

BOX:

472

FOLDER:

4322

DESCRIPTION:

Heyse, Heinrich

DATE:

03/18/92



4322

POOR QUALITY
ORIGINAL

Witnesses:

August O. Brock

Counsel,

Filed,

Pleads,

1892

day of March

1901

THE PEOPLE

vs.

Henrich Hegge

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John W. Smith

Foreman.

Part 3. March 25, 1902

Read & convicted

with the jury to many of Court

Ed. J. [illegible]

March 25, 1902

1842

POOR QUALITY
ORIGINAL

Police Court—

1 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 131 Roosevelt August Obrock Street, aged 22 years,
occupation Bartender being duly sworn

deposes and says, that on the 2 day of March 1892 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:

Thirty two
dollars good and lawful money
of the United States of the value of
Thirty two dollars.

the property of Henry Maynard and in deponent's
care and custody

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 Heinrich Heisen (not yet arrested)
for the reason that on said date said property
was in a drawer in the aforesaid premises. The
deponent and defendant were alone in said
premises and the said premises were closed
and the doors leading to same were locked.
Deponent went into the water closet connected
with said premises and when he returned to the
store the deponent was gone. The said property
was missing and the door leading to the street
had been opened from the inside. Wherefore deponent
charges the said Heisen with grand larceny.

August Obrock

Sworn to before me, this
2 March 1892

Police Justice.

**POOR QUALITY
ORIGINAL**

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this

day

189

Police Justice.

POOR QUALITY
ORIGINAL

1347

Sec. 151.

Police Court 1 District.

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

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 August O. Bruch of No. 131 Roosevelt Street, that on the 2 day of March 189 2, at the City of New York, in the County of New York, the following article, to wit:

Good and lawful money of the United States

of the value of Thirty two Dollars, the property of Henry Maynard taken, stolen and carried away, and as the said Complainant has cause to suspect, and does suspect and believe, by Herminich Hensen

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 1st 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 2 day of March 189 2

W. D. McMahon POLICE JUSTICE.

**POOR QUALITY
ORIGINAL**

Police Court.....District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated.....189

.....Magistrate.

.....Officer.

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

.....Officer.

Dated *March 2nd* 1892

This Warrant may be executed on Sunday
or at night.

.....Police Justice.

POOR QUALITY
ORIGINAL

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

Police Court...

District.

276

THE PEOPLE, vs.
ON THE COMPLAINT OF

1.
2.
3.
4.

Offence

Dated

March 25 1892

Magistrate.

Alfred W. Crawford

Precedent.

Witnesses

No.

Street.

No.

Street.



No.

Street.

No.

Street.

Committed

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 March 25 1892 Wm. M. ... Police Justice.

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

Dated 18 Police Justice.

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

Dated 18 Police Justice.

**POOR QUALITY
ORIGINAL**

COURT OF GENERAL SESSIONS, PART III.

----- x
: The People of the State of New York, :
: against : Hon. James Fitzgerald
: Heinrich Heyse. : and a Jury.
: :
: :
----- x

Indictment filed March 1, 1892.

Indicted for grand larceny in the second
degree.

New York, March 25, 1892.

A P P E A R A N C E S.

For the People,

Assistant District-Attorney J.W.Osborne;

For the Defendant,

J. Perlinger, Esq.

AUGUST OLPROCK, a witness for the People, sworn, testified:

I tend bar at No. 131 Rosevelt Street. I
know the defendant and have known him from the 15th. of
February to the second of March. I saw him on the morn-
ing of the second of March a little after five o'clock.
The doors of the bar-room were closed. I had locked
them on the previous night. The defendant slept in the
same room with me. He came downstairs into the bar-room
a few minutes before me. I had a bag containing the re-
ceipts of the previous day in the room where we slept. The
defendant left the room and opened the front door and ran
out. I followed him and saw him going up the street
with the bag in his hand. He came back to the store the

**POOR QUALITY
ORIGINAL**

2.

next day and was arrested.

Cross-examination:

I am certain I saw the bag in his hand when he was running up the street. I was not able to catch him as I did not want to leave the store all alone. He came back on the following day looking for the proprietor of the store and he was then arrested.

HENRY MAYNE, a witness for the People, sworn, testified:

I am the proprietor of the saloon spoken of. The defendant was ~~xxx~~ employed to attend on the lunch counter in that saloon. When I was informed of the loss of this bag of money I searched for the defendant but was unable to find him. There were \$32 in the bag in silver and bills. The defendant came to my store the following day and when he appeared I had him arrested.

Cross-examination:

He came in during the afternoon of the following day. It was a Friday. It was on Wednesday that the bag of money was stolen. When the defendant appeared in my store I said: "You are my prisoner. I have been looking for you the last couple of days". He said he didn't do anything and I immediately turned him over to an officer.

GEORGE A. DORAN, a witness for the People, sworn, testified:

I am a police officer. I saw the defendant in

**POOR QUALITY
ORIGINAL**

3.

the Police Station on the 4th. day of March. He was turned over to me by the proprietor of this saloon. I inquired about the case. I asked the boy why he had run out of the store that morning without notifying the bartender that he was going to go. He told me that there was too much work for him in the place and he did not want to stay there. He said he didn't like to tell the boss that he was going away. That is the only explanation he made to me.

MR. OLBROCK, re-called:

This was a linen bag which was stolen and in it were usually kept the receipts of each day. I believe there was \$32 in money in the bag. I had counted it on the previous night. When I saw the defendant running away he got about half a block from me and I shouted out for him to stop. He continued running and did not return on that day.

DEFENSE:

HEINRICH HEYSE, the defendant, sworn, testified:

I am 17 years of age. I am living now in Hoboken with my father and mother. I heard the testimony of Mr. Olbrock on the stand. It is not true that I ran out of the store with the bag, as he has testified. On the day that I returned to the store the proprietor took me in the back room and said that three men had been looking for me. I said: "How is that?" and he said: "The

**POOR QUALITY
ORIGINAL**

4.

bar-tender has been saying he could not find you". I left that store because I had too much work to do and I had a quarrel with the wife of the proprietor. When I returned the proprietor accused me of having stolen the \$30 and I denied it. The reason I went back to the store was I heard from another party that I was accused of stealing this money, and I wanted to go there and see what there was about it. They wanted me to clean up the store and get coal and do a pile of other things. It was too much work and that is the reason I left the place. I didn't tell the boss I was going because I thought he would be mad at me.

Cross-examination:

The person who notified me about this matter is not in court. He is a bar-tender in a saloon in this same neighborhood. I left the store shortly after five o'clock in the morning soon after I got up. I left it that early because I did not want to start in on the day's work.

The Jury returned a verdict of guilty of grand larceny in the second degree, with a recommendation to the mercy of the court.

**POOR QUALITY
ORIGINAL**

Indictment filed Mar. 1st 1892.

COURT OF GENERAL SESSIONS

Part III.

THE PEOPLE &c.

against

HEINRICH HEYSE.

Abstract of testimony

on trial New York March

25th 1892.

POOR QUALITY
ORIGINAL

528

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Heinrich Heyse

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *Heinrich Heyse* —

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

The said

Heinrich Heyse

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

dollars; divers other promissory notes for the payment of money, being then and there due and un-
satisfied (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 *thirty-two* —

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

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

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

of the goods, chattels and personal property of one

Henry Mays —
then and there being found,

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

DE LANCEY NICOLL,

District Attorney.

