

0580

**BOX:**

342

**FOLDER:**

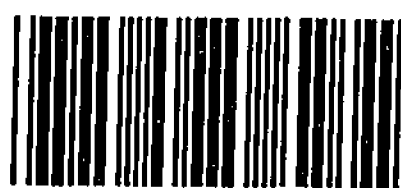
3230

**DESCRIPTION:**

Kierman, Francis

**DATE:**

02/18/89



3230

127  
Purdy

Counsel,  
Filed 18<sup>th</sup> day of Feb 1889  
Pleads, *Chyguilly* 19

THE PEOPLE  
H. H. H. H.  
600  
B  
S. H. Kierman  
[Section 635, sub. 3, Penal Code.]  
Showering Stone at a walking pace.

JOHN H. FELLOWS,

*24th Feb 1889* District Attorney.

*inmate of C.S. - pleads guilty*

A True Bill per 2 on info.

*J. J. Robertson*

Foreman.  
*Park St. Mass. 19<sup>th</sup> Feb 1889*  
*discharged*

Witnesses,  
*Wm. M. Ward*  
*Wm. R. R. R.*

0582

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

*Frank Keenan* 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.

*Frank Keenan*

Question. How old are you?

Answer.

*48 years*

Question. Where were you born?

Answer.

*Ireland*

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

Answer.

*600 West 47th St 10 months*

Question. What is your business or profession?

Answer.

*Conductor*

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  
Frank Keenan*

Taken before me this

day of

188

Police Justice.

0583

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 Jan 31 188 J. Murray Dodd Police Justice.

I have admitted the above-named

Defendant

to bail to answer by the undertaking hereto annexed.

Dated Jan 31 188 J. Murray Dodd Police Justice.

There being no sufficient cause to believe the within named

guilty of the offence within mentioned, I order he to be discharged.

Dated \_\_\_\_\_ 188

\_\_\_\_\_  
Police Justice.



0584

BAILED.

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court---

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Frederick Mead

Frank Kiernan

2

3

4

Dated

188

Magistrate.

Officer.

Precinct.

Witnesses

No.

Officer W. Howard

No.

No.

\$

to answer

1889

Street.

Street.

Street.

Street.

Street.

Street.

Street.

Street.

Street.

Street.

Street.

Street.

Street.

Street.

Street.

Street.

Street.

Street.

0585

CITY AND COUNTY } ss.  
OF NEW YORK, }

POLICE COURT, 4<sup>th</sup> DISTRICT.

of No. The 22<sup>nd</sup> Precinct Police Office being duly sworn deposes and says,  
that on the 30 day of January 1889

at the City of New York, in the County of New York, Arrested Frank Kiehn and where  
who did wilfully and unlawfully  
throw a large piece of flagging stone  
at one of the 42<sup>nd</sup> Street and  
Manhattanville Rail Way Cars on  
West 42<sup>nd</sup> Street and passing the  
passengers riding on the front platform  
of said car in violation of  
Section 650 of the Penal Code  
of the State of New York  
Arrested; made

Sworn to before me, this

of

188

day

Police Justice,

0586

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Francis Kiernan

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

Indictment accuse

Francis Kiernan

of the crime of

wilfully throwing a stone  
at a car moving upon a railway

committed as follows:

The said

Francis Kiernan

late of the City of New York, in the County of New York, aforesaid, on the

thirtieth day of January in the year of our Lord one thousand  
eight hundred and eighty-nine

, at the City and County aforesaid,

did wilfully and feloniously throw  
a certain stone at a certain car of  
the corporation called the Forty-  
second Street, Manhattanville and  
St. Nicholas Avenue Railway  
Company, then moving upon the  
railway of the said corporation  
there (the same being a railway  
operated by horses) whereby the  
safety of divers persons, whose  
names are to the Grand Jury afore-  
said unknown, then riding and

0587

travelling in the said car, was then  
and there endangered; against the  
form of the Statute in such case,  
made and provided, and against  
the peace of the People of the  
State of New York and their  
dignity.

John R. Fellows,  
District Attorney.



0588

**BOX:**

342

**FOLDER:**

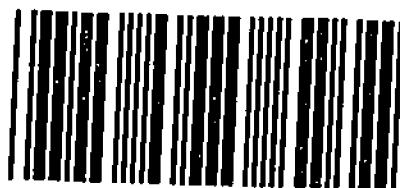
3230

**DESCRIPTION:**

King, Charles

**DATE:**

02/14/89



3230



0589

Witnesses:

Geo. W. Powers,  
Alec Semelus,

Counsel,

Filed

day of

1889

Pleads,

THE PEOPLE

vs.

Charles King

JOHN R. FELLOWS,

District Attorney.

Larceny, (Sections 528 and 534 of the Penal Code).  
(MISAPPROPRIATION.)

A True Bill.

1  
J. P. Carson  
Foreman

Feb 14/89

J. P. Carson

S. P. Carson

0590

Police Court—H District.

Affidavit—Larceny.

City and County }  
of New York, } ss.of No. 309 East 192<sup>nd</sup> Street, aged 38 years,  
occupation Printer being duly sworndeposes and says, that on the 28 day of January, 1888 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property viz:

Good and lawful money of  
the United States of the  
Amount of Ninety Dollars  
\$90<sup>00</sup>/<sub>100</sub>

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 Charles King (now known)

from the fact defendant was in  
deponent's employ on the above  
date; that deponent gave defendant  
the accompanying check with  
a note to the Paying Teller of the  
Chatham National Bank  
requesting said Teller to Cash said  
check, that deponent is  
informed by Alexander Semelish  
of No 511 Madison Street Brooklyn  
N.Y. that on said date he paid  
said sum of money to defendant.  
Deponent further says that defendant  
made no return to him of said property  
and did not again see defendant until  
he was under arrest G.W. Davis

Sworn to before me this 28 day  
of January, 1888

John J. [Signature]  
Police Justice.

0591

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 39 years, occupation

Alexander Samuel's  
Paying Teller of No.

511 Madison

Brooklyn N.Y.  
Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

George W. Povero

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

Sworn to before me, this

day of

14  
July 1887

Alexander Samuel's

John J. Emma  
Police Justice.

0592

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer. *Charles King*

Question. How old are you?

Answer. *42 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *No 430 Fifth St. Brooklyn*

Question. What is your business or profession?

Answer. *Printer*

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. King*

Taken before me this

day of

1889

Police Justice



0593

*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* Seven *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* Sept 9 *188* John J. Moran *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.*



0594

235  
Police Court---# 203 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Geo W. Davis*  
309 East 23<sup>rd</sup>  
*Chas King*

*Offence*  
*Laurence*  
*W. H. King*

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

2

3

4

Dated

188

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

to answer



*Cam*

0595

No. 111 New York, Jan 26<sup>th</sup> 1889

**Tradersmen's National Bank**  
OF THE CITY OF NEW YORK.

Pay to the order of *G. W. Powers*

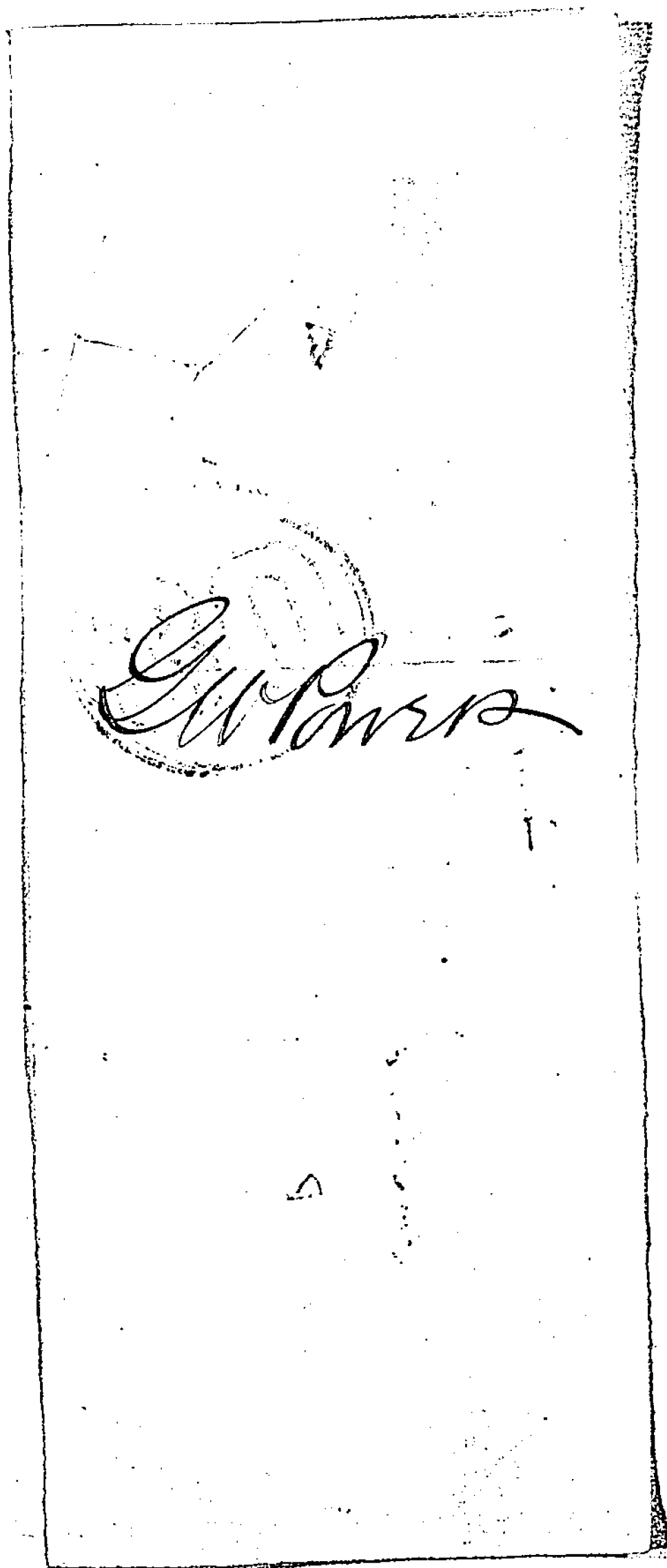
Ninety <sup>00</sup>/<sub>100</sub> Dollars

\$ 90 <sup>00</sup>/<sub>100</sub>

*Richd A. Saalfeld*

JOHN B. WATKINS, 212 NASSAU, S.T.N.Y.

