

0130

**BOX:**

350

**FOLDER:**

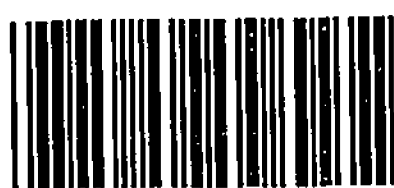
3294

**DESCRIPTION:**

Haack, Louis

**DATE:**

04/16/89



3294

0131

WITNESSES:

*Henry Hendrich*

FILED  
JAN 10 1899

*Selling on Sunday*

Counsel,

Filed 16

day of April 1889

Pleads

*Myself - 17*

THE PEOPLE,

vs.

*Louis D. ...*

VIOLATION OF EXCISE LAW  
(Selling on Sunday, Etc.)  
[Ill. Rev. Stat. (7th Edition), page 1983, Sec. 21 and  
page 1889, Sec. 6.]

*87 California*

JOHN R. FELLOWS,

SUPREME COURT 4 PART 1,

December 22 1899

A True BILLMENT DISMISSED.

*John R. Fellows*  
Foreman.

*24.9*

0132

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK,

3

District Police Court.

*Louis Haack* 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 and  
demand a trial  
by jury*

*Louis Haack*

Taken before me this

day of

188

*John J. ...*

Police Justice.

0133

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 Feb 13 1889 J. M. Platten Police Justice.

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

Dated Feb 13 1889 J. M. Platten 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.



0134

BAILED,  
No. 1, by Chas. J. Hammond  
Residence 81 Baltimore Street.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

13. 30  
Police Court---

251  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Henry Hammond  
Louis Chas.

Dated

188

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

to answer

P

0135

Excise Violation—Selling on Sunday.

POLICE COURT—

DISTRICT.

City and County } ss.  
of New York,

of No. the 14th Precinct Police Henry Harbach

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 10th day

of February 1889, in the City of New York, in the County of New York, at

premises No. 101 Catherine Street,

Louis Haack (now here)  
did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his  
direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors,  
to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

WHEREFORE, deponent prays that Louis Haack  
may be arrested and dealt with according to law.

Sworn to before me, this 11th day

of February 1889

Henry Harbach  
Police Justice.

0136

COURT OF GENERAL SESSIONS, PART ✓

(1706)

THE PEOPLE

vs.

INDICTMENT

For

Louis Haack

To

M. Charles F. Hamm

No. St Catherine Street.

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for April at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House in the Park of the said City, on the 5th day of May instant, at eleven o'clock in the forenoon.

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

DE LANCEY NICOLL,

District Attorney.

0137

St Catherine



0138

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Louis Haack*

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

The said

*Louis Haack*

late of the City of New York, in the County of New York aforesaid, on the  
*19th* day of *February* in the year of our Lord one  
thousand eight hundred and eighty-*nine*, at the City and County aforesaid,  
the same being the first day of the week, commonly called and known as Sunday, with  
force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine,  
one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial,  
one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer,  
and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown,  
unlawfully did sell as a beverage to one

*Henry Herlich*

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

**SECOND COUNT—**

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

The said

*Louis Haack*

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

**JOHN R. FELLOWS,**

District Attorney.

0139

**BOX:**

350

**FOLDER:**

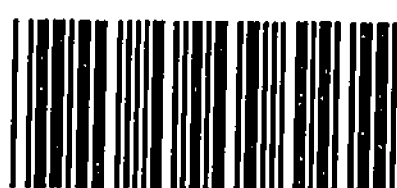
3294

**DESCRIPTION:**

Halaim, Frederick

**DATE:**

04/16/89



3294

Witnesses:

*Wm. P. Lyman*

Counsel,

Filed, 16 day of April 1889  
Pleads, *Chapman* 17

THE PEOPLE,

vs.

*Frederick K. Halim*

VIOLATION OF EXCISE LAW  
(Keeping Open on Sunday.)  
[III Rev. Stat. (7th Edition), Page 1089, Sec. 5.]

JOHN R. FELLOWS.

*District Attorney.*

A True Bill.

*Wm. P. Lyman*  
Complaint sent to the Court  
of Special Sessions, Foreman.  
Part III, ... 1889.  
*W. P. Lyman*

0141

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*Frederick Halim*

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

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG  
AND SPIRITUOUS LIQUORS, WINES ALE AND BEER, committed as follows:

The said

*Frederick Halim*

late of the City of New York, in the County of New York aforesaid, on the  
*third* day of *March* in the year of our Lord one  
thousand eight hundred and eighty-*nine*, the same being the first day of the  
week, commonly called and known as Sunday, being then and there in charge of, and  
having the control of a certain place there situate, which was then duly licensed as a  
place for the sale of strong and spirituous liquors, wines, ale and beer, with force and  
arms, at the City and County aforesaid, the said place so licensed as aforesaid, unlawfully  
did not close and keep closed, and on the said day the said place so licensed as aforesaid  
unlawfully did open and cause and procure, and suffer and permit to be open, and to  
remain open, against the form of the Statute in such case made and provided, and against  
the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

*District Attorney.*



0142

**BOX:**

350

**FOLDER:**

3294

**DESCRIPTION:**

Ham, William E.

**DATE:**

04/23/89



3294

Witnesses:  
*Johnama Kene*  
*Wm. Piles*

Counsel, *23* day of *April* 188*9*  
Filed  
Pleads,

THE PEOPLE

vs.

*William E. Ham*

*Grand Larceny Second degree.*  
[Sections 528, 531 — , Penal Code].

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

*A. M. Hardy*  
*April 23 / 1889* Foreman.  
*Wm. Piles*  
*By J. R. Dwyer*  
*6 mo*  
*D. B. M.*

0144

Police Court—L District.

Affidavit—Larceny.

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

Johanna Kehoe  
of No. 167 Greenwich Street, aged 30 years,  
occupation Teacher being duly sworn

deposes and says, that on the 14<sup>th</sup> day of April 1889 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession and  
person of deponent, in the daytime, the following property, viz:

One pocket book of the value of  
about fifty cents and containing good  
and lawful money of the United States  
of the value of forty six dollars

the property of deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by William Ham (now here)

for the reason that on said day  
deponent was walking along Greenwich  
Street and carried said pocket book  
containing said money in her hand  
that the defendant seized said  
pocket book and ran away

Johanna Kehoe.

Sworn to before me, this 15<sup>th</sup> day of April 1889

John W. Munnick  
Police Justice.

0145

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*William Ham*

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 *William Ham*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *Massachusetts*

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

Answer. *No home*

Question. What is your business or profession?

Answer. *Butcher*

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*  
*William E. Ham.*

Taken before me this

day of *April*

1889

*John J. McManis*  
Police Justice.



0146

*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.....*

*Alpendant*  
*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.* *April 15* 188 *9* *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 h to be discharged.*

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

0147

Police Court---

545 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Johanna Keho  
167 Greenwich  
Williams Ham

Offence Larceny

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 April 15 1889  
Gorman Magistrate.

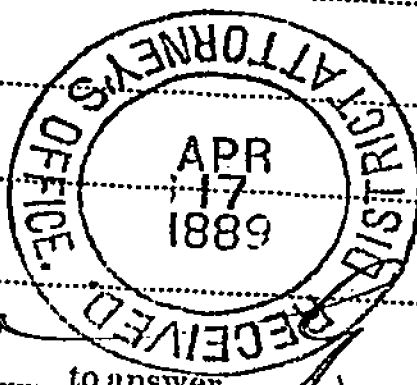
Felan Officer.  
3 Precinct.

Witnesses Officer  
No. Street.

No. Street.

No. Street.

\$ 700 to answer



Call

G. F. H. H.

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*William E. Hain*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by  
this indictment, accuse *William E. Hain*

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

The said

*William E. Hain*

late of the City of New York, in the County of New York aforesaid, on the *fourteenth*  
day of *April* 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  
*day* - 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 *forty - six*

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

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

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

*one pocketbook of the value  
of fifty cents*

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

0149

**BOX:**

350

**FOLDER:**

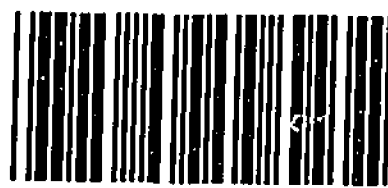
3294

**DESCRIPTION:**

Hamlin, Louis

**DATE:**

04/16/89



3294



Witnesses

*Amos Jackson*  
*Off Pittsboro*

Counsel

Filed

*16* day of *April* 188*9*  
Pleads, *May 17*

THE PEOPLE

vs.

*B*

*Louis Hamlin*

ASSAULT IN THE THIRD DEGREE  
(Section 219, Penal Code).

*Pr Sept 10. 1889*

*Jury acquitted.*

JOHN R. FELLOWS,

District Attorney.

*May 20 1889*

A True Bill

*C. M. Murby*  
Foreman.

*Sept 9th*  
*Sept 10th*  
*Sept 10th*  
*B. J. G.*

*F. J. J.*

0151

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }*Louis Hamilton*

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. *Louis Hamilton*

Question. How old are you?

Answer. *54 years*

Question. Where were you born?

Answer. *Virginia.*

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

Answer. *114 Sullivan Street. 4 months*

Question. What is your business or profession?

Answer. *Longshore*

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

Answer. *I am not guilty*

*Louis <sup>by</sup> Hamilton*  
*mark*

Taken before me this

day of *April* 188*9**William J. [illegible]*

Police Justice.

0152

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 April 19 188 J. M. Murphy Police Justice.

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

Dated April 3 188 J. M. Murphy 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.

0153

Paroled in Custody of  
Counsellor Keller  
April 2-10 A-M

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court---

350 12  
District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Simon Jackson  
vs.  
Louis Hamilton

2

3

4

Offence

Assault

Dated

April 1

1889

Ford

Magistrate.

Noty'g Jackson Officer.

Special Precinct.  
Broadly Sauterbach Pri. 35. N.R.  
120 Broadway Johnson

Witnesses  
No. Patrick Kelly Street.

off 28 Precinct

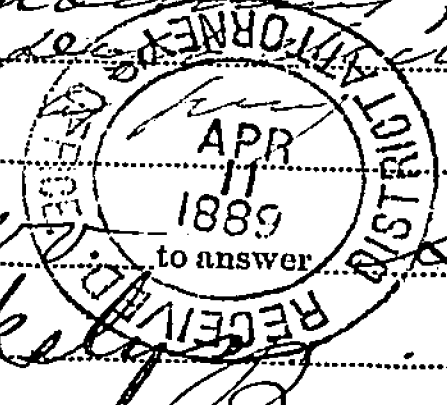
No. Transferred to Court Street.

of 9nd Precinct for Room  
about 100 feet at  
trial

No. 302 to answer Street.

J. Likely

109: Mrs. [unclear] 3  
C/O A. Romain



0154

Hoadly, Lauterbach & Johnson,  
Attorneys at Law.

GEORGE HOADLY,  
EDWARD LAUTERBACH, EDGAR M. JOHNSON,  
WILLIAM N. COHEN, LOUIS ADLER.

Equitable Building,  
120 BROADWAY,  
New York City.

May 2, 1889.

Mr. McKenzie Semple,

Acting District Attorney.

Dear Sir:

You will remember that you adjourned the case of Louis Hamlin (assault) until next Monday in order that we might have an opportunity to furnish your office with certain evidence which would assist in the trial of the *same*.

Owing to our inability to get at certain witnesses we cannot have this testimony by Monday next but doubtless shall secure it by a week from Monday.

Should there be the slightest danger of the case being taken up on Monday will you kindly cause the same to be postponed for a week? and oblige

Very truly yours,

*Hoadly Lauterbach & Johnson*  
W.



0155

Police Court— / District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Simon Jackson*  
of No. *62 Sullivan* Street, aged *64* years,  
occupation *Special Police Officer* being duly sworn, deposes and says, that  
on the *1<sup>st</sup>* day of *April* 188*9* at the City of New York,  
in the County of New York,

he was violently ASSAULTED and BEATEN by *Louis Hamlin* (now here)  
*who struck deponent a violent blow*  
*upon deponent's face with his clenched*  
*hand*

without any justification on the part of the said assailant

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

Sworn to before me, this *1<sup>st</sup>*

day of *April* 188*9*

*Simon Jackson*  
*J. Henry Bond* Police Justice.

0156

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Louis Hamlin*

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

— *Louis Hamlin* —

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

The said

*Louis Hamlin*

late of the City of New York, in the County of New York aforesaid, on the *first*  
day of *April* in the year of our Lord one thousand eight hundred and  
eighty *nine* at the City and County aforesaid, in and upon the body of one *Simon*

*Jackson* in the peace of the said People then and there being, with force  
and arms, unlawfully did make an assault, and *him* the said *Simon*

*Jackson* did then and there unlawfully beat, wound and ill-treat, to the great damage  
of the said *Simon Jackson* 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.

0157

**BOX:**

350

**FOLDER:**

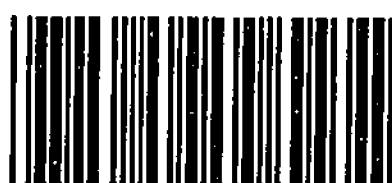
3294

**DESCRIPTION:**

Hammond, Owen

**DATE:**

04/16/89



3294

Witnesses,

*W. J. Robinson*

Counsel,

Filed, 16 day of April 1889  
Pleads, *Not guilty* 17

THE PEOPLE,

vs.

*B*

*Owen Hammond*

VIOLATION OF EXCISE LAW

(Keeping Open on Sunday.)  
[III Rev. Stat. (7th Edition), Page 1869, Sec. 5.]

JOHN R. FELLOWS.

District Attorney.

A True Bill sent to the  
of Special Sessions,

Sept 11, 1889

*W. J. Robinson*

Foreman.

*April 26, 89*

*Perch III*

*257.*

0158

0159

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Owen Hammond*

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

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

JOHN R. FELLOWS,

*District Attorney.*



0160

**BOX:**

350

**FOLDER:**

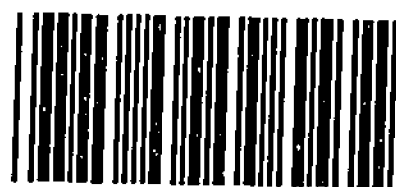
3294

**DESCRIPTION:**

Haney, Michael

**DATE:**

04/11/89



3294

0161

Selling on Sunday.

Counsel,

Filed 11 day of April 1889  
Pleads Guilty in

THE PEOPLE,

vs.

Michael Doney

Transferred to the Court of Sessions for trial and final disposition.  
April 19, 1889, 1889-18

VIOLATION OF EXCISE LAW  
(Ill. Rev. Stat. 1889, page 1889, Sec. 21 and 22)

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. H. Kirby  
Foreman.

#167

WITNESSES:

Peter August

0162

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Michael Haney*

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

*Michael Haney*  
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

*Michael Haney*

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

*Peter Nugent*

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

SECOND COUNT—

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

*Michael Haney*

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*Michael Haney*

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

**JOHN R. FELLOWS,**

District Attorney.