BOX:

472

FOLDER:

4322

DESCRIPTION:

Hickey, James

DATE:

03/25/92



4322

BOX:

472

FOLDER:

4322

DESCRIPTION:

Callahan, Richard J.

DATE:

03/25/92



4322

Witnesses:

Thos. Sears
Newfor
Mr. Sears
Public Gazette
for office
to
Mr. A. Smith
previously
connected
very opposite
my

Counsel,
Filed *W. J. [Signature]* day of *June* 189*2*
Pleads *W. J. [Signature]*

THE PEOPLE

775.

Ames Turkey and 7

and

Richard J. Cullen

DE LANCEY NICOLL,

District Attorney.

Apr 11/2
Pleas - G.L. 2dg

No. 2 Heads —
J. J. J. J.
A TRUE BILL.

A TRUE BILL.

Foreman,

[Handwritten signature]

POOR QUALITY
ORIGINAL

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 5th DISTRICT.

Thomas Leary

of No. 408 E 29th Street, aged 45 years,

occupation Coachman being duly sworn deposes and says

that on the 12th day of March 1892

at the City of New York, in the County of New York, he caused the

arrest of Richard Callahan
charged with Larceny. Dependent

says that said defendant is
the unknown person named in the
affidavit made by deponent
on the 12th day of March 1892.
Deponent then says that the
defendant is well known
Thomas Leary

Sworn to before me, this

of

March 1892

14th day

day

Police Justice.

POOR QUALITY
ORIGINAL

(1865)

Police Court—

4 District.

Affidavit—Larceny.

City and County } ss.
of New York,

of No. 408 East 79th Street, aged 45 years,

occupation Coachman being duly sworn,

deposes and says, that on the 11 day of March 1892 at the City of New

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

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

One bear-skin Robe, of the value of
about Forty Dollars

\$40.00

the property of F. Mertens, in the care

and possession 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 James Hickey (now here)
and another person and deponent for the reasons following

Said property was in a victoria
in 75th Street, between 1st and 2nd Avenues
in the city, on the above date at about
the hour of 1⁴⁵ PM. When deponent had
reached 75th Street and Avenue A, he missed
said property. Deponent was informed by
Officer Walter F. Braz, of the 25th Precinct
Police, that he saw defendant coming out
of a pawn-broker's store having in his
possession a robe, which deponent identifies
as the above-named property.

Wherefore deponent accuses defendant of
having stolen said property and prays that he may
be dealt with according to law Thomas Leary

Sworn to before me this
11 day of March 1892

Police Justice.

**POOR QUALITY
ORIGINAL**

Sec. 198—200.

4 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Richard J. Callahan 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. Richard J. Callahan

Question. How old are you?

Answer. 27 years

Question. Where were you born?

Answer. New York City

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

Answer. 245-08 East 85 Street & about 6 months

Question. What is your business or profession?

Answer. Briek - lawyer

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

Richard J. Callahan
Richard J. Callahan

Taken before me this
day of March 1892

Police Justice.

POOR QUALITY
ORIGINAL

Sec. 198-200.

X District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

James Hickey 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. *James Hickey*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *United States*

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

Answer. *71 E. 115 St. - 1 mo*

Question. What is your business or profession?

Answer. *Labourer*

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*

James Hickey

Taken before me this
day of *March* 189*2*

John Hickey
Police Justice.

POOR QUALITY
ORIGINAL

Police Court... District.

THE PEOPLE, &c.,

vs. THE COMPANY OF

Thomas J. Callahan

James H. Hickey

Richard J. Callahan

Larceny

Offense

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Dated,

March 12 1892

Magistrate.

Officer.

Witnesses

No.

Case the office

No.

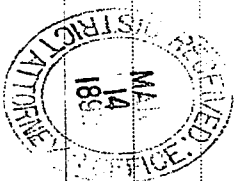
Street.

No.

Street.

No.

Street.



No.

Street.

No.

Street.

to answer

31

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

James Hickey

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, March 12 1892 John J. Ryan Police Justice.

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

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, Mar 14 1892 John J. Ryan Police Justice.

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

Dated, March 14 1892 John J. Ryan Police Justice.

POOR QUALITY
ORIGINAL

505

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

THE PEOPLE OF THE STATE OF NEW YORK

against
James Hickey
and
Richard J. Callahan

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

James Hickey and Richard J. Callahan
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed
as follows:

The said *James Hickey and Richard J. Callahan, both*

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

*one bearskin robe of the
value of forty dollars*

of the goods, chattels and personal property of one *Frederick W. Menters*

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.

**POOR QUALITY
ORIGINAL**

SECOND COUNT—

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

James Hickey and Richard J. Callahan
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *James Hickey and Richard J. Callahan, both*

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 bear skin robe of the
value of forty dollars*

of the goods, chattels and personal property of one *Frederick W. Morton*

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

unlawfully and unjustly did feloniously receive and have; the said

Hickey and Richard J. Callahan

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.

DE LANCEY NICOLL,

District Attorney.

BOX:

472

FOLDER:

4322

DESCRIPTION:

Higgins, Thomas

DATE:

03/23/92



4322

BOX:

472

FOLDER:

4322

DESCRIPTION:

Schwartz, Joseph

DATE:

03/23/92



4322

POOR QUALITY
ORIGINAL

Witnesses:

Charles Olson
off. Mc Cafferty Co.

Co. sel,
Filed 23rd day of Mar 1892

Pleads, *Not guilty*

THE PEOPLE

vs.

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

Shommon Higgins
vs.
Joseph Schwartz
H.P.

DE LANCEY NICOLL,
District Attorney.

Robert D. Moore

A TRUE BILL.

John E. Foreman

Foreman.

Part 3. December 2/92.
Bottle trial and committed
9. h. 1st day

CITY MAGISTRATES' COURT, DISTRICT

AFFIDAVIT—LARCENY.

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

of No. 72 Nelson Street Borough of Brooklyn 41 years,
occupation Laborer being duly sworn.

deposes and says, that on the 3 day of September 189 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the pos-
session of the deponent, in the night time, the following property, viz:

One Gold filled Watch and chain and together
of the Value of about Twenty Five Dollars
\$25.00

the property of Deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken,
stolen and carried away by Joseph Schwartz (nowhere) from the
following facts to wit. That since the commission
of said larceny, deponent was informed by officer
Daniel J. Carey of the 2nd Precinct that he had arrested
the defendant on Greenwich Street while acting in a
suspicious manner and that upon searching him he
found the aforesaid property in his possession and
on the person of defendant, and which property deponent
has since seen and fully identifies as his property
and which had been feloniously taken, stolen and
carried away from the left hand lower pocket of his vest
which vest was then and there worn on the person of
deponent. Wherefore deponent asks that the defendant
may be held to answer. Thomas Ashley

Sworn to before me, this

18th day of September 189

City Magistrate.

**POOR QUALITY
ORIGINAL**

SEC. 198-200.

Form No. 182-C. R. 3450

CITY MAGISTRATES' COURT, DISTRICT.

CITY AND COUNTY } ss:
OF NEW YORK,

Joseph Schwartz 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. *Joseph Schwartz*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *U. S.*

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

Answer. *145 Cherry St. 1 year*

Question. What is your business or profession?

