0113

BOX:
275
FOLDER:
2637
DESCRIPTION:
Hart, Francis X.

DATE:
09/21/87

2637

Bail fixed at
$2000 1896
Witnesses:
D. H. Williams
D. M. Bloch
Mira Deutsch

Bailed by
James Barr
310 E. 57th St

SUP[illegible] COURT,
of the CO[illegible] YORK,
for trial (E[illegible] Minutes)

[illegible] 1896

Indictment for the State
is without proof, recommend
to motion the District Attorney
recommend that defendant
be discharged upon his own recog.
upon Mutt Bloch, Atty
Mch 1st 1896. Ad Dist Atty

96.
Hon 1549
87

Counsel,

Filed, 21 day of Sept 188

Pleads, Guilty (28)

THE PEOPLE

vs.

Forgery 2d

N.A.

Francis X. Hart

RANDOLPH B. MARTINE,
*District Attorney.*

A True Bill.

[Section 193, Penal Code]

Ordered to the COURT of
General Sessions
COUNTY OF NEW YORK,
for trial (Entered in the Minutes)
Clerk

Application for discharge
defd denied
Dec 14/96
March 1, 1896
Bail discharged.

POOR QUALITY ORIGINAL

0115

# STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, ss.

## AN INQUISITION,

*Taken at the* Tombs Police *No.* 67 Park Row *Street, in the* 4 *Ward of the City of New York, in the County of New York, this* 27 *day of* July *in the year of our Lord one thousand eight hundred and* 87 *before*

JOHN R. NUGENT, Coroner,

*of the City and County aforesaid, on view of the Body of* Teresa Deutch *now lying dead at*

*Upon the Oaths and Affirmations of* Jas *good and lawful men of the State of New York, duly chosen and sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said* Teresa Deutch *came to her death, do upon their Oath and Affirmations, say: That the said* Teresa Deutch *came to her death by* Belladona poison administered by mistake as her medicine 325 6558 St on July 28 - 1887. and we find the said poison was compounded by druggist Francis C Hart 557 Pitt Ave and we exonerate Francis C Hart from all blame

In Witness Whereof, *We, the said Jurors, as well as the* CORONER, *have to this Inquisition, set our hands and seals, on the day and place aforesaid.*

## JURORS.

W. S. Widmore 178 Broadway — Alfred L. Cohen 219 E 109th St
James Shea 75 Rossau — H. Walliker 65 Pike St
Oscar R. Severin 198 Chrystie — M. F. Flynn 12 Rivington
Joe. Buchman 165 Allen St — L. F. Litte 1320 3d avenue
Edwin Atkinson Fordham
S. D. Westbrook 253 Bowery

CORONER, N. Y.

0116

TESTIMONY.

Clara Dunlap being sworn says
Theresa Dunlap now living at
325 E 5 St is my Mother she
has been sick for the two weeks
with Rheumatism and was
attended by Dr Hamilton Williams
of Greenpoint who prescribe the
following medicine a mixture to be
taken internally the direction being
1/8 part four times a day in a
little water and signed Hamilton
Williams and also a liniment
the form of mixture numbered
on an additional label
No - 86901 - 7 - 16 - the prescription
for the liniment is dated June
14 - 1887 - signed by Hamilton Williams
and numbered - 56634 - I recognize
the bottle marked - 86901 - as the
bottle from which I gave my
Mother two table spoon full in
a little water on July 28 - 1887
about 4 30 - P.M. - after giving her
the medicine she said it was like
fire inside he made it too strong
she walked once across the floor
and then dropped on the sofa
and went into convulsions.
After the first convulsions we sent
to find out what the medicine
was - she remained in that
condition until she died at
5.30 AM July 29 - 1887

Clara Dunlap

Sworn to before me,
this 29 day of Aug 1887

CORONER.

0117

**Coroner's Office.** **TESTIMONY.** 1 a

Isaac Deutsch being sworn
saith as 335 East 58 St
Theresa Deutsch now lying
dead in our home 335 E 58 St
is my Mother. She has been sick
for some time on and off with
Rheumatism and for two
weeks past has been attended
by Dr Hamilton Williams of
133 Avenue St. ~~She~~ My sister told me she had
given her two tablespoonfuls of a
mixture which had been
prepared by Mr Hart a
druggist Cor 57 St & 2 Ave
on July 28. 1887 shortly
~~after~~ 4 pm after which
she was taking violently
delirious she had four or
five physicians they tried the
stomach pump and Emetics
but without avail. She died
July 29 - 1887 about 5 AM
in great agony.

Isaac Deutsch

Taken before me
this 29 day of July 1887

CORONER.

0118

**Coroner's Office.** **TESTIMONY.**

3a

Albert Stutsel being sworn says
Residence 339 & 358 St on July
28 about 1.30 pm. I left my
Mothers house in company with
Dr Hamilton Williams of
130 Huron St Greenpoint
who had been attending my
Mother for two weeks past
for Rheumatism. We went
to a drug store kept by
Francis C Hart at 57 St
and Second Ave. I brought
with me a bottle which had
contained Medicine which my
mother had been taking internally
for some time, but had been
emptied. It had on a Label
with the directions for use —
which said one eight part to be
taken four times a day when
we got to the drug store I sat
on a chair while the Doctor
was ~~taken~~ talking to Mr
Hart. and it appears to me
Dr Williams was writing some
thing while I was setting on
the chair

*Taken before me*
*this day of* *188*

CORONER.

0119

**Coroner's Office.** **TESTIMONY.** 3 a

Then Dr Williams took some soda water and invited me to have some. We then left together and Dr Williams took the cars and I went home Mr Hart said he would send the medicine home which he did some fifteen minutes after. I then left the house leaving my sister gave my Mother two table spoonfull of the medicine a little after four p.m. after which she was taken violently sick. From my Physicians who called her she died July 26 about 5 am. 188

Albert Decker

(Recall.) I did not hand Mr Hart any bottle. Mr Hart sent a Physician on his own account when he heard of my Mother taking the poison

Albert Decker

*Taken before me*
*this* *day of* 188

CORONER.

0120

**Coroner's Office.** **TESTIMONY.** 1

Morris Block M.D. being sworn says I reside at 337 E 58 St am a physician I was the deceased Mrs Deutch I was called by a gentleman Mr Yellin on July 28, 1887 to come to Mr Deutch home as who said the lady was sick I went there and found Mrs Deutch in convulsions. and unconscious asked what was the matter and some one told me she had taken two spoonfull of Medicine and had got sick we had to hold her after awhile I asked where is the medicine and some one told me Mr Yellin had gone to the drug store and when he came back he said if was limming I sent to the drug store to get some thing and to make sure it was Belladona and the clerk told me Dr Greenough was there with emetics. We then were trying in our power we injected Morphine

*Taken before me*
*this day of* *188*

CORONER.

0121

**Coroner's Office.** **TESTIMONY.** 2

Jen Jen in Lir Lad
Mustard Plaster, I mean
Dr Greenough and myself
we carried together after
time Dr Nolan was called
in and he did what we
did was all right and
told us to try the stomach
pump we used it without
effect we made injections
of Brandy then Dr
Mesopher was called in
and Dr O'Brien Dr Loopher
advised us to try Croton Oil
as a purge she got seven or
eight drops but it did
not work she got in more
of a stupor. Dr O'Brien came
in at 10 no 11 we broke
off at four 11 which I told
the people as far as we
knew ~~and~~ we did not relieve
her and there was no chance
of her being safe she was in
deep coma and the rattling
in the throat became worse
we left at 12 o'clock
I dropped in and she

*Taken before me*
*this day of* *188*

CORONER.

0122

**Coroner's Office.** **TESTIMONY.** 3

was in deep coma she
died about [illegible] hours after
[illegible] that is all I know I
attended her once at my office
before her illness. I would say that
I [illegible]

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

CORONER.

0123

**Coroner's Office.** **TESTIMONY.**

4

Hamilton Williams MD being sworn says
I am a Physician I live 130 Huron St Brooklyn
Thursd Deceased I attended her
I last saw her alive on July
28 - about 2 P.M. she appeared
to be convalescing very well
from Chronic Rheumatism of
joints. I have been treating her
from the 14th I was called
to attend the deceased on
the 14th of July and I found
her suffering as already stated
and at the first day I saw
her I prescribed a bottle
of Liquid medicine for internal
use. and if my memory serves
me it was to be taken one eight
part four times a day
of Liquid medicine was only
a preliminary to the regular
treatment I believe the second
day after I wrote the permanent
prescription - having run out of the
bottle of Liquid use
that had already served
its purpose

*Taken before me*
*this day of* *188*

CORONER.

0124

**Coroner's Office.** **TESTIMONY.**

I asked the family of deceased if they the medicine prepared at Mr Dorhein at 59 & 53 Ac for the reason that he had made up similar prescription in my dispensary for the same medicine was there and also the box of pills and also a bottle of medicine and a pot of paste of and a bottle of medicine for internal use some time after the family requested me to rewrite or give copies of prescription so that the ~~the~~ prescriptions could be put in to the hands of Mr Hart. The druggist. I accordingly to the request of the family an a rewrote the prescription of the three medicines these were placed on Mr Harts medicine books the external prescription was not put in as no time was there on the prescription books ~~[illegible]~~ Hart, &c

*Taken before me* of Mr

*this* *day of* *188*

CORONER.

0125

**Coroner's Office.** **TESTIMONY.** 6

r in his hands a prescription for internal use. ~~I was~~ ~~called in~~ a letter was written to me and I had no time to answer it. On the 28-July I went up and saw the lady again that was my last visit. I got there about 2 o'clock and was asked my opinion and I said the lady was improving I was asked if it was advisable to take her to the sea side I said yes I was asked if there was any change in the medicine I replied go on continue as you are doing one of the family spoke of a dry mixture that had made its appearance I was asked will you then write a prescription I replied so I will call to the drug shop and make a change on the prescription which he had. At the same time that I proposed to take that course so as not to increase the number

*Taken before me*
*this day of* *188*

CORONER.