0163

**BOX:**

350

**FOLDER:**

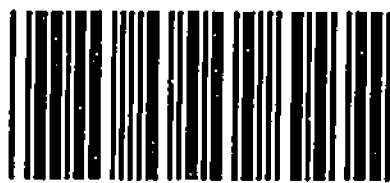
3294

**DESCRIPTION:**

Hanifin, John

**DATE:**

04/09/89



3294



app. E. S. Brown

My dear Mr. Brewster,  
I have seen as the  
depth, quality of a  
characterful volume  
of the Can. <sup>1875</sup> ~~1876~~ <sup>1877</sup> ~~1878~~ <sup>1879</sup> ~~1880~~ <sup>1881</sup> ~~1882~~ <sup>1883</sup> ~~1884~~ <sup>1885</sup> ~~1886~~ <sup>1887</sup> ~~1888~~ <sup>1889</sup> ~~1890~~ <sup>1891</sup> ~~1892~~ <sup>1893</sup> ~~1894~~ <sup>1895</sup> ~~1896~~ <sup>1897</sup> ~~1898~~ <sup>1899</sup> ~~1900~~ <sup>1901</sup> ~~1902~~ <sup>1903</sup> ~~1904~~ <sup>1905</sup> ~~1906~~ <sup>1907</sup> ~~1908~~ <sup>1909</sup> ~~1910~~ <sup>1911</sup> ~~1912~~ <sup>1913</sup> ~~1914~~ <sup>1915</sup> ~~1916~~ <sup>1917</sup> ~~1918~~ <sup>1919</sup> ~~1920~~ <sup>1921</sup> ~~1922~~ <sup>1923</sup> ~~1924~~ <sup>1925</sup> ~~1926~~ <sup>1927</sup> ~~1928~~ <sup>1929</sup> ~~1930~~ <sup>1931</sup> ~~1932~~ <sup>1933</sup> ~~1934~~ <sup>1935</sup> ~~1936~~ <sup>1937</sup> ~~1938~~ <sup>1939</sup> ~~1940~~ <sup>1941</sup> ~~1942~~ <sup>1943</sup> ~~1944~~ <sup>1945</sup> ~~1946~~ <sup>1947</sup> ~~1948~~ <sup>1949</sup> ~~1950~~ <sup>1951</sup> ~~1952~~ <sup>1953</sup> ~~1954~~ <sup>1955</sup> ~~1956~~ <sup>1957</sup> ~~1958~~ <sup>1959</sup> ~~1960~~ <sup>1961</sup> ~~1962~~ <sup>1963</sup> ~~1964~~ <sup>1965</sup> ~~1966~~ <sup>1967</sup> ~~1968~~ <sup>1969</sup> ~~1970~~ <sup>1971</sup> ~~1972~~ <sup>1973</sup> ~~1974~~ <sup>1975</sup> ~~1976~~ <sup>1977</sup> ~~1978~~ <sup>1979</sup> ~~1980~~ <sup>1981</sup> ~~1982~~ <sup>1983</sup> ~~1984~~ <sup>1985</sup> ~~1986~~ <sup>1987</sup> ~~1988~~ <sup>1989</sup> ~~1990~~ <sup>1991</sup> ~~1992~~ <sup>1993</sup> ~~1994~~ <sup>1995</sup> ~~1996~~ <sup>1997</sup> ~~1998~~ <sup>1999</sup> ~~2000~~ <sup>2001</sup> ~~2002~~ <sup>2003</sup> ~~2004~~ <sup>2005</sup> ~~2006~~ <sup>2007</sup> ~~2008~~ <sup>2009</sup> ~~2010~~ <sup>2011</sup> ~~2012~~ <sup>2013</sup> ~~2014~~ <sup>2015</sup> ~~2016~~ <sup>2017</sup> ~~2018~~ <sup>2019</sup> ~~2020~~ <sup>2021</sup> ~~2022~~ <sup>2023</sup> ~~2024~~ <sup>2025</sup> ~~2026~~ <sup>2027</sup> ~~2028~~ <sup>2029</sup> ~~2030~~ <sup>2031</sup> ~~2032~~ <sup>2033</sup> ~~2034~~ <sup>2035</sup> ~~2036~~ <sup>2037</sup> ~~2038~~ <sup>2039</sup> ~~2040~~ <sup>2041</sup> ~~2042~~ <sup>2043</sup> ~~2044~~ <sup>2045</sup> ~~2046~~ <sup>2047</sup> ~~2048~~ <sup>2049</sup> ~~2050~~ <sup>2051</sup> ~~2052~~ <sup>2053</sup> ~~2054~~ <sup>2055</sup> ~~2056~~ <sup>2057</sup> ~~2058~~ <sup>2059</sup> ~~2060~~ <sup>2061</sup> ~~2062~~ <sup>2063</sup> ~~2064~~ <sup>2065</sup> ~~2066~~ <sup>2067</sup> ~~2068~~ <sup>2069</sup> ~~2070~~ <sup>2071</sup> ~~2072~~ <sup>2073</sup> ~~2074~~ <sup>2075</sup> ~~2076~~ <sup>2077</sup> ~~2078~~ <sup>2079</sup> ~~2080~~ <sup>2081</sup> ~~2082~~ <sup>2083</sup> ~~2084~~ <sup>2085</sup> ~~2086~~ <sup>2087</sup> ~~2088~~ <sup>2089</sup> ~~2090~~ <sup>2091</sup> ~~2092~~ <sup>2093</sup> ~~2094~~ <sup>2095</sup> ~~2096~~ <sup>2097</sup> ~~2098~~ <sup>2099</sup> ~~2100~~ <sup>2101</sup> ~~2102~~ <sup>2103</sup> ~~2104~~ <sup>2105</sup> ~~2106~~ <sup>2107</sup> ~~2108~~ <sup>2109</sup> ~~2110~~ <sup>2111</sup> ~~2112~~ <sup>2113</sup> ~~2114~~ <sup>2115</sup> ~~2116~~ <sup>2117</sup> ~~2118~~ <sup>2119</sup> ~~2120~~ <sup>2121</sup> ~~2122~~ <sup>2123</sup> ~~2124~~ <sup>2125</sup> ~~2126~~ <sup>2127</sup> ~~2128~~ <sup>2129</sup> ~~2130~~ <sup>2131</sup> ~~2132~~ <sup>2133</sup> ~~2134~~ <sup>2135</sup> ~~2136~~ <sup>2137</sup> ~~2138~~ <sup>2139</sup> ~~2140~~ <sup>2141</sup> ~~2142~~ <sup>2143</sup> ~~2144~~ <sup>2145</sup> ~~2146~~ <sup>2147</sup> ~~2148~~ <sup>2149</sup> ~~2150~~ <sup>2151</sup> ~~2152~~ <sup>2153</sup> ~~2154~~ <sup>2155</sup> ~~2156~~ <sup>2157</sup> ~~2158~~ <sup>2159</sup> ~~2160~~ <sup>2161</sup> ~~2162~~ <sup>2163</sup> ~~2164~~ <sup>2165</sup> ~~2166~~ <sup>2167</sup> ~~2168~~ <sup>2169</sup> ~~2170~~ <sup>2171</sup> ~~2172~~ <sup>2173</sup> ~~2174~~ <sup>2175</sup> ~~2176~~ <sup>2177</sup> ~~2178~~ <sup>2179</sup> ~~2180~~ <sup>2181</sup> ~~2182~~ <sup>2183</sup> ~~2184~~ <sup>2185</sup> ~~2186~~ <sup>2187</sup> ~~2188~~ <sup>2189</sup> ~~2190~~ <sup>2191</sup> ~~2192~~ <sup>2193</sup> ~~2194~~ <sup>2195</sup> ~~2196~~ <sup>2197</sup> ~~2198~~ <sup>2199</sup> ~~2200~~ <sup>2201</sup> ~~2202~~ <sup>2203</sup> ~~2204~~ <sup>2205</sup> ~~2206~~ <sup>2207</sup> ~~2208~~ <sup>2209</sup> ~~2210~~ <sup>2211</sup> ~~2212~~ <sup>2213</sup> ~~2214~~ <sup>2215</sup> ~~2216~~ <sup>2217</sup> ~~2218~~ <sup>2219</sup> ~~2220~~ <sup>2221</sup> ~~2222~~ <sup>2223</sup> ~~2224~~ <sup>2225</sup> ~~2226~~ <sup>2227</sup> ~~2228~~ <sup>2229</sup> ~~2230~~ <sup>2231</sup> ~~2232~~ <sup>2233</sup> ~~2234~~ <sup>2235</sup> ~~2236~~ <sup>2237</sup> ~~2238~~ <sup>2239</sup> ~~2240~~ <sup>2241</sup> ~~2242~~ <sup>2243</sup> ~~2244~~ <sup>2245</sup> ~~2246~~ <sup>2247</sup> ~~2248~~ <sup>2249</sup> ~~2250~~ <sup>2251</sup> ~~2252~~ <sup>2253</sup> ~~2254~~ <sup>2255</sup> ~~2256~~ <sup>2257</sup> ~~2258~~ <sup>2259</sup> ~~2260~~ <sup>2261</sup> ~~2262~~ <sup>2263</sup> ~~2264~~ <sup>2265</sup> ~~2266~~ <sup>2267</sup> ~~2268~~ <sup>2269</sup> ~~2270~~ <sup>2271</sup> ~~2272~~ <sup>2273</sup> ~~2274~~ <sup>2275</sup> ~~2276~~ <sup>2277</sup> ~~2278~~ <sup>2279</sup> ~~2280~~

## Counsel,

Filed

## Pleads,

day of April 1889  
 20th

# THE PEOPLE

31 September 1968. B

John Hanifan

**VIOLATION OF EXCISE LAW.**  
(Selling without license.)  
III, R. S. (7th Ed), page 1981, § 18, and  
of 1888, Chap. 840, § 5].

JOHN R. FELLOWS,

*District Attorney.*

Card 2 May 15 at Dept request  
May 17, 1892 WED.  
A TRUE BILL

C. M. Hardy  
 Part 3. May 17/92 Foreman.  
 P. Legg's quality  
 into the 100 - 100  
 No 119

7019

0164



Court of General Sessions of the Peace  
of the City and County of New York

The People

John Hanfui

City & County of New York ss: John  
Hanfui of 118 Leonard Street  
in said City and County being  
duly sworn deposes and says:

That he is the defendant in  
the above entitled proceeding;  
that he was a regularly  
licensed liquor dealer having  
been licensed by the Board  
of Excise of the City of New York  
to sell and keep liquors on  
premises Number 528 Pearl  
Street in the City of New York:

That for three or four days previous  
to the 12<sup>th</sup> day of March 1889 his  
license for said premises  
expired and he thereupon made  
application to the said Board  
of Excise of said City for a renewal  
of said license. That before  
said application was passed  
upon said arrest as set forth

in the Complaint herein was made. Deponent then concluded to give up the Liquor business and has not been engaged in it since.

Deponent is at the present time in the employ of the Dock Department of the City of New York and has wholly given up any desire he might have had of continuing in the business of selling liquor.

Given, & before me  
this 17<sup>th</sup> day of May 1892. { John Hanigan

Albert H. H. H.  
Conrad & Deeds  
N.Y.C.

0167

Court of General Sessions

The People

vs

John Hanger

Alfred J. Henderson

0168

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty - and I demand an examination and a trial by jury John Harrieff*

Taken before me this

day of March

1883

at 8 O'Clock  
Police Justice

0169

Sec. 151.

Police Court 1st 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 Edward J. Brown  
of No. 156 East 82<sup>nd</sup> Street, that on the 12 day of March  
1889 at the City of New York, in the County of New York, the

John Doe did then & there at N<sup>o</sup>.  
528. Pearl Street unlawfully sell to the  
complainant one glass of Lager beer for  
the sum of five Cents, having no License

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 16<sup>th</sup> day of March 1889

Ed J. Brown POLICE JUSTICE.



0170

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.....

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

Dated March 17 1889 Wm D. Orme Police Justice.

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

Dated March 20<sup>th</sup> 1889 Wm D. Orme 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.

0171

\$100 fr 9at  
20 mek/89  
924m

BAILED,

No. 1, by Augustus H. Barney  
Residence 203. Columbus Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Police Court---

430 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Edward H. Brown  
156 East 82 St.  
John Hamner

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

Offence Loose

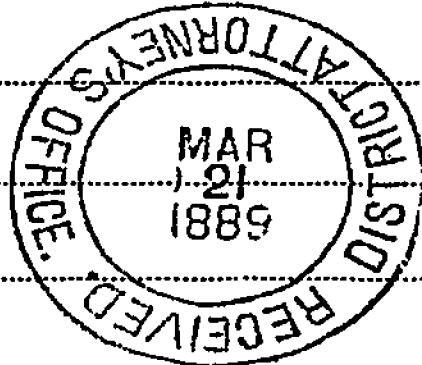
Dated March 7 1889  
Brown Magistrate.  
Crystal Officer.  
6 Precinct.

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

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

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

\$ 100 to answer h.s.  
bailed



0172

Sec. 192.

District Police Court

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before Maurice J. Power a Police Justice  
of the City of New York, charging John S. Hannifin Defendant with  
the offence of Violation Excise Law.

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

We

John S. Hannifin Defendant of No. 118  
Edward Street; by occupation a Bar tender

and Theodor Kramer of No. 37 Elm

Street, by occupation a Keep Room Surety, hereby jointly and severally undertake that

the above named John S. Hannifin Defendant

shall personally appear before the said Justice, at the 1 District Police Court in the City of New York,

during the said examination, or that we will pay to the People of the State of New York the sum of One  
Hundred Dollars.

Taken and acknowledged before me, this

day of

March 1889.

John S. Hannifin  
Theo. Kramer  
Ed. C. [unclear] POLICE JUSTICE.

0173

CITY AND COUNTY } ss.  
OF NEW YORK,

Sworn to before me, this  
day of March 1881  
Police Justice.

*Theodore Krampf*  
the within named Bail and Surety being duly sworn, says, that he is a resident and *home*  
holder within the said County and State, and is worth *two* Hundred Dollars,  
exclusive of property exempt from execution, and over and above the amount of all his debts and  
liabilities, and that his property consists of *stock and fixtures*  
*of Dairy at premises 37 Elm*  
*Street valued at two thousand*  
*dollars free and clear*

*Geo. W. Roman*

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Undertaking to appear  
during the Examination.

vs.

Taken the day of 188

Justice.



0174

Excise Violation-Selling Without License.

POLICE COURT- 14 DISTRICT.

City and County } ss.  
of New York,

of No. 156 East 82<sup>nd</sup> Street,  
of the City of New York, being duly sworn, deposes and says, that on the 12<sup>th</sup> day  
of March 1889, in the City of New York, in the County of New York, at  
No. 528 Pearl Street Street,  
John Doe (now ~~here~~)

did then and THERE SELL, CAUSE, suffer and permit to be sold, under his direction and authority,  
strong and spirituous liquors, wines, ale and beer, being intoxication liquors, in quantities less than  
five gallons at a time, to be drunk in the house or premises aforesaid WITHOUT HAVING A  
PROPER LICENSE THEREFOR contrary to and in violation of the statute in such case made  
and provided and that the, said John Doe, sold to  
deponent Lager beer for which deponent  
paid to the defendant the price of  
five Cents.

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

Sworn to before me, this 16<sup>th</sup> day

of March 1889

Edward S. Brown

Police Justice.



0175

W.  
Police Court, *First* District.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

*Edward S. Brown*

vs.

*John Doe*

EXCISE VIOLATION.  
SELLING WITHOUT A LICENSE.

Dated *16<sup>th</sup>* day of *March* 188*9*

*Power*

Magistrate.

Officer.

Witness,

Bailed \$ ..... to Ans. .... Sessions.

By .....

Street.

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

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

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

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

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

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

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

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

0176

POLICE COURT, 1st DISTRICT.

State of New York,  
City and County of New York,

ss.

Edward T. Brown  
of No. 156 East 82nd Street, being duly sworn, deposes and says,

that John Hamman (now present) is the person of <sup>the</sup> ~~that~~ name of

John Hamman mentioned in deponent's affidavit of the 16th day of March 1889

hereunto annexed.

Sworn to before me, this

day of March 1889

E. T. Brown

Police Justice.

0177

**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 Hanifin*

The Grand Jury of the City and County of New York, by this indictment, accuse  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS AND WINES  
WITHOUT A LICENSE, committed as follows:

(III. Revised  
Statutes. [7th  
edition] p. 1081  
Section 13).

The said

*John Hanifin*

late of the City of New York, in the County of New York aforesaid, on the *twelfth*  
day of *March* in the year of our Lord one thousand eight hundred and  
eighty-*nine*, at the City and County aforesaid, certain strong and spirituous  
liquors, and certain wines, to wit: one gill of wine, one gill of brandy, one gill of rum, one  
gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,  
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong  
and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in  
quantity less than five gallons at a time, to

— *one Edward A. Browne* and to —  
certain *other* persons whose names are to the Grand Jury aforesaid unknown, without  
having a license therefor, as required by law, contrary to the form of the Statute in such case  
made and provided, and against the peace and dignity of the People of the State of New York.

(Laws of 1883,  
chapter 340 sec-  
tion 5)

SECOND COUNT—

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

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, ALES, WINE AND  
BEER WITHOUT A LICENSE, to be drank upon the premises, committed as follows:

The said

*John Hanifin*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, and at the premises there situate, known as  
number *five hundred and twenty-eight Pearl Street*

certain strong and spirituous liquors, and certain ales, wines and beer, to wit: one gill of  
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of  
cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of  
lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury  
aforesaid unknown, unlawfully did sell to

— *one Edward O. Browne*, and to —  
certain *other* persons whose names are to the Grand Jury aforesaid unknown, to be  
drank upon the premises aforesaid, without having a license therefor, as required by law,  
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.

0178

(Laws of 1883,  
chapter 840 sec-  
tion 5.)

THIRD COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*John Hamfin*  
of the CRIME OF GIVING AWAY STRONG AND SPIRITUOUS LIQUORS, ALES,  
WINE AND BEER WITHOUT A LICENSE, to be drank upon the premises, committed  
as follows:

The said

*John Hamfin*  
late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, and at the premises there situate, known as  
number

*Five hundred and twenty-eight Pearl Street*  
certain strong and spirituous liquors, and certain ales, wine and beer, to wit: one gill of  
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of  
cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of  
lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury  
aforesaid unknown, unlawfully did give away to

certain persons whose names are to the Grand Jury aforesaid unknown, to be  
drank upon the premises aforesaid, without having a license therefor, as required by law,  
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.

0179

**BOX:**

350

**FOLDER:**

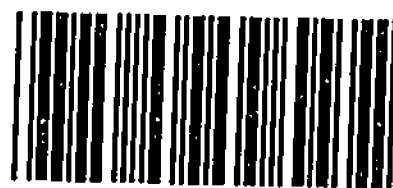
3294

**DESCRIPTION:**

Hannah, William

**DATE:**

04/12/89



3294



WITNESSES:

*Ed. D. Nugent*

Counsel,

Filed *12* day of *April* 188*9*

Pleads *Not guilty - 10*

THE PEOPLE,

vs.

*William Hannan*

**VIOLATION OF EXCISE LAW**  
(Selling on Sunday, Etc.)  
[Ill. Rev. Stat. (7th Edition), page 1083, Sec. 21 and page 1080, Sec. 6.]

*1157 Ave B*

JOHN R. FELLOWS,

*Mr. Mr. 13.1889 District Attorney.*

*pleads guilty.*

**A True BILL.**

*June 30 1889*

*C. M. W. W. W.*

*Barman.*

*Paul 2 April 22 at*

*1157 Ave B*

*#1889*

*or filed May 28/89*

*Paul*

0181

Sec. 193-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*William Hannah* 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. *William Hannah*

Question. How old are you?