Answer. *Cigar maker*

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*

Joseph Schwartz

Taken before me this

14
day of *September* 189*9*

City Magistrate

POOR QUALITY
ORIGINAL

Self 6920
\$1000

114 23223
City Magistrates' Court, District
Form No. 1

THE PEOPLE, &c.,

ON THE COMPLAINT OF

James Kelly
73 West 4th St
New York City

Joseph Schwartz
145 Murray St
New York City

Offense Larceny
from the Person

Dated

September 4 1898
Dated

Seal

Magistrate

Barry

Officer

No. 3, by

Residence

Street

No. 4, by

Residence

Street

No. 5, by

Residence

Street

No. 6, by

Residence

Street

No. 7, by

Residence

Street

No. 8, by

Residence

Street

No. 9, by

Residence

Street

No. 10, by

Residence

Street

No. 11, by

Residence

Street

No. 12, by

Residence

Street

No. 13, by

Residence

Street

No. 14, by

Residence

Street

No. 15, by

Residence

Street

No. 16, by

Residence

Street

No. 17, by

Residence

Street

No. 18, by

Residence

Street

No. 19, by

Residence

Street

No. 20, by

Residence

Street

No. 21, by

Residence

Street

No. 22, by

Residence

Street

No. 23, by

Residence

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No. 24, by

Residence

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No. 25, by

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No. 26, by

Residence

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No. 27, by

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No. 28, by

Residence

Street

No. 29, by

Residence

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No. 30, by

Residence

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No. 31, by

Residence

Street

No. 32, by

Residence

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No. 33, by

Residence

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No. 34, by

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No. 35, by

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No. 36, by

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No. 37, by

Residence

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No. 38, by

Residence

Street

No. 39, by

Residence

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No. 40, by

Residence

Street

No. 41, by

Residence

Street

No. 42, by

Residence

Street

No. 43, by

Residence

Street

No. 44, by

Residence

Street

No. 45, by

Residence

Street

No. 46, by

Residence

Street

No. 47, by

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No. 112, by

Residence

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No. 113, by

Residence

Street

**POOR QUALITY
ORIGINAL**

COURT OF GENERAL SESSIONS, PART III.

- - - - - x
 :
 The People of the State of New York, :
 : Before
 against : Hon. Frank. Smyth,
 : and a Jury.
 Thomas Higgins and Joseph Schwartz. :
 :
 - - - - - x

Indictment filed November 25, 1892.

Indicted for grand larceny in the second degree.

New York, Dec. 2, 1892.

A P P E A R A N C E S:

For the People,

Asst. District Atty. Henry D. McDona;

For the Defendant,

Samuel F. Hyman, Esq.

JAMES McCafferty, a witness for the People, sworn, testified:

I am a detective officer attached to the Central Office. On the night of the 18th. of November shortly after 12 o'clock I was in the City Hall Park. My attention was attracted to these two defendants by seeing both of them sit down alongside of a man who was asleep, or appeared to be asleep. Almost instantly the man got up and walked away. My attention was attracted to them again by seeing them walk a short distance and sit down close by another man, one each side of him. After watching for a few minutes I saw Sullivan lean over and put his hand into the man's

2.

pocket. Higgins was on the other side of the man. Both of them immediately got up and left. I walked right after them. They went into the Post Office. I called a uniformed police officer who was on duty and I told him there were two men inside that I wanted. I went in and I took hold of Higgins and I pointed out the other man Schwartz to the officer. They were both arrested and taken to the Third Precinct Station House. I then went and caught the man Nelson by whom these two men were sitting. I asked him if he missed anything. He said no. I told him to look in his pockets. He felt in his pockets and said he missed two silver dollars. At the Station House I searched Schwartz and in his pockets I found two silver dollars; also a letter of recommendation in the name of Frank Maher. I asked Schwartz where he got that and he said that was his right name. Higgins said that Schwartz had induced him to do this.

Cross-examination:

Schwartz was present when Higgins made this statement. I am positive that I saw one man on each side of the complainant Nelson. Nelson appeared to me to be asleep. I saw Schwartz's hand go towards Nelson's pocket. At the distance I was I could not swear positively that his hand went into the pocket, but I can swear that it went into some opening. Schwartz was on the right side of him and Higgins was on the left side of him. I asked the complainant if he lost any money and he said no at first. Then I asked him if he was sure and he looked in his pockets and

**POOR QUALITY
ORIGINAL**

3.

said yes, that he had lost two silver dollars.

MICHAEL J. LYMAN, a witness for the People, sworn, testified:

I am a police officer attached to the Central Office. In company with Officer McCafferty, who is my partner, I took those defendants to Police Headquarters. I had a conversation with Higgins. I asked him if he belonged in New York and he said no, that he belonged in Boston. I asked him how long he had been here and he said about five months. I asked him what his business was and he said he was a carver in a restaurant; that he worked somewhere in a dairy in New Chambers Street. I asked him where he met this man Schwartz and he said he met him down in the Bowery. I asked him if he was with Schwartz the night before and he said yes; that he went out to take a walk with him. I said: "You were arrested last night in City Hall Park for robbery"? He said that Schwartz went through this man's pocket but did not get anything. I had nothing whatever to do with the complaining witness Nelson.

CHARLES NELSON, a witness for the People, sworn, testified:

I am a tailor. On the night of the 17th. of November in the City Hall Park between eleven and twelve o'clock I had two silver dollars in my left hand pants' pocket. I lost them. I was taken to the Station House by the policeman and I made the statement that I lost the

**POOR QUALITY
ORIGINAL**

4.

two silver dollars out of my pocket.

DEFENSE:

JOSEPH SCHWARTZ, one of the defendants, sworn, testified:

I live at 314 Stanton Street with my sister. I work on steamboats as a waiter. On the night of the 17th. of November I was coming through Barclay Street after getting through my work. I had worked until twelve o'clock at night down at one of the piers unloading a boat. I got thirty cents an hour. I had \$2.95 in my pocket, two silver dollars. I had a letter in my pocket which I wanted to mail for my sister. I went through the business. I bought a stamp on the Park Row side and was just after mailing the letter when the police officer came up to me and arrested me. It is not true that I was in City Hall Park and put my hand into the pocket of Nelson. I was not in the City Hall Park that night until after my arrest.

Cross-examination:

I am not acquainted with the defendant Higgins. I was not in his company on that night. He was arrested in the Post Office just before I was. I have worked on several boats on the East and North Rivers. The letter of recommendation which was found in my pocket was given me for safe-keeping by a man named Maher who was a fireman on the D. M. Cox. I was never convicted of any crime.

5.

THOMAS HIGGINS, one of the defendants, sworn, testified:

I live at 148 Cherry Street. I am a carver by occupation. I remember the morning of my arrest. I was out of work at that time and I intended going over to the World Building to try and get a job carrying out papers. I was a little bit early and I stopped in the Post Office because it was warm. While I was there I was arrested. I did not know Schwartz and had no conversation with him on that night. I did not admit to the officer that Schwartz had committed this crime.

The Jury returned a verdict convicting both defendants of grand larceny in the first degree.

**POOR QUALITY
ORIGINAL**

Indictment filed Nov. 23-1892.

COURT OF GENERAL SESSIONS

Part III.

THE PEOPLE &c.

against

THOMAS HIGGINS and Joseph

SCHWARTZ.

Abstract of testimony on
trial, New York, December
2nd 1892.

POOR QUALITY
ORIGINAL

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT.....DISTRICT.

CITY AND COUNTY } ss.
OF NEW YORK, }

Sworn to before me, this
day of November 1893

of the Central Office Precinct Police, being duly sworn, deposes
and says that Charles Nelson

(now here) is a material witness for the people against
Thomas Higgins and Joseph Schmitt charged

with harvey from the person. As deponent has
cause to fear that the said Charles Nelson

will not appear in court to testify when wanted, deponent prays
that the said Charles Nelson be

committed to the House of Detention in default of bail for his
appearance.