0596



0597

**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 King*

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

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

The said *Charles King*,

late of the City of New York, in the County of New York aforesaid, on the  
*Twenty-fifth* day of *January*, in the year of our Lord  
one thousand eight hundred and eighty-nine, at the City and County aforesaid, being  
then and there the clerk and servant of *one George W. Powers*,

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

*George W. Powers*,

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

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

to his own use, with intent to deprive and defraud the said *George W. Powers*,

of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and  
personal property of the said *George W. Powers*.

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

JOHN R. FELLOWS,  
District Attorney.

0598

**BOX:**

342

**FOLDER:**

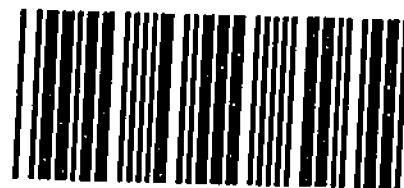
3230

**DESCRIPTION:**

King, John T.

**DATE:**

02/15/89



3230



0599

Witnesses:

Off. Matthew McConnell

Counsel,

Filed

15<sup>th</sup> day of Feb'y 1889

Pleads,

Magistrate

THE PEOPLE

vs.

146  
12/19/88  
P

John D. King

(2 cases)

Grand Larceny & second degree.  
[Sections 528, 53 / Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

J. M. McKenney  
Foreman.

Part II February 18/89

Pleads Guilty & L. & C.

Almira (Ref.) B.M.

0600

Police Court 2<sup>d</sup> District.

Affidavit—Larceny.

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

Lizzie Sinclair

of No. 151 W 26 Street, aged 35 years,  
 occupation House Keeper being duly sworn  
 deposes and says, that on the 26 day of January 1889 at the City of New  
 York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
 of deponent, in the night time, the following property, viz:

One pair of cloth Pantalons of the  
 value of Eight dollars

the property of John W White in the care and  
 charge 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 T. King (now here)

Deponent says that said defendant came  
 to her place of ~~business~~ residence and  
 informed her that said White sent  
 her for said Pantalons. Deponent  
 says that she gave said defendant  
 the aforesaid property

Deponent is informed by John

of  
 before me, this  
 day  
 1889

Police Justice

0601

Mr White that he never sent an  
authorized said defendant to  
obtain said property

Therefore defendant charges  
said defendant with feloniously  
taking stealing and carrying  
away the same luggage

Sworn to before me  
this 4 day of Febry 1889

So I certify Police Justice

0602

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 22 years, occupation waiter of No.

151 W 26th Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Lizzie Sundan

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

Sworn to before me, this

day of Feb 1888

Samuel C. Bull

Police Justice.

John W. White



0603

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.

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

Question. What is your name?

Answer. *John T. King*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *146 W 27 St 2 mos*

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 guilty of the charge*

*John T. King*

Taken before me this

day of

188

Police Justice



0604

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

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

Dated 4 Feb 1889 Sam J. McHugh Police Justice.

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

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

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

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

0605

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Police Court--- 2<sup>d</sup> District. <sup>215</sup>

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Lizzie Sinclair  
John T. King

Offence Larceny  
Misdemeanor

Dated February 4 1889

Daniel O'Reilly Magistrate.

McConnell Officer.

19 Precinct.

Witnesses John W. White

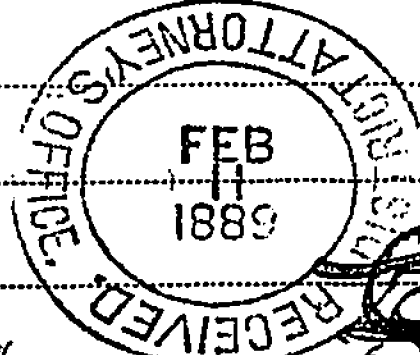
No. 151 W 26th Street.

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

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

\$ 300 to answer

General Sessions  
COMMITTED.



0606

**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 D. King*

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

*John D. King*

of the CRIME OF PETIT LARCENY committed as follows :

The said

*John D. King*

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

*one pair of trousers of the  
value of eight dollars*

of the goods, chattels and personal property of one

*John W. White*

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

*John R. Fellows,  
District Attorney.*

Witnesses:  
Joseph L. Woodbridge  
Lezzie Sinclair

Counsel,  
Filed 15 day of Feb'y 1889  
Pleads, *Not guilty*

*O. F. Adams*

THE PEOPLE  
vs.  
*John D. King*  
*(2 cases)*  
P  
IT LARCENY.  
Penal Code]

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

*J. R. Fellows*

Foreman,  
Part III February 1889  
Pleads Guilty  
Sentence suspended  
*R. B. M.*



0608

Police Court 2d District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

Annex E Weber  
 of No. 347 W 58 Street, aged 33 years,  
 occupation Married woman being duly sworn  
 deposes and says, that on the or about 26 day of November 1888 at the City of New  
 York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
 of deponent, in the day time, the following property, viz:

one gold handle Umbrella, one gold ring  
set with rubies and diamonds, one silk  
Parasol, one pair of gold Bracelets, one  
silver Bangle one silver Watch of the  
value of Forty dollars

the property of Deponent and husband Frederick  
Weber

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 F. King (narrative)

from the fact that said defendant acknowledged and confessed in the presence  
 and hearing of deponent that he took  
 stole and carried away said property  
 and pledged the same at divers loan  
 officers in said City and thereafter  
 gave the tickets to Isaac Harris  
 to take care of for him, said defendant  
 deponent further says that Edward  
 Amstrong Joseph B. Woolbridge and  
 Isaac Harris were present at said  
 acknowledgment

Annex E Weber

Sworn to before me this  
26th day of  
Nov 1888

Police Justice.



0609

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 29 years, occupation

Joseph L. Wallbridge  
Police officer of No.

300 Mulberry

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

Amos E. Webber

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

Sworn to before me, this

7

day of

Feb

1889

Joseph L. Wallbridge

Police Justice.

06 10

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Edward Armstrong*  
aged 26 years, occupation Believe officer of No.  
300 Mulberry Street, being duly sworn deposes and

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

Sworn to before me, this

day of

July

188

Edward Armstrong

Samuel E. Smith

Police Justice.

0611

CITY AND COUNTY }  
OF NEW YORK, } ss.

Isaac Harris

aged 24 years, occupation Usher of No.

141 W 27

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Annie E. Webber

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

Sworn to before me, this

7

day of

July

188

J. J. Harris

Samuel C. Bailey

Police Justice.

06 12

Sec. 198—200.

CITY AND COUNTY  
OF NEW YORK

2

District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am guilty of the charge &  
John J. King*

Taken before me this  
day of May 1889

Police Justice

0613

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

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

Dated 7 Feb 1889 Sam'l C. Smith Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.



06 14

Police Court--- 2

215 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Archie E. Webber  
347 1/2 St  
John J. King

Offence Larceny

Dated 7 Febry 1889

D. O'Reilly

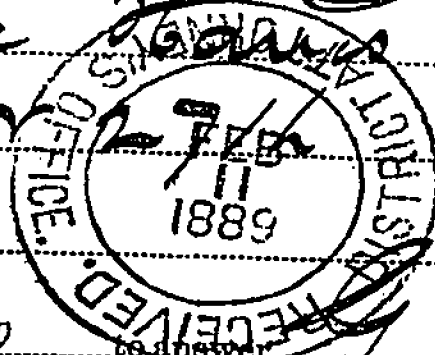
Magistrate.

Woolbridge Armstrong  
CO District.

Witnesses J. P. L. Woolbridge  
Edward Armstrong Street.

300 Mulberry St  
Isaac Harris Street.

No. 141 N 27th Street.  
\$10000



Committee

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

06 15

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 D. King*

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

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

The said

*John D. King*

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

*one umbrella of the value of five dollars, one ring of the value of ten dollars, one parasol of the value of five dollars, two bracelets of the value of five dollars each, one bangle of the value of one dollar and one watch of the value of ten dollars*

of the goods, chattels and personal property of one

*Annie E. Webber*

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

*John R. Fellows*  
District Attorney.