Answer. *30 yrs*

Question. Where were you born?

Answer. *New York*

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

Answer. *South East Cor of 2 Street City New York*

Question. What is your business or profession?

Answer. *Saloon Keeper*

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

Answer. *I am not Guilty and*  
*Deny a trial of my*  
*William Hannah*

Taken before me this

day of *188*

*Police Justice*

0182

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.....

Samuel  
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 Sept 9 188 Samuel Police Justice.

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

Sam  
Dated Sept 9 188 Samuel 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.

0183

BAILED.

No. 1, by W. H. Hays  
Residence 434-6th Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Police Court---3d District. 516

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John Nugent  
vs.

William Hanna

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

Offence Violating  
Police Law

Dated April 9 1889  
Wm. H. Hays Magistrate.

Nugent Officer.

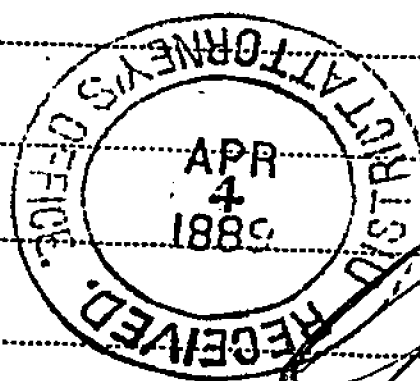
68 Precinct.

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

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

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

\$ 1.00 to answer



Depled



0184

Excise Violation—Selling on Sunday.

POLICE COURT 3 DISTRICT.

City and County } ss.  
of New York, }

John Nugent  
of No. 154 Street,  
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 31 day  
of April 1889, in the City of New York, in the County of New York, at  
premises No. 154 Street,  
William Stannard (now here)

did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his  
direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors,  
to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

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

Subscribed before me, this 1 day  
of April 1889

John Nugent Police Justice.



0185

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*William Hannah*

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

*William Hannah*  
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

*William Hannah*

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

*Peter Nugent*

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

SECOND COUNT—

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

*William Hannah*  
of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*William Hannah*

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

**JOHN R. FELLOWS,**

District Attorney.

0186

**BOX:**

350

**FOLDER:**

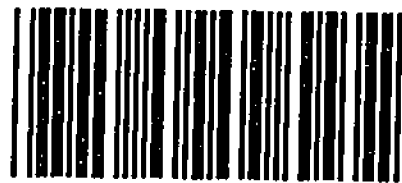
3294

**DESCRIPTION:**

Harden, John

**DATE:**

04/01/89



3294

0187

Witnesses:

Michael J. Sullivan  
Off. Atty. Gen. 11-6th

Counsel,

Filed

Pleads,

Hugh Coleman  
203 Broadway  
ANY OF April 1889  
C. F. G. 2

THE PEOPLE

vs.

John Haden

Grand Larceny & 3rd degree.  
[Sections 528, 530 — , Penal Code]

JOHN R. FELLOWS,

Appt. 4. Feb. 23 District Attorney.

A TRUE BILL.

C. M. M. 1889

Foreman.  
Park 11-6th 9/89

Indicted & Arraigned

No. 7.

0188

1837 Third Avenue.

Sunday, April 7, 1889

To the District Attorney or Assistant.

Sir,

As I am informed that neither money nor want of false swearing will be made in the "Harden" case, I wish to briefly state the following facts for your guidance and information.

At the time of the robbery, there was but one individual in the bar, excluding John Harden and myself, who the defence had the case remanded for, but did not appear. This young man, by name Fulton, was a friend of Harden, and though requested to appear, and I am given to understand, subpoenaed, did not do so, admitting to me afterwards that though he did not see Harden actually with the money "saw his hand on my vest pocket, and seeing the row, went into the adjoining room". The witness produced ~~produced~~ by the prisoner on the second remand was not present. He swore that I did not spend any money, not being aware of the fact that Harden at the Tombs had previously stated "on coming in dropped ten cents and not seeing it exclaimed: let it remain for the

at a weekly salary of 18 dollars and three dollars a column (on an average) for each article I wrote, and which salary I still receive from my present employers. Employed by Howard Lockwood & Co., Duane St., and Messrs. John J. Little & Co., Astor Place two years. Am married; have three children living, and unfortunately buried one last September.

Have written for the "Dramatic Review," "Railroad Topics," "Clothes and Furnishes," sporting papers on fiction, and most of the morning and evening journals.

Had a series of articles on "Times" in preparation when this robbery occurred.

Rented a flat, 176 East 102nd Street for four years; moved to East 114th Street (No. 423); from thence to present abode with wife and family.

This may not be necessary, still I thought it as advisable to acquaint you with all facts, so as to be fore-armed against any false swearing. Michael J. Sullivan



0190

CORRECTION

0191

1837 Third Avenue.

Sunday, April 7, 1889

To the District Attorney or Assistant.

Sir,

As I am informed that neither money nor want of false swearing will be made in the "Harden" case, I wish to briefly state the following facts for your guidance and information.

At the time of the robbery, there was but one individual in the bar, excluding John Harden and myself, who the defence had the case remanded for, but did not appear. This young man, by name Fulton, was a friend of Harden, and though requested to appear, and I am given to understand, subpoenaed, did not do so, admitting to me afterwards that though he did not see Harden actually with the money "saw his hand on my vest pocket, and seeing the row, went into the adjoining room". The witness produced ~~produced~~ by the prisoner on the second remand was not present. He swore that I did not spend any money, not being aware of the fact that Harden at the Tombs had previously stated "on coming in dropped ten cents, and not seeing it exclaimed: let it remain for the

0192

sweeper". He further stated I "placed a quarter on the bar for the drinks and cigar I called for". This witness's position was that of door-keeper during prohibited hours (Sundays especially), and he no doubt feels somewhat aggrieved now that his occupation is gone.

Money or witnesses forthcoming for the defence, are not put up with any regard for the special interest of Harden, but entirely in the interests of a Mr. Patrick Reardon, proprietor of the "Pool of Blood", as it was called, whose license has since the 21st, been confiscated by the Excise Commissioners; hence the reason to defeat by all means in this man Reardon's power, a conviction.

It may be asked did I not know the character of this dine? Yes, I did, and as place in New York was I more careful

0193

in not exhibiting bills, but slightly knowing the prisoner, felt a trifle over-confident, as the sequel showed. There has scarcely been a day since the first examination that friends of the prisoner have not offered bribes at one time, threats at another, and as late only as last Thursday, when leaving Court, two of his friends followed Officer Fosket and myself, with the object of an interview, until they became convinced it was useless. As open threats have also been made that they would try and defame my character, I have thought it advisable to give you my history since I landed in this country, on the 22nd of August, 1882.

Worked eleven months on the "Boston Herald" and "Bunker Hill Times" (Charlestown, Mass.) Came to New York was employed by John Polhemus, corner of Ave and Nassau Streets, four years



0 194

at a weekly salary of 18 dollars and three dollars a column (on an average) for each article I wrote, and which salary I still receive from my present employers. Employed by Howard Lockwood & Co., Duane St., and Messrs. John J. Little & Co., Astor Place two years. Am married; have three children living, and unfortunately buried one last September.

Have written for the "Dramatic Review," "Railroad Topics," "Clothes and Furnisher," sporting papers on fiction, and most of the morning and evening journals.

Had a series of articles on "Times" in preparation when this robbery occurred.

Rented a flat, 176 East 102nd Street for four years; moved to East 114th Street (No. 223); from thence to present abode with wife and family.

This may not be necessary, still I thought it as advisable to acquaint you with all facts, so as to be fore-armed against any false swearing. Michael J. Sullivan.



0195

Police Court—First District.

Affidavit—Larceny.

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

Michael J. Sullivan  
 of No. 1837 3rd Avenue Street, aged 35 years,  
 occupation Reporter being duly sworn  
 deposes and says, that on the 21st day of March 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:

Good and lawful money of the United States  
of the value of ten dollars

the property of deponent

and that this deponent  
 has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
 and carried away by John Hadden (now here) for

the reason, That on said day at or about  
 the hour of one O'Clock A.M. deponent  
 was in the saloon situate N<sup>o</sup> 68. Bayard  
 Street and deponent had the said money in  
 the upper right side ~~that pocket~~ pocket of  
 the vest then worn on his person and part  
 of his body clothing. That the defendant seized  
 hold of deponent's body and the defendant in-  
 serted his hand into said pocket, deponent  
 immediately thereafter searched for said money  
 and missed the same, deponent further  
 states, that no other person but the defendant  
 was near deponent's person from the time  
 deponent last saw said money until

Sworn to before me, this  
 day

188

Police Justice.

0196

deponent missed the same.  
Wherefore deponent charges the said defendant  
with feloniously taken, stealing and  
carrying away the said money from  
deponents person.

Subscribed before me  
this 21<sup>st</sup> day of March 1889, } Michael J. Sullivan.

Wm. Brown  
Police Justice

0197

Sec. 192-200.

First District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

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

Question. What is your name?

Answer.

John Harden

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.

343 Water Street; 9 or 10 Years

Question. What is your business or profession?

Answer.

Bar tender

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 chargeJohn Harden

Complainant testifies that the money taken from him was a five dollar bill, two two dollar bills and a silver dollar, and that not more than five minutes elapsed before he re-entered the place with the officer who then arrested the defendant. The officer says the defendant was standing in front of the bar when he entered the place, he was arrested there, and the ~~money~~ money found on him was a roll of bills, more

Taken before me this

21st

day of

188

March

Police Justice.

0198

one dollar bills and a two dollar  
bill and ~~two~~ dollar and forty  
cents <sup>seven</sup> silver quarters and and  
small change of copper and silver.

0199

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 March 26 1889 Chas. J. Prime 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.



0200

\$ 1000 for each  
9<sup>30</sup> AM. March 23.  
9<sup>30</sup> 4 2 4  
9<sup>30</sup> 4 2 5  
7 4 2 6

BAILED,

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

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

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

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

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

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

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

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

In the defendant  
James D. Mengies  
9 Chatham square

Police Court--- 466 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Michael J. Sullivan  
1887 3<sup>rd</sup> ave  
John Warden

Offence Larceny  
The person

Dated March 21<sup>st</sup> 1889

Power Magistrate.

Fosket Officer.

6<sup>th</sup> Precinct.

Witnesses \_\_\_\_\_

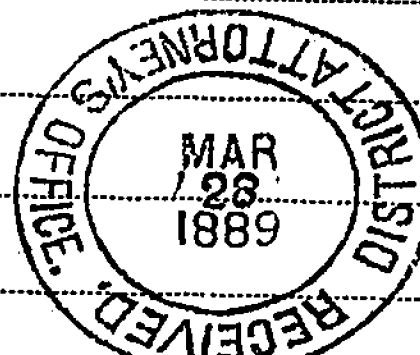
No. \_\_\_\_\_ Street.

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

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

\$ 1000 to answer

Com [Signature]



0201

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 Harden*

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

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

The said

*John Harden*

late of the City of New York, in the County of New York aforesaid, on the *twenty-first*  
day of *March* 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  
*night* 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 *ten*

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 *ten*

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

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

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

of the goods, chattels and personal property of one *Michael J. Sullivan*, on  
the person of the said *Michael J. Sullivan* then and there being found,  
from the person of the said *Michael J. Sullivan*  
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.*

0202

**BOX:**

350

**FOLDER:**

3294

**DESCRIPTION:**

Hardie, Henry

**DATE:**

04/15/89



3294

Witnesses:

*J. G. Fitzpatrick*

Counsel,

Filed, 15<sup>th</sup> day of April, 1889

Pleads, *Not guilty* - 26.

THE PEOPLE,

*vs.*  
*Wm. J. ...*

*Henry Hardie*

Forgery in the Second Degree.  
(Sections 511 and 521, Penal Code.)

*Found - guilty*

JOHN R. FELLOWS,

P. 2 May 9/89 District Attorney.

*pleads guilty*

*S. P. J. 586 mo. P. B. M.*

A True Bill.

*Foreman.*

*# 201.*

0204

CANADA

PROVINCE OF NOVA SCOTIA

HALIFAX ss

The examination of Thomas F. Somers of New York in the United States of America at present in Halifax, Corset Manufacturer, Nicholas Power of the City of Halifax, Nova Scotia, Detective Officer, John McCauley of New York afore-said Detective Officer, taken on oath before the Under-signed, one of the Justices of the Supreme Court of Nova Scotia on the thirtieth day of March A.D. 1889 in the presence and hearing of Henry Hardie who is charged this day before me for that he the said Henry Hardie on or about the fourth day of March A.D. 1889 at New York in the United States of America did feloniously forge a written order for the payment of money commonly called a cheque drawn by J. S. Fitzpatrick & Co. on the Central National Bank of New York with intent to defraud.

MR. DRYSDALE attending as Counsel for the prosecution.

MR. LYONS attending as Counsel for the Accused.

The said Thomas F. Somers having been duly sworn deposes and says as follows:-

I am a member of the firm of J. S. Fitzpatrick & Co. of the City of New York, in the United States of America. I and James S. Fitzpatrick compose the firm, we are Corset Manufacturers and our office is in the City of New York.



0205

-2-

I know the prisoner, Henry Hardie, he was in the employ of the firm of J.S. Fitzpatrick & Co. from about the end of December 1898 until the 4th March instant. He was book-keeper and cashier. He gave us his address 305 Pearl St. Patterson, New Jersey. Patterson is about an hours distance from New York by train. I was in our office in New York on first day of March instant, the prisoner and my partner were both present, the prisoner's desk adjoined mine. On that day I heard my partner tell the prisoner to fill up five cheques to the order of B. Davenport and nine cheques to the order of Amadown & Smith, these were parties who had business relations with our house- the cheques were on the Central National Bank, New York- that is all that was said at that time. After the instructions had been given, my partner signed all the cheques with the name of the firm. This is one of the cheques signed by him on that day (Marked R/1). The writing in the body of this cheque R/1 is in the writing of the prisoner except the signature, which is that of J.S. Fitzpatrick, my partner. The endorsement on the back "For deposit H. Hardie" is in the handwriting of the prisoner. I never gave the prisoner any authority to fill up this cheque R/1 (objected to)

Prisoner left our place of business on the fourth of March and did not return. We made the discovery that the cheque had been forged about the sixth; we got this cheque R 1 from the Central National Bank. I examined the stub from which the cheque had been torn, this is it R/2 - the only writing then on it, was the word "Void" in the writing

0206

-3-

of the prisoner. The other words, except the initials in the corner, were afterwards written by our clerk, Mr Smith

After this I tried to find prisoner, and arrived here last Sunday and that same day I saw the prisoner in gaol here in Halifax.

A detective officer from New York was with me - the prisoner said he did not know me - he knows me now.

Xd

I have been in partnership with Mr Fitzpatrick about four months under a written agreement, it began before the 1st January about Christmas I think, I was in his employ before that- I am the general manager of the business- do not sign cheques- my partner is the only one that signs cheques- the cheques were in a cheque book when he signed them on 1st March- these cheques were all filled in with one exception- that is all but the dates and amounts- one cheque was blank altogether when it was signed- that is the cheque R/1 This took place about three in the afternoon- I stayed there until six that day, my partner was in a hurry to catch his train when he gave the instructions- I got this cheque from the bank and put it in the hands of (J.N.R.) an Attorney. Saw it again on 18 March then gave it to the Assistant District Attorney of New York and did not see it again until to-day. It was in the Bank after the 6th March. Prisoner was told to fill up the cheques on the Central National Bank of New York- we had two Bank accounts. When I got the stub R/2 it had only the word "Void" on it- the other words were put on by

0207

-4-

Smith about the 10th March- when I first saw it the word "Void" was marked over as it is now.

When I came here detective John McCawley came with me, we went to the gaol here about 4 or 5 o'clock, were there about ten minutes. I have instructed prisoner to fill up cheques for salaries and petty cash- the instructions to fill up cheques as a rule came from my partner. My partner said to fill up (J.N.R.) five cheques to B. Davenport and nine to Amundown & Smith on the Central National Bank. I think he named some amounts- the amounts and dates were left blank. In January I instructed prisoner to fill up cheques.

(Signed) THOS. F. SOMERS.

The said Nicholas Power having been duly sworn deposes and says :-- I am a detective in the Police Force in Halifax- I arrested the prisoner on Friday last in the Halifax Hotel- saw him first at North St. Station and followed him to the Hotel- I saw him write his name in the Hotel Book- on searching him at the Police Station we found property- I got a hand bag at the Depot- I saw prisoner leave the bag at Station and get a cheque - I got the cheque from the clerk at the Hotel and under it I got the bag at the Station- it was the same one I saw prisoner deposit at Station- it contained wearing apparel and a sealed bag of coins, very heavy- I asked prisoner what it contained and he said Three Hundred and Sixty Five Sovereigns (objected) the bag has never been opened (J.N.R.) On his

0208

-5-

person I found 28 Bank of England Notes (J.N.R.) amounting to One Hundred and Ninety Pounds Sterling and twenty four Sovereigns and a few Dollars in silver and small coin. I also found an Allan Line ticket for Liverpool and a lot of private papers- these papers were in his valise R/3 R/4 R/5 R/6 - I also found two baggage cheques in his pocket. I presented the cheques at the (J.N.R.) Station and got a large trunk and a bag- they have since been delivered up to the prisoner under a Judge's order (J.N.R.) The City Marshall now has the other property under his control.