Coroner's Office. TESTIMONY.

7

of articles which she was using
go to the drug store of
Mr Hart at 1077. Her
Mr Deutch accompanied
her and brought what
he considered to be the
empty packages that
contained the medicines
he brought for a bottle for
the lumbago. I went up
and asked Mr Hart for
Mr Deutch's prescription &
let me see it & refuse
readily to the book he had
to get any of the empties
to see the number Mr
Deutch handed him the
bottle he had brought
with him and Mr Hart
said this is not my bottle
& that he added the
is a bottle of Bird heads
Liniment or Wm bottle and
said this is the bottle of
liquid medicine that I
made or my dispensing this
is not our bottle

*Taken before me*
*this day of* *188*

CORONER.

0127

Coroner's Office. TESTIMONY. 8

What I felt decision before
~~to~~ I believe it was when
Mr Dulch produced the
pill box and. Then Mr Dulch
turned over the bottom
was brought face to face
with my prescription. The
only prescription he had
from me and I said to
him that is the prescription
I made up. I refused
to the full paste and
ointment. Mr Durant to
add another Barbados
Aloes 24 grains. That was
all and Mr Dulch and myself
had some food a
walk and play. That evening
I received this telegram.
Come quick Mother bad
{ Summons internally by
Mustard July 28 }
The following morning I drove
over and she was dead
when Mr Dulch and myself
was in the dining room I
asked to look at the prescription
and the prescription book

*Taken before me*

*this day of* *188*

CORONER.

0128

**Coroner's Office.** **TESTIMONY.**

9

was opened and read in
accurately and added in
the prescription book the
extract of Barbados
and I acted as a physician
and was a practitioner
physician. and was attending
the lady. I saw Sculls
hand of Mr Harris the
bottle and they gave Harris
laid of Sculch Cannot
par 59 Lt. It was made
up to was made
do not know if he returned
the bottle to Sculch.
my impression is that at no
time did I have the bottle
in my hand I tasted or
the bottle and saw what
it was. and I ~~made the~~
did not say that is the
burning bottle. I did not
say that all night these
people used to deal at
59 St. Saw Mr Harris
the prescription I did not
say gave me a piece of

*Taken before me*
*this day of* *188*

CORONER.

0129

**Coroner's Office.** **TESTIMONY.**

10

Paper and I will make you a prescription out Mr. Did you ever have them hand you a piece of paper which I placed on the prescription book? Nor in my recollection. Did you point to the entry in the book? Yes. And did you ask Hart how he would make it up? Yes. Did he nor reply to you he would refer to his book for the exact proportions. (No.) Do you remember saying to Mr Hart. ~~I remember~~ that your client said at the time he made up the prescription he had no Ethereal oil (I made some remark of that sort) did you say to Hart you make in up like this pointing to the prescription in Hart's book? I presume so. Did you say to him: Put in the bottle if you dare the people the horrible of going to Hurdle? I did not.

Taken before me

this day of 188

CORONER.

0130

**Coroner's Office.** **TESTIMONY.**

11

Do you say at the time the prescription has not been made up) it was not made up) this prescription for Internal medicine was one I gave and had made up and I dispatch all three medicines to be made up. The directions were one eight part ~~to be taken~~ four times a day in a little water. This label in its present condition was not on the bottle when taken to Mr Hart - The lower part of the label was on the bottle after complying with my prescription he pasted the over label on top of the lower one. The prescription in Hart's is two ounces of compound Mustard - originally prescription dated July 16-1887 was given - by me to be made up as Mr Harts story on their prescription I had written the words Liniment poison use as directed

*Taken before me*

*this day of* *188*

CORONER.

01331

**Coroner's Office.** **TESTIMONY.** 12

when I was last on the 28 July. I gave the direction as before. I told him to make that up in the original prescription. ~~I but the words porous Liniment I cannot say if I~~ Will you swear that in your original prescription that the words porous Liniment were written. (I think it probable that they were)

Hamilton Williams M.D.
130 Hoover St

*Taken before me*
*this* - *day of* 188 -

CORONER.

0132

**Coroner's Office.** **TESTIMONY.** 13

Jacob Teichner MD being sworn says: I reside 530 & 555 St. am a Physician I did not know the deceased but was called in on July 28 about 8 pm. one of the sons for a stomach pump in fearing my his mother had been poisoned by a dose of Belladona owing to circumstances my own family affairs Mr Elliott did not ask me as the time to call but merely asked me to lend him my stomach pump for the use of the Physicians who were attending her I complied and gave him the pump about a half hour later the same Mr Elliott called again requesting me to come in person which I did found the deceased in bed in a comatose condition pupils contracted pulse low red & stern

Taken before me
this day of 188

CORONER.

0133

**Coroner's Office.** **TESTIMONY.** 14

Repeats statement in alluding to Dr Morris Bloch I was informed and believed it to be acute of Belladona poison. Inquiry whether had been done to relieve the patient is being too late to apply the pump with any expectation of benefit as sufficient of 1½ hours had elapsed. I deemed it advisable to administer and await the result of the administration of Croton oil. The oil was administered but without the slightest beneficial results. In about an hour after, the patient died in with a stertorous breathing — heavy & laborious — and all appearances of rapid ~~dissolution~~ dissolution. I made no inquiries concerning the bottle and left convinced there was no hope. That she would die before morning.

Jacob Teschner

*Taken before me*
*this* *day of* *188*

CORONER.

0134

**Coroner's Office.** **TESTIMONY.**

15

Charles H. Greenough M. D. being sworn says: I reside at 307 E. 57th St. I am a practising Physician of City of New York and graduated at Bellevue Hospital Medical College in 1872. On Thursday July 28/87 at 5.45 PM I was called to attend a Mrs Deutsch of 325 E. 58th St. I went there and found the patient in a semi-conscious condition — was informed such condition was produced by medicine taken through mistake said medicine being a liniment intended for external use and had been given internally. Soon after my arrival Dr. Block of 58th St. came in and informed me he had previously visited the case and was then absent (at my arrival) investigating the character of the medicine taken. On being so informed I gave him the priority in charge. We immediately gave emetics and stimulants and also used the stomach pump. We called as consulters the following gentlemen Drs. Weiner, Teichner, and O'Dwyer. We gave careful attention to the patient till 10.30 PM when finding her rapidly sinking and impossible to save her life, with the consent of the family I left.

Taken before me
this 19 day of August 1887

C. H. Greenough, M.D.
CORONER.

0135

TESTIMONY.

William O'Meagher M. D., being duly sworn, says: I have made an examination of the body of Theresa Deutsch now lying dead at 325 25th St and from such examination and history of the case, as per testimony, I am of opinion the cause of death is

Narcotic poisoning by belladonna & chloroform intended for external use

William O'Meagher M. D.

Sworn to before me, this 2 day of 188--

CORONER.

MEMORANDA.

| AGE | | PLACE OF NATIVITY | WHERE FOUND | DATE When Reported |
|---|---|---|---|---|
| Years | Months — Days | | | |
| 63 | | Austria | 325 E 58 St | July 29/87 |
| 63 | | Hung | | |

Sumpter & Martin,
Counsellors at Law,
320 & 322 BROADWAY,
Rooms 35, 36 and 37.
New York.
TELEPHONE NASSAU 473.

#96

96. B.O. 1549/87

J. R. N.

No. 480

3rd Quar. 1887

AN INQUISITION

On the VIEW of the BODY of

Theresa Dietsch
Deutsch

whereby it is found that she came to her death by

Narcotic Poisoning
by Belladonna
and Morphine



Inquest taken on the 22 day of Aug 1887 before

JOHN R. NUGENT, Coroner.

480

MEMORANDA.

| AGE | PLACE OF NATIVITY | WHERE FOUND | DATE When Reported |
|---|---|---|---|
| 65 Years — Months — Days | Austria Hung | 325 65 St | July 29/87 |

#96

Sampter & Platzek,
Counsellors at Law,
320 & 322 BROADWAY.
Rooms 35, 36 and 37.
TELEPHONE NASSAU 473.
New York.

96. B.C. 1549/87

J. R. N.

No. 480

3rd Quar. 188

AN INQUISITION

On the VIEW of the BODY of

Theresa Dietsch
Deutsch

whereby it is found that She came to her death by

Narcotic Poisoning
by Belladonna
and Morphism

SEP 19 1887

Inquest taken on the 29 day of 188 before

JOHN R. NUGENT, Coroner.

| | |
|---|---|
| P E O P L E<br>against<br>F R A N C I S X. H A R T. | Indicted September 21,1887.<br>Manslaughter.<br>Section 193 Penal Code. |

The defendant in this case was a druggist. It appears that some medicine had been made by him from a prescription of the physician attending the deceased. There is a great conflict of evidence as to whether the death was caused by the mistake of the family in administering the wrong medicine, or by the negligence of the druggist in compounding the prescription. The coroner's physician who performed the autopsy is dead; and it would therefore be a difficult and practically impossible task to prove the actual cause of death. It would be idle to place defendant on trial as no conviction could be had on the evidence accessible to the District Attorney.

I therefore recommend the discharge of the defendant on his own recognizance.

Dated New York, ~~November~~ December 1st 1896.

Wm. J. Hennessy
Deputy Assistant.

I approve of the above recommendation.
Dec. 4. 1896.
Vernon M. Davis,
Asst

I approve of the above recommendation.
Dec 11/96.
Vernon M. Davis.
District Attorney.

N. Y. General Sessions -

THE PEOPLE OF THE STATE OF
NEW YORK

*against*

Francis X. Hart

Report.