James Mc Cafferty

Police Justice.

POOR QUALITY
ORIGINAL

Form No. 7.

CITY AND COUNTY }
OF NEW YORK, } ss:

David J. Carey
aged _____ years, occupation Police Officer of No. 2nd Precinct Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Thomas Ashley
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 14

day of September 1898

David J. Carey

[Signature]
City Magistrate.

POOR QUALITY
ORIGINAL

(1965)

Police Court— District.

Affidavit—Larceny.

City and County } ss.
of New York,

of No. 100 Home Street, aged years,

occupation Seaman being duly sworn,

deposes and says, that on the 19th day of November 1892 at the City of New

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

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

Good and lawful money of
the United States of the
amount and value of two dollars
\$2 00
2 00

the property of

Deponent

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

Thomas Higgins and
Joseph Schwartz both now here
who are acting in concert for the
purpose following to wit: at the
hour of 12.30 A. M. on said date
as deponent was seated in a bench
in the City Hall Park he missed the
said money from the pockets of the
trousers which he then wore and is
informed by Detention James Mc
Boherty that he McBoherty
saw the defendants searching the
pockets of the deponent and
in the possession of the defendants
was found the two silver dollars which de-
ponent.

Charley Nelson

Sworn to before me, this

day

of

November 1892

Wm. H. H. H. H. Police Justice.

POOR QUALITY
ORIGINAL

CITY AND COUNTY } ss.
OF NEW YORK, }

aged 34 years, occupation Detective of No. 1921
Police Central Office Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Charles Nelson,
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 18 day } James Mc Cafferty
of November 1892

Thos. J. [Signature] Police Justice.

Lined area for additional text or notes.

**POOR QUALITY
ORIGINAL**

Sec. 198—200.

1882
District Police Court.

City and County of New York, ss:

Joseph Schwartz 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.

Joseph Schwartz

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

Austria

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

Answer.

314 Stanton street. 6 months

Question. What is your business or profession?

Answer.

Writer

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
Joseph Schwartz

Taken before me this
day of Nov 1892

John J. Gracey
Police Justice.

POOR QUALITY
ORIGINAL

Sec. 198—200.

1882
District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer. *Thomas Higgins*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *U. S.*

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

Answer. *148 Cherry Street. 3 Weeks*

Question. What is your business or profession?

Answer. *Carpenter*

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 have nothing to say*

Thomas Higgins

Taken before me this

day of

Nov

1892

Police Justice.

POOR QUALITY
ORIGINAL

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

Charles H. H. H.

Thomas H. H. H.

Joseph H. H. H.

Harvey H. H. H.

Dated, _____ 189

Magistrate.

Officer.

Precinct.

Witnesses

No. 1 _____ Street _____

No. 2 _____ Street _____

No. 3 _____ Street _____

No. 4 _____ Street _____

No. 5 _____ Street _____

No. 6 _____ Street _____

No. 7 _____ Street _____

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

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Thomas Higgins
and
Joseph Schwartz*

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

Thomas Higgins and Joseph Schwartz
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said *Thomas Higgins and Joseph Schwartz*, both

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

*two silver coins of the United
States of America, of the kind called
dollars, and of the value of one
dollar each*

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

**POOR QUALITY
ORIGINAL**

SECOND COUNT—

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

Thomas Higgins and Joseph Schwartz
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Thomas Higgins and Joseph Schwartz*, both

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,

*two silver coins of the United
States of America, of the kind
called dollars, and of the value
of one dollar Each*

of the goods, chattels and personal property of one

Charles Nelson

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

Charles Nelson

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

*Thomas
Higgins and Joseph Schwartz*
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.

DE LANCEY NICOLL,

District Attorney.

BOX:

472

FOLDER:

4322

DESCRIPTION:

Hoffman, Jacob C.

DATE:

03/09/92



4322

POOR QUALITY
ORIGINAL

Witnesses:

Frank Breckard

*I have carefully
examined the above
petition this case
and am satisfied
that a plea of Petit
Larceny would best
answer the end of justice
as the defendant is undoubtedly
guilty but there would
be great difficulty in obtaining
the necessary facts from the witness
the witness is a transient of this city
and is not known to the court.*

Counsel,

Filed,

Pleads

THE PEOPLE

*62
332260
F*

Jacob C. Hoffman

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Wm. W. W. W.
Part 3. March 23/92
Pleads; Petit Larceny

I am of your

*Grand LARCENY, 2nd degree.
(False Pretenses)
[Section 528, and 531, Penal Code.]*

No 20

9 day of *March* 189*2*

Myself

Articles of Agreement made this sixth day of November 1891 by and between Jacob C. Hoffmann and Frederick Schindler of the City of New York

Whereas the party of the first part above named agrees to give the party of the second part an interest of $\frac{40}{100}$ say forty per cent of the net profits realized out of the Real Estate, Store and Insurance Agency now carried on at No 332 Sixth Street New York City, or at such place or places as the ~~both~~ parties may agree upon, for and in consideration of the sum of Eighty, \$80⁰⁰ Dollars paid by the Second Party to the first party

It is also agreed by the party of the first part that he will pay the party of the second part the sum of Nine \$9⁰⁰ Dollars per week, which sum shall be deducted at the end of each and every month out of the $\frac{40}{100}$ per cent of the net profits so realized by the above named business and which is to be paid on the last day of each month.

It is further agreed that at any time the party of the second part shall desire to withdraw from the firm then the money invested by him shall be returned to the same within 30 days after due notice given to the party of the first part.

It is furthermore agreed to by the both parties, that they shall devote all their time, talent and energy to the business, and

**POOR QUALITY
ORIGINAL**

not to engage in any other business than the
within named concern

In Witness whereof the parties of these
present have hereunto set their hands and seals
the day and year first above written

Jacob Hoffmann
Friedrich Schmidtberger.



**POOR QUALITY
ORIGINAL**

Police Court, *3rd* District
City and County of New York ss:

Frank Drechsel of No. 539 East 150th Street, aged 24 years, occupation Electrician being duly sworn, deposes and says, that on the 21st day of December 1891 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

One hundred and fifty dollars, good and lawful money of the United States the property of deponent and that this deponent has a probable cause to suspect, that the said property was feloniously taken, stolen and carried away by Jacob C. Hoffman arising out of the following circumstances to wit:

That on or about the 18th day of December 1891, your deponent read an advertisement in the a German daily Newspaper The Staats Zeitung, which advertisement was to the effect that a young man with several hundred dollars could enter a lucrative business, and all enquiries to be addressed care of Staats Zeitung Office by initials, that your deponent wrote and sent a letter addressed to the initials mentioned in said advertisement and mailed said letter to the office of the Staats Zeitung, and in said letter deponent asked full particulars as to the nature of the business, and how much money was wanted by the person referred to in the initials from deponent to obtain an interest in the business, that a few days thereafter and on or about the 17th day of December 1891, deponent received a letter through the mail from Jacob C. Hoffman of No. 332 6th Street, in the City of New York, asking that an interview may be had with deponent on the Friday following. That on the said Friday following that being the 18th day of December 1891, deponent called at No. 332 6th Street, and met the defendant Jacob C. Hoffman, and had an interview in relation to the advertisement with said Hoffman. Hoffman at said time stated to deponent his business was an Agency for the sale of Stores and Saloons and that his business was so large and expansive that he could not attend to it alone, and wanted a young active man as a partner, so that his partner could do most all the outside work and he the said Hoffman would attend to the in ~~door~~ work. The defendant at said time further stated that deponents income would be no less than fifteen or twenty dollars per week if he entered into a co-partnership with him, and that if he entered into said co-partnership he would pay him regularly Nine Dollars per week, and that at the end of ~~each~~ month after deducting the nine dollars per ~~and~~ week he would give him the balance due him of the forty per cent profit, which would be deponents share in said co-partnership. Said defendant Jacob C. Hoffman at said time also stated to deponent that if he entered into said co-partnership, and after a short trial did not like the business he (deponent) could retire from said Co-partnership, and he would refund him the money that he would invest in the business.