Xd

I arrested prisoner twice- I searched him on the first occasion- I arrested him the second time on the 25th. On Sunday night the baggage was examined by McCawley, the City Marshall, myself and SOMERS. I cannot identify any of these papers as taken from prisoner's baggage (R/3 to R/6 inc.)

(Signed) NICHOLAS POWER.

The said John McCawley, having been duly sworn deposed and says:- I am a Detective Sergeant in New York City. I came here last Sunday with Mr Somers. I searched prisoner's trunk (J.N.R.) and valises since I have arrived. I found these papers R/3 R/4 R/5 R/6 in the pocket of a pair of trousers in prisoner's trunk. I could find no number 305 in Pearl St. Patterson (J.N.R.) New Jersey- Numbers don't reach Three Hundred.

Xd.

I gave (J.N.R.) them (papers) to Mr Drysdale

0209

-5-

on Wednesday last- did not mark them- I judge of them by their general appearance- I will swear positively to R/4 from the mark on it in pencil- these trousers were in a trunk I examined with Detective (J.N.R.) Power- don't know from (J.N.R.) my own knowledge whose it was- I was about two hours at Patterson and about ten minutes in Pearl St. Examined the houses on both sides of the street- some houses between the first and last numbered are without numbers.

(Signed) JOHN MCCAWLEY.

On the above depositions and the affidavit of Mr Drysdale prisoner is remanded until first April next at 10 A.M.) (J.N.R.)

The above depositions were taken and sworn before me at Halifax, Nova Scotia on the day and year first above mentioned.

(Signed) J. NORMAN RITCHIE.

Justice Supreme Court

of Nova Scotia.

The same counsel attend before me on first April 1889- prisoner present under remand. Papers R/1 to R/8 inclusive tendered and received, subject to objections.

Also information, depositions, warrant and other proceedings taken in the United States certified by the



0210

-7-

Secretary of State of the United States under his Seal of Office, tendered and received subject to the objections that they are not evidence, not having been taken in the presence of the prisoner and not properly certified or authenticated.

The evidence is all read over to the accused and his statement taken and he is remanded until the third day of April 1889 at ten o'clock A.M. to hear any objections that may be urged by his counsel against his commitment for extradition.

On the 3rd April 1889 at ten o'clock A.M. the said accused is again brought before me and having heard his Counsel and the Counsel on the part of the prosecution he is again remanded until the 4th day of April 1889 at three o'clock P.M. On the 4th April 1889 at three o'clock P.M. the said Henry Hardie having been brought before me under said remand I give my decision in writing and commit him to the County Gaol in Halifax there to remain until surrendered to The United States of America or discharged according to law.

(Signed) J. NORMAN RITCHIE.

Justice of the Supreme Court  
of Nova Scotia.

Halifax, 4th April 1889.

0211

-8-

CANADA )

NOVA SCOTIA )

HALIFAX ss )

STATEMENT OF ACCUSED.

HENRY HARDIE stands charged before the Undersigned one of the Justices of the Supreme Court of Nova Scotia this first day of April A.D. 1889 for that the said HENRY HARDIE on or about the fourth day of March A.D. 1889 at New York in the United States of America did feloniously forge a written order for the payment of money commonly called "a cheque" drawn by J.S. Fitzpatrick & Co. on the Central National Bank of New York with intent to defraud and the said charge being read to the said HENRY HARDIE and the witnesses for the prosecution Thomas F. Somers, Nicholas Power and John McCawley being severally examined in his presence and the documents and papers put in evidence, read over to him, the said HENRY HARDIE is now addressed by me as follows:-

"Having heard the evidence do you wish to say any-  
" thing in answer to the charge? You are not obliged to  
" say anything unless you desire to do so but whatever you  
" say will be taken down in writing and may be used  
" against you."

Whereupon the said HENRY HARDIE says:-

"I have nothing to say, I am not guilty."

0212

CANADA

Province of Nova Scotia.

County of Halifax ss

The information and complaint of THOMAS FRANCIS Somers of the City of New York in the State of New York in the United States of America, Merchant, but at present of the City of Halifax in the County of Halifax and Province of Nova Scotia taken this twenty fifth day of March in the year One thousand eight hundred and eighty nine before me a Judge under "the Extradition Act" who saith that on or about the fourth day of March in the year One thousand eight hundred and eighty nine at the City of New York aforesaid, one HENRY HARDIE did feloniously forge a certain cheque or order for the payment of money signed by J. G. Fitzpatrick & Co. on the Central National Bank of New York for the sum of Thirty nine hundred dollars with intent to defraud.

That the said HENRY HARDIE did at the City of New York aforesaid on or about the fourth day of March in the year One thousand eight hundred and eighty nine feloniously forge a certain cheque on the Central National Bank of New York City aforesaid for the sum of Thirty nine hundred dollars which said cheque had been signed in blank by the firm of J. G. Fitzpatrick & Co. and had been delivered to said Henry Hardie by said firm of J. G. Fitzpatrick & Co. to be filled up for the purposes of said firm and the said

-2-

HENRY HARDIE did thereupon feloniously fill up, forge and insert over the signature of said J.G. Fitzpatrick & Co. the words "pay to the order of H. Hardie thirty nine hundred dollars" and did feloniously forge and insert in said cheque words making the said cheque payable to the order of the said Henry Hardie for the sum of thirty nine hundred dollars without the consent or authority and against the will of the said firm of J.G. Fitzpatrick & Co. and for his own purposes and did thereupon feloniously place and put the said cheque in circulation, and feloniously alter the same and obtain the said sum of Thirty nine hundred dollars thereon, all with intent to defraud.

That the said HENRY HARDIE at the City of New York aforesaid on or about the fourth day of March instant did feloniously forge a certain cheque on the Central National Bank of the City of New York aforesaid, signed in blank by the firm of J.G. Fitzpatrick & Co. of the City of New York aforesaid, Merchants, with intent to defraud.

That the said HENRY HARDIE did at the City of New York aforesaid on or about the fourth day of March instant, feloniously forge a certain cheque on the Central National Bank of the City of New York aforesaid by feloniously inserting, forging and filling in said cheque over the signature of J.G. Fitzpatrick & Co. the words "H. Hardie Thirty nine hundred" and by feloniously forging and inserting in the corner of said cheque the figures "3900.00" with intent to defraud.

That on or about the second day of March inst.

James G. Fitzpatrick of the City of New York aforesaid, signed the firm name of J.G. Fitzpatrick & Co. of said City of New York (of which firm the said James G. Fitzpatrick was a member) to a cheque on the Central National Bank of the City of New York aforesaid in blank and delivered the said cheque so signed in blank to the said HENRY HARDIE and instructed the said HENRY HARDIE to fill up the said cheque over said signature and make the same payable to the firm of Armidonn & Smith of the City of New York aforesaid for the sum of Twenty five hundred dollars or thereabouts.

That the said HENRY HARDIE thereupon took said cheque and feloniously forged, filled up and inserted therein over said signature words and figures making the said cheque payable to the said HENRY HARDIE or his order for the sum of Thirty nine hundred dollars with intent to defraud and also did feloniously forge said cheque by feloniously inserting therein words over the said signature as aforesaid and did thereupon feloniously forge the said cheque on said Bank and did feloniously forge and insert in said cheque words and figures contrary to his said instructions and against the will and authority of the said James G. Fitzpatrick & Co. and of the said James G. Fitzpatrick.

That the said HENRY HARDIE has escaped to Canada and is now in the City of Halifax aforesaid.



02 15

Sworn before me at the City )  
of Halifax, in the County )  
of Halifax and Province of Nova )  
Scotia this twenty fifth day )  
of March A. D. 1889 )

SGND. THOS. F. Somers

SGND. J. N. Ritchie.

A Justice of Her Majesty's  
Supreme Court of Nova Scotia and being a  
Judge of a Superior Court of the Province  
of Nova Scotia.

0216

Re Mark is

Office Memorandum

[illegible]

OF MARCH 7<sup>th</sup> 1888

SCOTIA THIS MOUNTAIN BIRCHES  
OF HILLTOP AND BLOOMING OF MOON  
OF HILLTOP IN THE COUNTRY  
GROWN BEFORE ME IN THE CITY

2010-2011

POOR QUALITY 7  
ORIGINAL

TORN PAGE

0217

#### DRINK LEADS TO THE FORGERY.

Bookkeeper Hardie, in Halifax Jail, Makes  
a Detailed Confession.

[SPECIAL TO THE WORLD.]

HALIFAX, N. S., March 25.—Henry Hardie, the New York forger, was taken before Judge Townshend to-day under habeas corpus proceedings, and discharged from custody on the ground that there was no evidence to hold him. He was immediately rearrested for bringing stolen money into Canada and remanded till Wednesday, when a hard fight will be made for his release. The case for the prosecution is being managed by Thomas F. Somers, the victimized firm. While on the eve of escape Hardie has completely broken down, and tonight was visited in jail by THE WORLD correspondent, to whom he made this confession in presence of Mr. Somers:

My name is Henry Hardie, aged twenty-two, a native of Scotland, naturalized in New York last September. I have a wife and two children. I was confidential bookkeeper and for J. G. Fitzpatrick & Co. It was the policy of the firm to intrust me with signed checks to be filled out for specified purposes. On March 4 I had been drinking, and I had a blank check, signed, which I have been filled out for \$2,500 and paid in, but which I filled out in my own name for \$3,000. I didn't think by filling in the amount to my own order I was committing forgery. I would no more have committed forgery had I known what I was doing than I would have committed murder. I opened an account with the National Butchers and Grocers' Bank and deposited that check for \$3,000. I did that because I couldn't draw the money out of Mr. Fitzpatrick's bank without exciting suspicion, although had I chosen I could have taken \$20,000 as easily as \$3,000. A sudden impulse came upon me. I didn't know what I was doing. Two days later I drew out \$3,400, and that night took the New York Central for Buffalo, en route for Toronto. I had the money in three one-thousand-dollar bills, the rest in fifties. I left \$500 on deposit, so as not to raise suspicion by withdrawing the whole sum so soon after depositing it. I stayed in Toronto from March 7 till the 20th, doing the town and thinking what I would do, and whether I had not better return to New York and make a clean breast of my crime. I had not seen my wife since March 4, the day I filled out the check, but wrote her from Toronto. I made some acquaintances in Toronto, and finally made up mind to go to England. I purchased a ticket for Liverpool, via Halifax, and changed the three \$1,000 bills into English gold and bank notes. I squandered the balance of the money. I hadn't been speculating or gambling, but had been drinking, when the thought flashed across my mind to use one of the checks for my own purposes. But I don't excuse myself upon that score. All the money (nearly \$3,000) found on me when I was arrested in Halifax belongs to J. G. Fitzpatrick & Co. It is part of the proceeds of the check I filled in, and I am willing and anxious to turn it over to its rightful owners. Notwithstanding my chances of release by fighting in the courts, I am perfectly willing to go back to New York without extradition papers or putting the officers or the firm to any further trouble. This is my first offense, and I deeply regret the loss I have occasioned the firm and the disgrace brought upon myself and young wife. I make this confession to the New York World representative of my own free will and accord.

Hardie will probably go before a Judge tomorrow, admit his guilt and leave for New York immediately.

0218

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

N. H. Meagher Esquire

Halifax Nova Scotia

March 25<sup>th</sup> 1889

Dear Sir.

I am in receipt of your despatches of the 22nd & 24<sup>th</sup> instants relative to the matter of Henry Hardie a fugitive from justice charged in this country with the crime of forgery, & now under arrest in Halifax pending the arrival of the evidence required by the Treaty to authorize his extradition and surrender to the authorities of the United States.

As to the circumstances of the crime my despatch of the 22nd explains as fully as need be the manner of the forgery & from Mr Somers you have doubtless learned the full particulars.

It may be interesting for you to learn that <sup>very recently</sup> in the proceedings before Sir James Sugan, a Judge under the Extradition Act, ~~in~~ in the case of Ignatz Reinty charged here with forgery & arrested in England as a fugitive, the holding in of a cheque in the same manner as was done by Hardie was



0219

District Attorneys Office.  
City & County of  
New York.

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held George and extraditable under the  
Treaty. To date <sup>result</sup> see 2 Bidley's Criminal  
Law, §582, Reg v Wilson 2 Cox 426,  
Reg v Bateman 1 Cox 186 - Reg v Hart  
4 C & P. 652. - Reg v Atkinson 7 C & P 669  
Reg v Richardson 2 Fort & F. 343 -  
Xlower v Shaw, 2 C & K, 403

In your despatch of the 24<sup>th</sup> you ask  
for "full copy of indictment found certified  
fully as possible under seal of the court" &c

~~This I cannot do~~

In regard to this I would call your  
attention to the fact that a certified copy  
of the indictment would be absolutely useless  
in Canada as was decided in the case of  
Emo.

What the Treaty and your extradition  
act require is evidence of the crime - not  
a formal charge - and this I have prepared  
and forwarded to Albany for certification  
so from whence it goes to Washington  
for final authentication & from there  
to Halifax with the warrant of the  
President designating Detective Mc Carthy  
as his agent to receive & convey the fugitive back.



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

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This evidence consists <sup>(1)</sup> of an information of me & my partner supported by <sup>(2)</sup> his deposition & that of Edwin B. Collins the Paying Teller of the National Butchers' & Grocers' Bank of this City where Hardie deposited the forged cheque and from which before his flight he drew \$3400. ~~of the money~~ in cash on the strength of it. - (3) a warrant issued by the Recorder of ~~the~~ <sup>the</sup> City of New York for Hardie's arrest, and (4) the return of a peace officer <sup>Thomas Roman</sup> to the effect that Hardie can not be found in the State of New York.

These papers are certified now (1) by the certificate of the Recorder, (2) by the certificate of the County Clerk establishing the legality of the Recorder's action & office.

When they reach Halifax in addition to this they will have (3) the certificate of the Secretary of the State of New York (4) the <sup>certificate of the</sup> Secretary of the Department of State at Washington and (5) that of the British Legation at Washington.

In this shape they will be ~~made~~ authenticated in conformity with the requirements of your Extradition act and admissible.

0221

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

For the purpose of showing the fugitive  
guilty. 188

It was under papers so prepared and  
authenticated that DeBam the Park Bank  
defaulter was committed <sup>for extradition</sup> by the Justice  
Rising at Sherbrooke P. Q. in the fall  
of last year and in his opinion he took  
occasion to speak favorably of the ~~reality~~  
nature & authenticity of the papers, and on  
behalf of the Queen Bench at Montreal  
sustained the proceedings & DeBam is now  
in our City Prison awaiting trial for the  
fugitive for which he was surrendered.

So in many recent cases, international  
extradition papers in the shape I have  
explained have resulted in the fugitives  
surrender, and among others the Penny case  
above mentioned.

As you have asked for the original  
forged cheque & stub I enclose the same  
although I can see no necessity for its  
production on the hearing in Halifax.

I would call your attention to the  
fact that all the winter matter in the state  
except the word "Void" has been inserted  
since Hardie's forgery was discovered. My  
new bookkeeper of Party & Tyndal & Co.

0222

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

The identification marks on deane & still  
"nd 25/89 JSD" are in my handwriting. 188

Now as to Wardie's detention pending  
the arrival of the vapors; I can now see  
how there should be any danger of his  
discharge.)

It is a matter of common  
occurrence for us to cause the arrest  
of parties in foreign jurisdictions in  
advance of the proof of their crimes & this  
is always done through the American  
diplomatic agent nearest the place of  
arrest. On his indication and assurance  
that the evidence is forthcoming the prisoner  
is remanded from time to time until  
the vapors arrive, and though in some  
instances the prisoner has been so  
detained for three or four weeks  
there has never been any difficulty in  
holding him. Furthermore the instructions of the  
State Department to Mr. Phelan fully cover the situation.

As it will be impossible for the  
completed documents to reach Halifax  
before Saturday or Monday next I  
have taken the liberty of suggesting that  
you issue a remand for a week.

Mr. Canley the Detective of Inspector  
Byrnes staff, will be designated as

0223

District Attorneys Office.  
City & County of  
New York.

the President's agent.

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You will please ~~see~~ see that the  
enclosed cheque & stub are returned as  
soon as may be, ~~inasmuch as they are~~  
~~in constant circulation~~ and  
for any assistance that can be rendered  
by the office you will please call  
upon me at once.

Very respectfully yours

Assistant Attorney

for  
aid  
to  
agent



0224

Dear Mr. [unclear]  
 I have just received your letter of the 25th inst. and am glad to hear from you.  
 I am well and hope this finds you the same.  
 I am, Sir, very respectfully,  
 Yours truly,  
 [Signature]

*Wm. H. Burrows*



0225

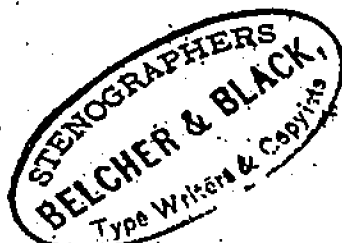
-9-

And he declines to sign the above Statement.

Taken before me at Halifax, Nova Scotia the day and  
year first above mentioned.

(Signed) J. NORMAN RITCHIE.