JOHN R. FELLOWS,
DISTRICT ATTORNEY,
No. 32 CHAMBERS ST.,
NEW YORK CITY.

2298

0140

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

Francis X. Hart

**The Grand Jury of the City and County of New York,** by this indictment, accuse Francis X. Hart

of the CRIME of Manslaughter,

committed as follows:

The said Francis X. Hart,

late of the ~~Ward of the~~ City of New York, in the County of New York aforesaid, on the twenty-eighth day of September, in the year of our Lord one thousand eight hundred and eighty-seven, at the ~~Ward~~, City and County aforesaid, in and upon one Theresa Deutsch, then and there being, wilfully and feloniously did make an assault; and the said Francis X. Hart, along a quantity of a certain deadly poison called Dilordform and along a quantity of a certain other deadly poison called Belladonna, wilfully and feloniously did then and there give and administer unto the said Theresa Deutsch (the the said Francis X. Hart then and there well knowing the said Dilordform and Belladonna to be deadly poisons) with intent and purpose then the said Theresa Deutsch to kill and murder, and the said Theresa Deutsch, the said Dilordform and Belladonna, so given and administered unto her by the

said Francis X. Hart, as aforesaid, did
then and there take and swallow down
into her body; by reason and by means
of which said taking and swallowing
down the said poison and bella-
donna into her body, as aforesaid, the
the said Theresa Deutsch, then and
there became and was mortally sick
and distempered in her body; of which
said mortal sickness and distemper the
the said Theresa Deutsch, from the
said twenty-eighth day of July, in the
year aforesaid, until the twenty-ninth
day of July, in the same year aforesaid,
at the City and County aforesaid, did
languish, and languishing did live,
on which said twenty-ninth day of
July in the year aforesaid, the the said
Theresa Deutsch, at the City and County
aforesaid, of the said mortal sickness
and distemper, as aforesaid occasioned,
died. And so the Grand Jury aforesaid, do
say: that the said Francis X. Hart, then,
the said Theresa Deutsch, in manner
and form, and by the means aforesaid,
wilfully and feloniously did kill and
slay, 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,

District Attorney.

0143

BOX:
275
FOLDER:
2637
DESCRIPTION:
Hart, William

DATE:
09/13/87

2637

#89

*Witnesses:*

Wm. F. Burke

Counsel, .....

Filed, 13 day of Sept. 188 7

Pleads, .....

THE PEOPLE

*vs.*

William Hart

**Grand Larceny degree**

[Sections 528, 531 and 550 Penal Code].

RANDOLPH B. MARTINE,

*District Attorney.*

**A True Bill.**

Chas. F. De Forest

*Foreman.*

0145

D

**Police Court—** D **District.** **Affidavit—Larceny.**

City and County of New York, } ss.:

William F. Burke

of No. 55 East 112th Street, aged 29 years, occupation Builder - being duly sworn deposes and says, that on the 12 day of August 188 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 New Lead Pipe - of the Value of Forty Dollars -

the property of Deponent and Peter T. Yates

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 Clark (now here) from the Premises Deponents House a Quantity of Lead Pipe, from the New Buildings in 136th Street North side - near Alexander Avenue. This deponent is informed by Officer Van Orden that he detected the said Clark and found in his possession a Quantity of Lead Pipe which deponent fully identifies as a portion of the property taken stolen and carried away from deponents possession and premises -

William F. Burke

Sworn to before me, this 3 day of September 188

Police Justice.

0146

CITY AND COUNTY OF NEW YORK, } ss.

Henry C. Van Orden

aged 57 years, occupation Police Officer of No. 29th Precinct Police Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of William Rourke and that the facts stated therein on information of deponent are true of deponents' own knowledge.

*Sworn to before me, this* 18 *day of* August 188 } Henry C. Van Orden

[illegible]

*Police Justice.*

0147

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

William Stark. 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* William Stark.

*Question.* How old are you?

*Answer.* 19 years.

*Question.* Where were you born?

*Answer.* New York

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

*Answer.* At home.

*Question.* What is your business or profession?

*Answer.* Painter

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

*Answer.* I am not guilty of the charge. I purchased the pistol from a boy in the Park.

William J. Stark

*Taken before me this* 1st day of *August* 188 8

*Police Justice.*

0148

*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 Roach

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

*Dated* July 1 188 7 ..... *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.*

0149

1290

Police Court — 5 — District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William H. Burke
220 E. 112
Wilkins et al.

2
3
4

Offence Assault, Felony

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated August 13 1887

Wells Magistrate.

Van Orden Officer.

29 Precinct

Witnesses Kenyon C. Van Orden
No. 29 Freeman St. Police Street

No. Street.

No. Street.

$ 1000 to answer

Cm

0150

# 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 Hart

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

— William Hart —

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

The said William Hart,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the twelfth day of August, in the year of our Lord one thousand eight hundred and eighty-seven, at the City and County aforesaid, with force and arms,

three hundred pounds of lead pipe of the value of fifteen cents each pound,

of the goods, chattels and personal property of one William F. Burdee,

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.

SECOND COUNT—

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

— William Hart —

of the Crime of CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said William Hart,

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

three hundred pounds of lead pipe of the value of fifteen cents each pound,

of the goods, chattels and personal property of one William F. Burke,

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

William F. Burke,

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

William Hart —

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.

**RANDOLPH B. MARTINE,**

**District Attorney.**

0152

BOX:
275
FOLDER:
2637
DESCRIPTION:
Hartigan, John J.

DATE:
09/08/87

2637

#29

*Witnesses:*

F. Ehrlich

Off Gallagher 7th Pct

Counsel,

Filed day of 188

Pleads,

THE PEOPLE

*vs.*

John T. Hartigan

H. D.

**Robbery, Second degree.**

[Sections 224 and 228, Penal Code].

RANDOLPH B. MARTINE,

*District Attorney.*

**A True Bill.**

Chas T. De Forest

*Foreman.*

Sep 4/87

Release Pending

S.P. 5 yrs of ms

0154

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 3 DISTRICT.

Owen Gallagher

of No. the 10th Precinct ~~Street~~, aged 29 years,

occupation Police Officer being duly sworn deposes and says

that ~~on the~~ ~~day of~~ ~~188~~

~~at the City of New York, in the County of New York,~~

Frederick Charlick (now here) is a material witness for the people against John J. Hartigan charged with the Robbery of a Silver Watch and Chain. That deponent believes said Hartigan will not appear at the trial of said Charlick and therefore prays that he be committed to the House of Detention. Owen Gallagher

Sworn to before me, this day of 188 ss

Police Justice

0155

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

Dept^br 8^th 1889

The attention of the District Attorney is respectfully called to the case of The People vs. John T. Hartigan

The Complainant Frederick Ehrlich states he has a Wife and family dependant upon him and is now in the House of Detention - a speedy trial would oblige the Grand Jury

Chas F. De Groot
Foreman

0156

Police Court 3 District.

CITY AND COUNTY OF NEW YORK, } ss

Frederick Ehrlich of No 423 Palisade Av. Jersey City Street, Aged 42 Years

Occupation Slate Roofer being duly sworn, deposes and says, that on the 4 day of September 1887, at the 7th Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the following property, viz:

One silver watch and chain attached, of the value in all of fifteen dollars ($15)

~~of the value of~~ 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 force and violence as aforesaid by

John T. Hartigan now here, about 8.30 A.M. in Hester street, near Chrystie. The said watch was in the left pocket of Deponents vest. The Defendant struck Deponent a severe blow in the mouth and then took the property from Deponents pocket and ran away and was arrested immediately arrested.

Frederick Ehrlich

Sworn to before me, this 6 day of September 1887

Police Justice.

0157

Sec. 198—200

9

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

John T. Hartigan being duly examined before the undersigned, according to law, on the annexed charge, and being informed that it is h right to make a statement in relation to the charge against h ; that the statement is designed to enable h ~~if he~~ 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.* John T. Hartigan

*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.* 280 Mulberry St

*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 am not guilty

John T. Hartigan

*Taken before me this* 5 *day of* July 188 1

*Police Justice.*

0158

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

*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* Sept 4 188 ..... *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.*

0159

1422

Police Court— 9 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Frederick Ehrlich
(A.D.)
John T. Hartigan

2

3

4

Offence Assault

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No 4, by

Residence Street.

Dated Sept 9 1887

Smith Magistrate.

Peter Gallagher Officer.

6 Precinct.

Witnesses Gallagher

No. 11 Precinct Street.

Gus Breckoff

No. 10th Precinct Street.

Complainant to House of Detention in default

No. 25 & 100 Street.

$ 1500 to answer G

Colen

0160

# 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 T. Hastings

**The Grand Jury of the City and County of New York**, by this indictment, accuse John T. Hastings —

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

The said John T. Hastings,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the fourth day of September, in the year of our Lord one thousand eight hundred and eighty-seven, in the day time of the said day, at the Ward, City and County aforesaid, with force and arms, in and upon one Frederick Ehrlich, in the peace of the said People, then and there being, feloniously did make an assault, and

one watch of the value of twelve dollars, and one chain of the value of three dollars,

of the goods, chattels and personal property of the said Frederick Ehrlich, from the person of the said Frederick Ehrlich, against the will, and by violence to the person of the said Frederick Ehrlich, then and there violently and feloniously did rob, 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.

Randolph W. Strachan

District Attorney.

0161

BOX:
275
FOLDER:
2637
DESCRIPTION:
Hayes, William

DATE:
09/12/87

2637

*Witnesses:*

F. G. Gleason

#48

Counsel,

Filed 12 day of Sept. 1887

Pleads,

THE PEOPLE

*vs.*

William Hayes

Burglary in the Third Degree.

[Sections 498, 506, 528 & 531.]