06 16

**BOX:**

342

**FOLDER:**

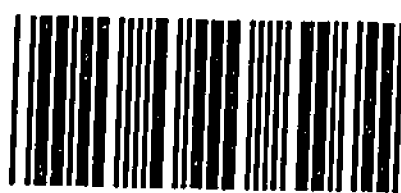
3230

**DESCRIPTION:**

Kline, George

**DATE:**

02/21/89



3230

06 17

Witnesses:

*Ed W. Shannon*

*Ed Shannon*

Counsel,

Filed

21 July 1889

Pleas,

*Chapman*

THE PEOPLE

Grand Larceny & with degree.

[Sections 528, 530 - Penal Code]

*George Kline*

*Pr. March 22/89*

*Jones & convicted S.L. 1889*

*John R. Fellows*

District Attorney.

*Monty Carl*

A TRUE BILL.

*Edmund Enslin*

Foreman.

*Par 2 Wch 21*

*W 27*



0618

Police Court—4 District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 402 West 57th Street, aged 41 years,  
occupation Arachiner being duly sworn

deposes and says, that on the 10 day of February 1889 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
person of deponent, in the night time, the following property viz:

Gold and lawful money of the  
United States of the amount  
and value of seven dollars  
(\$7.00)

the property of deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by George Kline (nowhere)  
and another person not yet arrested  
from the fact that on the above  
date deponent was in company  
with said Kline and said person  
not yet arrested, that deponent  
felt each of said persons place  
their hands in his (deponent's)  
pockets, then and there  
rem by deponent as a part of his  
bodily clothing and thereafter  
said persons attempted to forcibly  
take deponent's watch and chain  
and each of said defendants ran  
away

James M. Shannon

Sworn to before me, this  
day of February 1889

John J. McNamee Police Justice.



0619

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

4 District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty  
George Kline*

Taken before me this

day of

188

Police Justice.

0620

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.....

*George Kline*  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Seven* 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..... *Sept 11* 188 *9* ..... *John J. ...* 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.

0621

\$1500 bail for  
2 PM  
Feb 13/89  
at 7:17 (9 am)

~~243~~  
Police Court---

~~254~~  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*James M. Shannon*  
402 West 57th St  
*Geo. Klein*

*James M. Shannon*  
*Geo. Klein*  
Offence

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Dated *Feb 11* 188*9*

*James M. Shannon* Magistrate.

*Geo. Klein* Officer.

*Geo. Klein* Precinct.

Witnesses \_\_\_\_\_

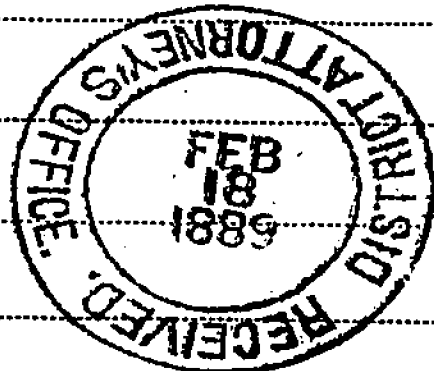
No. \_\_\_\_\_ Street.

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

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

\$ *400* to answer *G.S.*

*Case*



0622

Court of General Sessions, City & Co. of New York

The People }  
vs } Before  
George Kline } Hon. Judge S. Cowing  
Grand Larceny, 1st Degree } and a Jury.  
Indictment filed, February 21, 1889  
Tried, Mar. 22nd, 1889.

Appearances: Assistant District Attorney  
Jerome, for the People; Messrs Purdy & McLaughlin,  
for the Defense.

James M. Shannon, the Complainant, testified that he was an auctioneer. He met the defendant, about 12 o'clock, on the night of Feb. 10th, 1889, at 9th Avenue and 52nd Street, in a saloon. He, the Complainant, had been drinking a little, but he knew what he was doing, and could take care of himself. He had attended to his business that day, and had taken his wife to the theatre that evening. After he took his wife home, he went to the saloon at the southeast corner of 9th Avenue and 52nd Street. At the door, a young man nodded to him. Being in the auction business and meeting many persons, he thought that he might know the young man, and they entered the

(1)



Saloon together. They had a couple of drinks together, and then the young man introduced the Defendant, whom he called Mr. Murphy. Then all three had several drinks, he, the Complainant, drinking beer. He, the Complainant, then had \$12<sup>in bills,</sup> in both of his <sup>sleeve</sup> trousers' pockets. He did not take out any of the bills to pay for drinks because he had some silver in his pocket. He felt the bills in his pockets in the saloon, because he frequently, in the course of the conversation, put his hands into his pockets. After they had had several drinks, the defendant and the other young man suggested that he, the Complainant, take a walk with them to a friend's house, and cautioned him to be very careful about the style of language that he used there. He, the Complainant, said that they need not be afraid, and could trust him to go. They went out of the saloon through the 9th Avenue entrance, and walked towards Broadway. He could not remember whether they walked through 5th or 57th Street, because he did not pay any particular attention to the street. They walked to a saloon at 7th Avenue.



0624

and 50th Street. The saloon was on the  
 southwest corner. He did not then know  
 the name of the proprietor, but had since  
 ascertained. In the saloon, they had three  
 rounds of beer, for which he, the Com-  
 plainant, paid. He had his \$12, in bills,  
 then in his possession in that saloon. He  
 also wore a watch in his left hand  
 vest pocket, attached to a buttonhole of  
 his vest with a chain. After they  
 had had three rounds of beer, he, the  
 Complainant, concluded to go home. The  
 defendant and his companion accompan-  
 ied him, the Complainant. They walked  
 on either side of him. In 50th Street,  
 between Broadway and 8th Avenue,  
 about midway in the block, while they  
 were walking together and talking so-  
 cially, he, the Complainant, felt a hand  
 in each of his <sup>sleeve</sup> trousers' pockets. Each of  
 the defendants had a hand in his  
 pockets. He said, "Why, you're a pair  
 of sneaky thieves, and I don't want any-  
 thing more to do with you," and thrust  
 the two men aside. Both ran to-  
 wards Eighth Avenue. He, the Com-  
 plainant, went to see a friend in a  
 place in Eighth Avenue, fishing store,  
 and intending to tell his friend about the

(3)

affair. His friend was not there, and  
 he, the Complainant, went home. He  
 opened the front door of the house, which  
 is situated on the Southwest Corner of  
 9th Avenue and 51st Street. As he  
 stood in the vestibule, about to open the  
 inner door, the Defendant and his Compan-  
 ion stepped into the vestibule, and began to  
 read the names on the register. He,  
 the Complainant, said, "You don't live  
 here." Thereupon both men grabbed at  
 his watch and ran. He pursued  
 them to 9th Avenue and 52nd Street.  
 There he met two police officers, and  
 said, "A man that ran in that door-  
 way tried to take my watch." The officer  
 went down into the cellar, and found  
 the Defendant in a water-closet. The  
 defendant ran into the doorway of the  
 house on the South-east Corner of 9th  
 Avenue and 52nd Street, and he pointed  
 out the house to Officer Mangin. He, the  
 Complainant, identified the Defendant, when  
 Officer Mangin brought him up out of the  
 cellar. He, the Complainant, missed  
 #7. He was sure that he had it  
 in his pocket before the last attempt  
 to rob him, in his vestibule. In the  
 last saloon that he visited, he saw his

friend, after he had caught the Defendant and his Companion with their hands in his pockets, he had counted his money.

He still had the \$12 in bills and some odd change, in silver.

Under cross-examination, the Complainant testified that he sold out a Jewelry Store, in Grand Street, on the day in question, the sale closing at about 6 o'clock. After the sale, he and several other men went to Farley's Saloon, in the Bowery, near Grand Street, and had several glasses of beer. Then he had supper at Lyons's restaurant, and met his wife, and went to the People's Theatre. Between the acts, he went out twice, but he could not recollect that he drank anything. He got tired of sitting stentily in the theatre. Then he took his wife home. He lived in a flat-house. The bills that he had in his pocket, he received from Mr. Levy, who employed him to auction off the contents of the store. He received \$27 from Mr. Levy, and gave his partner one-half of it. In addition to the \$3.50 <sup>earnings</sup>, he, the Complainant, <sup>they</sup> had some silver in his pocket. He had been in the auction business about ten years. He had no



particular place of business, but sold for whom employed him. He sold, principally, jewelry, furniture, paintings, etc. There was a light burning in the hallway of his house.

Officer Joseph Manion testified that he arrested the defendant, in the basement of the house on the South-east corner of 9th Avenue and 52nd Street, at about half-past two o'clock on the morning of Feb. 10th. He, the officer, was standing at the corner of 9th Avenue and 52nd Street when he saw the complainant and the defendant running. They were ten or twelve feet apart, and they were running fast. He, the officer, crossed the Avenue and asked the complainant what was the matter. The defendant kept on running, and jumped over the railing into the basement where he was subsequently arrested. The complainant said, "Catch that man. He stole my watch." Another officer joined him, the witness. He, the witness, went down into the basement, and found the defendant sitting on the basin in the water closet. He had his trousers down.