Justice Supreme Court  
of Nova Scotia.



0226

VI.

STATE OF NEW YORK.  
Executive Chamber,  
ALBANY.

March 3, 1891.

Sir:

Application for Executive clemency having been made on behalf  
of Henry Hardie who was convicted of forgery  
in the county of New York and sentenced May 10, 1889,  
to imprisonment in the Sing Sing Prison for the term of  
seven years, six months, ----- I am directed by the Governor  
respectfully to request that, in pursuance of Section 695 of the  
Code of Criminal Procedure, you will forward to him a concise state-  
ment of the facts of the case, together with your opinion of the  
merits of the application.

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

Very respectfully yours,

*J. S. Williams.*  
Private Secretary.

Delancy Nicoll, Esq.,  
District Attorney,  
New York City.

0227

Jan 9. 1913

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Paraguay

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0228

James G. Fitzpatrick, 9707 Lexington Ave.  
J.G.F. composed J.G.F. & Thomas F. Souther  
corset mfr. mfrs at Bridgeport Conn &  
Birmingham Conn. & office & salesroom  
58 & 60 North St.

Signs all cheques. — & has charge of names  
of the business

Henry Hardie, bookkeeper for  
two months & had charge of the cheques  
book & entrusted to fill up the names  
& amounts of cheques as directed by Mr. F.

It was Mr. F.'s custom to sign  
cheques from for Benjamin Davison  
(man of B.D.) & also for Amos &  
Smith a firm used to do business with.  
who examined & guaranteed credits & to  
pay cheques almost daily. This was  
done on ~~the~~ Saturday before going to  
Atlantic City where family was staying.

Usually filled up ~~from~~ <sup>from</sup> about ten  
blank cheques drawn to the order of each  
of them. Cheques for D. were to  
be used for him by endorsing same  
over to various traveling salesmen &  
firm of those of A.T.S. to pay money  
due them.

Thursday, Friday, Saturday

on ~~the~~ ~~28~~ ~~29~~ ~~30~~ ~~31~~ ~~1~~ ~~2~~ ~~3~~ ~~4~~ ~~5~~ ~~6~~ ~~7~~ ~~8~~ ~~9~~ ~~10~~ ~~11~~ ~~12~~ ~~13~~ ~~14~~ ~~15~~ ~~16~~ ~~17~~ ~~18~~ ~~19~~ ~~20~~ ~~21~~ ~~22~~ ~~23~~ ~~24~~ ~~25~~ ~~26~~ ~~27~~ ~~28~~ ~~29~~ ~~30~~ ~~31~~ ~~1~~ ~~2~~ ~~3~~ ~~4~~ ~~5~~ ~~6~~ ~~7~~ ~~8~~ ~~9~~ ~~10~~ ~~11~~ ~~12~~ ~~13~~ ~~14~~ ~~15~~ ~~16~~ ~~17~~ ~~18~~ ~~19~~ ~~20~~ ~~21~~ ~~22~~ ~~23~~ ~~24~~ ~~25~~ ~~26~~ ~~27~~ ~~28~~ ~~29~~ ~~30~~ ~~31~~ ~~1~~ ~~2~~ ~~3~~ ~~4~~ ~~5~~ ~~6~~ ~~7~~ ~~8~~ ~~9~~ ~~10~~ ~~11~~ ~~12~~ ~~13~~ ~~14~~ ~~15~~ ~~16~~ ~~17~~ ~~18~~ ~~19~~ ~~20~~ ~~21~~ ~~22~~ ~~23~~ ~~24~~ ~~25~~ ~~26~~ ~~27~~ ~~28~~ ~~29~~ ~~30~~ ~~31~~ ~~1~~ ~~2~~ ~~3~~ ~~4~~ ~~5~~ ~~6~~ ~~7~~ ~~8~~ ~~9~~ ~~10~~ ~~11~~ ~~12~~ ~~13~~ ~~14~~ ~~15~~ ~~16~~ ~~17~~ ~~18~~ ~~19~~ ~~20~~ ~~21~~ ~~22~~ ~~23~~ ~~24~~ ~~25~~ ~~26~~ ~~27~~ ~~28~~ ~~29~~ ~~30~~ ~~31~~ ~~1~~ ~~2~~ ~~3~~ ~~4~~ ~~5~~ ~~6~~ ~~7~~ ~~8~~ ~~9~~ ~~10~~ ~~11~~ ~~12~~ ~~13~~ ~~14~~ ~~15~~ ~~16~~ ~~17~~ ~~18~~ ~~19~~ 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0230

Edwin B. Collins - 213 W 14 St.

Payroll teller at Natl B & T B, 124

Bowery Co Grand.

Known Hardie

on Feb 4 one Harry Hardy deposited to

his credit in the bank cheque etc.

On Feb 6, chkr (200) was presented  
by messenger & paid.

Same day check <sup>2nd</sup> 2000 was  
presented to Harry Hardy & I paid  
him money & saw him hand it over to a  
man who was with him.

Later he came in & presented  
\$3000. cheque made in his name & he  
deposited it & found out OK I paid it to  
him in person.

Introduced by J. Thor Breman or  
liquor dealer  
116 Bowery whom I know.

There is now \$500 in bank to his  
credit which has been taken as the sum  
of J. F. & Co.

on the 14th I received letter set  
forth in Mr F's dep. & there is one to  
Cashier who in turn saw same to Mr F.

0231

Wm W. Smith 338 W 19<sup>th</sup> St.

Burrage.

0232

Super:  
Young Gardia

IN RE HENRY HARDIE.

A Warrant having being issued for the arrest of Henry Hardie on a charge of forgery alleged to have been committed at New York in the United States of America, he was brought before me under Section 9 of the Extradition Act (Cap 142 Rev Stat of Canada) that I might hear the case and decide whether or not I should commit him to prison so that on application he might be surrendered to the authorities of the United States to be tried there for the alleged crime.

Under the provisions of Article 10 of the Extradition treaty with the United States as well as Section 11 of the Extradition Act, in order to authorize his committal by me, such evidence must be produced as would according to the law of Canada justify his committal for trial, if the crime had been committed in Canada. Three witnesses were examined before me; the information taken in New York, the warrant issued there and three depositions taken in the same place authenticated under the official seal of the Secretary of State of the United States of America, were also produced and the first question raised on behalf of the accused was, that these depositions could not be used as evidence because they were taken in the absence of the accused and by the law of Canada such depositions could in no case be used as evidence on the trial if it took place here.

The provisions of the English Statute with reference to the taking of depositions in criminal matters and re-

gulating the admission of such depositions in evidence on the trial are similar to those in force in Canada.

Yet the Court of Queen's Bench when it was called upon to review under writ of Habeas Corpus the decision of the Chief Magistrate at Bow Street (In re Counhaye L. R. 82 Q. B. 410) held that depositions taken as these were in the foreign country and in the absence of the accused were admissible as evidence under the Extradition Act in force in England which in these respects is similar to cap 142 Rev. Stat. of Canada and the treaty with Belgium under which the proceedings were taken contains the same clause as that with the United States - upon which the counsel for the accused in the present case based his contention viz:- "That the commission of the crime shall be so established as that the laws of the country where the fugitive or person accused shall be found, would justify his apprehension and commitment for trial if the crime had been there committed."

In the case I have cited Blackburn J. said "We are I believe all agreed that Section 4 makes depositions properly authenticated evidence in ~~proceedings~~ proceedings under the Act whether they are taken in the particular charge or not and whether taken in the presence of the person charged or not. In most European States I believe it is not the practice to take the depositions in the presence of the accused, at all events the law is indifferent in the matter. I would add that it is for the Magistrate to give what weight he thinks proper to depositions so taken."



While this decision does not absolutely govern me, it fully meets with my approval and no sufficient reasons have been given to induce me to dissent from it.

The counsel for the accused further contended that the evidence before me was not sufficient to authorize the committal inasmuch as it was insufficient to warrant a conviction if I were trying the accused for the crime; and in support of this Ex parti *Kaine* (3 Blatch.) was cited. The weight of the authority in the United States Courts however does not I think confirm this view; see the opinion of Mr Justice Blatchford In re *Farez* (7 Blatch 345) and that of Chief Justice Marshall in the case of Aaron Burr.

No other cases have been cited, but even assuming that some of the Courts in the United States hold this view it does not I think justify me in departing from the plain words of the Statute and treaty and directing the release of the accused, if I thought the evidence sufficient to justify his committal for trial but insufficient to warrant his conviction.

The most important point still remains, is the crime charged forgery or only embezzlement? As I apprehend the evidence, the accused who was the Cashier and bookkeeper of the firm of *J. F. Fitzpatrick & Co.* was directed by Mr Fitzpatrick, one of the firm, to fill up certain cheques on the Central National Bank of New York, five to the order of B. Davenport, and nine to the order of *Amundson & Smith* *that the accused filled up all these cheques as directed but one which he* leaving the dates and amounts blank and presented them in the cheque book to Mr Fitzpatrick who signed the whole fourteen believing that all had been filled up as he had

*W. C. Smith 18/10/18*

directed.

The accused afterwards filled up the blank cheque by making it payable to his own order for \$3900.00 and having endorsed it, paid it to his own credit in another Bank. He subsequently withdrew from the latter Bank the greater part of the money and fled to Canada.

Is this crime forgery? In my opinion it is and that this case is governed by that of *Rex v. Hart* (7 C & P 652) There it was held by twelve of the English Judges that if a person having a blank acceptance of another be authorized to write out a bill of Exchange for a certain limited amount and he write on it a Bill of Exchange for a larger amount with intent to defraud the acceptor or any other person, it is forgery.

I can see no difference in principle between this case and the one under consideration; if it is forgery for a person having a blank bill to fill it up with a larger amount than he is authorized to do, it is equally forgery to draw it payable to his own order when he was directed to make it payable to the order of a different payee.

The same principle was settled in *Rex v. Bateman* (1 Cox CC.186) Earl J there said "If a cheque be given to a person with a certain authority the agent is confined strictly within the limits of that authority and if he choose to alter it, the Crime of Forgery is committed. If the blank cheque was delivered to him with a limited authority to complete it, and he filled it up with an amount different from the one he was directed to insert, and if after

0237

-5-

the authority was at an end he filled it up with any amount whatsoever, that too would be clearly forgery."

And Patterson J "I quite agree with my learned brother that if the person filled up the cheque with a different amount and for different purposes than those which his authority warranted, the crime of forgery would be undoubtedly made out."

These two cases were afterwards cited in Reg *vs.* Wilson (2 Cox CC 426) and there followed by the Court of Crown Cases reserved. See also the dictum of Chief Justice Wylde in *Flower vs. Shaw* (2 Car & Ker, 703)

I am of opinion that such evidence of forgery by the accused has been produced before me in this case, as would justify my committing him for trial if the crime had been committed in Canada. And under Section eleven of the Extradition Act (cap 142 Rev. Stat. of Canada) a warrant will issue for the committal of the accused, HENRY HARDIE, to the County Gaol in Halifax there to remain until surrendered to the United States of America or discharged according to law.

(Sgnd.) J. N. RITCHIE.

Halifax, Apr. 4, 1889



0238

Mr. O'Connell,

Prof. ment. Gov.

Justice Ritchie



0239

Form No. 44.

# **NIGHT MESSAGE.** **THE WESTERN UNION TELEGRAPH COMPANY.**

This Company TRANSMITS and DELIVERS messages only on conditions limiting its liability which have been assented to by the sender of the following message. Errors can be guarded against only by repeating a message back to the sending station for comparison, and the Company will not hold itself liable for errors or delays in transmission or delivery of Unrepeated Night Messages, sent at reduced rates, beyond a sum equal to ten times the amount paid for transmission; nor in any case when the claim is not presented in writing within thirty days after sending the message. This is an UNREPEATED NIGHT MESSAGE, and is delivered by request of the sender, under the conditions named above.

THOS. T. ECKERT, General Manager.

NORVIN GREEN, President.

NUMBER	SENT BY	REC'D BY	CHECK
B 133	Bd	Ev	20pd

Received at the WESTERN UNION BUILDING, 195 Broadway, N. Y. May 9 1889

Dated H Lewis &

To James Fitzgerald.

Best best atty my

Hardie an old Criminal in Scotland

and New York no subject for Reformatory.

Have his Case postponed tomorrow until

I come J G Fitzpatrick



0240

UNITED STATES OF AMERICA.

STATE OF NEW YORK.

In the Matter

of

Henry Hardie,

a Fugitive from the Justice

of the State of New York.

City and County of New York ss.

James G. Fitzpatrick, being duly sworn, deposes  
and says as follows: I am the complainant herein.

(a) The fugitive is charged with the forgery  
of an instrument and writing, to wit, a certain bank  
cheque set forth in the foregoing information, under  
the circumstances therein alleged.

(b) After the commission of the said crime, to  
wit, on or about the sixth day of March, 1889, the said  
Henry Hardie fled from the jurisdiction of the State of  
New York, and is now, as deponent is informed and has  
reason to believe, in the City of Toronto, in the  
Province of Ontario, in the Dominion of Canada, a fug-  
itive from justice, and deponent so alleges for the  
following reasons: That on the 4th day of March, 1889,  
in the early part of the afternoon, the said Henry

Hardie left deponent's place of business, where he had been up to that time constantly employed, as alleged in the deposition aforesaid, for about two months, and without any explanation remained away and has not since that time returned, and on the 18th day of March, 1889, deponent received a letter in the handwriting of the said Henry Hardie, and purporting to have been written and mailed from the said City of Toronto, and wherein the address of the said Henry Hardie was given as Care of E. W. Wilson, 100 Adelaide Street West, Toronto.

(c) I desire that the said Henry Hardie shall be brought back to this State from his present asylum for trial and punishment. This application is made in good faith, for the sole purpose of punishing the accused, and I do not desire or expect to use the prosecution for the purpose of collecting a debt or for any private purpose and will not directly or indirectly use the same for any of said purposes.

I am informed and believe that the said Henry Hardie, at the time of his flight therefrom, was a resident of this State, having his place of abode at No. 36 Clinton Place in the City of New York. At the time I first employed him he stated that he had a wife then living in the City of Paterson in the State of New Jersey, whom he intended to bring to New York as soon as he got permanent employment.

Further than as is hereinabove stated, I have

0242

3

no knowledge of the previous history of the fugitive.

Sworn to before me this :

21st day of March, 1889.

*J. G. [Signature]*

*William [Signature]*  
*County Clerk*  
*City of [Signature]*

*res. m. l.*  
*ad. m. l.*

*no knowledge of*  
*the previous history of*

0243

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Handwritten signature or stamp in the center of the page.

Handwritten text at the bottom of the page, possibly a date or reference number.



0244

*District Attorneys Office.  
City & County of  
New York.*

March 25, 1889.

Col. William G. Rice,  
Executive Chamber,  
Albany, N. Y.

Dear Sir:--

The bearer will hand to you an application of the District Attorney for the institution of proceedings for the extradition from Canada of one Henry Hardie, who is now under arrest at Halifax, Nova Scotia.

Hardie was arrested through telegraphic dispatches between Consul General Phelan and this office on the 22d instant. Since that time I have received information by telegraph from Mr. Phelan, and also M. W. Meagher, an attorney of Halifax, who has been retained by the Consul in the case, urging the necessity of the prompt transmission of the evidence required by the treaty.

In response I have telegraphed that the papers would leave Washington on Wednesday night the 27th instant for Halifax.

I shall myself present the application in Washington, and in order to meet my promise I shall have to leave New York to-morrow (Tuesday) night for Washington. I would therefore ask that you expedite the proceedings in the Executive Chamber in order that the bearer may bring the Governor's requisition and the second copy of the papers (duly authenticated) back with him to-morrow.



0245

In re

Hardie

Copy

Letter to

Col Price

Wed 2/7/89

Wm. H. & Co. Inc.  
Chicago, Ill.  
Sole Agents for the  
United States  
of America

0246

*District Attorneys Office.  
City & County of  
New York.*

March 19th, 1889.

Charles H. Wagner, Esq.,

American Consul,

Toronto, Ontario, Canada.

Dear Sir:--

The bearer, Mr. Thomas F. Somers, of the firm of James J. Fitzpatrick & Co. of this city, desires to make complaint against one Henry Hardie, a former employe of his firm, for a forgery of a check for \$3900, in order that Hardie may be arrested and remanded to await the arrival of the evidences of his crime. It is believed that Hardie is now in Toronto and that his whereabouts can be readily ascertained.

The papers are now being prepared for the purpose of an application for his extradition and will be forwarded within a day or two to Governor Hill and by him then to the State Department at Washington, from which instructions will probably be forwarded to you.

Any assistance you can render Mr. Somers in the matter will be appreciated.

Very respectfully yours,

*John A. Sullivan*

District Attorney.

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

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afternoon.

In the preparation of these papers I have carefully followed the precedents established in the recent cases of De Baun, Sambalino and Reinitz, and as all of these cases have resulted in the extradition of the fugitives, I think there can be no question as to the correctness of these papers.

Very truly yours,



Assistant District Attorney.

0248

Registered Letter No. 34579, P. O. New York, N. Y.

RECEIVED

188, of

Justice Attorney's Office

a Letter addressed to

Salipax

H. G. PEARSON, P. M., per

W'a



0249

UNITED STATES OF AMERICA,  
STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK. SS.