Deponent further says that thereafter and on or about the 21st day of December 1891, your deponent was invited by his mother Mrs. Dithmar. Drechsel called on the defendant Jacob C. Hoffman at his place of residence 332 6th Street

**POOR QUALITY
ORIGINAL**

in the City of New York and then and there the defendant reiterated the statements made by him on the 18th instant last past, to your deponent, and again wilfully and falsely stated the above to your deponent and his mother saying that he wanted a partner, as he the defendant Jacob C. Hoffman was getting old and he needed a young man to attend to the large business that he was doing and that it was impossible for him to attend to it alone and that he wanted a young active man as a partner.

The defendant Jacob C. Hoffman at said time also stated to deponent in the presence of his mother that his (deponent's) income would and would not be any less than \$15.00. or \$20.00 per week if he entered into a co-partnership with him and that if he entered into said co-partnership he would agree to pay him \$20.00. per week and that at the end of each and every month during the co-partnership after deducting the \$20.00. per week he would pay him the balance of all profits which he would agree to give deponent as in and to said co-partnership.

Deponent further says that said defendant Jacob C. Hoffman at the time stated to him in the presence of his mother the said defendant Jacob C. Hoffman would and would not like to do business and did not desire to be in a partnership with him, but he (deponent) could retire from said co-partnership business and when in the defendant would refund him the money that he had invested in said business, and only required him to pay \$20.00. and he would then be a partner and he had already stated as above mentioned and that he need have no fear that if he wanted his money back he was well able to get it, and that if he wanted it he would get it, and that if he could pay him ten times as much as the \$20.00. to deponent then he would pay him as in and to said co-partnership.

Deponent relying upon the representations made as aforesaid by him to the said defendant Jacob C. Hoffman and upon said occasion the said 21st day of December 1911, and delivered to him the said defendant Jacob C. Hoffman the sum of \$100.00. relying upon the above representation that he would refund him the said \$100.00. and that he would pay him as in and to said co-partnership. In writing which the defendant Jacob C. Hoffman drew up and requested your deponent to sign, reading to him that it was all right and that covered every thing that they had agreed upon.

Deponent relying upon all such representations having been made to him signed said agreement and then said he entered into the business as aforesaid.

That deponent was instructed by the defendant Jacob C. Hoffman to remain in the business and occasionally to go out and to attend to such business that would come in, but the said Jacob C. Hoffman always being out and never attending to business.

Your deponent further says that he remained in said place 333-10th Street which the defendant above named represented to him to be his office and remained there under the orders of the defendant above named for about two weeks after the said 21st day of December 1911, and during all of that time there was no business transacted, no sales were made, no customers came, and he then discovered that the representations heretofore made to him by the said Jacob C. Hoffman were false and untrue, that he had obtained the money so received by him by trick and device in making such false and fraudulent representations that he was doing a large business but

**POOR QUALITY
ORIGINAL**

that the defendant on the contrary was not doing a large and lucrative business and was not doing any business whatsoever and the income that the defendant had represented to him as to his share being at least fifteen or twenty dollars per week or at least 40 was not true and he the defendant declined to pay your deponent nine dollars per week or any other sum and that during his said connection as aforesaid, your deponent received no money except the sum of three dollars which was paid to him at various times for expenses such as car fare and a rainy day and when deponent asked said defendant Jacob G. Hoffman for his stipulated share of at least nine dollars per week the defendant stated to him that he would have to wait until the first saloon was sold and that he would pay him before that time.

Deponent further says that he had remained with the defendant as aforesaid for two weeks after the said 21st day of December 1911 and on or about the 15th day of January 1912 your deponent again and gave out to the representations made by the defendant Jacob G. Hoffman as aforesaid, stated to the said Jacob G. Hoffman that he did not desire to remain a partner in said business that he had falsely and fraudulently represented to him that the income and amount of the business he was doing was a lot more and that he demanded the return of the sum of \$150.00. which he had paid him and that the defendant thereafter from time to time promised and agreed to return said sum and wrote him several letters to the effect that he would pay him within a few days and that the defendant Jacob G. Hoffman thereafter promised and agreed to return the said sum of \$150.00 so obtained from your deponent as aforesaid but that he has failed to do so.

Therefore your deponent prays that the defendant may be dealt with as a lawless deceiver.

Signed & delivered, said

23rd day of February 1912

Charles K. Winter
Police Justice

} Frank Drechsel.

0061

POOR QUALITY
ORIGINAL

CITY AND COUNTY }
OF NEW YORK, } ss.

Katharina Drechsel
aged 52 years, occupation Housekeeper of No.
529 East 150th Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Frank Drechsel
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 23rd
day of February 1892

Corporation Dwyer

Charles V. Linton
Police Justice.

POOR QUALITY
ORIGINAL

Sec. 151.

Police Court 3rd District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Frank Drechsel of No. 529 East 150 Street, that on the 21 day of December 1891 at the City of New York, in the County of New York, the following article to wit:

One hundred and fifty dollars.
Cash money, lawful money of the
United States Dollars,
of the value of _____
the property of Frank Drechsel
w as taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by Jacob C. Hoffmann

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 2nd 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 23rd day of February 1892
Charles N. Smith POLICE JUSTICE.

POOR QUALITY
ORIGINAL

Police Court 3rd District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Frank Ansel

vs.

Jacob C. Hoffman

Warrant-Larceny.

Dated

February 23 1892

Tamara Magistrate

Berkley Officer.

The Defendant

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

Officer.

Dated

188

This Warrant may be executed on Sunday or at
night.

Police Justice.

Dated

188

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

Police Justice.

The within named

Feb 24/92
61 yrs.
Jan
Arrest.
392.64

POOR QUALITY
ORIGINAL

Sec. 193-200.

CITY AND COUNTY
OF NEW YORK.

3 District Police Court.

Jacob C Hoffman 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 -
I waive examination on T.O.
Jacob C Hoffman*

Taken before me this
day of *July* 193*6*

Charles W. Hunter

Police Justice

**POOR QUALITY
ORIGINAL**

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Georg R. Hoffman

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

Leeds R. Hoffman

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

The said James P. Mahan.

late of the City of New York, in the County of New York aforesaid, on the twentieth
day of December, in the year of our Lord one thousand eight hundred and
ninety- one, at the City and County aforesaid, with force and arms, with intent to
deprive and defraud one Franka Fredrick

of the proper moneys, goods, chattels and personal property hereinafter mentioned, and of the use and benefit thereof, and to appropriate the same to his own use, did then and there feloniously, fraudulently and falsely pretend and represent to the said

Exempted from school, —

That Mr. the said George R. the Hyman was then
conducting business, as agency for the sale of
slaves and persons; that his business was then
a prosperous and lucrative one, and so
that he was engaged in the sale of
slaves and persons; that he could not properly
attend to it alone, and needed a young, active
man as a partner, who could attend to the outdoor
work while he attended to the indoor work and
that he then turned in good faith to form a
partnership with the said Isaac Threlkeld,
by the terms of which the said Isaac Threlkeld
took over one hundred and fifty dollars in
the said business, and should receive regularly four
hundred dollars per month, and on the 1st of each month
should receive the said sum of four hundred dollars
and the said Isaac Threlkeld was to be repaid.