RANDOLPH B. MARTINE,

*District Attorney.*

**A True Bill.**

Chas J. DeForest

*Foreman*

1552

0163

Police Court— 5 District.

City and County of New York, } ss.:

of No. 2346 3d Avenue Street, aged 56 years, occupation Jeweler — being duly sworn deposes and says, that the premises No 2346 3d Avenue Street, in the City and County aforesaid, the said being a Frame Building No the 12th floor.

and which was occupied by deponent as a Jewelry Store

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

were BURGLARIOUSLY entered by means of forcibly breaking a large Plate Glass Window in the front Premises at or about the hour of 2 30 a m.

on the 27th day of August 188 7 in the Night time, and the following property feloniously taken, stolen, and carried away, viz:

Eighteen Walking Canes. mit Silver and Gold Filled heads — together & the Value of One hundred Dollars —

the property of Deponent.

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid BURGLARY was committed and the aforesaid property taken, stolen, and carried away by William. Hayes (Another)

for the reasons following, to wit: That at or about the hour of 9 o'clock P m. on the 26th day of August 1887 deponent securely fastened and left premises That at or about the hour of 8 o'clock a m. on the 27th day of August 1887 deponent was informed by Frederick J. Mott. That at or about the hour of 2 30 a m on same date he. said the same Hayes

0164

in the doorway of said premises
and on upon deponents said premises
he discovered that the said window
had been broken - that upon arresting
the said Hayes he found in his
possession the Clothes and two Caps
heads here shown - and that the said
Hayes informed him where he
the said Hayes had secreted the
other fifteen Caps in a doorway of
East 127th Street - deponent further identifies
the property found in the possession of the
said Hayes and the doorway of premises
no 210 East 127th Street as the property
burglariously taken stolen and carried
away from deponents premises
as aforesaid

Fernando C. Gleason

Sworn to before me
this 27th day of August 1907

Police Justice

Police Court ..... District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Burglary ..... Degree.

Dated ..... 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of $ ..... Bail.

Bailed by .....

No. ..... Street.

0 165

CITY AND COUNTY OF NEW YORK, } ss.

Lemuel J. Mott

aged 27 years, occupation Police Officer of No. 29 Francis Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Fernando C. Gleason and that the facts stated therein on information of deponent are true of deponents' own knowledge.

*Sworn to before me, this* 29 *day of* December 188 }

*Police Justice.*

Fred J. Mott

0166

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

William Hayes 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.* William Hayes.

*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.* Refused

*Question.* What is your business or profession?

*Answer.* Shoe Cutter

*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.

Wm Hayes

*Taken before me this* 27 *day of* May 1887

Police Justice.

0167

*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* William Hayes

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

*Dated* May 27 188 7 ..... *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.*

0168

1369

Police Court 5 District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

Fernando C. Gleason
2346 3rd Ave
William Hayes
2
3
4

Offence Burglary

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated August 27 188 7

Wheeler Magistrate.

Mott Officer.

29 Precinct.

Witnesses Frederick J. Mott

No. 29 Thirteenth Street.

No. Street.

No. Street.

$ 2500 to answer

0169

# 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 Hanger

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

— William Hanger —

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

The said William Hanger,

late of the Twelfth Ward of the City of New York, in the County of New York, aforesaid, on the twenty-second day of August, in the year of our Lord one thousand eight hundred and eighty-seven, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the store of one

Fernando R. Ferguson,

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

Fernando R. Ferguson,

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

0170

SECOND COUNT—

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

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

The said William Sanger,

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

eighteen wallets cases of the value of five dollars each,

of the goods, chattels and personal property of one Fernando C. Fitzgerald,

in the Store of the said Fernando C. Fitzgerald,

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

[illegible]

District Attorney.

0171

BOX:
275
FOLDER:
2637
DESCRIPTION:
Hearn, Henry

DATE:
09/12/87

2637

*Witnesses:*

Manuel Perez

#57

Counsel, _____

Filed 12 day of Sept 1887

Pleads _____

THE PEOPLE

*vs.*

Henry Hearn

Grand Larceny, 2d degree

(MISAPPROPRIATION.)

[Sections 528 and 531 of the Penal Code].

RANDOLPH B. MARTINE,

*District Attorney.*

**A True Bill.**

Chas T. DeForest

*Foreman.*

Sept 12

Pen one year.

0173

Police Court— 3 District.

Affidavit—Larceny.

City and County of New York, } ss.

Manuel Perez

of No. 160 W. 11th Street, aged 36 years, occupation Express business being duly sworn deposes and says, that on the 30th day of July 188 7 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

Good and lawful money of the united States to the amount and of the value of twenty six & 50/100 Dollars ($26,50)

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 Henry Hearn (now here) from the fact that the said defendant was employed by deponent as a driver for one of deponents express wagons and deponent is informed by Mrs C. W. Lord of No 205 East 125th Street that on the above mentioned date she paid the defendant the above mentioned sum of money on some packages which he had delivered to her C.O.D. And deponent further says that the said defendant never turned said sum of money over to him or accounted for it in any way but did feloniously appropriate said sum of money to his own use and benefit with the intent to cheat and defraud

Manuel Perez

Sworn to before me, this 30th day of July 1887

Police Justice.

0174

CITY AND COUNTY
OF NEW YORK, } ss.

Adelaide L. Lord

aged 27 years, occupation Keep house of No.

205 E. 124 Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Manuel Reyes

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

knowledge.

*Sworn to before me, this*
*day of* 188 } Adelaide L. Lord

Police Justice.

0175

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Henry Hearn 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.* Henry Hearn

*Question.* How old are you?

*Answer* 28 years old

*Question.* Where were you born?

*Answer* Ireland

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

*Answer.* 121 21st St & 8th avenue 3 Mos

*Question* What is your business or profession?

*Answer.* Express Driver

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

*Answer.* I am guilty I was under the influence of liquor at the time

Henry Hearn

*Taken before me this* 7th *day of* August *188*8

Police Justice.

0176

*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* Adam

*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* Aug 29 188 ..... *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.*

0177

1413

Police Court 21 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Manuel Perez
160 West 111 St
1 Henry Hearn
2
3
4

Offence Larceny Felony

Dated Aug 29th 188

Duffy Magistrate

John Valiant Officer.

9 Precinct.

Witnesses Mrs C. M. Lord

No. 205 & 124 Street.

No. Street.

No. Street.

$ 500 to answer

Com

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0178

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

Henry Hearn

**The Grand Jury of the City and County of New York**, by this indictment, accuse Henry Hearn — of the CRIME OF Grand LARCENY, in the second degree, committed as follows:

The said Henry Hearn

late of the First Ward of the City of New York, in the County of New York aforesaid, on the Twentieth day of July, in the year of our Lord one thousand eight hundred and eighty-seven, at the Ward, City and County aforesaid, being then and there the clerk and servant of Manuel Perez —

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

Manuel Perez —

the true owner thereof, to wit: the sum of twenty six dollars and fifty cents in money, lawful money of the United States, and of the value of twenty six dollars and fifty cents,

the said Henry Hearn — afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, did feloniously appropriate the said sum of money —

to his own use, with intent to deprive and defraud the said

Manuel Perez —

of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said Manuel Perez —

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

RANDOLPH B. MARTINE,
**District Attorney.**

0179

BOX:
275
FOLDER:
2637
DESCRIPTION:
Heissenbutter, Herman

DATE:
09/21/87

2637

#178

*Witnesses:*

Off. Geo J Malloy 26th Precct

Counsel, .....

Filed, 2nd day of Sept. 1887

Pleads, .....

THE PEOPLE

*vs.*

Herman Heissenbuttel

ATTEMPTING SUICIDE.
[Section 174, Penal Code].

RANDOLPH B. MARTINE,
*District Attorney.*

**A True Bill.**

Alex J. DeForest
*Foreman.*

Plead Guilty

30 Pen 30 days.

0181

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 5th DISTRICT.

George J. Mallory

of ~~No~~ the 26th Precinct Police Street, aged 29 years,

occupation Police Officer being duly sworn deposes and says

that on the 6th day of September 188 7

at the City of New York, in the County of New York, Herman Heisenbuttel

(now there) did with intent to take his own

life, wilfully, feloniously and intentionally,

shoot himself with a revolving pistol

loaded with powder and leaden balls

one of the balls from said pistol striking

said Herman Heisenbuttel in the

right temple — That said act committed

by said Herman Heisenbuttel was dangerous

to his life, and was in violation of the statute

in such case made & provided —

George J. Mallory

Sworn to before me, this 14 day of September 188 7

Police Justice.

0182

Sec. 198—200.

✓ District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Herman Heisenbuttel 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.* Herman Heisenbuttel

*Question.* How old are you?

*Answer.* 21 years

*Question.* Where were you born?

*Answer.* Germany

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

*Answer.* 319 W 67th St; 2 months

*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 have nothing to say

Herman Heissenbuttel

*Taken before me this* 15 *day of* September 1887

[illegible] *Police Justice.*

0183

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

*Dated* September 14 188 7

..... *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.*

0184

P-274 1490

Police Court-- 5 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George J. Malley
26th Precct.
Herman Heisenbuttle
2
3
4

Offence Assault and Battery

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street,

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated September 14 1887

White Magistrate.

George J. Malley Officer.

26th Precinct.

Witnesses

No. Street.

No. Street.

No Street.

$500 to answer

Com

0185

99th Street Hospital

New York, Sept 13 '87

To Judge of Harlem Court:
Herman Heisenbuttel
is able to appear
before you for
examination

Respectfully
Robert J. McGee
House Surgeon

0186

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

Herman Heissenbuttel

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

— Herman Heissenbuttel —

of the CRIME of ATTEMPTING SUICIDE, committed as follows:

The said Herman Heissenbuttel,

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

— sixth — day of September, in the year of our Lord one thousand eight hundred and eighty- seven, at the City and County aforesaid with intent to take his own life, did feloniously shoot at his and wishing, &c., &c., and against himself a certain pistol then and there charged and loaded with gunpowder and lead, which he then and there had and held in his hand. ——

the same being an act dangerous to human life, 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.