He asked the Defendant what he was  
 doing there, and he said he came to  
 the water-closet from the saloon  
 overhead. There was no saloon over-  
 head. Then the <sup>other</sup> officer and the Com-  
 plainant came downstairs, and  
 the Complainant identified the Defendant.  
 He, the witness, said to the defendant,  
 "This man accuses you of steal-  
 ing his watch." The defendant replied,  
 "Search me, and see if I have it."  
 He, the witness, searched the Defendant.  
 He had \$3 or \$4 in his pockets. He had  
 one or two <sup>dollars in</sup> bills, and the rest in silver.  
 He, the witness, did not remember  
 the denomination of the bills. On the  
 way to the Stationhouse, the Defendant  
 said, first, that he lived in 50th Street,  
 and afterwards, that he had a room  
 at 7th Avenue and 36th Street. He  
 said his name was George Plinie. He  
 also said that nobody had been with  
 him. The nearest saloon to the water-  
 closet where he arrested the Defendant  
 was on the opposite side of the Avenue,  
 and he, the witness, believed that that  
 saloon was closed. He made inquiries  
 afterwards as to the water closet, and



found that there was no door leading from the upper floors of the house to the Closet, and that the Closet was not used by the tenants.

Upon Cross-examination, the witness testified that there was a saloon on the southwest corner, and another on the north-east corner of 9th Avenue and 52nd Street. When he first saw the defendant, he was not running from the direction of either of these saloons. He did not learn from the Complainant that the Complainant had not lost his watch until the following day, either in the stationhouse or the Police Court. The Complainant then told him that he had found his watch in his pocket, but that he had lost some money. The Complainant had evidently been drinking, but he walked straight and talked coherently.

No testimony for the Defense

0630

Mar-89

The People  
vs  
George H. Hunt

"

Died, Mar. 29<sup>th</sup>, 1889

0631

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

George Kline

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

George Kline  
of the CRIME OF GRAND LARCENY IN THE first DEGREE,  
committed as follows:

The said

George Kline

late of the City of New York, in the County of New York aforesaid, on the tenth  
day of February in the year of our Lord one thousand eight hundred and  
eighty-nine, at the City and County aforesaid, with force and arms, in the  
time of the same day, divers promissory notes for the payment of money, being  
then and there due and unsatisfied (and of the kind known as United States Treasury  
Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the  
payment of and of the value of seven

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

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

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

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

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

JOHN R. FELLOWS, *District Attorney.*

0632

**BOX:**

342

**FOLDER:**

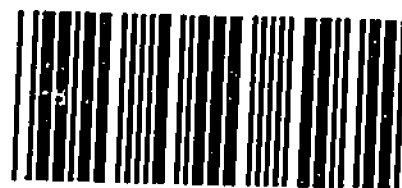
3230

**DESCRIPTION:**

Koehler, Jacob

**DATE:**

02/07/89



3230



0633

Witnesses

*Henry J. [Signature]*

*Off. [Signature]*  
*18th Dec 1889*

32

Counsel

Filed

day of

1889

Pleads

*Indisputably*

THE PEOPLE

vs.

*Jacob Koehler*

Grand Larceny, Second Degree  
(From the Person.)  
[Sections 528, 529, 550 Penal Code]

JOHN R. FELLOWS,

District Attorney.

*Copy to [Signature]*

A True Bill.

*Edmund [Signature]*

Foreman.

*July 11/89*

*Offender [Signature]*  
*S.P. 2 of 1889*

0634

Police Court—4 District.

Affidavit—Larceny.

City and County } ss.  
of New York,

Henry Voss  
 of No. 223 Avenue B Street, aged 49 years,  
 occupation Laborer being duly sworn

deposes and says, that on the 29 day of January 1889 at the City of New  
 York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
 person of deponent, in the day time, the following property viz:

One Open face Silver Watch  
One Brass Chain and one  
Brass Locket, all together  
of the value of three dollars  
\$3.00

the property of

deponent

and that this deponent  
 has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
 and carried away by Jacob Koehler (nowhere)

from the fact that while deponent  
 was in Company with defendant  
 on the S.E. Corner of 18th Street  
 and Avenue A at about 9<sup>30</sup>  
 O'clock A.M. of the above date  
 deponent saw defendant take  
 said property from the left side  
 vest pocket then and there worn  
 by deponent as a part of his bodily  
 clothing. Deponent is informed  
 by Officer Thomas Neenan of the  
 18th Precinct that he saw defendant  
 pulling deponent by the Arm and  
 when deponent accused defendant of  
 taking said property defendant said  
 property from his own pocket and gave it  
 to said officer

Henry Voss

Sworn to before me, this

29

day

of

January 1889

Police Justice.

0635

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 37 years, occupation Police Officer of No

18th Avenue Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

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

Sworn to before me, this

day of

188

29 January 1888 Thomas McEachern

J. Kennedy  
Police Justice.

0636

Sec. 198—200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK. } ss.

*Jacob Koehler* 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.

*Jacob Koehler*

Question. How old are you?

Answer.

*30 years*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*No 608 East 13th Street Newark*

Question. What is your business or profession?

Answer.

*Peelman*

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*

*his*  
*Jacob Koehler*  
*mark*

Taken before me this

day of *May* 188*9*

*Police Justice.*



0637

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 January 9 188 J. H. Thompson Police Justice.

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

Dated ..... 188 ..... Police Justice.

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

Dated ..... 188 ..... Police Justice.

0638

323  
Police Court-- 4158 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Mary Ross*  
223 ave B

*Jacob Koehler*

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

*Offence*  
*Salary*

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

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

No. 3, by \_\_\_\_\_

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

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Dated *Jan 29* 1889

*Ford* Magistrate.

*Meekhan* Officer.

*18* Precinct.

Witnesses *Callahan*

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

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

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

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

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

\$ *500* to answer

\_\_\_\_\_

\_\_\_\_\_

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0639

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Jacob Koehler*

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

*Jacob Koehler*  
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:  
The said *Jacob Koehler*

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

*one watch of the value  
of three dollars, one chain  
of the value of ten cents,  
and one charm of the value  
of ten cents.*

of the goods, chattels and personal property of one *Henry Voss*  
on the person of the said *Henry Voss*  
then and there being found, from the person of the said *Henry Voss*  
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.

0640

SECOND COUNT—

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

*Jacob Koehler*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

*Jacob Koehler*

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

*one watch of the value  
of three dollars, one  
chain of the value of ten  
cents, and one charm of  
the value of ten cents*

of the goods, chattels and personal property of one

*Henry Voss*

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

*Henry Voss*

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

*Jacob Koehler*

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

JOHN R. FELLOWS,

District Attorney.



0641

**BOX:**

342

**FOLDER:**

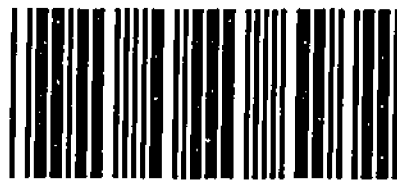
3230

**DESCRIPTION:**

Koester, Henry F.

**DATE:**

02/21/89



3230

Witnesses:

*Myself*  
*Edw. S. Dunning*  
*Mrs. H. H. Dunning*

Counsel,

*191 Racy*  
Filed, *21* day of *July* 188*9*  
Pleads, *Chazudly - 1*

THE PEOPLE,

*26 per air*  
*1646 - 1000*  
*B*  
*Henry J. Dunning*  
*(12 cases)*

ILLEGAL PRACTICE OF PHYSIC.  
Chapter 647, Laws of 1887, § 6.

JOHN R. FELLOWS,

*March 16<sup>th</sup> Part 3*  
*in witness and perjury*

District Attorney.

A True Bill.

*Samuel Stein*  
*March 3, 1889*  
*Pleads guilty*  
*Foreman.*

*March 7<sup>th</sup> 1889 to be tried same*  
*agreement with 1889*  
*March 13 Part 3*

*By order of Court*  
*Wm. H. Dunning*  
*1889*

0643

District Police Court.

-----  
T h e P e o p l e,  
On the Complaint of the Medical  
Society of the County of New York,  
against  
*Henry F. Koester*  
-----

Violation of  
Medical Act,  
Chapter 647 of  
Laws of 1887.

THE MEDICAL SOCIETY OF THE COUNTY OF NEW YORK, a duly incorporated Medical Society of the State and County of New York, entitled to representation in the Medical Society of the State of New York, complain by their counsel *W. A. Huntington* of No. 63 Wall Street, New York City, that one *Henry F. Koester* residing at No. 1646, 2<sup>nd</sup> Avenue Street, in said County is practicing medicine in violation of the provisions of chapter 647 of the Laws of 1887: In support of their complaint they submit the following affidavits.

*W. A. Huntington*  
Counsel Med. Soc. Co. New York.

City and County of New York, ss.

*Henry Loring* being duly sworn deposes and says that on or about the 10<sup>th</sup> day of *January* 1889, and between the 5<sup>th</sup> and the 15<sup>th</sup> days of *January* 1889, *Henry F. Koester* practiced medicine in said County upon deponent, and prescribed for, examined physically, and treated medically this deponent at No. 1646 2<sup>nd</sup> Avenue Street in said City and County, and the said *Henry F. Koester* received from this deponent as compensation for medical services rendered to deponent by said *Henry F. Koester*, acting as physician, at the times and places aforesaid, the sum of *One* dollar. Deponent further says.

Sworn to before me this:  
day of *February* 1889,:

*Henry Loring*  
*[Signature]*  
Police Justice.

City and County of New York, ss.