**POOR QUALITY
ORIGINAL**

to the said *Frank Dredger* in case after a short
trial he did not like the business, and desired to
retire from such undertaking.

By color and by aid of which said false and fraudulent pretenses and representations, the said

Joseph R. Hoffmann —

did then and there feloniously and fraudulently obtain from the possession of the said

Frank Dredger, the sum of one hundred
and fifty dollars in money, lawful money
of the United States of America, and of
the value of one hundred and fifty
dollars,

of the proper moneys, goods, chattels and personal property of the said *Frank Dredger*,

with intent to deprive and defraud the said *Frank Dredger*, —

of the same, and of the use and benefit thereof, and to appropriate the same to his own use.

Whereas, in truth and in fact, the said *Joseph R. Hoffmann*
was not then conducting an agency for the sale
of shares and debentures, and his business was
not then a prosperous and lucrative one, and was
not so large and extensive that he could
not properly attend to it alone, and he did
not need a young active man as a partner or

POOR QUALITY
ORIGINAL

could attend to the outdoor work. He attended
to the indoor work, and he did not then desire
in good faith to form a partnership with
the said Frank Dredner, upon the terms
aforesaid.

And Whereas, in truth and in fact, the pretenses and representations so made as afore-
said by the said Jacob R. Hoffman
to the said Frank Dredner was and were
then and there in all respects utterly false and untrue, as the said
Jacob R. Hoffman
at the time of making the same then and there well knew;

And so the Grand Jury Aforesaid, do say that the said
Jacob R. Hoffman
in the manner and form aforesaid and by the means aforesaid, the said proper moneys, goods,
chattels and personal property of the said Frank Dredner,
then and there feloniously did STEAL, against the form of the statute in such case made and pro-
vided, and against the peace and dignity of the said people.

DE LANCEY NICOLL,
District Attorney.

BOX:

472

FOLDER:

4322

DESCRIPTION:

Holms, Harry

DATE:

03/31/92



4322

POOR QUALITY
ORIGINAL

Witnesses:

Attest
James Moore
Samuel Underhill

*As the property in
Eastern was obtained
at various times
I recommend the
acceptance of a
Plan of Settlement
W. J. Young
at a. s. m.
Mar 28/1912*

Counsel,

Filed

Plends,

2-16-15
March 1892
day of

THE PEOPLE

vs.

Harry Holmes

Grand Larceny, Second Degree
[Sections 528, 529, 530 - Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

James Moore
Samuel Underhill
Per one of

Police Court

District.

Affidavit—Larceny.

City and County
of New York, ss:

of No. 14 John Street, aged 34 years,
occupation Traveler being duly sworn,

deposes and says, that on the 14th day of March 1892 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:

Twenty three gold rings together
of the value of One Hundred
Dollars

the property of J.R. Wood & Son of which
John Deponent is a member

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by Harry Holmes

from the fact that deponent
said said Holmes under arrest
and said property taken from
his possession that deponent
identified the property as having
belonged to deponent's firm.
Deponent is further informed by
Daniel Underhill that he while
in deponent's premises saw the
said Holmes acting in a suspicious
manner and dropping something
in his pocket and subsequently
dropping something down his pants
legs. Deponent further says that
said Holmes has confessed having
stolen said property in the presence of
others.

Sworn to before me, this 14th day of March 1892

Minister of Police Justice.

POOR QUALITY
ORIGINAL

CITY AND COUNTY }
OF NEW YORK, } ss.

Wm. Andrew McDiarmid
aged *1/2* years, occupation *Cop* of No.

145 Broadway (National Express) Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *St John Wood*

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

Sworn to before me this *15*
day of *March* 188*8*

Samuel McDiarmid

Wm. Andrew

Police Justice.

Lined area for additional text or notes.

**POOR QUALITY
ORIGINAL**

Sec. 198-200.

1 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Harry Holmes 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.

Taken before me this

day of

11th
March
1893

Police Justice.

POOR QUALITY ORIGINAL

The preceding books will please be sent to the court case in my office
Amherst
Police Justice

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

Police Court,

THE PEOPLE vs.,
ON THE COMPLAINT OF

District

Offense, *Paula Laron*

Dated *March 1st* 189 *2*

McMahon Magistrate.

Kiffin I. Merrill Officer.

Call of officers Precinct.

David McArthur Street.

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____



2000 to answer
2500 bond & bail 17 29 m.
2000 PG County
Committed

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

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

Dated, *March 1st* 189 *2* *Police Justice.*

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

POOR QUALITY
ORIGINAL

DEPARTMENT OF
PUBLIC CHARITIES AND CORRECTION,
OFFICE OF CITY PRISON, COR. OF FRANKLIN AND CENTRE STREETS,

HENRY H. PORTER, Pres't.,
CHARLES E. SIMMONS, M. D., } Commissioners.
EDWARD C. SHEEHY.

JOHN FALLON, Warden.

New York April 17th 1892.

Wm. Ellinger Esq. Deputy Chief Clerk.
Dear Sir

In reply to yours of the 11th inst in regard to a prisoner held here, named Harry Holmes awaiting disposition by the Court upon the charge of Grand Larceny, and who has been called down to Court several times recently, and who on account of supposed sickness the Court has been unable to dispose of him, and who was to Court on the 11th inst and appeared to be so sick that it was considered by some authority about the Court unwise to arrange him before the Judge on account of his weak condition I wish to state that I called the attention of one of our Prison Doctors here Chas. A. Chittenden to the case in a special manner to determine if possible as to whether or not this man Holmes's physical condition would permit of his being arraigned in Court, the Doctor made a careful

POOR QUALITY
ORIGINAL

DEPARTMENT OF
PUBLIC CHARITIES AND CORRECTION,
OFFICE OF CITY PRISON, COR. OF FRANKLIN AND CENTRE STREETS,

HENRY H. PORTER, Pres't.,
CHARLES E. SIMMONS, M. D., } Commissioners.
EDWARD C. SHEEHY.

JOHN FALLON, Warden.

New York-----189

examination of Holmes this day and
states that he finds that his condition
is not such as he would deem it
necessary to keep him from going to Court.

Yours respectfully,

John Fallon
Warden.