**RANDOLPH B. MARTINE,**
**District Attorney.**

0187

BOX:
275
FOLDER:
2637
DESCRIPTION:
Hellmer, Adam

DATE:
09/16/87

2637

Witnesses:

Philip Schaeue

George Vierling

For the reasons stated in the annexed report of Dep. Asst. Dist. Atty Parker. I recommend if deft. will plead to Manslaughter 1st degree that the plea be accepted

Oct 7/87 Randolph B. Martine
Dist. Atty.

#132 H & H

Counsel,

Filed, 16 day of Sept 1887

Pleads,

THE PEOPLE

vs.

Adam Hellmer

Murder in the First degree

[Section — 183 — Penal Code].

RANDOLPH B. MARTINE,
*District Attorney.*

**A True Bill.**

Chas J. De Forest
Oct 12/87 *Foreman.*

Pleads Manslaughter
S. P. Rivers J. 6 mos

12

POOR QUALITY ORIGINAL

----------X

The people

vs.

Adam Helmer

----------X

HOMICIDE

George Vierling, being duly sworn deposes and says: I am forty years of age. I was born in Baden in Germany. I came to this country in 1868, and my trade is that of a cooper. From 1876 to 1879 I worked for Henry Clausen & Sons, Brewers, afterleaving Clausen's in 1879, I worked in Winter's brewery in this city, for two years, until the strike in 1881, then I left there and went to Joseph Doelger's brewery in 54th Street, I worked there for about a year and then went to Gietz' cooper shop in 64th Street. I was there for about a year and a half. From there I went to Wallace's ale brewery, where I stayed for two years and a half. I then worked for about fourteen days in Gietz's again, and then went to Henry Clausen's brewery, where I have ever since worked.

I have known the deceased herein Henry Emer, since about 1870. He was a good workman at the cooper trade, and during his formanship in Clausen's Brewery, he always performed his duty with impartiality, having the interest of his employers alone at hartm, both in his reproff and praise of those over whom he was stationed.

I have known the defendant herein, Adam Helmer, ever since my return to Clausen's Brewery, which was about two

and a half years ago. He was a reserved man, sullen and taciturn.. He was in the employ of Henry Clausen & Sons, when I last returned there, In 1884, and Emer had been foreman there during my last employment, from 1876 to 1879. He left there at the same time I did, and came back a little before I did, when he was again made foreman. When Emer came back, Helmer was in the employ of Clausen. Helmer had a very good opinion of his own abilities as a cooper, and considered Emer as an interloper, and himself as better entitled to the position of foreman than Emer, He was, on this account, jealous of Emer. I have never heard him say anything to this effect but his action always showed that he was anxious to assume the position and authority of foreman at every opportunity. If for any cause Emer was away Helmer would tell him as soon as he returned of the slightest irregularity on the part of every workman in the shop, and on one occasion he scolded a fellow-workman for talking to an applicant, who came into the shop for work, and ordered the applicant out.

The circumstances of the homicide in detail, are these:- Emer told Helmer at about five o'clock on the 30th day of July, being Saturday, that he was discharged. The reason for this discharge, as I understand it was that Emer thought Helmer was taking too much upon himself in giving orders to the men and assuming the duties of foreman. Emer so expressed himself to me and and two others named

Hoffman and one Jenisch. He also said that if the workmen would sign a petition for Helmer's discharge he would present it to Henry Muller, the head foreman. Such petition was signed by everybody in the shop except one man who had been there only two days, and to whom it was not presented, for the reason, as Emer said, that being there so short a time he could not be acquainted with the merits of the case. I was informed by Emer subsequently that said petition had been given to Muller, and that he, Emer, had been authorized by Muller to discharge Helmer on the following Saturday, this being, I believe, Tuesday.

As soon as Emer had informed Helmer that he was discharged, that statement being made to him close by Helmer's bench, Helmer, who held an iron cooper's hammer in his right hand, said nothing except words in German which are in English equivalent to the expression: "what, "you rascal", and struck him a vigorous blow upon the left side of his head with said hammer. The iron hammer then flew out of his hand, handle and all. As the first stroke was completed, Emer stood stock still, and lapsed a little backward as though beginning to fall, meanwhile, and before he could fall, Helmer turned around to his bench, which was behind him within easy reach, and took therefrom a wooden mallet, with which he struck Emer twice, first, once upon the top of the head and second, over the left eye. Then Emer was falling, but he was caught by one Buddelman. Schaney caught Helmer and held him. I went for a police officer and brought in officer

who took Helmer into custody.

Helmer was not generally liked in the shop. Most people let him alone, and he went his own way saying very little to anybody.

THE PEOPLE OF THE STATE OF
NEW YORK,

*against*

Adam Helmer

RANDOLPH B. MARTINE,
District Attorney,
No. 32 CHAMBERS STREET,
NEW YORK CITY.

0194

# The People of the State of New York,

TO the Presiding Police Justice of the 4th District Police Court ~~Esquire~~, one of the Police Justices of the City of New York, and to JOHN SPARKS, Esquire, Clerk of our Court of General Sessions of the Peace, holden in and for the City and County of New York, and to the Clerk of 4th District Police Court

GREETING:

CERTIORARI TO CERTIFY CAUSE OF DETENTION.

**We Command you,** That you certify fully and at large to our Supreme Court of the State of New York, at a Special Term thereof, to be holden at the New County Court House, in Chambers Street, in the said City of New York, on the 15th day of September 1889, at 10½ o'clock in the forenoon, the day and cause of the imprisonment of

Adam Hellman

by you detained; as is said, by whatsoever name the said

Adam Hellman

shall be called or charged; and have you then this writ.

*Witness,* Honorable ~~NOAH DAVIS~~ Chas. Van Brunt, presiding Justice of our Supreme Court of the First Judicial Department, at the City Hall, in said City of New York, the 14 day of September 1889.

BY THE COURT.

James F. Dillon

*Clerk.*

WILLIAM F. HOWE and ABRAHAM H. HUMMEL } *Attorneys for Relator.*

0195

**Supreme Court, New York.**

IN *re* THE IMPRISONMENT OF

Adam Hallmer

# Writ of Certiorari.

I HEREBY ALLOW THE WITHIN WRIT.

*Dated this* 14 *day of* Sept 18[illegible]

[illegible]

*Justice of the Supreme Court,*
*holding Special Term thereof.*

HOWE & HUMMEL,
*Attorneys for Relator.*

0196

Dr. D. H. WIESNER,
212, East 40th Street,
Office Hours { 8 to 10 A. M. / 6 to 8 P. M.
NEW YORK.

R

July 30 1887.

It is impossible for Mr. Ewer to appear in Court. He has a fractured skull and so must remain quietly at home in bed.

D. H. Wiesner M.D.

0197

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT 24 DISTRICT.

James Maloney

of No. The 23 Precinct Street, ~~aged~~ years,

occupation Police Officer being duly sworn deposes and says

that on the 31st day of July 188 7

at the City of New York, in the County of New York, the arrestee

Adam Helmer now present

charged by one Henry Ermer with

have struck him Ermer upon his

head with a hammer That in

deponents presence the injured

man identified the defendant as

the person who did so strike and

injure him. That the injuries so

inflicted are of such a serious nature

as disables Ermer from appearing to testify

Deponent asks that the defendant be dealt with

as the law directs James Maloney

Sworn to before me, this 31 day

of July 188 7

Police Justice.

0198

Police Court, 24 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

James Maloney

vs.

Adam Helmer

AFFIDAVIT

Assault on Young Ames

Dated July 31 1887

Murray Magistrate.

Maloney Officer.

23

Witness,

Disposition Committed

to await the

Result

0-199

# STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK, SS.

## AN INQUISITION,

*Taken at the* ~~house of~~ Coroners Office *No.* 67 Park Row *Street in the* 4 *Ward of the City of New York, in the County of New York, this* 31 *day of* August *in the year of our Lord one thousand eight hundred and* 87 *before* John R Nugent, Coroner, *of the City and County aforesaid, on view of the Body of* Henry Ermer *lying dead at* Hue

*Upon the Oaths and Affirmations of good and lawful men of the State of New York, duly chosen and sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said* Henry Ermer *came to his Death, do upon their Oaths and Affirmations, say: That the said* Henry Ermer *came to his Death by* Injuries received by being struck on the Head with a hammer and Mallet in the hands of Adam Hellmer at Henry Clausens Brewery 309 to 315 East 49 St on July 30/87

*In Witness Whereof, We, the said Jurors, as well as the* **CORONER**, *have to this Inquisition set our hands and seals, on the day and place aforesaid.*

**JURORS.**

C. J. Phillips 202 E 34th
Hermann Wiesner 210 E 34th
Dist. Tries in 226 E 34th
A. F. Beier 902 E 34th
F. Burke 208 East 34 St

Patrick Meehan 555 1st Ave
Daniel Sullivan 385 1st Ave
Francis Conlon 353 E. 32d
John McGuire 344 E. 34

John R Nugent
CORONER, L. S.

0200

**Coroner's Office.** **TESTIMONY.** 1

Officer James Maloney 23 Precinct being sworn says on the day in question I was on post at 47 St near work when a man came to me and said I was wanted at Adams Brewery in 47 St. I went and met upstairs to the cooperage and was informed by one of the workmen that the prisoner Adam Helmer had struck the foreman with the hammer I asked why the foreman was and they pointed him out to me he was sitting by a pail of water bathing his head holding a cloth to his head I asked him who struck him and he pointed to the prisoner I asked him if he would go with me to the station house he said yes. I then went to Helmer and told him to come on his coat and accompanied him and

Taken before me
this day of 188

James Maloney

CORONER.