*Henry Loring*  
Being duly sworn deposes and says that he has carefully examined the Register of Physicians kept according to law in the office of the Clerk of this County; that he has been unable to find the name of *Henry F. Koester*

0644

registered therein, and verily believes that the said  
*Henry J. Hoester* is not entitled to practice medi-  
cine in said County under the provisions of the law.  
And deponent further says,

Sworn to before me this :  
8 day of February 1889:

*A. White*  
Police Justice.

*Henry Loring*

*First District Police Court*

*People*

-vs-

*Henry J. Hoester*

*Complaint*  
*Henry Loring*



First District Police Court

<p>The People on complaint of the Medical Society of the County of New York against Henry F. Koester</p>	}	<p>Violation of Medical Act, Chapter 647 of Laws of 1887.</p>
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The Medical Society of the County of New York, a duly incorporated Medical Society of the State and County of New York, entitled to representation in the Medical Society of the State of New York, complain by their counsel W. A. Burrington of No. 63 Wall Street, New York City, that one Henry F. Koester residing at No. 1646 Second Avenue, in said County is practicing medicine in violation of the provisions of chapter 647 of the laws of 1887; In support of their complaint they submit the following affidavits

W. A. Burrington  
Counsel Med. Soc. Co. of N. Y.

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

Louisa Holzwarth  
being duly sworn, says that on or about  
the 2<sup>nd</sup> day of January 1889, and between the

1<sup>st</sup> and the 10<sup>th</sup> days of January 1889, Henry F. Koester practiced medicine in said County upon one August Holzwarth deponent's husband and prescribed for and treated medically said August Holzwarth at No. 1646, 2<sup>nd</sup> Avenue in said City and County, and the said Henry F. Koester received from this deponent as compensation for medical services rendered to said August Holzwarth by said Henry F. Koester acting as physician, at the time and place aforesaid, the sum of one dollar.

Deponent further says that after her husband <sup>had taken</sup> some of the medicine she, said deponent, had received from said Koester, he, her said husband became very sick. Deponent returned to said Koester with the said medicine and received from said Koester another bottle of medicine, some of which she <sup>said deponent</sup> gave to her said husband, who, within twenty-four hours thereafter, died, as deponent is informed and believes, of acute peritonitis.

Sworn to before me  
this 7 day of February 1889 }

Leop. G. G. G.



Police Justice

City & County of New York } S. S.

Henry Loring being

0647

duly sworn, says that he has carefully examined  
the Register of Physicians kept according to law  
in the office of the Clerk of this County; that  
he has been unable to find the name of  
Henry F. Koester registered therein, and verily  
believes that the said Henry F. Koester is not  
entitled to practice medicine in said County  
under under the provisions of the law

Sworn to before me this

5 day of February 1889 }

*A. J. White*

Police Justice

*Henry F. Koester*

0648

First District Police Court.

People

vs

Henry F. Koerber

Complaint.

Mrs. Louisa Holmuth



0649

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss

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

Question. What is your name?

Answer. *Henry F. Roester.*

Question. How old are you?

Answer. *1646 - 2nd Avenue 26 Years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *1646 - 2nd Avenue. 2 months*

Question. What is your business or profession?

Answer. *Druggist*

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

Answer. *I am not guilty  
and if held I demand a  
trial by jury.*

*Henry F. Roester*

Taken before me this

day of *April* 188*8*

Police Justice.

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

Dated *July 9* 188 *9* *A. J. White* Police Justice.

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

*Defendant*  
Dated *Feb. 9* 188 *9* *A. J. White* Police Justice.

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

*Defendant*.....guilty of the offence within mentioned, I order he to be discharged.

Dated.....188.....Police Justice.

0651

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

W  
Police Court---232 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Henry Loring  
vs.  
Henry F. Koester

2

3

4

Dated

1889

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

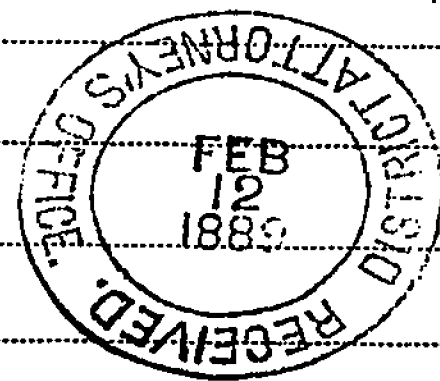
Street.

No.

Street.

\$5.00 to answer

Bailed



Offence Illegal  
Bac. Mcd

0652

Sec. 151.

Police Court..... District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police  
Justices for the City of New York, by *Henry F. Koster*

of No. *63 Wall* Street, that on the *15* day of *January*

188*9* at the City of New York, in the County of New York, *Henry F. Koster*

*practise medicine without authority in  
violation of Chapter 647 Laws of 1887*

*1646-2-600*

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said  
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring *him*  
forthwith before me, at the *First* DISTRICT POLICE COURT, in the said City, or in case of my absence  
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to  
be dealt with according to law.

Dated at the City of New York, this *8<sup>th</sup>* day of *February* 188*9*

*H. F. Koster*  
POLICE JUSTICE.



0653

POLICE COURT 1<sup>st</sup> DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Henry Loring  
vs.

Henry J. Wooster

Warrant-General.

Dated Feb 8<sup>th</sup> 1889

White Magistrate.

Garity Officer.

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

Garity Officer.

Dated 9 Feb 1889

This Warrant may be executed on Sunday or at  
night.

Police Justice.

Saturday or in

The within named

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

Henry  
Wooster  
1646 2<sup>nd</sup>  
26 yrs  
Single  
German  
Druggist

188

Garity

Police Justice.

0654

W. A. Barrington

R. C. Shannon

Offices of  
Barrington & Shannon,  
Counsellors at Law,  
63 Wall Street,

New York, March 6 1889

People  
~~vs~~  
Kolster

John W. Goffey  
Assistant District Attorney

My dear Sir: Enclose a trial brief in this case which will give you all the facts, and the law. Your opponent will be Mr. Racy, and the law will not be disputed. The only stumbling block is the possibility that some fool on the jury may think a druggist has a right to prescribe. Two things I wish made very clear.

- (1) There is no antagonism between the County Society and respectable pharmacists, or druggists as a class. I have asked Dr. Edson, President of the Pharmacy Board to testify as to this.
- (2) Dautel, the predecessor of Kolster in this business, was the first person who prescribed for deceased, & deceased's wife took defendant

advice supposing him able to be  
Dantel's clerk. I wish this brought out so  
that the Recorder may have before him the  
evidence requisite to induce him to order  
the indictment of Dantel known not by  
the last Grand Jury, before this or the  
next one.

To my mind the examination  
often + prescribing from that, shows both  
of these men to be engaged in a  
confidence game of the wickedest  
kind in which they gamble with human  
life at stake. It is not as though they  
were competent for their work by education,  
in which case their practice without license  
might be winked at. They are frauds and  
swindlers, as it seems to me. In today's Law  
Journal you will see that the Gent. Term  
again affirms People v. Tyce, in a fugitive's case.  
I shall hope to be in Court tomorrow. If Racy asks  
a postponement, please remember that he has had one &  
promised them to try this case positively on the 7<sup>th</sup>.  
Sincerely Yours M. P. Huntington

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W. H. Harrington

R. C. Shannon

Officers of  
Harrington & Shannon,  
Counsellors at Law,  
63 Wall Street,

People  
vs  
Koester

New York, March 14<sup>th</sup> 1889

Hon. Frederick Smyth  
Recorder of the City and County of New York

Dear Sir: I enclose the affidavits I promised to pre-  
-pare in this case and also a memorandum in  
behalf of the County Society to which I have  
nothing to add, unless to say that, of course,  
the object of these prosecutions is exemplary, not  
-intended to put before you the facts of the case,  
and the position taken by the Society.

I have also prepared an affidavit as to  
Dantel, upon which I desire to apply to have  
his indictment re-submitted to the Grand Jury.

Mr. Racy who was counsel for both men  
seems to consider Dantel the more in-  
-culpable of the two. Both of them seem to me to  
confidence men in a game where human life  
and health are at stake.

I am, very truly yours,

W. H. Harrington  
Counsel at Law, N. Y. C.



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COURT OF GENERAL SESSIONS.

-----  
THE PEOPLE  
-against-  
HENRY F. KOESTER.  
-----

MEMORANDUM

On Behalf of the MEDICAL SOCIETY OF THE COUNTY OF NEW YORK

-----O-----

The subjoined affidavits show that defendant having succeeded to the drug business of one Dantel also undertook to continue said Dantel's practice of medicine which seems to have consisted in pretending (a) to examine the urine of the sick, (b) to find from such examination the existence of liver or kidney disease, (c) to prescribe a mixture for its cure. Neither of these men are registered physicians, nor does it appear that they pretend to medical knowledge.

Dr. von Duering swears that he thinks the administration of defendant's prescription to the decedent Holzwarth was an inducing cause of death. If this be so defendant would seem to be indictable at common law for manslaughter.

In Rex vs. Webb, 1 M. & Rob. 405, Lord Lyndhurst laid down this rule: "I agree that in these cases there is no difference between a licensed physician or surgeon and a person acting as a physician or surgeon without a

license. In either case if a party having a competent degree of skill and knowledge makes an accidental mistake in the treatment of a patient, through which mistake death ensues, he is not thereby guilty of manslaughter; but if where proper medical assistance can be had, a person, totally ignorant of the science of medicine, takes on himself to administer a violent and dangerous remedy to one labouring under disease, and death ensues in consequence of that dangerous remedy having been so administered then he is guilty of manslaughter." In that case defendant, a publican, gave large doses of Morrison's pills to one ill of small pox.