In the Name of the People of the State of New York, To any peace officer in  
the State of New York:

Information upon oath having been this day laid before me, that  
the crime of Forgery has been committed, and  
accusing Henry Hardie thereof:

You are Therefore Commanded forthwith to arrest the above named Henry  
Hardie and bring him before me at my chambers in  
the Sessions Building in the Park in the City of New York,  
or in case of my absence or inability to act, before the nearest or most accessible Magistrate  
in this County.

Dated at the City of New York, in the County of New York aforesaid, this 25th day of  
March 1889.

J. W. Henry  
Recorder of the City of New York



UNITED STATES OF AMERICA,  
State of New York.

THE PEOPLE

OF THE STATE OF NEW YORK.

against

Henry Hardie

WARRANT OF ARREST.

Issued March 20th 1889  
Smyth Magistrate.  
German Officer.

To Frederick Smyth Esquire.  
Recorder to

CITY AND COUNTY OF NEW YORK, SS.

The return of Thomas German  
a Detective Sergeant of the Municipal Police of the City of New  
York respectfully shows that the within named  
can not with due diligence be found within  
the State of New York.

Dated at the City of New York, in the County of New York  
afore said, this 2<sup>nd</sup> day of March 1889  
Thomas German  
Detective Sergeant.

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UNITED STATES OF AMERICA.

STATE OF NEW YORK.

-----X  
In the Matter :  
of :  
Henry Hardie, :  
a Fugitive from the Justice :  
of the State of New York. :  
-----X

City and County of New York ss.

The information of James G. Fitzpatrick, laid before Frederick Smyth, Esquire, Recorder of the City of New York, and a Magistrate and officer having power to issue a warrant for the arrest of a person charged with a crime, at the City and County of New York, the twenty <sup>fifth</sup> ~~fourth~~ day of March in the year of our Lord one thousand eight hundred and eighty-nine, who, being duly sworn, deposes, alleges and says as follows:

That on the fourth day of March in the year aforesaid, one Henry Hardie, late of the City of New York, in the County of New York aforesaid, at the City and County aforesaid, did feloniously forge a certain instrument and writing, to wit: an order for the payment of money of the kind called bank cheques, in the words and figures following, to wit:

11,399.

New York, March 4th, 1889.

CENTRAL NATIONAL BANK.

Pay to the Order of H. Hardie

Thirty-nine hundred -----Dollars  
\$3900.00

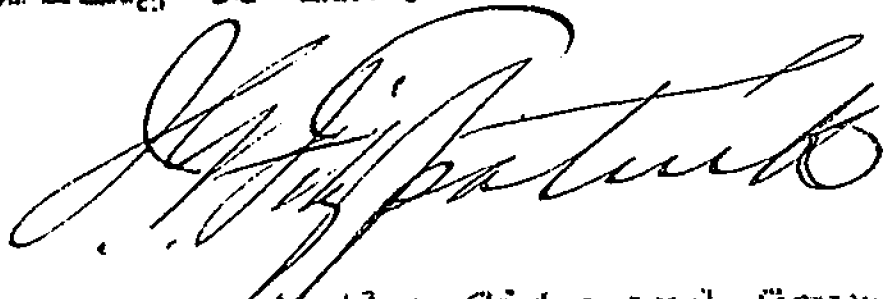
J. G. Fitzpatrick & Co.

0252

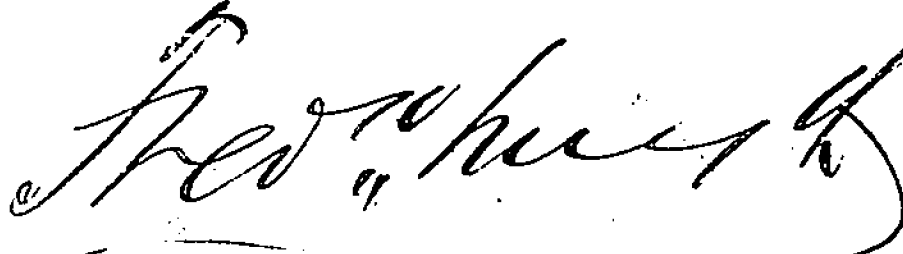
2

with intent to defraud; and that afterwards, to wit:  
on the day and in the year aforesaid, at the City and  
County aforesaid, the said Henry Hardie, with intent to  
defraud, did feloniously utter, dispose of and put off  
as true the said forged instrument and writing, he the  
said Henry Hardie then and there well knowing the same  
to be forged: 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.

Wherefore, informant prays that a warrant may  
issue for the arrest of the said Henry Hardie and that  
he be dealt with according to law.



Sworn to before me, at the City and County of  
New York, this twenty <sup>fifth</sup> ~~fourth~~ day of March, in the year  
of our Lord one thousand eight hundred and eighty-nine.



Recorder of the City of New York.

0253

UNITED STATES OF AMERICA.

STATE OF NEW YORK.

-----X  
In the Matter  
of  
Henry Hardie,  
a Fugitive from the Justice  
of the State of New York.  
-----X

City and County of New York ss.

The deposition of James G. Fitzpatrick, taken before Frederick Smyth, Esquire, Recorder of the City of New York, and a Magistrate and officer having power to issue a warrant for the arrest of a person charged with a crime, at the City and County of New York, the twenty-~~fourth~~<sup>fifth</sup> day of March, in the year of our Lord one thousand eight hundred and eighty-nine, who, being duly sworn, deposes and says as follows:

I reside at No. 707 Lexington Avenue in the said City of New York. I am a member of the firm of James G. Fitzpatrick & Company, corset manufacturers having mills at Bridgeport and Birmingham in the State of Connecticut, and an office and salesroom at No. 58 and 60 Worth Street in the said city. The said firm is composed of myself and Thomas P. Somers, copartners.

I have charge of the management of the business of the said firm and sign all checks drawn for the purposes of the business. The above named Henry Hardie was a book-keeper employed by the said firm



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and had been so employed for about two months at the time of the commission of the forgery alleged in the foregoing information. His duties consisted in the keeping of the accounts of the said firm and the posting and writing up of its accounts, and by virtue of his position and employment he had the care and charge of the books of account of the said firm and of the check book. I am familiar with the handwriting of the said Henry Hardie and have frequently seen him write.

He was entrusted and authorized by me from time to time to fill in in the blank checks contained in the said check book, the names of the persons to whom it was intended money should be paid for the purposes of the business as under particular circumstances it was required. It was my custom during <sup>most of</sup> ~~all~~ the period of his employment by my firm, to leave my office once a week to remain away for two or three and sometimes four days, and before leaving I would direct him the said Henry Hardie to fill out as many blank checks as I should consider might be required during my absence, for the purpose of therewith enabling the payment to the firm of Amidown & Smith, with whom my firm has for a long time had extensive dealings, such sums as I had reason to suppose would become due and owing to them during my absence, and also for the purpose of thereby enabling one Benjamin Davenport, who was then <sup>doing business with</sup> ~~in the employ of~~ my said firm, to fill out in such blank checks the amounts which should be needed for



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for the purpose of paying the expenses of the traveling salesman of my firm.

When these checks had been filled out with respect to the name of the payee, it was my custom to sign the same in the firm name and return them while yet contained in the check book to the said Henry Hardie, who was authorized to fill in the amounts thereof and the dates accordingly as the said firm of Ammidown & Smith and the said Benjamin Davenport should become entitled to receive the same for the purposes aforesaid.

On Friday, the 1st day of March, 1889, being about to leave the city for a few days, I instructed the said Henry Hardie to fill out nine checks with the name of the said firm of Ammidown & Smith inserted as the intended payees, and five others with the name of the said Benjamin Davenport inserted as the intended payee, and pursuant to my instructions the said Hardie shortly thereafter brought to me the firm's check book with blank checks to the number I had so directed him to fill out, as I supposed so filled out according to my instructions, and so supposing I then and there signed the said checks, being fourteen in number and numbered 11,885, 11,886, 11,887, 11,888, 11,889, 11,890, 11,891, 11,892, 11,893, 11,894, 11,896, 11,897, 11,898, and 11,899.

I having signed these checks in blank as aforesaid I delivered back the check book containing the

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said checks to the said Henry Hardie. I had never drawn or allowed the said Henry Hardie to draw or fill up any check of the said firm ~~xxxxxxx~~ to his own order, never having had sufficient confidence in him to entrust him to that extent, and ever since shortly after he came into the employ of my firm I intended to discharge him as soon as I could have another book-keeper trained to take his place.

On the 4th day of March, 1889, the said Henry Hardie left the firm's office in the early part of the afternoon and has not since returned, nor have I since that time seen him. The following day, March 5th, 1889 I received a telegram signed with the name of the said Henry Hardie, in which he resigned his position with the said firm and stating that he would write, but he has not written, nor have I or my partner since had any communication with him. Upon the receipt of the said telegram our suspicions were aroused and at my direction William H. Smith, who had been employed for some time by my firm as an assistant to the said Henry Hardie, and whom I had intended to appoint as book-keeper as soon as I could dispense with the services of the said Henry Hardie, took the firm's bank book to the Central National Bank of the City of New York, where we kept our account, for the purpose of having the book balanced and thereby ascertaining if there were any irregularities in the bank account. On presenting the book at the bank it was learned that the firm's bank account had been overdrawn to the extent of seven

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hundred dollars, and upon looking over the checks which had been drawn by my firm which had been presented for payment at the said bank, there appeared the check set forth in the foregoing information. This check was one of the checks which I had directed to be and supposed was drawn to the order of ~~Benjamin Davenport~~ *Amindam X Smith*. I have received this last mentioned check back from the said Central National Bank and have delivered it over to the custody of the District Attorney of this County, who now holds it in his possession. I have carefully examined this check. The date, "Mch 4th 9" the name of the payee, "H. Hardie," and the amount "Thirty-nine hundred dollars," "3900," are in the handwriting of the said Henry Hardie. On the back thereof there is an endorsement as follows, "For deposit, H: Hardie," which is also in his handwriting.

This check was one of the checks which I so authorized him to fill in for the purposes aforesaid. I never authorized him, nor did any person in behalf of my firm, to fill in the said check or any part thereof in the manner in which the same now appears, or for any purpose whatever except as above alleged, and the filling in and the making of the same payable to his own order and for the amount of thirty-nine hundred dollars, was wholly without authority of the said firm or of any person whatever in its behalf, and the same was so filled in and made payable to his order and for the said sum of thirty-nine hundred dollars by the said Henry Hardie willfully, knowingly and falsely, and with intent to

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intent to cheat and defraud my copartner, the said Thomas F. Somers, and myself, so constituting the said firm of James G. Fitzpatrick & Company.

On the 16th of March, 1889, I received from the cashier of the National Butchers and Drovers' Bank of the City of New York the following letter, which is entirely in the handwriting of the said Henry Hardie:

"Toronto, Ont., March 13th, 1889.

"The Paying Teller

"Dear Sir:

"please send me a certified check for the balance of my account and much oblige,

"Yours resp

"H. Hardie.

"Draw favor of

"H. Hardie or bearer

"Care E. W. Wilson

"100 Adelaide St. West

"Toronto."

From the fact that the said check is made payable to the order of the said Henry Hardie, I am convinced that the name of the payee must have been left blank at the time I signed it, for I would not have signed it if his name were there at the time. I was in some haste at the time of signing these checks, supposing that my instructions regarding the names of the payees had been carried out, although on two previous occasions the said Henry Hardie had brought to me under



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similar circumstances checks with the name of the payee left blank as in this case must have been done and I had myself filled them in in this particular, supposing he had omitted filling in the name of the payee by mistake, and I would not under any circumstances have signed this check had his name appeared as the payee. In the stub of the check book opposite the checks above numbered respectively 11,885, 11,886, 11,887, 11,888, 11,889, which I had directed to be filled in with the name of the said B. Davenport as payee, are entries in the handwriting of the said Henry Hardie of the name of B. Davenport as payee and the purpose for which the check was used, and in the stubs of the said check book opposite all of the rest of the said checks, to wit, numbers 11,890, 11, 891, 11,892, 11,893, 11,894, 11,896 11,897, 11,898 are similar entries also in his handwriting of the name of the said firm of Amadown & Smith as payees and the purpose for which the said checks were used, but in the stub of the said check numbered 11,899 there appears an entry in the handwriting of the said Henry Hardie as follows, "Void," thereby intending and whereby the said firm were made to believe that the said check had been cancelled and destroyed.

I have seen the checks drawn by the said Henry Hardie against his account in the National Butchers and Drivers' Bank, where he deposited the forged check hereinabove referred to, as alleged in the deposition



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of Edwin B. Collins herein, and the said checks were  
in the handwriting of the said Henry Hardie.

*J. H. Patrick*

Taken, subscribed and sworn to before me, at  
the City and County of New York, this twenty-<sup>first</sup>~~th~~ day  
of March, in the year of our Lord one thousand eight  
hundred and eighty-nine.

*W. H. H. H.*  
Recorder of the City of New York.

0261

UNITED STATES OF AMERICA.  
STATE OF NEW YORK.

-----X  
In the Matter  
of  
Henry Hardie,  
a Fugitive from the Justice  
of the State of New York.  
-----X

City and County of New York ss.

The deposition of Edwin B. Collins, taken  
taken before Frederick Sayth, Esquire, Recorder of the  
City of New York, and a Magistrate and officer having  
power to issue a warrant for the arrest of a person  
charged with a crime, at the City of New York, the <sup>25th</sup> ~~26th~~  
day of March in the year of our Lord one thousand eight  
hundred and eighty-nine, who, being duly sworn, deposes  
and says as follows: I am Paying Toller of the Nation-  
al Butchers and Drovers' Bank of the City of New York,  
having its office and place of business at number 124  
Bowery in the said city. I am acquainted with the  
above named Henry Hardie. On the 4th day of March,  
1889, the said Henry Hardie opened an account in the  
said bank by depositing therein to his credit a certain  
bank check made payable to him for the sum of Thirty-  
nine hundred dollars. The check so deposited by him  
is the same check set forth and described in the fore-  
going information and referred to in the foregoing  
deposition of James G. Fitzpatrick, and at the time it

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was deposited as aforesaid, there was upon the back thereof an endorsement in the handwriting of the said Henry Hardie, as follows: "For deposit, ~~Henry~~ Hardie." On the 6th day of March, 1889, the said Henry Hardie personally presented to me his checks for the sums of two hundred dollars and three thousand dollars respectively, and I paid to him the said Henry Hardie the amounts thereof. On the same day a messenger boy presented to me another check bearing the signature of the said Henry Hardie and made payable for the sum of two hundred dollars, and I paid the same by delivering the amount thereof in cash to the said messenger boy. All of these checks were in the handwriting of the said Henry Hardie, with whose writing I am familiar. The deposit aforesaid was the only deposit which he the said Henry Hardie ever made with the said bank, and by reason of the payment of the above amounts there remains to his credit in the said bank at the present time only the sum of \$500, which sum has been attached at the suit of the said firm of James G. Fitzpatrick & Company. On the 14th day of March, 1889, I received the letter set forth in the deposition of James G. Fitzpatrick, in the handwriting of the said Henry Hardie, and delivered the same to William H. Chase, the cashier of the said bank, who sent the same to the said James G. Fitzpatrick.

*E. B. Collins*

Subscribed and sworn to before me, at

0263

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the City and County of New York, this twenty-~~sixth~~<sup>fifth</sup>  
day of March, in the year of our Lord one thousand  
eight hundred and eighty-nine.

*Geo. W. H. H.*

Recorder of the City of New York.

DISTRICT ATTORNEY'S OFFICE,  
*City and County of New York.*

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*James L. H. Hatcher*  
58 + 60 W. 4th St.  
U.S.

U.S.

Henry Hardie

Offence

Dated March 25 1888

Witnesses, Samuel S. Quinn

Payung Salan

N. Butler, Brown Bear  
124 Bomey

124 Boney

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

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



0265

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Henny Hardie*

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

*Henny Hardie*

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

The said *Henny Hardie*,

late of the City of New York, in the County of New York aforesaid, on the  
*fourth* day of *March*, in the year of our Lord  
one thousand eight hundred and eighty-*nine*, with force and arms, at the City and  
County aforesaid, feloniously did forge, and cause and procure to be forged, and willingly  
act and assist in the forging a certain instrument and writing, *to wit: an*  
*order for the payment of money of*  
*the kind called bank checks,*  
which said forged *bank check,*  
is as follows, that is to say:

11899 New York, March 4<sup>th</sup> 1889.  
Federal National Bank.  
Pay to the order of H. Hardie  
Twenty nine hundred Dollars  
\$3900.00 J. H. Fitzgerald & Co.

with intent to defraud, 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.

0266

SECOND COUNT:—

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

Henry Hardie  
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said Henry Hardie,

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, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, to wit: an order for the payment of money of the kind called Bank Cheques,  
which said forged Bank Cheque  
is as follows, that is to say:

11,899 New York, March 4<sup>th</sup>, 1889.  
Federal National Bank.  
Pay to the order of H. Hardie  
Twenty-nine Hundred Dollars  
\$2900.00 J. F. Fitzgerald & Co.

with intent to defraud, the the said Henry Hardie  
then and there well knowing the same to be  
forged, 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.

0267

**BOX:**

350

**FOLDER:**

3294

**DESCRIPTION:**

Heins, John

**DATE:**

04/11/89



3294

0268

WITNESSES:

*Peter Mudgett*

Counsel,

Filed

11 day of April 1889

Pleads

*Guilty*

THE PEOPLE,

vs.