Patrick Shelley

0201

**Coroner's Office.** **TESTIMONY.** 2

Brought him to the station house. I explained the circumstances of the occurrence

James Flaherty

Sworn to and subscribed before me this 1st day of September 1887

James Phillips
Justice of the Peace

Taken before me
this 2nd day of Aug. 1887

P. R. Nugent CORONER.

0202

**Coroner's Office.** **TESTIMONY.** 3

Philip Schimme being sworn says

1974. I am employed as Henry Clausen Brewery as a Cooper I know the deceased Henry Ernst I know him two years he was my foreman I was present when he received his injuries on Saturday July 30-1887 at 5.50 P.M. Ernst came to Adam Helmes working place and said Adam do you open another barrell. He was about opening another barrell when he told him not to go on the foreman told him to clean up his bench. He only meant for him to clean up his bench and put up his tools and stop work. The prisoner asked why should he stop the foreman told him there was thirty men down stairs and then the prisoner struck the deceased with the hammer and made some remarks

Adam Helmes the prisoner at the bar

Taken before me

this day of 188

CORONER.

0203

**Coroner's Office.** **TESTIMONY.** 4

again hit him as the same time. He dropped the Hammer and went to his bench to get another tool and then I got hold of him (the prisoner) and he then grabbed for a mallet and struck the deceased ~~and struck~~ ~~once more~~ twice more with the mallet the foreman became careless and I held on to the prisoner untill I got more help the prisoner was trying to get hold of a knife but I prevented it. The foreman did not attempt to strike the prisoner. ~~He~~ I laid the prisoner on the floor and they sent for an officer who arrested him.

Philip Schaum

Thomas Carter being duly sworn testifies as follows
Daniel O'Neill
Police Captain

Taken before me
this 30 day of Aug. 1882
John R. Nugent CORONER.

0204

5

**Coroner's Office.** **TESTIMONY.**

Guido Katzenmayer MD being sworn says:
I lived at 166 E 54 St ~~and~~
I knew the deceased Henry
Emer and attended him:
when I was called to see
the deceased on July 31-1887
found him to have been
suffering from fracture of skull
and concussion of the brain
and general contusions together
on the top of the head
he complained of violent
headache and was miser
frequently. I probed the
wound and found a
depressed fracture the first
few weeks the symptoms
were better which encouraged
me in having hopes of his
recovery on the fifteen day
after the injury his temperature
began to rise and paralysis
general and symptoms of
meningitis came on the
symptoms increased until
I told his wife & Mr Emer
that the only chance was
trepanning

Taken before me

this day of 188

CORONER.

Philadelphia

0205

6

**Coroner's Office.** **TESTIMONY.**

after telling her I asked if
she was satisfied and she
said she was. Sometime af-
ter this time was suggested and
I asked him and he said he was
satisfied so I made
arrangements to make the
operation. The next day
but unfortunately he
died. That day the fracture
was in the middle of the
upper border of the left
parietal bone. I was
present at the post mortem
and is verified my diagnosis
that his death was due
to a blow. (By Counsel)
Did you attend the deceased
the night of his injury? No
the day before. I wanted
to perform the operation the
day she died. Twenty days
after the injury. I stated
that within the last few
days of his illness the paralysis
was the cause of Bronchial
Pneumonia. Was not in
in the last few days

Taken before me

this day of 188

CORONER.

Dr. Bradford
Testimony

0206

**Coroner's Office.** **TESTIMONY.**

7

if was not in consequence of the Bronchial trouble that made me postpone the Inquest.

A Rufenacht

Autopsy Testimony

Dr. Coghill

Patrick Farrell

Taken before me this day of Aug. 188

J. M. R. Ingalls CORONER.

0207

6

**Coroner's Office.** **TESTIMONY.** 8

Fairley

George Birkby being sworn says

I am 24 years old I am employed as Cooper in Guy Clausen Brewery Queen - Henry Ginter was present when he received his injuries. on July 30. 1887 Ginter was speaking to Jim Helmer I was standing in my place and Helmer had an Iron hammer in his hand and struck Ginter with it the prisoner said ("rascal" "scoundrel") then the Iron hammer flew out of his hand and he went to his bench and took the wooden mallet and struck him twice after he struck him with the hammer ~~in one~~ it recoiled so quickly you could not count them. the next man to the prisoner was Phillips Christ. he took hold of the prisoner he did not know how hold of him when he struck

Taken before me

this day of 188

CORONER.

0208

**Coroner's Office.** **TESTIMONY.**

9

The deceased I saw for the police and the prisoner was arrested the foreman did not make an assault on the prisoner I saw the prisoner strike the foreman on the arm hammer and then the hammer fell out of his hand he then got a wooden mallet and struck him three I could see they were given in rapid succession. one two three and did not take a minute it took about four seconds Watch produced from which witness said it took about four seconds

George Uirling

Taken before me
this 31 day of Aug 1887
CORONER.

Witness to signature
Constable Sydney Stephens
Sworn
Patrick Fredericks

0209

# TESTIMONY.

William O'Murphy M. D., being duly sworn, says: I have made an examination of the body of Henry Emer now lying dead at 833 1st Ave and from such examination and history of the case, as per testimony, I am of opinion the cause of death is

General paralysis due to depressed fracture of skull, caused by the blow of a hammer at 309-15 2 47th St July 30 1887

William O'Murphy
M. D.

On Sunday August 21st 1887, about 5 pm, I made an autopsy of the body of Henry Emer, at 833 1st Ave, in presence of Dr Katzenmeyer, his medical attendant, Mr Mooney, Mr Helm & his assistant.

The only mark of injury was on the head over the left parietal bone which was found fractured and depressed. On opening the skull, the membranes of the brain showed evidence of inflammation, especially over the left hemisphere and a portion of the inner table of skull, circular in shape, two inches in diameter & traversed by a fracture about one sixteenth of an inch wide, had made a corresponding depression in the brain substance, considerable serous fluid was found in the left lateral ventricle - otherwise, excepting some congestion the brain was in a fair condition.

Death was due to hemiplegia terminating in general paralysis, resulting from fracture of skull.

William O'Murphy M.D.

Sworn to before me,
this 21st day of Aug. 1887

Jno R Nugent
CORONER.

0210

MEMORANDA.

| AGE | PLACE OF NATIVITY | WHERE FOUND | Date When Reported |
|---|---|---|---|
| 39 Years 11 Months — Days | Germany | [illegible] | Aug 21/87 |

J. R. N.

No. 8[illegible]

Ward & Brock. 188[illegible]

AN INQUISITION

On the VIEW of the BODY of

[illegible]

whereby it is found that he came to his death by

Inquest taken on the day of 188 before

JOHN R. NUGENT, Coroner.

8[illegible]

MEMORANDA.

| AGE | PLACE OF NATIVITY | WHERE FOUND | Date When Reported |
|---|---|---|---|
| 29 Years 11 Months — Days | Germany | 833 Wm | Aug 2/87 |

J. R. N.

No. 861

3rd Quar. 1887

AN INQUISITION

*On the* VIEW *of the* BODY *of*

Henry [illegible]

*whereby it is found that he came to h death by*

*Inquest taken on the* *day*

*of* *188* *before*

**JOHN R. NUGENT, Coroner.**

861

0212

TESTIMONY.

Lizzie Ebner being sworn says Henry Ebner now lying dead in our home 833 Ave is my Husband he was in good health untill July 30. 87 when he was struck on the head with a hammer in the hands of Adam Helmer who was in his employ but who had been discharged by him. he was attended by Dr Matzenmeier of 51 St 166. and died on 615 Ave Aug 31 - 1887

Lizzie Ebner

Sworn to before me this 14th day of September 1887

Peter Jacobs

Sworn to before me, this 31 day of Aug. 1887

Jno R Hughes

CORONER.

02 13

# Coroner's Office,

CITY AND COUNTY OF NEW YORK, } ss.

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

*Question*—What is your name?

*Answer*— Adam Helmer

*Question*—How old are you?

*Answer*— 45 Years

*Question*—Where were you born?

*Answer*— Germany

*Question*—Where do you live?

*Answer*— 1116 1 Ave

*Question*—What is your occupation?

*Answer*— Cooper

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

By the advice of my Counsel I reserve what I have to say for a future tribunal

Adam Helmer.

Taken before me this 15 day of September 1887
Daniel O'Reilly
Police Justice

*Taken before me, this* 31 *day of* August 1887

Jas R Nugent

CORONER.

0214

# MEMORANDUM.

| AGE. | PLACE OF NATIVITY. | WHERE FOUND. | DATE. When Reported. |
|---|---|---|---|
| 39 Years. 11 Months — Days. | Germany | 833. 1 Ave | Aug. 21/87 |

No 861

Indexed

188 7

# HOMICIDE.

## AN INQUISITION

On the VIEW of the BODY of

Henry Conner

whereby it is found that he came to his Death by the hands of

Adam Hellmer.

Sept 14. 91½. A.M.

Inquest taken on the 31 day of August 1887 before

Coroner.

Committed

Bailed

Discharged

Date of death August 18/87

# MEMORANDUM.

| AGE. | PLACE OF NATIVITY. | WHERE FOUND. | DATE, When Reported. |
|---|---|---|---|
| 39 Years. 11 Months — Days. | Germany | 833. 1 Ave | Aug 21/87 |

No 861

Indictment 1887

# HOMICIDE.

## AN INQUISITION

On the VIEW of the BODY of

Henry Ernst

whereby it is found that he came to his Death by the hands of

Adam Hellmer

Sept 14. 9½ A.M.

Inquest taken on the 31 day of August 1887 before

Coroner.