In the present case defendant appears to have given a mixture which he took back on learning its effects saying that it had overtaxed the patient's strength and substituting another medicine for it.

The English cases seem all to concur that gross neglect in the treatment of a case by one undertaking it, whereby the patient dies, will constitute manslaughter.

Rex v. St. John Long, 4 C. & P. 423; 19 E. C. L. R. 440, and see Wharton on Homicide, § 148, Ordonaux, §§ 80-77.

American cases seem to hold that gross ignorance if accompanied by bona fides will not subject a practitioner whose patient has died under his treatment, to criminal indictment.

Commonwealth, v. Thompson, 6 Mass. 134.  
Rice v. State, 8 Mo. 561.  
See 2 Bishop's Crim. Law, (4th Ed.) § 695.  
Wharton and Stille, § 1063.

The charge here however, is only of a misdemeanor under Ll.1887, s 6, lines 37 & 44, punishable, being a first offence, by a fine of not less than fifty dollars.

It is urged in behalf of defendant that he has been encouraged to believe that he was safe in his wrongdoing by the immunity from punishment of his predecessor Dantel.

In answer to this it is submitted that no excuse can palliate the fraud involved in making the diagnosis of liver disease from a pretended examination of Oolong tea as Loring swears was done by defendant; it is also submitted that it is true that practicing druggists should learn that they are not a special class exempt from the operation of the law. It has been held repeatedly that the right to sell drugs does not include the right to prescribe them.

Apothecaries Co.v. Nottingham, 34 L.T.R.N.  
S. 76.

" v Lottinga, 2 M & R 500

" v Harrison, 67 L.T.R. 232.

Smith v. Tracy, 2 Hall, 465.

Allcott v. Barker, 1 Wend. 526.

Thomson v. Staats, 15 Wend. 395.

And yet there seems to be an idea in the minds of the public, and even the Grand Juries that, if no one is killed, the druggist should not be held for his practice. Thus on the day that this indictment was found against defendant Koester, the Grand Jury dismissed the bill against Dantel, his preceptor in these frauds. Another Grand Jury recently dismissed a bill against another druggist founded upon exactly the same amount and degree of evi-

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dence as they considered sufficient for the indictment of other persons not engaged in the sale of medicines; this man there was every reason to believe was habitually procuring abortions.

The foregoing statement is respectfully submitted not in a spirit of undue severity, or in order to counteract whatever testimonials as to character may be offered by defendant, who seems to be regarded by his friends and counsel as a comparatively innocent follower of Dastel, but to make clear the nature and results of his offence and the general disposition to endorse its commission when not followed by death, <sup>and</sup> in order that there may be public admonition given to those pursuing the same practices.

*W. A. Livingston*

Counsel, Med. Soc. Co. N. Y.



COURT OF GENERAL SESSIONS.

THE PEOPLE

-against-

HENRY F. KOESTER.

MEMORANDUM

On Behalf of the MEDICAL SOCIETY  
OF THE COUNTY OF NEW YORK.

W. A. Purrington,  
Counsel Med.Soc.Go.N.Y.  
63 Wall St.,  
New York,N.Y.

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COURT OF GENERAL SESSIONS.

-----	:	CHARGED WITH
T h e P e o p l e	:	PRACTICING MEDICINE WITHOUT
v s	:	A LICENSE.
HENRY F. KOESTER.	:	Violation of Ch.647.Ll 1887.
-----	:	

MEMORANDUM FOR PEOPLE.

*1st Witness*

MRS. LOUISA HOLZWARTH of 634 East 156th Street,

Will testify that

her deceased husband had formerly received medical advice from one DANTEL, the former owner of defendant's pharmacy at 1848, 2d Avenue in this City and County.

*Locality*

*That*

That on Jan. 2d, 1889, her husband being ill and in pain-- (1) she called at said pharmacy with a bottle containing urine of her said husband to procure medical advice. It was the custom of the druggist at said address to give such advice after an examination, or pretended examination of the patient's urine and this had been done theretofore for her late husband.

*Examination  
of urine  
diagnosis of liver  
complaint  
prescription*

(2) Defendant KOESTER examined or pretended to examine the urine, *said the trouble was with the liver* and prepared a bottle of medicine for the sick man, and gave directions for its use, charging and receiving the sum of \$1.00

(3) Witness administered the medicine as directed to her husband who grew worse, suffering much pain in the night.

(4) In the morning, witness returned to defendant's shop

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Second  
prescription

and said to him that the medicine was killing her husband, that he was poisoned by it. Defendant said it was not so bad as that, but he had simply overtaxed her husband's strength. He then took back the bottle and gave another with directions for use.

Injury to  
patient

(5) Witness gave this physic as directed to the patient, who grew steadily worse, until about mid-day of Jan. 3d, when she called in Dr. A. VON DUERING.

(6) Deceased was at work on Dec. 31st, was well and in fine spirits on Jan. 1st, and died at 2 A.M. on Jan. 4th.

2<sup>d</sup> Witness

Dr. A. VON DUERING of No. 610 East 153d Street,

Was called

Cause of death

Analysis of  
tea & wine

in to see husband of last witness on January 3d, 1889.

The patient was already comatose, and died on Jan. 4th, at 2 A.M. of acute peritonitis; thinks medicine caused death. Will testify as to analysis of urine and tea

3<sup>d</sup> Witness

HENRY LOVING of 104 E. 7th Street,

is Special

Agent of the County Society to investigate charges of illegal medical practice.

2<sup>d</sup> case of  
practice &  
analysis by  
Def. (1) of

Urine

(2) of

On January 10th, 1889, after learning the facts stated by MRS. HOLZWARTH called at 1646 2d Avenue formerly owned by DANTEL now by defendant, and asked for DANTEL. Defendant said DANTEL was not in then, but that if witness wished an examination of urine, he, defendant, would make it as he was a chemist and usually did DANTEL'S work. LOVING gave him a bottle of urine which he examined or pretended to examine, asked various questions about his complaint, and said it would take a long time to cure him,



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and said that if witness would return in the course of an hour, he would give him medicine that would do him good. Witness went back in the course of an hour and received a bottle of medicine with directions as to diet and regimen, for which he paid \$1.00

*See*  
On Jan. 25th, LOVING again called and gave defendant a bottle of tea in which he had put a drop of ammonia. Defendant went through the same form of examination, heating a teaspoonful of the liquid in a gas jet, said it contained much "slime" that witness was feverish, asked various questions and gave another bottle of medicine for which he charged and was paid \$1.00

*People rest*  
*Def. must show*  
The People here rest their case, and the burden of proof of authority to practice shifts to defendant who to justify his conduct must

- (a) disprove the facts above testified to, or
- (b) show that he has a diploma conferring the degree of M.D., granted or endorsed by a Chartered Medical School of this State, and
- (c) that he is registered as a physician in the office of the County Clerk.

He will not attempt to establish (b) or (c)

He will probably allege that he only sold a remedy.

Upon the question of fact whether he practiced medicine or not, the Court will charge following:



*Medicine  
can not be  
practiced  
under the  
guise of  
selling  
drugs.*

Apothecaries Co.	vs. Nottingham,	34 L.T.R. N.S. 76.
do	vs. Lottinga,	2 M. & R. 500.
do	vs. Harrison,	67 L.T.R. 232
Smith	vs. Tracy,	2 Hall (N.Y. Super) 465
Allcott,	vs. Barker,	1 Wend. 526.
Thomson	vs. Staats,	15 Wend. 395.-

that a druggist cannot lawfully make diagnosis and pre-  
scribe under the guise of selling drugs.

There are no other points that can arise.

As to burden of proof, all the Judges of General Sessions  
have followed.

See also *People vs. Nyce, N.Y. Crim. Reps. 1, 150 -*  
" " *Review N. Y. Law Journal March 6-1887*  
and thrown the onus of showing authority on defendant af-  
ter practice is proved, and in

People vs. Chevallier (Gen. Sess. April 28, '87)

the Recorder allowed a number of cases of practice other  
than the one charged in the indictment to be proved as  
showing the custom and the intent of the particular act  
charged to be in the course of practice, and not a single  
case of possibly allowable relief or disinterested sugges-  
tion.

W. A. PURRINGTON,  
Counsel Med. Society, Co. of N.Y.  
63 Wall St.

*Other cases  
of practice  
than the  
one mentioned  
in the indict-  
ment may be  
shown*

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COURT OF GENERAL SESSIONS.

PEOPLE

vs

HENRY F. KOESTER.

MEMORANDUM FOR TRIAL.

W. A. PURRINGTON,  
Counsel of the Med.Soc.Co.,  
of New York, Complainant  
63 Wall Street,  
N. Y. C.

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Fol.1.

COURT OF GENERAL SESSIONS.

THE PEOPLE

-against-

HENRY F. KOESTER.

CITY AND COUNTY OF NEW YORK, ss:-

WILLIAM A. PURRINGTON, being duly sworn, says:

FIRST: That he is an attorney and counsellor at law, having an office at No. 63 Wall Street in said City, and being retained as Counsel by the Medical Society of the County of New York.

