuse Louis Hoffman of the CRIME OF GRAND LARCENY IN THE second DEGREE, committed as follows:

The said Louis Hoffman

late of the City of New York, in the County of New York aforesaid, on the second day of September in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, with force and arms,

the sum of forty-five dollars in money, lawful money of the United States of America, and of the value of forty-five dollars

of the goods, chattels and personal property of one Annie Schierenbeck

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

De Lancey Nicoll,
District Attorney

0629

BOX:
498

FOLDER:
4544

DESCRIPTION:
Hogan, Thomas

DATE:
10/20/92

4544

Witnesses:

Counsel,

Filed day of 189

Pleads,

THE PEOPLE

vs.

Thomas Hogan

Grand Larceny, Degree.
(From the Person.)
[Sections 528, 531, Penal Code.]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Foreman.

POOR QUALITY ORIGINAL

0631

Police Court 1 District.

Affidavit—Larceny.

City and County of New York, } ss:

Cedar Kelderer

of No. 191 Allen Street, aged 24 years

occupation Grocer being duly sworn,

deposes and says, that on the 7 day of October 189 2 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 gold watch valued at thirty-five 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 Thomas Hogan

Sworn to before me this 7 day of Oct 1892

Police Justice.

for the reasons following to wit: on the said date as deponent was standing on the [illegible] having the said watch, to which was attached a chain in the left pocket of the vest which he then was as a portion of his body clothing this defendant seized said watch, broke it from said chain and was about to escape. Deponent is informed by Rebecca Kelderer that she Rebecca saw the defendant steal said watch and pass it to a man not yet arrested.

4720

CITY AND COUNTY OF NEW YORK, } ss.

Rebecca Kelleher

aged 38 years, occupation Housewife of No. 171 Allen Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Ellen Kelleher and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 8 *day of* October 188[illegible]

Rebecca Kelleher
mark

John Ryan
Police Justice.

CITY AND COUNTY OF NEW YORK, } ss.

Rebecca Kelderm

aged 38 years, occupation Nurse of No. 171 Allen Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Eden Kelderm and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 8 *day of* October 188 } Rebecca Kelderm mark

John Ryan
Police Justice.

(1285)

Sec. 198—200.

CITY AND COUNTY OF NEW YORK, } ss.

District Police Court

Thomas Hogan 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. Thomas Hogan

Question. How old are you?

Answer. 23 years

Question. Where were you born?

Answer. England

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

Answer. 466 Greenwich St. 4 years

Question. What is your business or profession?

Answer. Plumber

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

Thomas Hogan.

Taken before me this 22 *day of* Dec. *1892*

Police Justice.

0635

Police Court ... District.

1894

THE PEOPLE, &c.,
ON THE COMPLAINT OF

1. 2.
3. 4.

Offense

Dated, 189

Magistrate.

Officer.

Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

BAILED,

No. 1, by Street.

Residence

No. 2, by Street.

Residence

No. 3, by Street.

Residence

No. 4, by Street.

Residence

No. Street.

$ to answer

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

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Fifteen *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, 189 *Police Justice.*

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated, 189 *Police Justice.*

There being no sufficient cause to believe the within named

guilty of the offense within mentioned, I order h to be discharged.

Dated, 189 *Police Justice.*

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Hogan

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

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

The said Thomas Hogan

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

one watch of the value of thirty-one dollars

of the goods, chattels and personal property of one Ceder Kelderer on the person of the said Ceder Kelderer then and there being found, from the person of the said Ceder Kelderer then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

De Lancey Nicoll,
District Attorney

0637

BOX:
498

FOLDER:
4544

DESCRIPTION:
Hoshuli, Adolph

DATE:
10/18/92

4544

Witnesses:

Off Schottman

Counsel,

Filed 18 day of Oct 1892

Pleads,

THE PEOPLE

vs.

Adolph Hoshuli

Assault in the Third Degree.
(Section 219, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Foreman.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Adolph J. Goshuli

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

Adolph J. Goshuli

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

The said Adolph J. Goshuli

late of the City of New York, in the County of New York aforesaid, on the eighth day of October in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, in and upon the body of one Frederick Schlottmann in the peace of the said People then and there being, with force and arms, unlawfully did make an assault, and him the said Frederick Schlottmann did then and there unlawfully beat, wound and illtreat, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.

0640

BOX:
498

FOLDER:
4544

DESCRIPTION:
Housman, Abraham

DATE:
10/07/92

4544

0641

BOX:
498

FOLDER:
4544

DESCRIPTION:
Smith, Harry

DATE:
10/07/92

4544

Witnesses:

Max Amos

Off Campbell

Counsel,

Filed 7 day of Oct 189 2

Pleads,

THE PEOPLE

vs.