Committed

Bailed

Discharged

Date of death August 18/87

5120

0216

1486

Police Court— 4 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

1 Adam Hellmer
2
3
4

Offence Homicide

Dated Sept 15 188 7

D. O. Reilly Magistrate.

Malone Officer.

23 Precinct.

BAILED,

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

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

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

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

Witnesses

No. ..... Street.

No. ..... Street.

No. ..... Street.

Comm. Mr. Goodwin Counsel

*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* Adam Hellmer

*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~~. be legally discharged

*Dated* Sept 15 188 7 *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.*

Police Court-- 4 District. 1486

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

1 Adam Hellmer
2
3
4

Offence Homicide

Dated Sept 15 1887

D O Reilly Magistrate.

Maloney Officer.

23 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

Comm Coroner Messemer

District Attorney's Office
SEP 15 1887

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

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

Dated Sept 15 1887 Dan'l O'Reilly 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.

0218

**Grand Jury Room.**

PEOPLE

*vs.*

Adam Hellman

Murder

Papers sent to

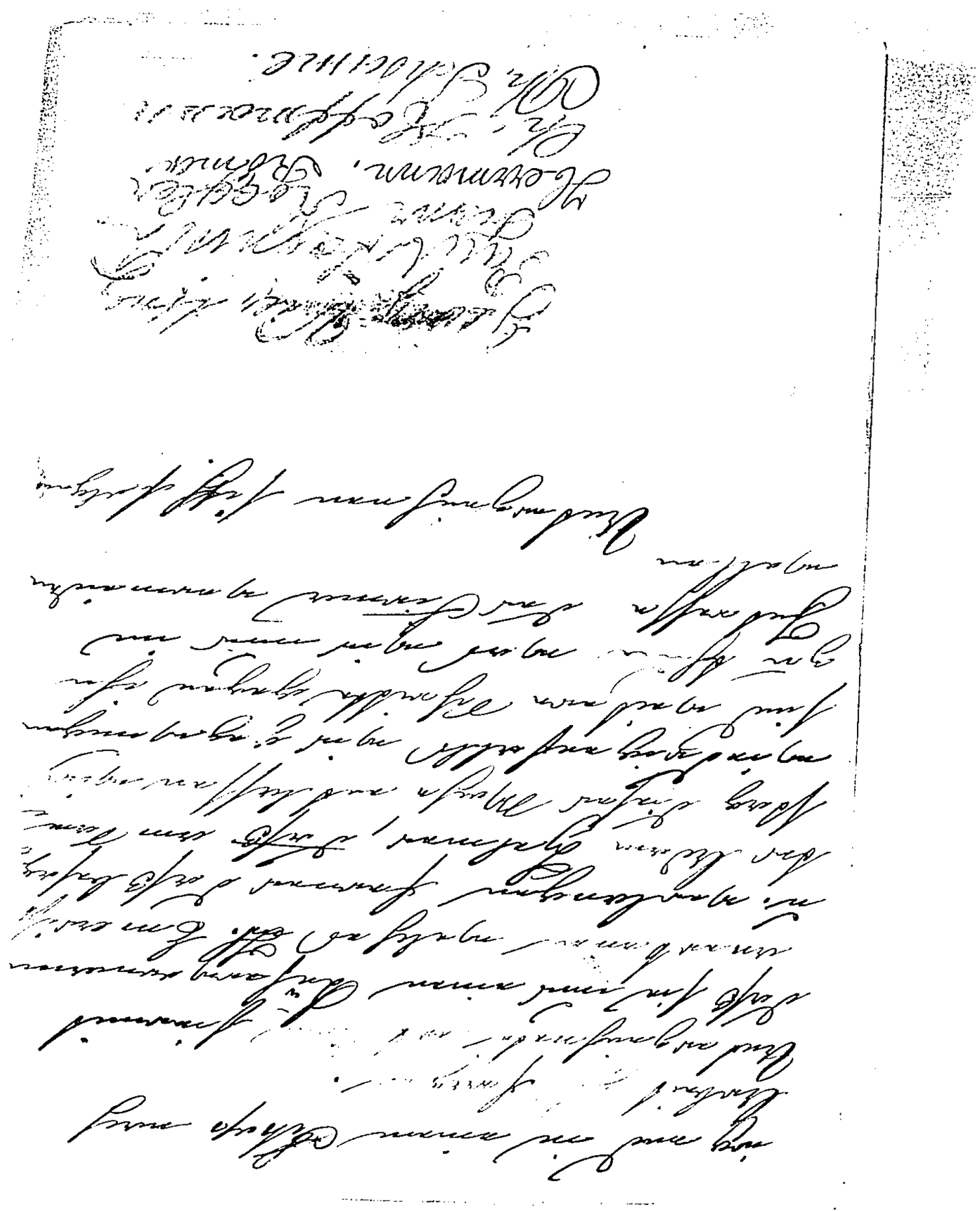
Mr. Martinis

Oct. 5/59

May

Vorsingen 6/4 1857
Herr Walter

Es ist ein Antrag gestellt, sich gemeinschaftlich
in eine Sache einer Meeting
beschlossen, einen Beschwerde gegen
den Helmer einzureichen, weil
Herr officiarius ihn Beschwerde
geführt und ungerechtfertigt.
Herr Walter meint sich Rechte die
mit einem Hammer zu Recht stehen
2. Zum Montag den 15. dass Herr ein
Aufsatz und Arbeit machen, welches
Herrn Fr. Emer nicht verrichtet
wurde, welches der Helmer, weshalb
einer 8 oder 10 mündlichen Aufforderung
dieses Arbeit fertigen ihn mit Schimpf
worten überhäufte, u. den betreffenden
jetzt Schwarz ~~ungehalten~~ mit ihm so verfuhr
so misshandelte, dass er, dass ein
jeder aus dem Schoß sich schämen
muß.



0220

0221

Thias Reichmann

Hans Badelmann

2220

0223

DISTRICT ATTORNEY'S OFFICE.

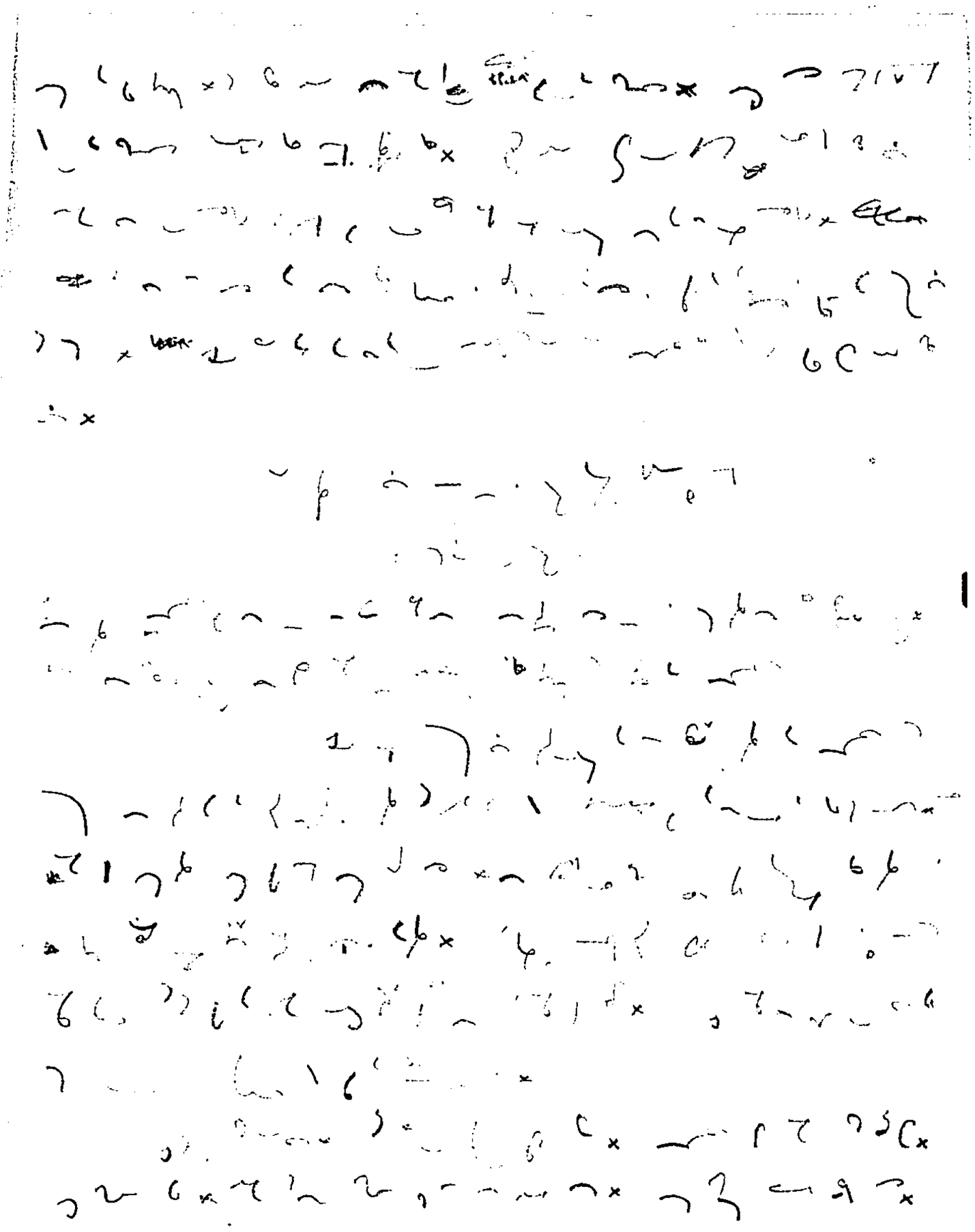
*New York,* .....188

0224

0225

DISTRICT ATTORNEY'S OFFICE.