SECOND: That on January 10th, 1889, Mrs. <sup>Auguste</sup>~~Gustave~~ Holzwarth, of 634 <sup>East</sup>West 156th Street in said City, placed before the deponent the following facts upon which the charge in the indictment, to which defendant has pleaded guilty, is based, and which are true, as deponent believes after investigation.

(a) Some two or three years ago <sup>Auguste</sup>~~Gustave~~ Holzwarth, suffering from pains in his back and other infirmity, was told by a fellow workman that one J. G. Dantel, a druggist at 1646 Second Avenue, was a good doctor for kidney and liver diseases, making examination of urine and prescribing therefrom.

(b) That said Mrs. Holzwarth then, at her husband's request, took a bottle of the latter's urine to said Dantel, who examined, or pretended to examine, the same, de-

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clared the patient to be suffering with disease of the liver and gave medicine to her for him with directions for use.

(c) Similar occurrences took place at various intervals thereafter when said Holzwarth was feeling unwell.

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(d) On December 31st, 1888 said Holzwarth was at work in apparently good health, and on January 1st, 1889 he was also seemingly well and in high spirits. On January 2nd, however, he felt unwell and sent his said wife to said Dantel's shop with some of his urine for examination that she might receive medical advice. Dantel was not there but defendant was, and to him she gave the urine and stated the facts. Defendant examined, or pretended to examine, the urine, said the patient had disease of the liver, and gave a bottle of medicine for his use with directions as to the dose; for this he charged one dollar. Holzwarth took the medicine at noon and again at nine o'clock, P. M. when he went to bed and slept until 2 A. M. when he awoke, vomiting, with chills and acute pains and desire to evacuate the bowels, but with no passages therefrom. About nine o'clock A. M. <sup>on January 3<sup>d</sup></sup> Mrs. Holzwarth called on her sister, Mrs. Weber, narrating the foregoing facts, and was advised to call in a regular physician; from there she went to the said drug shop, taking the said medicine along, and saw defendant to whom she said, "the medicine you gave is poison; my husband is dying." He replied that it was not so bad as that, that he had given too strong a medicine and overtaxed her husband's <sup>strength.</sup> He

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then took back the bottle and gave another with directions to give it <sup>contents doses of a</sup> in ~~in~~ tablespoonfuls every hour, saying that when it was gone, he would prepare more. Defendant detained

6 Mrs. Holzwarth until 11.30 in this way; from his shop she went to Dr. A. von Duering's, arriving there at about 12 M. The doctor was out and she left on his slate a request for him to call. Returning home she gave patient tablespoonfuls of defendant's medicine, as directed, at intervals of an hour until Dr. von Duering arrived, at four o'clock <sup>P.M.</sup> -- four doses in all. At that time her husband was unconscious and died at about two o'clock A. M. on the following morning.

7 THIRD. Upon hearing these facts this deponent instructed Henry Loring, of No. 104 East 7<sup>th</sup> Street, the Agent of said Medical Society, to investigate the case. Said agent found first that neither Dantel nor Koester were registered physicians. He further learned on inquiry,

(a) That defendant Koester had bought out Dantel and succeeded to his business.

(b) That Dantel had moved to <sup>No. 657</sup> Lexington Avenue and was known all over the neighborhood by a vulgar nickname arising from his well known habit of prescribing for alleged invalids upon an examination or pretended examination of their urine.

8 (c) Said agent then called on or about January 10th 1889, at said shop 1646 Second Avenue, and asked for Dantel. Defendant answered that Dantel was not in but

that if an examination of urine was wanted he (defendant) would attend to it as he was the chemist who had generally done Dautel's work. Loring then gave defendant a bottle of his urine. The latter then heated some of the water in the gas-flame, made many inquiries as to the symptoms of said Loring's complaint, said it would take some time to cure him, but that he would prepare medicine that would do him good for which he could return. At the end of an hour said Loring did return and receive a bottle of medicine with directions for taking it and instructions as to diet and regimen, for which he paid defendant one dollar.

(d) Deponent says that upon the facts already alleged in this subdivision Third, the Second information and indictment of Koester were procured.

(e) Deponent further says that he is informed and believes that on January 25th, 1889 said Loring handed to defendant at his said drug shop a bottle of <sup>oolong</sup> tea in which he had dropped ~~three~~ <sup>one</sup> drop of ammonia and asked said Koester to examine that water and say what ailed him, Loring not saying, however, that the water was his urine; that said defendant poured some of the tea into a glass vessel or test tube, heated it in the gas flame, declared that it contained much "slime", asked many questions as to Loring's general health, <sup>and suffering with liver complaint</sup> said he was feverish, and again gave him medicine and charged one dollar therefor.

Sworn to before me this :  
14<sup>th</sup> day of March, 1889. :

*Wm. H. Loring*  
*Notary Public*

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CITY AND COUNTY OF NEW YORK, ss:

HENRY LORING, being duly sworn, says that he is the special agent of the Medical Society of the County of New York, and resides at No. 104 East 7th Street in said City; that he was charged with the investigation of the facts in the case of the People against Henry F. Koester; that he knows the contents of the Third paragraph of the foregoing affidavit of W. A. Furrington, Counsel of said Society, that all the statements therein as to this deponent are true and were made to said Counsel as the result of deponent's investigation.

Sworn to before me this :

14 day of March, 1889.

*Henry Loring*  
*Accountant*  
*Notary Public*  
*W. H. C.*

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COURT OF GENERAL SESSIONS.

THE PEOPLE  
-against-  
HENRY F. KOESTER.

CITY AND COUNTY OF NEW YORK, ss:-

LOUISA HOLZWARTH, being duly sworn, says that she resides at No. 634 <sup>East</sup> ~~West~~ 156th Street in said City; that she <sup>Augusta</sup> ~~is~~ the widow of ~~Gustave~~ Holzwarth, deceased, and the person referred to in the Second Paragraph of the foregoing affidavit of W. A. Purrington; that the said paragraph has been read to her and is a true statement of the facts of this case within the knowledge of deponent.

Sworn to before me this  
14 day of March, 1889.

*Louisa Holzwarth*  
*Heal Chappell*  
*Natary Public (95)*  
*County of New York*



Court of General Sessions

The People

against  
Henry F. Koester

City and County of New York ss

Adolph von Duerning being duly sworn says that he is a duly qualified and registered physician residing at No. 610 East 153<sup>rd</sup> street in said city; that on January 3<sup>rd</sup> 1889 he was called in to see professionally one August Holzwarth at 634 East 156<sup>th</sup> street in said city, that upon his arrival the patient was in a comatose condition and died about 2 A. M. on the fourth day of January 1889 without having recovered consciousness; that the cause of death was acute peritonitis probably caused, as deponent believes by medicines administered to the patient prior to deponent's arrival by said patient's wife under the direction as deponent is informed of said Koester defendant herein. Deponent bases his said opinion upon the fact that the patient's early symptoms as described to deponent by said wife were not those of acute peritonitis,

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but as deponent is informed ~~and~~ the symptoms of the fatal disease manifested themselves after the administration to said decedent of the first medicine given by said Koester.

Deponent says that he has no personal feeling against said Koester but is on the contrary disposed to believe that his transgression of the law has been due to the bad example of others addicted to like practices, especially of one Sautel to whose business said defendant has succeeded, wherefore in making this affidavit deponent desires to express said opinion in justice to defendant as probably entitling said Koester to some mitigation of sentence.

Sworn before me  
this 13<sup>th</sup> day of March 1887

} J. A. von Duering

W. A. Huntington  
Notary Public  
N. Y. Co.

COURT OF GENERAL SESSIONS.

THE PEOPLE

-against-

HENRY F. KOESTER.

AFFIDAVITS OF

*W. A. Purrington; Henry Loring; Louis Holzganz.*  
Submitted by the Medical Society  
of the County of New York, upon  
the facts of the case preliminary  
to sentence.

W. A. Purrington,  
Counsel Med. Soc. Co. N. Y.  
63 Wall St.,  
New York City.

*Affidavits of*

*W. A. Purrington Counsel Med. Soc.  
Henry Loring Agent do.  
Louis Holzganz Med. Soc. N. Y.  
Dr. A. M. Loring, M.D. Physician*

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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*

*Henry F. Hoexter*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this  
indictment, accuse *Henry F. Hoexter*  
of the crime of practising physic \_\_\_\_\_ without the  
license and registration provided for by law, committed as follows:

The said *Henry F. Hoexter*,  
late of the City of New York, in the County of New York, aforesaid, not being, and not  
having been on the first day of October, 1887, lawfully authorized to practise physic \_\_\_\_\_  
\_\_\_\_\_ in this State, and registered in accordance with the laws then in force, did  
thereafter, to wit: on the *fourth* day of *January*, 188*9*, at the City  
and County aforesaid, unlawfully practise physic, \_\_\_\_\_ without the license and  
registration provided for in a certain Act of the Legislature of this State, passed on the  
twenty-third day of June, 1887, entitled "An Act to regulate the licensing and registration of  
physicians and surgeons, and to codify the medical laws of the State of New York," and  
which said Act was at the time of the commission of the offense and misdemeanor herein  
alleged, in full force and operation throughout this State; and the said *Henry F. Hoexter*,  
*Hoexter*, without such license and registration as aforesaid, then and there, to wit:  
on the said *fourth* day of *January*, 188*9*, at the City and County  
aforesaid, did unlawfully examine, treat and prescribe for \_\_\_\_\_  
one *Henry Davis* as a physician \_\_\_\_\_; against the form  
of the Statute in such case made and provided, and against the peace of the People of the  
State of New York and their dignity.