POOR QUALITY
ORIGINAL

Thurs Apr 26 92

Hon Mr. Dyer

Dear Sir

In writing this to you I
will not say I am innocent of
the charge that brought me
here for I am not innocent
I am guilty of the charge but
I hope you will show me
some mercy as I have
suffered enough for I should
been sick for 12 weeks &
am still not able to
stand up I will tell you
now I was taken sick &
nursed John Newton while
he was sick sitting up with
him for eight days & nights
without a moments rest

POOR QUALITY
ORIGINAL

0077

in sleep I contracted a
severe cold which settled
on my kidneys & in my
spine & breaking & diseased
at the same time. I have
told much more I would
like to know your guess
me as often to feel
better & be thankful
to be in sickness & in
trouble I was never wanted
before always been a
square man all my life
I would like to know your
have one straight man in
my case called before
I am getting worse & more
without any fault of the
keepers will substantiate
every thing I say about my
sickness if you will call
on them I am suffering all

the torments that a man
can suffer from I may
tire you with my long
letter but I am pleading
for my life & I
hope you will do something
for me & my soul. Bless
you this is a lesson to me
& a clear one & you can
rest assured I will profit
by it. My poor wife is
heart broken over it but
I must have been cross
to her when I said I did
not have to stand for
my wife & I suppose you
saw it was a lesson
I had to do something
for me I tell you frankly
if you are a Mason if not
as a man & a gentleman
from your sickness

POOR QUALITY
ORIGINAL

I am trouble I want to
get to some Hospital to
get in plaster Paris
Jacket on if I do not
I will be a cripple for
time to come. Hoping
you will listen to my
prayer I remain
as ever

Harry Holmes

**POOR QUALITY
ORIGINAL**

DEPARTMENT OF
PUBLIC CHARITIES AND CORRECTION,
OFFICE OF CITY PRISON, COR. OF FRANKLIN AND CENTRE STREETS,

HENRY H. PORTER, Pres't.,
CHARLES E. SIMMONS, M. D., } Commissioners.
EDWARD C. SHEEHY.

JOHN FALLON, Warden.

New York April 19th 1892.

N. W. Mewitzer
Deputy Chief Clerk,
Cust. Div.

In view of having communicated with you a few days ago in compliance with a request of yours in reference to a Prisoner named Harry Holmes held here on a charge of Grand Larceny and who in the past on account of his apparent physical condition was not arranged in Court.

I wish to say that he was to be arranged in Court. Part One General Sessions today and that he reported he was unable to go on account of sickness and pain. I therefore sent for the Prison Doctor Charles H. Chetwood and the Doctor has made an examination of Holmes and states that he does not consider his physical condition such as would prevent him from being arranged in Court.

Upon this statement of the Doctor I am prepared to send Holmes

POOR QUALITY
ORIGINAL

DEPARTMENT OF
PUBLIC CHARITIES AND CORRECTION,
OFFICE OF CITY PRISON, COR. OF FRANKLIN AND CENTRE STREETS,

HENRY H. PORTER, Pres't.,
CHARLES E. SIMMONS, M. D., } Commissioners.
EDWARD C. SHEEHY.

JOHN FALLON, Warden.

New York.....189

to Court on a Benchery if the Court wishes to
dispose of him in that way.

The Doctor states that
he is likely to play off this game of sickness
until it suits him self to give it up. please
inform me what steps will be necessary
for me to take in this matter and oblige

Yours respectfully;

John Fallon
Warden.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Harry Holms

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

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

The said

Harry Holms

late of the City of New York, in the County of New York aforesaid, on the *14th*
day of *March* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, with force and arms,

*twenty-three finger rings of
the value of five dollars each*

of the goods, chattels and personal property of one

St. John Wood

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.

**POOR QUALITY
ORIGINAL**

SECOND COUNT—

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

Harry Holmes

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

The said

Harry Holmes

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,

*twenty-three finger rings of
the value of five dollars each*

of the goods, chattels and personal property of one

St. John Wood

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

St. John Wood

unlawfully and unjustly did feloniously receive and have; the said

Harry Holmes

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.

DE LANCEY NICOLL,

District Attorney.

BOX:
472

FOLDER:
4322

DESCRIPTION:

Houtman, Miles

DATE:
03/16/92



4322

POOR QUALITY
ORIGINAL

Witnesses:

Gottlieb Gernert

Off - Hawley Co.

Counsel,

Filed

day of *March* 189*2*

Pleads,

THE PEOPLE

vs.

Miles Houtman

Second Degree.
[Sections 629, 631, Penal Code.]

Grand Larceny, Second Degree.
[Sections 629, 631, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Wm. T. C. C.

Foreman.

Wm. T. C. C.
Wm. T. C. C.
Wm. T. C. C.
Wm. T. C. C.
Wm. T. C. C.

18

POOR QUALITY
ORIGINAL

(1865)

Police Court— 2nd District.

Affidavit—Larceny.

City and County } ss.
of New York,

of No. 54 East 10th Street, aged 65 years,

occupation Photographic Materials being duly sworn,

deposes and says, that on the 9th day of January 1892 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

A quantity of Metallic Silver and Gold of the amount and value of one hundred and fifty five dollars (\$155-)

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

Miles Houtman, from the following facts to wit: That on the aforesaid date about the hour of 12 o'clock the said Houtman who was employed by deponent as Shipping Clerk, was entrusted with the aforesaid property to be shipped to Robert F. Maier of No 330 South Street in the City of Newark State of New Jersey, for the purpose of having the said property repaired - and that about the hour of 12 o'clock mid-day of the 14th day of February 1892 the said Houtman left deponent's place of business at the aforesaid address, and that deponent has not seen the said Houtman since - and that deponent has received information from said Maier that he has not received the

Subscribed and sworn to before me this 10th day of January 1892

Police Justice

POOR QUALITY
ORIGINAL

aforsaid property - and deponent is further
informed by the Express Companies doing
business with him that they have not
received the aforsaid property. Deponent
therefore charges the said Houtman with
having committed a Larceny, and feloniously
appropriating the aforsaid property to his
own use and benefit - and asks that he
may be apprehended and dealt with as
the Law may direct

Gottlieb Gernert

Sworn to before me this
24 day of February 1892

John Schady
Police Justice

POOR QUALITY
ORIGINAL

(1295)

Sec. 198-200.

2 District Police Court

CITY AND COUNTY } ss.
OF NEW YORK, }

Miles Houtman

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. Miles Houtman

Question. How old are you?

Answer. 28 years

Question. Where were you born?

Answer. U.S.

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

Answer. 208 East 11th St. 1 year

Question. What is your business or profession?

Answer. Clerk

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 have nothing to say

Miles Houtman

Taken before me this

day of March

1892

Police Justice.

POOR QUALITY
ORIGINAL

Sec. 151.

Police Court 2 District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by Robert Gennerty
of No. 54 East 10 Street, that on the 9 day of February

1888 at the City of New York, in the County of New York, the following article to wit:

A quantity of Metallic Silver as Gold
of the value of one hundred and fifty five (155) Dollars,
the property of Complainant
w. as taken, stolen and carried away and as the said complainant has cause to suspect, and does suspect and
believe, by Pauls Kouman

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said
Sheriff, Marshals and Policemen, and every of you, to apprehend the bod. of the said Defendant
and forthwith bring him before me, at the 2 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 24 day of February 1888

John S. Brady POLICE JUSTICE.

POOR QUALITY
ORIGINAL

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated 188

..... Magistrate

..... Officer.

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

Nauly Sheridan Officer. s.

Dated 188

This Warrant may be executed on Sunday or at
night.

..... Police Justice.

having been brought before me under this Warrant, is committed for examination to the
WARDEN and KEEPER of the City Prison of the City of New York.
Dated 188

Police Justice.

The within named

POOR QUALITY
ORIGINAL

BAILED.

No. 1, by
Residence
Street

No. 2, by
Residence
Street

No. 3, by
Residence
Street

No. 4, by
Residence
Street

Police Court 12 District.

THE PEOPLE, vs.,
ON THE COMPLAINT OF

Charles Campbell
320 West 12th St
Brooklyn

2
3
4
5
6
7
8
9
10

Offence

Date

March 6 1892

Shady Magistrate.

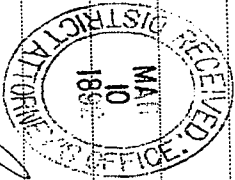
Henry Officer.