*John Deiner*

*expiat*

RECEIVED  
COURT CLERK  
JUL 10 1889

*Wm Cor 70413*

VIOLATION OF EXCISE LAW  
(Selling on Sunday, Etc.)  
[Ill. Rev. Stat. (7th Edition), page 1883, Sec. 21 and  
page 1889, Sec. 5.]

JOHN R. FELLOWS,

*District Attorney.*

A True Bill.

*A. M. Marby*  
Foreman.

*\$168.*  
*Special*  
*Seizing*

0269

**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 Heins*

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

*John Heins*  
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

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

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

SECOND COUNT—

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

*John Heins*  
of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*John Heins*  
late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

**JOHN R. FELLOWS,**

District Attorney.



0270

**BOX:**

350

**FOLDER:**

3294

**DESCRIPTION:**

Hendricks, Arion C.

**DATE:**

04/01/89



3294

0271

**BOX:**

350

**FOLDER:**

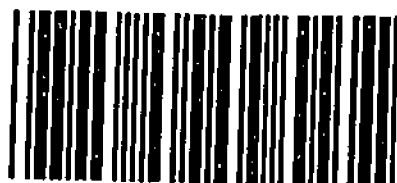
3294

**DESCRIPTION:**

Allen, Arthur

**DATE:**

04/01/89



3294

Witnesses:

Marie Hagedy

Officer Joseph J. Hunk

11th Precinct

Bullman

Counsel,

Filed

1 day of April 1889

Pleads,

Abolition

THE PEOPLE

vs.

Orion C. Mendon

vs. 2 and

Arthur Allen

Grand Larceny, Second degree. [Sections 528, 537, Penal Code].

JOHN R. FELLOWS,

April 8 Part 3 District Attorney.

April 11-Part 3

" 12 Part 3

A True Bill

April 13 Part 3

d. J. M. W. Foreman

Part III April 14/89-  
not Pleads Guilty.

Part III April 15/89  
not Pleads Guilty and convicted.

Each Charge Rep. 22/89

0273

COURT OF GENERAL SESSIONS.

P a r t I I I .

-----  
The People of the State of New York. :

a g a i n s t :

ARTHUR ALLEN impleaded with ARION  
C. HENDRICKS. :  
-----

: Before Hon.  
: Rufus B. Cowing  
: and a Jury.  
:

Indictment filed April 1st, 1889.  
Indicted for Grand Larceny in the Second Degree.

New York, April 15th, 1889.

APPEARANCES: For the People Assistant District Attorney  
John W. Goff.

For the Defendant Mr. P. Biggar.

MAMIE HAGGERTY, a witness for the people sworn testi-  
fied:

I live at No. 53 Rutgers Street in this City. I am  
17 years of age. I go to the Normal School. On the  
26th of March last I was walking through Grand Street  
at about 10 minutes past 3 o'clock in the afternoon  
coming home from school. I had a long coat on and  
my pocket book in the right hand pocket of this coat.  
There was thirteen cents in money and several other  
things in it. Somebody came to me and told me that a  
man had taken my pocket book and I then looked for it  
and missed it. I saw the detective taking hold of a  
boy and he threw something out of his hand down into a  
cellar. I went down into the cellar and got my pocket  
book. I was not jostled or pushed by anyone. The first

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I knew about it was when my attention was called to it.  
Cross-examination.

Q Do you know anything about this boy? A. No sir,  
It was the other boy Hendricks, that I saw throw  
the pocket book into the cellar.

JOSEPH F. HUNTER, a witness for the people sworn testified:

I am an officer of police attached to the 11th, precinct. On the 26th of March last I was on duty on Grand Street in citizens clothes. I saw the last witness Mamie Haggerty walking on the down-town side of Grand Street near Essex. About half an hour previous to ~~seeing her walking there, I saw Hendricks and the boy~~ Allen push against people on the street. We watched them for half an hour to see if we would find them committing any crime and we finally found them in the act of committing a crime. We remained on one side of the street while they remained on the other. We noticed them walk up and down Grand Street as far as Forsythe. I saw them talking to each other more than once. I saw Allen jostle against Mamie Haggerty, and I saw Hendricks take the pocket book. He ran across the street and I grabbed him. He threw the pocket book into a cellar. The pocket book was brought up from the cellar and the little girl identified it as hers. When I arrested Hendricks he said that times were pretty hard and he had to do something for a living. I had no conversation with the defendant.



0275

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Cross-examination.

I saw Hendricks attempt to put his hands into a ladies pockets before he took this girls pocket book. I didn't arrest him for that because I wanted to give him a good cause. I was on the opposite side of the street from him when I saw this. The street was pretty well crowded.

GEORGE HANSON, a witness for the people sworn testified..

I am an officer of police attached to the 11th Precinct. On the afternoon of the 26th of March I was on duty on Grand Street in company with Officer Hunter.

~~During the afternoon I saw Hendricks and Allen walking~~ on the down-town side of Grand Street and jostling against ladies. I saw them ~~standing~~ standing together. I saw them stand in front of Ridley's for three or four minutes. Hendricks would get on one side of the lady and Allen would go on the other.

I saw Allen knock up against Miss Haggerty on one side and Hendricks knock against her on the other. I then saw Hendricks put his hand down into her pocket, and just as soon as he did he ran towards where we stood, and Officer Hunter got him. Allen started on a quick walk towards the Bowery. I ran after Allen and got him. He asked me what was the matter and I said I would have to take him to the Station house for being in company with the other party who took the pocket book, and he said he was not in company with him. He said he was not guilty.

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4.

Cross-examination.

Q You saw Hendricks put his hand into Miss Haggerty's pocket? A. Yes sir.

Q The instant that his hand was in this lady's pocket, did you see where Allen was. A. He was on the opposite side of the lady.

Q How close? A. Right close together.

Q Did you see Allen do anything except jostle against her? A. That's all I saw him do.

Q When you arrested him he told you he wasn't guilty?

A Yes sir. .

D E F E N S E .

sworn

ARTHUR ALLEN, a witness for the people, testified:

I live at Westport Connecticut. I am 20 years of age. I have been in New York two months working in a restaurant in the Bowery. Before I was arrested I had only known Hendricks about twenty-five minutes. I met him in front of the restaurant in the Bowery on that day. I was waiting for a friend of mine and I had a conversation with Hendricks. I started to go, and he asked me which way I was going. I told him to Williamsburgh. He said he was going down Grand Street too and he came along with me. When we got as far as A Essex Street I thought I would go down again and see if my friend was waiting for at the restaurant where I had promised to meet him. He came back with me.

POOR QUALITY  
ORIGINAL

0277

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I didn't find my friend so I started again for the Grand Street Ferry and Hendricks was with me. We looked in a show window together and as near as I recollect when I turned around he ran across the street I walked on down Grand Street and the officer arrested me. I didn't jostle against any woman in that street. I did not know what the intention of Hendricks was in walking with me. I have never been arrested for any crime in my life.

Cross-examination:-

The name of the young man for whom I was waiting with him on this day to see a friend of his over there. When he did not meet me I thought I would go to Williamsburgh myself. I didn't know where his friend lived in Williamsburgh but I expected to meet him on the street. When Hendricks met me outside of this restaurant he asked me what I was waiting for, and I told him for this friend of mine, that I made an appointment to go to Williamsburgh. He told me he was going to take a walk. I was 10 feet away from Hendricks and the girl a when the pocket book was taken. I was standing at the curbstone.

Q What made you stand on the curb stone if you were on your way to Williamsburgh. A. I was waiting for Hendricks. He was looking into the shop window.



ARION C. HENDRICKS, a witness for the defendant testified:-

I am a co-defendant in this case. I live at No. 7 Rivington Street. I have never been arrested before. I plead guilty to this offence. On the day in question I met the defendant Allen in front of the restaurant in the Bowery. I got up a conversation with him. He told me he was going to Williams burgh, and I said I was going that way myself. I walked down with him on Grand Street as far as Chrystie, and he turned back to see if his friend was waiting for him. Then we turned back again and walked down some little ways. The defendant did not know anything of my intentions.

~~When we got opposite a snow window I went and got this~~  
ladies pocket book. I did not have any conversation about it with Allen before I took it. Allen didn't know that I had any intention of doing anything wrong.

Cross-examination. I have seen Allen in the prison, We were in the same cell together. I said when arrested a that I was out of work and didn't know what I was doing. I had seen Allen before that day but had never spoken to him.

Q Didn't you get Allen to agree that you would tell this story? A. No sir. .

Q Didn't you have a conversation with him to tell him what to say on the witness stand? A. No sir.

POOR QUALITY  
ORIGINAL

0279

Q Didn't you agree that one of your should plead guilty and swear the other out? A. I had already pleaded guilty. I am telling the truth. I had no talk with him whatever in regard to that. I told him I would tell the whole truth in regard to the case. I told him when I met him that I was going to take a walk as far as Goerok Street. The prisoner was ten feet away from me at the time I took the pocket book.

FREDERICK KEMPER, a witness for the defendant sworn. testified. I live at Westport Connecticut. I am the guardian of the defendant. I have known him since he was a little boy. His reputation for honesty and good character is good.

1888.  
THE JURY OF GRAND LARCENY IN THE SECOND DEGREE  
RETURNED A VERDICT OF GUILTY  
COUNCIL OF GENERAL SESSIONS  
JULY 1, 1888



Q Didn't you agree that one of your should plead  
guilty and swear the other out? A. I had already  
pleaded guilty. I am telling the truth. I had no  
talk with him whatever in regard to that. I told  
him I would tell the whole truth in regard to the  
case. I told him when I met him that I was going  
to take a walk as far as Goerck Street. The prisoner  
was ten feet away from me at the time I took the  
pocket book.

FREDERICK KEMMER, a witness for the defendant sworn.  
testified. I live at Westport Connecticut. I am  
the guardian of the defendant. I have known him since  
he was a little boy. His reputation for honesty and

Indictment filed Apr. 1, 1889

COURT OF GENERAL SESSIONS

Pa.  
III.

The People &c.

vs.

ARTHUR ALLEN

with ARION & HENDRICKS.

Abstract of testimony on

trial New York, April 1889.

1889.

Good character is good.

0281

Police Court

3<sup>rd</sup> District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

of No.

53 Rutgers

occupation

Scholar

Street, aged 17 years,

being duly sworn

deposes and says, that on the 26<sup>th</sup> day of March 1889 at the City of NewYork, in the County of New York, was feloniously taken, stolen and carried away from the possession ~~And~~

person of deponent, in the day time, the following property, viz:

a pocket-book containing  
thirteen cents in gold and  
lawful money and a silver  
Memorandum, said property being  
in the value of twenty  
five cents

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 Orion C. Hendricks

and Arthur Allen, both  
New York, who the fact  
that said property was  
stolen out of the right  
pocket of the Clerk when  
worn upon deponent's person,  
while deponent was walking  
on Grand Street, about the  
year of 3 o'clock in the after-  
noon of said day.

That deponent is now being  
informed by Officer Joseph  
J. Hunter of the 11<sup>th</sup> Precinct,  
that he, said officer, saw

Subscribed before me, this

1889

Police Justice

0282

The said dependants in Company  
together at said time, and  
that the said officer, watched  
them looking about and saw  
them push of dependant, and  
that the said officer, then and  
there saw the dependant -  
Hendricks, take said property  
out of dependant said pocket  
while the dependant, Allen,  
pushed against dependant.  
That after the arrest of the  
dependants dependant saw the  
dependant, Hendricks, throw  
away said pocket book.

Served before me this { Marie J. Haggerty  
26<sup>th</sup> day March 1889 {

J. M. O'Connor

Police Justice

~~Marie J. Haggerty~~



0283

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 27 years, occupation Police officer of No. 11th Precinct Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Mamie J. Haggerty and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 26<sup>th</sup>  
day of March 1889

Joseph J. Hunter

Amos Adams  
Police Justice.

0284

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Arthur Allen* 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. *Arthur Allen*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *N.Y.*

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

Answer. *91 Morris St. 3 Mths*

Question. What is your business or profession?

Answer. *Waiter*

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*

*Arthur Allen*

Taken before me this

*26*

day of *March*

188

*J. M. Sullivan*

Police Justice



0285

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, } ss.

3  
District Police Court.

*Ervin B. Hendricks* 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. *Ervin B. Hendricks*

Question. How old are you?

Answer. *27 Years*

Question. Where were you born?

Answer. *West Indies*

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

Answer. *4 Rivington Street 7 Mts*

Question. What is your business or profession?

Answer. *Cook*

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 was out of Mts and  
did not know what I was  
arrested for*

*A. C. Hendricks*

Taken before me this

*26*

day of *March*

188*9*

*J. M. Hendricks*

Police Justice

0286

*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*.....

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

*Dated* *June 26*..... 188 *J. M. Blanton*..... *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.*

0287

BAILED,

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

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

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

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

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

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

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

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

Police Court--- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Manuel H. Haggerty*  
*33 Regent St*  
*Arthur C. Hendricks*  
*Arthur Allen*

3. \_\_\_\_\_

4. \_\_\_\_\_

Dated *March 26* 188*9*

*J. M. Patterson* Magistrate.

*Hunter & Hunter* Officer.

Witnesses *Joseph F. Hunter* Precinct.

No. *11* Precinct Street.

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

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

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

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

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

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

\$ *1000* to answer

\_\_\_\_\_

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\_\_\_\_\_

0288

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against  
Arion C. Hendricks  
and  
Arthur Allen

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

Arion C. Hendricks and Arthur Allen

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

The said Arion C. Hendricks  
and Arthur Allen, both

late of the City of New York, in the County of New York aforesaid, on the twenty-sixth  
day of March 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 day-time of the same day, one pocket-  
book of the value of twenty-five cents,  
one silver coin of the United States of the  
kind commonly dimes, of the value of ten  
cents, two nickel coins of the kind common-  
ly called five cent pieces and of the value  
of five cents each, thirteen coins of the  
kind commonly called cents, of the  
value of one cent each, and one  
monogram of the value of forty  
cents

of the goods, chattels and personal property of one Mamie J. Haggerty, on  
the person of the said Mamie J. Haggerty, then and there  
being found, from the person of the said Mamie J. Haggerty  
~~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. Fillows,  
District Attorney.



0289

**BOX:**

350

**FOLDER:**

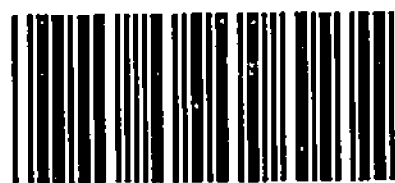
3294

**DESCRIPTION:**

Hennessy, William P.

**DATE:**

04/16/89



3294

Witnesses:

*E. J. Hogan*

Counsel,

Filed, 16 day of April 1889

Pleads, *Chicago* 17

THE PEOPLE,

vs.

*William J. Hennessy*

VIOLATION OF EXCISE LAW

(Keeping Open on Sunday.)  
[Ill. Rev. Stat. (7th Edition), Page 1880, Sec. 2.]

JOHN R. FELLOWS.

District Attorney.

A True Bill.

*A. M. Henry*

Complaint sent to the Court  
of Special Sessions,

#2 *Ill. Rev. Stat. (7th Edition), Page 1880, Sec. 2.*

0291

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

William P. Hennessy

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

The said William P. Hennessy  
late of the City of New York, in the County of New York aforesaid, on the  
seventeenth day of February in the year of our Lord one  
thousand eight hundred and eighty-nine, the same being the first day of the  
week, commonly called and known as Sunday, being then and there in charge of, and  
having the control of a certain place there situate, which was then duly licensed as a  
place for the sale of strong and spirituous liquors, wines, ale and beer, with force and  
arms, at the City and County aforesaid, the said place so licensed as aforesaid, unlawfully  
did not close and keep closed, and on the said day the said place so licensed as aforesaid  
unlawfully did open and cause and procure, and suffer and permit to be open, and to  
remain open, against the form of the Statute in such case made and provided, and against  
the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

*District Attorney.*

0292

**BOX:**

350

**FOLDER:**

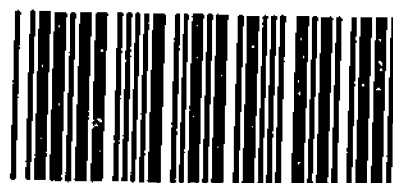
3294

**DESCRIPTION:**

Heyman, Minnie

**DATE:**

04/23/89



3294



0293

Witnesses:

Henry Abraham  
Hugh Martin

Counsel,

Filed

Pleads,

23 day of April 1889  
Chicago

THE PEOPLE

vs.  
P

Minnie Heyman

Grand Larceny second degree  
[Sections 528, 534, 535, Penal Code.]

JOHN R. FELLOWS,

Pr May 6/89 District Attorney.  
Heads P.L.

Pen 10 mos

A True BILL

R.B.A.