JOHN R. FELLOWS, District Attorney.



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Witnesses:

My dearest  
of 11m 11m 11m  
Mrs. H. H. H. H. H.

Counsel,

Filed,

Pleads,

21 day of July 1889

Chicago

THE PEOPLE,

vs.

ILLEGAL PRACTICE OF PHYSIC.

Chapter 647, Laws of 1887, § 6.

Henry J. Koester  
(2 cases)

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Edmund Enslin

Foreman.

T.

0678

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Henry S. Hoexter*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this  
indictment, accuse *Henry S. Hoexter*  
of the crime of practising physic \_\_\_\_\_ without the  
license and registration provided for by law, committed as follows:

The said *Henry S. Hoexter*,  
late of the City of New York, in the County of New York, aforesaid, not being, and not  
having been on the first day of October, 1887, lawfully authorized to practise physic \_\_\_\_\_  
\_\_\_\_\_ in this State, and registered in accordance with the laws then in force, did  
thereafter, to wit: on the *second* day of *January* 188*9*, at the City  
and County aforesaid, unlawfully practise physic \_\_\_\_\_ without the license and  
registration provided for in a certain Act of the Legislature of this State, passed on the  
twenty-third day of June, 1887, entitled "An Act to regulate the licensing and registration of  
physicians and surgeons, and to codify the medical laws of the State of New York," and  
which said Act was at the time of the commission of the offense and misdemeanor herein  
alleged, in full force and operation throughout this State; and the said *Henry S.*  
*Hoexter* without such license and registration as aforesaid, then and there, to wit:  
on the said *second* day of *January* 188*9*, at the City and County  
aforesaid, did unlawfully examine, treat and prescribe for \_\_\_\_\_  
one *August Holzman* as a physician \_\_\_\_\_; against the form  
of the Statute in such case made and provided, and against the peace of the People of the  
State of New York and their dignity.

JOHN R. FELLOWS, District Attorney.

0679

**BOX:**

342

**FOLDER:**

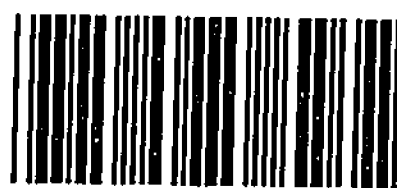
3230

**DESCRIPTION:**

Koster, John

**DATE:**

02/28/89



3230

Witnesses:  
 Elizabeth Gray  
 Rosa Brown

Filed  
28 day of Feb / 1889  
Pleads, C. J. Fugatey Clerk //

*M. J.*

John Koster

Wheat and Flax  
[see 3027/8, 3028/9, 3029/10]

March 6<sup>th</sup> p. 3-

## A TRUE BILL.

Robertson

Part III March 6/89

Please attempt to keep  
9/17/14 MZP



Police Court Third District  
City & County of  
New York ss.

Meta Kloster of No 22 Dry Dock Street  
aged 14 1/2 years ~~at~~ being duly sworn  
deposes and says that on Sunday the  
11th day of November 1888, at the City of New York  
in the County of New York

John Kloster (now here)  
deponent's Father caught hold of her  
and placed her on the bed in a  
room on the second floor of premises  
No 9 1/2 East Fourth Street in said  
City and raised deponent's clothes  
and got on top of her and  
inserted his Penis in deponent's  
private parts and then and there  
had sexual intercourse with her  
in violation of Section 302 of the  
Penal Code of the State of New York.

Deponent further says that said  
defendant her Father committed the  
aforesaid act <sup>divers times</sup> with her in the aforesaid  
premises where they resided since she  
was seven years old and that the  
said defendant threatened to kill

0682

deponent of she informed her Mother  
of what the said deponent had  
done to her

Sworn to before me.

this 18<sup>th</sup> day of Feby 1889

Sam<sup>l</sup> C. ~~Sherry~~ Police Justice

Meta Krster.

0683

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty of the charge*

*John Ooster*

Taken before me this

Day of

188

Police Justice.

0684

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Twenty 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 18 Feb 188 9 Sam'l C. Miller 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.



0685

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Police Court

28  
3

249  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Meta Ooster  
22 Bay Rock St  
John Ooster

1

2

3

4

Offence  
Incest

Dated 18 Feb 1889

Daniel O'Reilly Magistrate.

Brennan McNamara Officer.

13 Precinct.

Witnesses Rosa Ooster

Annie Ooster Street.

22 Bay Rock St

Frank G. Bartlett Street.

100 E 23rd St

E. P. Clark & Co. Bell Street.

Hospital to answer

Walter de Brune 41 E. 28th St

Meta & Annie Ooster delinquent to

In care of S. P. C. E. Committee

\$2500 Am. G. S. Committee

0586

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

The People

v.

BRIEF FOR THE PEOPLE.

John Koster.

STATEMENT OF THE CASE.

The prisoner, a German 42 years of age residing at 22 Dry Dock Street, a cook by business, is indicted for rape on his own child Meta Koster aged 14 1-2 years. The facts of the case appear in the evidence.

EVIDENCE FOR THE PEOPLE.

META KOSTER. - On Sunday November 11, 1888, her father caught hold of witness, placed her on the bed, raised her clothes, got on top of her and had connection with her. When she was only 8 years old her father commenced to take improper liberties with her, and when she was between 10 and 12 years of age he effected penetration. For two years he has been in the habit of having connection with her. The acts of intercourse took place generally in the house 94 East 4th Street. He used to send her out for beer. Witness did not tell any one because her father threatened her and she was afraid he would carry out his threats. The last act of intercourse took place about the second Sunday of November, in his bedroom at night. Her mother generally slept in a room in the basement of the house.

MRS. ROSA KOSTER. - Is the mother of the girl Meta Koster and wife of the prisoner. He is by profession a cook and worked for

0687

CONFIDENTIAL - EVIDENCE OF THE BEYGE

2

two years up to three months ago in Eretti's dining rooms on Chatham Street. During the past two years he has become a drunkard, and lost his place. Some time since he opened a restaurant, but continued to drink. On the morning of the 17th February her daughter came to her and told her what had occurred. She then went to the station house and made a complaint. Some few days before Christmas her daughter Annie came to her and made a similar complaint in regard to her father. Meta is 14 years of age; has always been a quiet girl, staying home nights, never kept company or cohabited with young men.

DR. WALTER H. SNOW. - Is a physician residing at 41 East 28 Street, and one of the examining physicians of the New York Society for the Prevention of Cruelty to Children. On February 17th witness made an examination of the person of Meta Koster and found that the hymen had been ruptured and that there had been penetration by some blunt instrument.

0600

**N. Y. GENERAL SESSIONS**

**THE PEOPLE**

**AGAINST**

*William J. Foster*

**RAPE**

**PENAL CODE, §**

**BRIEF FOR THE PEOPLE.**



0689

W. H. Schieffelin & Co.'s Soluble Pills  
Preferred when not otherwise specified.

R

13<sup>th</sup> Precinct  
Feb. 17-89.

On examining Meta.  
Koster. I find she has  
no hymen. (or so dilated  
as to admit the entrance  
of the male organ. of gen-  
eration of an ordinary  
man. Also find she has  
Gonorrhoea. evidently of  
a some what long standing  
further I cannot state

E. H. [Signature]

0690

41 E. 28

Feb. 17<sup>th</sup> 89

Hon E. J. Gerry  
Pres. A. P. C. C.

Dear Sir  
I have examined Meta Koster  
Oct. 14 and beg to state, that the hymen  
has been ruptured; there has been  
penetration by some blunt instrument

Yours most respectfully  
Walter H. Snow M.D.

0691

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 Foster*

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

Indictment accuse

*John Foster*

of the crime of *Incest,*

committed as follows:

The said

*John Foster,*

late of the City of New York, in the County of New York, aforesaid, on the  
*seventh* day of *November*, in the year of our Lord one thousand  
eight hundred and eighty-*eight*, at the City and County aforesaid,

and one *Mela Foster*, being persons  
within the degrees of consanguinity  
within which marriages are declared  
by law to be incestuous and void, to  
wit: the said *John Foster* being the  
father of the said *Mela Foster*, and  
the said *Mela Foster* being his daughter, and the said *John Foster*  
being a married man and  
having a lawful wife living, and the  
said *Mela Foster* being unmarried,  
did feloniously commit adultery and  
fornication with each other, to wit:

0692

and there each having some knowledge  
of the body of the other, 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



0693

*Second* COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment, further

accuse the said *John Foster* —

of the CRIME OF RAPE, committed as follows:

The said *John Foster*, —

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 a certain  
female not his wife, to wit: her, the said *Maria Foster* —,  
then and there being, wilfully and feloniously did make an ~~the~~ assault, she, the said  
*Maria Foster* — being then and there a female under the  
age of sixteen years, to wit: of the age of *fourteen* years; and the said  
— *John Foster* — then and there  
wilfully and feloniously did perpetrate an act of sexual intercourse with her, the said  
*Maria Foster* —, against the form of the  
Statute in such case made and provided, and against the peace of the people of the  
State of New York and their dignity.

JOHN R. FELLOWS, *District Attorney.*