Abraham Housman

and

Harry Smith

Grand Burglary in the Third Degree.
[Section 498, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

B. Lockwood

Foreman.

Both Plead Guilty 3 day

Each Term of Years

Police Court— 3rd District.

City and County of New York, } ss.:

Max Amsel

of No. 706 Sixth Street, aged 32 years,

occupation Jobber in clothing being duly sworn

deposes and says, that the premises No. 40 Sheriff Street, 13 Ward

in the City and County aforesaid the said being a 4 story dwelling the

~~and~~ of which was occupied by deponent as a Storage for Clothing and Dry Goods

and in which there was at the time no human being, ~~by name~~

were BURGLARIOUSLY entered by means of forcibly breaking the window leading from the hallway into the said premises.

on the 30 day of September 1892 in the Night time, and the following property feloniously taken, stolen, and carried away, viz:

a quantity of Clothing and Shoes of the value of thirty five 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

Abram Housman (Fourteen)
Harry Smith,

for the reasons following to wit: that at about 6 Oclock P.M. the previous evening Deponent securely fastened the said premises Deponent further says that he discovered the said premises broken into as aforesaid and the said property stolen and carried away upon Saturday evening October 1st 1892 upon Deponent this ~~discovered~~ discovering the same informed the Police. Deponent so informed.

by Officer Thomas Campbell that he arrested the defendant on suspicion of said Burglary that deponent has since seen the said defendant and fully identifies the Coat, Pants Shirt and Shoes that the defendant is wearing upon his person as part of the property that was taken from the said premises

Sworn to before me
this 2nd day of Oct 1892

Police Justice

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 188 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.

Police Court, District.

THE PEOPLE, &c.,
on the complaint of

vs.

1
2
3
4

Offence—BURGLARY.

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

$ to answer General Sessions.

1921

CITY AND COUNTY OF NEW YORK, } ss.

Thomas F Campbell

aged 26 years, occupation Police officer of No. 12th Precinct ~~Street~~, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Max Russell and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 7 day of October 1893

Thos F Campbell

Police Justice.

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss:

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

Question. What is your name?

Answer. Abram Hausman

Question. How old are you?

Answer. 18 years

Question. Where were you born?

Answer. Germany

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

Answer. 46 Willett St

Question. What is your business or profession?

Answer. Messenger

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

Abraham Hausman

Taken before me this 9 *day of* 189 4

Police Justice.

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss:

Harry Smith 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 sees 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. Harry Smith

Question. How old are you?

Answer. 13 years

Question. Where were you born?

Answer. New York

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

Answer. 248 Delancey St. 1 month

Question. What is your business or profession?

Answer. None

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

Harry Smith

Taken before me this 2 *day of* October 189[illegible]

[illegible]

Police Justice.

1243

Police Court--- 3 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Max Ansel

vs.

1. Harry Smith
2. Abram Hausman
3.
4.

Offence Burg Cary

Dated Oct 2 1892

Hogan Magistrate.

Campbell Officer.

12 Precinct.

Witnesses Officer

No. Street.

No. Street.

No. Street.

$ 500 to answer 4 5

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named defendant guilty thereof, I order that he be held to answer the same and 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 Oct 2 1892 Police Justice.

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 Abram Hausman guilty thereof, I order that he be held to answer the same, and 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, Oct 3 1892 Police Justice.

Dated 18 Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Abraham Houseman and Harry Smith

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

Abraham Houseman and Harry Smith

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

The said Abraham Houseman and Harry Smith, both

late of the 13th Ward of the City of New York, in the County of New York aforesaid, on the 30th day of September in the year of our Lord one thousand eight hundred and ninety-two in the night-time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the building of one Max Ansel

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent the goods, chattels and personal property of the said Max Ansel in the said building 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.

SECOND COUNT—

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

Abraham Housman and Harry Smith

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

The said Abraham Housman and Harry Smith, both —

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 night-time of said day, with force and arms,

divers articles of clothing and wearing apparel of a number and description to the Grand Jury aforesaid unknown of the value of thirty dollars, and twenty shoes of the value of one dollar each

of the goods, chattels and personal property of one Max Amsel —

in the building — of the said Max Amsel

there situate, then and there being found, in the building — 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.