C. M. Martin  
Foreman.

332

0294

Police Court

14<sup>th</sup> District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

of No. 229 East 32<sup>nd</sup> St Henry Abrams Street, aged 56 years,  
 occupation Cigar Dealer being duly sworn  
 deposes and says, that on the 12 day of April 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 daytime, the following property viz:

One gold watch and silver chain  
One gold pen and four ladies  
Pocket handkerchiefs together of the  
Value of Forty Seven dollars

the property of Deponent and his wife Bertha  
Abrams

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 Minnie Ferguson (nowhere)

from the fact that on said date the  
deponent was in the employment  
of deponent as a servant and deponent  
stole said property from the back  
parlor of deponent's premises. Deponent  
is informed by Officer Hugh Martin of  
the 25<sup>th</sup> Precinct Police that he found  
the aforesaid watch and chain in the  
deponent's possession and said Officer  
found the gold pen and handkerchiefs  
in the deponent's trunk at No 22  
Madison St. deponent has since seen  
said property and identified the same  
as the property taken stolen and carried away  
as aforesaid.

Henry Abrams

Sworn to before me, this 13<sup>th</sup>  
day  
1889

Police Justice.

0295

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 113 years, occupation Police Officer of No. 25th Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Kenneth A. Brown  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 15

day of April 1889

Joseph Martin  
Police Justice.

0296

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*4 to*  
District Police Court.

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

Question. What is your name?

Answer. *Minnie Heyman*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *Poland Austria*

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

Answer. *22 Ridge St 4 weeks*

Question. What is your business or profession?

Answer. *Domestic*

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*  
*Minnie Heyman*  
*swaff*

Taken before me this

day of

188

*Police Justice*



0297

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

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

Dated April 27 188 James J. Bennett 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.



0298

~~475~~ 580  
Police Court---

District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Henry Abrams

229 East 432 St  
Minneapolis

2

3

4

Office

John K. Lacey

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

April 15

1889

Magistrate.

John  
Hugh Martin

Officer.

25 Precinct.

Witnesses

Callan Officer

No.

Street.

Simon Orzechow

No.

Street.

1241 3rd Ave

No.

Street.

\$

1000



Handwritten signatures and initials

0299

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Minnie Heyman*

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

*Minnie Heyman*

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

The said

*Minnie Heyman*

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

*one watch of the value of forty dollars, one chain of the value of four dollars, one pen of the value of three dollars and four handkerchiefs of the value of twenty-five cents each*

of the goods, chattels and personal property of one

*Henry Abrams*

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.

0300

SECOND COUNT—

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

— *Minnie Heyman* —

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

The said *Minnie Heyman*

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  
forty dollars, one chain of the  
value of four dollars, one  
pen of the value of three  
dollars, and four handkerchiefs  
of the value of twenty-five  
cents each*

of the goods, chattels and personal property of one *Henry Abrams*

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 Abrams*

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

*Minnie Heyman* —

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.

0301

**BOX:**

350

**FOLDER:**

3294

**DESCRIPTION:**

Heyslip, Joseph

**DATE:**

04/26/89



3294



Witnesses: Patrick Henry

Counsel,  
Filed 26<sup>th</sup> day of April 1889  
Pleads, W. J. G. W. G. W. G.

THE PEOPLE

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

13 12 11 10 9 8 7 6 5 4 3 2 1

Joseph Haydn

JOHN R. FELLOWS,

*District Attorney.*

# A True Bill

C. M. Merzbach Foreman.

Part III May 8/89

Ploughs amount to 3  $\frac{1}{2}$  day.  
City, Crossing 10 days.

49

4

0303

Police Court—3 District.

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

of No. 287 Arthur C Street, aged 18 years,  
occupation Washer Maker being duly sworn  
deposes and says, that on 17 day of April 1889 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Joseph Steyslip (Washer)  
Who Willfully and Maliciously  
Cut and Slashed this Assailant  
on the head with a knife  
then used the head in  
the ~~hand~~ hand of the said  
Assailant. Inflicting  
the Assailant severely

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

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

Sworn to before me, this

of

188

18 day of April 1889 Patrick Lavery  
P. G. Duffey  
Police Justice.

0304

Sec. 103-200.

3

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

*Joseph Heyship* 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. The complainant  
attempted to strike me with a  
lead pipe*

*Joseph Heyship*

Taken before me this

day of

188

Police Justice.

0305

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.....

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

Dated *April 18 9* 188 *P. G. Buff* 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.



0306

Police Court

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Patrick Lavey  
287 ave 61  
Joseph Strupis

officer Adair

Wong

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Date

April 18

1889

Magistrate.

Benjamin M. Linnick

Officer.

13

Precinct.

Witnesses

No.

Street.

No.

Street.

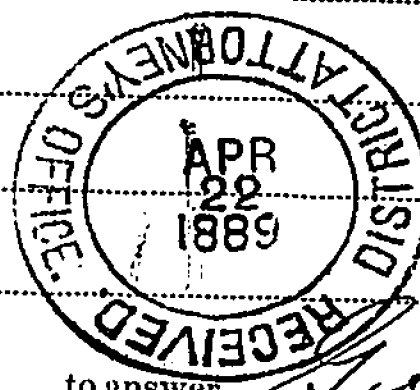
No.

Street.

\$

1000

to answer



Tom

Wong

0307

To whom it may concern.

N. Y. Jan. 16<sup>th</sup> /89.

The bearer Wm. J. Hobby  
was in our employ 3 months  
during which time we found  
him to be honest, faithful  
and hard working boy and  
heartily recommend him to any  
wishing his service —

J. Maiden  
108 East 118<sup>th</sup> St

0308

David Moses

Age 17

Born in N. H.

Capt. Pleasant

Res 243 E 114

Singl

Parents Living

Res 243 E 114

3

0309

April 5/89  
I have been acquainted with  
Willie Hobbs for the past two  
years. He was for several years a  
faithful scholar in the Central  
Baptist S. S. W. C. City, of which I  
was Superintendent; for the last  
four years he has been a member  
of the Mount Morris Baptist  
S. S. W. C. City. I always considered  
him to be a very trustworthy boy,  
and was one whom I very  
highly esteemed. In my opinion  
the crime with which he is now  
charged has been committed  
through the influence of bad  
associates and without any  
thought of the wickedness of  
the act, or of the consequences.



0310

of B.  
As this is his first offence, I sincerely  
hope and trust that mercy and  
leniency will be shown him,  
believing that he has already been  
taught a lesson which he will  
never forget, and which will  
prevent or restrain him from  
ever committing a similar  
one.

Wm Franklin Smith M.D.,  
264 Lenox Ave.



0311

This is to Certify that William  
Hobby has been in my employ  
for three months and have  
found him willing & obliging  
the whole time & do his work  
with me. and recommend him  
to any one that may want  
a good steady boy.

Edw Jones  
Formerly of the New York &  
Harlem Express.

112 E 118 St

0312

to whom it may concern

Jan. 5 99

New York

0313

EDWIN H. FERGUSON,  
SUCCESSOR TO  
UMPHRED BROS. & FERGUSON,  
HOUSEHOLD SPECIALTIES,  
Nos. 2314 & 2316 SECOND AVENUE.

BRANCHES:  
62 WARBURTON AVE., YONKERS, N. Y.  
519 COURTLAND AVE., MELROSE, N. Y.

New York, April 4 1889

To whom this may Concern

The bearer Wm Hobby was in  
our employ some 5 months and  
we have every reason to believe  
him to be honest and trustworthy  
in every respect.

E H Ferguson -

03 14

EDWIN H. FERGUSON,  
2314 & 2316 SECOND AVE.,  
NEW YORK.

*Tom Hobbs*

*Present*



0315

LEOPOLD WORMSER.

ISAAC A. SIMM.



TRADE MARK.



3rd Ave. & 125th St.

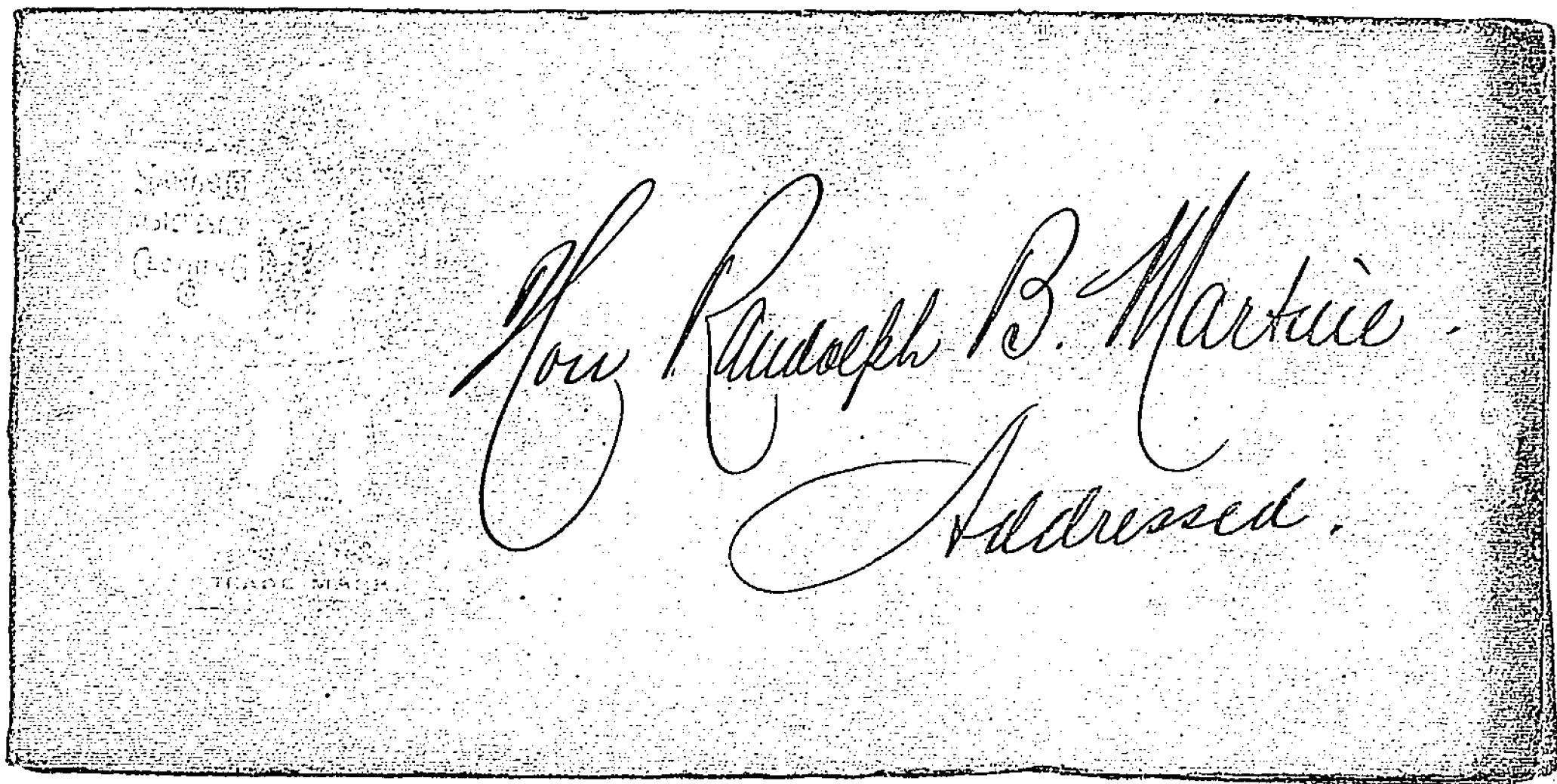
New York Apr 8<sup>th</sup> 1889  
 My dear Sir.

The bearer Mr T. J. Hobby  
 is known as a very respectable citizen  
 of this Ward. His son, Thelie, has got  
 into trouble; whether innocent or guilty  
 I cannot say. He was (the boy) in my  
 employ a short time, but I never heard  
 of his being dishonest. If you can  
 possibly do anything (after an investigation)  
 to save the lad, I should deem it  
 an especial favor.

Sincerely Yours  
 Leopold Wormser.



03 16



0317

D. M. WILLIAMS & CO.,  
125TH ST. AND 3D AVENUE.

New York, *Sept 4* 1889

To Whom it may concern

Our Hobby was in  
our employ for some time  
about three years ago during  
which time we found him  
strictly honest.

Very Resp.  
D. M. Williams & Co

0318

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Joseph Heyship

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

Joseph Heyship

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

The said

Joseph Heyship

late of the City and County of New York, on the seventeenth day of April, in the year of our Lord one thousand eight hundred and eighty-nine, with force and arms, at the City and County aforesaid, in and upon one

Patrick Leary

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault; and the said

Joseph Heyship

with a certain

knife

which

he the said

Joseph Heyship

in his right hand then and there had and held, the same being then and there a weapon and an instrument and weapon likely to produce grievous bodily harm,

him, the said Patrick Leary, then

and there feloniously did wilfully and wrongfully strike, beat, cut, stab, bruise and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

03 19

SECOND COUNT—

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

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

The said

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

in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make another assault; and the said

the said

with a certain

which

in

head

the said

right hand then and there had held, in and upon the  
of him the said

then and there feloniously did wilfully and wrongfully strike, beat, cut, stab,  
bruise and wound, and did then and there and by the means aforesaid, feloniously,  
wilfully and wrongfully inflict grievous bodily harm upon the said  
Leavy to the great damage of the said Patrick Leavy  
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.*



0320

**BOX:**

350

**FOLDER:**

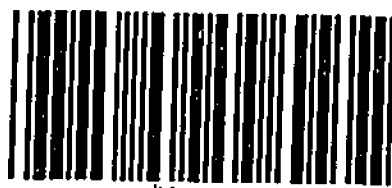
3294

**DESCRIPTION:**

Hiller, John

**DATE:**

04/23/89



3294

0321

Witnesses:

*James H. Smith*  
*John D. H. Smith*

Counsel,

Filed *23*

day of *April* 188*9*

Pleads,

THE PEOPLE

vs.

*John Miller*

*John Miller*

Grand Larceny *Second degree*  
[Sections 528, 58 / 529 Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*A. M. M. M. M.*  
*Bohemian.*  
*April 23/89*

*John D. H. Smith*  
*334 Pen 11 mus*  
*R.B.M.*

0322

Police Court— / — District.

Affidavit—Larceny.

City and County }  
of New York, } ss.:James H. Lynch  
of No. 383 1<sup>st</sup> Avenue Street, aged 48 years,  
occupation Painter being duly sworndeposes and says, that on the 14 day of April 1887 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

Five Brushes of the Value of Scrubbing dollars  
3 paint Brushes of the Value of Six 75  
2 Brushes of the Value of — 75  
3 Wall Brushes of the Value of \$ 6 75  
5 Gallon Turpentine of the Value of \$ 3.50  
100 pounds of White Lead of the Value of 6.50  
one pair of overalls of the Value of 75  
and other property the same being  
in all of the Value of Fifty-six dollars  
\$ 56.<sup>00</sup>

the property of deponent

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

from that fact that deponent had said  
property in a Room in premises No.  
219 Canal Street that said deponent  
was in the Employ of deponent, and  
was discharged from such Employment  
on the 13<sup>th</sup> day of April

Deponent is informed by John  
Dahleiden of No. 219 Canal Street  
that he saw said deponent  
carry White Lead from said Room

James H. Lynch

Sworn to before me, this 15<sup>th</sup> day  
of April 1887

of  
James H. Lynch  
Police Justice.

0323

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 25 years, occupation Cook of No. 219 Canal

Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of James H. Lynch  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this

day of

188

15 April 9 John. Wahlsten

John. Wahlsten  
Police Justice.



0324

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, } ss.

District Police Court.

*John Miller* 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.

*Miller*

Taken before me this

15

day of April

1889

*Arthur J. ...*  
Police Justice

0325

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.....

*Wm. J. H. H. H.*  
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 *April 15* 188 *9* *John H. H. H.* 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.

0326

Police Court---

546 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John H. Lynch  
383 to 1 Ave  
John Miller

1

2

3

4

Offence *John Miller*

BAILED,

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

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

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

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

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

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

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

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

Dated

April 15 1889

Magistrate.

Thomas J. Dwyer Officer.

6 Precinct.

Witnesses

Eliza Remondie,

No.

219 Canal Street.

No.

219 Canal Street.

No.

219 Canal Street.

\$

400 to answer



Canal St

0327

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 Miller

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

John Miller

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

The said

John Miller

late of the City of New York, in the County of New York aforesaid, on the fourteenth day of April in the year of our Lord one thousand eight hundred and eighty-nine, at the City and County aforesaid, with force and arms, five brushes of the value of three dollars and fifty cents each, three other brushes of the value of two dollars each, two dusters of the value of forty cents each, three other brushes of the value of two dollars and twenty-five cents each, five gallons of turpentine of the value of seventy cents each gallon, one hundred pounds of white lead of the value of six cents each pound, one pair of overalls of the value of seventy-five cents and divers other goods, chattels and personal property of a number and description to the Grand Jury aforesaid unknown, of the value of fifteen dollars of the goods, chattels and personal property of one James W. Lynch

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.



0328

SECOND COUNT—

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

*John Miller*

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

The said

*John Miller*

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,

*five brushes of the value of three dollars and fifty cents each, three other brushes of the value of two dollars each, two dusters of the value of forty cents each, three other brushes of the value of two dollars and twenty five cents each, five gallons of turpentine of the value of seventy cents each gallon, one hundred pounds of white lead of the value of six cents each pound, one pair of overalls of the value of seventy five cents, and divers other goods, chattels and personal property, of a number and description to the Grand Jury aforesaid unknown, of the value of fifteen dollars*

of the goods, chattels and personal property of one

*James W. Lynch*

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

*James W. Lynch*

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

*John Miller*

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.