*New York,* .....188



92220

0227

DISTRICT ATTORNEY'S OFFICE.

*New York,* .....188

8220

The undersigned feel induced in a shop-meeting to resolve to bring charges against Adam Hellmer, and specify in their complaint as follows:

I. Adam Hellmer takes liberties or rights that belong only to a foreman.

II. On Monday, the 25th of October, a cooper called for work when our foreman H. Emer, was absent, and after the said cooper talked eight or ten minutes, Hellmer called him names and overwhelmed him with terms of reproach, and used such language towards John Schaney, with whom he was talking, that everybody in the shop was ashamed and mortified at the impression that the applicant for work in the shop received of its character.

The undersigned hereby declare that they recognize but one foreman of coopers, and he is Mr. Emer, and further urge (verlangen) that the said Adam Hellmer be discharged on the Saturday of this week, or we will be forced to take such further steps as we would like to avoid in the interests of the firm.

George Vierling
Paul Jaenisch
Franz Koegler
Herman Roemer
Charles Hoffman
Philip Schanne
Mathias Kunssman
Henry Buddleman.

0230

# District Attorney's Office.

PEOPLE

*vs.*

Adam Hellmer

Manslaughter - 1st

Let this plead in Part 1 on 7th inst. to Manslaughter in 1st degree

Oct 5/87 R.B.M.

To Mr Parker

0231

# The People of the State of New York,

TO Jo Esquire, one of the Police Justices of the City of New York, and to JOHN SPARKS, Esquire, Clerk of our Court of General Sessions of the Peace, holden in and for the City and County of New York, and to Randolph B. Martine Esq District attorney

GREETING:

**We Command you,** That you certify fully and at large to

CERTIORARI TO CERTIFY CAUSE OF DETENTION.

our Supreme Court of the State of New York, at a Special Term thereof, to be holden at the New County Court House, in Chambers Street, in the said City of New York, on the 14th day of September 1887, at 10½ o'clock in the forenoon, the day and cause of the imprisonment of

Adam Hellmer

by you detained; as is said, by whatsoever name the said

Adam Hellmer

shall be called or charged; and have you then this writ.

*Witness,* Honorable ~~NOAH DAVIS~~ Charles H Van Brunt, presiding Justice of our Supreme Court of the First Judicial Department, at the City Hall, in said City of New York, the 13th day of September 1887.

BY THE COURT.

WILLIAM F. HOWE and ABRAHAM H. HUMMEL } *Attorneys for Relator.*

James [illegible] *Clerk.*

0232

Opinion reserved opinion
Henry Ennis
Argued July 21
Atty Gen. Hamons Brief 309
-315- & 47th on July 30
Injunction recd at 5.50 P.M.
Dec 8-10 days after injury

Rpt in spite of the apparent extenuating circumstances — Schimmel, Dudley

How far did he go to his bench for humanity? How to drunk? Was he disobeyed by 8 men? & why?

Must see Schimmel v Dudley.

**Supreme Court, New York.**

IN RE THE IMPRISONMENT OF

Adam Hellmer

# Writ of Certiorari.

I HEREBY ALLOW THE WITHIN WRIT.

*Dated this* 13th *day of* Sept 1889.

*Justice of the Supreme Court,*
*holding Special Term thereof.*

HOWE & HUMMEL,
*Attorneys for Relator.*

0233

# Grand Jury Room.

PEOPLE

*vs.*

0234

# District Attorney's Office.

PEOPLE

*vs.*

[illegible]

Murder

[illegible]

Defendant [illegible]

Bond no 25K and

30 Pd

[illegible]

----------X

The people

vs.

Adam Hellmer

Murder in the first degree.

----------X----

The above-named defendant was, upon the 16th of September ult., indicted for the crime of murder in the first degree. Reference of the case was made to me for the purpose of ascertaining whether the acceptance of a plea of manslaughter would be advisable.

I have exhaustively examined all the witnesses in the case, as well those examined before the Coroner as others outside the record, fellow-workmen with defendant and deceased. The circumstances attending and surrounding the homicide, as related by all such witnesses, are as follows:

The deceased, Henry Emer, was the foreman in the cooper shop attached to the brewery of Henry Clausen & Sons, in this City. He had been employed by said firm in the capacity mentioned for many years, and had borne an exceptionally good character for ability at his calling, and fairness and impartiality among the men whom it was his duty to supervise and direct.

Hellmer, the defendant, had been for some six years in the employ of the same firm as a cooper, being for part of that time under the direction of the deceased. He was a sober man, and a capable and industrious workman, but morose, taciturn, sullen and but little liked by his

comrades in the shop.

The witnesses throw very little light upon the relations of deceased and defendant prior to the assault which terminated in Emer's death. Some of them speak of Hellmer as having been jealous of deceased, and as believing himself better entitled than Emer to the foremanship of the shop, but the testimony in this regard is indefinite and slight, and when pressed to a conclusion, amounts to nothing more than a belief.

The dislike towards the defendant above-mentioned, arose not merely from his moroseness and reserve, but from a alleged disposition on his part, during Emer's absence from the shop-room, to assume the powers of foreman in directing the workmen, and making himself a monitor to report their shortcomings. One incident of this character brought about a shop meeting, at which a petition for the discharge of the defendant, addressed to the head-foreman of the brewery, was framed, signed by all the workmen save one, (who had been in the shop only two days, and was therefore ignorant of the merits of the case) and then, at the request of said workmen, presented by deceased to said head-foreman, who authorized Hellmer's discharge on the following Saturday. Hellmer was not present at the shop meeting, but was not excluded therefrom. It was not private, and it was discussed for a whole day immediately before it was held. It is, therefore, the supposition of the witnesses examined that he either knew or suspected a movement for his discharge, but none of them can fur -

nish any grounds for this belief other than the freedom with which the contemplated meeting was discussed. One witness, the head-foreman, above alluded to, observed unusual loitering on the part of defendant on the afternoon of his discharge, but no expression of his was heard indicating any knowledge of what was in store for him.

At a few minutes before five on the afternoon of Saturday the 30th of July ult., the deceased approached defendant, who was then standing at his, (defendant's) bench, and informed him that he need not continue working any longer, and that he was discharged. Defendant held in his hand an iron hammer, the implement of his trade, and immediately cried out to deceased: "what, you scoundrel!" raised the hammer, and struck him a blow upon the head therewith. The hammer flew from his grasp. He immediately turned to his bench, which was within reach behind him, and taking a wooden mallet therefrom, struck deceased twice therewith upon the head. Defendant then endeavored to reach other tools upon the bench, but was stopped by the surrounding workmen, who seized him, and removed the tools. Defendant was kept in custody until an officer, who had been sent for, arrived. To the foreman, who came upon the scene at this moment, he declared "that if he was arrested he could defend himself; and that he was a citizen." No other statements were made by him throughout the entire affair.

Deceased lived thereafter for 22 days, dying upon the 21st of August.

The whole transaction of the assault is declared by all the witnesses to have been of very brief duration. One of the witnesses, timed by a watch, swore before the Coroner, that it took not over four seconds, and he repeated that opinion to me. All agree, too, that the defendant broke into a sudden paroxysm of rage. There is no testimony pointing to intent, premeditation or deliberation.

I am clear that under all these circumstances a conviction of murder in the first degree would be impossible of procurement; nor do I think there is sufficient in the facts on which to predicate even a prima facie case of intent for murder in the second degree.

I believe, however, that the case is a clear one of manslaughter in the first degree. The assault was committed in the heat of passion, and in a cruel and unusual manner, and, if it were clearly established that the commission of a felony in the shape of intentional violence to the person killed, were sufficient to bring the deed within the definition of Section 183 of the Penal Code, the character of the assault and of the weapon used in this case, would make it one of murder in the first degree.

As that point has not, however, been definitively settled, I am of opinion that the acceptance of a plea of manslaughter in the first degree herein, is advisable.

Dated, October 5th, 1887.

Yours respectfully,

O T D Parker

THE PEOPLE OF THE STATE OF
NEW YORK,

*against*

Adam Hellmer

Report

Oct 5/87

RANDOLPH B. MARTINE,
District Attorney,
No. 32 CHAMBERS STREET,
NEW YORK CITY.

approved
Oct 5/87 RBM
District Atty

0240

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

Adam Hellmer

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

— Adam Hellmer —

of the CRIME of Murder in the First Degree —

committed as follows:

The said Adam Hellmer,

late ~~of the Ward~~ of the City of New York, in the County of New York aforesaid, on the thirtieth day of July in the year of our Lord one thousand eight hundred and eighty-seven, at the ~~Ward,~~ City and County aforesaid,

with force and arms, in and upon one Henry Emer in the peace of the said People then and there being, wilfully, feloniously, and of his malice aforethought, did make an assault, and he the said Adam Hellmer, him, the said Henry Emer, with a certain hammer and also with a certain mallet which he the said Adam Hellmer in his right hand then and there had and held, in and upon the head of him, the said Henry Emer then and there wilfully, feloniously and of his malice aforethought did strike, beat, wound and fracture, giving unto him, the said Henry Emer then and there with the

hammer and also with the mallet aforesaid in and upon the head of him the said Henry Emer one mortal wound and fracture of the breadth of four inches and of the ~~length~~ width of six inches, of which said mortal wound and fracture the said Henry Emer at the City and County aforesaid from the day first aforesaid, in the year aforesaid until the twenty first day of August in the same year aforesaid, did languish and languishing did live, and on which said twenty first day of August in the year aforesaid, he, the said Henry Emer at the City and County aforesaid, of the said mortal wound and fracture did die.

And so the Grand Jury aforesaid do say, That the said Adam Hellmer, him, the said Henry Emer, in the manner and form and by the means aforesaid, wilfully, feloniously and of his malice aforethought, did kill, and murder, 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.

Randolph M. Anderson

District Attorney.