THIRD COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said Abraham Houseman and Harry Smith of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said Abraham Houseman and Harry Smith, both 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, divers articles of clothing and wearing apparel, of a number and description to the Grand Jury aforesaid unknown, of the value of thirty dollars, and twenty shoes of the value of one dollar each

of the goods, chattels and personal property of Max Arnee

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said Max Arnee

unlawfully and unjustly did feloniously receive and have; (the said Abraham Houseman and Harry Smith 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.

DE LANCEY NICOLL,
District Attorney.

0652

BOX:
498

FOLDER:
4544

DESCRIPTION:
Hurton, Charles

DATE:
10/25/92

4544

Witnesses:

I have examined into the evidence of complainants with Mr. Jacobs and recommend defendants discharge on his own recognizance

Nov 3rd 92

Jno. W. Osborne
Deputy

H. S. Green, [illegible]

Counsel,

Filed 25 day of Oct 1892

Pleads, Not guilty

THE PEOPLE

vs.

Charles Thurston

Burglary in the Third Degree.
[Section 498, P. C.]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

B. Lockwood
Foreman.

Discharged on his own recognizance

Police Court— X District

City and County of New York, } ss.:

James Connelly

of No. 518 East 73d Street, aged 55 years, occupation teamster being duly sworn deposes and says, that the premises No. 518 East 73d Street, 19 Ward in the City and County aforesaid the said being a one-story frame building and which was occupied by deponent as a chicken-house ~~and in which there was at the time a human being, by name~~

were BURGLARIOUSLY entered by means of forcibly removing one of the boards which constitute the front of said building

on the 16 day of October 188[illegible] in the [illegible] time, and the following property feloniously taken, stolen, and carried away, viz:

One goose, of the value of Two Dollars and fifty cents

$2 50/100

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 Charles Hurton (colored)

for the reasons following, to wit: That, at about 10 P.M. on said date, deponent saw defendant pry off the said board and enter the said house containing said property. That about three minutes afterwards deponent caught defendant leaving said house having in his possession said goose: that defendant had no right to said property and deponent

POOR QUALITY ORIGINAL

0655

accuses defendant of burglary and prays that he may be dealt with according to law

Sworn to before me this
17th day of October 1892
} James his mark Connelly

Charles N. Taintor
Police Justice

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 ________ 188 . ________ 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.

Police Court, ________ District.

THE PEOPLE, &c.,
on the complaint of

vs.

1 ________
2 ________
3 ________
4 ________

Offence—BURGLARY.

Dated ________ 188

________ Magistrate.

________ Officer.

________ Clerk.

Witnesses, ________

No. ________ Street,

No. ________ Street,

No. ________ Street,

$ ________ to answer General Sessions.

Sec. 198—200.

11 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss:

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

Question. What is your name?

Answer. Charles Hunton

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer United States

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

Answer. 341 E. 80 St. 1 year

Question. What is your business or profession?

Answer. Peddler

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

Answer. I am not guilty.

Chas Hachler

Taken before me this 17 *day of* Oct 189 }

Charles Whitehouse *Police Justice.*

0657

1297

Police Court 8 **District.**

THE PEOPLE, &c.,
ON THE COMPLAINT OF
1 Laura Connelly 318 E. 73 St
2 Charles Clifton
3
4

Offence Burglary

Dated Oct. 17 1892

Davidson Magistrate.

Patton Officer.

35 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

No. Street.

8 Wm. Lee 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 Defendant

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

Dated Oct. 17 188 92 Charles N. Fanton *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.*

New York General Sessions.

PEOPLE ON MY COMPLAINT,

VERSUS

Charles ~~Hogden~~ Hurton

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself but solely upon the ground that in my opinion the defendant has been sufficiently punished by his imprisonment in the City Prison as he asserts and I am desirous of withdrawing the charge.

Dated N.Y. November 2nd 1892

Witness Jas Green

James X Connelly
his mark

The People
vs
Charles Hogtaw

Withdrawal

Jas. J. Green
Counsel for Deft
280 Broadway
N.Y.C.

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 Hurton

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

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

The said Charles Hurton

late of the 19th Ward of the City of New York, in the County of New York aforesaid, on the 16th day of October in the year of our Lord one thousand eight hundred and ninety-two in the night-time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the building of one James Connelly

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent the goods, chattels and personal property of the said James Connelly in the said building 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.

SECOND COUNT—

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

Charles Hurton

of the CRIME OF Petit LARCENY committed as follows:

The said Charles Hurton

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 night-time of said day, with force and arms,

one goose of the value of two dollars and fifty cents

of the goods, chattels and personal property of one James Connelly

in the building of the said James Connelly

there situate, then and there being found, in the building 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.

De Lancey Nicoll,
District Attorney