Ed Precinct.

Witnesses

No.
Street

No.
Street



No.
Street

No.
Street

100 W. Main St. 20th Precinct

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *1000* 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 6 1892* Police Justice.

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

Dated 18 Police Justice.

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

Dated 18 Police Justice.

N. Y. GENERAL SESSIONS

THE PEOPLE Ex Rel)
GENET)
-against-)
M I L E S H O U T M A N)
-----)

City and County of New York ss.

Thomas J. Gibbons being duly sworn says that he is a real estate broker doing business at 116 Bleecker Street in the City of New York; That he has known the above Miles Houtman for the past sixteen years (since his boyhood). That the said Miles Houtman has been a good boy and man up to this transgression and deponent believes that he, Miles Houtman, must have been tempted to do wrong by the many temptations in this large City which overcome a great many older persons.

That Nathan Houtman father of said Miles Houtman is a very respectable man and his mother a lady of character and intelligence, and this deponent can not understand how said Miles Houtman should commit the act for which he is now being punished, and deponent has every confidence in said Miles Houtman even now; and should not hesitate in trusting him and deponent believes that he is very sorry for what he Miles Houtman, has done, and if the Court would suspend sentence in his case, he, Miles Houtman will never place in

such a position again.
Sworn to before me this
17th day of March 1892.

Thomas J. Gibbons
Leopold Stark Notary Public N.Y.C.

My General Session

The People of the State
of New York

agst
Miles Houtman

City & County of New York

Nathan Houtman
being duly sworn deposes & says that he is
the father of Miles Houtman & resides at
No 208 E 118 Street in the City of New York,
that Miles Houtman his son was never
arrested in his life upon any charge of
any kind whatever and that the arrest
and the present offense is the first that said
Miles Houtman has ever been accused of; that he
never knew of anything in any way derogatory
to his said son's character and that
the arrest and present accusation was
a very great surprise to deponent as
he did not think that said Miles would
commit or do anything wrong and always
suffered him to be very industrious &
virtuous & so informed the officer when
he informed deponent of his said Miles

Subscribed and sworn to before me this
15th day of March 1899

Nathan Houtman

Attest
Notary Public
N.Y. Co. N.Y.

POOR QUALITY
ORIGINAL

My General Services
to the People of the U.S.
Sept

Wm. F. Friedman

Assistant of Walter
Friedman (father)
as to Character

Wf. General Services

People of the State of Wf.

Miles ^{agent} Huntman

City & County of New York

being duly sworn deposes & says that he is a
dealer in real estate residing at No. 249 W 51
street Wf. that he is and has been acquainted
with Miles Huntman since his boyhood
and has always known & heard of him being
an honest, industrious and well behaved
boy & young man at all times; that he has
never heard anything against his character
and that to the best of his knowledge said Miles
Huntman has always had the reputation
of being honest, industrious & virtuous

Subscribed to before me this 18th day of March 1892

Wm. Hutchinson

Notary Public Kings Co.

Certificate filed in my locality

Morris Littman

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Miles Houtman

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

Miles Houtman

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

The said

Miles Houtman

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

*one hundred and twenty-five ounces of
metallic silver of the value of ninety
five cents each ounce, and sixteen and
one fifth pennyweights of gold of the
value of one dollar and two cents
each pennyweight.*

of the goods, chattels and personal property of one

Gottlieb Gennert

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

*De Lancey Nicoll,
District Attorney*

BOX:

472

FOLDER:

4322

DESCRIPTION:

Howard, John

DATE:

03/02/92



4322

POOR QUALITY ORIGINAL

Witnesses:

[Signature]

John Howard
De Lancey Nicoll
for

Counsel,

Filed

day of

March 1892

Pleas

THE PEOPLE

vs.

John Howard

DE LANCEY NICOLL,
District Attorney.

Grand Larceny,
(From the Person,
[Sections 228, 229, 230,
Penal Code.]

A TRUE BILL.

[Signature]
Foreman.

[Signature]
Vindictive

S.P. 4 4586 no.
R.B.M.

[Signature]

Police Court— 2nd District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 255 West 21st Street, aged 26 years,
occupation Engineer being duly sworn,

deposes and says, that on the 25th day of February 1892 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession

And person of deponent, in the night time, the following property, viz:

A Gold Watch of the value
of seventy five dollars
($\$75-\frac{20}{100}$)

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 Howard (now here) from the
following facts to wit: That about the
hour of 2.30 o'clock A.M. of the aforesaid
date, Deponent was walking along
and through West 21st Street, and that in
the N.E. Corner of 21st Street and 7th Avenue
Deponent stumbled and fell, and that
said defendant who was in company with several
others immediately took hold of Deponent to
raise him from his fallen position, and that
on Deponent getting up he immediately missed
the aforesaid property from the pocket of the
coat then and there worn on his person, and
that Deponent immediately accused the defendant
of having taken the aforesaid property, and that

Said defendant immediately ran away,
and that defendant is informed by Officer
James McRally of the 19th Precinct Police
that he found a watch in the possession
of the defendant, and which watch defendant
has seen and recognizes as his property
and as the property stolen from him by
said defendant - Defendant therefore admits
that the defendant may be held to
answer - Carroll Smith

Shown to before me }
this 25th day of February 1892 }

John J. Brady
Police Justice

**POOR QUALITY
ORIGINAL**

CITY AND COUNTY }
OF NEW YORK, } ss.

aged _____ years, occupation James McRally
Police Officer of No. _____

19th Precinct Police Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Arnold S. Smith
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 25
day of February 1890 } James McRally

John H. Brady
Police Justice.

**POOR QUALITY
ORIGINAL**

(1885)

Sec. 198-2

CITY AND COUNTY } ss.
OF NEW YORK,

2 District Police Court.

John Howard 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 Howard*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *Do not wish to say*

Question. What is your business or profession?

Answer. *Agent*

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

Answer.

I am not guilty
John Howard

Taken before me this

day of

May

188*7*

John Howard
Police Justice.

POOR QUALITY
ORIGINAL

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

Police Court... 2 District... 247

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles J. Smith

John Howard

2
3
4

Date Feb 25 1892

Magistrate
Officer
Precinct

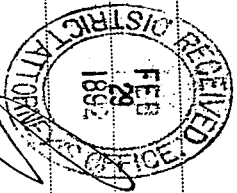
Witnesses

No.
Street

No.
Street

No.
Street

No.
Street



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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Twenty five Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.
Dated February 25 1892 John Howard Police Justice.

I have admitted the above-named
to bail to answer by the undertaking hereto annexed.
Dated 18 Police Justice.

There being no sufficient cause to believe the within named
guilty of the offence within mentioned. I order h to be discharged.
Dated 18 Police Justice.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

John Howard

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

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

The said

John Howard
late of the City of New York, in the County of New York aforesaid, on the *25th*
day of *February* in the year of our Lord one thousand eight hundred and
ninety-*two*, in the *night*-time of the said day, at the City and County aforesaid,
with force and arms,

*one watch of the
value of seventy-five dollars*

of the goods, chattels and personal property of one
on the person of the said

then and there being found, from the person of the said

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.

Carroll S. Smith
Carroll S. Smith
Carroll S. Smith

SECOND COUNT—

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

John Howard
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

John Howard
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 seventy-five dollars*

Carroll S. Smith
of the goods, chattels and personal property of one

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

Carroll S. Smith
unlawfully and unjustly, did feloniously receive and have; the said

John Howard
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.

DE LANCEY NICOLL,

District Attorney.